



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-2020-00212-EMI**
Issue Date: **January 29, 2021**
Expiration Date: **February 28, 2021**

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) to construct a new ferry landing as part of the ongoing New York City ferry system expansion.

APPLICANT: New York City Economic Development Corporation
1 Liberty Plaza
New York, New York 10006

ACTIVITY: Construction of a new ferry landing and maintenance dredging with upland disposal to expand the existing New York City ferry service

WATERWAY: Coney Island Creek

LOCATION: (40.58047, -73.99676) Borough of Brooklyn, Kings County, City of New York, New York

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.

CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2020-00212-EMI

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND EMAILED 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 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 email 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 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 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, 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.

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. The applicant received a Water Quality Certification, in accordance with Section 401 of the Clean Water Act, Permit ID 2-6107-00860/00002 from the New York State Department of Environmental Conservation with an effective date of December 22, 2020.

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

CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2020-00212-EMI

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 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 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. Please send all comments and questions concerning this application to Christopher.W.Minck@usace.army.mil.

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

WORK DESCRIPTION

The applicant, the New York City Economic Development Corporation, has requested Department of the Army authorization for the construction of a new ferry landing and maintenance dredging with upland disposal to expand the existing New York City ferry service. The proposed project is located in Coney Island Creek at (40.58047, -73.99676) in the Borough of Brooklyn, Kings County, City of New York, New York.

From the eastern end of an existing fishing pier, construct a new three-foot-wide by 15-foot-long concrete platform (with two 16-inch diameter hollow steel piles filled with approximately one cubic yard of flowable concrete below the plane of Spring High Water over approximately three square feet) and a 10-foot-wide by 80-foot-long ramp leading to a 35-foot-wide by 90-foot-long barge in a "T" configuration, anchored by six (6) 36-inch-diameter hollow steel piles with associated anode cathodic protection to service up to two ferry vessels at one time. Construct two (2) 36-inch-diameter hollow steel monopiles with floating donut fendering for a total diameter of approximately 72-inches each approximately 40 feet and 70 feet seaward of the barge, respectively. The total length of structures will extend approximately 200 linear feet into the waterway from the plane of Mean Low Water. The total length of structures and berthed ferries will extend a total of approximately 225 linear feet into the waterway from the plane of Mean Low Water.

In water maintenance work also includes the installation of thirty-four (34) 18-inch timber pile epoxy jackets on the existing fishing pier. The jackets will be filled with a total of approximately two cubic yards of epoxy grout below the plane of Spring High Water over an area of approximately 51 square feet.

West of the of the fishing pier, the applicant would initially mechanically dredge approximately 19,600 cubic yards of material from two areas totaling 195,300 square feet (21,700 square yards or 4.48 acres) area within Coney Island Creek to a depth of -13 feet NAVD 88 with one foot of allowable over depth dredging. The resultant dredged material will be disposed of at a state approved upland facility. Grain size of the material to be dredged for construction consists mostly of coarse to fine sand (90%) with trace amounts of fine soils (10%).The applicant anticipates only needing to dredge the channel after a large storm event that may cause a hazard to navigation. Conservatively, USACE would anticipate that the applicant would conduct three (3) additional dredging events within the ten-year maintenance period removing similar volumes of material from within the same dredging area with disposal at an approved upland facility.

The applicant has avoided, minimized, and mitigated for impacts by utilizing best management practices such as turbidity curtains around the work areas and a 20-minute soft-start during pile driving prior to utilizing impact hammering for aquatic species to leave the area before sound pressure increases. The applicant will use a combination of an environmental dredge bucket and a clamshell bucket for dredging operations. Work will adhere to all required environmental moratoriums and will be accomplished at low tide, as practicable.

The stated purpose of the project is to expand the existing New York City Ferry System to provide an affordable and convenient transportation system, connecting residential areas to business districts and employment centers. The purpose of the dredging portion is to ensure safe navigation of the ferry vessels.



PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

ADJACENT OWNERS:

