



SUPPLEMENTAL 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:
Supplemental Public Notice: Number NAN-2008-000927-EHA
Issue Date: July 25, 2011
Expiration Date: August 24, 2011

REQUEST FOR PUBLIC COMMENT

To Whom It May Concern:

On August 15, 2008, the U.S. Army Corps of Engineers (USACE) issued Public Notice Number NAN-2008-00927-EJE concerning a permit application submitted by the New York City Department of Sanitation to construct a replacement East 91st Street Marine Transfer Station Pier Platform with Maintenance Dredging. The site is located in the East River, at the Terminus of East 91st Street, Borough of Manhattan, New York County, New York. A public hearing was held by USACE on September 16, 2008. The August 15, 2008 Public Notice stated that the applicant proposed to mitigate for all aquatic impacts, however at that time a specific mitigation plan had not been submitted.

As part of the above referenced permit application, in June 2011 the USACE received a complete mitigation proposal from the Department of Sanitation to compensate for expected adverse impacts to the aquatic ecosystem from the proposed increased over-water shading. To allow for full public review of all proposed activities that require authorization from USACE we are issuing this Supplemental Public Notice to solicit written comments on the mitigation proposal. A description and plans of the applicant's mitigation proposal are enclosed to assist in your review.

ALL COMMENTS REGARDING THE MITIGATION PLAN MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE CLOSE OF BUSINESS ON AUGUST 24, 2011, otherwise, it will be presumed that there are no objections to the activity. Please mail written comments to the following address:

Naomi Handell
Department of the Army
Corps of Engineers
New York District
26 Federal Plaza, Room 1937
New York, New York 10278-0090

A complete copy of the original August 15, 2008 Public Notice can be viewed on the New York District's website at <http://www.nan.usace.army.mil/business/buslinks/regulat/pnotices/2008927.pdf>. If you have any questions, or require further information regarding the Public Notice, you may contact Ms. Naomi Handell at (917) 790-8523, or send an E-mail message to Naomi.J.Handell@usace.army.mil. Comments may also be sent by fax to 212-264-4260.

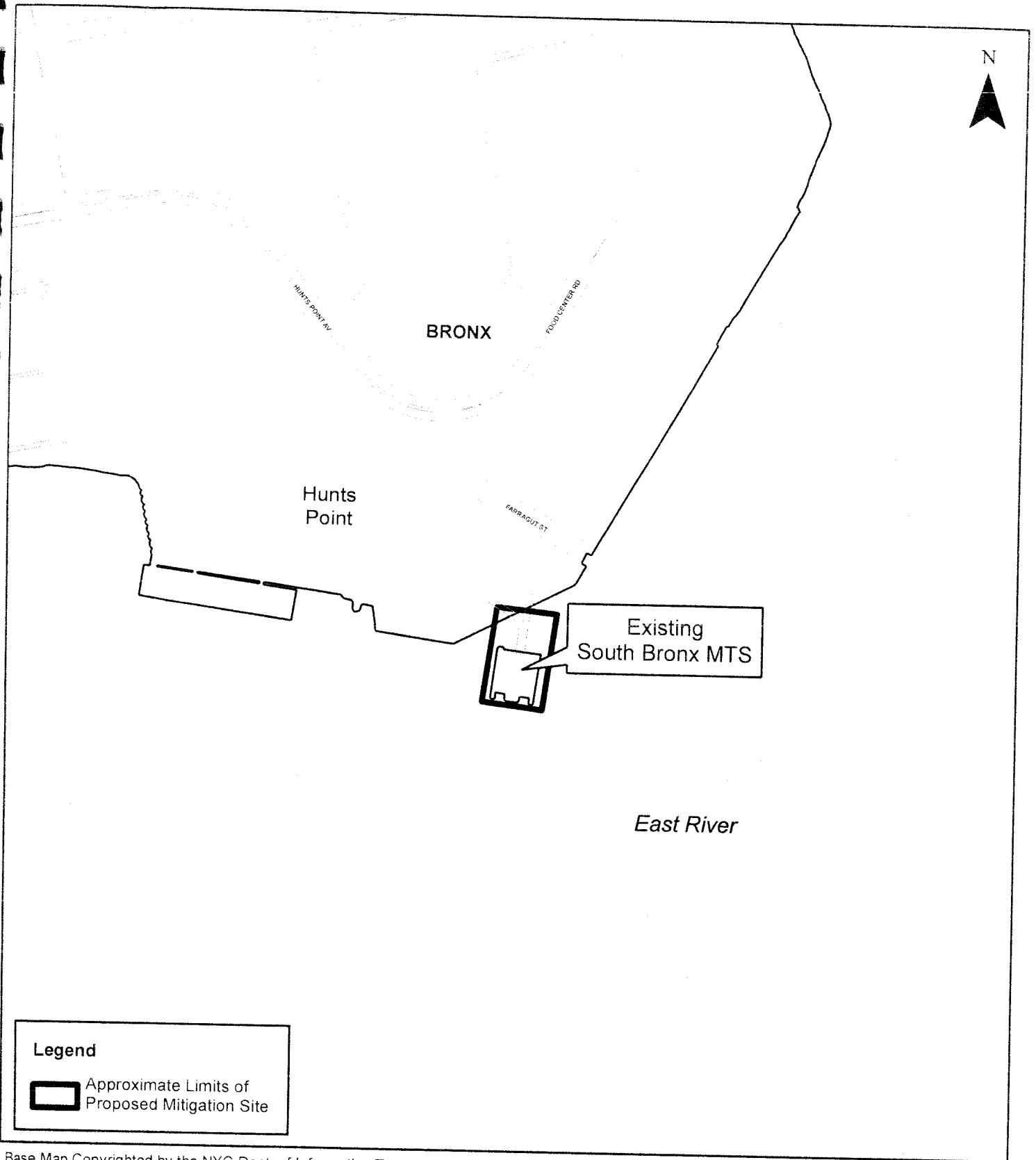
Richard L. Tomer
Chief, Regulatory Branch

WORK DESCRIPTION

The proposed replacement and upgrading of the existing East 91st Street Marine Transfer Station (MTS) pier platforms would have a net open water shading impact of approximately 1.13 acres. Proposed activities to mitigate for this impact involve creating open water habitat, as described below.

