



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-2023-00485-EMI**
Issue Date: September 5, 2023
Expiration Date: October 5, 2023

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: New York City Department of Sanitation
44 Beaver Street
New York, New York 10004

ACTIVITY: Ten-Year Maintenance Dredging with Upland Disposal

WATERWAY: Flushing Bay

LOCATION: 120-01 31st Avenue, College Point, Queens 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 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.

**CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2023-00485-EMI**

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.

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.

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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 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>.

 Digitally signed by
Rosita Miranda

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

Enclosures

WORK DESCRIPTION

The permit applicant, New York City Department of Sanitation (DSNY), has requested Department of the Army (DA) authorization for ten-year maintenance dredging with upland disposal at the North Shore Marine Transfer Station (MTS) in Flushing Bay at 120-01 31st Avenue, College Point, Queens County, City of New York, New York.

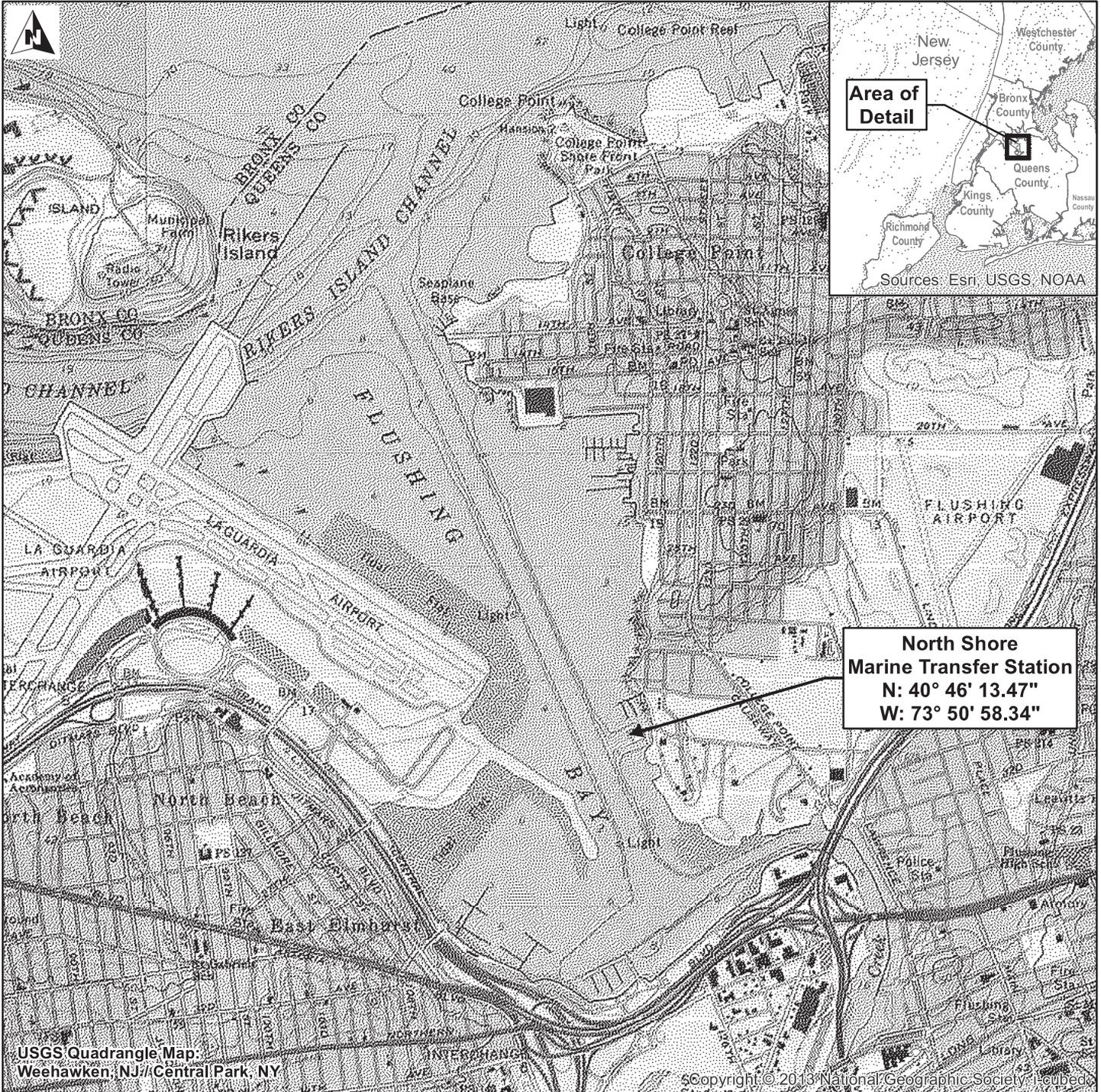
The proposed work would involve the following:

Dredge with ten-years maintenance, by mechanical dredge, approximately 32,000 cubic yards (CY) of material from an approximately 112,500 square foot (approximately 2.58 acres) area at the MTS to a depth of 22 feet below the plane of Mean Low Water (MLW) with an allowable two feet of over dredge for a maximum of 24 feet below Mean Low Water. The approximate slope of the channel would be 1 to 3. The dredged material would be placed into scows for transport to the contractor's facility where loaded barges would be stripped of surface waters into separate decant barges. The water within decant barges would be allowed to settle for a minimum of 24 hours and the decant water would then be transported back to the dredge location for decant water to be returned to the waterway.

