



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-2019-01326-WCA

Issue Date: December 10, 2019

Expiration Date: January 8, 2020

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), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: National Park Service
Ellis Island, Statue of Liberty National Monument
New York, New York 10004

ACTIVITY: Construct and install, within navigable waters of the United States, a temporary pile supported ferry landing to accommodate one (1) ferry vessel, which would remain in place during the proposed rehabilitation of the existing ferry fender system.

WATERWAY: Upper New York Harbor

LOCATION: Ellis Island, City of Jersey City, Hudson County, New Jersey

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.

CENAN-OP-RW
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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 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 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 life stages of some EFH-designated species. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is 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, Ellis Island is listed as a National Historic Landmark, and is incorporated in the listing for the Statue of Liberty National Monument, and Liberty Island (Ref. No. 66000058). Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

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 occurs. For activities within the coastal zone of New Jersey State, the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Coastal Management Program, P.O. Box 418, 401 E. State Street, Trenton, NJ, 08625, Telephone (609) 633-2201. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

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In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- (New Jersey Department of Environmental Protection Waterfront Development Permit)

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) 790-8412 and ask for Jim Cannon.

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>.



Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

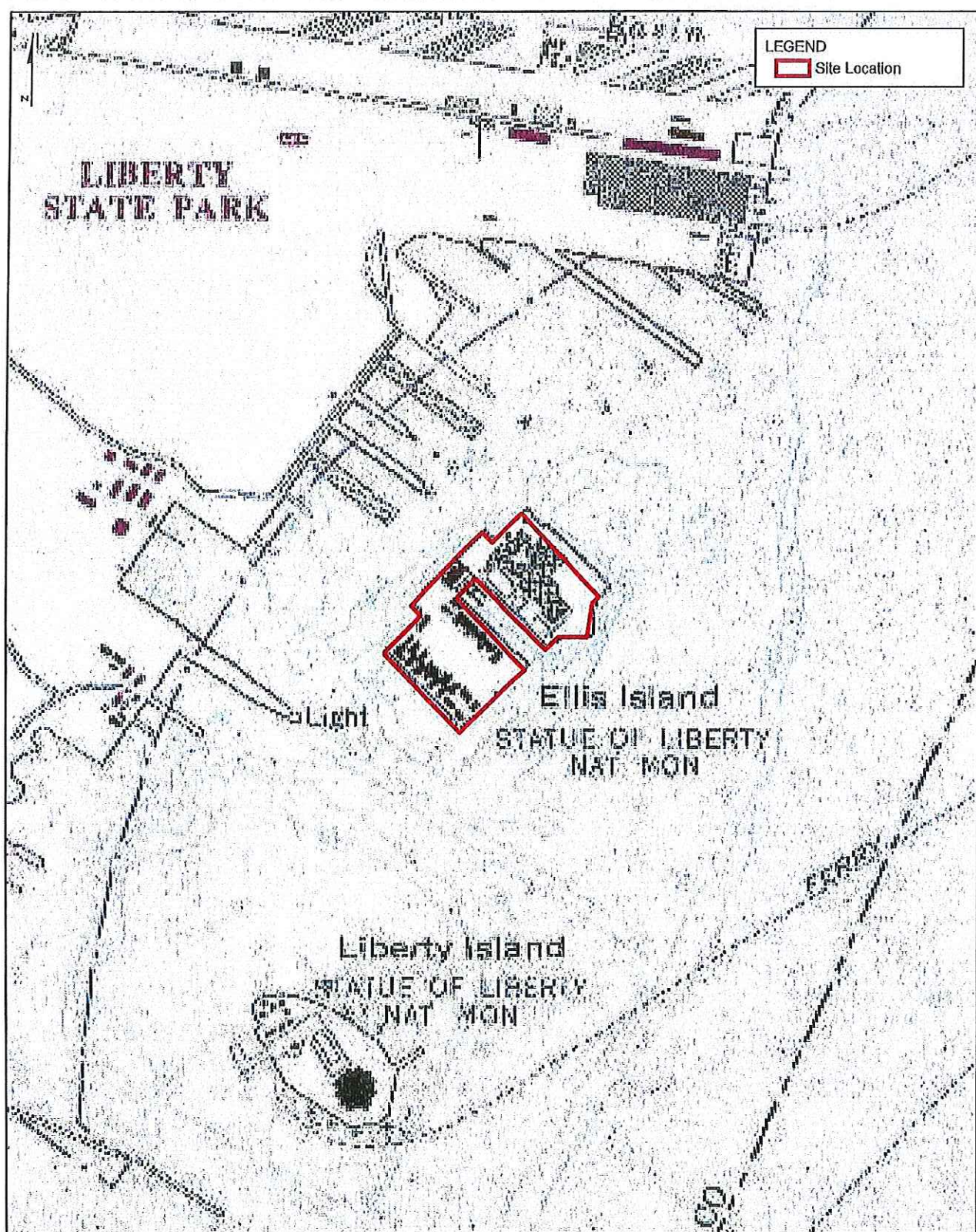
WORK DESCRIPTION

The applicant, the National Park Service, has requested Department of the Army authorization to construct and install, within navigable waters of the United States, a temporary pile supported ferry landing. The project site is located at Ellis Island National Monument, within the Upper New York Harbor, in the City of Jersey City, Hudson County, New Jersey.

