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: 1997-16130-Y6
Issue Date: June 1, 1999
Expiration Date: July 1, 1999

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).

APPLICANT: Interstate Materials Corporation
211 Johnson Street
Staten Island, NY 10309

ACTIVITY: Dredge with Upland Disposal

WATERWAY: Arthur Kill

LOCATION: Borough of Staten Island, Richmond County, 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 benefits 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, historical properties, fish and wildlife values, 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, consideration 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.

Newark Bay Study Area
NBSA-00041

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 USC 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.

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, 41 State Street, 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 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 Dr. Marc Helman at (212) 264-6731.

For more information on New York District Corps of Engineers programs, visit our website at http://www.nan.usace.army.mil

FOR THE DISTRICT ENGINEER:

James W. Haggett

for Joseph J. Seebode
Chief, Regulatory Branch

Enclosures

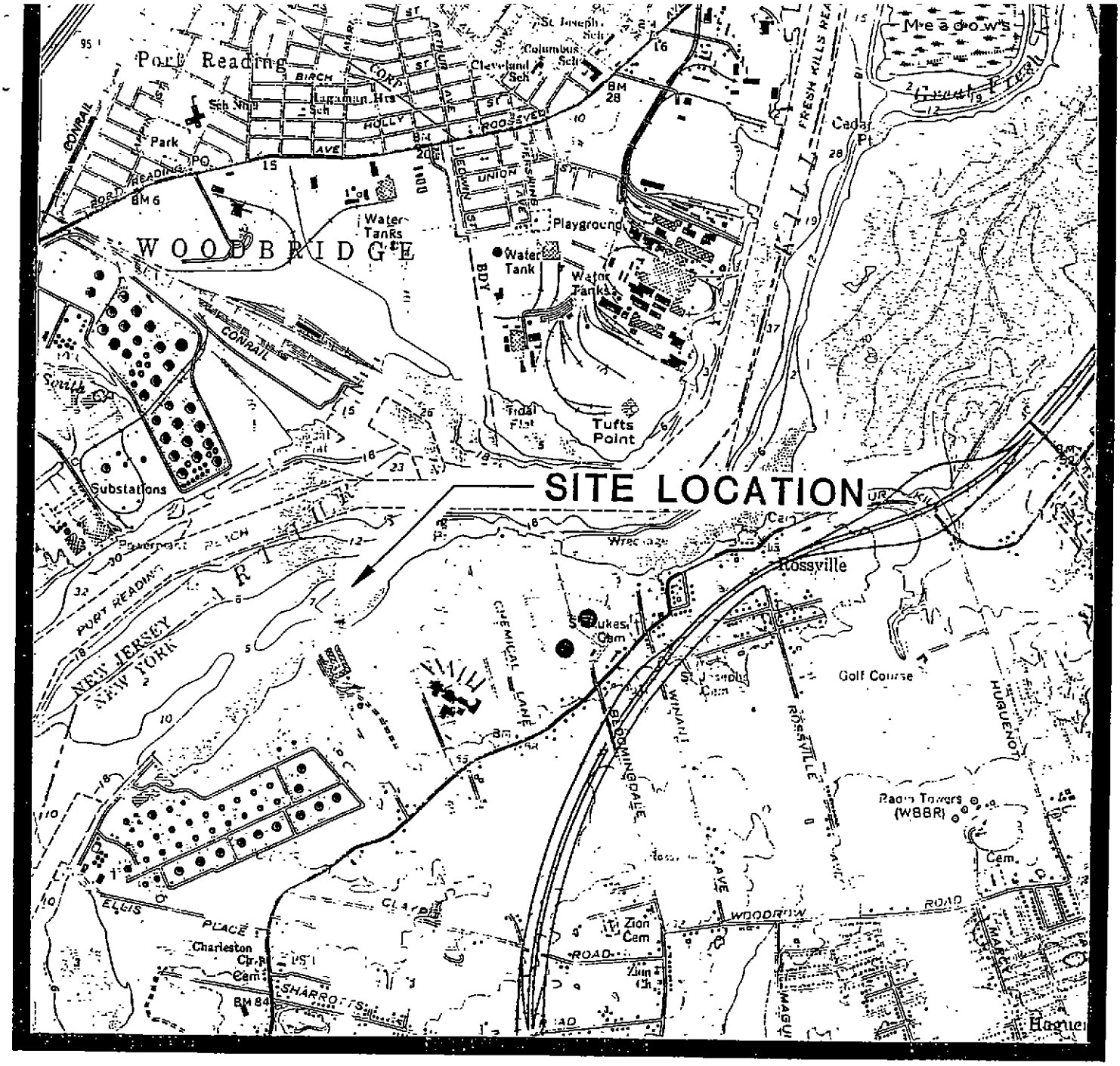
WORK DESCRIPTION

The applicant, Interstate Materials Corporation, has requested Department of the Army authorization to dredge material from the Arthur Kill at the Borough of Staten Island, Richmond County, New York with subsequent upland disposal.

The work would involve dredging with upland disposal approximately 217,000 cubic yards of material from an irregularly shaped area of approximately 200,000 square feet (4.6 acres) to a depth of 15 feet below the plane of mean low water with a 2 foot allowable overdepth. The area to be dredged is shown on Figure 4 of 4. Dredging would be undertaken using a barge mounted closed (environmental) clamshell bucket. Dredged material would be loaded into barges that would be covered, sealed, and transported to the Waste Management, Inc. Maplewood/Amelia landfill in the State of Virginia for disposal, where it would be suitably retained so as not to reenter any waterway. No barge overflow, dewatering, or return flow would occur at the proposed dredge site.

Proposed associated upland activities, not within Department of the Army jurisdiction, would include construction of a new materials processing facility and increased storage capacity for clean fill material.

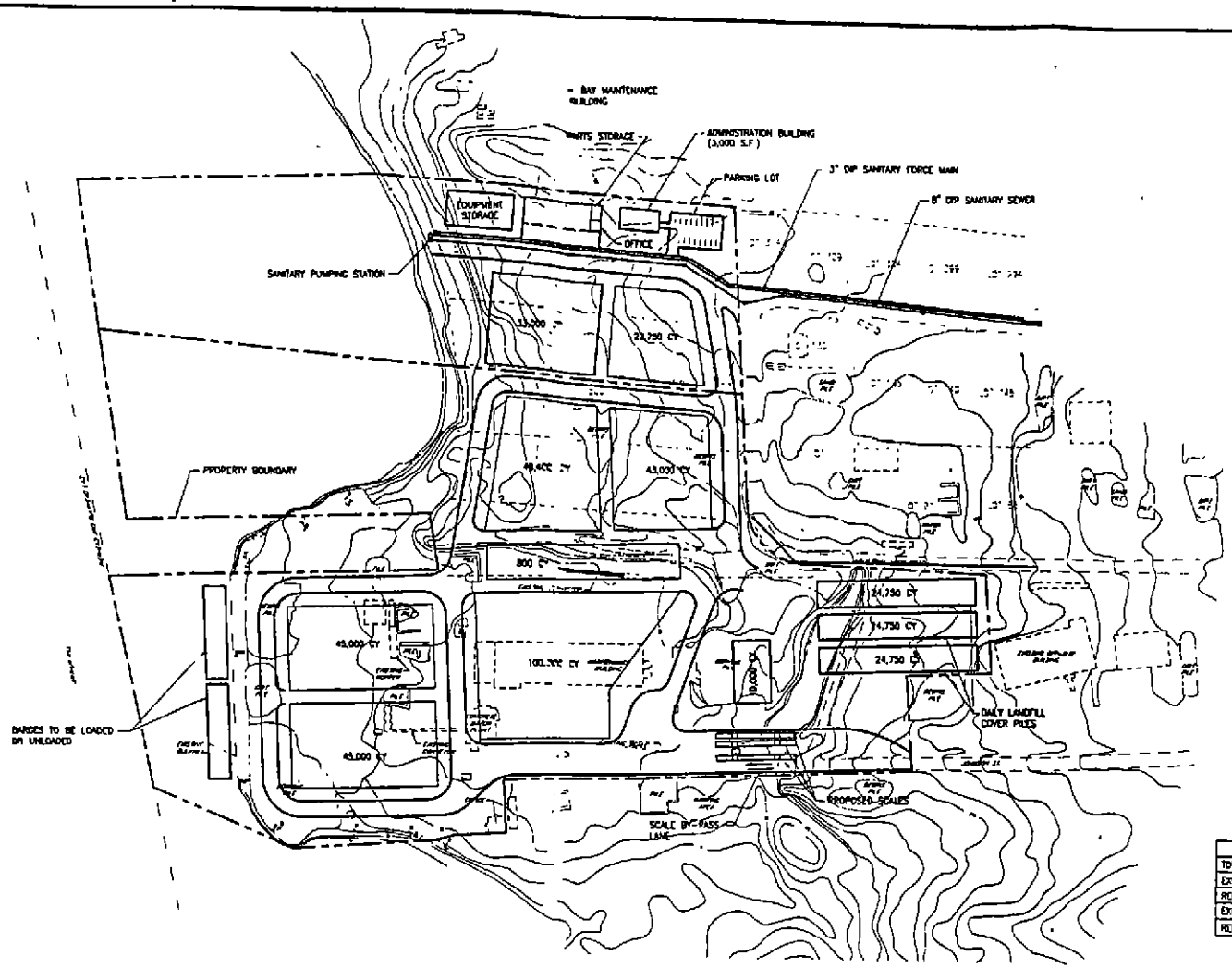
The stated purpose of this project is to restore navigational access to an existing bulkhead for waterborne transport of clean fill material to and from a materials processing facility.



144

SCALE 1 IN = 2000 FT

SOURCE - ADAPTED FROM USGS TOPOGRAPHIC MAP
ARTHUR KILL QUANDRANGLE, 1966, PHOTOREVISED 1981



SITE FILL CAPACITY SUMMARY	
TOTAL SITE STORAGE CAPACITY	412,200 C.Y.
EXISTING PERMITTED STORAGE CAPACITY	75,000 C.Y.
REQUESTED PERMITTED STORAGE CAPACITY	160,000 C.Y.
EXISTING PERMITTED TRANSFER CAPACITY	10,000 CY/DAY
REQUESTED PERMITTED TRANSFER CAPACITY	10,000 C.Y./DAY

LEGEND

- EXISTING BUILDINGS AND STRUCTURES
- EXISTING 2' CONTOUR INTERVAL
- PROPERTY BOUNDARY
- PIERHEAD AND BULKHEAD LINE

NOTE

1. ALL ELEVATIONS SHOWN REFER TO THE RICHMOND HIGH WATER DATUM. BASED ON SURVEY SUPPLIED BY ETTLINGER AND ETTLINGER DATED NOVEMBER 1997.

100 50 0 100 200
SCALE 1 IN. = 100 FT.

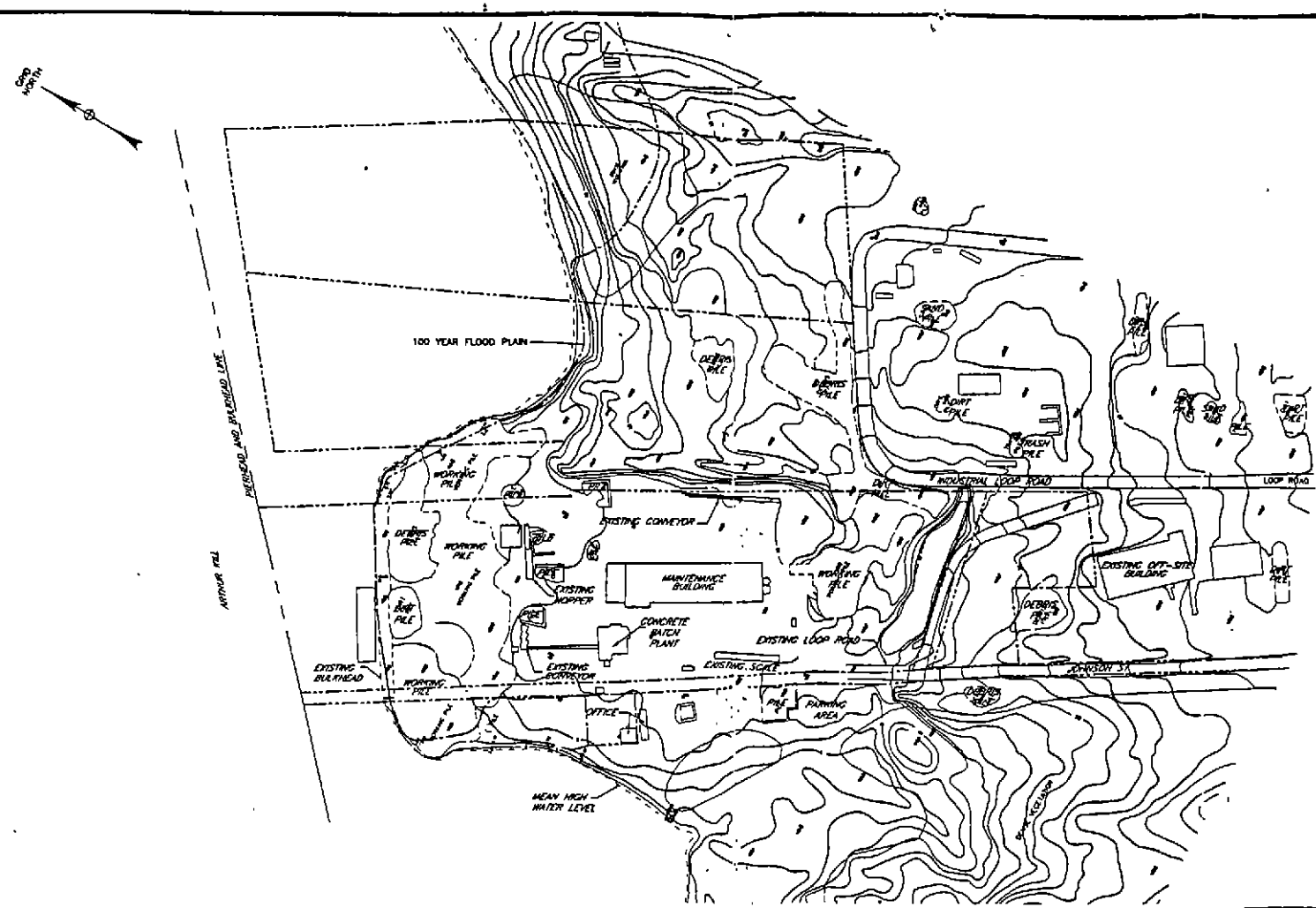
IT IS A VIOLATION OF THE PROFESSIONAL LICENSE LAW FOR ANY PERSON TO ALTER THIS DRAWING IN ANY WAY, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. THE ALTERING ENGINEER SHALL AFFIX HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE

SYMBOL	DESCRIPTION REVISIONS	DATE	APPROVED

Prepared by: TAMS Consultants, Inc.
555 THIRD AVENUE, NEW YORK, N.Y. 10017

Prepared for: INTERSTATE MATERIALS CORPORATION
211 JOHNSON STREET, NEW YORK 10309

DESIGNED BY: PPT	PROPOSED FILL MATERIAL TRANSFER STATION PERMIT INCREASE STATEN ISLAND, NEW YORK
DRAWN BY: WFD	DRAFT SITE PLAN
CHECKED BY: JJF	
SUBMITTED BY: JJF	DATE: 02/19/99 · SCALE: 1"=100' · SHEET NO.: 3 of 4 · DRAWING NO.: DP-10



LEGEND

- EXISTING PROPERTY BOUNDARY
- EXISTING BUILDINGS AND STRUCTURES
- EXISTING 2' CONTOUR INTERVAL
- 100 YEAR FLOOD PLAIN
- PIERHEAD AND BULKHEAD LINE
- MEAN HIGH WATER LEVEL

NOTE

1. ALL ELEVATIONS SHOWN REFER TO THE RICHMOND HIGH WATER DATUM BASED ON SURVEY SUPPLIED BY ETTLINGER AND ETTLINGER DATED NOVEMBER 1997.

200 100 0 100 200
SCALE 1 in = 100 FT

IT IS A VIOLATION OF THE PROFESSIONAL LICENSE LAW FOR ANY PERSON TO ALTER THIS DRAWING IN ANY WAY, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. THE ALTERING ENGINEER SHALL AFFIX HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE

SYMBOL	DESCRIPTION	DATE	APPROVED
	REVISIONS		

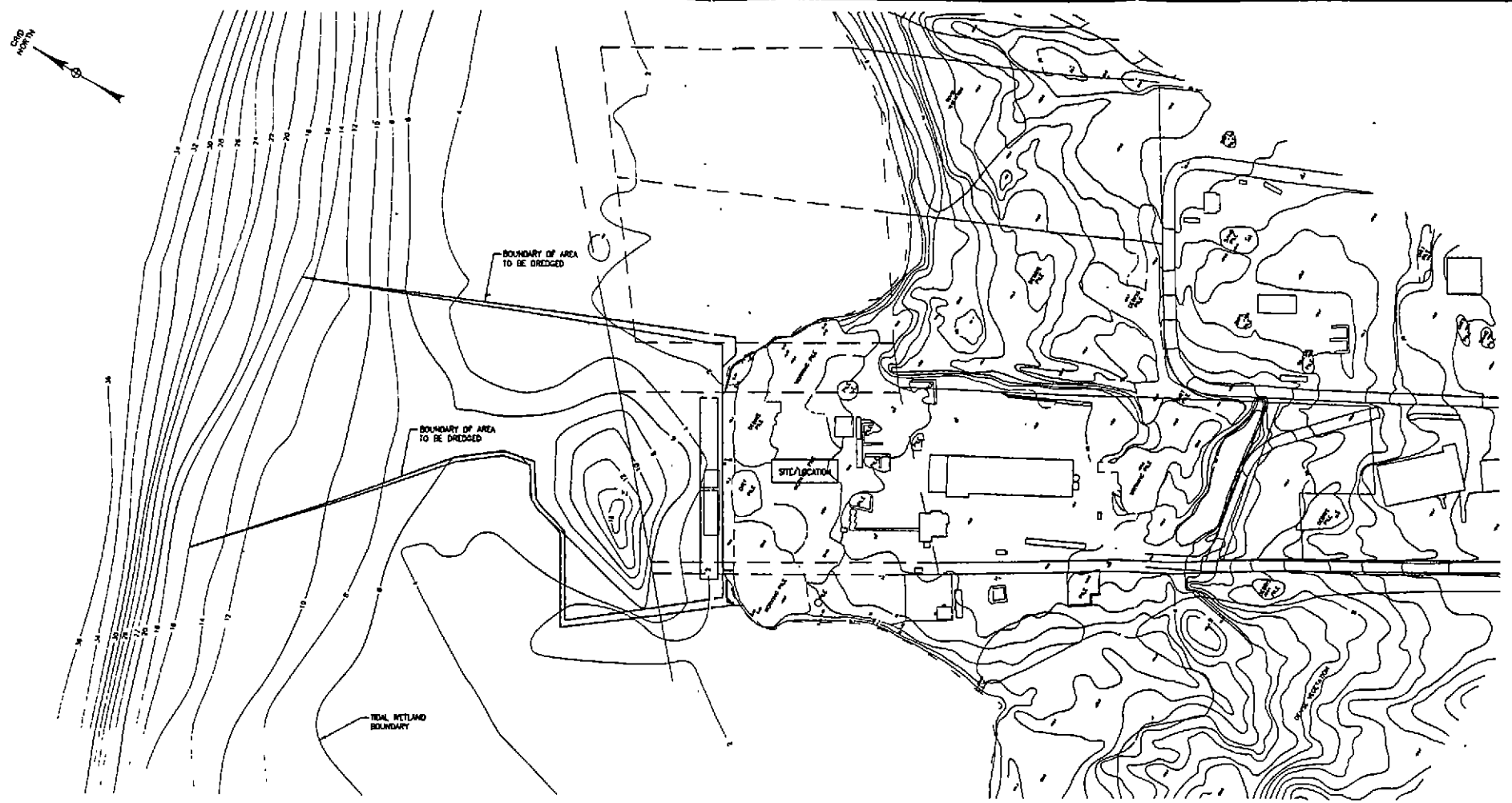
PREPARED BY: TAMS Consultants, Inc.
PREPARED FOR: INTERSTATE MATERIALS CORPORATION

DESIGNED BY: PPT
DRAWN BY: GSH
CHECKED BY: JJF
SUBMITTED BY: JJF

DREDGING PERMIT APPLICATION
213 JOHNSON STREET
STATEN ISLAND, NEW YORK

EXISTING CONDITIONS PLAN

DATE: 4/19/99
SCALE: 1"=100'
SHEET NO.: 2 of 4
DRAWING NO.: DP-4



NOTES:

1. BASE FOR SITE MAP FROM 1997 SURVEY BY ETTLINGER & ETTLINGER.
2. WATERFRONT CONTOURS ARE REFERENCED TO THE MEAN LOW WATER DATUM.
3. LITTORAL ZONE INCLUDES AREA WITH DEPTH LESS THAN 8 FEET AS REFERENCED TO MEAN LOW WATER DATUM.
4. AREA IN LITTORAL ZONE TO BE DREDGED APPROXIMATELY 4.6 ACRES.