The applicant plans to conduct three (3) additional dredging events within the ten-year maintenance dredging period removing a maximum of approximately 32,000 CY per event from within the same dredging area and upland disposal.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredged area to the minimum area required for safe and reasonable mooring . Any potential impacts would be temporary and would be offset by implementing best management practices including the use of a turbidity curtain around the dredge area.

The purpose of the project is to provide safe and reasonable navigation and mooring at the MTS for offloading of empty containers or loading of full containers for transport of solid waste.



PURPOSE: MAINTENANCE
DREDGING AT NORTH SHORE
MARINE TRANSFER STATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS:
SEE ATTACHED

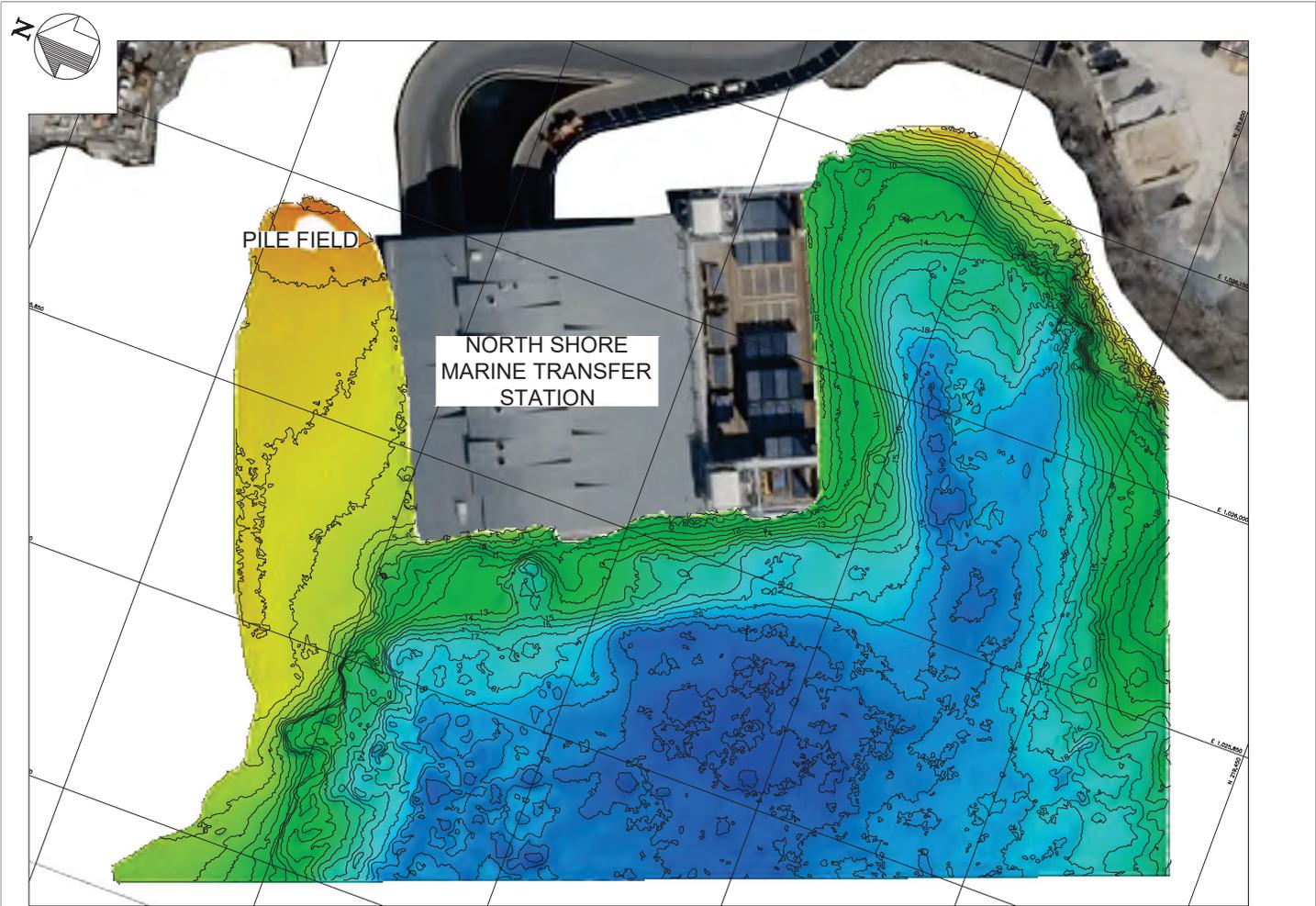
APPLICATION BY: CITY OF NEW
YORK DEPARTMENT OF
SANITATION 0 0.1 0.2

1 in.=0.39 mi. Miles

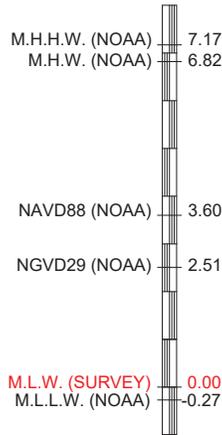
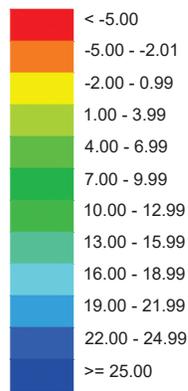
MAINTENANCE DREDGING AT NORTH SHORE MARINE TRANSFER STATION

VICINITY MAP

IN: FLUSHING BAY
BOROUGH OF: QUEENS
COUNTY: QUEENS
STATE OF: NEW YORK
PREPARED BY: HENNINGSON,
DURHAM & RICHARDSON,
ARCHITECTURE AND ENGINEERING,
P.C.
DATE: 5/2023



LEGEND:



NOTE:

1. THE CONTOURS ARE BASED ON THE HYDROGRAPHIC SURVEY CONDUCTED BY ROGERS SURVEYING ON JANUARY 20, 2022. INTERPOLATION WAS USED IN AREAS WHERE SURVEY DATA WAS NOT PROVIDED.