At the South Bronx MTS, located on the East River in the Hunts Point Section of the Bronx, the existing over-water structures would be removed to create approximately 0.97 acres of open water habitat. (See Sheet 1 of 9.)

At the Bush Terminal Site, located in Upper New York Bay between 45th Street and 50th Street in Brooklyn, approximately 1,796 cubic yards of material and debris would be dredged via clamshell bucket within Bush Terminal Pier 4 to create 0.16 acres of open water at a depth of -19 feet at Mean Low Water. Any excess dredged material not reused on site will be placed at a state approved upland location. A turbidity curtain would be installed around the perimeter of the site prior to the start of dredging. The dredged material would be decanted prior to removal from barges. Decant water may be discharged to Upper New York Bay. In addition to the removal of debris, the applicant has also proposed to use the material removed from the Pier 4 area to create additional shallow water habitat along the near shore areas of Piers 2, 3, and 4. (See Sheets 3 through 9 of 9.)

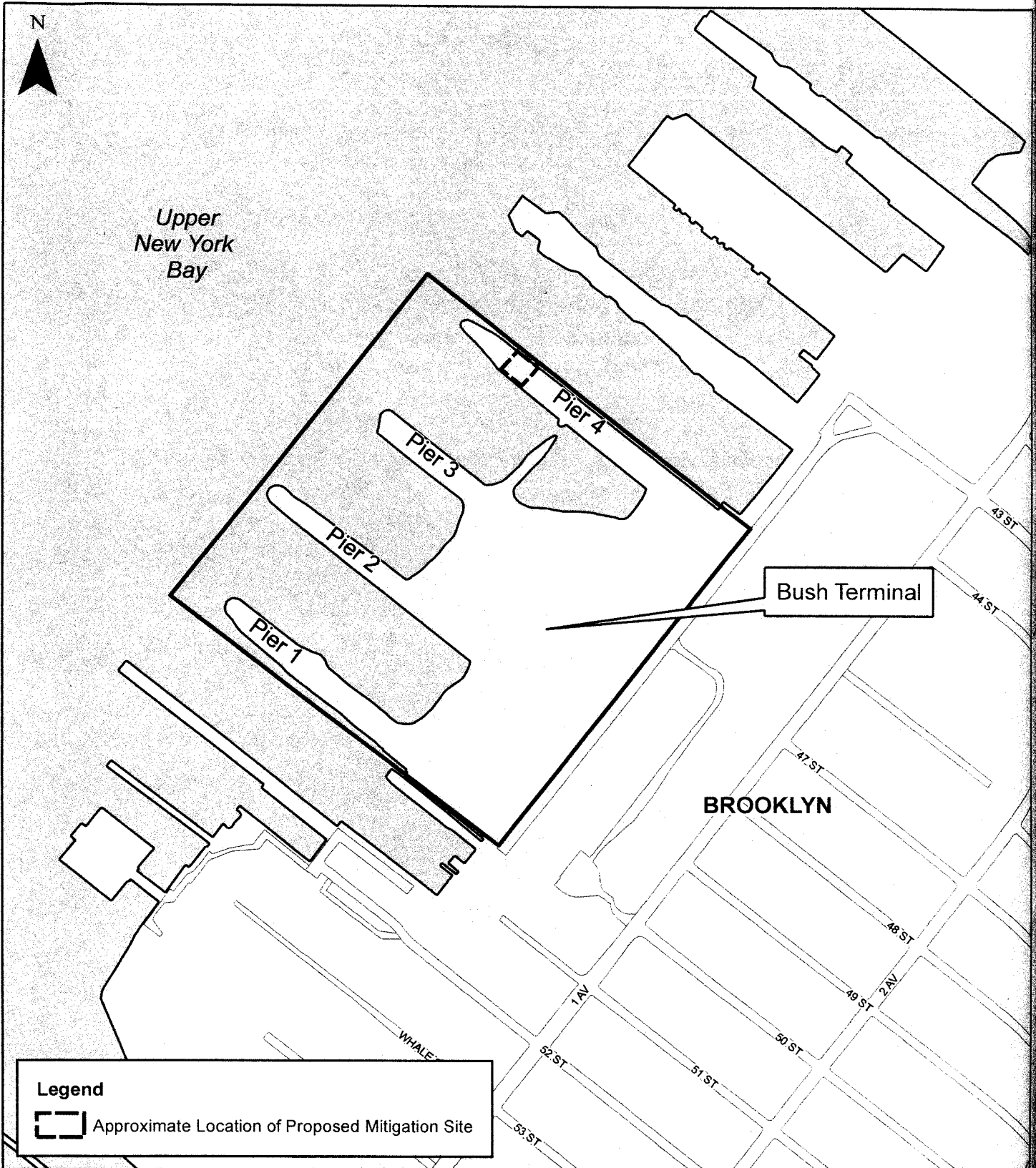


Base Map Copyrighted by the NYC Dept. of Information Technology & Telecommunications