200 100 0 100 200

GRAPHIC SCALE IN FEET

SYMBOL	DESCRIPTION REVISIONS	DATE	APPROVED

Prepared by
TAMS Consultants, Inc.
[illegible]

Prepared for
INTERSTATE MATERIALS CORPORATION
211 JOHNSON STREET, STATEN ISLAND, NEW YORK 10305

DESIGNED BY: PPT
DRAWN BY: WFO
CHECKED BY: JJF

DREDGING PERMIT APPLICATION
211 JOHNSON STREET
STATEN ISLAND, NEW YORK

AERIAL EXTENT OF DREDGING

SUBMITTED BY:	DATE:	SCALE:	SHEET NO.	DRAWING NO.
JJF	04/06/99	1" = 100'	4 of 4	DP-3

TAMS

April 29, 1998

Mr. John Ferguson
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, New York 11101

Re: Interstate Materials Corporation - Proposed Sampling Plan for Dredging

Dear Mr. Ferguson:

On behalf of the Interstate Materials Corporation please find enclosed for your review and comment the Proposed Sampling Plan for the dredging of the Arthur Kill. Ms. Andrea Schaffer of AMREP Solutions, Inc. indicated that based on a conversation she had with you, the Sampling Plan would need to be forwarded to the NYSDEC Central Office for review. Enclosed are five (5) copies of the plan for you to distribute to the appropriate parties. If you need additional copies please contact me immediately.

The Interstate Materials Corporation looks forward to receiving NYSDEC's comments on this plan. If you should have any questions in this regard please feel free to contact me at (212) 867-1777 ext. 318. Thank you in advance for your assistance.

Regards,

Tara J. Hemmer
Associate

Enclosure:

cc: Dr. Mark Hellman - Project Manager, Eastern Permits Section, United States Army Corps of Engineers (w/enclosure) Project No. 97-16130-Y6.
Frank DiTommaso - Interstate Materials Corporation, Inc. (w/enclosure)
Andrea Schaffer - AMREP Solutions, Inc. (w/enclosure)
Joseph J. Fiteni, Jr. - TAMS Consultants, Inc.

TAMS Consultants, Inc.
The TAMS Building 655 Third Avenue New York, NY 10017
(212) 867-1777 Fax (212) 697-6354 Telex ITT 422188

TAMS

INTERSTATE MATERIALS CORPORATION
PROPOSED DREDGING OF THE ARTHUR KILL

211 JOHNSON STREET
STATEN ISLAND, NEW YORK

SAMPLING PLAN FOR
PROPOSED DREDGING

April 1998

Prepared for:

Interstate Materials Corporation
Clifton, New Jersey 07012

Prepared by:

TAMS Consultants, Inc.
655 Third Avenue
New York, NY 10017

INTERSTATE MATERIALS CORPORATION
PROPOSED DREDGING OF THE ARTHUR KILL

SAMPLING PLAN FOR PROPOSED DREDGING

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Figure 1 - Project Location (adapted USGS quad)
Figure 2 - Aerial Extent of Area to Be Dredged
Figure 3 - Sample Locations

ATTACHMENTS

Attachment A - Calculation of Coring Stations Based on Balduck's Method
Attachment B - Table 2 of the *Guidance for Freshwater Navigational Dredging*, NYSDEC
Attachment C - Table 3 of the *Guidance for Freshwater Navigational Dredging*, NYSDEC

1.0 EXISTING CONDITIONS

The Interstate property is located in Staten Island at 211 Johnson Street, as shown on Figure 1. The facility encompasses approximately 23.5 acres of property, 5.9 acres of water and 17.6 acres of land. Approximately 380 feet of steel sheet pile bulkhead is present along the northwest portion of the property. Currently barges can be moored to the face of this bulkhead for limited barge loading/unloading operations.

Upland activities at this property include materials processing areas for stone and gravel, various support buildings, a concrete batch plant, and access roads. The facility is currently operated as a clean fill material transfer station under a registration by NYSDEC and under a permit by NYCDOS. The surrounding properties consist primarily of dense vegetation and vacant land.

2.0 DESCRIPTION OF PROPOSED PROJECT

In order to develop the Interstate property for the function described in Section 3.0, the channel adjacent to the facility must be dredged in order to allow scows and tugs filled with sand, stone, or clean fill material to moor at the existing bulkhead. As a result, Interstate proposes to dredge approximately 475,000 cubic yards of material, the areal extent of which is shown on Figure 2.

This calculation is based on the following:

- hydrographic survey data from November 7, 1997, documenting the existing channel depths;
- loaded barges would carry a draft of approximately 12' and tugs would carry a draft of approximately 13' - 14'; and,
- dredging to a depth of 15' below mean low water in order to accommodate loaded barges and tugs.

The proposed dredging volume would allow navigational access into and out of the facility at all stages of the tide, while minimizing disturbances to the surrounding property owners.

This site previously functioned as a barge served sand and gravel operation utilizing barges of similar capacity and dimensions to those proposed for this operation.

3.0 PURPOSE AND NEED

The existing facility is currently operated as a clean fill material transfer station where sand, stone, gravel, and clean fill material are processed. The facility also contains a barge access area with a steel sheetpile bulkhead; however, this area is not normally utilized because its water depth only allows barges to access the facility during high tide. In order to expand the existing operations to include multi-modal transport of clean fill material and sand/stone, dredging of the adjacent channel is necessary.

Under current conditions all incoming and outgoing materials are transported to or from the facility via truck. If the existing barge access area could be fully utilized, incoming and outgoing clean fill material and/or sand/stone could either be offloaded at the facility or loaded onto barges. This would reduce the amount of trucks accessing the 211 Johnson Street facility, and the number of trucks on local roads, including Arthur Kill Road.

Interstate currently has an application pending with the New York State Department of Environmental Conservation (NYSDEC) to transfer other types of material at the 211 Johnson Street facility under the 6 NYCRR Part 360. These materials could also be transferred to/from the facility via barge if the existing barge access were improved.

4.0 SAMPLING PROCEDURES

The sediment core sampling analysis will be used to evaluate dredging method alternatives and will not be used to evaluate dredge disposal options and/or beneficial reuse. The purpose of the sampling is to characterize the material as either a Class "A", "B", or "C" material under the Sediment Quality Thresholds listed in the New York State Department of Environmental Conservation, *Guidance for Freshwater Navigational Dredging*. This guidance is being used, as directed by NYSDEC since no guidance is available for dredging in tidally influenced waters. The characterization of the material to be dredged for upland disposal will occur when the dredging actually takes place, as this will be a required by the facility receiving the dredged material.

4.1 Sample Locations

Prior to any dredging operations, Interstate will characterize the chemical and physical content of the material to be dredged. The results of this testing will be reviewed to determine how dredging should take place. The proposed area to be dredged includes approximately 475,000 cubic yards of material, the areal extent of which is shown on Figure 2. The quantity of samples to be collected in order to determine the type of dredging to be conducted was determined by using the New York State Department of Environmental Conservation, *Guidance for Freshwater Navigational Dredging*. NYSDEC Region 2 recommended using this guidance as no guidance is currently available for dredging in tidally influenced waters.

In Section III of the guidance, Balduck's method is specified as the appropriate formula to determine the number of sampling locations. The formula specifies a dredging factor based on the site history of the dredging location. Based on the site history of the Interstate facility, a dredging factor of two was selected for the following reasons:

- the facility has no previous sediment data, and
- the adjacent Port Mobil facility may have contributed contamination to the surrounding waterway.

Using Balduck's method a total of 34 sampling locations are necessary. The calculation is included as Attachment A.

The method does not specify the number of samples required per depth. As a result, the following protocol was developed based on the amount of material to be dredged:

Existing Depth of Channel Below Mean Low Water (MLW)	No. of Samples Per Coring Station
10'-15'	1
5'-15'	2
0'-15'	3

Figure 3 shows the proposed sampling locations and indicates the associated depth with each sampling location and the number of samples to be collected per location. The sampling locations have been biased based on known areas of concern, such as the adjacent Port Mobil facility, and the SPDES outfalls.

Field personnel will select coring intervals for laboratory analysis from each five foot interval. The actual location of the coring stations may vary depending upon field conditions. Based on the sampling locations in Figure 3 and the various depths of the existing channel a total of 71 samples will be sent for analysis.

4.2 Sample Analysis

In order to determine how the material will be dredged each sample will be analyzed for the following chemical constituents based on the appropriate EPA Method as specified on Page 20, Table 2, of the "Guidance for Freshwater Navigational Dredging", included as Attachment B, and summarized as follows:

1. mercury (Hg), Cadmium (Cd), Lead (Pb), and Copper (Cu);
2. DDT; the sum of DDT, DDE, and DDD; dieldrin; and PCBs;
3. PAHs, anthracene, benzo(a)anthracene, and chrysene;
4. 2-butanone (methylethylketone [MEK]); trichloroethylene; BTX; and benzene;
5. ammonia; and,
6. mirex and dioxin.

These analyses will be conducted on at least one and up to three samples from each of the sampling locations shown on Figure 3 for a total of 71 samples.

In addition, it is recommended that physical testing, including water content and grain size analyses, be conducted at each sediment core location to determine the percentages of solids, organic carbon, and particle sizes, including gravels, sands, silts, and clays. The grain size data will be necessary to assess dewatering and disposal alternatives. Also, it is recommended that the Atterberg limits tests be conducted on fine-grained material to define the liquid limit and plasticity index to assess the dewaterability of the sediments.

The results of this testing will be submitted to NYSDEC and USACE for review in order to approve the type of dredging to be completed at the site. The sampling of the dredged material in order to characterize the material for disposal will not be at this time as this will need to be completed at a later date for disposal purposes.

Resultant laboratory data will be compared to Table 3 on page 3 of the *Guidance for Freshwater Navigational Dredging*, to determine if the material can be classified as a Class A, B, or C material (included as Attachment C).

4.3 Sampling Method

Sediment cores will be collected at the 34 locations in the Arthur Kill identified in Figure 3, where possible. Due to shallow water depths in certain locations, sampling will be conducted at or near high tide. Depending on water depth and sediment characteristics, one of the following sediment collection techniques will be employed:

- a vibrating coring device (e.g., vibra-coring);
- gravity coring with weights and tripod;
- hand (push) coring; or
- grab sampling with an Ekman grab sampler (ponar dredge).

As stated in Section 4.1 samples at certain locations will be collected to a depth of about 10 to 15 feet below mean low water.

Sample coring locations encompass the higher intertidal zone at 0 feet to 5 feet below mean low water (MLW) and continue out from the land to the edge of the navigable channel at bottom depths of 10 feet to 15 feet below MLW, as delineated on Figure 2. Sediment cores will be advanced at the sediment/water interface to a depth one foot below the maximum draft, as measured from the MLW, (15 feet required for loaded barges and tugs), or to bedrock, whichever is less.

Sample identification numbers will be assigned to each sample based on location and depth within the core. For example, assuming a maximum 10 foot core is obtained at station SD-1, "SD-1A" will be the surface composite (say 0 to 5 ft) sample and "SD-1B" will be the deeper composite (say 5 to 10 feet) from the same core. Similarly, "SD-2A" and "SD-2B" will be the surface and deep samples from a core to be collected at location SD-2.

Core/Grab Collection

The procedures for sample collection using the vibratory coring apparatus are described below:

2. Mount a clean plastic coring tube liner (2 to 4 inches in diameter) to the gravity coring apparatus. A maximum of 15 linear feet of coring tube will be used at each location. Attach extension rods/cables and lower the apparatus to the river bottom.

3. Drive the corer into the sediment with the weights attached to the cable/tripod setup from the sampling boat. Continue until a 15 foot section is obtained or sediment is no longer penetrable.

4. Repeat steps 5 through 8 above.

5. Should either technique retrieve insufficient material, grab sampling or hand (push) coring should be conducted to collect sediments. Retain core sample should grab sampling retrieve less material.

The procedures for grab sampling are as follows:

1. Repeat Steps 1 and 2 above.

2. Attach a clean Ekman grab sampler to extension poles, so that the river bottom can be easily reached.

3. Set the trip mechanism and lower the grab sampler to the river bottom. Push the grab into the sediments as far as possible. Trip the grab sampler.

4. Pull the Ekman grab sampler back up to the boat and drain all water.

5. Gently open the top of the grab sampler and visually examine the sample to determine if an adequate sample volume was obtained. If so, proceed to Step 6, if not, rinse the apparatus with river water and return to Step 2 at an area about 5 feet from the last location.

6. Place sediment in clean, tared (pre-weighed) stainless steel bowl/bucket. Label and cover with plastic wrap. Store until processing.

Once either a successful core or grab sample is collected for the first location, continue on to next location and repeat procedures detailed above. Continue until cores/grabs are collected at each of the four locations. Process sediment samples as described below.

Sample Processing

The procedures below will apply once a sediment core has been obtained.

From each of the bowls containing the homogenized sediments, remove the specified amounts for analyses (physical or chemical) using stainless steel spoons into the sample containers (see Section 2.4). Record necessary information on the container label, including sample ID, date, time, analysis to be performed, and sampler's initials.

4.4 Sample Containers, Preservation, and Holding Times

Glass and plastic sample containers, cleaned according to USEPA sample bottle decontamination specifications, will be provided by the analytical laboratory. The laboratory will also provide similarly-cleaned bottles for surface water sample collection.

4.5 Sample Handling, Shipment, and Custody

All sediment sample containers will be appropriately labeled and sealed in individual plastic baggies. The containers will be placed on ice in a cooler. The cooler will contain sufficient packaging material and a chain-of-custody form, signed by the TAMS field engineer, identifying the contents of the cooler and analyses to be performed. A copy of the form will be retained by the TAMS field engineer. The cooler will be secured with tape and custody seals for shipment. The samples will be picked up at the site by a laboratory courier.

5.0 QUALITY ASSURANCE PLAN

5.1 Field Sampling

Sediment samples will be collected by TAMS personnel with assistance from the drilling subcontractor, according to the procedures described in Section 4.3 of this plan. Sample processing (sample volumes and field preservation) and handling (including shipping and chain-of-custody) will be consistent with NYSDEC and USEPA guidelines.

5.2 Laboratory Analyses

Analytical methods for this project are generally taken from USEPA SW-846, Third Edition (revised through update IIB, January 1995) and USEPA Methods for the Chemical Analysis of Water and Wastes (USEPA, 1983), as published in the New York State Analytical Services Protocol (NYSDEC, 1989, as revised). Geotechnical analyses (grain size and Atterberg Limits) will be performed in accordance with ASTM (American Society for Testing and Materials) methods. The method for total coliform analysis is taken from "Standard Methods for the Analysis of Water and Wastewater" (APHA/AWWA/WPCF), 18th edition.

5.3 Field and Laboratory Quality Control Samples

Both field and laboratory quality control samples will be analyzed to monitor the quality of the analytical data generated for this project. The specific types of samples to be analyzed and their frequency are described below.

5.3.1 Field Quality Control Samples

Quality Control (QC) checks will be instituted as part of the sampling program. Field QC samples which will be submitted include field blanks and field duplicates.

Field Blanks (Rinsate Blanks)

Field blanks for the sediment sampling will be collected by the sampling team and analyzed by the laboratory to assess possible contamination of sediment samples caused by sampling equipment or field operations. The field blank consists of laboratory-grade (analyte-free) water which is passed through the field sampling apparatus, preserved as a sample, and submitted to the laboratory for analysis. Since field blanks are generally collected at a maximum of one per day or one per 10 field

samples, it is estimated that approximately 7-8 field blanks will be necessary. The sediment field blanks will be analyzed for the same bulk chemical constituents as the environmental samples.

Field Duplicates

Field duplicates will be collected and analyzed to assess overall precision of the sampling and analytical process. Field duplicate samples will be collected at a frequency of one field duplicate per 20 samples (or less) per matrix; therefore, a maximum of four field duplicates will be collected and analyzed.

The sediment field duplicates will be generated from separate aliquots of a single homogenized core slice. The sediment field duplicate will be analyzed for all parameters including geotechnical parameters.

Field duplicate samples will be submitted blind to the laboratory; these samples will be identified on the chain-of-custody form using a fictitious sample ID which is consistent with the sample identification given to the environmental samples. The identity of the field duplicate pair will be recorded by the field sampling team and communicated to TAMS personnel performing the data quality evaluation and data tabulation/interpretation.

Matrix Spike/Matrix Spike Duplicate/Matrix Duplicate Samples

Matrix Spike/Duplicate samples are environmental samples which are spiked in the laboratory with the analyte (or a subset of the analytes for organic analyses). The information obtained from the analysis of matrix spike and duplicate analyses gives an indication both of the accuracy of the method (as measured by percent recovery) on the specific matrix analyzed, and the analysis of the matrix spike duplicate or matrix duplicate gives an indication of the precision of the data (as measured by the relative percent difference [RPD] between the two analyses).

Based on existing knowledge of the site, no unusual (site-specific) matrix effects are expected in the sediment samples. Therefore, no site-specific matrix spike/duplicate analyses will be requested. The laboratory will, however, report batch QC, in which matrix spike/duplicate results on samples analyzed in the same batch (of 20 samples or less) and in a similar matrix (i.e., aqueous, non-aqueous) are reported.

5.3.2 Laboratory Quality Control Samples

The most significant laboratory QC sample to be reported with the analytical data is the laboratory method blank. Analysis of this sample will confirm or negate that laboratory contamination is limited and that detections of analytes in samples are not false positives due to laboratory

contamination; the laboratory is not permitted to report analytical data unless the method blank analysis is within specific limits. Other laboratory QC analyses are performed as required by the analytical method and protocol; the specific analytical and reporting requirement will vary. For most inorganic analyses (metals and conventional parameters), analysis of a laboratory (matrix) spike is required.

6.0 HEALTH AND SAFETY PLAN

6.1 Site Control Measures

Although not considered a hazardous waste site, appropriate precautions will be employed at the sampling site to provide for the safety of the field sampling team. In addition to potential chemical exposure hazards associated with the sediments, physical hazards from the sampling equipment (weights, cables, rods, coring tubes, working on a boat, etc.) should also be considered. The following personal protective equipment will be required, at a minimum: hard hats, goggles/safety glasses, steel-toe boots, and chemical-resistant gloves. Also, personal flotation devices must be worn by all personnel on the sampling boat. The perimeter of the pontoon sampling boat should be equipped with a secure railing and the surface of the boat should remain as dry as possible to prevent slipping. Should wading be necessary to collect a near-shore sediment sample, the following equipment should be used: hip or chest waders, a life-jacket/vest, gloves, and a safety rope.

6.2 Emergency Response Plan

A first aid kit will be available on the sampling boat as well as at the sample processing location. One TAMS field person will remain on shore within visibility of the sampling crew on the boat. Since sampling will be conducted in and near a federal navigation channel, the on-shore person will notify the sampling boat as to approaching vessel traffic. A vehicle will be available near the work site beneath the bridge should transportation to a nearby hospital be required (Staten Island University Hospital, 375 Seguine, Staten Island, New York, (718) 226-2000, exit facility, make left onto Arthur Kill Road, proceed east, make right onto Bloomingdale Road, proceed south, make left onto Amboy Road, proceed east, make right onto Sequine, facility is on the left).

7.0 REFERENCES

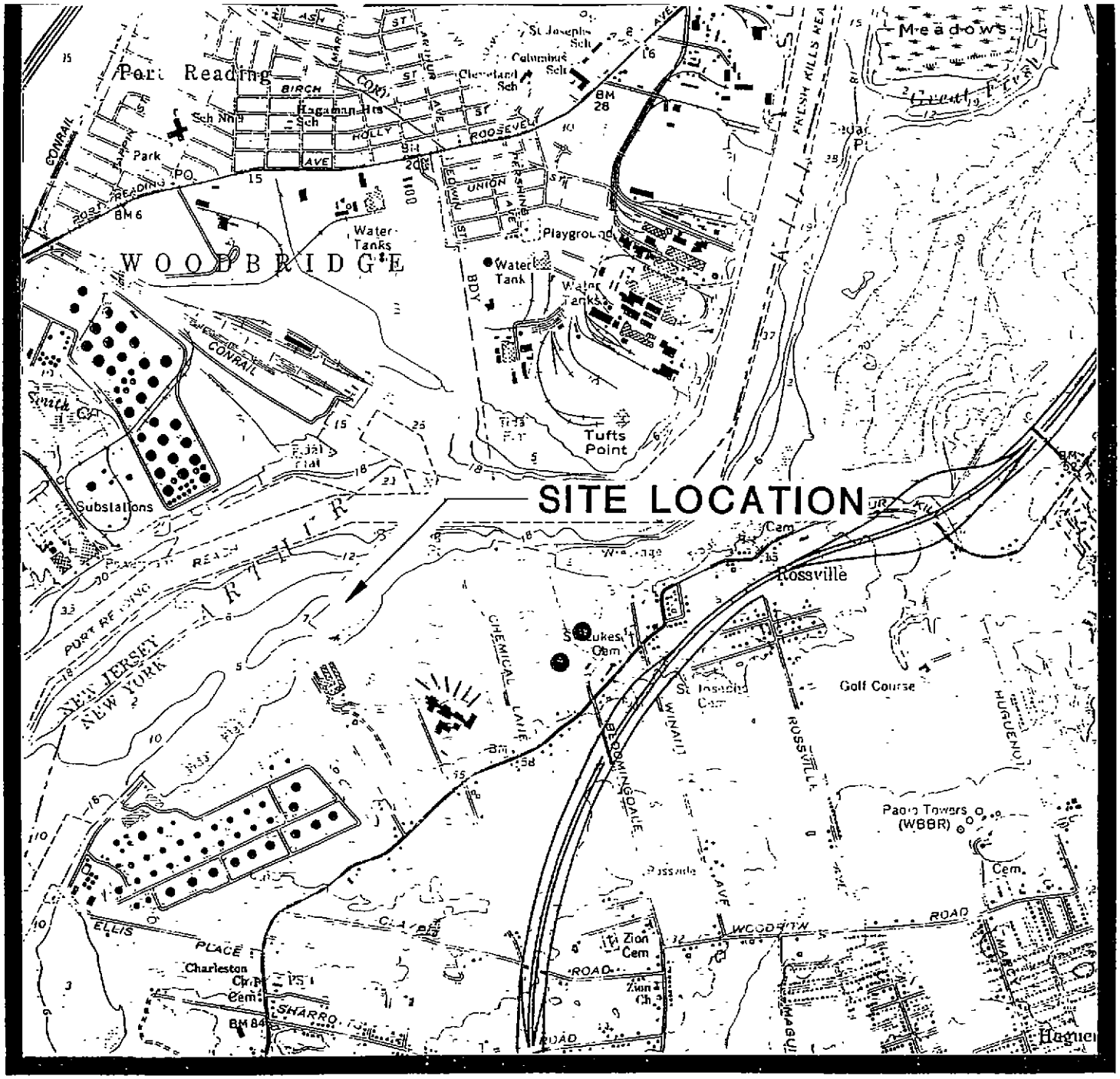
New York State Department of Environmental Conservation, *Guidance for Freshwater Navigational Dredging.*

New York State Department of Environmental Conservation, Division of Fish and Wildlife, Division of Marine Science. November, 1993. *Technical Guidance for Screening Contaminated Sediment.*

US Army Corps of Engineers, New York District. September 1986. *New York District Project Maps, Rivers and Harbors.*

USEPA. January 1995. *Test Methods for Evaluating Solid Wastes, SW-846, Third Edition.* Revised through Update IIB.