PURPOSE: MAINTENANCE DREDGING AT NORTH SHORE MARINE TRANSFER STATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS: SEE ATTACHED

APPLICATION BY: CITY OF NEW YORK DEPARTMENT OF SANITATION

1"=120'-0"



MAINTENANCE DREDGING AT NORTH SHORE MARINE TRANSFER STATION

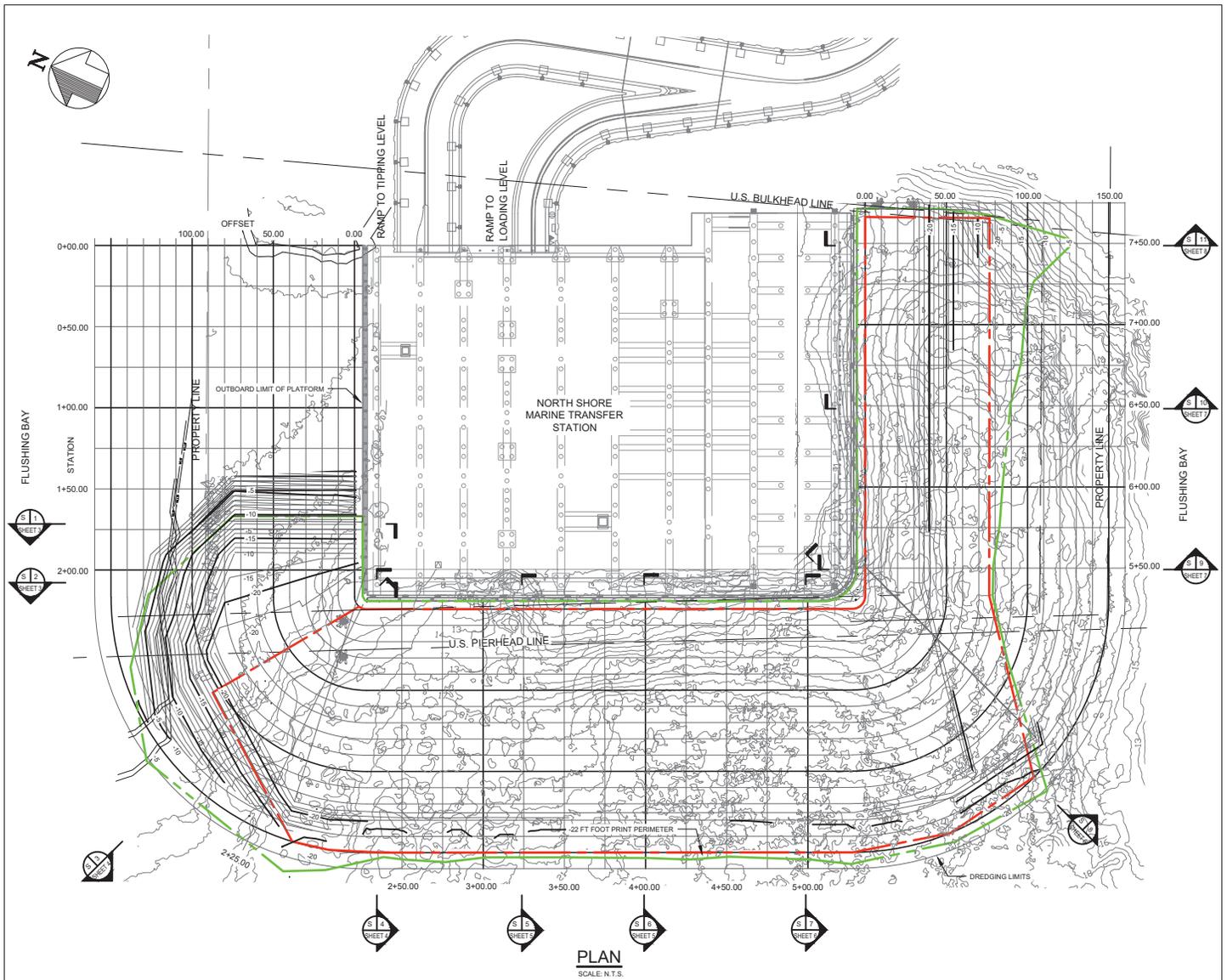
HYDROGRAPHIC SURVEY

IN : FLUSHING BAY
BOROUGH OF : QUEENS
COUNTY : QUEENS
STATE OF : NEW YORK

PREPARED BY : HENNINGSON, DURHAM, & RICHARDSON, ARCHITECTURE & ENGINEERING, P.C.

DATE : 05/2023

SHEET 1 OF 8



PLAN
SCALE: N.T.S.

NOTES:

1. CONTOURS SHOWN ARE BASED ON MEAN LOW WATER DATUM.
2. ALL CONTOURS ARE IN FEET AND NEGATIVE UNLESS SHOWN WITH A PLUS (+).
3. HORIZONTAL DATUM REFERENCE THE NEW YORK LONG ISLAND LAMBERT GRID SYSTEM - NAD 83.
4. THE CONTOURS ARE BASED ON THE HYDROGRAPHIC SURVEY CONDUCTED BY ROGERS SURVEYING ON JANUARY 20, 2022. INTERPOLATION AS USED IN AREAS WHERE SURVEY DATA WAS NOT PROVIDED.
5. DREDGING ACTIVITIES WOULD BE COMPLETED USING BARGE-BASED EQUIPMENT.
6. APPROXIMATELY 32,000 CY WOULD BE REMOVED, COVERING AN AREA OF APPROXIMATELY 112,500 SQUARE FEET. THIS QUANTITY INCLUDES 8,250 CY OVERDREDGE.

