

PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2015-00494-EBR
Issue Date: August 24, 2018
Expiration Date: September 24, 2018

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

APPLICANT: King's USA Group, Inc.
37-11 Prince St., Suite 2A
Flushing, New York 11354

WATERWAY: Flushing Bay, a tributary of the East River

LOCATION: 109-09 15th Ave., Borough of Queens, Queens County, City of New York, New York

ACTIVITY: Construction of a private marina

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for this

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permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to adversely affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

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- New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8516 and ask for William Bruno.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>.



For and In behalf of

Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

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WORK DESCRIPTION

The applicant, King's USA Group, Inc., has requested Department of the Army authorization for construction of a fifty-five (55) slip marina in Flushing Bay, a tributary of the East River in the Borough of Queens, Queens County, City of New York, New York.

Starting from the shoreline the proposed work includes:

The installation of a 15-foot-wide by 36.5-foot-long fixed pier on four (4) existing 10-inch-diameter and two (2) existing 12-inch-diameter pilings (547.5 square feet).

Extending from the fixed pier the installation of a 4-foot-wide by 80-foot-long (320 square feet) gangway ramp leading to Dockage Area A.

Docking Area A: construction of a 6-foot-wide by 223-foot-long landing float (1,338 square feet) which is oriented perpendicular to the gangway ramp. On the east side of the Dockage Area A construct seven (7) 4-foot-wide by 30-foot-long (840 square feet total) finger piers, six (6) positioned north of the gangway ramp and one (1) positioned south of the gangway ramp and on the west side construct six (6) 4-foot-wide by 22-foot-long (528 square feet total) finger piers all positioned north of the Landing Platform.

Landing Platform: construction of an 8-foot-wide by 87-foot-long floating landing platform (696 square feet) extending perpendicular from Dockage Area A approximately 36.5 feet from the southern terminus of the west side of Dockage Area A. The southeastern side of the Landing Float will provide dockage for a water bus.

Docking Area B: construction of a 6-foot-wide by 187-foot-long landing float (1,122 square feet) which is oriented perpendicular to the Landing Float and its southern terminus aligned with the south side of the Landing Platform. On the east side of Dockage Area B construct six (6) 4-foot-wide by 22-foot-long (528 square feet total) finger piers and on the west side construct seven (7) 4-foot-wide by 30-foot-long (840 square feet total) finger piers. A pump out station is proposed to be installed near the southern terminus of Docking Area B.

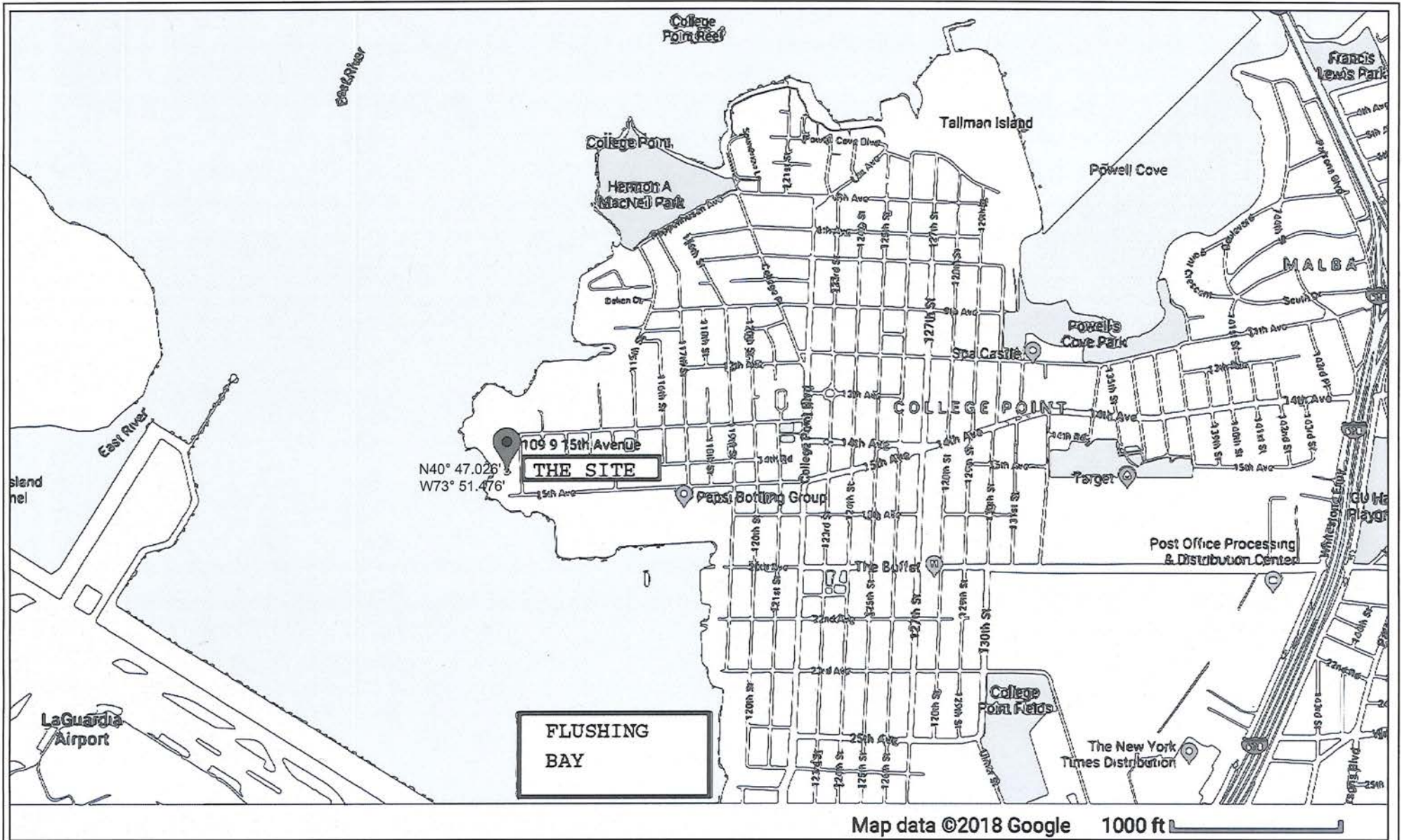
Approximately sixty nine (69) 12-inch-diameter timber mooring piles will be installed throughout the marina. Triangular gussets will be installed on the corners of each finger pier.