1. SEE ATTACHED

CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK

APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006

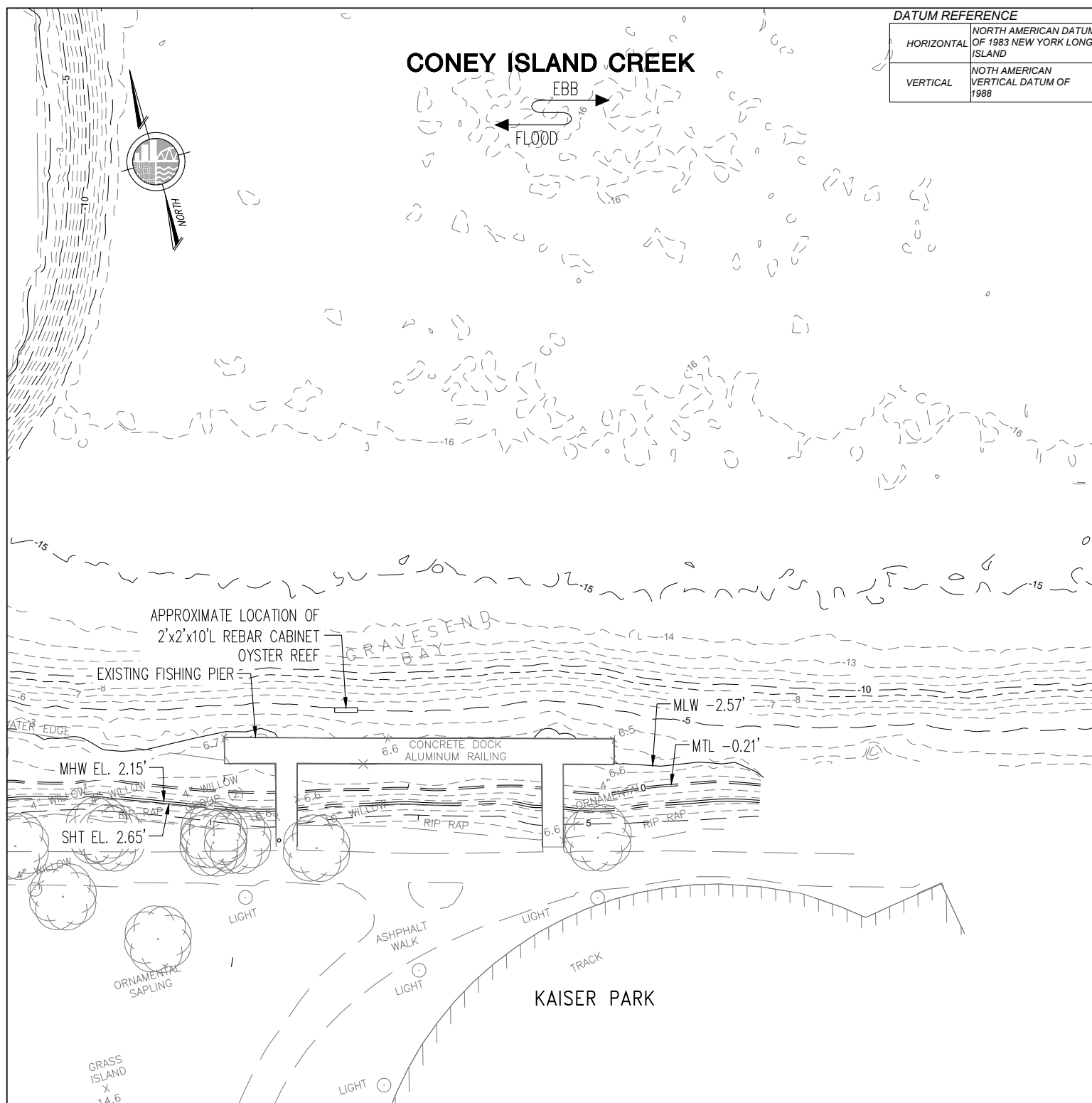
AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

2.0 LOCATION MAP

IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.

SHT 2 OF 11

07/09/20



DATUM REFERENCE	
HORIZONTAL	NORTH AMERICAN DATUM OF 1983 NEW YORK LONG ISLAND
VERTICAL	NORTH AMERICAN VERTICAL DATUM OF 1988

PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

ADJACENT OWNERS:

1. SEE ATTACHED

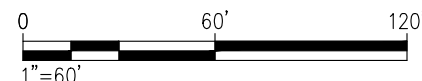
CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK

APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006

AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

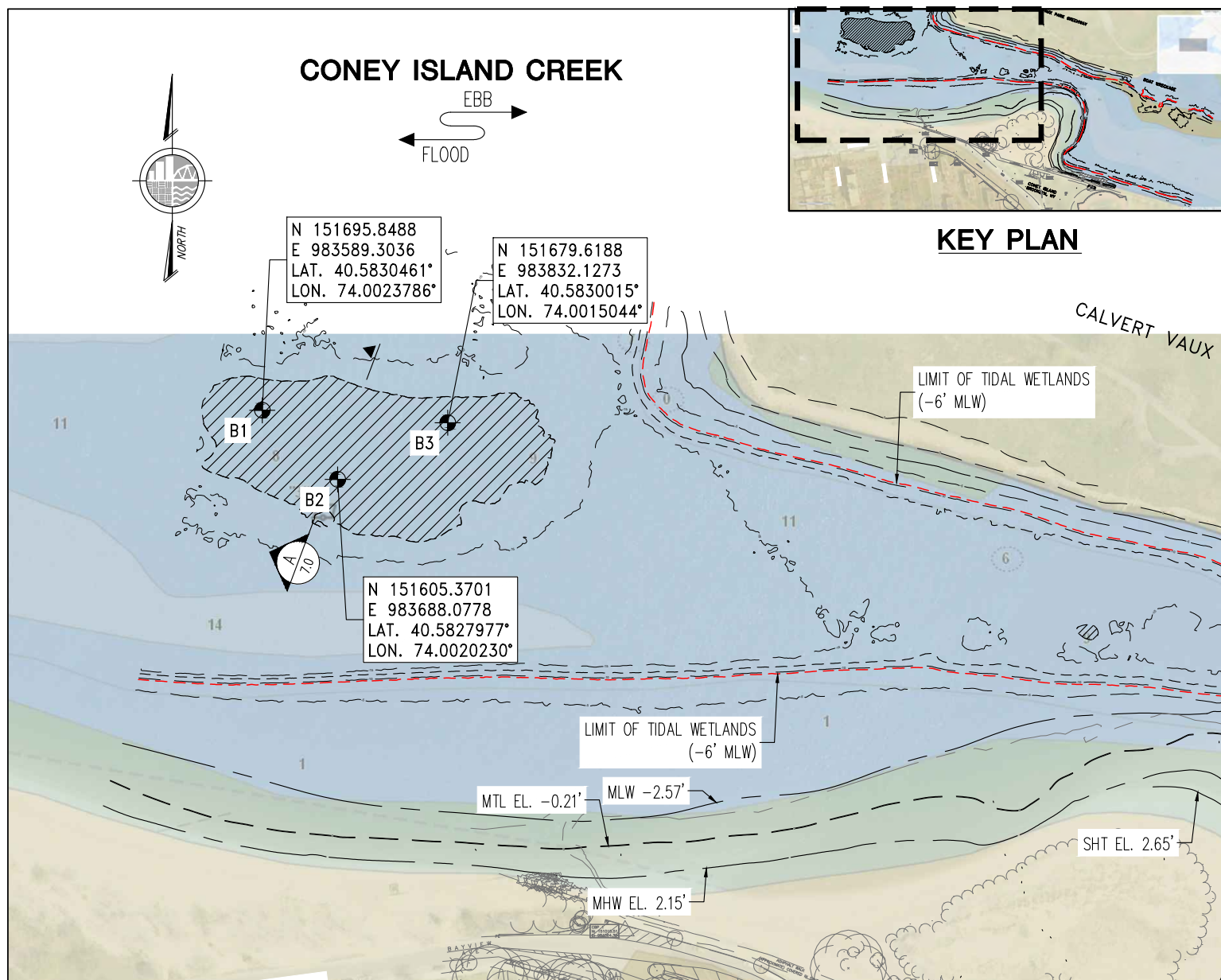
4.0 EXISTING SITE PLAN

IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.



