



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-2021-01387-EMI**
Issue Date: **JANUARY 13 , 2022**
Expiration Date: **FEBRUARY 12, 2022**

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: 1 Java Owner, LLC
200 Park Avenue
New York, New York 10166

ACTIVITY: Reconstruction of the India Street Ferry Terminal

WATERWAY: East River

LOCATION: India Street Pier - 131 West Street, 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.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING

CENAN-OP-RE
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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 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. This public notice serves as notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act. If EPA determines that the proposed discharge may affect the quality of the waters of any state other than New York, it will so notify such other state, the district engineer, and the applicant. If such notice or a request for supplemental information is not received within 30 days of issuance of this public notice, the district engineer will assume EPA has made a negative determination with respect to section 401(a)(2).

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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 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>.

 Date: 2022.01.10
17:01:38 -05'00'

FOR AND IN BEHALF OF
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

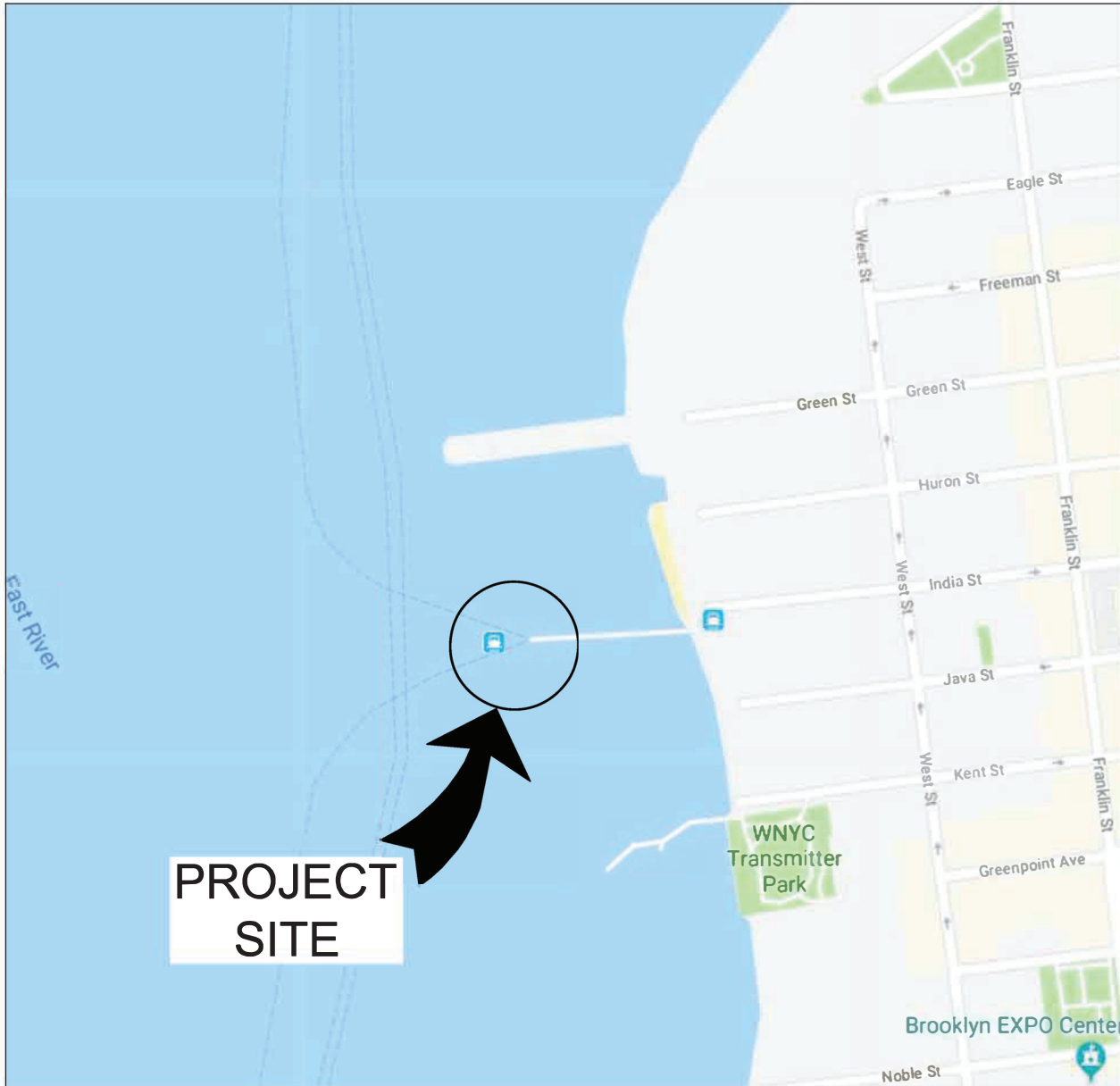
The permit applicant, 1 Java Owner, LLC, has requested Department of the Army (DA) authorization to reconstruct the India Street Ferry Terminal. The project is located in the East River in the Borough of Brooklyn, Kings County, City of New York, New York.