The total overwater coverage for the proposed fifty-five (55) slip marina is approximately 6,759.5 square feet.

There is no submerged aquatic vegetation (SAV) in the vicinity of the project area.

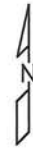
The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by installing the minimum structures necessary to fulfill the facility's purpose and by implementing a 20 minute "soft start" prior to the commencement of pile driving activity.

The stated purpose of the proposed marina project is to facilitate public access to waters of the United States, and provide access for recreational and commuting vessels.



KEY MAP

BLOCK: 4044 LOT: 60
 109-09 15TH AVENUE,
 COLLEGE POINT, NEW YORK

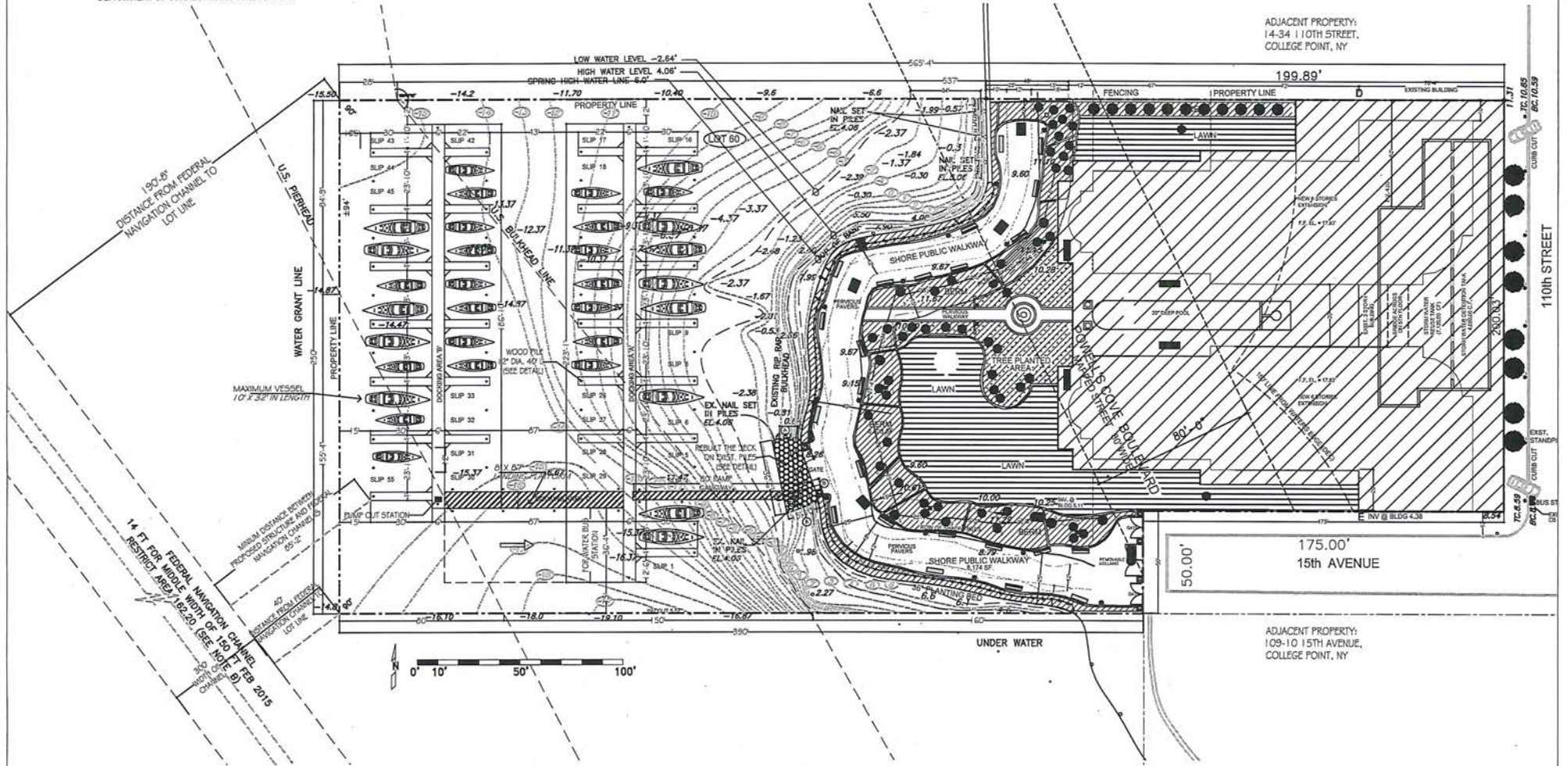


REV.	DATE	APPLICANT:
	06-28-2018	King's USA Group Inc.
JOB NO.	0621-01-009	LAM&LAM ENGINEERING D.P.C.
DRAWN	MB	112-45 ROOSEVELT AVE. EST. 1908 QUEENS NY 11348 TEL: 212 274 8833 FAX: 212 274 8888 LAMEENGINEERING@GMAIL.COM
CREATED	WDH	ADDRESS:
APPROVED	REG	109-09 15TH AVENUE, COLLEGE POINT, NY
TITLE	LOCATION MAP SECTIONS	
SCALE	SHEET NO. 1 OF 5	CHANGED NO. A-1