250 125 0 250 Feet

NAN-2008-009127-611A

<p>HDR HydroQual</p> <p>1200 MacArthur Boulevard Mahwah, New Jersey 07430 (201) 529-5151 f.(201) 512-3825</p>	<p>City of New York Department of Sanitation</p> <p>East 91st Street Converted MTS Wetland Mitigation Plan</p>	<p>Figure 5</p> <p>Mitigation Site - South Bronx MTS Site Location</p> <p>May 2011 1/9</p>
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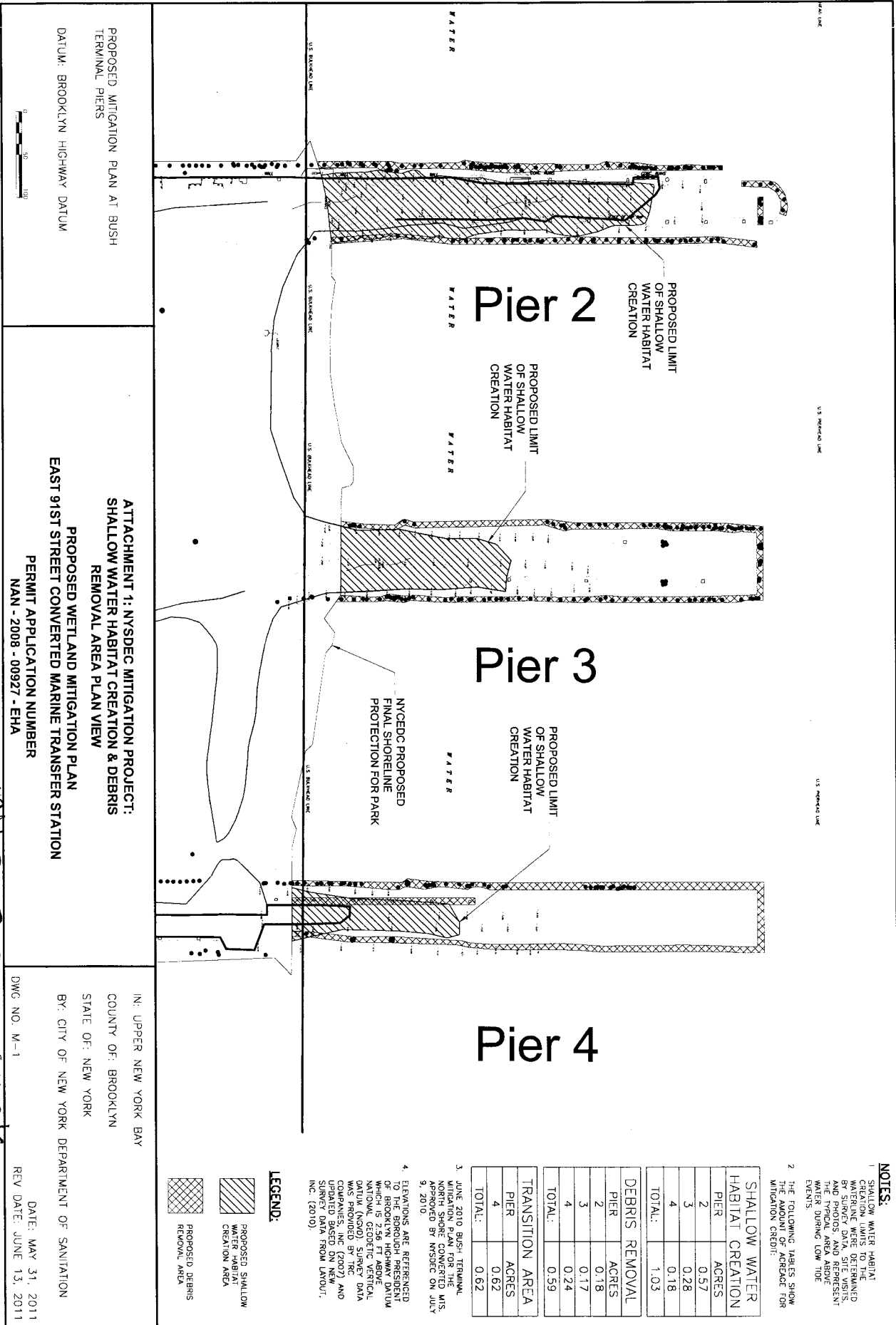


Base Map Copyrighted by the NYC Dept. of Information Technology & Telecommunications

250 125 0 250
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NAN-2008-00927-E11A

<p>HDR HydroQual 1200 MacArthur Boulevard Mahwah, New Jersey 07430 (201) 529-5151 f:(201) 512-3825</p>	<p>City of New York Department of Sanitation East 91st Street Converted MTS Wetland Mitigation Plan</p> <p style="text-align: right;">2/9</p>	<p>Figure 6 Mitigation Site - Bush Terminal Site Location May 2011</p>
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NOTES:

1. SHALLOW WATER HABITAT CREATION LIMITS TO THE WATERLINE WERE DETERMINED BY SURVEY DATA, SITE VISITS, AND PHOTOGRAPHY. THE TYPICAL AREA ABOVE WATER DURING LOW TIDE EVENTS.

2. THE FOLLOWING TABLES SHOW THE AMOUNT OF ACREAGE FOR MITIGATION CREDIT:

SHALLOW WATER HABITAT CREATION	
PIER	ACRES
2	0.57
3	0.28
4	0.18
TOTAL:	1.03



DEBRIS REMOVAL	
PIER	ACRES
2	0.18
3	0.17
4	0.24
TOTAL:	0.59

TRANSITION AREA	
PIER	ACRES
4	0.62
TOTAL:	0.62

3. JUNE 2010 BUSH TERMINAL MITIGATION PLAN FOR THE NORTH SHORE CONVERTED ON JULY 9, 2010.

4. ELEVATIONS ARE REFERENCED TO THE BOROUGH PRESIDENT OF BROOKLYN HIGHWAY DATUM NATIONAL GEODETIC VERTICAL DATUM (NAD83) SURVEY DATA WAS PROVIDED BY TRC COMPANIES, INC (2007) AND UPDATED BASED ON NEW SURVEY DATA FROM LANDUT, INC. (2010).

LEGEND:

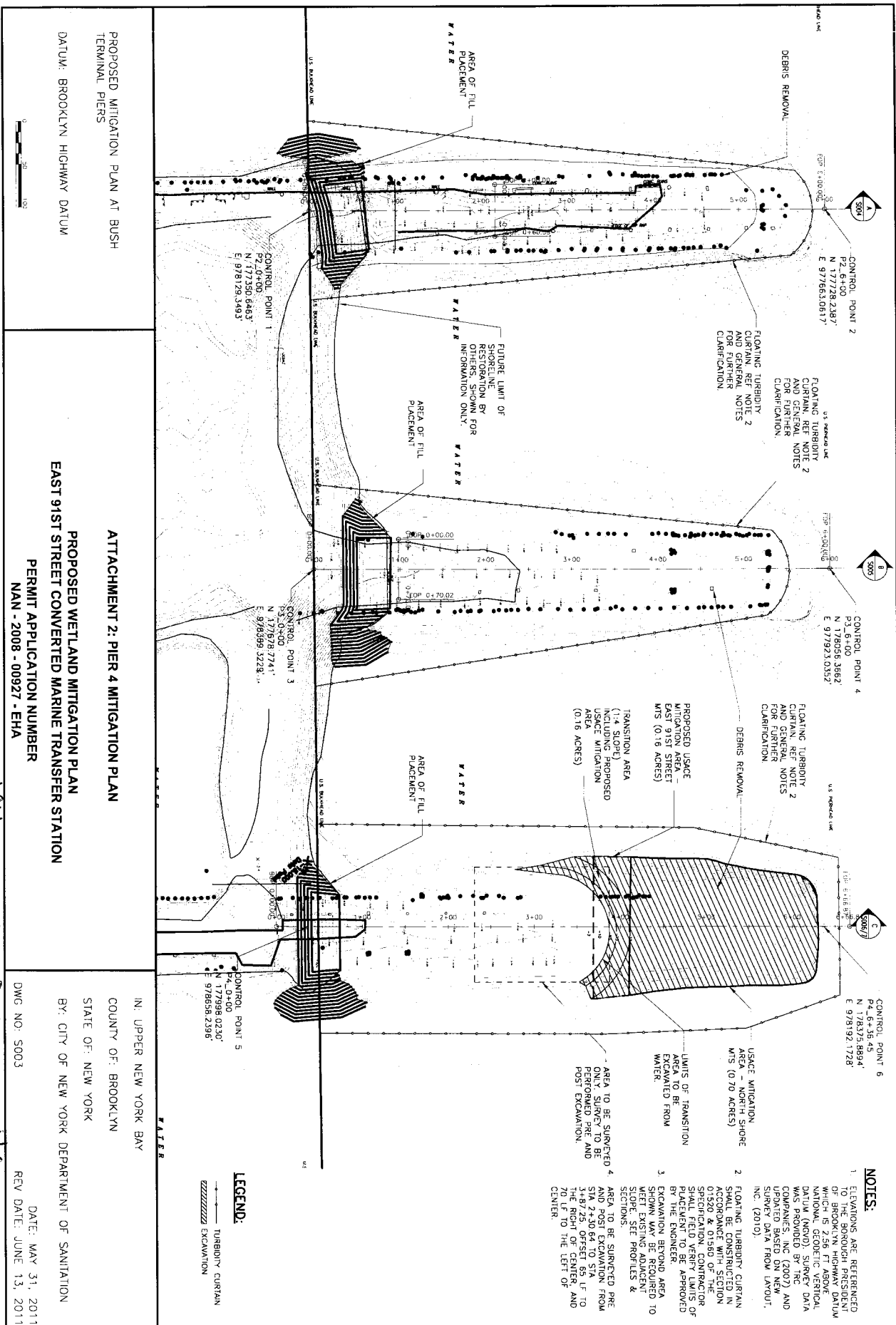
-  PROPOSED SHALLOW WATER HABITAT CREATION AREA
-  PROPOSED DEBRIS REMOVAL AREA

PROPOSED MITIGATION PLAN AT BUSH TERMINAL PIERS
 DATUM: BROOKLYN HIGHWAY DATUM

ATTACHMENT 1: NYSDEC MITIGATION PROJECT:
 SHALLOW WATER HABITAT CREATION & DEBRIS REMOVAL AREA PLAN VIEW
 PROPOSED WETLAND MITIGATION PLAN
 EAST 91ST STREET CONVERTED MARINE TRANSFER STATION
 PERMIT APPLICATION NUMBER
 MAN - 2008 - 00927 - EHA

IN: UPPER NEW YORK BAY
 COUNTY OF: BROOKLYN
 STATE OF: NEW YORK
 BY: CITY OF NEW YORK DEPARTMENT OF SANITATION
 DATE: MAY 31, 2011
 REV DATE: JUNE 13, 2011
 DWG. NO. M-1

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PROPOSED MITIGATION PLAN AT BUSH TERMINAL PIERS
 DATUM: BROOKLYN HIGHWAY DATUM

ATTACHMENT 2: PIER 4 MITIGATION PLAN
 PROPOSED WETLAND MITIGATION PLAN
 EAST 91ST STREET CONVERTED MARINE TRANSFER STATION
 PERMIT APPLICATION NUMBER
 NAN - 2008 - 00927 - EHA

IN: UPPER NEW YORK BAY
 COUNTY OF: BROOKLYN
 STATE OF: NEW YORK
 BY: CITY OF NEW YORK DEPARTMENT OF SANITATION
 DATE: MAY 31, 2011
 REV DATE: JUNE 13, 2011
 DWG NO: S003