The proposed work would involve the following:

Reconstruct the India Street Ferry Landing (previously authorized under DA Permit No. NAN-2010-00805) by reinstalling an approximately eight-foot-wide by 84-foot-long ramp leading to an approximately 30-foot-wide by 60-foot-long barge with associated fendering secured by five (5) 36-inch diameter hollow steel pipe piles. One (1) additional 36-inch diameter hollow steel monopile with donut fendering for a total of 72-inch diameter will be installed approximately 60 feet south of the barge. Approximately 72 cubic yards of flowable concrete will be discharged into the six (6) hollow steel pipe piles below the plane of Spring High Water over approximately 18 square feet.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by reconstructing the ferry terminal in the same footprint as previously authorized. Any potential impacts would be temporary and would be offset by implementing best management practices such as utilizing a turbidity curtain around the project area.

The purpose of the project is to replace the India Street Ferry Landing which experienced anchor pile failure in May 2021 and was removed.



VICINITY MAP

NTS

PURPOSE: FERRY LANDING REINSTALLATION

DATUM: NAVD88

ADJACENT OWNERS:
1. SEE ATTACHED LIST

INDIA STREET FERRY LANDING REINSTALLATION

APPLICANT: 1 JAVA OWNER, LLC
200 PARK AVE, 9TH FL.
NEW YORK, NY 10166

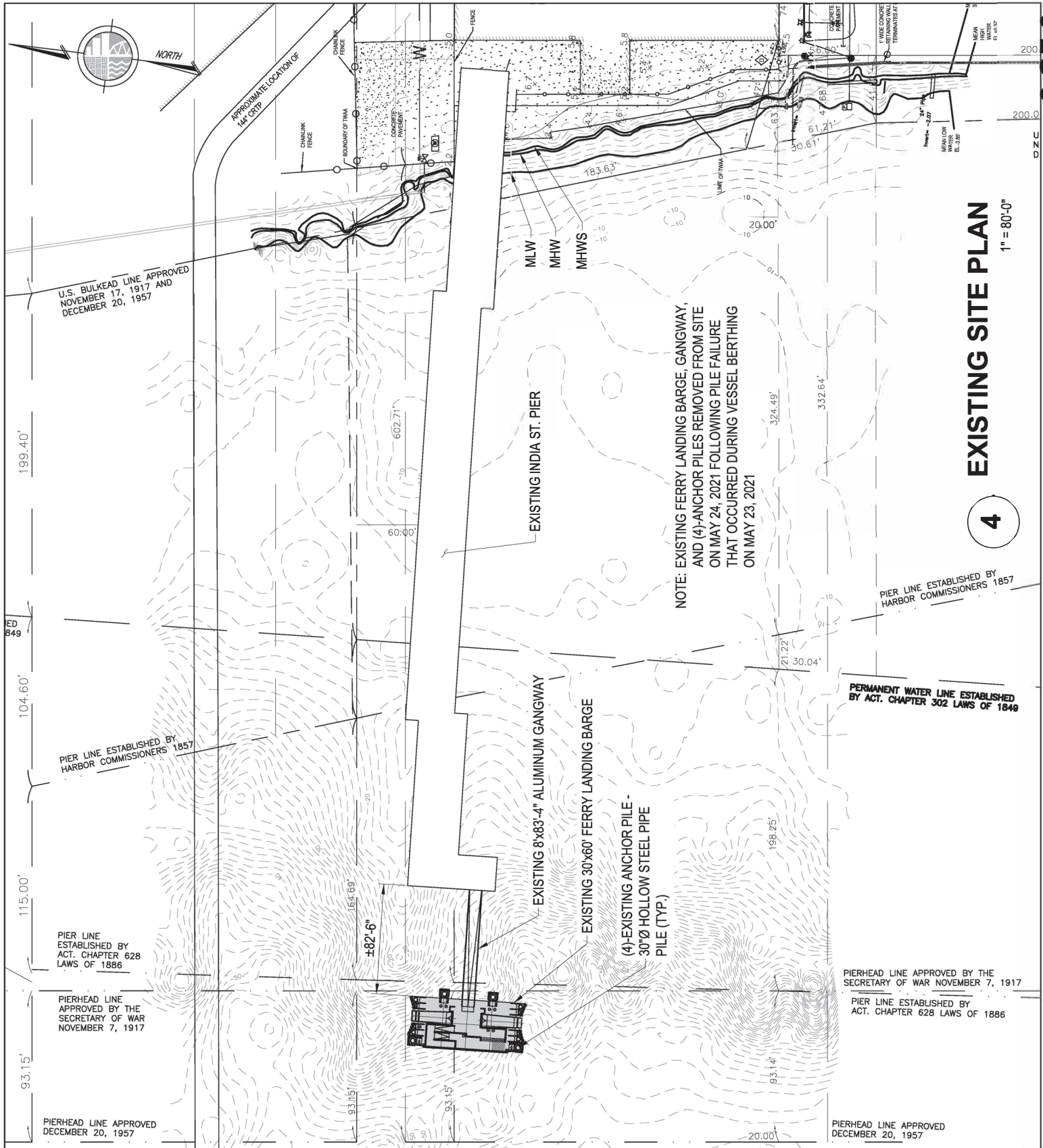
AGENT: M.G. McLaren Engineering and Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