UNLAWFUL ALTERATION OF, OR ADDITION TO PLANS OR DOCUMENTS BEARING THE SEAL OF A LICENSED PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 2209, SUBSECTION 2 OF THE NEW YORK STATE ENGINEERING LAW. ANY ALTERATION TO THIS DOCUMENT MUST BE DONE BY A PERSON ACTING UNDER THE DIRECT SUPERVISION OF A LICENSED PROFESSIONAL ENGINEER IN ACCORDANCE WITH THE STATE ENGINEERING LAW. COPIES OF THIS DOCUMENT NOT MARKED WITH AN ORIGINAL OF THE PROFESSIONAL ENGINEER'S SEAL OR HIS SIGNATURE SEAL SHALL NOT BE CONSIDERED TO BE VALID FOR CONSTRUCTION.

NOTES:
 PROPERTY OWNERS OF ADJACENT PROPERTIES
 1. 14-34 110TH STREET: MY MARINE PROPERTIES LLC
 430 GREAT NECK ROAD,
 GREAT NECK, NY 11021
 2. 109-10 15TH AVENUE: MMLR LLC
 37-30 REVIEW AVENUE,
 LIC, NY 11101
 * PROPERTY ON OPPOSITE SIDE OF WATERWAY:
 RUNWAY OF LAGUARDIA AIRPORT AND
 DEPARTMENT OF CORRECTION ON RIKER ISLAND.

NOTE B
 162.20
 ALL VESSELS TRAVERSING THE AREA SHALL PASS DIRECTLY THROUGH
 WITHOUT UNNECESSARY DELAY. NO VESSELS HAVING A HEIGHT OF MORE THAN
 35 FEET WITH REFERENCE TO THE PLANE OF MEAN HIGH WATER SHALL ENTER
 OR PASS THROUGH THE AREA WHENEVER VISIBILITY IS LESS THAN ONE MILE.