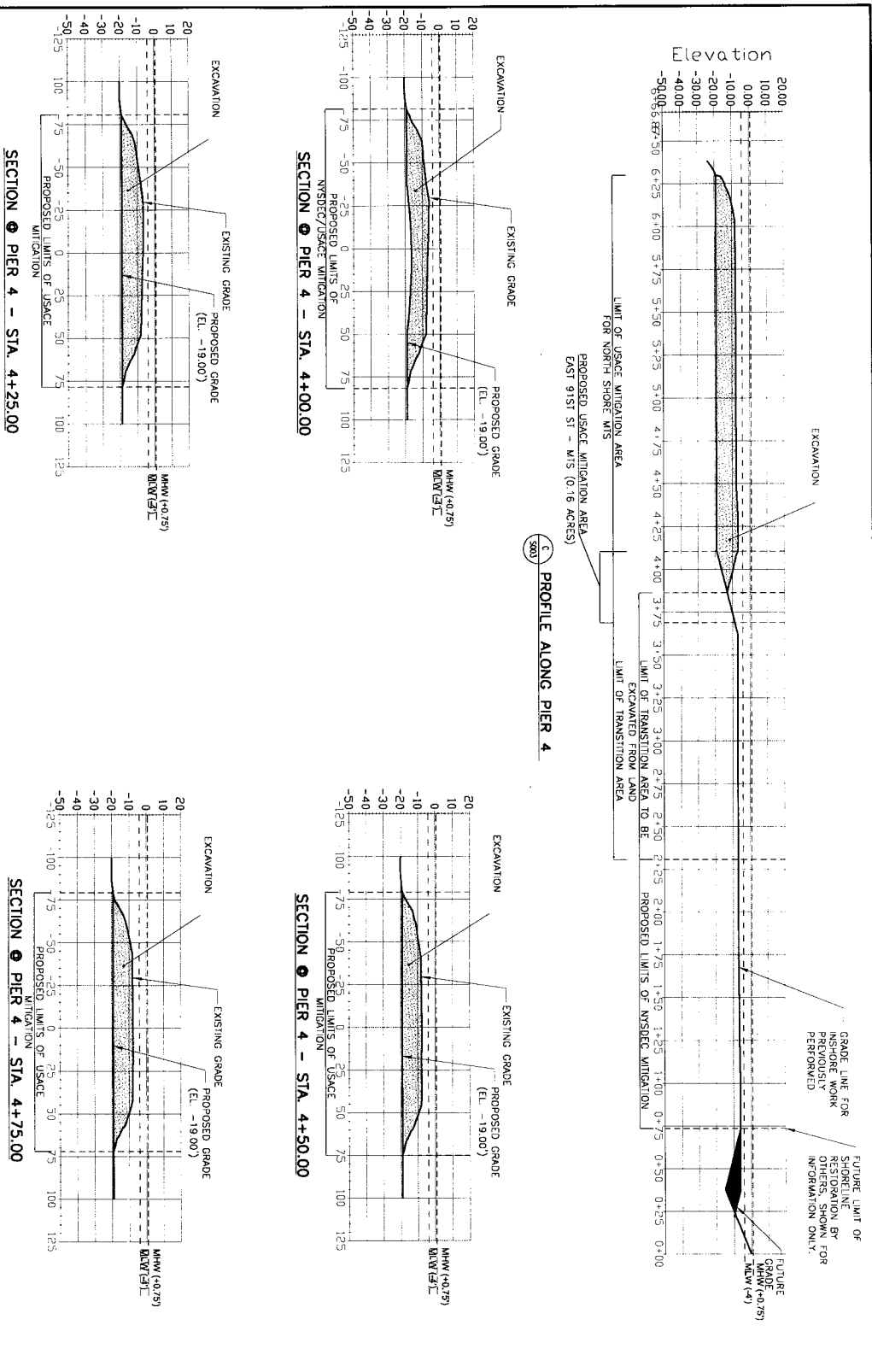
NAN-2008-00927-EHA 4/9

NOTES:

- ELEVATIONS ARE REFERENCED TO THE BROADWAY PRESIDENTIAL WHICH IS 2.56 FT ABOVE NATIONAL GEODETIC VERTICAL DATUM (NGVD). SURVEY DATA WAS PROVIDED BY TRC AND COMPANIES, INC (2007) AND UPRATED BASED ON NSM SURVEY DATA FROM LANDOUT, INC. (2010).
- FLOATING TURBIDITY CURTAIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 107.00 OF THE SPECIFICATION. CONTRACTOR SHALL FIELD VERIFY LIMITS OF PLACEMENT TO BE APPROVED BY THE ENGINEER.
- EXCAVATION BEYOND AREA SHOWN MUST BE ACQUIRED TO SLOPE. SEE PROFILES & SECTIONS.
- AREA TO BE SURVEYED PRE AND POST EXCAVATION FROM STA 2+30.66 TO STA 3+87.25. OFFSET 65.0 FT TO THE LEFT OF THE CENTER.

LEGEND:

- TURBIDITY CURTAIN
- EXCAVATION



NOTES:

- ELEVATIONS ARE REFERENCED TO THE BROUGH PRESIDENTIAL DATUM WHICH IS 2.56 FT ABOVE NATIONAL GEODETIC VERTICAL DATUM (NGVD) SURVEY DATA WAS PROVIDED BY TRC COMPANIES, INC (2007) AND GRATED BATHYMETRY FROM LAURET, INC (2010).
- LIMITS OF EXCAVATION AND MATERIAL PLACEMENT TO BE CONSIDERED.
- ALL HATCHING THAT FALLS OUTSIDE OF THE PROPOSED MITIGATION BOUNDARY LIMITS SHALL BE REMOVED TO BE INTO THE EXISTING SLOPE.
- TRANSITION FROM ELEVATION -13.21 TO -19 AT 25% SLOPE FROM STA. 3+67.25 TO ELEVATION -19 FROM STA 4+11 TO LIMIT OF WORK.

PROPOSED MITIGATION PLAN AT BUSH TERMINAL PIERS
 DATUM: BROOKLYN HIGHWAY DATUM



ATTACHMENT 3: PIER 4 MITIGATION PROFILES & SECTIONS

PROPOSED WETLAND MITIGATION PLAN EAST 91ST STREET CONVERTED MARINE TRANSFER STATION

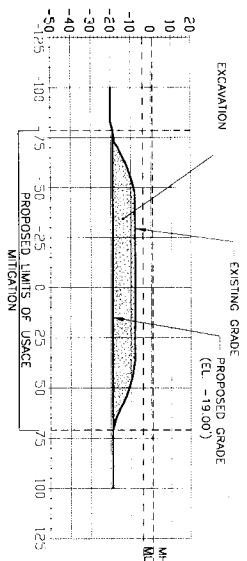
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IN: UPPER NEW YORK BAY
 COUNTY OF: BROOKLYN
 STATE OF: NEW YORK

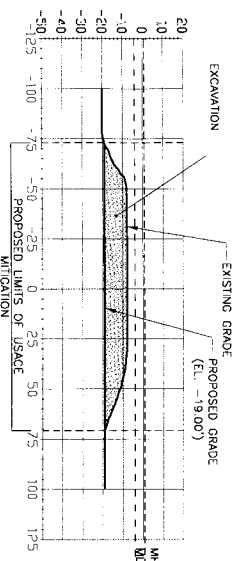
BY: CITY OF NEW YORK DEPARTMENT OF SANITATION