VICINITY MAP

IN: EAST RIVER BROOKLYN
AT: 131 WEST STREET
COUNTY OF: KINGS STATE: NY

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EXISTING SITE PLAN
1" = 80'-0"

4

PURPOSE: FERRY LANDING REINSTALLATION

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200 PARK AVE, 9TH FL.
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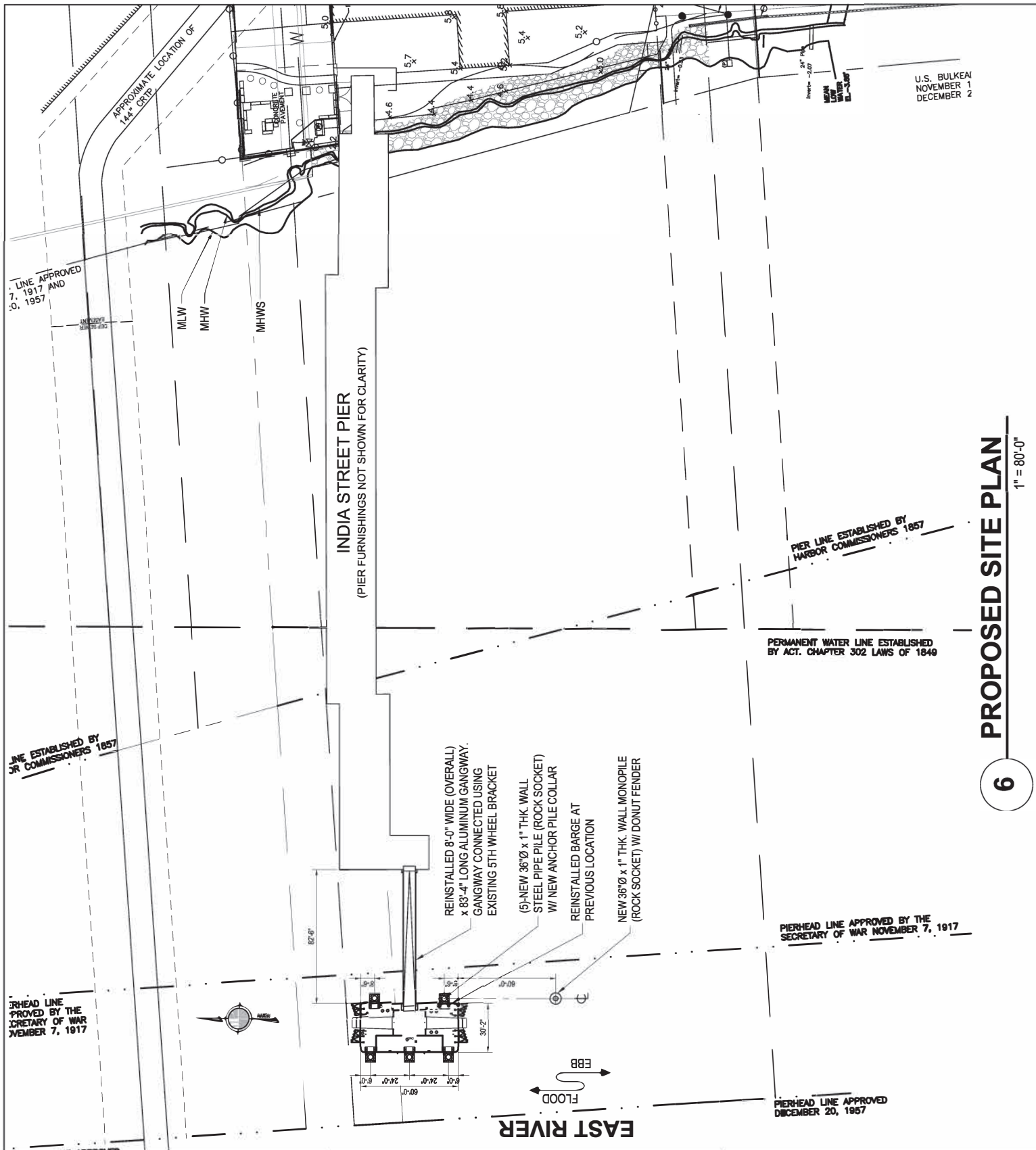
AGENT: M.G. McLaren Engineering and Land Surveying, P.C.
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Woodcliff Lake, NJ 07677