SITE PLAN

ZONING COMPUTATION:

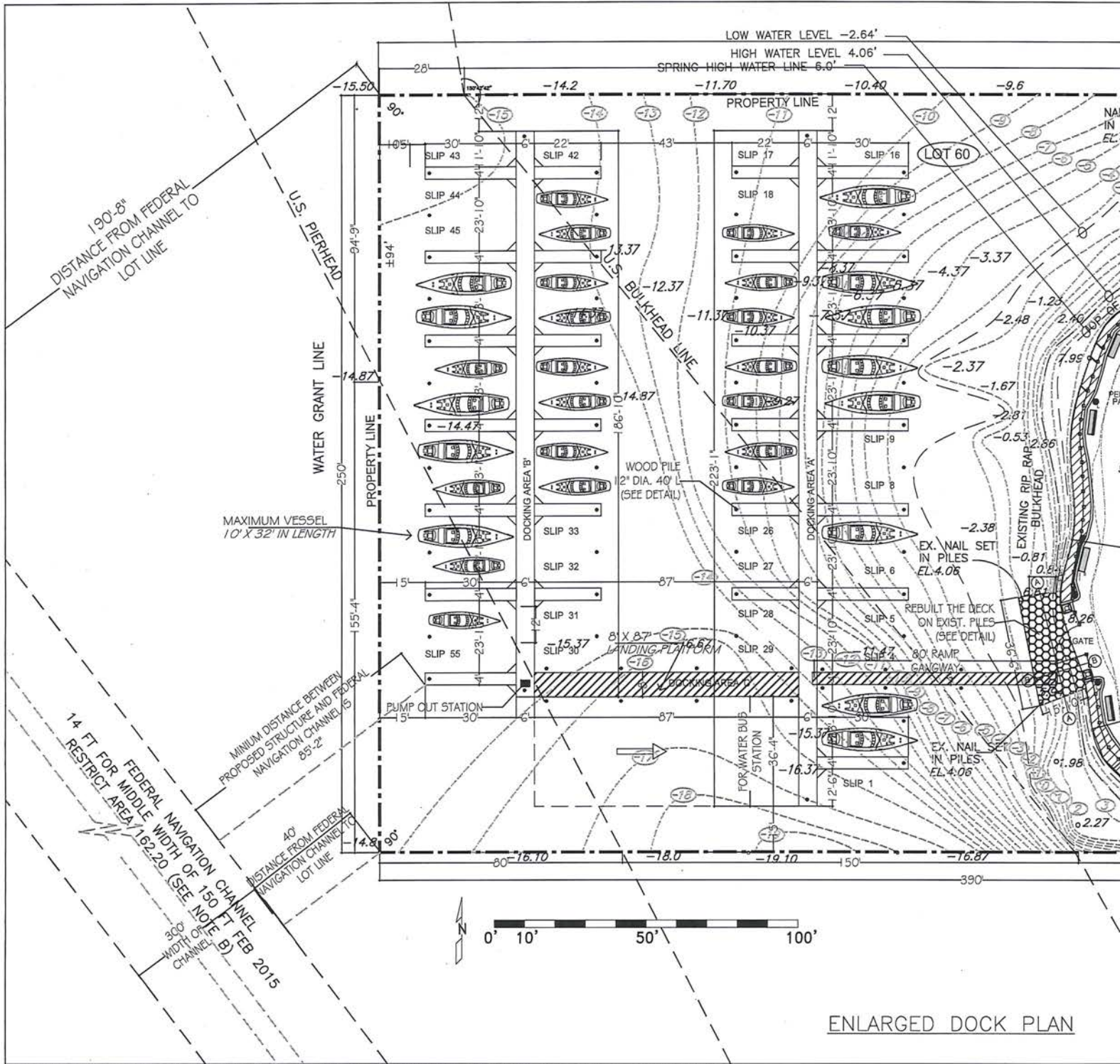
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 109-09 15TH AVENUE,
 COLLEGE POINT, NEW YORK
 BLOCK: 4044
 LOT: 60

ZONING DATA:

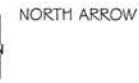
ZONING DISTRICT: M2-1 (WATERFRONT DISTRICT)
 ZONING MAP: YB
 UPLAND LOT AREA: 100338.18 SQ. FT.
 SEAWARD LOT AREA: 28,700 SQ. FT.
 RESIDENTIAL USE PER BSA #809-04-02 (BY VARIANCE)
 PROPOSED ZONING GROUP USE: 2

REV. 9	DATE 08/07/2018	APPLICANT: King's USA Group Inc.
JOB NO. 0891-01-009	DRWN MB	LAM&LAM ENGINEERING D.P.C. <small>711-48 RONSEVELL AVE 13TH FLOOR QUEENS NY 11368 TEL: 311 214 8833 FAX: 311 214 8844 LAN@ENGINEERINGDPC.COM</small>
CHECKED WDH	APPROVED ROD	ADDRESS: 109-09 15TH AVE, COLLEGE POINT, NY
SCALE: 1" = 30'	SHEET NO: 2 OF 5	DRAWING NO: A-2