LEGEND

- - - DREDGE LINE
- - - OVER DREDGE LINE

GEODESIC PARAMETERS	
DESCRIPTION	ELEVATION
MEAN HIGHER HIGH WATER (MHHW)	7.17
MEAN HIGH WATER (MHW)	6.82
NAVD88	3.60
NVD29	2.51
MEAN LOW WATER (MLW)	0.00
MEAN LOWER LOW WATER (MLLW)	-0.27

PURPOSE: MAINTENANCE DREDGING AT NORTH SHORE MARINE TRANSFER STATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS: SEE ATTACHED

APPLICATION BY: CITY OF NEW YORK DEPARTMENT OF SANITATION

**MAINTENANCE DREDGING
AT NORTH SHORE
MARINE TRANSFER
STATION**

PLAN VIEW

IN : FLUSHING BAY
BOROUGH OF : QUEENS
COUNTY : QUEENS
STATE OF : NEW YORK

PREPARED BY : HENNINGSON, DURHAM, & RICHARDSON, ARCHITECTURE & ENGINEERING, P.C.

DATE : 05/2023 SHEET 2 OF 8

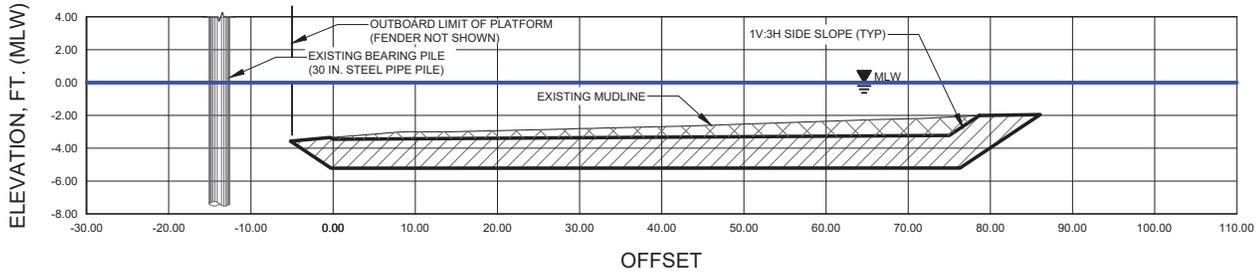


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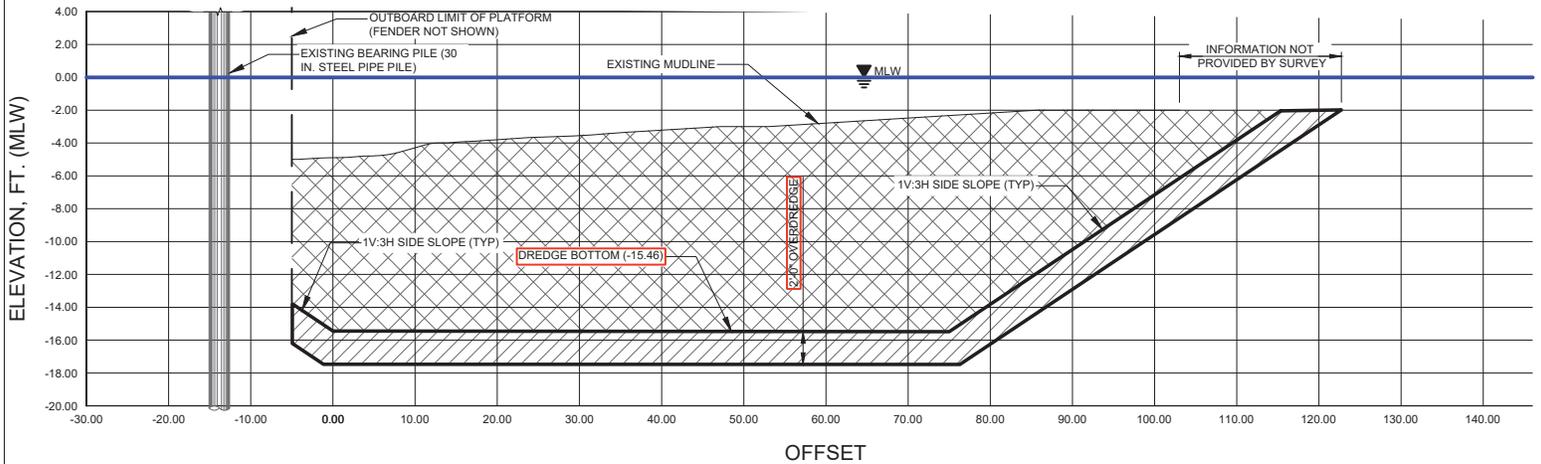
1. FOR GENERAL NOTES SEE SHEET 2 OF 8.