EXISTING SITE PLAN

IN: EAST RIVER BROOKLYN
AT: 131 WEST STREET
COUNTY OF: KINGS STATE: NY



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PURPOSE: FERRY LANDING REINSTALLATION

DATUM: NAVD88

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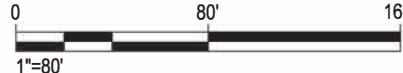
INDIA STREET FERRY LANDING REINSTALLATION

APPLICANT: 1 JAVA OWNER, LLC
200 PARK AVE, 9TH FL.
NEW YORK, NY 10166

AGENT: M.G. McLaren Engineering
and Land Surveying, P.C.
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PROPOSED SITE PLAN

IN: EAST RIVER BROOKLYN
AT: 131 WEST STREET
COUNTY OF: KINGS STATE: NY



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6 PROPOSED SITE PLAN

1" = 80'-0"

LINE ESTABLISHED BY
JR COMMISSIONERS 1857

LINE APPROVED
7, 1917 AND
20, 1957

INDIA STREET PIER
(PIER FURNISHINGS NOT SHOWN FOR CLARITY)

PIER LINE ESTABLISHED BY
HARBOR COMMISSIONERS 1857

PERMANENT WATER LINE ESTABLISHED
BY ACT. CHAPTER 302 LAWS OF 1849

PIERHEAD LINE APPROVED BY THE
SECRETARY OF WAR NOVEMBER 7, 1917

PIERHEAD LINE APPROVED
DECEMBER 20, 1957

U.S. BULKEA
NOVEMBER 1
DECEMBER 2

PIERHEAD LINE
APPROVED BY THE
SECRETARY OF WAR
NOVEMBER 7, 1917

MLW
MHW
M-HWS

APPROXIMATE LOCATION OF
144' CRTP

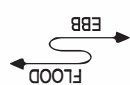
REINSTALLED 8'-0" WIDE (OVERALL)
x 83'-4" LONG ALUMINUM GANGWAY.
GANGWAY CONNECTED USING
EXISTING 5TH WHEEL BRACKET