The regulated activities would include the construction and installation, within navigable waters of the United States, of a temporary ferry landing consisting of an 160-foot long by 50-foot wide floating barge retained by six (6) 36-inch steel anchor piles, with an associated approximately 33-foot long by 10-foot wide access way. The installation of the temporary ferry landing would accommodate one (1) existing ferry vessel, and would allow ferry operations to continue to carry patrons to the Ellis Island National Monument, during the proposed rehabilitation of the existing ferry slip fendering system. The temporary ferry landing would remain in place for approximately one year. The proposed ferry landing would be located adjacent to the federal navigation channel of the Hudson River (NOAA Nautical Chart No. 12327, titled New York Harbor).

Ferry slip rehabilitation activities which are considered authorized under Nationwide General Permit (NWP) Numbers 3 and 13, would include the demolition and replacement of the entire approximately 420-foot long timber fender system, which consists of three (3) ferry vessel berthing areas. Under NWP 13, bank stabilization activities associated with the ferry slip rehabilitation would include the discharge of approximately 3,360 cubic yards of rock riprap along approximately 420 linear feet of the existing fender system shoreline, including an area approximately 420-foot long by 55-foot wide (23,100 square feet) situated adjacent to the fender system. The discharge of riprap in this adjacent area would allow existing scour holes (generated by the ferry vessel propellers) and which currently undermine the structural integrity of the existing ferry slip fendering system to be filled to grade ensuring the stability of the rehabilitated fendering system. Additional activities considered authorized under NWP 3 would include the rehabilitation of the existing deteriorated, but currently serviceable, sea wall situated around the perimeter of Ellis Island. Sea wall rehabilitation activities would include the repair of the existing perimeter gravity wall, north and west walls, sheet pile wall and concrete encasements, and the resetting, regrouting, replacement, and realignment of the existing granite fascia blocks.

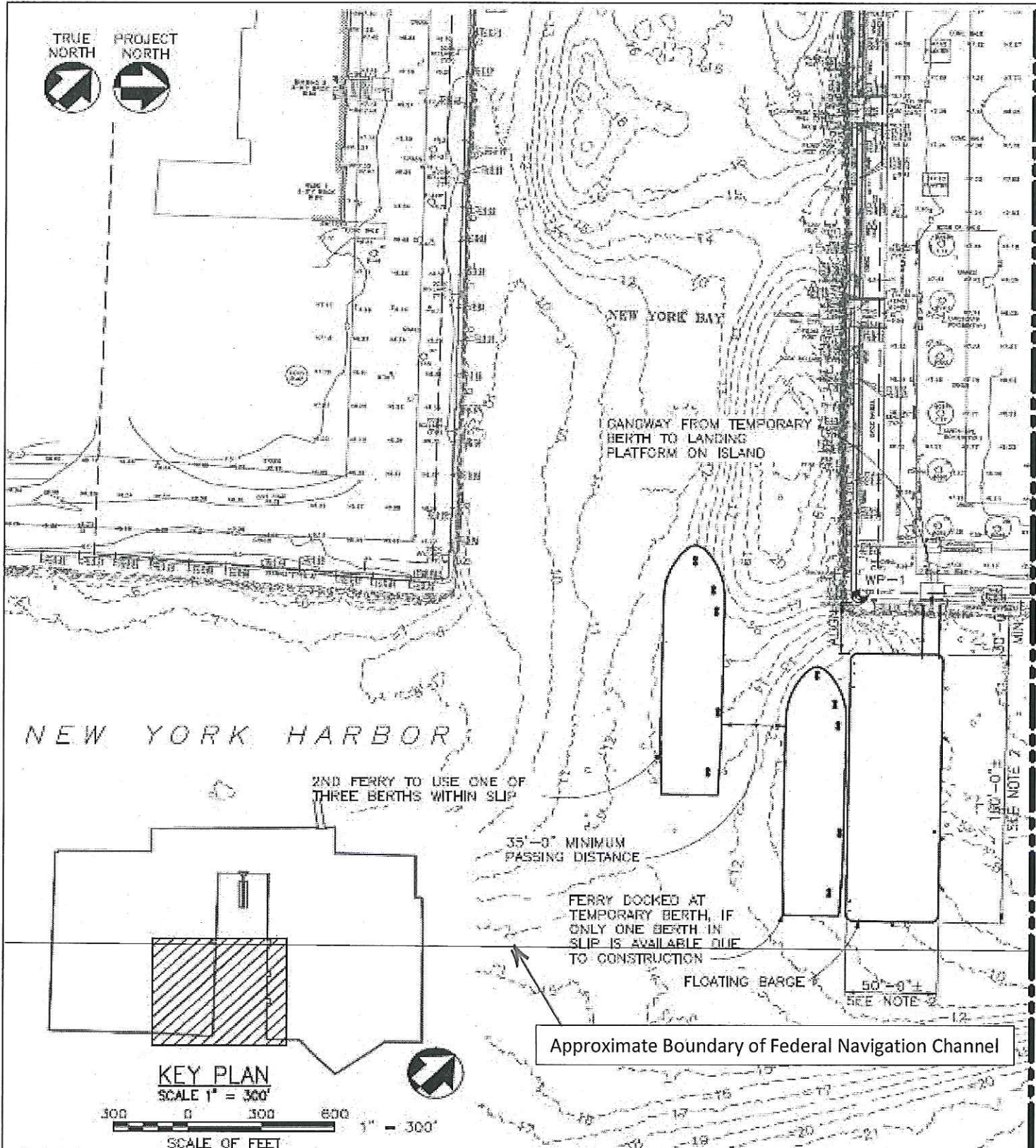
The purpose of this project is to repair the existing ferry slip fender system and perimeter sea wall to ensure the continued and safe navigation, and the protection of the historic resources of Ellis Island.