LEGEND

-  - DREDGE TO (-22 FT MLW)
-  - OVERDREDGE TO (-24 FT MLW)
-  - MLW LINE



S 1 SECTION STA. 1+69.70
SHEET2 HORIZONTAL SCALE: 1"=25'
 VERTICAL SCALE: 1"=12.5'



S 2 SECTION STA. 2+08.25
SHEET2 HORIZONTAL SCALE: 1"=25'
 VERTICAL SCALE: 1"=12.5'

PURPOSE: MAINTENANCE DREDGING AT NORTH SHORE MARINE TRANSFER STATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS: SEE ATTACHED

APPLICATION BY: CITY OF NEW YORK DEPARTMENT OF SANITATION

1"=25'-0"



**MAINTENANCE DREDGING
 AT NORTH SHORE
 MARINE TRANSFER
 STATION**

SECTION VIEW

IN : FLUSHING BAY
 BOROUGH OF : QUEENS
 COUNTY : QUEENS
 STATE OF : NEW YORK

PREPARED BY : HENNINGSON,
 DURHAM, & RICHARDSON,
 ARCHITECTURE &
 ENGINEERING, P.C.

DATE : 05/2023

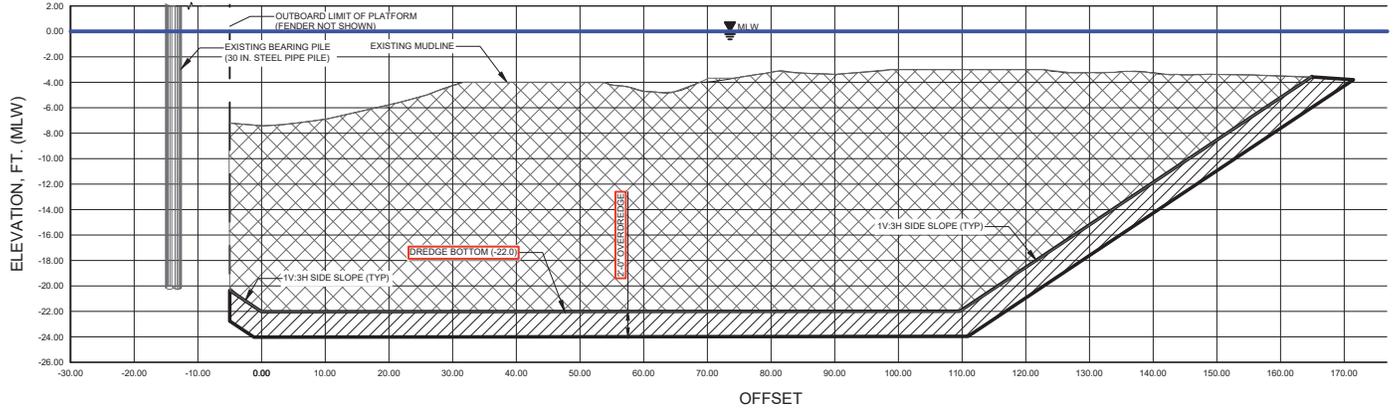
SHEET 3 OF 8

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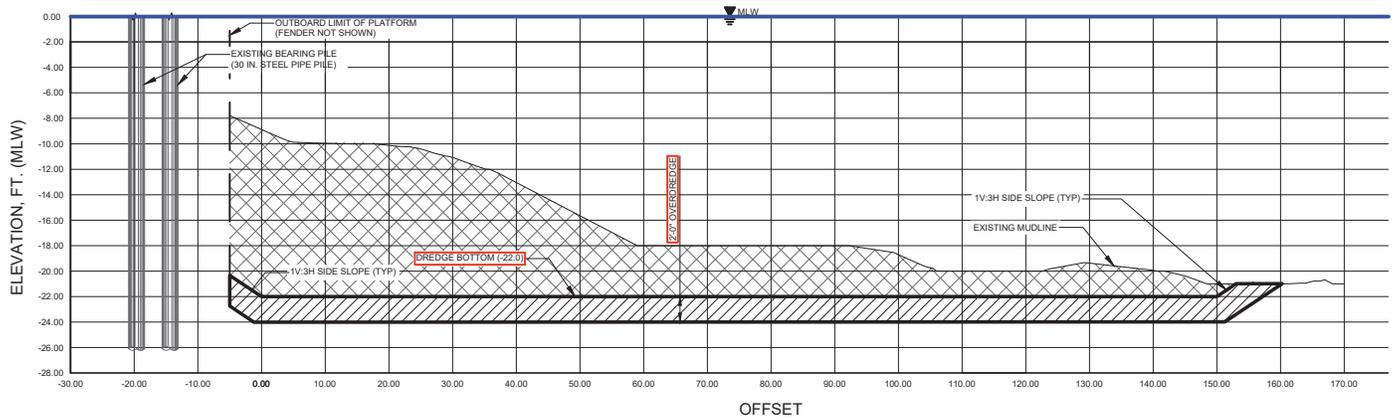
1. FOR GENERAL NOTES, SEE SHEET 2 OF 8.