DWG NO: S007
 DATE: MAY 31, 2011
 REV DATE: JUNE 13, 2011

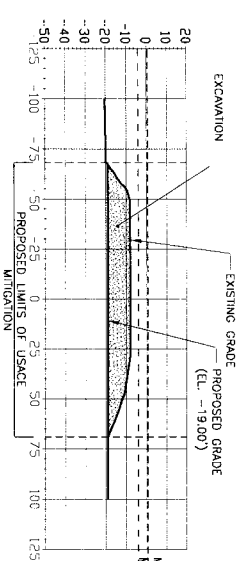
NAN-2008-00927-EHA 5/9



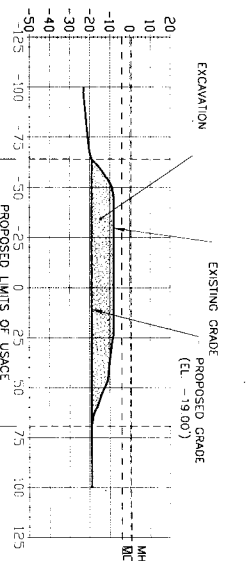
SECTION 4 PIER 4 - STA. 5+00.00



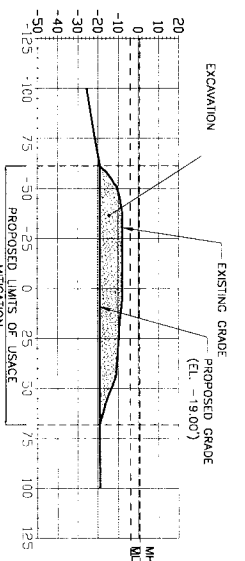
SECTION 4 PIER 4 - STA. 5+25.00



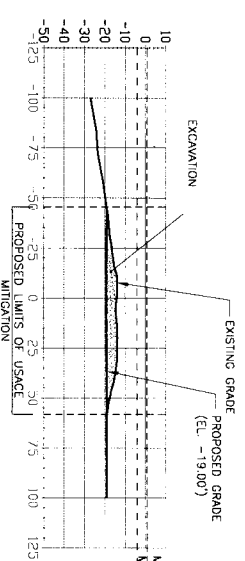
SECTION 4 PIER 4 - STA. 5+50.00



SECTION 4 PIER 4 - STA. 5+75.00



SECTION 4 PIER 4 - STA. 6+00.00



SECTION 4 PIER 4 - STA. 6+25.00

LEGEND:
 --- MHW ELEVATION
 --- MLLW ELEVATION
 --- EXCAVATION

- NOTES:**
- ELEVATIONS ARE REFERENCED TO THE BOROUGH PRESIDENT OF BROOKLYN HIGHWAY DATUM WHICH IS 2.56 FEET ABOVE THE STATE PLANNING DATUM (NAD83). SURVEY DATA WAS PROVIDED BY TRC COMPANIES, INC (2007) AND UPDATED BASED ON NEW SURVEY DATA FROM LAYOUT, INC. (2010).
 - LIMITS OF EXCAVATION TO BE FIELD VERIFIED BY CONTRACTOR.
 - ALL HATCHING THAT FALLS OUTSIDE OF THE PROPOSED MITIGATION BOUNDARY LIMITS SHALL BE EXCAVATED TO THE INTO THE EXISTING SLOPE.
 - TRANSITION FROM ELEVATION -13.21 TO -19.00 AT 25% SLOPE FROM STA. 3+87.25 TO STA. 4+11. MAINMAN ELEVATION -19 FROM STA. 4+11 TO LIMIT OF WORK.

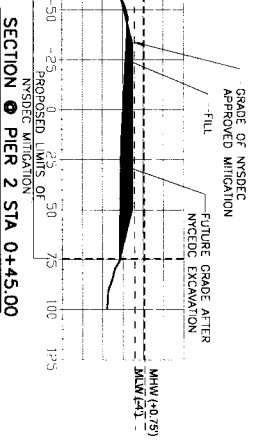
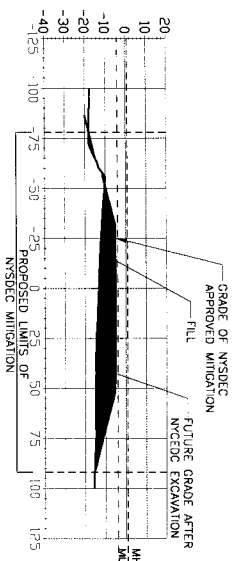
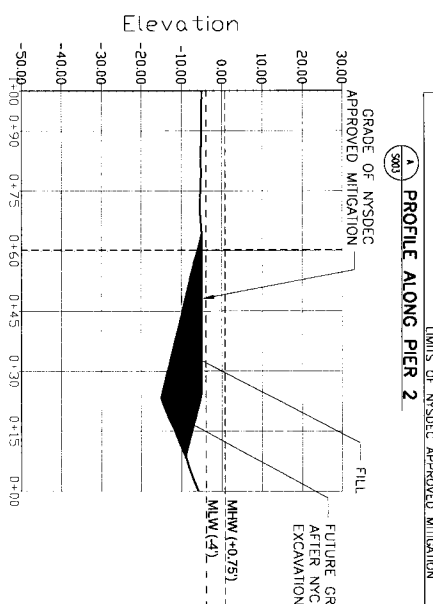
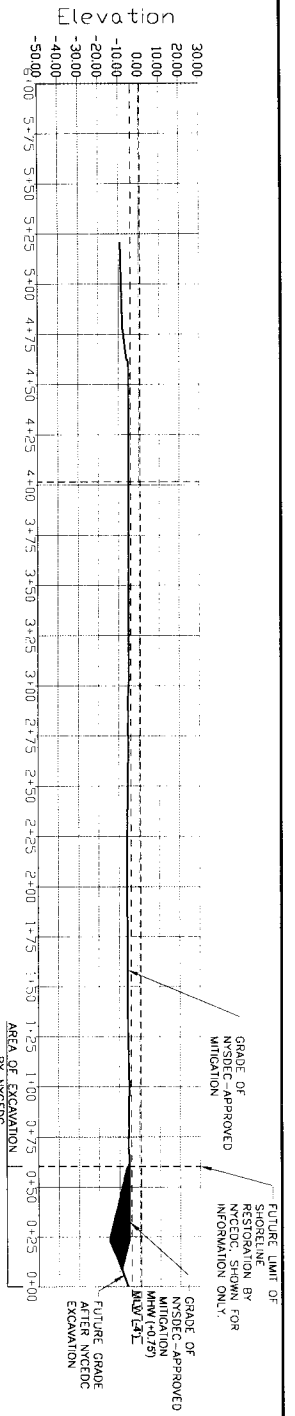
PROPOSED MITIGATION PLAN AT BUSH TERMINAL PIERS
 DATUM: BROOKLYN HIGHWAY DATUM