USGS Topographic Quadrangle Map
 Site Location Map
 Ellis Island Living Shoreline Stabilization Project

Sources: NJOGIS (<http://geodata.state.nj.us>);
 NYCDOT (<https://services5.arcgis.com/VGWWNKbQ9bNBqoJ/MapPLUTO16v1.1>)



TRUE
NORTHPROJECT
NORTH

MATCHLINE SEE SHEET NO. TB-100B

NOTES

1. CONTOURS REPRESENT MUDLINE DEPTH BELOW MLLW.
2. SEE DRAWING TB3 FOR ADDITIONAL DETAIL REGARDING TEMPORARY BERTH GEOMETRY.
3. WP-1 IS THE NORTHEAST CORNER OF THE SEAWALL AT COORDINATES NORTHING 93622.03, EASTING 973340.65, 9.72' ELEVATION.

GENERAL ARRANGEMENT PLAN

SCALE: 1"=80'



SCALE OF FEET

NOT FOR
CONSTRUCTION

DESIGNED:
B. KRYNETS
CADD
P. NELSON
TECH. REVIEW:
X. CHK
DATE:
SEP 13, 2019

SUB SHEET NO.

TB100A

TITLE OF SHEET

TEMPORARY BERTHING

GENERAL ARRANGEMENT PLAN

Figure 3 of 9

ELLIS ISLAND, NEW YORK AND NEW JERSEY

DRAWING NO.

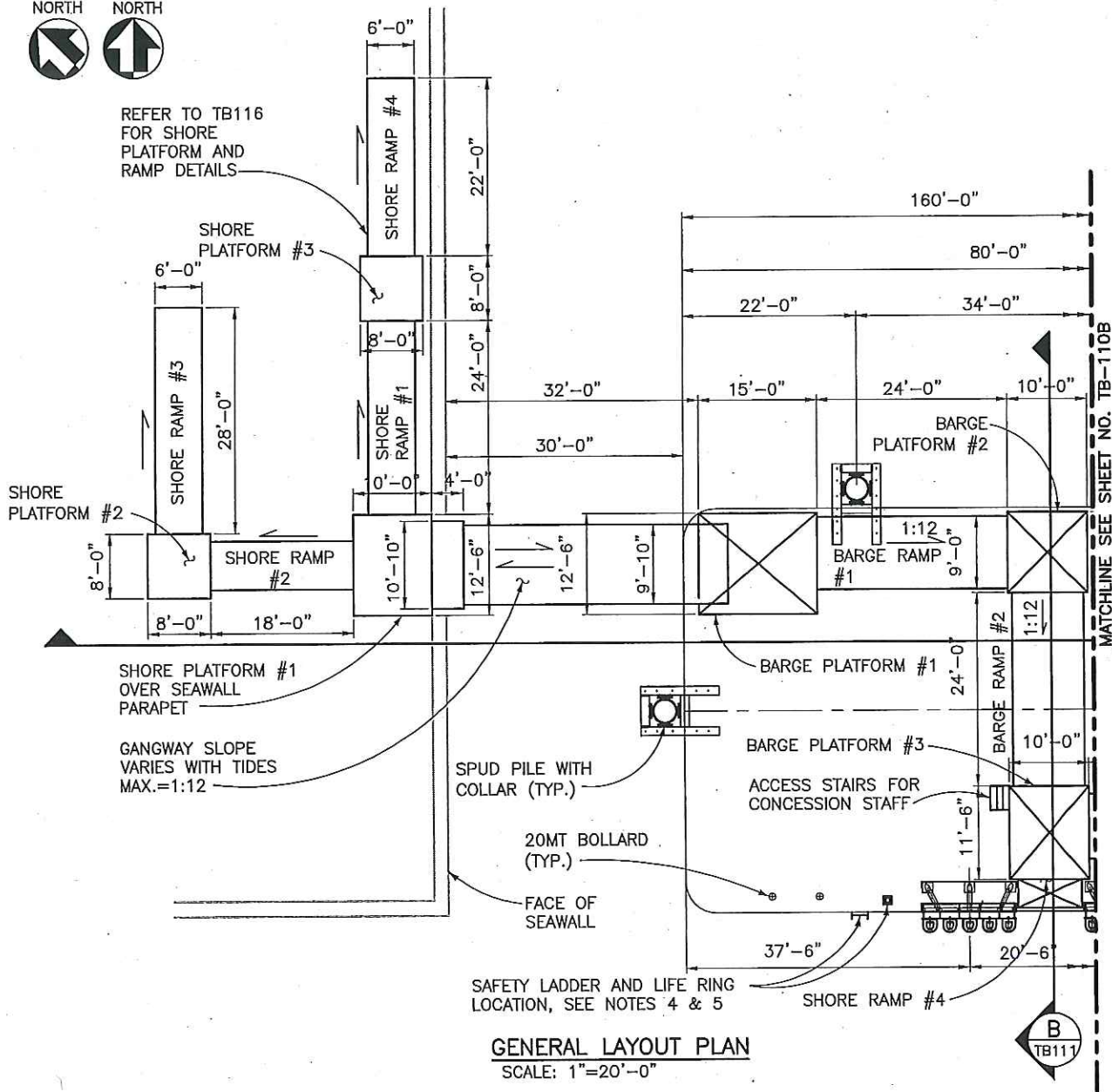
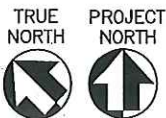
356
141454