Figure 1 - Project Location (adapted USGS quad)



SCALE 1 IN = 2000 FT

SOURCE - ADAPTED FROM USGS TOPOGRAPHIC MAP
ARTHUR KILL QUANDRANGLE, 1966, PHOTOREVISED 1981

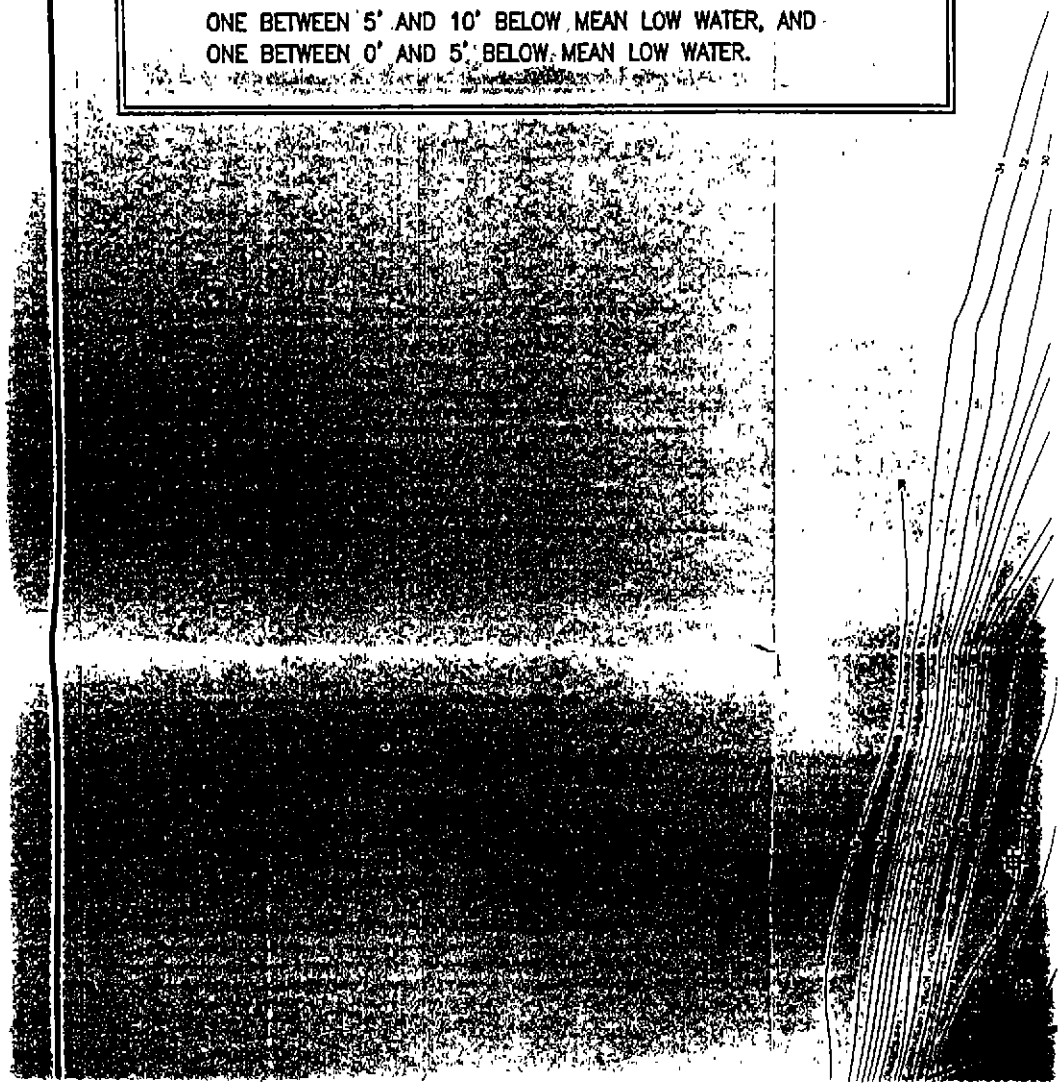
Figure 2 - Areal Extent of Area to Be Dredged

LEGEND

⊕ CORING LOCATION – ONE SAMPLE TO BE COLLECTED BETWEEN 10' AND 15' BELOW MEAN LOW WATER.

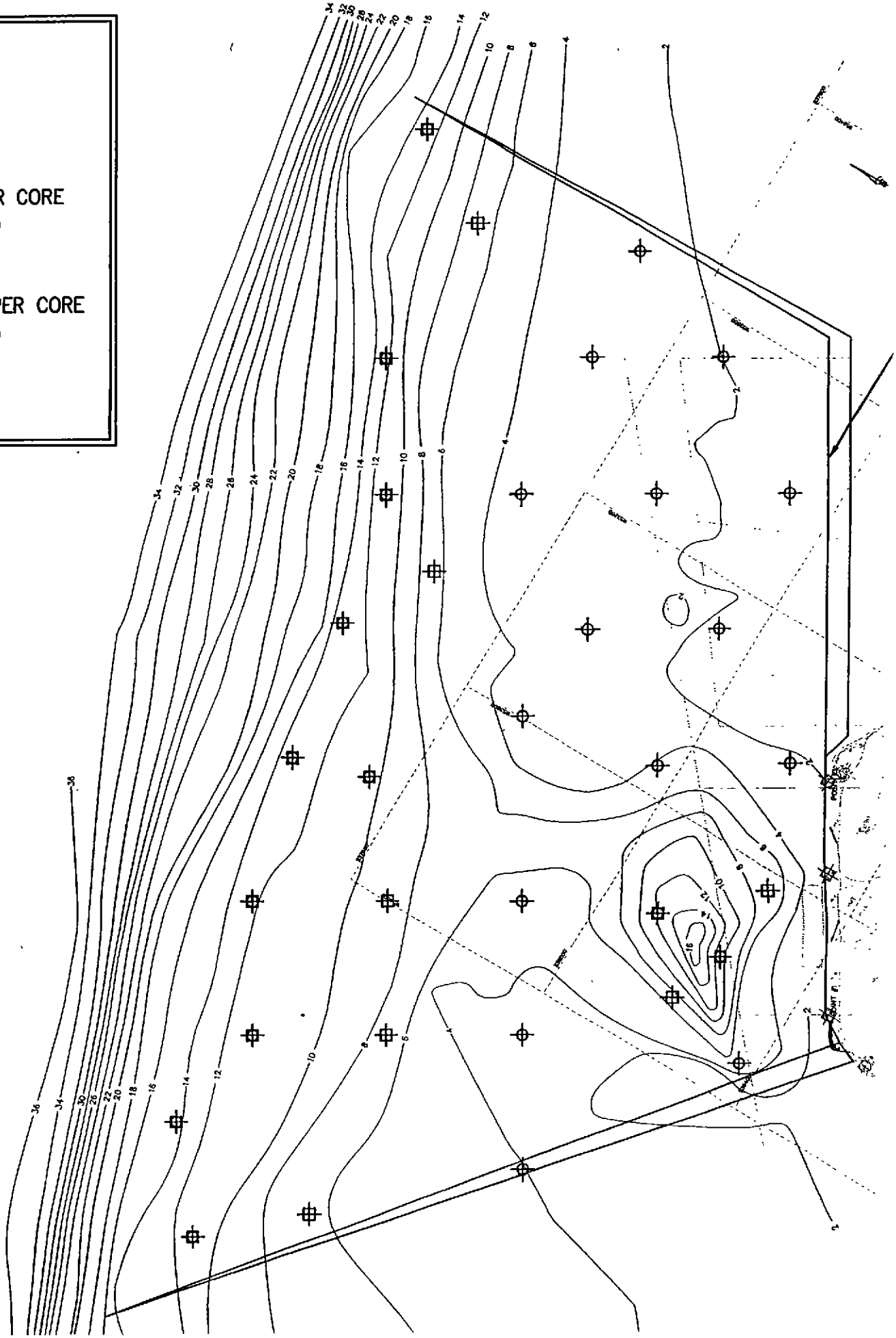
⊕ CORING LOCATION – TWO SAMPLES TO BE COLLECTED PER CORE ONE BETWEEN 10' AND 15' BELOW MEAN LOW WATER AND ONE BETWEEN 5' AND 10' BELOW MEAN LOW WATER.

⊕ CORING LOCATION – THREE SAMPLES TO BE COLLECTED PER CORE ONE BETWEEN 10' AND 15' BELOW MEAN LOW WATER AND ONE BETWEEN 5' AND 10' BELOW MEAN LOW WATER, AND ONE BETWEEN 0' AND 5' BELOW MEAN LOW WATER.

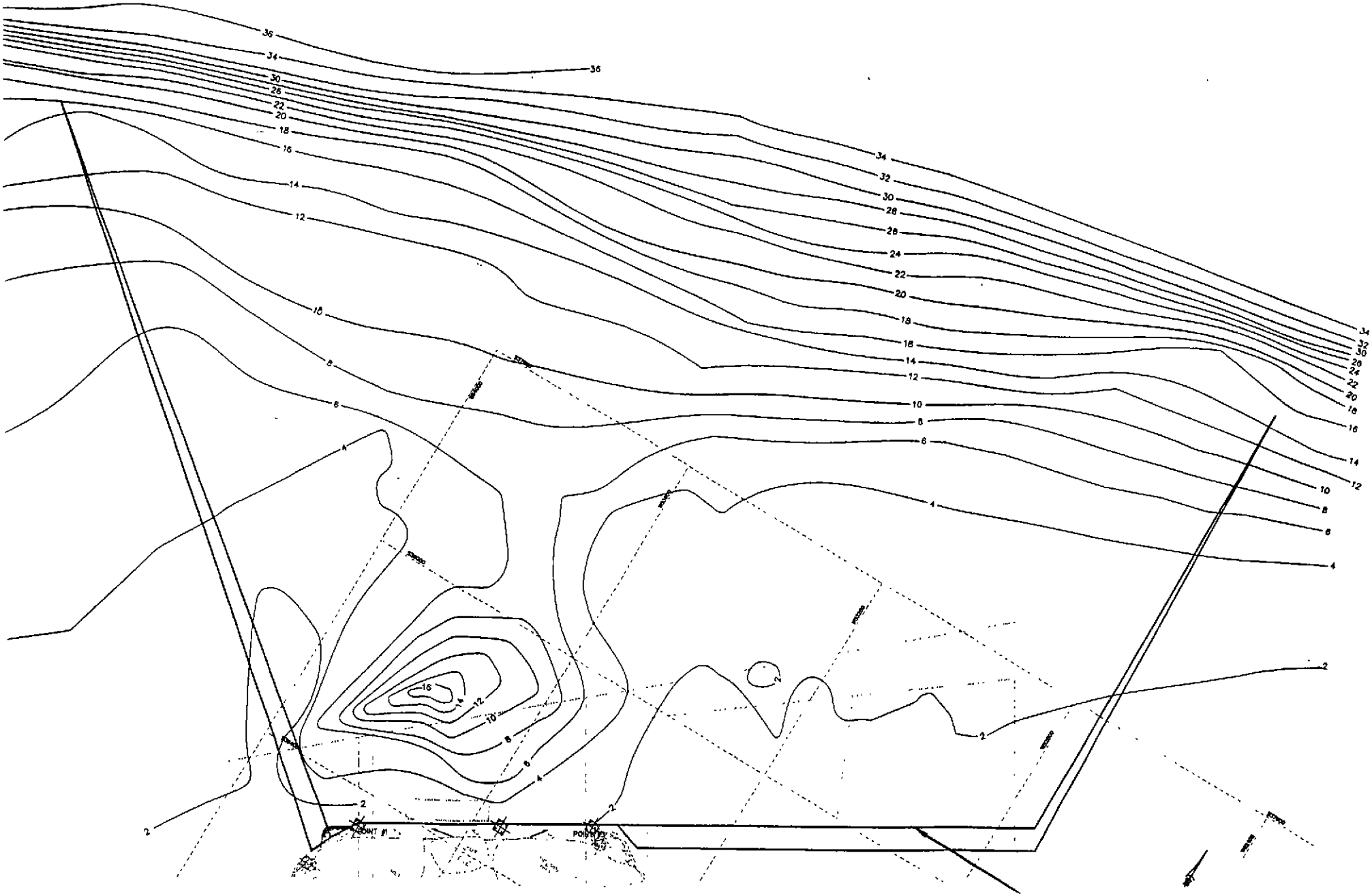


PER CORE
AND

ED PER CORE
AND
AND




BOUNDARY OF AREA TO BE DR
SITE LOCATION


36
34
32
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
POINT #1
POINT #2

Attachment A

Calculation of Coring Stations Based on Balduck's Method

TAMS

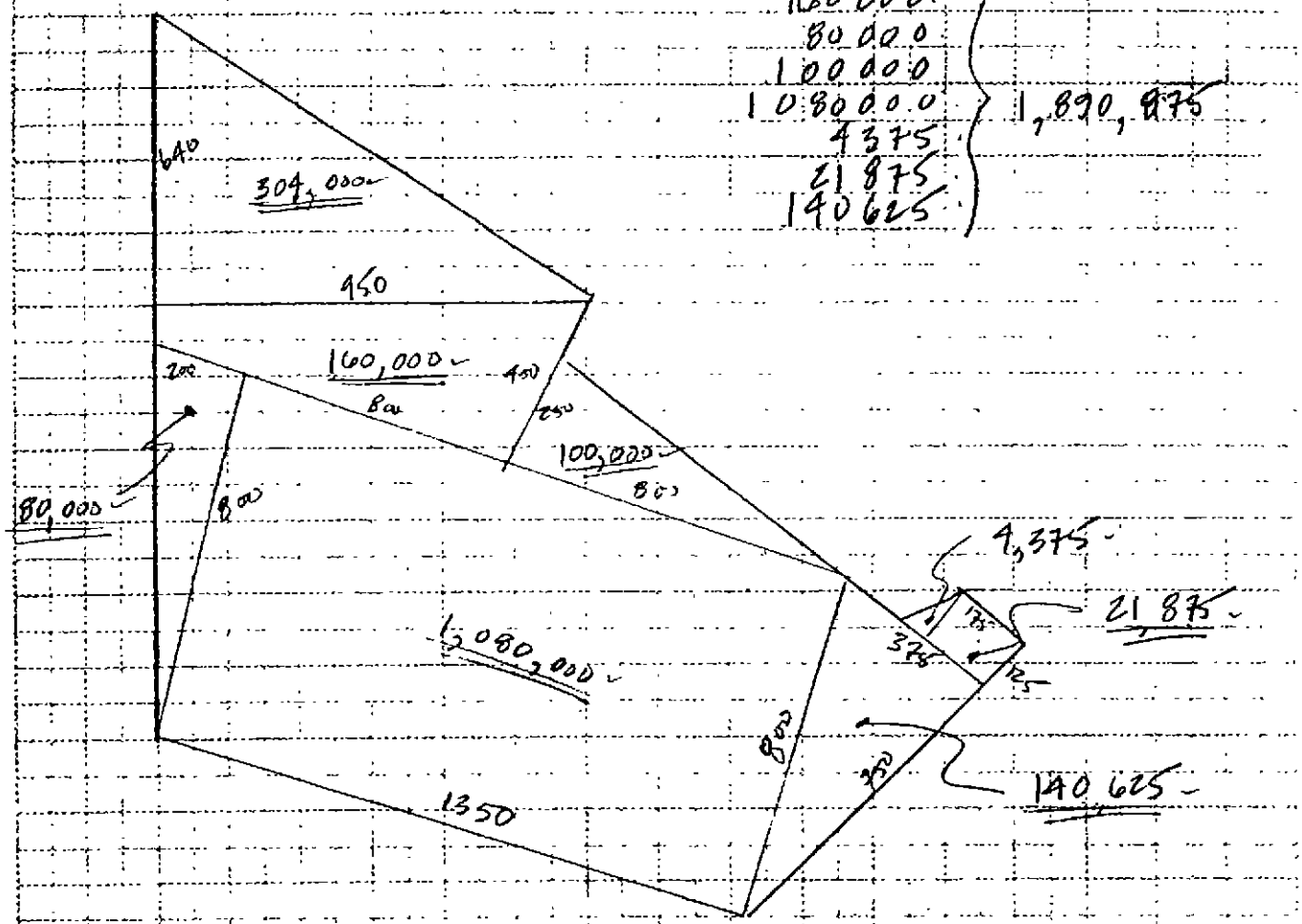
Job No. 6032-200 Sheet 1 of 1

Project INTERSTATE Date 02/27/98

Subject DREDGE AREA By PEC

(FROM NAV. CHART) SCALE: 1" = 400' Ch'k. by

304,000
160,000
80,000
100,000
1,080,000
4375
21875
140625
} 1,890,875



$1{,}890{,}875\ ft^2 \times \frac{1\ acre}{43{,}560\ ft^2} = 43.4085\ acres$

$1{,}890{,}875\ ft^2 \times \frac{1\ yd^2}{3^2\ ft^2} = 210{,}097.22\ yd^2$

TAMS

Job No. 6052-200 Sheet 1 of ____
Project INTRASTATE Date 02/27/98
Subject BALDUCK'S METHOD By PEC
(Ch'k. by ____

WORKING EQUATION:

$$N = (Df)(30)\left[(W)(L)\left(\frac{1}{1.2\times10^{6}}\right)\right]^{.33}$$

N = total no. of coring stations

Df = dredge factor (1 to 3 range)

W = width of dredge area (yds.)

L = length of dredge area (yds.)

$\left(\frac{1}{1.2\cdot10^{6}}\right)^{0.33}$ = conversion factor; sq. yds to sq. kilometers

DATA:

$(W)(L) = 210,097.22\ yd^2$

CALCULATION:

$N = (Df)(30)\left[(210,097.22)(8.53\cdot10^{-7})\right]^{0.33}$

$N = (Df)(16.88)$

$N = (2)(16.88) =$

N = 34 coring stations.

Attachment B

Table 2 of the *Guidance for Freshwater Navigational Dredging*, NYSDEC

TABLE 2 3

Minimum Quantification Limits and Analytical Methods

Parameter Sediment/Soil	No Appreciable Contamination (PPM)	Practical Quant. Limits (PPM) Superfund\RCRA	EPA Method CLP\RCRA
Hg	<.1	0.02\0.02	CLP Inorganics(Metals)\7000s
Cd	<.6	0.5\0.5	CLP Inorganics(Metals)\7000s
Pb	<30	0.3\0.5	CLP Inorganics(Metals)\7000s
Cu	<16	2.5\2.5	CLP Inorganics(Metals)\7000s
DDT	<.005	0.0033\0.016	CLP Pest/PCB\8080
Σ DDT+DDE+DDD	<.005	0.010\0.048	CLP Pest/PCB\8080
Dieldrin	<.003	0.0033\0.016	CLP Pest/PCB\8080
PCB	<.1	0.033\0.080	CLP Pest/PCB\8080
Σ PAH	<1	5.6\5.6	CLP B/N/A\8100
Anthracene	<.1	0.330\0.330	CLP B/N/A\8100
Benzo(a) Anthracene	<.04	0.330\0.330	CLP B/N/A\8100
Chrysene	<.4	0.330\0.330	CLP B/N/A\8100
2-Butanone (Methylethylketone (MEK))	<1	0.010\0.100	CLP Volatiles\8240
Trichloroethylene	<.1	0.010\0.005	CLP Volatiles\8240
Σ BTX	<.05	0.03\0.015	CLP Volatiles\8240
Benzene	<.014	0.010\0.005	CLP Volatiles\8240
Ammonia	<40	1.2\0.1	EPA 350.2\EPA 350.1
Mirex	<.002	0.016	8080
Dioxin	<.0000045	0.000002	Analytical Protocol for the Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans (NYSDOH, 1991)*

(*) Method other than EPA

Attachment C

Table 3 of the *Guidance for Freshwater Navigational Dredging*, NYSDEC

TABLE 3

Sediment Screening Parameters For Dredging, Riparian or In-Water Disposal

Class / Parameter	A	B	C
Hg Mercury	< .1	.1 to 4	> 4
Cd Cadmium	< .6	.6 to 10	> 10
Pb Lead	< 30	30 to 100	> 100
Cu* Copper	< 16	16 to 110	> 110
DDT or sum of DDT+DDE+DDD	< .005	.005 to .6	> .6
Dieldrin	< .003	.003 to .044	> .044
Mirex*	< .002	.002 to .2	> .2
PCB (total)	< .1	.1 to 10	> 10
2,3,7,8 TCDD* or sum of toxic equivalents	< .0000045	<.0000045 to .00005	> .00005
PAH (total)	< 1	1 to 35	> 35
Anthracene	< .1	.1 to 1	> 1
Benzo(a) anthracene	< .04	.04 to .4	> .4
Chrysene	< .4	.4 to 4	> 4
BTX	< .05	.05 to 10	> 10
Benzene	< .014	.014 to 10	> 10
MEK	< 1	1 to 100	> 100
Trichloro-ethylene	< .1	.1 to 10	> 10
Ammonia	< 40	40 to 200	> 200

NOTES:

1. Threshold values are ppm.
2. * indicates case-specific parameter.
3. Threshold values lower than minimum quantification level are superseded by level.
4. Class C sediments may require additional testing if not destined for a Part 373 site.
5. Table 5, p. 34 gives the sediment screening parameters and thresholds while Table 6, p. 36 details the management options for navigational spoils destined for placement on land.