ATTACHMENT 4: PIER 4 MITIGATION PROFILE & SECTIONS CONTINUED
 PROPOSED WETLAND MITIGATION PLAN
 EAST 91ST STREET CONVERTED MARINE TRANSFER STATION
 PERMIT APPLICATION NUMBER
 NAN - 2008 - 00927 - EHA

IN: UPPER NEW YORK BAY
 COUNTY OF: BROOKLYN
 STATE OF: NEW YORK
 BY: CITY OF NEW YORK DEPARTMENT OF SANITATION
 DATE: MAY 31, 2011
 DWG NO: S007-A
 REV DATE: JUNE 13, 2011

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LEGEND:
 --- MHW ELEVATION
 - - - MLW ELEVATION
 ■ FILL

- NOTES:**
- ELEVATIONS ARE REFERENCED TO THE BENCH MARK STATION OF THE BROOKLYN TERMINAL WHICH IS 2.56 FT ABOVE NATIONAL GEODETIC VERTICAL DATUM (NGVD). SURVEY DATA WAS PROVIDED BY TRC COMPANY, INC (2007) AND COMPARED AGAINST THE SURVEY DATA FROM LAYOUT, INC. (2010).
 - LIMITS OF EXCAVATION AND MATERIAL PLACEMENT BY FIELD VERIFICATION.
 - JUNE 2010 BUSH TERMINAL MITIGATION PLAN FOR THE NORTH SHOULDER CONVERTED MARINE TRANSFER STATION NYSDEC ON JUNE 9, 2010.

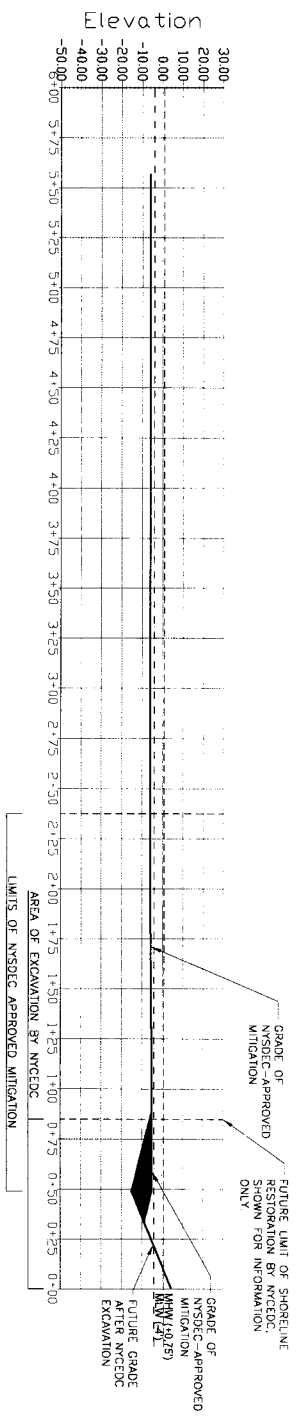
PROPOSED MITIGATION PLAN AT BUSH TERMINAL PIERS
 DATUM: BROOKLYN HIGHWAY DATUM



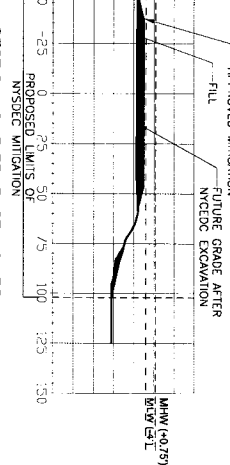
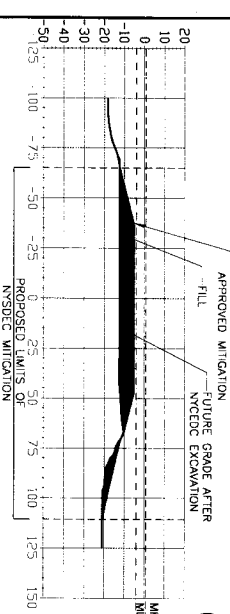
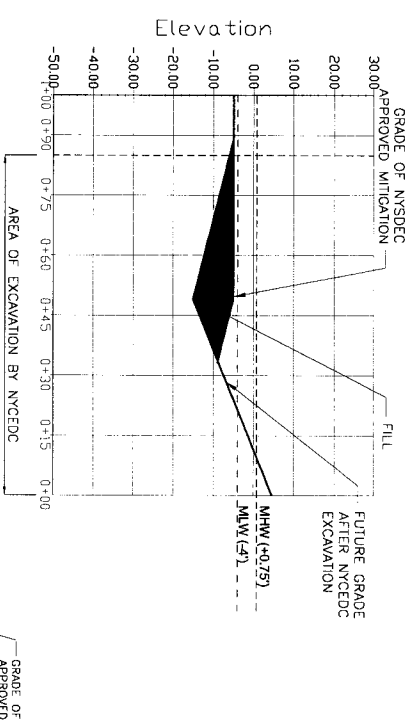
ATTACHMENT 5: PIER 2 PROFILES & SECTIONS
PROPOSED WETLAND MITIGATION PLAN
EAST 91ST STREET CONVERTED MARINE TRANSFER STATION
 PERMIT APPLICATION NUMBER
 NAN - 2008 - 00927 - EHA

IN: UPPER NEW YORK BAY
 COUNTY OF: BROOKLYN
 STATE OF: NEW YORK
 BY: CITY OF NEW YORK DEPARTMENT OF SANITATION
 DATE: MAY 31, 2011
 REV DATE: JUNE 13, 2011
 DWG NO.: S004

NAN-2008-00927-EHA 7/9



- NOTES:**
- ELEVATIONS ARE REFERENCED TO THE BROUGH PRESIDENT WILSON'S HIGH MAND DATUM NATIONAL GEODETIC VERTICAL DATUM (NGVD) SURVEY DATA WAS PROVIDED BY TRC COMPANIES, INC (2007) AND UPDATED BASED ON NEW SURVEY DATA FROM LAYOUT, INC. (2010).
 - LIMITS OF EXCAVATION AND MATERIAL PLACEMENT TO BE FIELD VERIFIED BY CONTRACTOR.
 - JUNE 2010 BUSH TERMINAL MITIGATION PLAN FOR THE NORTH SHORE CONVERTED MTS APPROVED BY NYSDEC ON JULY 9, 2010.