PWS/PKC NO.

211568

SHEET

33 of 39



NOTES:

1. GIVEN BARGE DIMENSIONS ARE APPROXIMATE. BARGE SIZE MAY BE VARIED, AS LONG AS BARGE PERFORMANCE AND ABAAS ACCESS REQUIREMENTS ARE MET. SEE NOTE 3.
2. SEE SPECIFICATIONS FOR FLOATING BARGE PERFORMANCE REQUIREMENTS.
3. STANCHION POSTS AND DIVIDERS TO BE ERECTED ALONG CENTER OF RAMPS AND PLATFORMS. GANGWAY TO INCLUDE ALUMINUM DIVIDER ALONG CENTERLINE FROM MANUFACTURER.
4. SAFETY LADDER SHALL BE A1A 7 STEP WIDE RUNG STRAIGHT DOCK LADDER, SKU A1A7WSTR. INSTALL USING 4 EA - 1/2" DIAMETER BOLTS (2 FOR EACH HANDLE).

5. LIFE RING HOLDER SHALL BE ACCMAR EQUIPMENT LIFE RING HOLDER PEDESTAL. INSTALL LIFE RING BUOY SHALL BE STEARNS TYPE IV RING BUOY WITH REFLECTIVE TAPE, SKU: I0300RG-00-REF AND CONNECTED TO IT SHALL BE STEARNS RING BUOY ROPE WITH BAG, SKU: I0230RG-00-000.
6. THIS IS A SUGGESTED LAYOUT. IF BARGE, ETC. DIMENSIONS CHANGE, CONTRACTOR SHALL MODIFY AS REQUIRED TO COMPLY WITH ABAAS REGULATIONS AND NPS REQUIREMENTS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR EOR REVIEW.
7. ALL WALKING SURFACES SHALL BE TREATED WITH NON SLIP FINISHES AND BE ABAAS COMPLIANT.
8. MOVEABLE BARRICADES TO BE PROVIDED BY NPS TO SEPARATE PASSENGERS FROM SERVICE AREAS OF THE BARGE.

10 0 10 20
SCALE OF FEET
1" = 20'

NOT FOR
CONSTRUCTION

DESIGNED:
B.YURYNETS
CADD
P.NELSON
TECH. REVIEW:
X. CHK
DATE:
SEP 13, 2019

SUB SHEET NO.