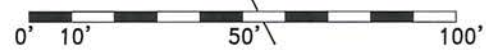
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- LEGEND:**
- WOOD PILE:
1 2" DIA. 40' IN LENGTH
SPECIES: GREENHEART
TOTAL NO. OF PILE: 72
 - ▨ ALUMINUM RAMP GANGWAY
& ALUMINUM LANDING
 - ▤ DOCK WITH WOOD DECKING
 - PUMP OUT STATION
 - 🚤 BOAT
(55 BOAT SLIPS)
MAXIMUM SIZE: 10' X 32'



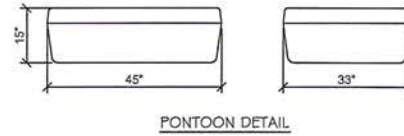
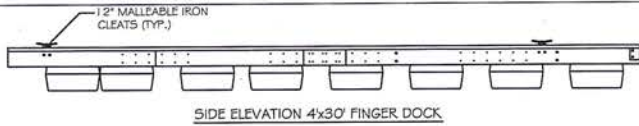
CONTOUR LINES WITH DEPTH



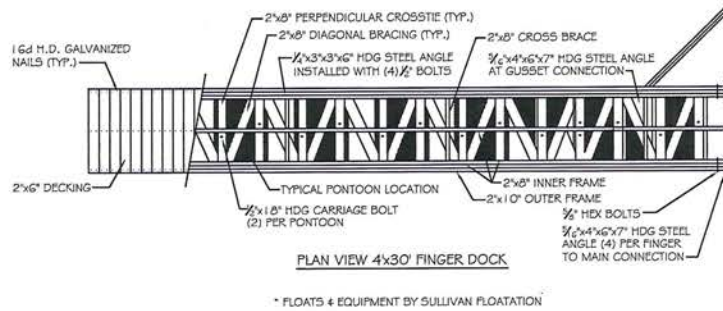
ENLARGED DOCK PLAN

<table border="1"> <tr> <td>RDG. NO.</td> <td>DATE</td> <td>APPLICANT:</td> </tr> <tr> <td>9</td> <td>08/07/15</td> <td>King's USA Group Inc.</td> </tr> </table>	RDG. NO.	DATE	APPLICANT:	9	08/07/15	King's USA Group Inc.	<p>LAM & LAM ENGINEERING D.P.C.</p> <p>113-45 ROOSEVELT AVE 1ST FLOOR QUEEN'S NY 11348 TEL 212 274 8833 FAX 212 274 8849 LAMENGINEERING@GMAIL.COM</p>			
RDG. NO.	DATE	APPLICANT:								
9	08/07/15	King's USA Group Inc.								
<table border="1"> <tr> <td>JOB NO.</td> <td>0691-01-003</td> </tr> <tr> <td>DRAWN</td> <td>MB</td> </tr> <tr> <td>CHECKED</td> <td>WCH</td> </tr> <tr> <td>APPROVED</td> <td>RDG</td> </tr> <tr> <td>SCALE:</td> <td>AS NOTE</td> </tr> </table>	JOB NO.	0691-01-003	DRAWN	MB	CHECKED	WCH	APPROVED	RDG	SCALE:	AS NOTE
JOB NO.	0691-01-003									
DRAWN	MB									
CHECKED	WCH									
APPROVED	RDG									
SCALE:	AS NOTE									
<p>ADDRESS: 109-09 15TH AVE, COLLEGE POINT, NY</p>										
<p>ENLARGED DOCK PLAN</p>										
<table border="1"> <tr> <td>SHEET NO.</td> <td>3 OF 5</td> <td>DRAWING NO.</td> <td>A-3</td> </tr> </table>	SHEET NO.	3 OF 5	DRAWING NO.	A-3						
SHEET NO.	3 OF 5	DRAWING NO.	A-3							