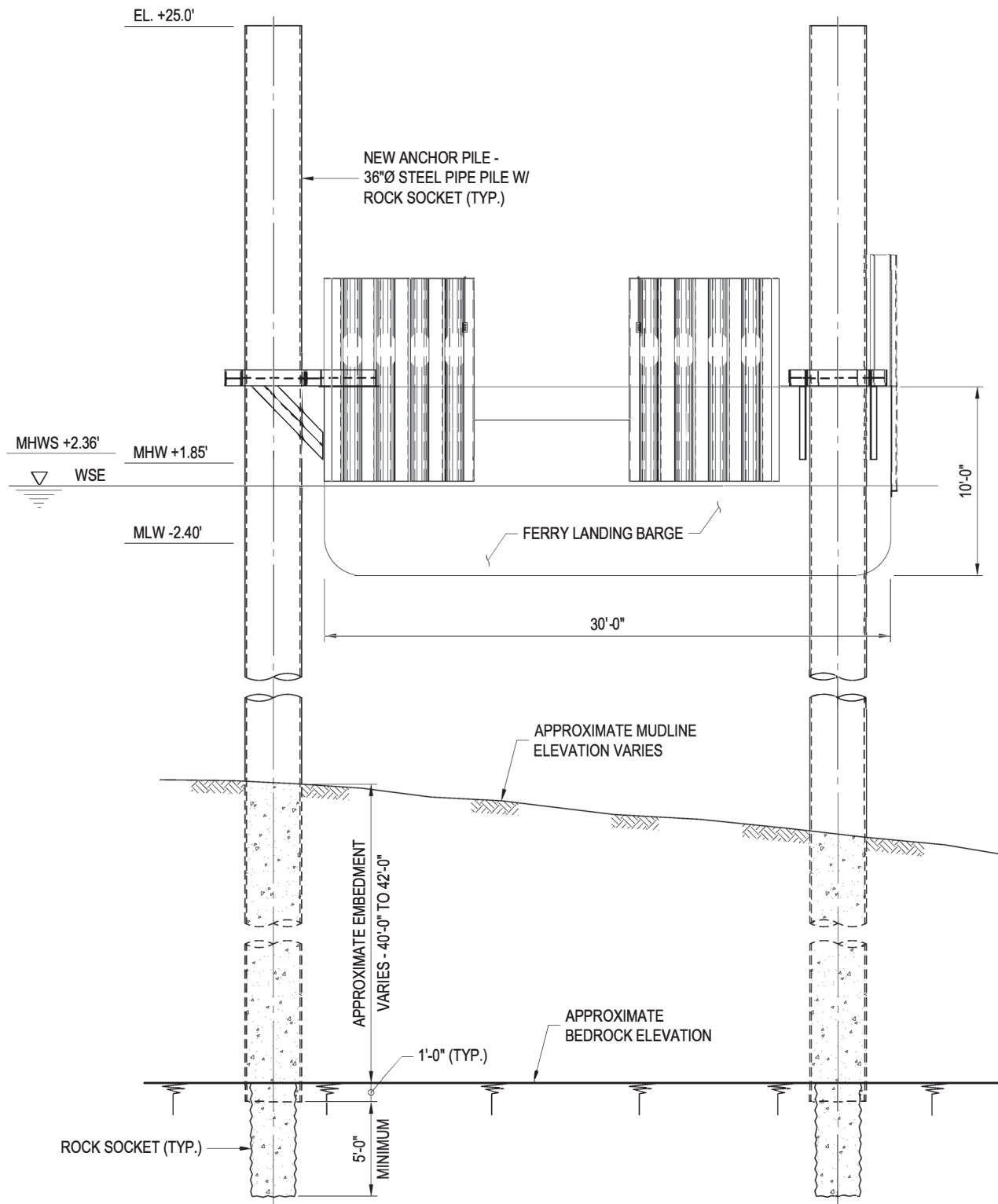
(5)-NEW 36"Ø x 1" THK. WALL
STEEL PIPE PILE (ROCK SOCKET)
WI NEW ANCHOR PILE COLLAR