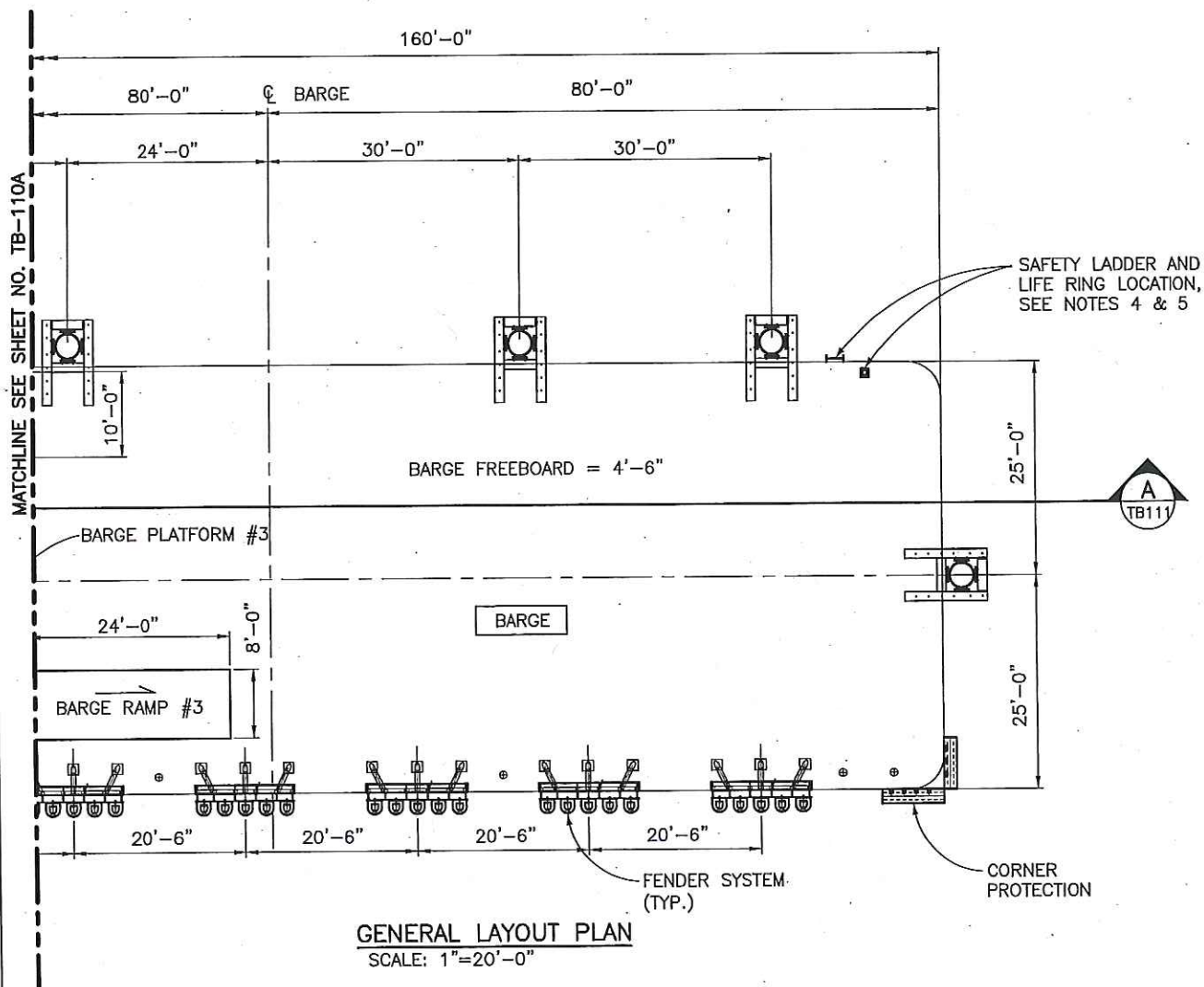
TB110A

TITLE OF SHEET
TEMPORARY BERTHING
PLATFORM/WALKWAY/GANGWAY
SUGGESTED LAYOUT

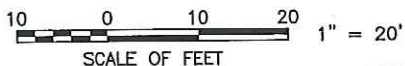
ELLIS ISLAND, NEW YORK AND NEW JERSEY

DRAWING NO.
356
141454
PMIS/PKG NO.
211568
SHEET
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Figure 4 of 9