SHT 4 OF 11

07/09/20



NOTES:

1. DREDGED MATERIAL TO BE BROUGHT TO AN UPLAND DISPOSAL SITE.
2. PROPOSED DESIGN DREDGE DEPTH OF -13' NAVD88, WITH OVERDREDGE DEPTH OF -14' NAVD88.
3. AN ENVIRONMENTAL DREDGE BUCKET WILL BE USED FOR THE ENTIRE DREDGING OPERATION.

LEGEND:

- PROPOSED AREA TO BE DREDGED TO EL. -13.0' NAVD88.
- SEDIMENT SAMPLE LOCATION (SAMPLE CORES SHALL EXTEND 5 INCHES BELOW PROPOSED DREDGE DEPTH)

PROPOSED DREDGE QUANTITIES

TOTAL DREDGE AREA	7,700 SY
DESIGN DREDGE VOLUME	3,500 CY
OVERDREDGE VOLUME	2,600 CY
TOTAL VOLUME	6,100 CY

NOTE: OVERDREDGE DEPTH SHALL NOT EXCEED 1 FOOT.

PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

ADJACENT OWNERS:

1. SEE ATTACHED

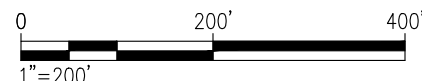
CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK

APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006

AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

5.0 PROPOSED CONSTRUCTION DREDGING PLAN

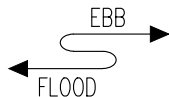
IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.