SECTION 3 PIER 3 STA 0+60.00

SECTION 3 PIER 3 STA 0+75.00

LEGEND:
 --- MHW ELEVATION
 --- MLLW ELEVATION
 ■ FILL

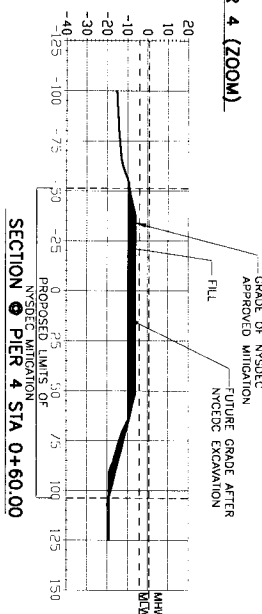
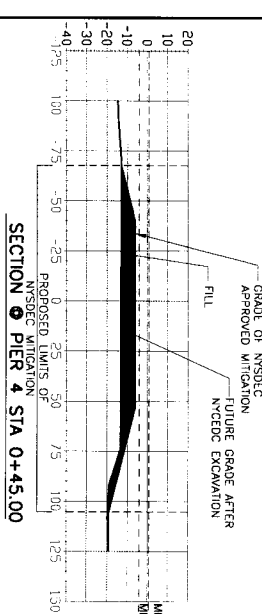
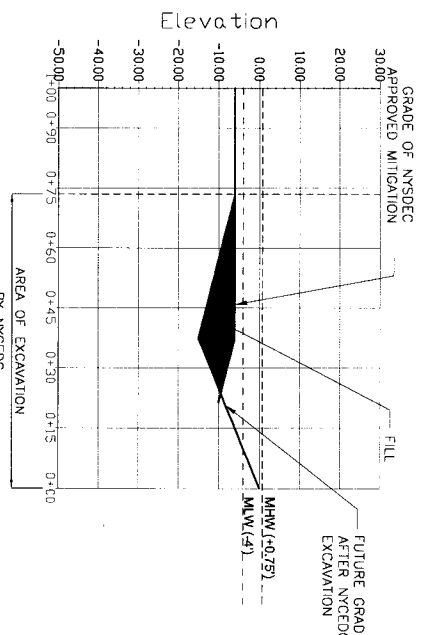
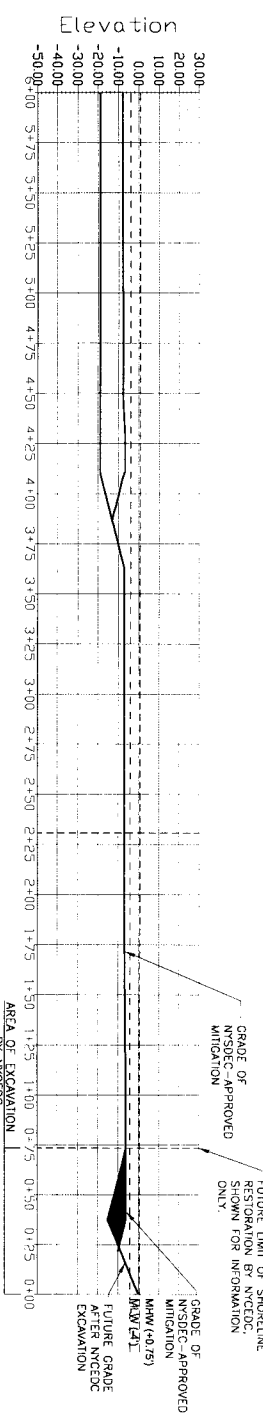
PROPOSED MITIGATION PLAN AT BUSH TERMINAL PIERS
 DATUM: BROOKLYN HIGHWAY DATUM

ATTACHMENT 6: PIER 3 PROFILES & SECTIONS
 PROPOSED WETLAND MITIGATION PLAN
 EAST 91ST STREET CONVERTED MARINE TRANSFER STATION
 PERMIT APPLICATION NUMBER
 NAN - 2008 - 00927 - EHA

IN: UPPER NEW YORK BAY
 COUNTY OF: BROOKLYN
 STATE OF: NEW YORK
 BY: CITY OF NEW YORK DEPARTMENT OF SANITATION
 DATE: MAY 31, 2011
 REV DATE: JUNE 13, 2011
 DWG NO: S005

NAN-2008-00927-EHA

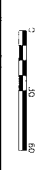
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LEGEND:
 - - - - - MHW ELEVATION
 - - - - - MHW ELEVATION
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- NOTES:**
- ELEVATIONS ARE REFERENCED TO THE BOROUGH PRESIDENT OF BROOKLYN HIGHWAY DATUM WHICH IS GEODETIC MEANS DATUM (NGVD) SURVEY DATA WAS PROVIDED BY TRC COMPANIES, INC (2007) AND UPDATED BASED ON NEW SURVEY DATA FROM LAYOUT, INC. (2010).
 - LIMITS OF EXCAVATION AND MATERIAL PLACEMENT TO BE CONTRACTOR.
 - JUNE 2010 BUSH TERMINAL MITIGATION PLAN FOR THE NORTH SHORE CONVERTED BY NYSDEC ON JULY 9, 2010.

PROPOSED MITIGATION PLAN AT BUSH TERMINAL PIERS
 DATUM: BROOKLYN HIGHWAY DATUM



ATTACHMENT 7: PIER 4 PROFILES & SECTIONS
PROPOSED WETLAND MITIGATION PLAN
EAST 91ST STREET CONVERTED MARINE TRANSFER STATION
 PERMIT APPLICATION NUMBER
 NAN - 2008 - 00927 - EHA

IN: UPPER NEW YORK BAY
 COUNTY OF: BROOKLYN
 STATE OF: NEW YORK
 BY: CITY OF NEW YORK DEPARTMENT OF SANITATION
 DATE: MAY 31, 2011
 REV DATE: JUNE 13, 2011
 DWG NO: S006

NAN-2008-00927-EHA

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