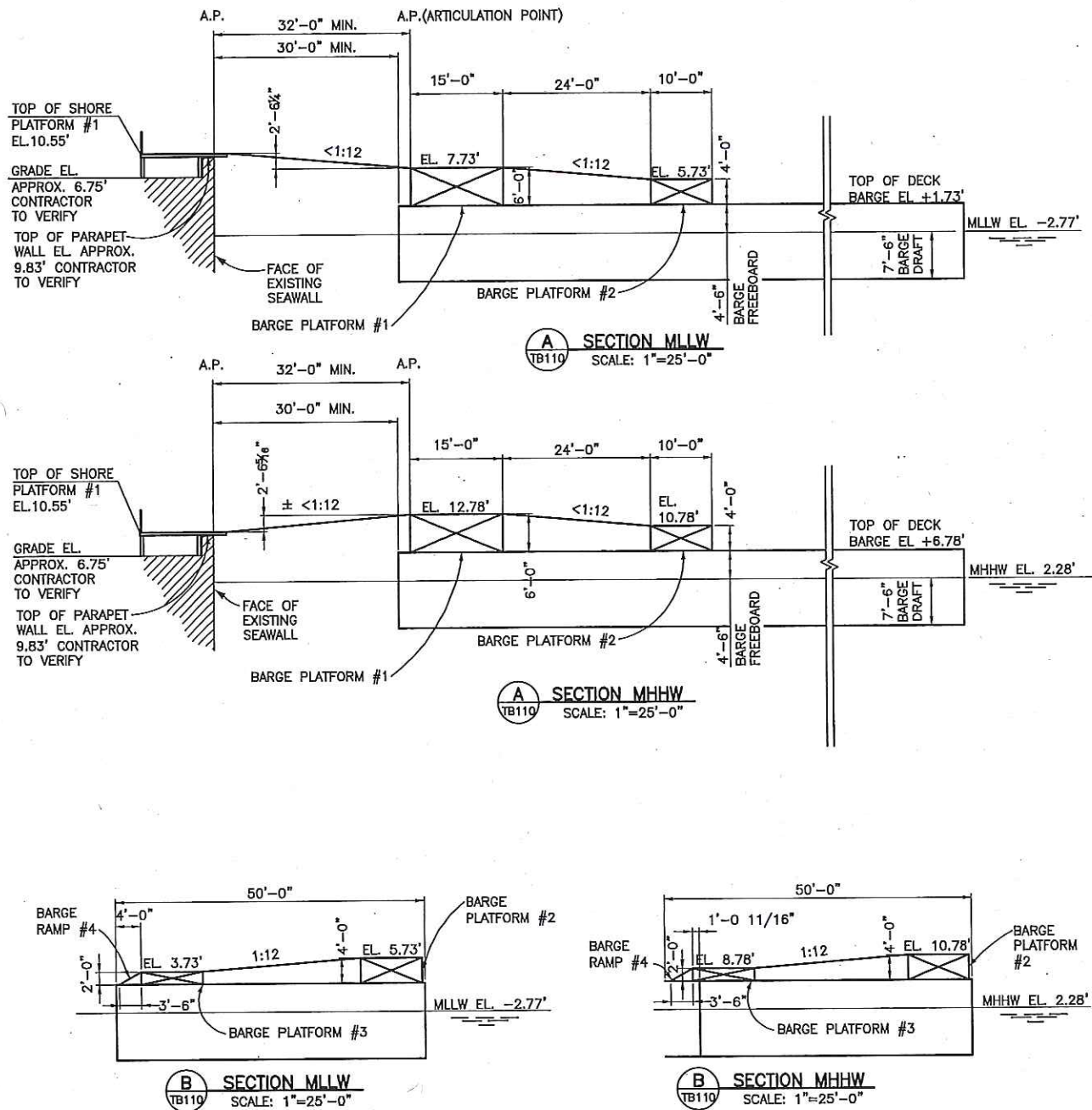


GENERAL LAYOUT PLAN
SCALE: 1"=20'-0"



NOT FOR CONSTRUCTION	DESIGNED: B.YURYNETS	SUB SHEET NO. TB110B	TITLE OF SHEET TEMPORARY BERTHING PLATFORM/WALKWAY/GANGWAY SUGGESTED LAYOUT	DRAWING NO. 356
	CADD P.NELSON			141454
	TECH. REVIEW: X. CHK			PMIS/PKG NO. 211568
	DATE: SEP 13, 2019			SHEET 36 OF 39
				ELLIS ISLAND, NEW YORK AND NEW JERSEY

Figure 5 of 9



NOTES

1. THIS IS A SUGGESTED LAYOUT. IF BARGE, ETC. DIMENSIONS CHANGE, CONTRACTOR SHALL MODIFY AS REQUIRED TO COMPLY WITH ABAAS REGULATIONS AND NPS REQUIREMENTS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR EOR REVIEW.
2. ALL WALKING SURFACES INCLUDING THE CORRALLING AREA SHALL BE TREATED WITH NON-SLIP FINISHES AND ADA COMPLIANT.
3. HANDRAILS NOT SHOWN FOR CLARITY.

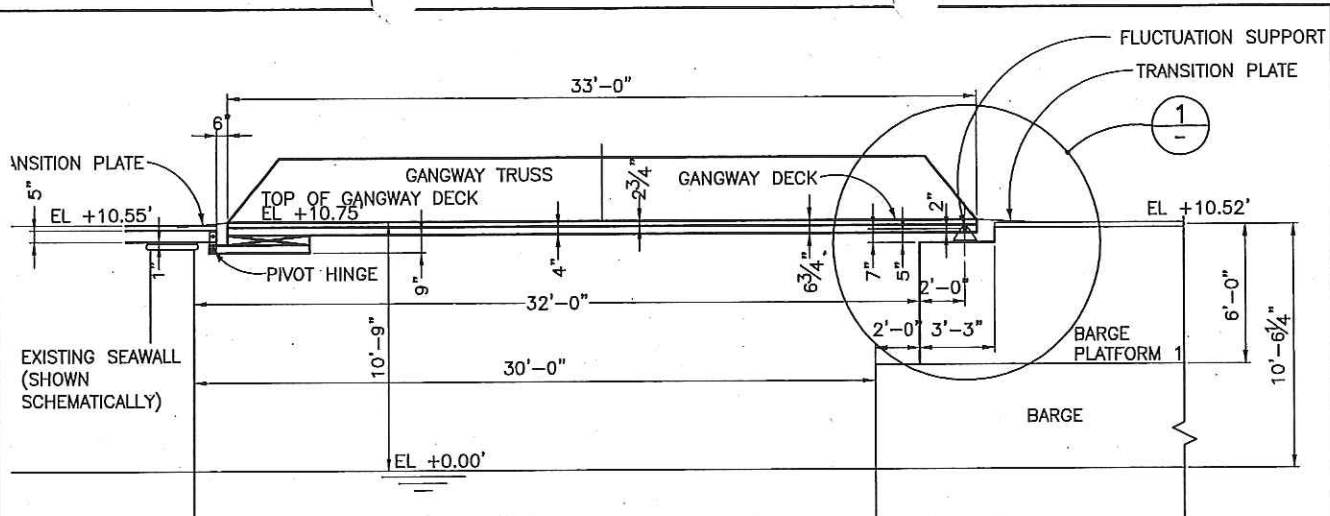
12.5 0 12.5 25
SCALE OF FEET 1" = 25'-0"