Mar

TRIGON Group, LLC ™

June 10, 1999

Mr. Joseph J. Seebode
Chief, Regulatory Branch
U.S. Army Corps of Engineers
New York District
Jacob J. Javits Federal Building
New York, NY 10278-0090

Attn: Regulatory Branch

Subject: Public Notice 1997-16130-Y6

Dear Mr. Seebode:

Please refer to the subject public notice concerning dredging and disposal of dredge sediment from the Arthur Kill, borough of Staten Island, sponsored by Interstate Materials Corporation.

We certainly support this activity; however, as we have commented in the past to the A€OE concerning other dredge projects, we also support the beneficial use of dredge sediment, rather than ocean dumping or as in the case using up premium landfill space.

By copy of this comment letter to the ACOE, we recommend that the applicant consider beneficial use of this dredge sediment at Seaboard (formerly Koppers Cove Site, Kearny, New Jersey), within thirty miles of the dredge site, as opposed to transporting and disposing of this sediment in a landfill in Virginia. The beneficial use alternative is in accordance with federal and state policy and would be economically less expensive to the applicant and allow for fewer opportunities for transportation-related incidents.

Sincerely,

Ron Korbini

cc: Interstate Material Corporation
Mr. Rick McEwen SK Services

TRIGON Group, L.L.C., A Limited Liability Company
4570 Westgrove Drive, Suite 240 • Addison, Texas 75001
Telephone: (972)407-0701 • Facsimile: (972)407-0634 • E-mail: trigongroup@swbell.net

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN 0 9 1999

Joseph Seebode, Chief
Regulatory Branch
U.S. Army Corps of Engineers
26 Federal Plaza, Room 1937
New York, New York 10278

Dear Mr. Seebode:

The U.S. Environmental Protection Agency (EPA) has reviewed Public Notice 1997-16130-Y6, concerning a Section 10 application submitted by Interstate Materials Corporation. The applicant proposes to conduct dredging activities in the Arthur Kill, Staten Island, New York.

Proposed activities include excavation of about 217,000 cubic yards of material from a 4.6-acre area, with disposal in a Virginia landfill. The purpose of this work is to restore navigational access to an existing bulkhead, for waterborne transport of fill material.

The Public Notice (PN) does not contain information regarding the presence or absence of vegetated tidal wetlands or tidal flats in the project area. The National Wetland Inventory (NWI) map of this area (Arthur Kill NY-NJ quad) indicates the potential presence of estuarine intertidal flats in the vicinity of the site. The PN also omits information concerning sediment contamination, and measures (besides use of closed clamshell bucket) which will be taken to minimize off-site migration of possible contaminants.

Since the PN does not contain sufficient information to allow adequate evaluation of the proposed project, EPA objects to permit issuance. We will reconsider our position upon receipt of additional information regarding the planned work. If you have any questions regarding this matter, please contact John Cantilli at (212) 637-3810, or via e-mail: cantilli.john@epa.gov.

Sincerely,

Walter E. Andrews, Chief
Water Programs Branch

ENVIRONMENTAL ASSESSMENT

APPLICATION NO.: 1997-16130-Y6

APPLICANT: Interstate Materials Corporation

A. PRELIMINARY REVIEW

1. Cultural Review

[XX] There are no known properties within the permit area that are either listed in or eligible for listing in the National Register of Historic Places.

2. Endangered Species

[XX] Based on the review of available data the proposed action will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered nor will it affect the critical habitat of such a species.

3. National Wild and Scenic Rivers

[XX] The proposed activity will not involve a national wild or scenic river system listed in the current nationwide inventory.

4. Marine Sanctuaries and Wildlife Refuges

[XX] The proposed action will not take place in a marine sanctuary as established by the Secretary of Commerce under the Authority of the Marine Research and Sanctuaries Act of 1972, as amended, or in a National Wildlife Refuge.

5. Special Aquatic Sites

[XX] The activity subject to regulation does not appear to be in a special aquatic area.

6. Other Pertinent Information

[XX] Not applicable

Preliminary Evaluation by: Marc Helman Date: May 25, 1999

Marc Helman
Regulatory Specialist
Eastern Permits Section

Preliminary Review by: James W. Haggerty Date: 25 May 99

James W. Haggerty
Chief, Eastern Permits Section

PRELIMINARY PUBLIC INTEREST REVIEW

APPLICATION NO: 1997-16130-Y6

APPLICANT: INTERSTATE MATERIALS CORPORATION

	PARAMETER OF REVIEW	PROBABLE IMPACT				
		BENEFICIAL		No Appreciable Effect	ADVERSE	
		Substantial	Minor		Minor	Substantial
A.	SOCIAL EFFECTS					
	1. Historical Values			X		
	2. Archeological Values			X		
	3. Noise Levels				X	
	4. Aesthetic Values			X		
	5. Recreational Opportunities			X		
	6. Transportation			X		
	7. Public Health and Safety			X		
	8. Existing/Potential Land Use			X		
	9. Controversy			X		
B.	ECONOMIC EFFECTS					
	1. Tax Revenues		X			
	2. Public Facilities & Services			X		
	3. Energy Needs			X		
	4. Food Production			X		
	5. Commercial Navigation		X			
	6. Adjacent Marine Structures			X		
	7. Flood Damage Prevention			X		
	8. Economic Development		X			
C.	NATURAL RESOURCE EFFECTS					
	1. Existing Vegetation				X	
	2. Terrestrial Habitat			X		
	3. Aquatic Habitat				X	
	4. Habitat Diversity and Interspersion			X		
	5. Biological Productivity			X		
	6. Wetland Quality and Quantity			X		
	7. Surface Water Quality				X	
	8. Ground Water Quality			X		
	9. Water Supply			X		
	10. Soil Erosion and Siltation			X		
	11. Air Quality			X		
	12. Conservation			X		
	13. Fish & Wildlife			X		
	14. Beach Erosion and Accretion			X		
	15. General Environmental Concerns			X		
	16. Threatened or Endangered Species			X		

COMMENTS: _____

PREPARED BY: Anne Ahelman (name) May 25, 1999 (date) Project Manager

Your coast, your future

NYSCoasts

DEPARTMENT OF STATE

George E. Pataki
Governor
Alexander F. Treadwell
Secretary of State

Division of
Coastal Resources
41 State Street
Albany, NY 12231-0001

Marc

97-1613D

May 14, 1999 recd 21 May

Mr. Paul P. Taormina
TAMS Consultants, Inc.
655 Third Avenue
New York, New York 10017

Re: F-99-413
U.S. Army Corps of Engineers/New York District
Interstate Materials Corporation
City of New York, Richmond County

Acknowledgment of FCAF

Dear Mr. Taormina:

The Department of State received your Federal Consistency Assessment Form and supporting information on May 14, 1999 and has determined that the submitted documentation is adequate to commence our review of your proposed project. We will contact you if additional information may be necessary for consistency review purposes.

You and the Corps of Engineers will be notified of our decision when we have completed our review of this project for its consistency with the New York State Coastal Management Program. The Corps of Engineers cannot issue a permit for this project unless the Department of State concurs with your consistency certification.

When communicating with us about this proposed project, please refer to the Department of State file number referenced at the top of this letter.

If you have any questions regarding this matter, please call me at (518) 402-3399

Sincerely,

Vance A. Barr
Coastal Resources Specialist

VAB/jma
cc: COE/New York - J. Haggerty
NYS DEC Region II - J. Pavacic
NYC WRP - W. Woods

TAMS

May 6, 1999

Mr. James W. Haggerty
Chief, Eastern Permits Section
United States Army Corps of Engineers
26 Federal Plaza
New York, New York 10278

Re: Interstate Materials Corporation - Dredging Permit Application

Dear Mr. Haggerty:

On behalf of the Interstate Materials Corporation please find enclosed for your review an Application for Permit for dredging in the Arthur Kill. Also enclosed are copies of the Joint Application for Permit filed with the New York State Department of Environmental Conservation, and the Coastal Consistency Assessment Form filed with the New York Department of State.

If you have any questions, or require additional information, please contact me at (212) 867-1777 ext. 578. Thank you in advance for your assistance.

Very truly yours,

Paul P. Taormina

Paul P. Taormina, P.E.

Enclosure:

cc: John Ferguson - New York State Department of Environmental Conservation
New York State Department of State, Division of Coastal Resources, Albany, NY
Angelo Aponte - Interstate Materials Corporation, Inc.
Joseph J. Fiteni, Jr. - TAMS Consultants, Inc.
Mark Lawlor - TAMS Consultants, Inc.
Andrea Schaffer - AMREP Solutions, Inc.

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TAMS Consultants, Inc.
The TAMS Building 655 Third Avenue New York, NY 10017
(212) 867-1777 Fax (212) 697-6354

TAMS

May 6, 1999

Mr. John Ferguson
Regional Permits Administrator
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, New York 11101

Re: Interstate Materials Corporation - Dredging Permit Application

Dear Mr. Ferguson:

On behalf of the Interstate Materials Corporation please find enclosed for your review a Joint Application for Permit for dredging in the Arthur Kill. Also enclosed are copies of the United States Army Corps of Engineers permit application, and the Coastal Consistency Form filed with the New York Department of State.

If you have any questions, or require additional information, please contact me at (212) 867-1777 ext. 578. Thank you in advance for your assistance.

Very truly yours,

Paul P. Taormina, P.E.

Enclosure:

cc: James Haggerty - Eastern Permits Section, United States Army Corps of Engineers
New York State Department of State, Division of Coastal Resources, Albany, NY
Angelo Aponte - Interstate Materials Corporation, Inc.
Joseph J. Fiteni, Jr. - TAMS Consultants, Inc.
Mark Lawlor - TAMS Consultants, Inc.
Andrea Schaffer - AMREP Solutions, Inc.

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TAMS Consultants, Inc.
The TAMS Building 655 Third Avenue New York, NY 10017
(212) 867-1777 Fax (212) 697-6354

DEC 45-19-3 (6/97)—q
NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
OFFICE OF GENERAL SERVICES
UNITED STATES ARMY CORPS OF ENGINEERS

JOINT APPLICATION FOR PERMIT*

DEC APPLICATION NUMBER

US ARMY CORPS OF ENGINEERS

DISTRIBUTION

1ST COPY	Permit Administrator
2ND COPY	Corps of Engineers
3RD COPY	Program
4TH COPY	NYS Agency
5TH COPY	Applicant

Please read ALL instructions on back before completing this application. Please TYPE or PRINT clearly in INK. Attach additional information as needed.

☐ FRESHWATER WETLANDS ☒ TIDAL WETLANDS ☐ WATER SUPPLY ☐ LONG ISLAND WELL

☐ PROTECTION OF WATERS FOR:

☐ A. Construction or placement of docks and moorings ☐ B. Construction, reconstruction, or repair of a DAM or other impoundment structure

☒ C. Disturbance of a STREAM BED or BANKS or excavation in or fill of NAVIGABLE WATERS ☒ 401 WATER QUALITY CERTIFICATION

☐ COASTAL EROSION CONTROL ☐ LAKE GEORGE PARK COMMISSION (Docks and Moorings) ☐ WILD, SCENIC OR RECREATIONAL RIVERS

☐ AQUATIC PEST CONTROL FOR: ☐ A. Aquatic Vegetation Control ☐ B. Fish Control ☐ C. Insect Control

☐ LEASE, LICENSE, EASEMENT, or other real property interest in state-owned lands under water ☐ UTILITY EASEMENTS (Pipelines, Conduits, Cables, etc.)

1. LIST PREVIOUS PERMIT/APPLICATION NUMBERS AND DATES (If any)

IF OTHER THAN INDIVIDUAL, PROVIDE TAXPAYER ID NUMBER: 223473300

2. APPLICANT IS A/AN:
☒ Owner ☐ Operator ☐ Lessee ☐ Municipality/Governmental Agency (Check as many as apply)

3. NAME OF APPLICANT (Use Full Name)
Interstate Materials Corporation

MAILING ADDRESS: 211 Johnson Street
TELEPHONE NUMBER (Daytime): (718) 227-5800
POST OFFICE: Staten Island
STATE: NY
ZIP CODE: 10309

4. NAME OF
☐ Owner ☒ Agent/Contact Person

MAILING ADDRESS: TAMS Consultants, Inc. - Paul Taormina
TELEPHONE NUMBER (Daytime): (212) 867-1777
POST OFFICE: 655 Third Avenue New York, New York
STATE: NY
ZIP CODE: 10017

5. PROJECT/FACILITY LOCATION (Mark location on map, see Number 1a on reverse side)
County: Richmond
Town/City/Village: Staten Island
Tax Map Section/Block/Lot Number: 32 / 7207/255

MAILING ADDRESS: 211 Johnson Street
TELEPHONE NUMBER (Daytime): (718) 227-5800
POST OFFICE: Staten Island
STATE: NY
ZIP CODE: 10309
DEC USE ONLY
NYTM-E
NYTM-N 4

6. NAME OF STREAM OR BODY OF WATER
Arthur Kill

7. HAS WORK BEGUN ON PROJECT? (If YES, attach explanation on starting work without permit, include dates)
Show work on map or drawing ☐ Yes ☒ No

8. PROPOSED STARTING DATE: 9/1/99

9. APPROXIMATE COMPLETION DATE: 11/1/99

10. PROPOSED USE:
☐ Private ☐ Public ☒ Commercial

11. WILL PROJECT OCCUPY STATE LAND?
☐ Yes ☐ No

12. PROJECT DESCRIPTION AND PROPOSED PURPOSE: (e.g. quantity and type of material to be excavated, dredged or used to fill or rip rap; location of disposal sites; type of structure to be installed; height of dam; size of impoundment; capacities of proposed water sources; extent of distribution system; size of marina and types of docks and moorings to be installed; etc.)
Restore full navigational access to existing material handling facility.
See attached description

13. WILL THIS PROJECT REQUIRE ADDITIONAL FEDERAL, STATE AND/OR LOCAL PERMITS? ☒ Yes ☐ No If YES, please list:
~~See attached description~~ SEQR-Part 1 Full EAF; NYSDOS Coastal Management Form

14. SEPARATE AUTHORIZATION OR LETTER OF **NO JURISDICTION** SHOULD BE RECEIVED FROM DEC, APA AND THE US ARMY CORPS OF ENGINEERS PRIOR TO WORK IN WETLANDS AND WATERWAYS.

I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than $10,000 or imprisonment for not more than five years, or both, where an applicant knowingly and willfully falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

☐ I hereby authorize the agent named in Number 4 above to submit this application on my behalf.

Date 4/30/99 Signature of Owner [signature] Title CEO

Date 5/5/99 Signature of Agent/Contact Person [signature] Title Project Manager

* For activities located within the Adirondack Park, this is not an application to the Adirondack Park Agency, and is only a notice of availability for review. The Adirondack Park Agency will review this material and contact you for additional information as may be necessary.

New York State Department of Environmental Conservation
United States Army Corps of Engineers
Joint Application for Permit

Joint Application Permit, 12. Project Description and Purpose

The Interstate Materials Corporation (Interstate) operates a clean material fill processing facility at 211 Johnson Street in Staten Island, New York which is located as shown in Figure 1. The facility operates as a clean fill material transfer station under a registration with NYSDEC and a permit with the New York City Department of Sanitation. Sand, gravel, crushed stone, and clean backfill are delivered to and from the site via truck. Sheet 1 shows the site under existing conditions.

To further augment the clean fill transfer station, Interstate plans to enlarge the processing facility, which will accept recycled and virgin materials suitable for beneficial reuse as processed backfill. Delivery of the material will need to be via barge to its existing bulkheaded facility. The waterfront facility is proposed to be used for waterborne transport of clean fill material, when possible, to reduce truck traffic. Sheet 2 shows the site with the proposed development.

Due to lack of use, the existing bulkhead has become silted in, with minimal access being only available during high tide. To restore navigational access by barge on a continuous basis, for both recycled material processing and clean material handling, the channel will need to be redredged. Although hydrographic survey data collected in December, 1997 indicates the area adjacent to the bulkhead was of sufficient depth for barge access at one time, no records exist of dredging being performed within the last ten years. Therefore, this dredging is not considered to be "maintenance dredging" per the NYSDEC Guidance for Freshwater Navigational Dredging.

Sheet 2 shows the project site with the proposed area to be dredged, and the existing tidal wetlands. The entire tidal wetland area owned by Interstate is approximately 13.3 acres. The tidal wetlands area affected by the proposed dredging will be approximately 4.6 acres. The proposed dredging depth will be 15 to 17 feet below Mean Low Water. Approximately 217,000 cubic yards of material will be removed and disposed of in an out-of-state landfill. Prior to dredging, core sampling of the proposed dredge material, and a benthic survey will be conducted to determine if water quality and/or aquatic fauna will be significantly impacted by the proposed dredging operation. The core and benthic sampling plan, submitted to the NYSDEC on April 14, NYSDEC for review and acceptance, accompanies this permit application.

Alternatives Discussion

The purpose of the dredging proposal described in this permit application is to restore navigational access to an existing bulkhead for use with current site operations. Since the bulkhead already exists, and since the Interstate property is completely bordered by Littoral Zone tidal wetlands along the Arthur Kill, alternative dredging sites were not investigated. However, an analysis was performed to determine the minimum required area for safe and efficient barge movement between the Arthur Kill's navigational channel and the bulkhead. This analysis was done in an effort to reduce the quantity of tidal wetlands affected by the dredging operation. The analysis considered simultaneous movement of two barges and two tugs, with safe operating distances, and sufficient space to account for maneuvering through currents and rough sea conditions. A local marine towing company was also consulted to review the analysis. Based on this analysis, the minimum area to be dredged, shown on Sheet 2, will affect approximately 4.6 acres of tidal wetlands as indicated previously.

Tidal Wetlands Assessment

The tidal wetlands assessment was performed on April 9, 1999. All photographs were taken between 9:30 AM and 10:30 AM, which was low tide that day. Sheet 3 indicates location and direction of all photgraphs taken. The photographs are attached. A narrative of the tidal wetland assessment follows.

The Interstate Site is located on the southern portion of Staten Island's western shoreline, adjacent to the area known as the Clay Pit Ponds (an area used for clay mining in the 19th century). The shoreline, in the area of the site, is dominated by a rectangular shaped peninsula that is oriented lengthwise in a north-south position. The peninsula was created over 50 years ago via filling and land reclamation activities. The site was created as a loading and receiving point for earthen materials (e.g., sand, clay, rocks etc.). The western edge of the peninsula, measures approximately 400 feet in length, and is completely bulkheaded with a cofferdam style bulkhead. The peninsula extends roughly 300 feet from the shoreline into the water.

The presence of the peninsula divides the shoreline of the area into three regions:

- The **Western Shoreline** of the peninsula (an area between the northern and southern termini of the bulkhead);
- The **Northern Shoreline** (beginning at the northern terminus of the bulkhead,

proceeding eastward along the peninsula's northern boundary and further northward along the shoreline; and

- The **Southern Shoreline**, beginning at the southern terminus of the bulkhead, proceeding eastward along the peninsula's southern boundary and continuing further southward along the shoreline.

Western Shoreline - Dominated by a cofferdam style bulkhead, the area is top dressed with a wall, cement blocks measuring approximately three feet by six feet, large boulders, many of which measure over 10 cubic feet, and sediment erosion control apparatus (e.g., hay bales, plastic sheeting, etc.). A site visit conducted during low tide indicated that the tidal range in this area is roughly a meter. Furthermore, at low tide no areas of intertidal substrate sediment are located adjacent (i.e. to the west) of the bulkhead.