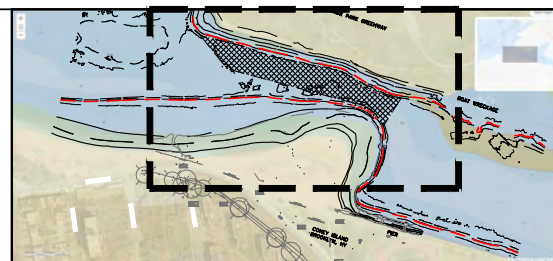
SHT 5 OF 11

07/09/20

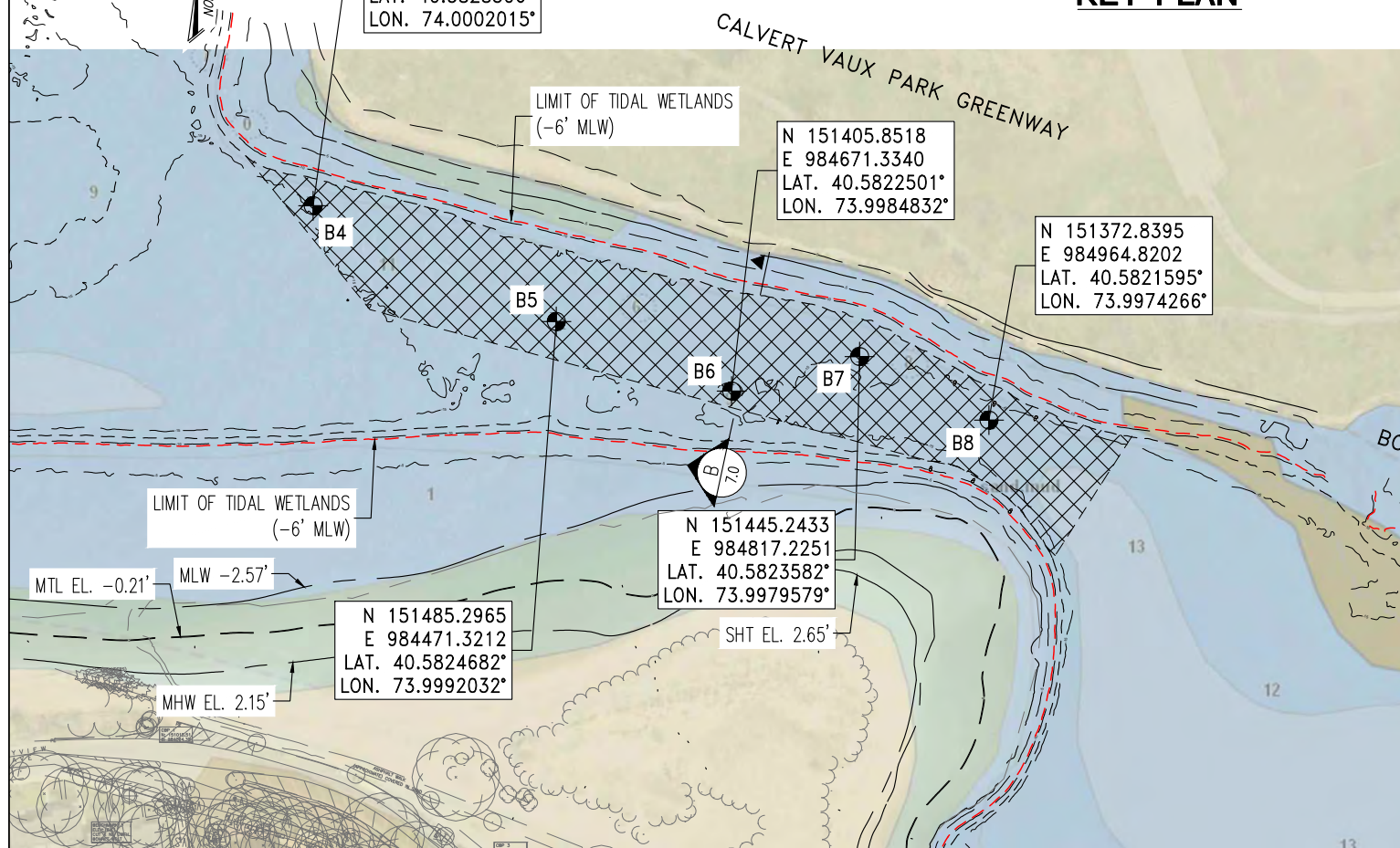
CONEY ISLAND CREEK



N 151617.3332
E 984194.0217
LAT. 40.5828306°
LON. 74.0002015°



KEY PLAN



NOTES:

1. DRAWING BASED ON HYPOTHETICAL STORM DEPOSITING SOIL TO AN ELEVATION OF -11' NAVD88.
2. PROPOSED DESIGN DREDGE DEPTH OF -13' NAVD88, WITH OVERDREDGE DEPTH OF -14' NAVD88.
3. DREDGED MATERIAL TO BE BROUGHT TO AN UPLAND DISPOSAL SITE.
4. AN ENVIRONMENTAL DREDGE BUCKET WILL BE USED FOR THE ENTIRE DREDGING OPERATION.

LEGEND:



PROPOSED AREA TO BE DREDGED TO EL. -13.0' NAVD88.



B1

SEDIMENT SAMPLE LOCATION (SAMPLE CORES SHALL EXTEND 5 INCHES BELOW PROPOSED DREDGE DEPTH)

N (NYS PLANE, FT)
E (NYS PLANE, FT)
LAT. (LATITUDE)
LON. (LONGITUDE)

PROPOSED DREDGE QUANTITIES

TOTAL DREDGE AREA	14,000 SY
DESIGN DREDGE VOLUME	9,000 CY
OVERDREDGE VOLUME	4,500 CY
TOTAL VOLUME	13,500 CY

NOTE: OVERDREDGE DEPTH SHALL NOT EXCEED 1 FOOT.

PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

ADJACENT OWNERS:

1. SEE ATTACHED

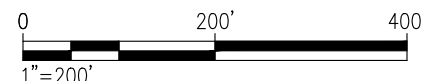
CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK

APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006

AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

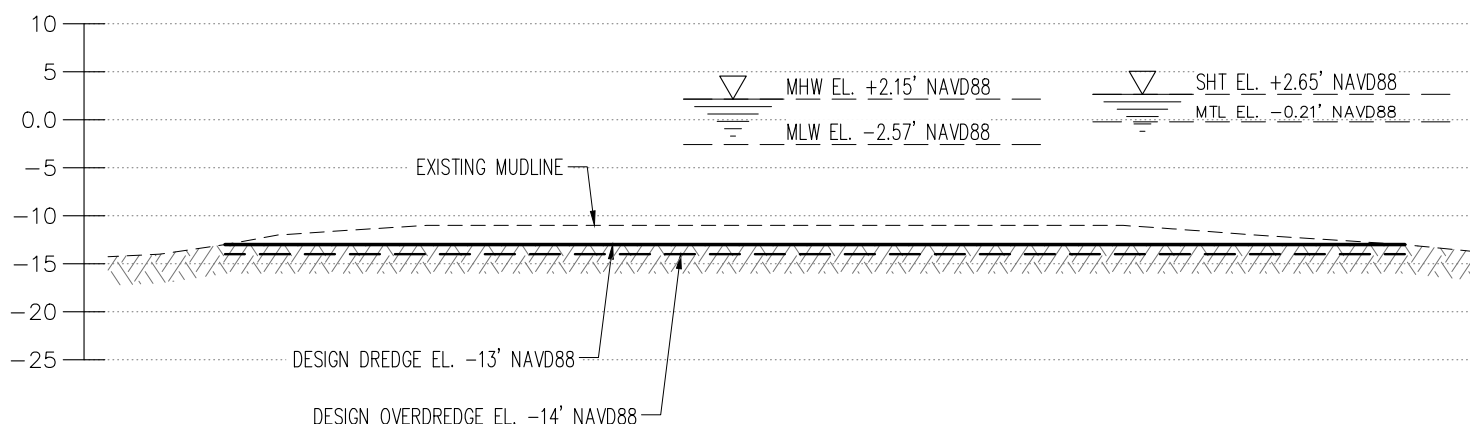
6.0 PROPOSED MAINTENANCE
DREDGING PLAN

IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.