LEGEND

-  - DREDGE TO (-22 FT MLW)
-  - OVERDREDGE TO (-24 FT MLW)
-  - MLW LINE



S 3 SECTION STA. 2+08.25
SHEET2 HORIZONTAL SCALE: 1"=30'
 VERTICAL SCALE: 1"=15'



S 4 SECTION STA. 2+36.00
SHEET2 HORIZONTAL SCALE: 1"=30'
 VERTICAL SCALE: 1"=15'

PURPOSE: MAINTENANCE
 DREDGING AT NORTH SHORE
 MARINE TRANSFER STATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS:
 SEE ATTACHED

APPLICATION BY: CITY OF NEW
 YORK DEPARTMENT OF SANITATION

1"=30'-0"



**MAINTENANCE DREDGING
 AT NORTH SHORE
 MARINE TRANSFER
 STATION**

SECTION VIEW

IN : FLUSHING BAY
 BOROUGH OF : QUEENS
 COUNTY : QUEENS
 STATE OF : NEW YORK

PREPARED BY : HENNINGSON,
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 ARCHITECTURE &
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DATE : 05/2023

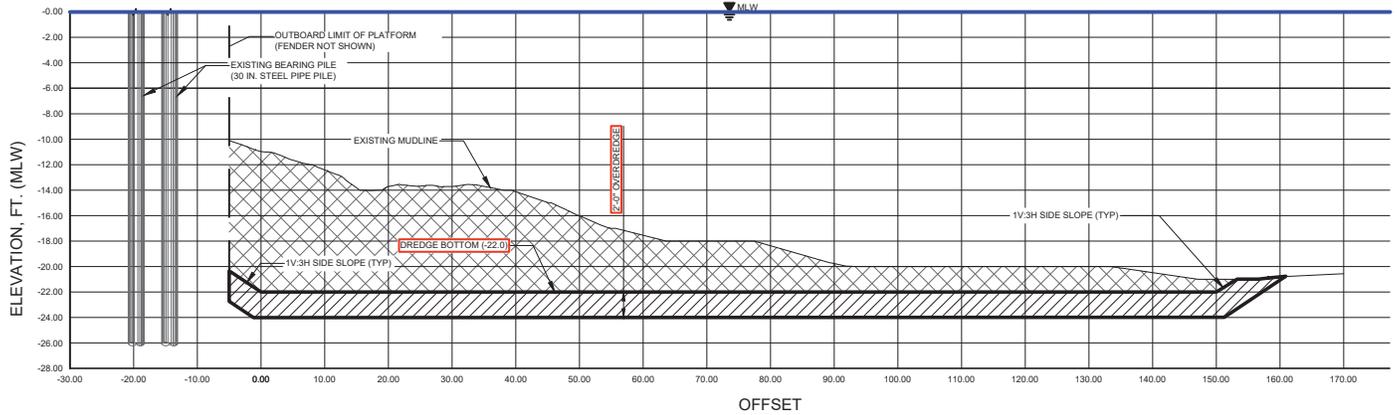
SHEET 4 OF 8

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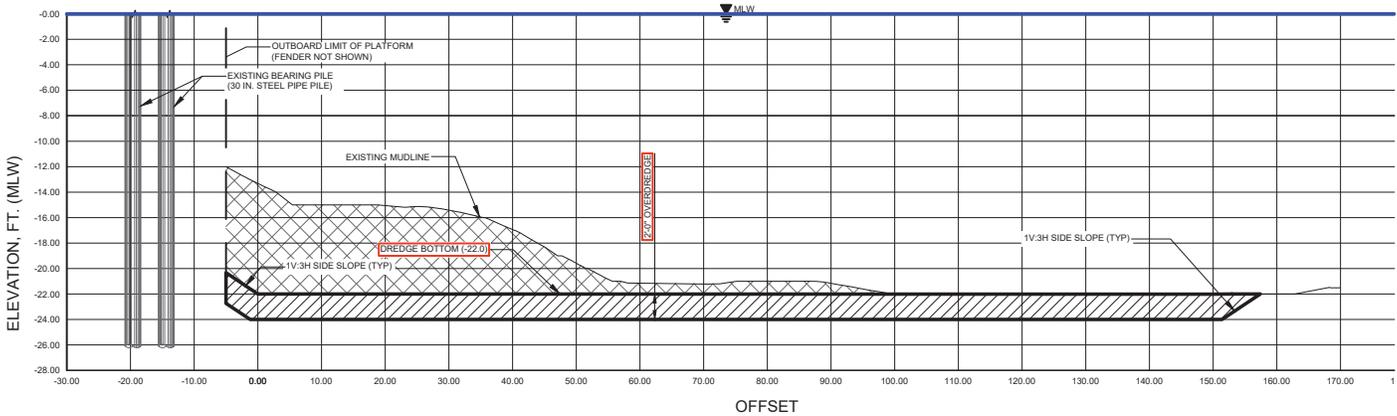
1. FOR GENERAL NOTES, SEE SHEET 2 OF 8.

LEGEND

-  - DREDGE TO (-22 FT MLW)
-  - OVERDREDGE TO (-24 FT MLW)
-  - MLW LINE



S 5 SECTION STA. 3+25.00
SHEET 2
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=15'



S 6 SECTION STA. 4+00.00
SHEET 2
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=15'

PURPOSE: MAINTENANCE
DREDGING AT NORTH SHORE
MARINE TRANSFER STATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS:
SEE ATTACHED

APPLICATION BY: CITY OF NEW
YORK DEPARTMENT OF SANITATION

1"=30'-0"