The Northern Shoreline - The northern edge of the peninsula is bounded by a wall/berm and is top dressed with the same materials and apparatus as the Western Shoreline (e.g., cement blocks, hay bales, etc.) Seaward of the wall, an intertidal area is present. This intertidal area measures approximately three to six feet in width near the bulkhead's northern terminus (i.e., the northern shoreline's western edge) and progressing eastward, expands steadily to about 35-45 feet in width to where the peninsula joins the shoreline. Continuing north along the shoreline, the intertidal area remains 35-45 feet in width for approximately 250 feet, at which point it begins to widen to form a large mudflat, measuring approximately 60 feet in width. The intertidal area of the northern shoreline adjacent to and near the peninsula has been greatly

disturbed. The area is strewn with garbage, old tires, vegetative debris and other flotsam. A site visit at low tide showed that the area is sporadically vegetated. In the upper reaches of the intertidal zone *Phragmites* appeared to grow on raised areas and hummocks. In lower areas and depressions, a layer of green algae covered the surface. In the lower portions of the intertidal area, mudflats are present. No evidence of nesting, foraging activities, or footprints from birds were observed on the mudflat or along the shoreline. No evidence of mammals or reptiles (e.g., muskrats, turtles, etc.) were observed. Only some mussels, *Geukensia demissa,* were observed inhabiting the intertidal substrate. Sediment consisted of sand, silt, rocks and boulders.

The Southern Shoreline is bounded by a wall/berm that is top dressed similarly like the Northern and Western Shoreline. An intertidal area of approximately six to nine feet wide is present along the southern edge of the peninsula. This intertidal area is for the most part comprised of stones and is vegetated by green algae. At the area where the peninsula meets the shoreline, the intertidal areas expands to approximately 45-60 feet in width. The intertidal area consists of mudflat areas and small sporadically vegetated areas. Vegetation consisted primarily of

Phragmites growing in raised areas in the upper intertidal zone. Like the Northern Shoreline, the sediment composition here consists of sand deposits, rocks, mud etc.

Review of the NYSDEC Wetland map shows that the entire area abutting the entire northern, western and a portion of the southern boundary as LZ, Littoral Zone. Areas designated as LZ are lands not greater than six feet in depth at mean low water.

An area located at the extreme northern portion of the site (approximately 300 feet north of the peninsula) and an area along the eastern edge of the peninsula's southern boundary (where it connects with the shoreline) are designated as SM, coastal shoals, bars and flats. Areas designated as SM are covered by water at high tide; exposed or covered by less than a foot of water at low tide; and are not vegetated by *Spartina alterniflora*, except as otherwise determined in a specific case as provided in Section 661.16. Based upon the shoreline survey, existing conditions generally conform to the conditions identified on the NYSDEC Tidal Wetland Inventory Map.

Adjacent Property Owners

Western Boundary:

11 Johnson Street Realty
369 W. John Street
PO Box 631
Elmont, New York 11003

Mobil Oil Corporation
Property Tax Department
PO Box 290
Dallas, Texas 75221

Eastern Boundary:

(Arthur Kill Corrections Facility on this property)
New York State Urban Development
2911 Arthur Kill Road
Staten Island, New York 10309

United States Army Corps of Engineers

Environmental Questionnaire

General

1. Explain the need for, and purpose of, the proposed work.

The Interstate Materials Corporation (Interstate) operates a clean material fill processing facility at 211 Johnson Street in Staten Island, New York which is located as shown in Figure 1. The facility operates as a clean fill transfer station under a registration with NYSDEC and a permit with NYCDOS. Sand, gravel, crushed stone, and clean backfill are delivered to and from the site via truck. Sheet 1 shows the site under existing conditions.

To further augment the clean fill transfer station, Interstate plans to construct a material processing facility, which will accept recycled materials suitable for beneficial reuse as processed backfill. Delivery of the material will need to be via barge to its existing bulkheaded facility. The waterfront facility is proposed to be used for waterborne transport of clean fill material, when possible, to reduce truck traffic. Sheet 2 shows the site with the proposed development.

Due to lack of use, the existing bulkhead has become silted in, with minimal access being only available during high tide. To restore navigational access by barge on a continuous basis for clean material handling, the channel will need to be redredged. Although hydrographic survey data collected in December, 1997 indicates the area adjacent to the bulkhead was of sufficient depth for barge access at one time, no records exist of dredging being performed within the last ten years. Therefore, this dredging is not considered to be "maintenance dredging" per the NYSDEC Guidance for Freshwater Navigational Dredging.

Sheet 3 shows the project site with the proposed area to be dredged, and the existing tidal wetlands. The entire tidal wetland area owned by Interstate is approximately 13.3 acres. The tidal wetlands area affected by the proposed dredging will be approximately 4.6 acres. The proposed dredging depth will be 15 to 17 feet below Mean Low Water. Approximately 217,000 cubic yards of material will be removed and disposed of in an out-of-state landfill. Prior to dredging, core sampling of the proposed dredge material, and a benthic survey will be conducted to determine if water quality and/or aquatic fauna will be significantly impacted by the proposed dredging operation. The core and benthic sampling plan, submitted to the NYSDEC on April 14, NYSDEC for review and acceptance, accompanies this permit application.

Environmental Questionnaire

General - continued

2. Provide the names and addresses of property owners adjacent to your work site.

Western property boundary:

11 Johnson Street Realty
369 W. John Street
PO Box 631
Elmont, New York 11003

Mobil Oil Corporation
Property Tax Department
PO Box 290
Dallas, Texas 75221

Eastern property boundary:

(Arthur Kill Corrections Facility on this property)
New York State Urban Development
2911 Arthur Kill Road
Staten Island, New York 10309

3. Photographs of the project site should be submitted. For projects in tidal areas, photographs of the waterway vicinity should be taken at low tide. Using a separate copy of your plan view, indicate the location and direction of each photograph as well as the date and time at which the photograph was taken. Provide a sufficient number of photographs so as to provide a clear understanding of conditions on and proximate to your project site.

Photographs are attached and identified on Sheet 4. All photographs were taken at low tide between 9:30 AM and 10:30 AM on April 9, 1999.

4. Provide a copy of any environmental impact statement, or any other enivronmental report which was prepared for your project.

Benthic survey and sediment sampling data will be submitted for review when it becomes available. No additional environmental studies or reports have been issued concerning this project. However, a tidal wetland vegetation survey was performed, with findings as described in the following narrative.

General - continued

The Interstate Site is located on the southern portion of Staten Island's western shoreline, adjacent to the area known as the Clay Pit Ponds (an area used for clay mining in the 19th century). The shoreline, in the area of the site, is dominated by a rectangular shaped peninsula that is oriented lengthwise in a north-south position. The peninsula was created over 50 years ago via filling and land reclamation activities. The site was created as a loading and receiving point for earthen materials (e.g., sand, clay, rocks etc.). The western edge of the peninsula, measures approximately 400 feet in length, and is completely bulkheaded with a cofferdam style bulkhead. The peninsula extends roughly 300 feet from the shoreline into the water.

The presence of the peninsula divides the shoreline of the area into three regions:

- The **Western Shoreline** of the peninsula (an area between the northern and southern termini of the bulkhead);
- The **Northern Shoreline** (beginning at the northern terminus of the bulkhead, proceeding eastward along the peninsula's northern boundary and further northward along the shoreline; and
- The **Southern Shoreline**, beginning at the southern terminus of the bulkhead, proceeding eastward along the peninsula's southern boundary and continuing further southward along the shoreline.

Western Shoreline - Dominated by a cofferdam style bulkhead, the area is top dressed with a wall, cement blocks measuring approximately three feet by six feet, large boulders, many of which measure over 10 cubic feet, and sediment erosion control apparatus (e.g., hay bales, plastic sheeting, etc.). A site visit conducted during low tide indicated that the tidal range in this area is roughly a meter. Furthermore, at low tide no areas of intertidal substrate sediment are located adjacent (i.e. to the west) of the bulkhead.

The Northern Shoreline - The northern edge of the peninsula is bounded by a wall/berm and is top dressed with the same materials and apparatus as the Western Shoreline (e.g., cement blocks, hay bales, etc.) Seaward of the wall, an intertidal area is present. This intertidal area measures approximately three to six feet in width near the bulkhead's northern terminus (i.e., the northern shoreline's western edge) and progressing eastward, expands steadily to about 35-45 feet in width to where the peninsula joins the shoreline. Continuing north along the shoreline, the intertidal area remains 35-45 feet in width for approximately 250 feet, at which point it begins to widen to form a large mudflat, measuring approximately 60 feet in width. The intertidal area of the northern shoreline adjacent to and near the peninsula has been greatly

disturbed. The area is strewn with garbage, old tires, vegetative debris and other flotsam. A site visit at low tide showed that the area is sporadically vegetated. In the upper reaches of the intertidal zone *Phragmites* appeared to grow on raised areas and hummocks. In lower areas and depressions, a layer of green algae covered the surface. In the lower portions of the intertidal area, mudflats are present. No evidence of nesting, foraging activities, or footprints from birds were observed on the mudflat or along the shoreline. No evidence of mammals or reptiles (e.g., muskrats, turtles, etc.) were observed. Only some mussels, *Geukensia demissa,* were observed inhabiting the intertidal substrate. Sediment consisted of sand, silt, rocks and boulders.

The Southern Shoreline is bounded by a wall/berm that is top dressed similarly like the Northern and Western Shoreline. An intertidal area of approximately six to nine feet wide is present along the southern edge of the peninsula. This intertidal area is for the most part comprised of stones and is vegetated by green algae. At the area where the peninsula meets the shoreline, the intertidal areas expands to approximately 45-60 feet in width. The intertidal area consists of mudflat areas and small sporadically vegetated areas. Vegetation consisted primarily of *Phragmites* growing in raised areas in the upper intertidal zone. Like the Northern Shoreline, the sediment composition here consists of sand deposits, rocks, mud etc.

Review of the NYSDEC Wetland map shows that the entire area abutting the entire northern, western and a portion of the southern boundary as LZ, Littoral Zone. Areas designated as LZ are lands not greater than six feet in depth at mean low water.

An area located at the extreme northern portion of the site (approximately 300 feet north of the peninsula) and an area along the eastern edge of the peninsula's southern boundary (where it connects with the shoreline) are designated as SM, coastal shoals, bars and flats. Areas designated as SM are covered by water at high tide; exposed or covered by less than a foot of water at low tide; and are not vegetated by *Spartina alterniflora*, except as otherwise determined in a specific case as provided in Section 661.16. Based upon the shoreline survey, existing conditions generally conform to the conditions identified on the NYSDEC Tidal Wetland Inventory Map.

Environmental Questionnaire

General - continued

5. Provide a thorough discussion of alternatives to your proposal. This discussion should include, but not necessarily be limited to, the "no action" alternative and alternative(s) resulting in less disturbance to waters of the United States. For filling projects in waters of the United States, including wetlands, your alternatives discussion should demonstrate that there are no practicable alternatives to your proposed filling and that your project meets with current mitigation policy (i.e. avoidance, minimization and compensation).

The purpose of the dredging proposal described in this permit application is to restore navigational access to an existing bulkhead for use with current and future site operations. Since the bulkhead already exists, and since the Interstate property is completely bordered by Littoral Zone tidal wetlands along the Arthur Kill, alternative dredging sites were not investigated. However, an analysis was performed to determine the minimum required area for safe and efficient barge movement between the Arthur Kill's navigational channel and the bulkhead. This analysis was done in an effort to reduce the quantity of tidal wetlands affected by the dredging operation. The analysis considered simultaneous movement of two barges and two tugs, with safe operating distances, and sufficient space to account for maneuvering through currents and rough sea conditions. A local marine towing company was also consulted to review the analysis. Based on this analysis, the minimum area to be dredged, shown on Sheet 3, will affect approximately 4.6 acres of tidal wetlands as indicated previously.

The "no action" alternative of no dredging completely restricts Interstate's ability to develop this industrial site to its full potential.

Dredging Projects

1. Indicate the estimated volume of material to be dredged and the depth (below mean low water) to which dredging would occur. Would there be overdepth dredging?

The estimated volume of material to be dredged is 217,000 cubic yards. The dredging depth will be to 15 feet below mean low water, with an overdredge depth to 17 feet below mean low water.

2. You can apply for a ten-year permit fro maintenance dredging. If you wish to apply for a ten-year permit, please provide the number of additional dredging events during the ten-year life of the permit and the amount of material to be removed during future events.

This application will not be for a ten-year permit.

Environmental Questionnaire

Dredging Projects - continued

3. Indicate on your drawings the dewatering area (if applicable) and disposal site for the dredged material (except landfill sites). Submit a sufficient number of photographs of the dewatering and disposal sites as applicable so as to provide a clear indication of existing conditions. For ten-year maintenance dredging permits, indicate the dewatering/disposal sites for future dredging events, if known.

Dredge material will be disposed of at the Waste Management, Inc. Maplewood/Amelia landfill in the State of Virginia. Interstate currently has an agreement to dispose other dredged material at this landfill once the material has been tested for prescribed contaminants. It is not anticipated that the dredged material from the Interstate property will have any contaminant levels that exceed the Maplewood/Amelia disposal criteria. This will be confirmed during the core sampling program to be initiated in May-June, 1999.

4. Describe the method of dredging (i.e. clamshell, dragline, etc) and the expected duration of dredging.

A clamshell dredge is currently proposed for the dredging project. This will be confirmed once the core sampling is completed and the dredged material is classified according to New York State DEC guidelines. The dredging is expected to require two months for completion.

5. Indicate the physical nature of the material to be dredged (i.e. sand, silt, clay, etc.) and provide estimated percentages of the various constituents if available. For beach nourishment projects, grain size analysis data are required.

Core samples will be analyzed for various physical characteristics as indicated in the sampling plan. The results will be submitted to the Army Corps as soon as they are available.

6. Describe the method of dredged material containment (i.e. hay bales, embankment, bulkhead, etc.) and whether return flow from the dewatering/disposal site would reenter any waterway. Also indicate if there would be any barge overflow.

The dredged material from this project will disposed of in a sanitary landfill. Therefore, return flow from the disposal site to the Arthur Kill is not possible. There will not be any barge overflows.

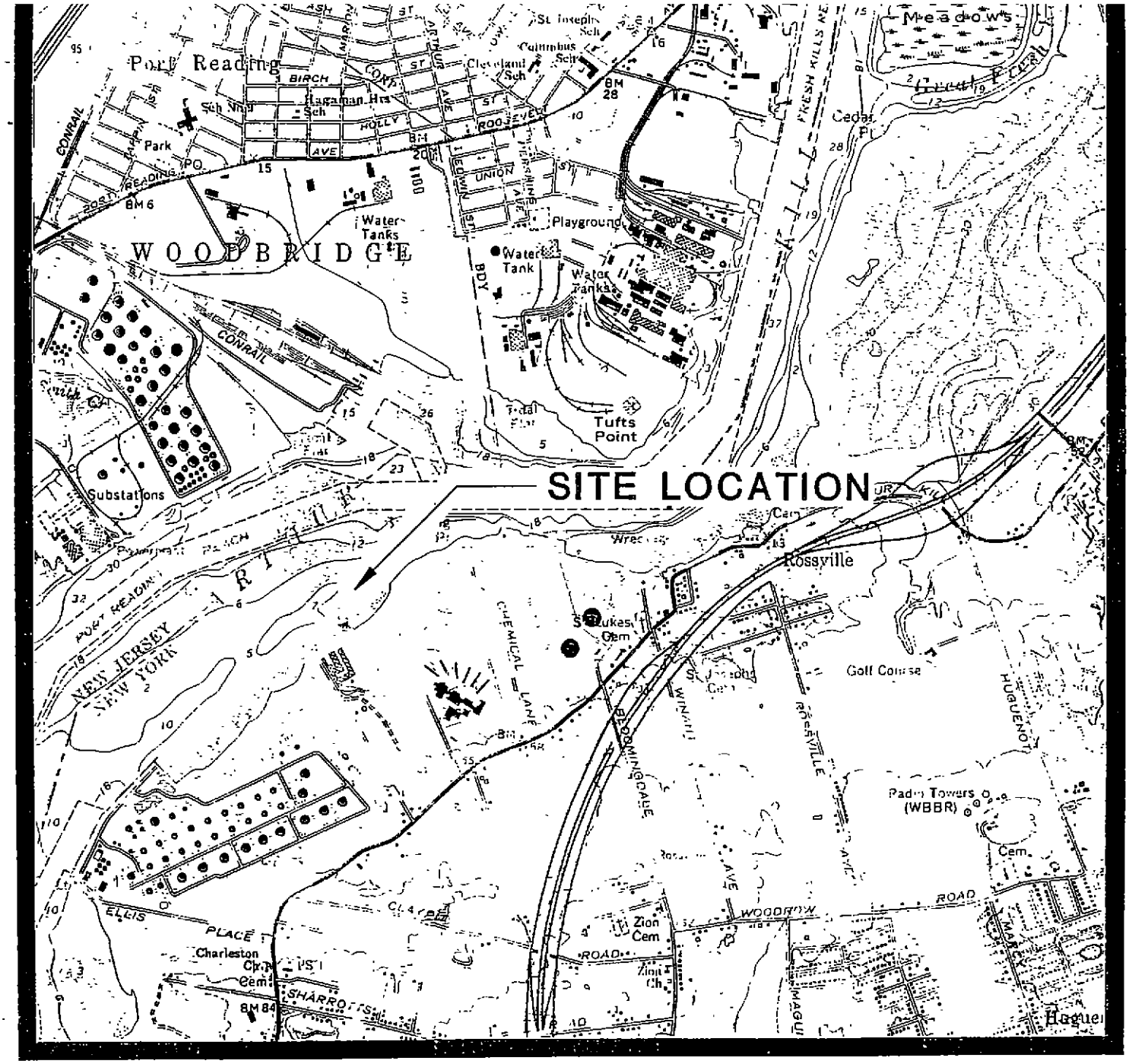
Environmental Questionnaire

Mooring Facilities

There will not be any construction or rehabilitation of recreational mooring facilities associated with this project.

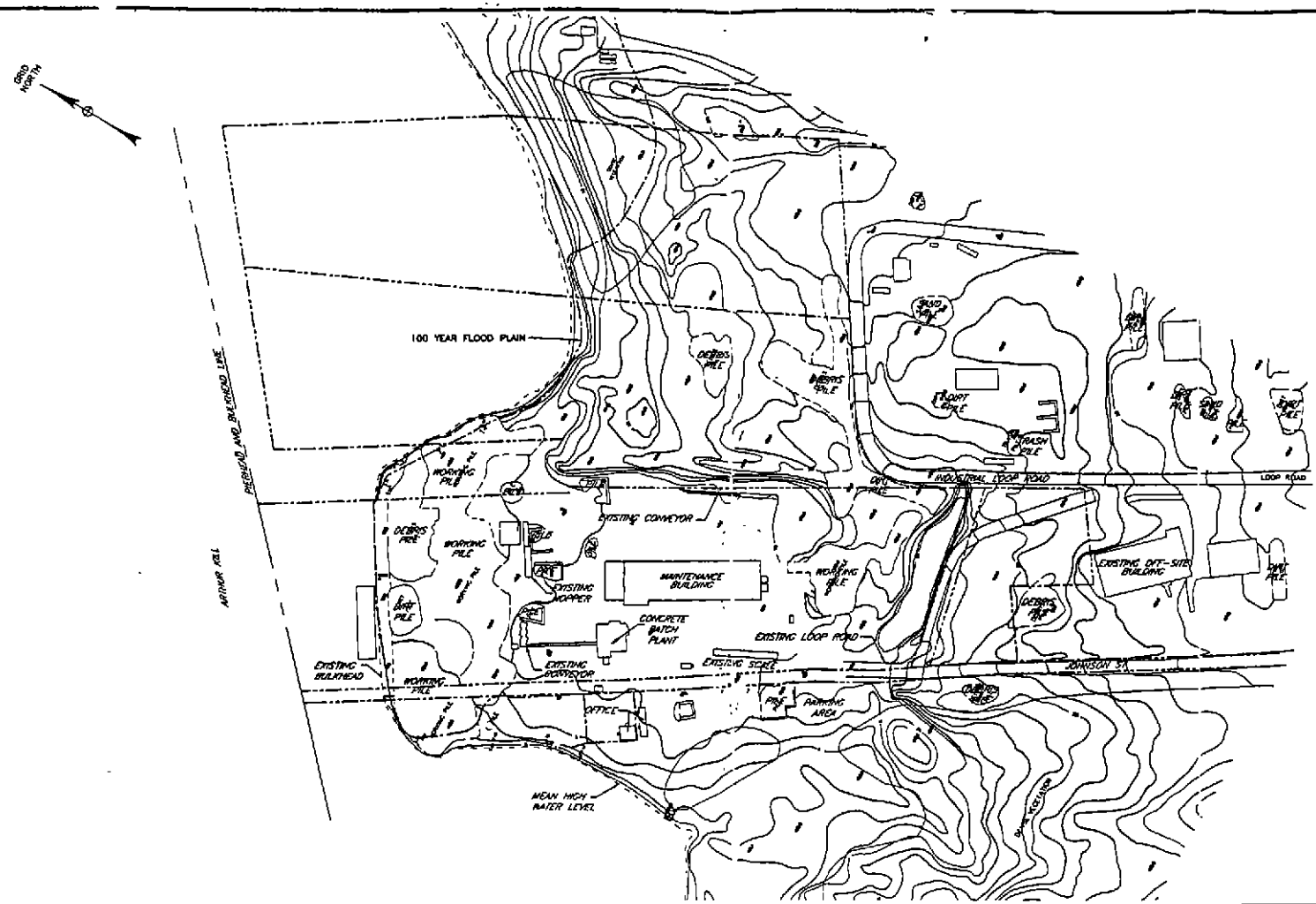
Bulkheading/Bank Stabilization/Filling Activities

There will not be any bulkheading, bank stabilization, or filling activities associated with this project.