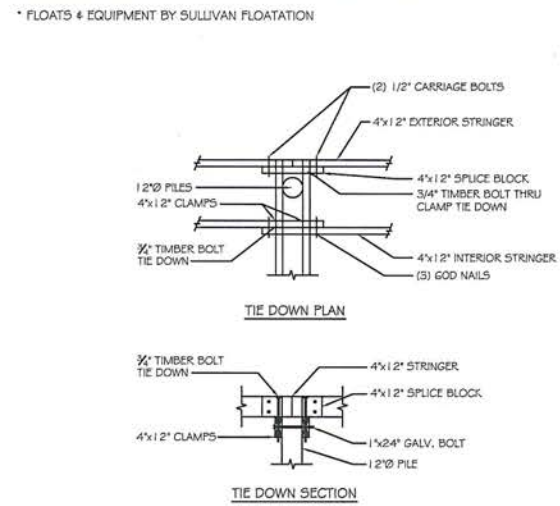
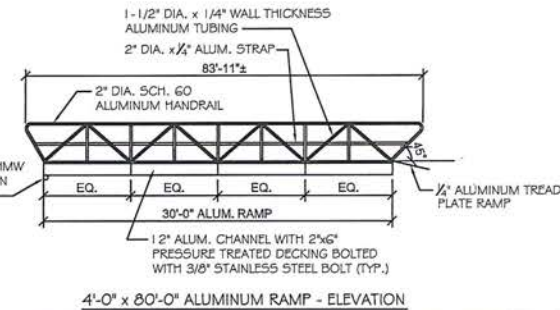
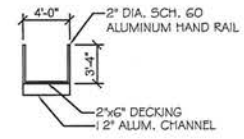
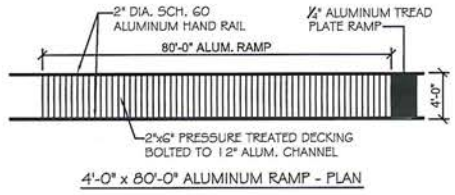
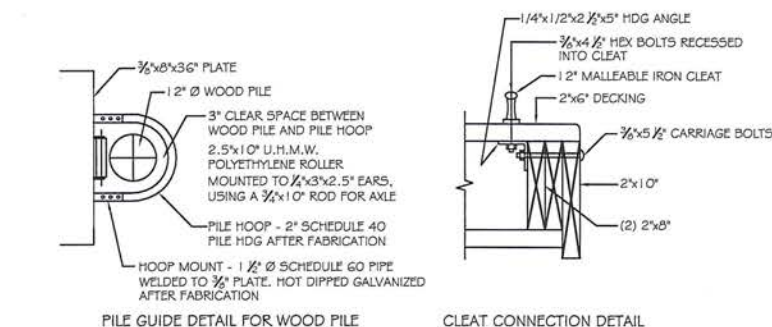
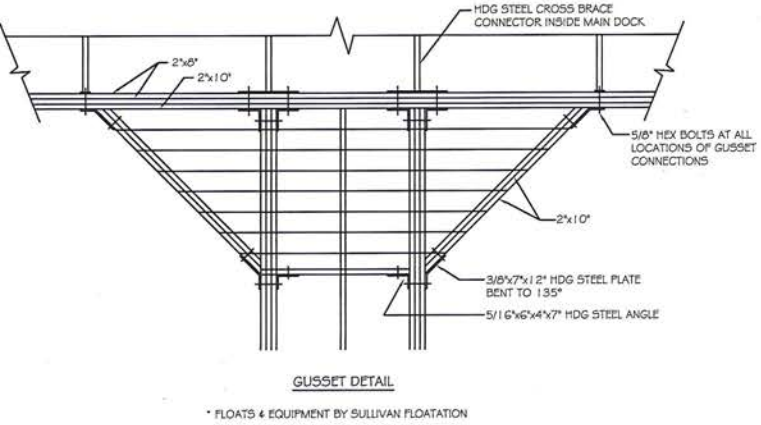
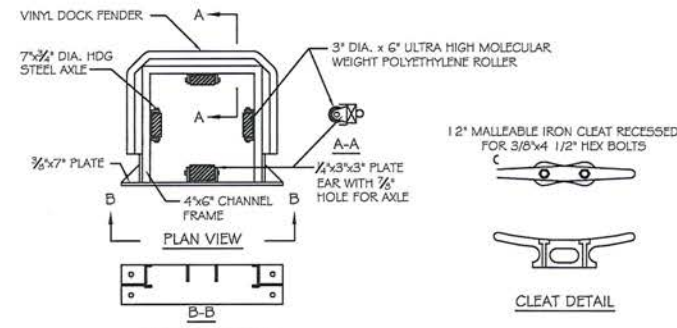
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- GENERAL NOTES:**
1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THESE PLANS AND ALL APPLICABLE CODES AND REGULATIONS.
 2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD.
 3. ALL STEEL HARDWARE SHALL BE DOCK DEPARTMENT GALVANIZED IN ACCORDANCE WITH ASTM A-53.
 4. ALL TREATED TIMBER SHALL BE SOUTHERN YELLOW PINE, GRADE 1 OR BETTER, PRESSURE TREATED TO A MINIMUM NET RETENTION OF 25 PCF (CREOSOTE) OR 2.5 PCF (C.C.A.).
 5. ALL LUMBER FOR DECKING SHALL BE SOUTHERN YELLOW PINE, GRADE 1 OR BETTER, PRESSURE TREATED TO A MINIMUM NET RETENTION OF 25 PCF (CREOSOTE) OR 2.5 PCF (C.C.A.).
 6. ALL LUMBER SHALL BE FREE OF DAMAGE AND DEFECTS WHICH COULD AFFECT THE STRENGTH OR DURABILITY OF THE INTENDED PURPOSES.
 7. ALL BOLTS, NUTS, AND WASHERS SHALL BE OF THE SIZE, SHAPES, AND LENGTHS SUFFICIENT FOR THEIR INTENDED USES AND SHALL BE HOT DIPPED GALVANIZED AND CONFORM TO ASTM A-07.
 8. ALL HARDWARE AND FITTINGS, WRAP AROUND PLATES, PILE HOOP MOUNTS, CLEATS, ETC. SHALL BE HOT DIPPED GALVANIZED AFTER FABRICATION AND CONFORM TO ASTM A-123.
 9. THE FLOATATION UNITS SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT DETERIORATION FROM PETROLEUM AND DETERGENTS.
 10. NO OPENING IN DOCK SURFACE SHALL BE MORE THAN 1/4\"/>