0" 1"

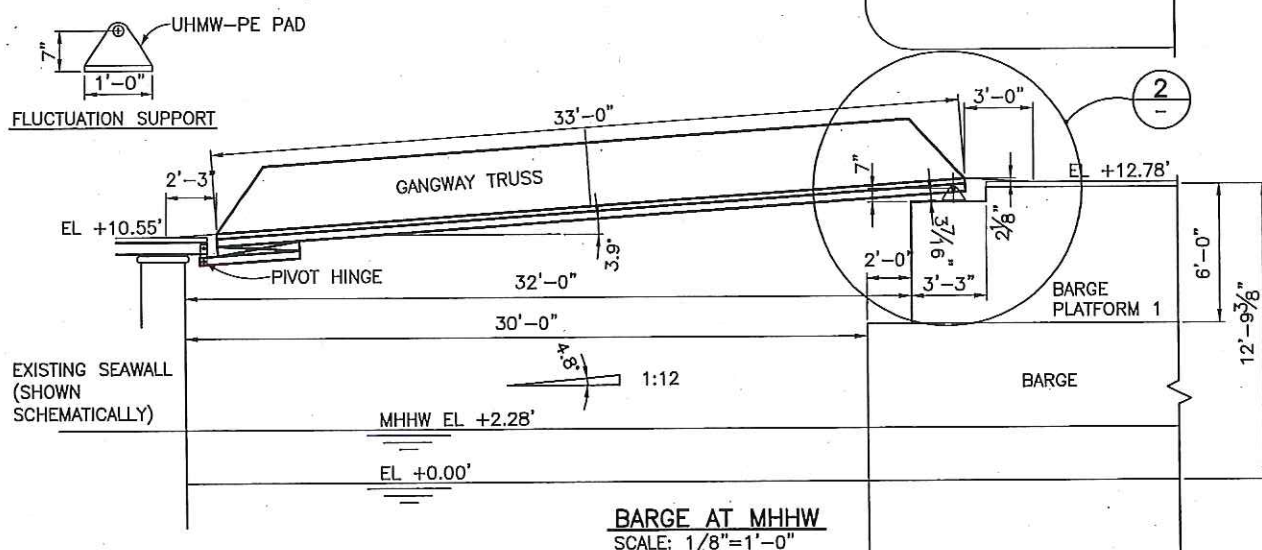
NOT FOR CONSTRUCTION	DESIGNED: B.YURYNETS	SUB SHEET NO. TB111	TITLE OF SHEET TEMPORARY BERTHING PLATFORM/WALKWAY/GANGWAY SECTIONS	DRAWING NO. 356
	CADD P.NELSON			141454
	TECH. REVIEW: X. CHK			PMIS/PKG NO. 211568
	DATE: SEP 13, 2019			SHEET 37 OF 39

ELLIS ISLAND, NEW YORK AND NEW JERSEY

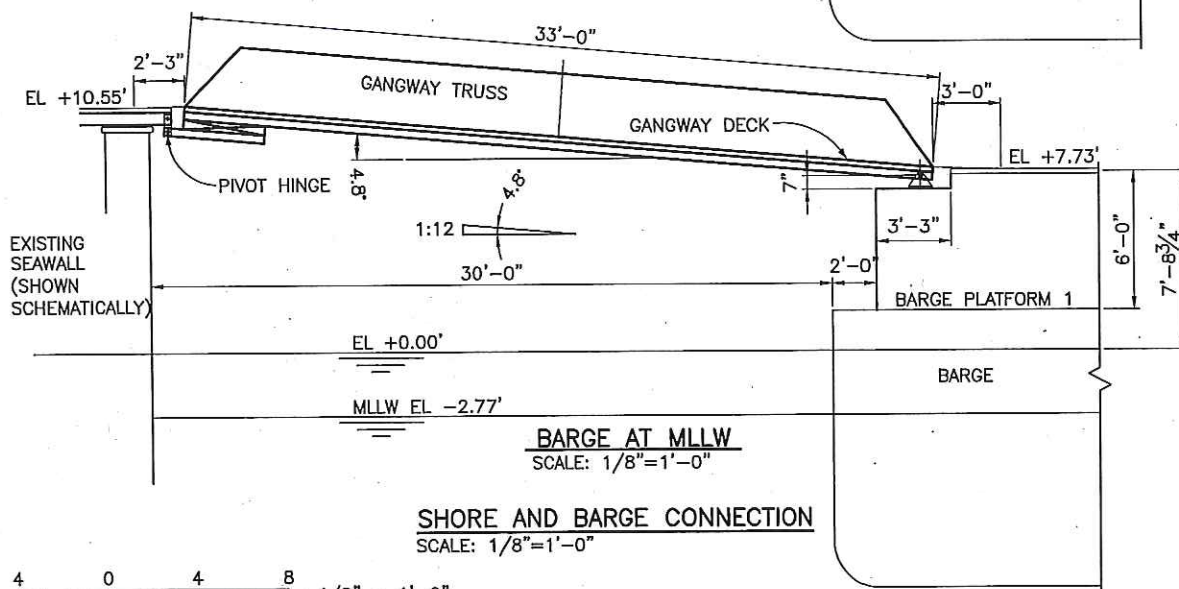
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GANGWAY AT INTERMEDIATE POSITION (HORIZONTAL)
SCALE: 1/8"=1'-0"