SCALE 1 IN = 2000 FT

SOURCE - ADAPTED FROM USGS TOPOGRAPHIC MAP
ARTHUR KILL QUANDRANGLE, 1966, PHOTOREVISED 1981



LEGEND

- EXISTING PROPERTY BOUNDARY
- EXISTING BUILDINGS AND STRUCTURES
- EXISTING 2' CONTOUR INTERVAL
- 100 YEAR FLOOD PLAIN
- PIERHEAD AND BULKHEAD LINE
- MEAN HIGH WATER LEVEL

NOTE

1. ALL ELEVATIONS SHOWN REFER TO THE RICHMOND HIGH WATER DATUM BASED ON SURVEY SUPPLIED BY ETTLINGER AND ETTLINGER DATED NOVEMBER 1997.

200 100 0 100 200
SCALE: 1 IN = 100 FT

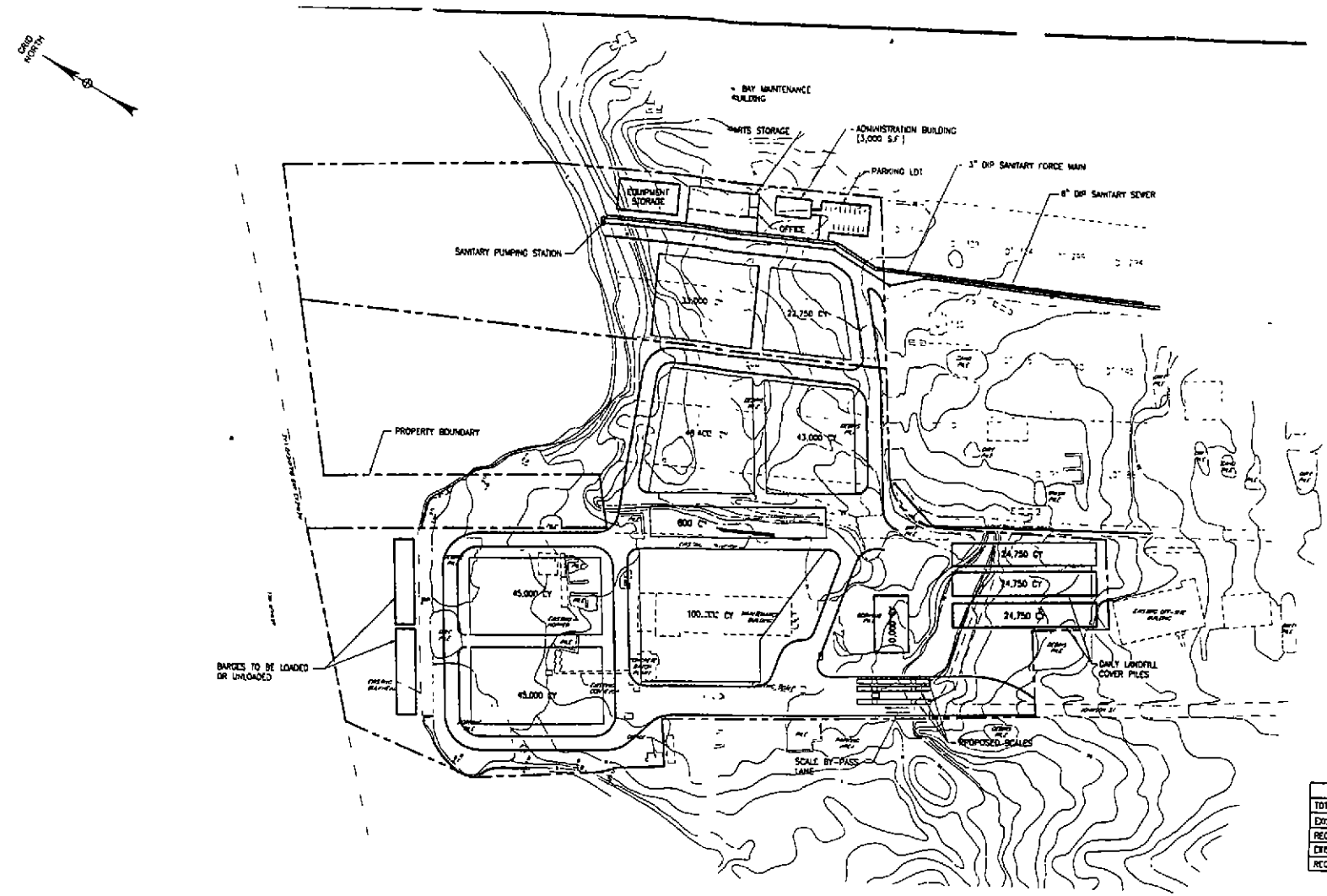
IT IS A VIOLATION OF THE PROFESSIONAL LICENSE LAW FOR ANY PERSON TO ALTER THIS DRAWING IN any WAY, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. THE ALTERING ENGINEER SHALL AFFIX HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE

SYMBOL	DESCRIPTION	DATE	APPROVED
	REVISIONS		

Prepared by: TAMS Consultants, Inc.
Prepared for: INTERSTATE MATERIALS CORPORATION

DESIGNED BY	DREDGING PERMIT APPLICATION 211 JOHNSON STREET STATEN ISLAND, NEW YORK
PPT	
DRAWN BY: GSH	EXISTING CONDITIONS PLAN
CHECKED BY: JJF	

SUBMITTED BY	DATE	SCALE	SHEET NO.	DRAWING NO.
JJF	4/19/99	1"=100'	1	DP-4



SITE FILL CAPACITY SUMMARY	
TOTAL SITE STORAGE CAPACITY	412,200 C.Y.
EXISTING PERMITTED STORAGE CAPACITY	75,000 C.Y.
REQUESTED PERMITTED STORAGE CAPACITY	180,000 C.Y.
EXISTING PERMITTED TRANSFER CAPACITY	10,000 CY/DAY
REQUESTED PERMITTED TRANSFER CAPACITY	10,000 C.Y./DAY

LEGEND

- EXISTING BUILDINGS AND STRUCTURES
- EXISTING 2' CONTOUR INTERVAL
- PROPERTY BOUNDARY
- PIERHEAD AND BULKHEAD LINE

NOTE

1. ALL ELEVATIONS SHOWN REFER TO THE RICHMOND HIGH WATER DATUM BASED ON SURVEY SUPPLIED BY ETTLINGER AND ETTLINGER DATED NOVEMBER 1997

SCALE 1" = 100'

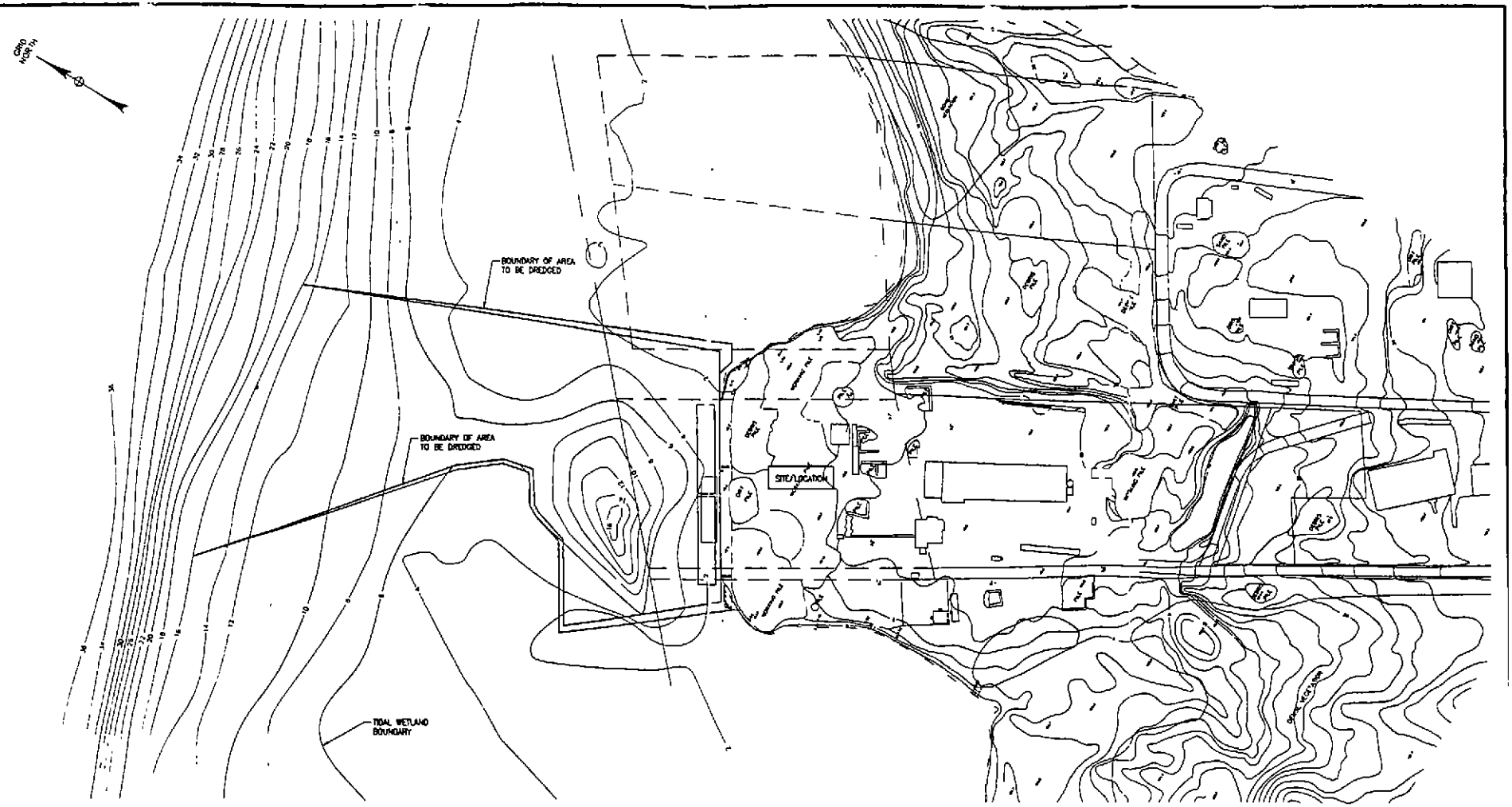
IT IS A VIOLATION OF THE PROFESSIONAL LICENSE LAW FOR ANY PERSON TO ALTER THIS DRAWING IN ANY WAY UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. THEREAFTER NO ENGINEER SHALL AFFIX HIS SEAL AND NOTATION ENTERED BY "FOLLOWED BY HIS SIGNATURE

SYM/NO.	DESCRIPTION REVISIONS	DATE	APP

Prepared by: TAMS Consultants, Inc.

Prepared for: INTERSTATE MATERIALS CORPORA

DESIGNED BY: PPT	PROPOSED FILL MATERIAL TRANSFER STATION PERMIT INCREASE
DRAWN BY: WFO	
CHECKED BY: JJF	DRAFT SITE PLAN
SUBMITTED BY: JJF	DATE: 02/19/99
SCALE: 1"=100'	SHEET NO.: 2
DRAWING NO.: DP-1	



NOTES:

1. BASE FOR SITE MAP FROM 1997 SURVEY BY ETTLINGER & ETTLINGER.
2. WATERFRONT CONTOURS ARE REFERENCED TO THE MEAN LOW WATER DATUM
3. LITTORAL ZONE INCLUDES AREA WITH DEPTH LESS THAN 6 FEET AS REFERENCED TO MEAN LOW WATER DATUM.
4. AREA IN LITTORAL ZONE TO BE DREDGED APPROXIMATELY 4.8 ACRES.

SYMBOL	DESCRIPTION	DATE	APPROVED
	REVISIONS		

Prepared by:
TAMS Consultants, Inc.
655 THIRD AVENUE, NEW YORK, N.Y. 10017

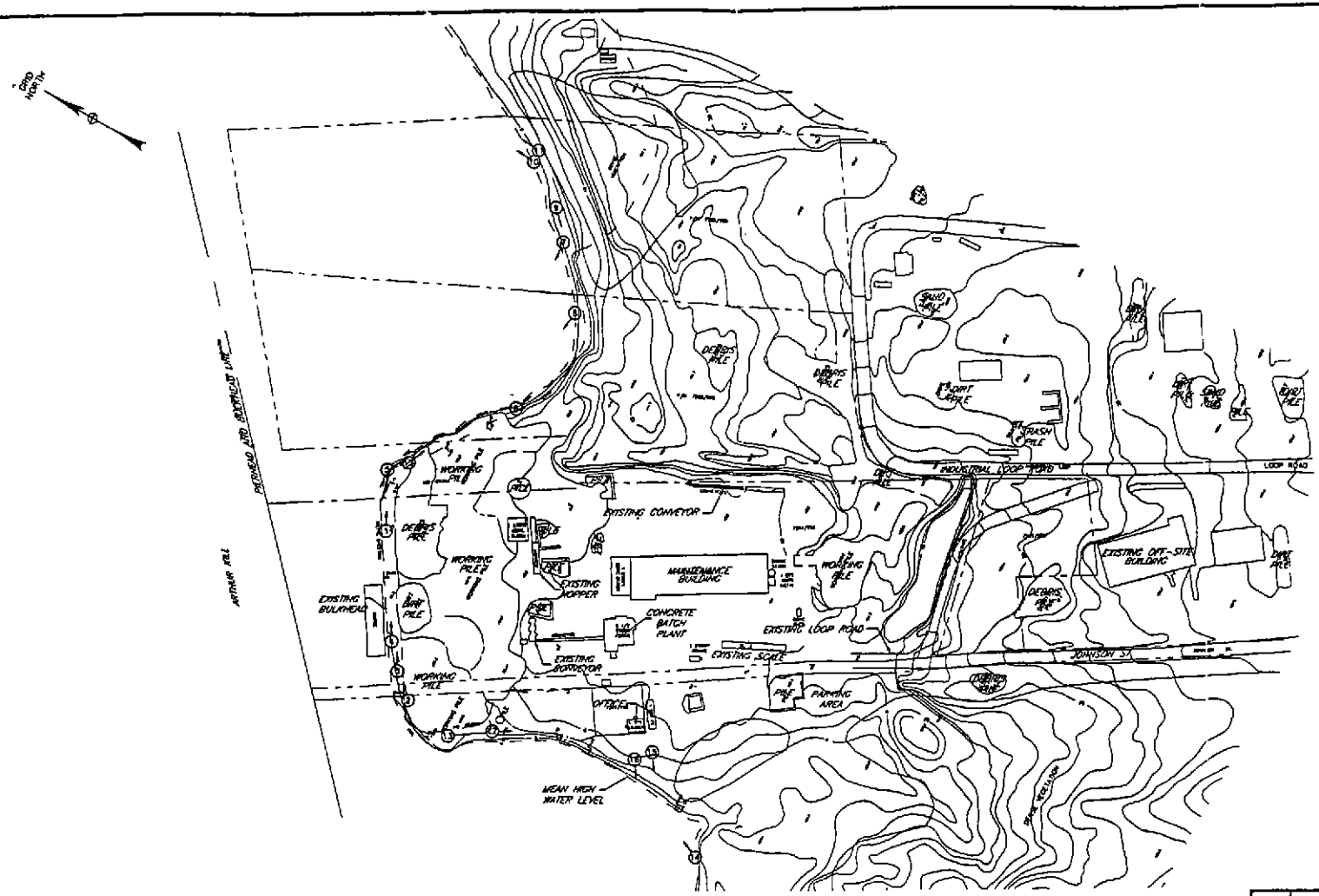
Prepared for:
INTERSTATE MATERIALS CORPORATION
211 JOHNSON STREET, STATEN ISLAND, NEW YORK 10305

DESIGNED BY: PPT
DRAWN BY: WFD
CHECKED BY: JJF

DREDGING PERMIT APPLICATION
211 JOHNSON STREET
STATEN ISLAND, NEW YORK

AERIAL EXTENT OF DREDGING

SUBMITTED BY:	DATE:	SCALE:	SHEET NO	DRAWING NO
JJF	04/05/99	1" = 100'	3	DP-3



LEGEND

(11) PHOTO NUMBER AND LOCATION

— DIRECTION OF CAMERA

200 100 0 100 200

SCALE 1 IN = 100 FT

IT IS A VIOLATION OF THE PROFESSIONAL LICENSE LAW FOR ANY PERSON TO ALTER THIS DRAWING IN ANY WAY UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. THE ALTERING ENGINEER SHALL AFFIX HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE

SYMBOL	DESCRIPTION	DATE	APPROVED
	REVISIONS		

Prepared by: TAMS Consultants, Inc.

Prepared for: INTERSTATE MATERIALS CORPORATION

DREDGING PERMIT APPLICATION
211 JOHNSON STREET
STATEN ISLAND, NEW YORK

SITE PHOTOGRAPH LOCATIONS

DESIGNED BY	DRAWN BY	CHECKED BY	SUBMITTED BY	DATE	SCALE	SHEET NO.	DRAWING NO.
PPT	GSH	JJF	JJF	06/01/99	1"=100'	4	DP-9

617.21
Appendix A
State Environmental Quality Review

SEQR

FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasureable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☐ Part 1 ☐ Part 2 ☐Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magitude and importance of each impact, it is reasonably determined by the lead agency that:

☐ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**

☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***

☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Interstate Materials Corporation Channel Dredging/Clean Material Processing		
LOCATION OF ACTION (Include Street Address, Municipality and County) 211 Johnson Street, Staten Island, Richmond		
NAME OF APPLICANT/SPONSOR Interstate Materials Corporation	BUSINESS TELEPHONE (718) 227-5800	
ADDRESS 211 Johnson Street		
CITY/PO Staten Island	STATE NY	ZIP CODE 10309
NAME OF OWNER (If different)	BUSINESS TELEPHONE ( )	
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION Owner proposes dredging of existing bulkhead to reestablish navigational barge access to property, to deliver recycled material for processing, and to provide an alternative delivery method for clean fill processing.		

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐Urban ☒Industrial ☐Commercial ☐Residential (suburban) ☐Rural (non-farm)
   ☐Forest ☐Agriculture ☐Other _____

2. Total acreage of project area: 45.16 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	0 acres	0 acres
Forested	0 acres	0 acres
Agricultural (Includes orchards, cropland, pasture, etc.)	0 acres	0 acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	13.34 acres	8.68 acres
Water Surface Area	20.53 acres	20.53 acres
Unvegetated (Rock, earth or fill)	0 acres	0 acres
Roads, buildings and other paved surfaces	2.50 acres	6.30 acres
Other (Indicate type)_____	0 acres	0 acres

3. What is predominant soil type(s) on project site? Urban Fill
   a. Soil drainage: ☐Well drained _____ % of site ☒Moderately well drained 100 % of site
   ☐Poorly drained _____ % of site
   b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐Yes ☒No
   a. What is depth to bedrock? _____ (in feet)

5. Approximate percentage of proposed project site with slopes: ☐0-10% 1 % ☐10-15% _____ %
☐15% or greater _____ %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐Yes ☒No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐Yes ☒No

8 What is the depth of the water table? 4-6 (in feet)

9. Is site located over a primary, principal, or sole source aquifer? ☐Yes ☒No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐Yes ☒No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
☐Yes ☒No According to _____
Identify each species _____

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
☐Yes ☒No Describe _____

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
☐Yes ☒No If yes, explain _____

14. Does the present site include scenic views known to be important to the community?
☐Yes ☒No

15. Streams within or contiguous to project area: Site adjacent to the Arthur Kill
a. Name of Stream and name of River to which it is tributary _____

16. Lakes, ponds, wetland areas within or contiguous to project area:
a. Name Littoral zone of Arthur Kill b. Size (In acres) 13.34

17. Is the site served by existing public utilities? ☒Yes ☐No
a) If Yes, does sufficient capacity exist to allow connection? ☒Yes ☐No
b) If Yes, will improvements be necessary to allow connection? ☒Yes ☐No

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☒No

19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐Yes ☒No

20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐Yes ☒No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
a. Total contiguous acreage owned or controlled by project sponsor 34.0 acres.
b. Project acreage to be developed: 26.42 acres initially; 26.42 acres ultimately.
c. Project acreage to remain undeveloped 20.53 acres. (water area)
d. Length of project, in miles: _____ (If appropriate)
e. If the project is an expansion, indicate percent of expansion proposed 210 %; (clean fill storage)
f. Number of off-street parking spaces existing 0 ; proposed 0 .
g. Maximum vehicular trips generated per hour 37 (upon completion of project)?
h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	-	-	-	-
Ultimately	-	-	-	-

i. Dimensions (in feet) of largest proposed structure 15 ft. height; 50 ft. width; 140 ft. length.
j. Linear feet of frontage along a public thoroughfare project will occupy is? 30 ft. (Johnson Street)

2. How much natural material (i e , rock, earth, etc.) will be removed from the site? 217,000cy tons/cubic yards

3. Will disturbed areas be reclaimed? ☐Yes ☐No ☒N/A

   a. If yes, for what intended purpose is the site being reclaimed? _____

   b. Will topsoil be stockpiled for reclamation? ☐Yes ☐No

   c. Will upper subsoil be stockpiled for reclamation? ☐Yes ☐No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? ☐Yes ☒No

6. If single phase project: Anticipated period of construction 6 months, (including demolition).

7. If multi-phased:

   a. Total number of phases anticipated _____ (number).

   b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).

   c. Approximate completion date of final phase _____ month _____ year.

   d. Is phase 1 functionally dependent on subsequent phases? ☐Yes ☐No

8. Will blasting occur during construction? ☐Yes ☒No

9. Number of jobs generated: during construction 15-20 ; after project is complete 5 .

10. Number of jobs eliminated by this project 0 .

11. Will project require relocation of any projects or facilities? ☐Yes ☐No If yes, explain Temporary office trailers will be relocated on-site.