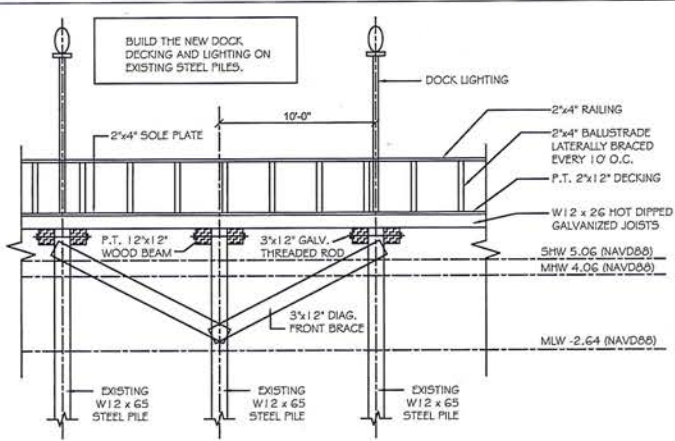


MATERIAL: MARLEX HXM 50100
 COLOR: BLACK
 GAUGE: .200"
 FOAM CORE: PRE-FORMED EXPANDED POLYSTYRENE

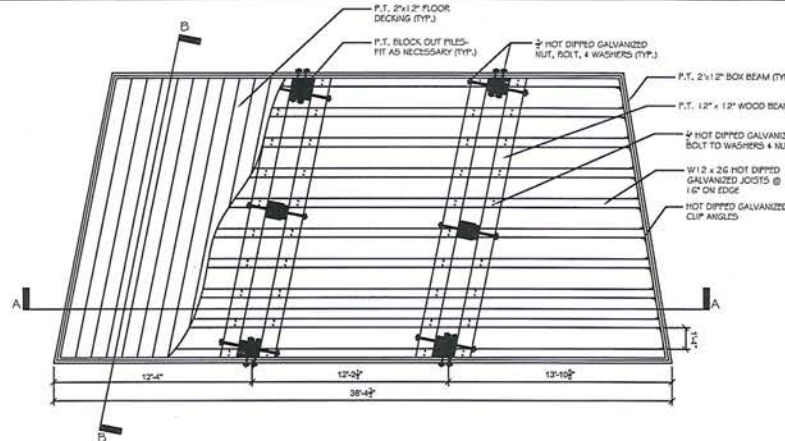


REV.	DATE	APPLICANT:
	06-26-2016	King's USA Group Inc.
JOB NO.	0691-01-009	LAM&LAM ENGINEERING D.P.C. 112-45 ROOSEVELT AVE 1ST FLOOR QUEENS NY 11368 TEL 311 274 8833 FAX 311 274 8893 LAMENGINEERING@PC.COM
DRAWN	MB	
CHECKED	WCH	ADDRESS:
APPROVED	RDG	109-09 15TH AVE, COLLEGE POINT, NY
SCALE:	SHEET NO: 4 OF 5	DRAWING NO. A-4