SHT 6 OF 11

07/09/20

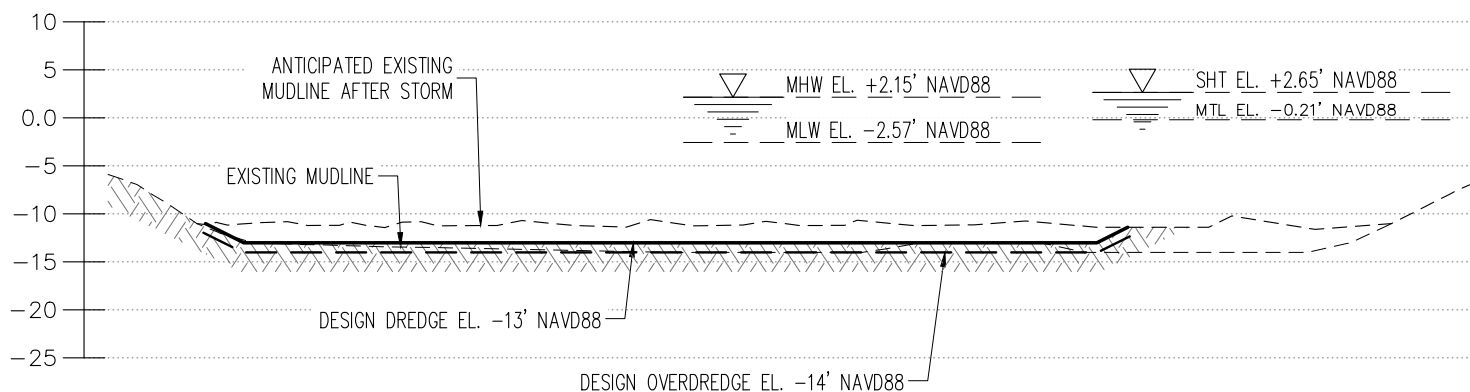


A **PROPOSED CONSTRUCTION DREDGE SECTION - TYPICAL**

7.0

HORIZONTAL SCALE 1" = 30'

VERTICAL SCALE 1" = 15'



B **PROPOSED MAINTENANCE DREDGE SECTION - TYPICAL**

7.0

HORIZONTAL SCALE 1" = 30'

VERTICAL SCALE 1" = 15'

PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

ADJACENT OWNERS:

1. SEE ATTACHED

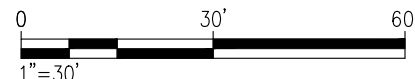
CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK

APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006

AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

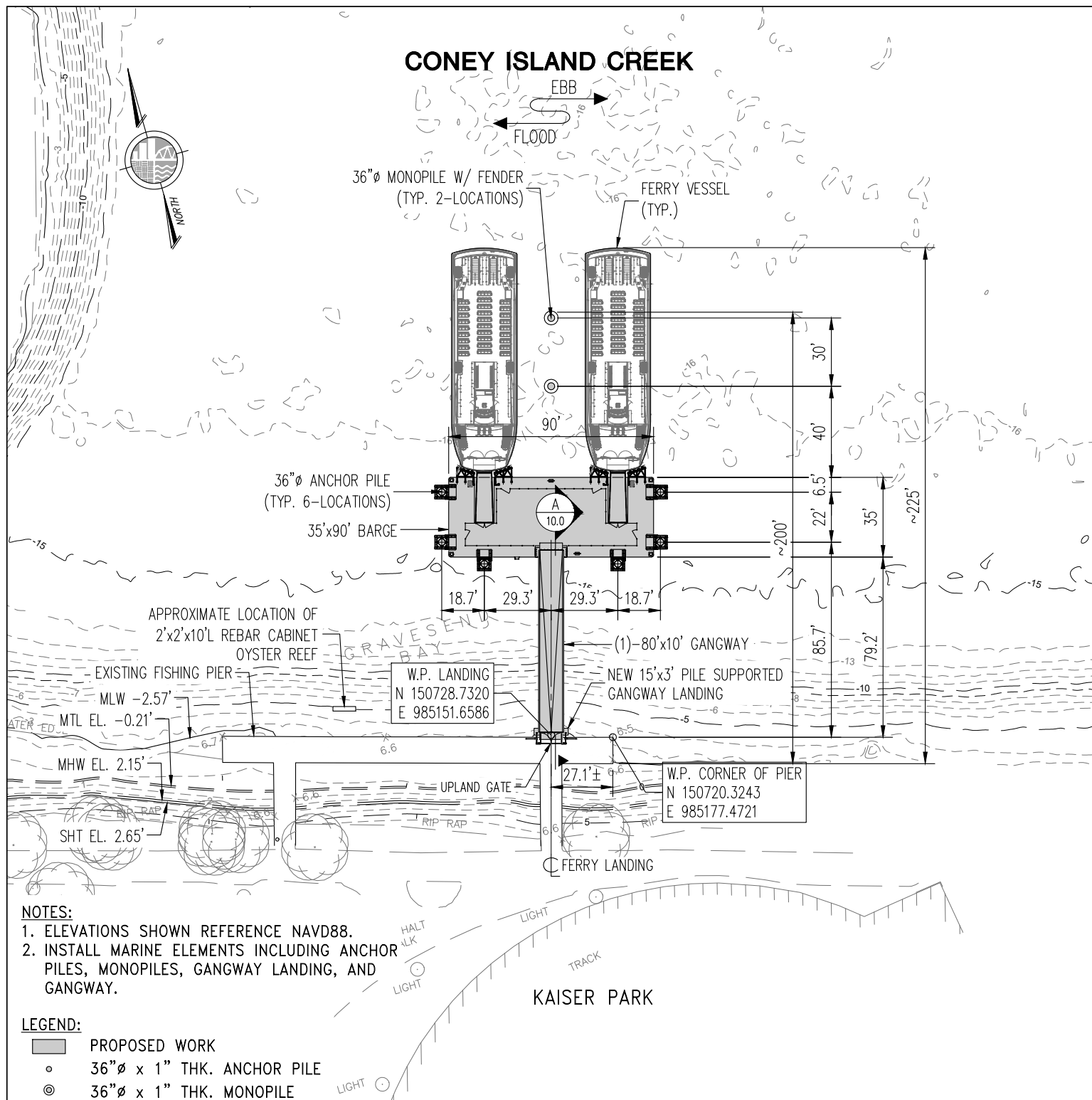
7.0 DREDGE SECTIONS

IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.



SHT 7 OF 11

07/09/20



PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

ADJACENT OWNERS:

1. SEE ATTACHED

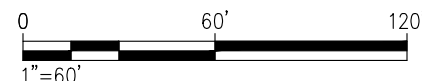
CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK

APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006

AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

8.0 PROPOSED SITE PLAN

IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.