12. Is surface liquid waste disposal involved? ☒Yes ☐No

    a. If yes, indicate type of waste (sewage, industrial, etc.) and amount sewage - 500 gpd

    b. Name of water body into which effluent will be discharged Sewage transported to NYCDEP POTW

13. Is subsurface liquid waste disposal involved? ☐Yes ☒No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? ☐Yes ☒No

    Explain _____

15. Is project or any portion of project located in a 100 year flood plain? ☒Yes ☐No

16. Will the project generate solid waste? ☒Yes ☐No

    a. If yes, what is the amount per month 0.36 tons (office generated)

    b. If yes, will an existing solid waste facility be used? ☒Yes ☐No

    c. If yes, give name Fresh Kills landfill ; location Staten Island, New York

    d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐Yes ☒No

    e. If Yes, explain _____

17. Will the project involve the disposal of solid waste? ☒Yes ☐No

    a. If yes, what is the anticipated rate of disposal? 0.36 tons/month.

    b. If yes, what is the anticipated site life? 10 years.

18. Will project use herbicides or pesticides? ☐Yes ☒No

19. Will project routinely produce odors (more than one hour per day)? ☐Yes ☒No

20. Will project produce operating noise exceeding the local ambient noise levels? ☐Yes ☒No

21. Will project result in an increase in energy use? ☐Yes ☒No

    If yes , indicate type(s) _____

22. If water supply is from wells, indicate pumping capacity - gallons/minute.

23. Total anticipated water usage per day 500 gallons/day.

24. Does project involve Local, State or Federal funding? ☒Yes ☐No

    If Yes, explain New York City Industrial Development Agency Grant

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	☐Yes ☐No		
City, Town, Village Planning Board	☒Yes ☐No	Site plan approval (SRD)	
City, Town Zoning Board	☐Yes ☐No		
City, County Health Department	☐Yes ☐No		
Other Local Agencies	☐Yes ☐No		
Other Regional Agencies	☐Yes ☐No		
State Agencies	☒Yes ☐No	NYSDEC wq certificate	
Federal Agencies	☒Yes ☐No	USACE	

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☒Yes ☐No

   If Yes, indicate decision required:

   ☐zoning amendment ☐zoning variance ☐special use permit ☐subdivision ☒site plan

   ☐new/revision of master plan ☐resource management plan ☐other _____

2. What is the zoning classification(s)of the site? M3-1/SRD
3. What is the maximum potential development of the site if developed as permitted by the present zoning?

4. What is the proposed zoning of the site? No proposed zoning change
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒Yes ☐No
7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

   Industrial to the north and south; Institutional to the north; parkland to the east

8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒Yes ☐No
9. If the proposed action is the subdivision of land, how many lots are proposed? _____

   a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐Yes ☒No
11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☐Yes ☒No

    a. If yes, is existing capacity sufficient to handle projected demand? ☐Yes ☐No

12. Will the proposed action result in the generation of traffic significantly above present levels? ☐Yes ☒No

    a. If yes, is the existing road network adequate to handle the additional traffic? ☐Yes ☐No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

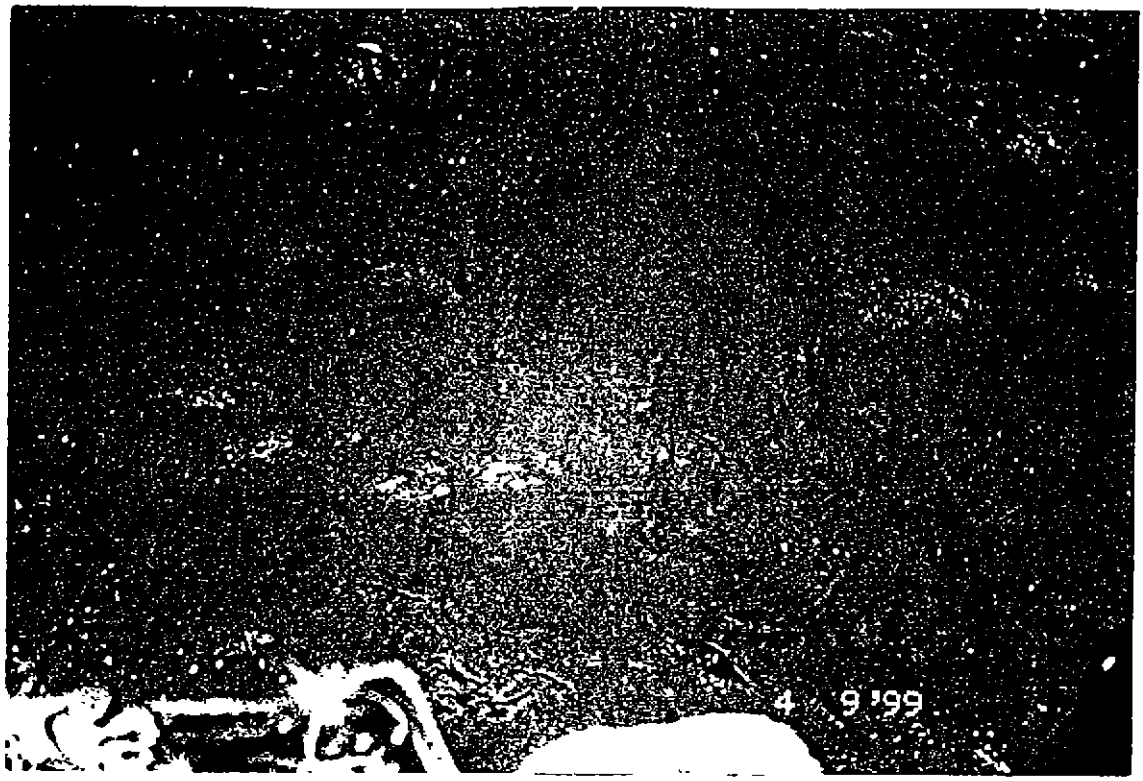
E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Interstate ~~Materials~~ Corporation Date 4/30/99

Signature _____ Title CEO

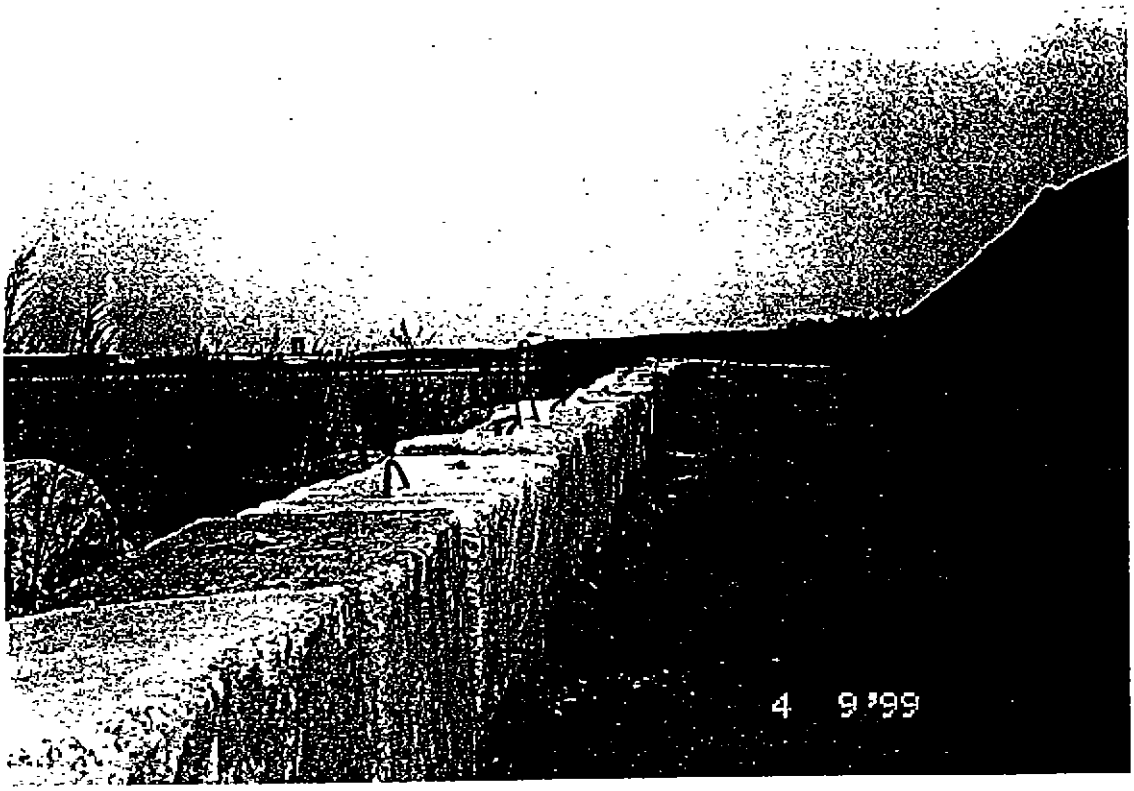
If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.



Picture 1



Picture 2



Picture 3



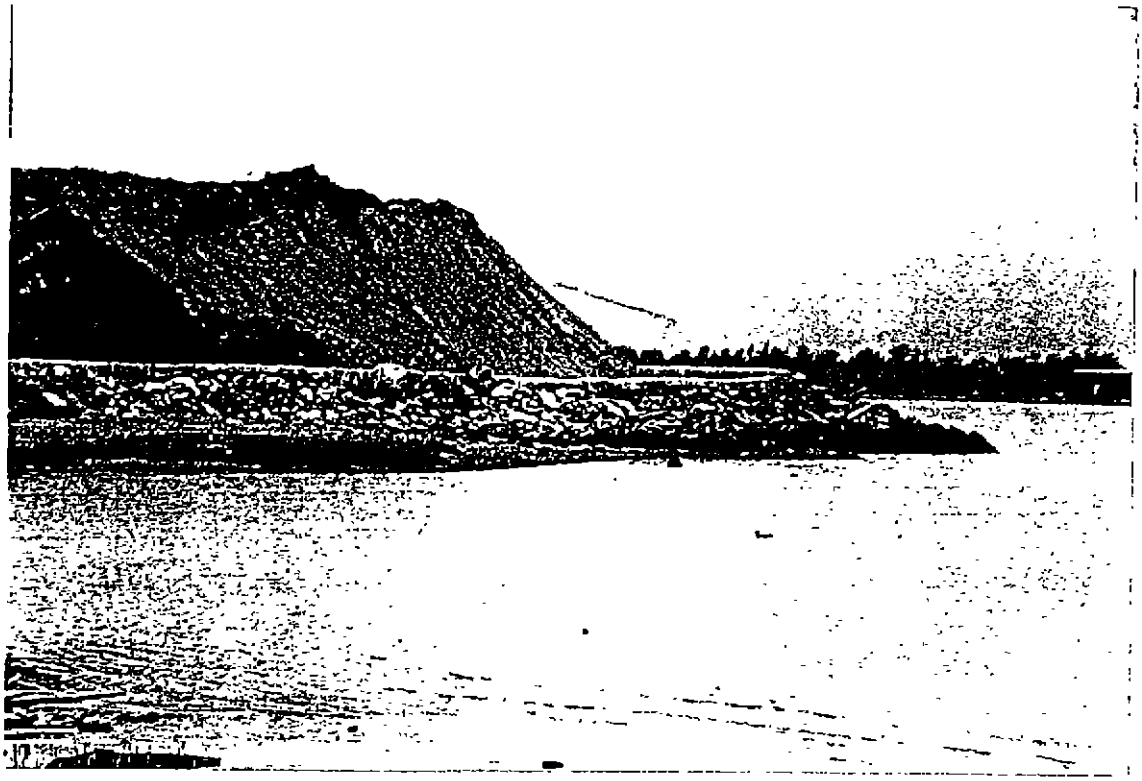
Picture 4



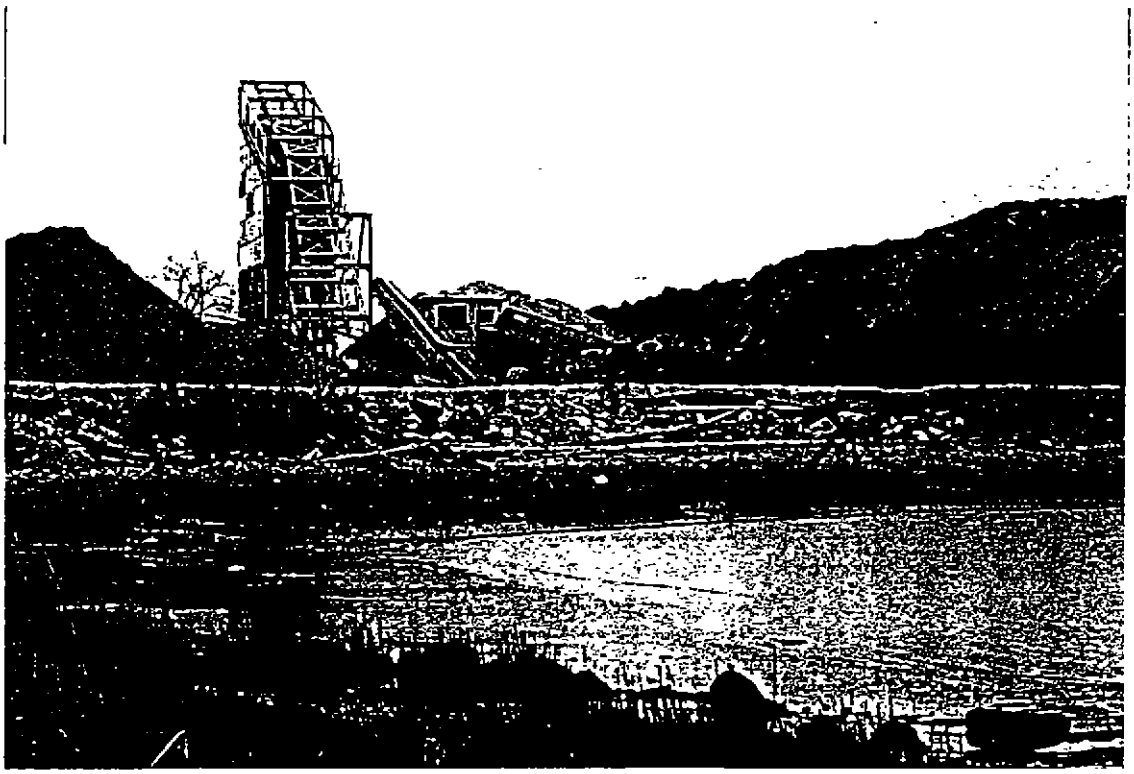
Picture 5



Picture 6



Picture 7



Picture 8



Picture 9



Picture 10



Picture 11



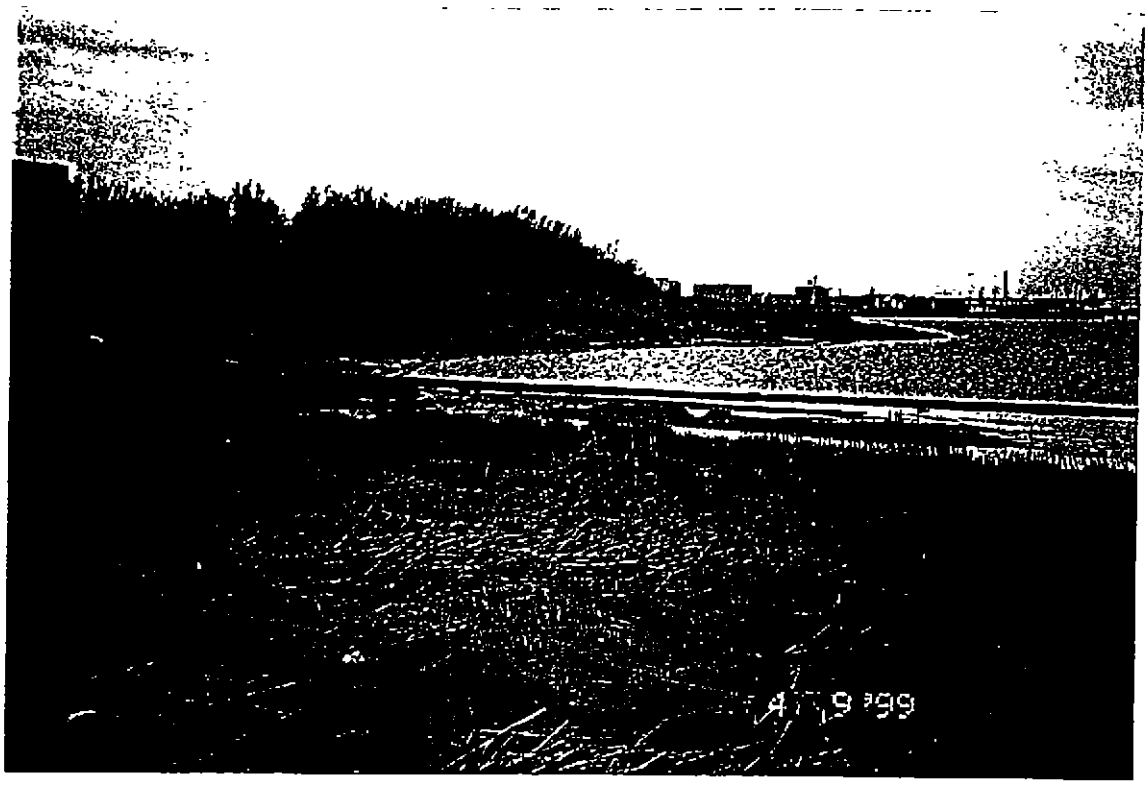
Picture 12



Picture 13



Picture 14



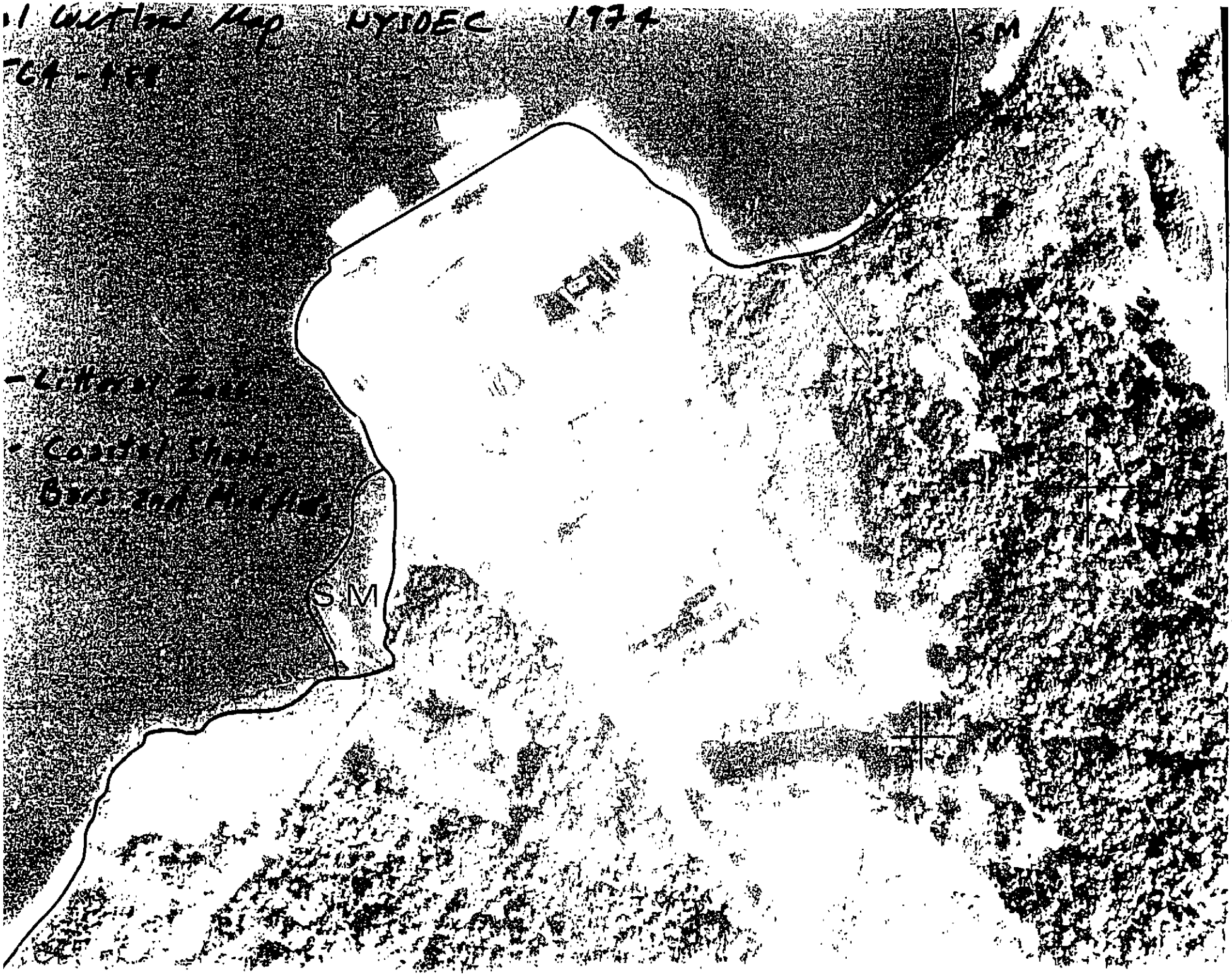
Picture 15



Picture 16



Picture 17


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May 6, 1999

Regional Permits Administrator
New York State Department of State
Division of Coastal Resources and Waterfront Revitalization
41 State Street, 8th Floor
Albany, New York 12231

Re: Interstate Materials Corporation - Dredging Permit Application

Dear Sir/Madam:

On behalf of the Interstate Materials Corporation please find enclosed for your review a Federal Consistency Assessment Form to support a dredging permit in the Arthur Kill. Also enclosed are copies of the United States Army Corps of Engineers permit application, and the Joint Application Permit filed with the New York State Department of Environmental Conservation.