**MAINTENANCE DREDGING
AT NORTH SHORE
MARINE TRANSFER
STATION**

SECTION VIEW

IN : FLUSHING BAY
BOROUGH OF : QUEENS
COUNTY : QUEENS
STATE OF : NEW YORK

PREPARED BY : HENNINGSON,
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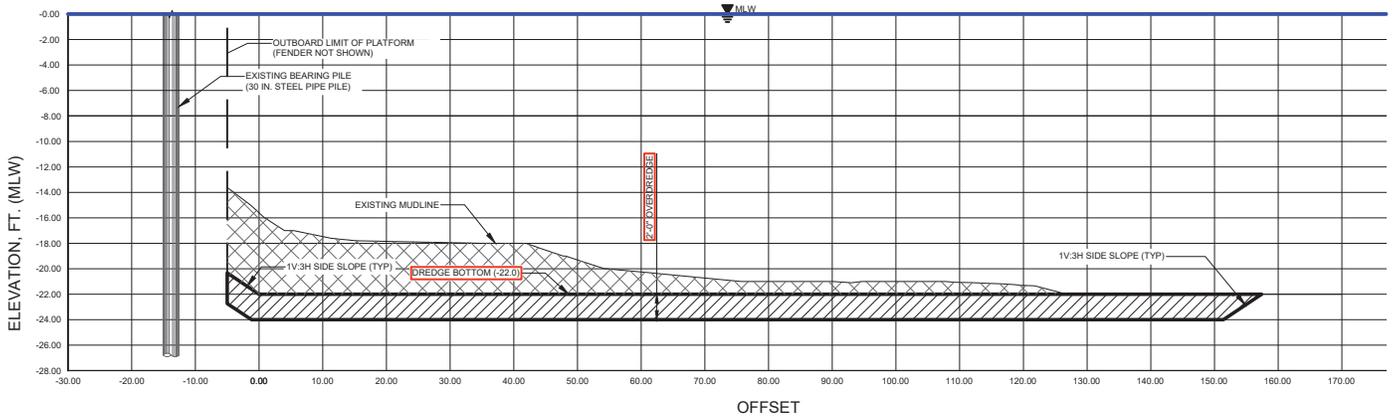
SHEET 5 OF 8

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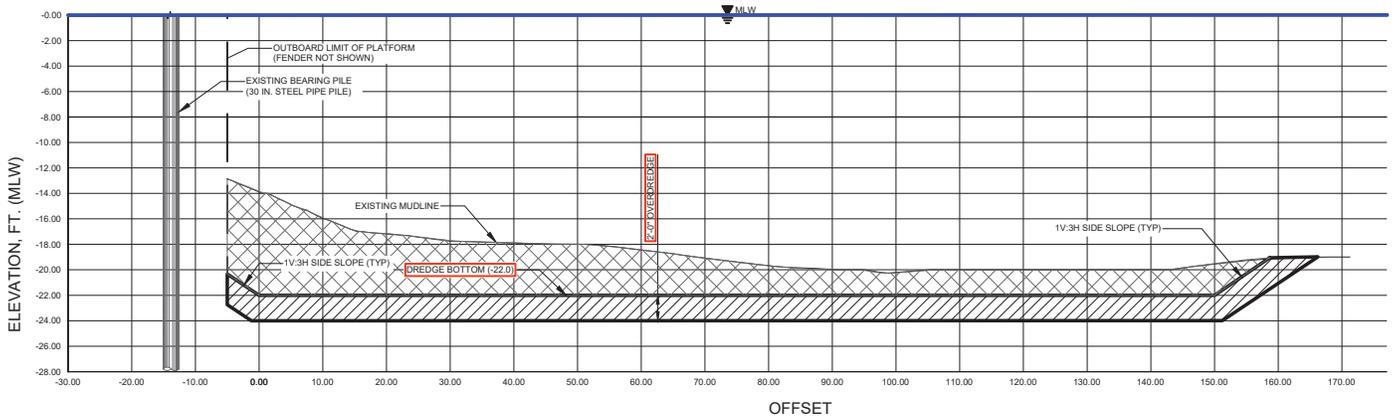
- 1. FOR GENERAL NOTES, SEE SHEET 2 OF 8.

LEGEND

-  - DREDGE TO (-22 FT MLW)
-  - OVERDREDGE TO (-24 FT MLW)
-  - MLW LINE



S 7 SECTION STA. 5+00.00
 SHEET 2 HORIZONTAL SCALE: 1"=30'
 VERTICAL SCALE: 1"=15'



S 8 SECTION STA. 5+33.25
 SHEET 2 HORIZONTAL SCALE: 1"=30'
 VERTICAL SCALE: 1"=15'

PURPOSE: MAINTENANCE
 DREDGING AT NORTH SHORE
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DATUM: NAVD88

ADJACENT PROPERTY OWNERS:
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APPLICATION BY: CITY OF NEW
 YORK DEPARTMENT OF SANITATION

1"=30'-0"



**MAINTENANCE DREDGING
 AT NORTH SHORE
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SECTION VIEW

IN : FLUSHING BAY
 BOROUGH OF : QUEENS
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DATE : 05/2023