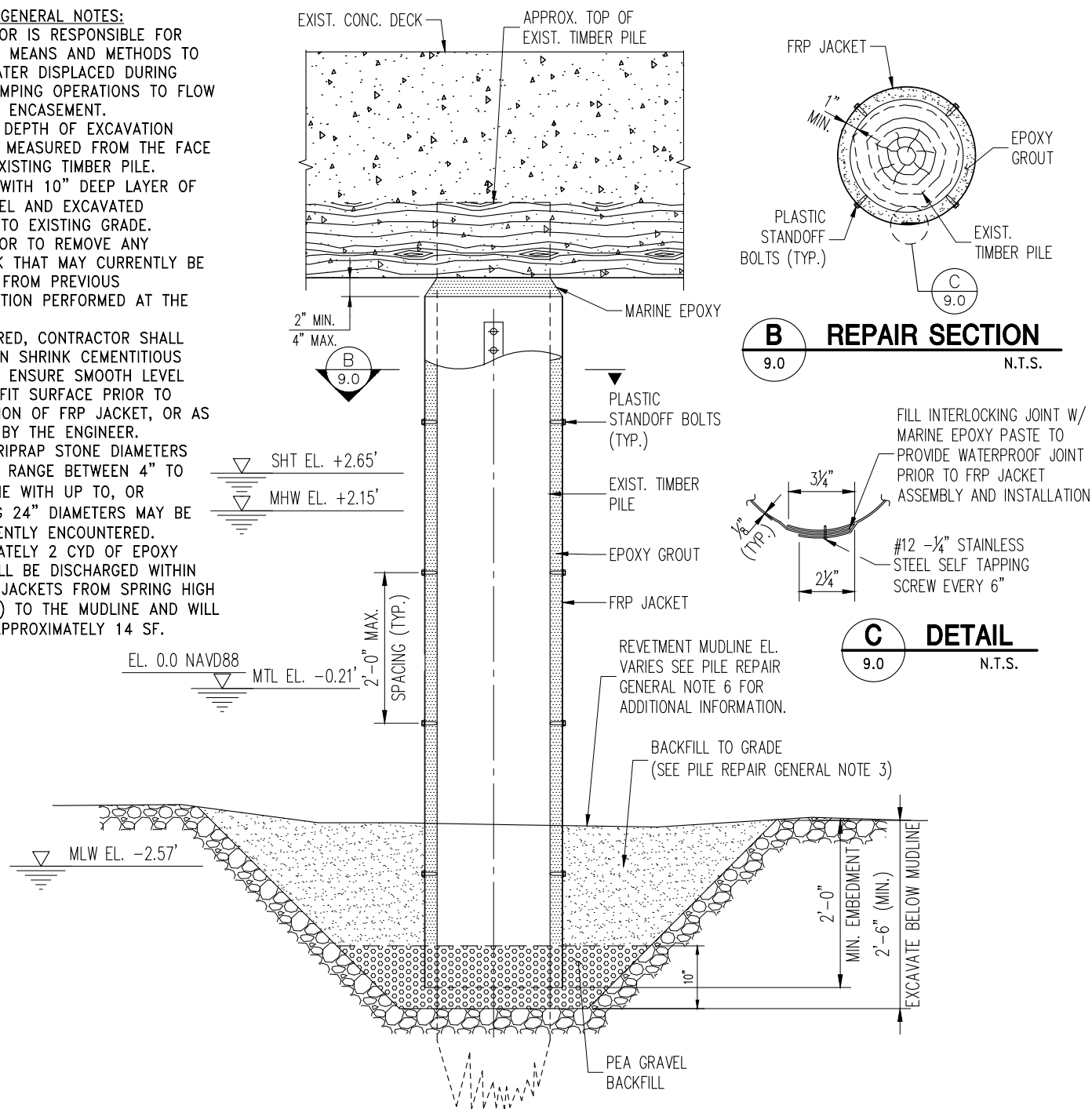


SHT 8 OF 11

07/09/20

PILE REPAIR GENERAL NOTES:

1. CONTRACTOR IS RESPONSIBLE FOR PROVIDING MEANS AND METHODS TO ALLOW WATER DISPLACED DURING EPOXY PUMPING OPERATIONS TO FLOW FROM THE ENCASEMENT.
2. REQUIRED DEPTH OF EXCAVATION SHALL BE MEASURED FROM THE FACE OF THE EXISTING TIMBER PILE.
3. BACKFILL WITH 10" DEEP LAYER OF PEA GRAVEL AND EXCAVATED MATERIAL TO EXISTING GRADE.
4. CONTRACTOR TO REMOVE ANY FORMWORK THAT MAY CURRENTLY BE IN PLACE FROM PREVIOUS CONSTRUCTION PERFORMED AT THE SITE.
5. AS REQUIRED, CONTRACTOR SHALL APPLY NON SHRINK CEMENTITIOUS GROUT TO ENSURE SMOOTH LEVEL DECK SOFFIT SURFACE PRIOR TO INSTALLATION OF FRP JACKET, OR AS DIRECTED BY THE ENGINEER.
6. MUDLINE RIPRAP STONE DIAMETERS TYPICALLY RANGE BETWEEN 4" TO 12". STONE WITH UP TO, OR EXCEEDING 24" DIAMETERS MAY BE INTERMITTENTLY ENCOUNTERED.
7. APPROXIMATELY 2 CYD OF EPOXY GROUT WILL BE DISCHARGED WITHIN THE PILE JACKETS FROM SPRING HIGH TIDE (SHT) TO THE MUDLINE AND WILL OCCUPY APPROXIMATELY 14 SF.