REINSTALLED BARGE AT
PREVIOUS LOCATION

NEW 36"Ø x 1" THK. WALL MONOPILE
(ROCK SOCKET) WI DONUT FENDER

EAST RIVER





7 PROPOSED SECTION
1/8" = 1'-0"

PURPOSE: FERRY LANDING REINSTALLATION

DATUM: NAVD88

ADJACENT OWNERS:
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INDIA STREET FERRY LANDING REINSTALLATION

APPLICANT: 1 JAVA OWNER, LLC
200 PARK AVE, 9TH FL.
NEW YORK, NY 10166

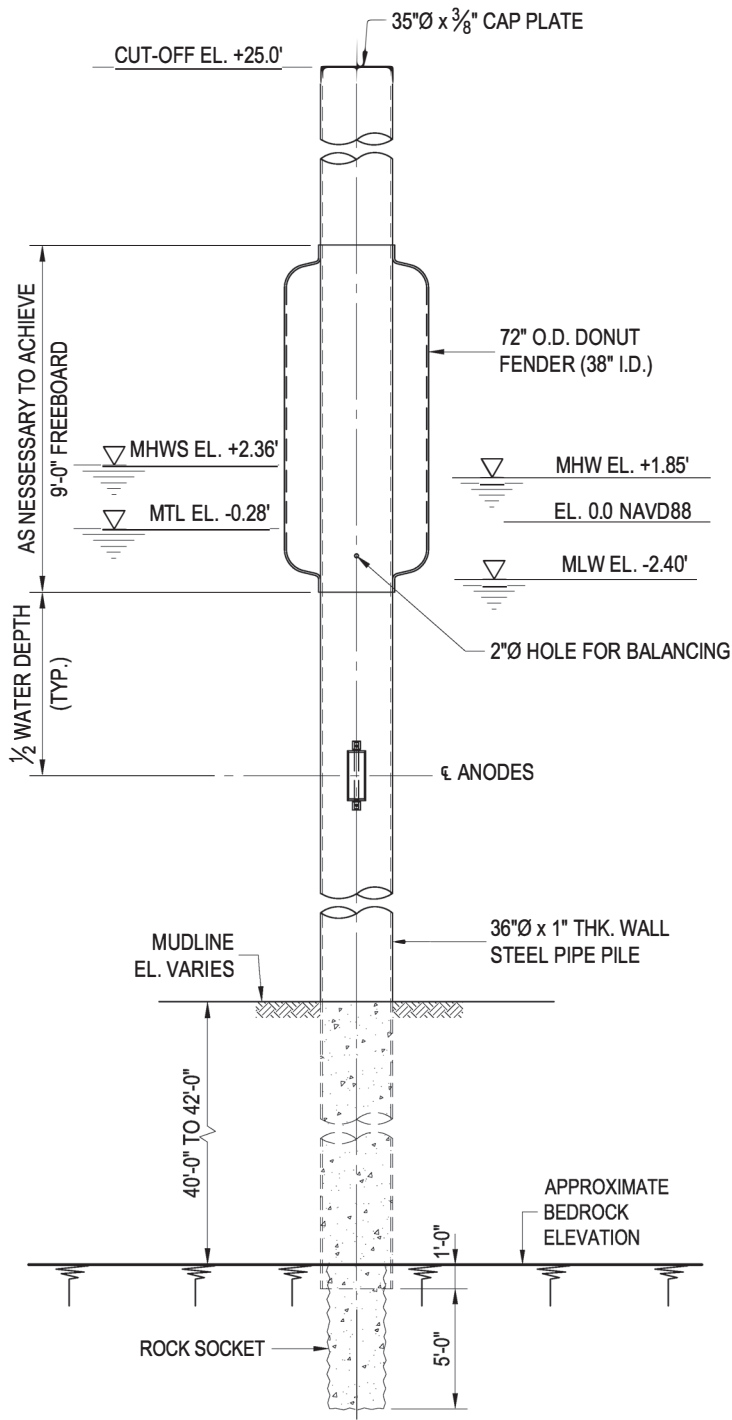
AGENT: M.G. McLaren Engineering and Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