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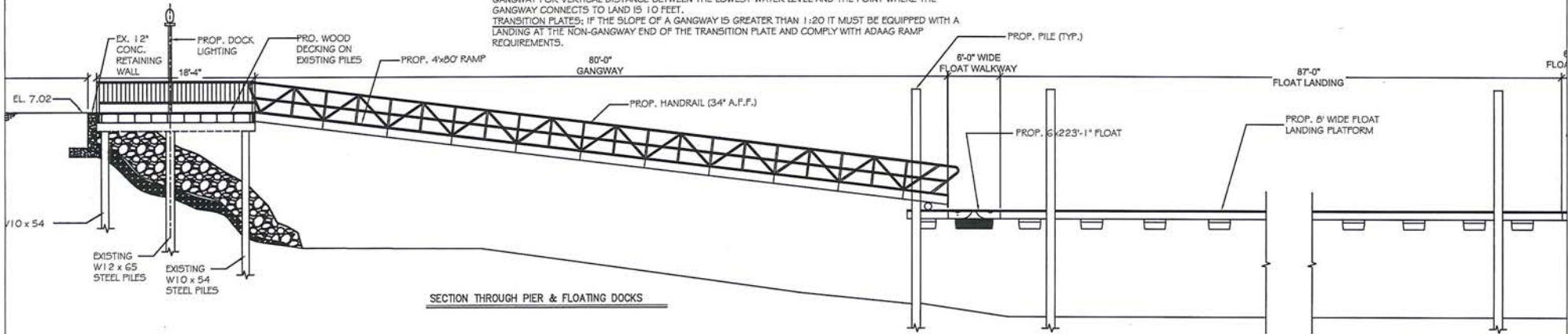


PARTIAL DOCK ELEVATION

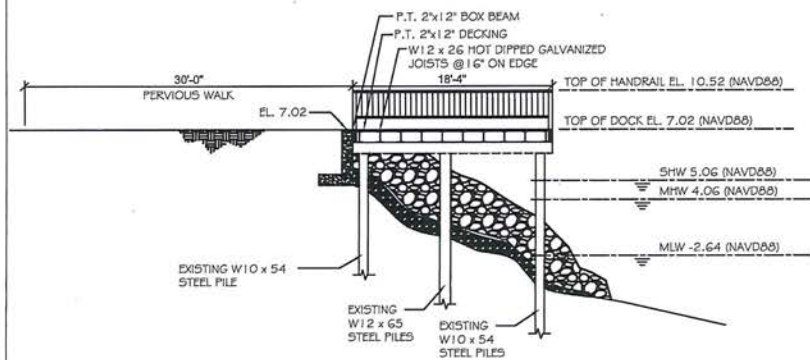


DOCK PLAN

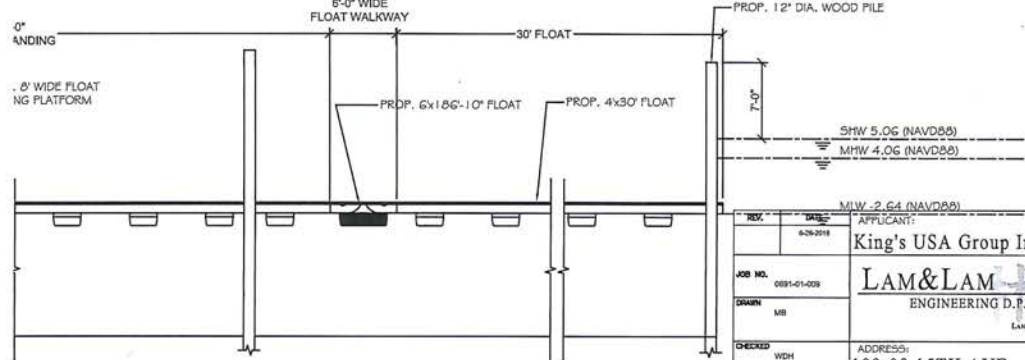
NOTE: GANGWAY CONNECTING FLOATING STRUCTURES EXCEPTIONS TO ADAAG; PROVIDE 80 FEET LONG GANGWAY FOR VERTICAL DISTANCE BETWEEN THE LOWEST WATER LEVEL AND THE POINT WHERE THE GANGWAY CONNECTS TO LAND IS 10 FEET. TRANSITION PLATES; IF THE SLOPE OF A GANGWAY IS GREATER THAN 1:20 IT MUST BE EQUIPPED WITH A LANDING AT THE NON-GANGWAY END OF THE TRANSITION PLATE AND COMPLY WITH ADAAG RAMP REQUIREMENTS.



SECTION THROUGH PIER & FLOATING DOCKS



SECTION THROUGH PIER & RIP-RAP



SECTION OF FLOATING DOCKS

REV.	DATE	APPLICANT:
	6-26-2018	King's USA Group Inc.
JOB NO.	0091-01-009	LAM&LAM
DRAWN	MB	ENGINEERING D.P.C.
CHECKED	WDH	ADDRESS:
APPROVED	RDG	109-09 15TH AVE,
SEAL		COLLEGE POINT, NY
		NEW FLOATING DOCK SECTIONS
SCALE:	SHEET NO:	DRAWING NO.
	S-5	A-5