A TIMBER PILE EPOXY JACKET REPAIR
9.0 1/2"=1'-0"

PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

ADJACENT OWNERS:

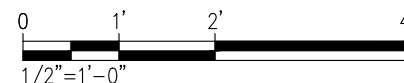
1. SEE ATTACHED

CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK
APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006

AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

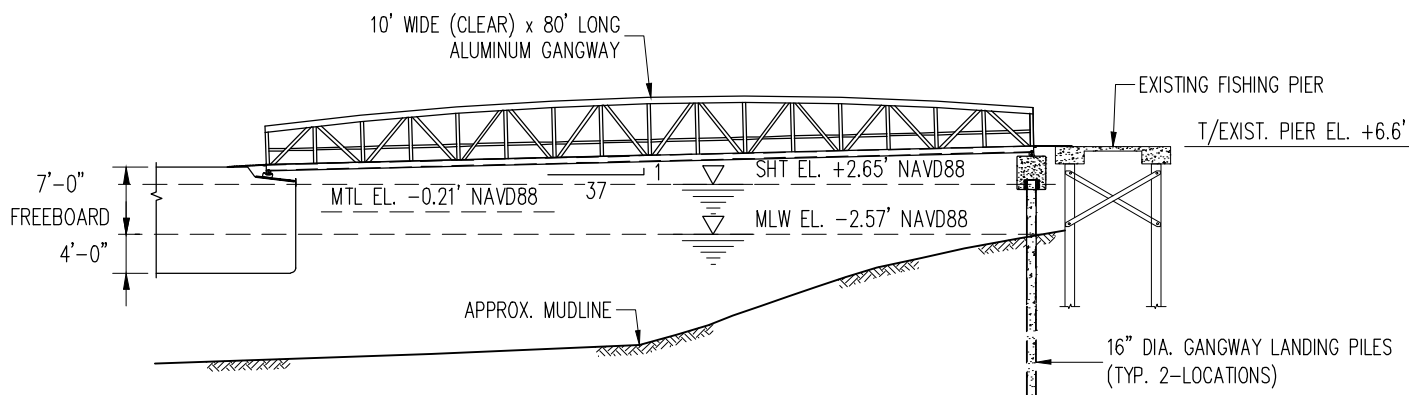
**9.0 PIER PILE REPAIR
DETAILS**

IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.



SHT 9 OF 11

07/09/20



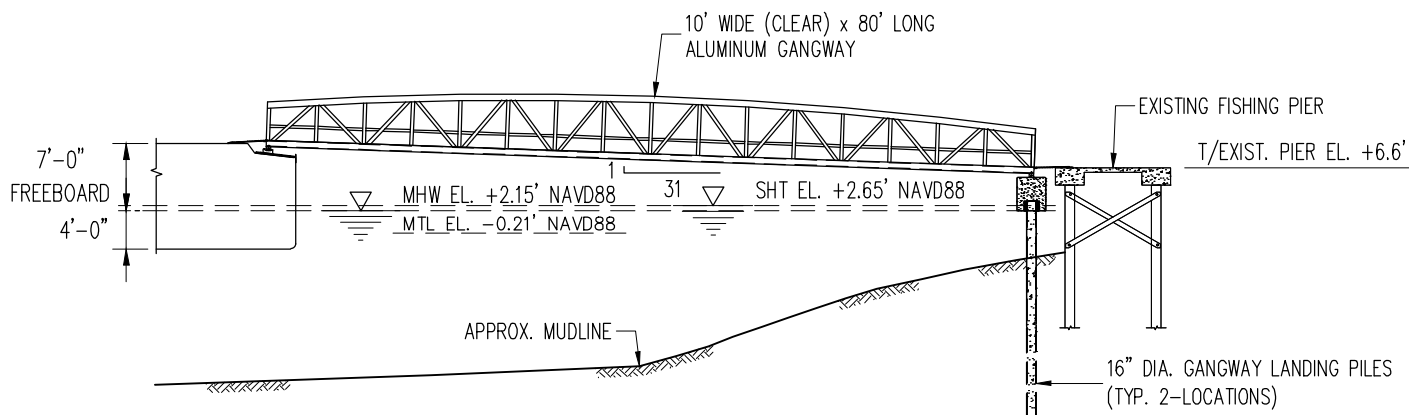
A

PROPOSED ELEVATION @ MEAN LOW WATER

10.0

NOTES:

1. ELEVATIONS SHOWN REFERENCE NAVD88.
2. APPROXIMATELY 1 CYD OF CONCRETE WILL BE DISCHARGED WITHIN THE GANGWAY LANDING PILES FROM SPRING HIGH TIDE (SHT) TO THE MUDLINE AND WILL OCCUPY A FOOTPRINT OF 3 SF.



B

PROPOSED ELEVATION @ MEAN HIGH WATER

10.0

NOTES:

1. ELEVATIONS SHOWN REFERENCE NAVD88.
2. APPROXIMATELY 1 CYD OF CONCRETE WILL BE DISCHARGED WITHIN THE GANGWAY LANDING PILES FROM SPRING HIGH TIDE (SHT) TO THE MUDLINE AND WILL OCCUPY A FOOTPRINT OF 3 SF.

PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

ADJACENT OWNERS:

1. SEE ATTACHED

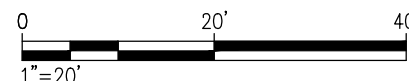
CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK

APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006

AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

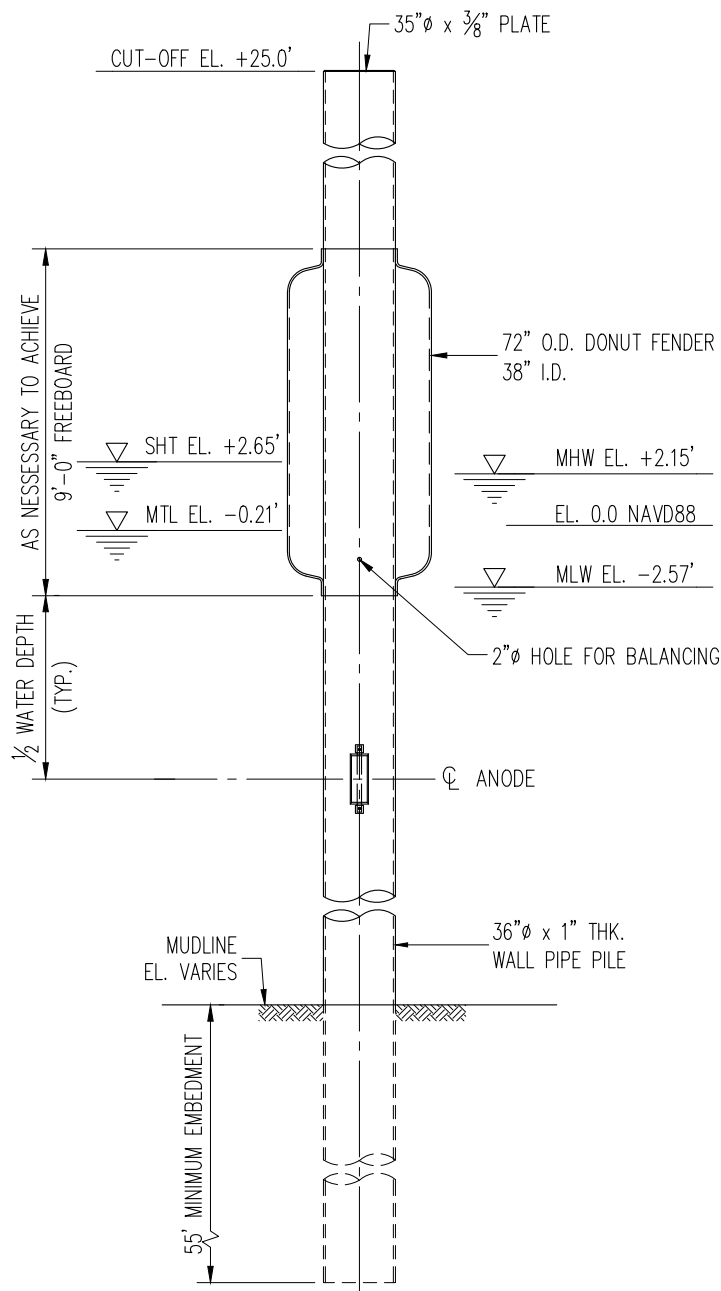
10.0 PROPOSED ELEVATIONS

IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.



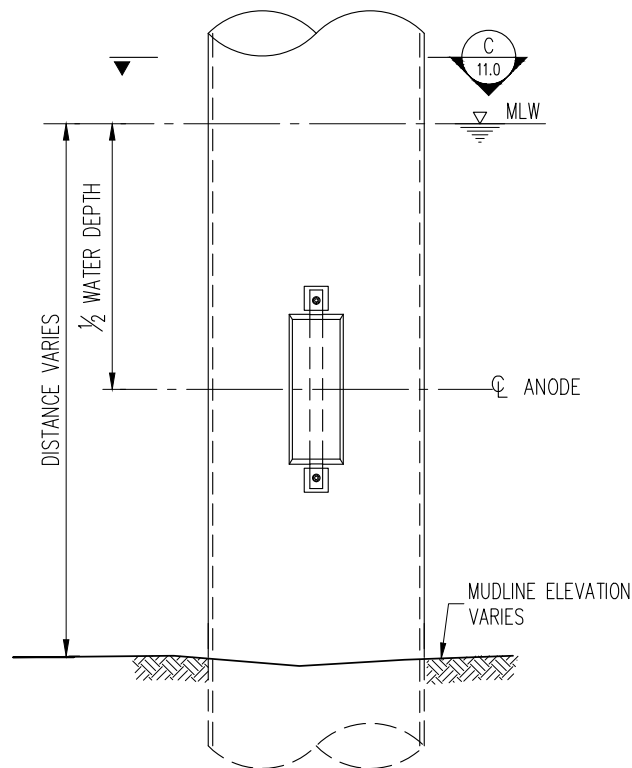
SHT 10 OF 11

07/09/20



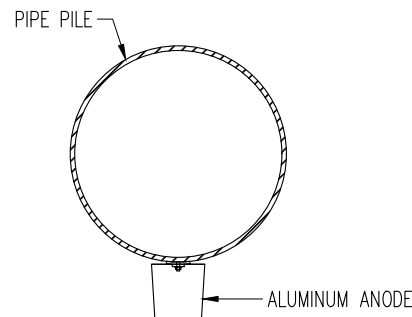
A MONOPILE ELEVATION
11.0 1/8" = 1'-0"

NOTE: MONOPILES TO BE COATED AS PER SPEC 02361 TO MIN. 10' BELOW MUDLINE.



B PILE ANODE LOCATION
11.0 3/8" = 1'-0"

NOTE: ALL ANCHOR PILES SHALL RECEIVE ANODES.



C SECTION
11.0 3/8" = 1'-0"

PURPOSE: CITYWIDE FERRY SERVICE

DATUM: NAVD88

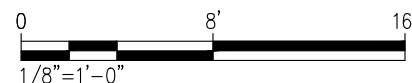
ADJACENT OWNERS:

1. SEE ATTACHED

CONEY ISLAND CREEK
CITYWIDE FERRY SERVICE
BROOKLYN, NEW YORK
APPLICANT: NEW YORK ECONOMIC
DEVELOPMENT CORPORATION
1 LIBERTY PLAZA
NEW YORK, N.Y. 10006
AGENT: M.G. McLaren Engineering & Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, N.J. 07677

11.0 MONOPILE DETAILS

IN: CONEY ISLAND CREEK
AT: BROOKLYN
COUNTY OF: KINGS STATE: N.Y.



SHT 11 OF 11

07/09/20