BARGE AT MHHW
SCALE: 1/8"=1'-0"



SHORE AND BARGE CONNECTION
SCALE: 1/8"=1'-0"

4 0 4 8
SCALE OF FEET

1/8" = 1'-0"

NOT FOR
CONSTRUCTION

DESIGNED:
B.YURYNETS
CADD
P.NELSON
TECH. REVIEW:
X. CHK
DATE:
SEP 13, 2019

SUB SHEET NO.

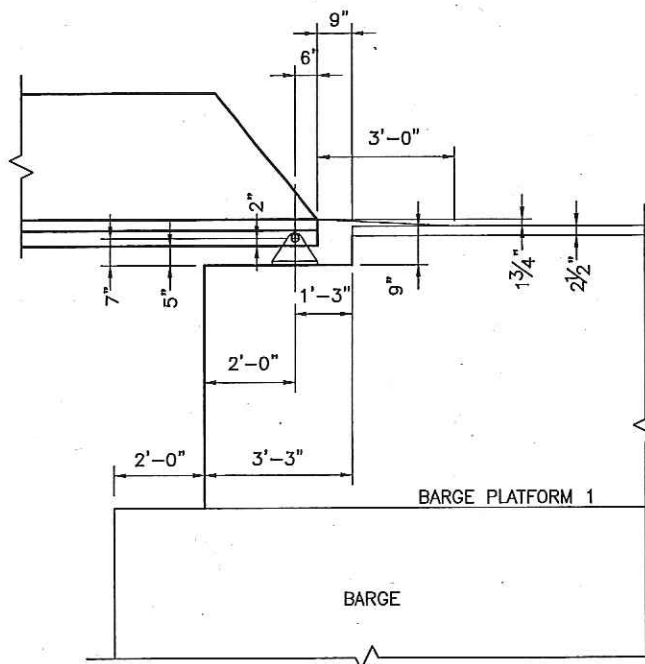
TB112A

TITLE OF SHEET
TEMPORARY BERTHING
**SHORE GANGWAY AT BARGE
SECTIONS**

ELLIS ISLAND, NEW YORK AND NEW JERSEY

DRAWING NO.
356
141454
PMS/PKG NO.
211568
SHEET
38 OF 39

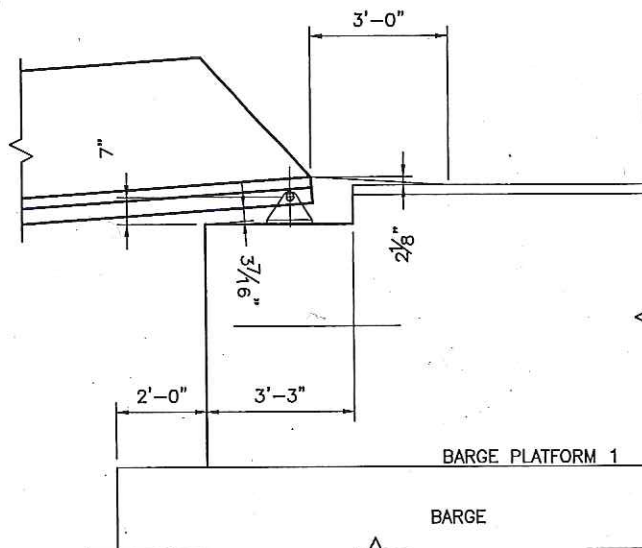
Figure 7 of 9



1

DETAIL

SCALE: 1/4" = 1'-0"



2

DETAIL

SCALE: 1/4" = 1'-0"



1/4" = 1'-0"

NOT FOR CONSTRUCTION	DESIGNED: B.YURYNETS	SUB SHEET NO. TB112B	TITLE OF SHEET TEMPORARY BERTHING SHORE GANGWAY AT BARGE SECTIONS	DRAWING NO. 356
	CADD P.NELSON			141454
	TECH. REVIEW: X. CHK			PMIS/PKG. NO. 211568
	DATE: SEP 13, 2019			SHEET
				39 OF 39



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