PROPOSED SECTION

IN: EAST RIVER BROOKLYN
AT: 131 WEST STREET
COUNTY OF: KINGS **STATE:** NY

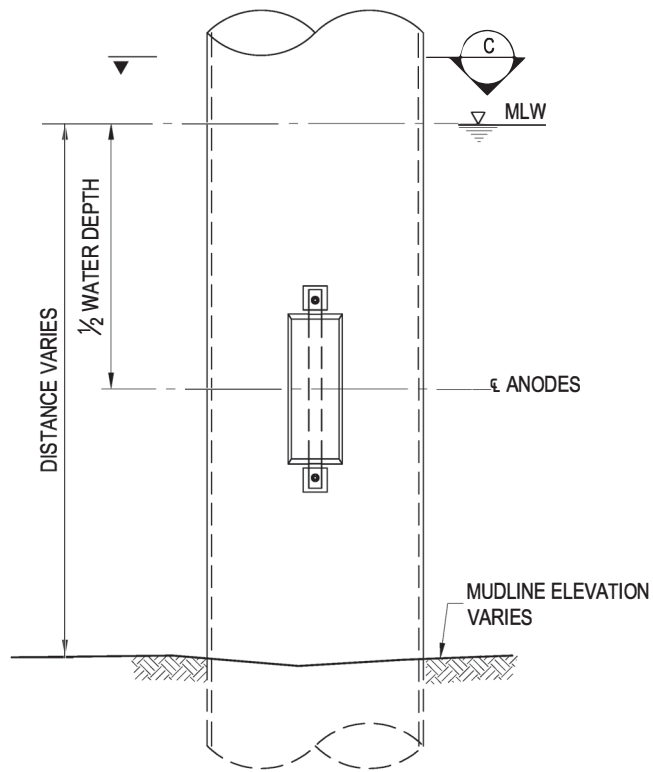
0 8' 16'
1/8"=1'-0"

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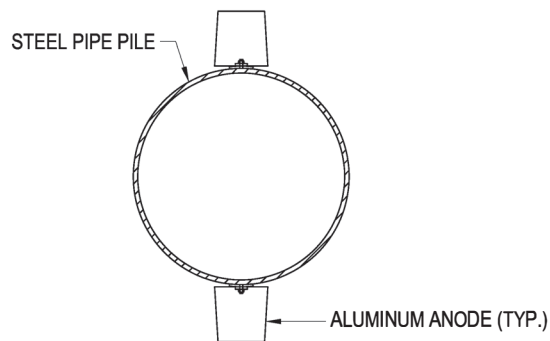
A MONOPILE ELEVATION
1/8" = 1'-0"

NOTE: MONOPILES TO BE COATED WITH MARINE GRADE EPOXY TO MIN. 15' BELOW MUDLINE.



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

NOTE: ALL ANCHOR PILES SHALL RECEIVE ANODES.



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

PURPOSE: FERRY LANDING REINSTALLATION

DATUM: NAVD88

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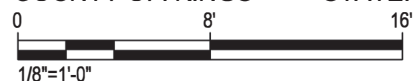
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MONOPILE DETAILS

IN: EAST RIVER BROOKLYN
AT: 131 WEST STREET
COUNTY OF: KINGS STATE: NY



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PROPOSED CUT AND FILL ANALYSIS TABLE

	BELOW MHW	BELOW MHWS
CONSTRUCTION	FILL (CY)	FILL (CY)
EXISTING FERRY LANDING (4)- HOLLOW 30"Ø STEEL PIPE PILES	31	0 ¹
REINSTALLED FERRY LANDING (6)- ROCK SOCKETED 36"Ø STEEL PIPE PILES	66	72 ²
NET CHANGE:	35 CY OF FILL	72 CY OF FILL

NOTES:

1. NO CONCRETE WAS PLACED IN EXISTING HOLLOW STEEL PIPE PILES AND THEREFORE THERE WAS NO FILL BELOW MHWS.
2. NEW ANCHOR PILES AND MONOPILE (6 STEEL PIPE PILES TOTAL) WILL BE ROCK SOCKETED AND FILLED WITH CONCRETE FROM MUDLINE TO TIP OF ROCK SOCKET.

PROPOSED OVERWATER COVERAGE

CONSTRUCTION	OVER WATER COVERAGE
EXISTING FERRY LANDING	2,500 SF
REINSTALLED FERRY LANDING	2,500 SF
NET CHANGE:	0 SF

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PROPOSED CUT AND FILL ANALYSIS & OVERWATER COVERAGE

IN: EAST RIVER BROOKLYN
AT: 131 WEST STREET
COUNTY OF: KINGS **STATE:** NY

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10/22/2021