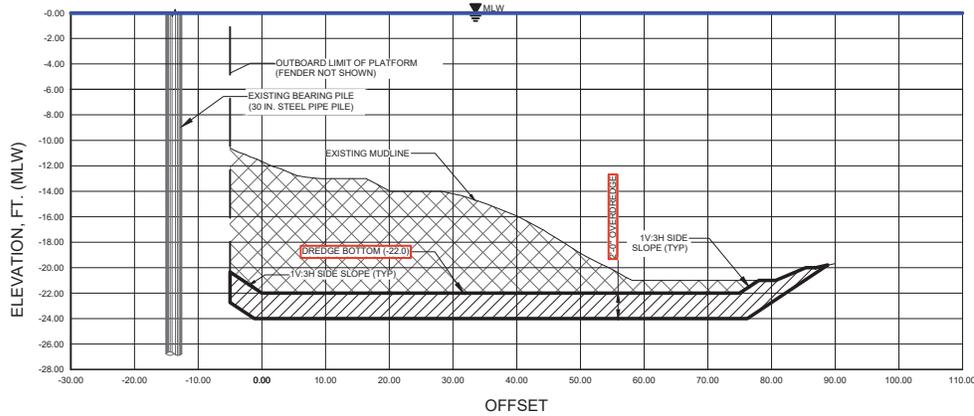
SHEET 6 OF 8

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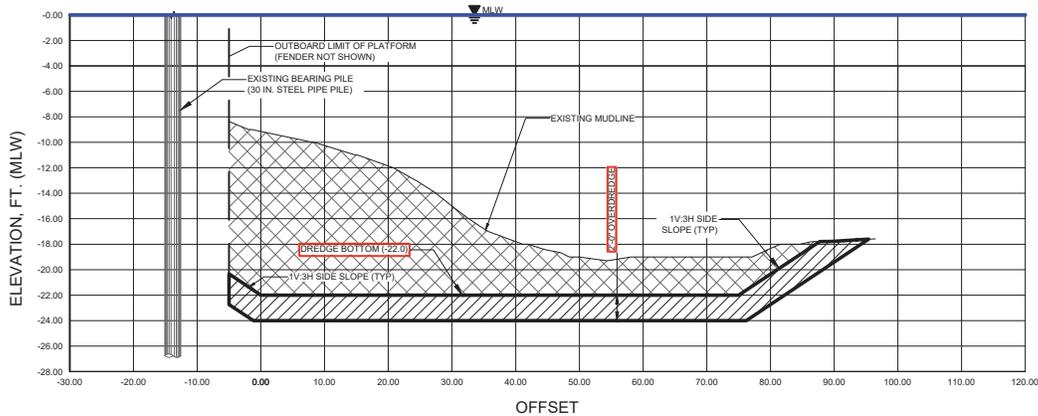
- 1. FOR GENERAL NOTES, SEE SHEET 2 OF 8.

LEGEND

-  - DREDGE TO (-22 FT MLW)
-  - OVERDREDGE TO (-24 FT MLW)
-  - MLW LINE



S 9 SECTION STA. 5+50.00
 SHEET2 HORIZONTAL SCALE: 1"=30'
 VERTICAL SCALE: 1"=15'



S 10 SECTION STA. 6+50.00
 SHEET2 HORIZONTAL SCALE: 1"=30'
 VERTICAL SCALE: 1"=15'

PURPOSE: MAINTENANCE
 DREDGING AT NORTH SHORE
 MARINE TRANSFER STATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS:
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APPLICATION BY: CITY OF NEW
 YORK DEPARTMENT OF SANITATION

1"=30'-0"



**MAINTENANCE DREDGING
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SECTION VIEW

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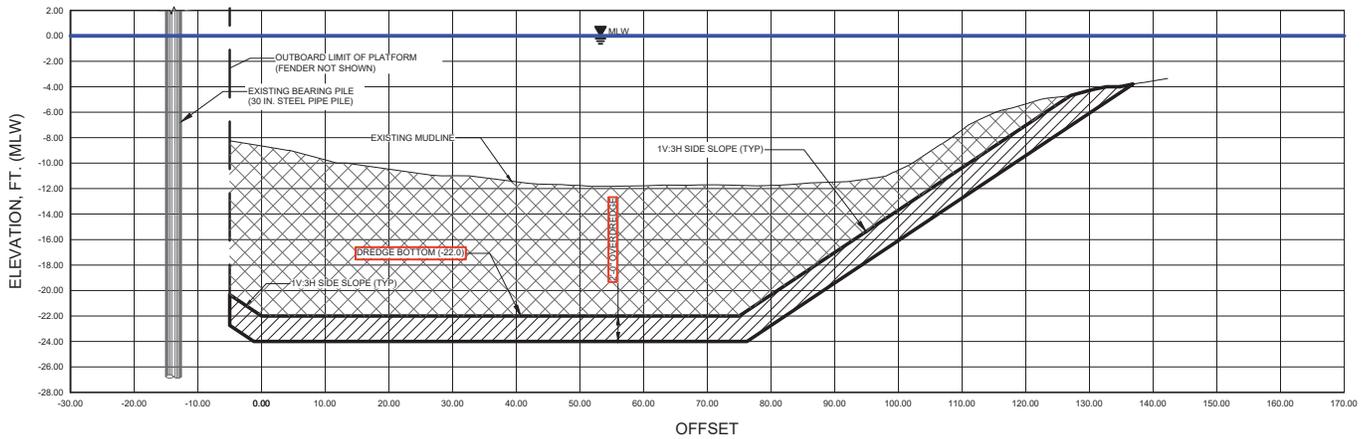
SHEET 7 OF 8

NOTES:

1. FOR GENERAL NOTES, SEE SHEET 2 OF 8.

LEGEND

-  - DREDGE TO (-22 FT MLW)
-  - OVERDREDGE TO (-24 FT MLW)
-  - MLW LINE




SECTION STA. 7+50.00
 HORIZONTAL SCALE: 1"=30'
 VERTICAL SCALE: 1"=15'

PURPOSE: MAINTENANCE
DREDGING AT NORTH SHORE
MARINE TRANSFER STATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS:
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APPLICATION BY: CITY OF NEW
YORK DEPARTMENT OF SANITATION

1"=30'-0"



MAINTENANCE DREDGING AT NORTH SHORE MARINE TRANSFER STATION

SECTION VIEW

IN : FLUSHING BAY
BOROUGH OF : QUEENS
COUNTY : QUEENS
STATE OF : NEW YORK

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ARCHITECTURE &
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DATE : 05/2023

SHEET 8 OF 8