If you have any questions, or require additional information, please contact me at (212) 867-1777 ext. 578. Thank you in advance for your assistance.

Very truly yours,

Paul P. Taormina, P.E.

Enclosure:

cc: James Haggerty - Eastern Permits Section, United States Army Corps of Engineers
John Ferguson - NYSDEC
Angelo Aponte - Interstate Materials Corporation, Inc.
Joseph J. Fiteni, Jr. - TAMS Consultants, Inc.
Mark Lawlor - TAMS Consultants, Inc.
Andrea Schaffer - AMREP Solutions, Inc.

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TAMS Consultants, Inc.
The TAMS Building 655 Third Avenue New York, NY 10017
(212) 867-1777 Fax (212) 697-6354

COASTAL ZONE MANAGEMENT DOCUMENTATION

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant seeking a permit, license, waiver, certification or similar type of approval from a federal agency that is subject to the New York State Coastal Management Program (CMP) shall complete this assessment form for any proposed activity that will occur within and/or directly affect the state's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. APPLICANT

1. Name: Interstate Materials Corporation Contact: Angelo Aponte
(please print)

2. Address: 211 Johnson Street Staten Island, New York 10309

3. Telephone: Area Code 718-227-5800

B. PROPOSED ACTIVITY

1. Brief description of activity Operation of a clean fill and recycled material processing facility located at 211 Johnson Street adjacent to the Arthur Kill. Clean and recycled materials are reused for construction backfill, road subgrade, and other construction related activities. The existing facility is a clean fill material transfer station.

2. Purpose of activity To operate a materials processing and handling facility.

3. Location of activity:

Richmond County (Staten Island)	New York	211 Johnson Street
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: US ACOE Section 10 and 404 permits

5. Federal application number, if known:

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known: New York State Department of Environmental Conservation (NYSDEC)

C. COASTAL ASSESSMENT

Check either "YES" or "NO" for each of the following questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2), that may be affected by the proposed activity.

		YES	NO
1.	Will the proposed activity result in any of the following.		
a.	Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43)		✔
b.	Physical alteration of more than two acres of land along the shoreline, land under water, or coastal waters? (2, 11, 12, 20, 28, 35, 44)	✔	
c.	Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1)	✔	
d.	Reduction of existing or potential public access to or along coastal waters? (19, 20)		✔
e.	Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10)		✔
f.	Siting of a facility essential to the exploration, development, and production of energy resources in coastal waters or on the Outer Continental Shelf? (29)		✔
g.	Siting of a facility essential to the generation or transmission of energy? (27)		✔
h.	Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35)	✔	
i.	Discharge of toxics, hazardous substances, or other pollutants into coastal waters? (8, 15, 35)		✔
j.	Draining of stormwater runoff or sewer overflows into coastal waters? (33)	✔	
k.	Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39)		✔
l.	Adverse effect upon land or water uses within the state's small harbors? (4)		✔
2.	Will the proposed activity affect or be located in, on, or adjacent to any of the following:		
a.	State-designated freshwater or tidal wetland? (44)	✔	

b.	Federally designated flood and/or state designated erosion hazard area? (11, 12, 17)	✓	
c.	State-designated significant fish and/or wildlife habitat? (7)		✓
d.	State-designated significant scenic resource or area? (24)		✓
e.	State-designated important agricultural lands? (26)		✓
f.	Beach, dune, or barrier island? (12)		✓
g.	Major ports of Albany, Buffalo, Ogdensburg, Oswego, or New York? (3)	✓	
h.	State, county, or local park? (19, 20)		✓
i.	Historic resource listed on the National or State Register of Historic Places? (23)		✓

3. Will the proposed activity require any of the following:

a.	Waterfront site? (2, 21, 22)	✓	
b.	Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5)		✓
c.	Construction or reconstruction of a flood or erosion control structure? (13, 14, 16)		✓
d.	State water quality permit or certification? (30, 38, 40)	✓	
e.	State air quality permit or certification? (41, 43)		✓

4. Will the proposed activity occur within and/or affect an area covered by a state-approved Local Waterfront Revitalization Program? (See policies in local program document) ✓ ___

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO," then the applicant or agency shall complete Section E and submit the documentation required by Section F.

2. If any of the questions in Section C is answered "YES," then the applicant or agent is advised to consult the CMP or, where appropriate, the Local Waterfront Revitalization Program document . The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. In the space provided below or on a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity; (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the state's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Mr. Angelo Aponte - Interstate Materials Corporation

Address: 211 Johnson Street Staten Isalnd, New York NY 10309

Telephone: Area Code (718) 227-5800

Applicant/Agent's Signature: Paul V. Tavormina Date: 5/6/99

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, 41 State Street, 8th Floor, Albany, New York 12231:

   a. Original signed form
   b. Copy of the completed federal agency application
   c. Other available information that would support the certification of consistency

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of Environmental Conservation, and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

ATTACHMENT TO FEDERAL CONSISTENCY FORM

COASTAL ZONE MANAGEMENT

As part of the federal Coastal Zone Management Program, New York State has adopted a state Coastal Zone Management Program, designed to achieve a balance between economic development and preservation that would promote waterfront revitalization and water-dependent uses; protect fish and wildlife, open space and scenic areas, public access to the shoreline, and farmland; and minimize adverse changes to ecological systems and erosion and flood hazards. The program encourages coordination among all levels of government to promote sound waterfront planning and requires government to consider the goals of the program in making land use decisions.

The state program contains provisions for local governments to develop their own waterfront revitalization programs. New York City adopted such a program - *Waterfront Revitalization Program* - in 1982. The program was approved by the New York State Department of State, which operates the state's Coastal Management Program. A key part of both state and local programs is a set of coastal policies. The Waterfront Revitalization Program consists of 44 state policies and 12 policies specifically drafted for and by the city of New York.

Given its location on the Arthur Kill, the proposed Interstate Materials Processing Facility is within the jurisdiction of the city's Coastal Zone Management Program. The coastal policies pertaining to the proposed project are discussed below. New York State policies are referenced by number and New York City policies are referenced by letters.

DEVELOPMENT POLICIES

Policy 1 **Restore, Revitalize, and Redevelop Deteriorated and Underutilized Waterfront Areas for Commercial, Industrial, Cultural, Recreational, and Other Compatible Uses.**

The proposed project consists of the construction and operation of a materials processing facility designed to receive recycled and virgin dirt and gravel. Materials will arrive at the site via barge at the existing bulkhead and will be off-loaded for processing. The operation of this facility will require the dredging of a former navigation channel in the Arthur Kill for barge access to the site. The site and the immediately adjacent properties are zoned M3-1, allowing heavy manufacturing uses. The site presently operates as clean fill material transfer station under a NYSDEC Registration and a NYCDOS Permit No. 11, allowing up to 75,000 cubic yards of fill material to be stored at any given time. Interstate has recently submitted a request to NYSDEC to increase the permitted storage capacity from 75,000 to

160,000 cubic yards of material.

The proposed project will redevelop an underutilized industrial site consistent with existing zoning. Moreover, the new materials processing facility will be a compatible water dependent use. The proposed facility will provide additional industrial employment opportunities in the area. The site is within the Outerbridge industrial area which had 1,982 jobs in 1991, of which 60 percent were industrial.

New York City Policy A:
Improve urban shorelines by maintaining, removing, or recycling waterfront structures (piers, docks, wharves, etc.) in accordance with waterfront development policies and plans. Identify alternative uses for underutilized waterfront structures.

As part of the proposed Interstate project, the existing bulkhead (approximately 380 ft in length) along the Arthur Kill will be rehabilitated as necessary to support barge loading/unloading operations.

The proposed project will comply with the polices set forth in the Waterfront Revitalization Program and with the waterfront zoning section of the Zoning Resolution. The project is in accordance with the *New York City Department of City Planning Comprehensive Waterfront Plan* (1992) and the *Plan for the Staten Island Waterfront* (1994).

Policy 2 Facilitate the Siting of Water-dependent Uses and Facilities on or Adjacent to Coastal Waters.

The site of the proposed materials processing facility is specifically identified as a water-dependent use in the *Plan for the Staten Island Waterfront* (Figure 20.4).

New York City Policy B:
Improve channels as necessary to maintain and stimulate economic development.

The dredging of a former navigational channel from the main channel of the Arthur Kill to the existing bulkhead of the Interstate site will be necessary for barge access. Interstate has prepared and submitted a sampling plan to NYSDEC (April 14, 1999) for approval prior to the actual dredging operations taking place. It is estimated that about 217,000 cubic yards of sediment in an underwater area of 4.6 acres will be dredged. Dredging of this channel in the Arthur Kill will allow for the economic development of the site.

Policy 3 **Promote the Development and Use of the State's Major Ports as Centers of Commerce and Industry, Emphasizing the Siting, Within Port Areas, of Land Use and Development Which Is Essential To, or in Support Of, the Waterborne Transportation of Cargo and People. The State's Major Ports Are the Ports of Albany, Buffalo, New York, Ogdensburg, and Oswego.**

The proposed project will restore the water-dependent activities of the site in the Port of New York.

Policy 4 **Strengthen The Economic Base of Smaller Harbor Areas by Encouraging The Development And Enhancement of Those Activities Which Have Provided Such Areas With a Unique Identity.**

This policy is not applicable.

Policy 5 **Encourage the Location of Development in Areas Where Public Services and Facilities Essential to Such Development Are Adequate.**

Appropriate infrastructure exists on and near the site to support the needs of the proposed development.

Policy 6 **Expedite Permit Procedures in Order to Facilitate the Siting of Development Activities at Suitable Locations.**

This policy is not applicable.

FISH AND WILDLIFE POLICIES

Policy 7 **Significant Coastal Fish and Wildlife Habitats Will Be Protected, Preserved, and Where Practical, Restored So as to Maintain Their Viability as Habitats.**

There are no significant coastal fish and wildlife habitats on or immediately adjacent to the site, including the area of the Arthur Kill to be dredged. In the past, the site has been filled over time and the portion of the site where the processing facility will be constructed is completely devoid of vegetation. The cover material of the site presently includes asphalt, concrete, hard-pack soil, gravel and rock.

Based on a request to the New York Natural Heritage Program (NHP), occurrences of two threatened vascular plants (EO rank - F, last seen in 1907) were noted as present "within the project area" (NHP wording, but undefined) in appropriate habitat. Based on a field reconnaissance of the site, no such appropriate habitat exists on the Interstate site.

Based on the New York State Tidal Wetlands Maps and the *Plan for the Staten Island Waterfront* there is a coastal shoal adjacent to the south side of the site on the Port Mobil property. Construction of the materials processing facility itself will not affect this off-site resource. It is expected that an existing permitted stormwater outfall will continue to be used as part of the proposed project; the size of the outfall will likely be enlarged and will incorporate all necessary and appropriate controls (e.g., oil/water separator, etc.).

Policy 8 **Protect Fish and Wildlife Resources in the Coastal Area from the Introduction of Hazardous Wastes and Other Pollutants Which Bioaccumulate in the Foodchain or Which Cause Significant Sublethal or Lethal Effects on Those Resources.**

Dredging of the channel to provide navigational access will be performed in accordance with federal and state permits and policies with respect to maintenance of water quality and disposal of dredged sediments. Operations of the facility will not introduce hazardous wastes or pollutants that could bioaccumulate in the foodchain or cause otherwise significant sublethal/lethal effects.

Policy 9 **Expand Recreational Use of Fish and Wildlife Resources in Coastal Areas by Increasing Access to Existing Resources, Supplementing Existing Stocks and Developing New Resources.**

The proposed project will neither impact nor expand recreational use of fish and wildlife resources.

Policy 10 **Further Develop Commercial Finfish, Shellfish, and Crustacean Resources in the Coastal Areas by Encouraging the Construction or Improvement of Existing On-shore Commercial Fishing Facilities, Increasing Marketing of the State's Seafood Products, Maintaining Adequate Stocks and Expanding Agricultural Facilities.**

This policy is not applicable.

FLOODING AND EROSION HAZARDS POLICIES

Policy 11 **Buildings and Other Structures Will Be Sited in the Coastal Area So as to Minimize Damage to Property and the Endangering of Human Lives Caused by Flooding and Erosion.**

The existing property is situated between 6.7 and 30.5 ft Richmond High Water Datum (RHWD). Following construction of the facility, the entire site, including on-

site roads, will be at or above 6.2 RHWD. The 100-year tidal surge or 100-year floodplain is at elevation 10 ft National Geodetic Vertical Datum (NGVD [6.2 RHWD]).

New York City Policy C:
Provide shorefront protection against coastal erosion hazards where there is public benefit and public use along non-public shores.

This policy is not applicable.

New York City Policy D:
Provide technical assistance for the identification and evaluation of erosion problems, as well as the development of erosion control plans along privately owned eroding shores.

This policy is not applicable.

New York City Policy E:
Implement public and private structural flood and erosion control projects only when specific criteria are met that show clear public benefit above environmental costs.

This policy is not applicable.

Policy 12 Activities or Development in the Coastal Area Will Be Undertaken So as to Minimize Their Adverse Effects upon Natural Resources Which Protect Against Flooding and Erosion.

That portion of the Interstate property which has retained some limited and disturbed natural features along the shoreline is located in the northern sector of the site. The location of the materials processing facility will be situated in the southern/middle portions of the site. Therefore, these areas of the site will not be affected by the proposed facility.

Policy 13 The Construction or Reconstruction of Erosion Protection Structures Shall Be Undertaken Only If They Have a Reasonable Probability of Controlling Erosion for at Least Thirty Years as Demonstrated in Design and Construction Standards And/or Assured Maintenance or Replacement Programs.

This policy is not applicable.

Policy 14 **The Activities and Development, Including the Construction or Rehabilitation of Erosion Protection Structures, Shall Be Undertaken So That There Will Be No Measurable Increase in Erosion or Flooding at the Site of Such Activities or Development at Other Locations.**

This policy is not applicable.

Policy 15 **Mining, Excavation or Dredging in Coastal Waters Shall Not Significantly Interfere with the Natural Coastal Processes Which Supply Beach Materials to Land Adjacent to Such Waters and Shall Be Undertaken in a Manner Which Will Not Cause an Increase in Erosion of Such Lands.**

As previously noted, dredging of the former channel to provide navigational access will be performed in accordance with applicable federal and state permits and policies. This activity will not significantly interfere with natural coastal processes that supply beach materials to adjacent lands. The Arthur Kill and Kill Van Kull are important marine traffic routes that provide access to New York's Upper Bay and Port Newark. The navigational channels of these waterways are maintained by dredging and industrial waterfront uses line both sides of much of the Arthur Kill. The natural coastal processes of this portion of the Kill and adjoining lands have been and continue to be disturbed.

Policy 16 **Public Funds Shall Be Expended for Activities and Development, Including the Construction or Reconstruction of Erosion Control Structures, Only Where the Public Benefits Clearly Outweigh Their Long Term Monetary and Other Costs Including Their Potential for Increasing Erosion and Their Adverse Effects on Natural Protective Features.**

This policy is not applicable.

Policy 17 **Non-structural Measures to Minimize Damage to Natural Resources and Property from Flooding and Erosion Shall Be Used Whenever Possible.**

This policy is not applicable.

GENERAL POLICY

Policy 18 **To Safeguard the Vital Interest of the State of New York and of its Citizens in the Waters and Other Valuable Resources of the State's Coastal Area, All Practicable Steps Shall Be Taken to Ensure That Such Interests Are Accorded Full Consideration in the Deliberations, Decisions and Actions of State and Federal Bodies with Authority over Those Waters and Resources.**

The proposed dredging of the former channel to the Interstate site will be appropriately noticed for public comment by the Army Corps of Engineers (COE) based on the joint application submitted to both the COE and NYSDEC.

PUBLIC ACCESS POLICIES

Policy 19 **Protect, Maintain, and Increase the Level and Types of Access to Public Water-related Recreation Resources.**

The Plan for the Staten Island Waterfront does not contain any provisions for Designated Open Space in Reach 20, where the Interstate property is located. There are also no recommendations for public access on or in the vicinity of the proposed facility.

Policy 20 **Access to the Publicly Owned Foreshore or Water's Edge, and to the Publicly Owned Lands Immediately Adjacent to These Areas Shall Be Provided in a Manner Compatible with the Adjoining Uses. To Ensure That Such Lands Remain Available for Public Use, They Will Be Retained in Public Ownership.**

This policy is not applicable.

RECREATION POLICIES

Policy 21 **Water Dependent and Water Enhanced Recreation Will Be Encouraged and Facilitated, and Will Be Given Priority over Non-water-related Uses along the Coast.**

As noted in Policy 2, the site of the proposed materials processing facility is specifically identified as a water-dependent use in the *Plan for the Staten Island Waterfront* (Figure 20.4).

New York City Policy F:
Priority shall be given to the development of mapped parkland and appropriate open space where the opportunity exists to meet the recreational needs of immobile use groups and communities without adequate waterfront park space and/or facilities.

This policy is not applicable.

New York City Policy G:
Maintain and protect New York City beaches to the fullest extent possible.

This policy is not applicable.

Policy 22 Development, When Located Adjacent to the Shore Will Provide for Water-related Recreational Activities Whenever Such Recreational Use Is Appropriate in Light of Reasonably Anticipated Demand for Such Activities, and the Primary Purpose of the Development.

This policy is not applicable as the purpose of the development is the operation of a materials processing facility requiring a barge-accessible waterfront.

HISTORIC AND SCENIC RESOURCES POLICIES

Policy 23 Protect, Enhance and Restore Structures, Districts, Areas or Sites That Are of Significance in the History, Architecture, Archaeology or Culture of the State, its Communities, or the Nation.

No historic or scenic structures, districts, areas or sites will be affected by the proposed action.

New York City Policy H:
Insure ongoing maintenance of all waterfront parks and beaches to promote full use of secure, clean areas with fully operable facilities.

This policy is not applicable.

Policy 24 Prevent Impairment of Scenic Resources of Statewide Significance.

There are no scenic resources of statewide significance in the project study area; hence, none will be affected by the proposed facility.

Policy 25 Protect, Restore or Enhance The Natural And Man-made Resources Which Are Not Identified as Being of Statewide Significance, But Which Contribute to The Overall Scenic Quality of The Coastal Area.

As necessary, the existing bulkhead will be rehabilitated to support the proposed action. The materials processing facility will replace an existing set of buildings on the site associated with former concrete operations and truck maintenance and warehousing activities.

AGRICULTURAL LANDS POLICY

Policy 26 Conserve and Protect Agricultural Lands in the State's Coastal Area.

This policy is not applicable.

ENERGY AND ICE MANAGEMENT POLICIES

Policy 27 Decisions on the Siting and Construction of Major Energy Facilities in the Coastal Area Will Be Based on Public Energy Needs, Compatibility of Such Facilities with the Environment and the Facility's Need for a Shorefront Location.

This policy is not applicable.

New York City Policy I:
Siting of liquefied and substitute natural gas facilities, including those associated with the tankering of such gas, shall take into consideration state and national energy needs, public safety concerns and the necessity for shorefront location.

This policy is not applicable.

Policy 28 Ice Management Practices Shall Not Damage Significant Fish and Wildlife and Their Habitats, Increase Shoreline Erosion or Flooding or Interfere with the Production of Hydroelectric Power.

This policy is not applicable.

Policy 29 Encourage the Development of Energy Resources on the Outer Continental Shelf (Ocs) and in Other Water Bodies, and Ensure the Environmental Safety of Such Activities.

This policy is not applicable.

WATER AND AIR RESOURCES POLICIES

Policy 30 Municipal, Industrial, and Commercial Discharge of Pollutants, Including but Not Limited To, Toxic and Hazardous Substances, into Coastal Waters Will Conform to State and National Water Quality Standards.

Only stormwater that may collect on the site during precipitation events will be discharged via the stormwater drainage system into the Arthur Kill, as it presently does.

Policy 31 **State Coastal Area Policies and Management Objectives of Approved Local Waterfront Revitalization Programs Will Be Considered While Reviewing Coastal Water Classifications and While Modifying Water Quality Standards; However, Those Waters Already Over-burdened with Contaminants Will Be Recognized as Being a Development Constraint.**

This policy is not applicable. The *Plan for the Staten Island Waterfront* states that the water quality of the Arthur Kill is affected by heavy industrial uses on both sides of its shorelines, marine traffic, sewer outfalls, oil spills and the Fresh Kills landfill. The state's best usage classification for the waters of the Arthur Kill is "SD" - or fish survival, the lowest surface water quality rating.

Policy 32 **Encourage the Use of Alternative or Innovative Sanitary Waste Systems in Smaller Communities Where the Cost of Conventional Facilities Are Unreasonably High, Given the Size of the Existing Tax Base of These Communities.**

This policy is not applicable.

Policy 33 **Best Management Practices Will Be Used to Ensure the Control of Stormwater Runoff and Combined Sewer Overflows Draining into Coastal Waters.**

Stormwater management practices for the site will be developed in coordination with the NYSDEC and NYCDEP. Applicable best management practices will be implemented during construction and operation of the facility.

Policy 34 **Discharge of Waste Materials into Coastal Waters from Vessels Subject to State Jurisdiction Will Be Limited So as to Protect Significant Fish and Wildlife Habitats, Recreational Areas and Water Supply Areas.**

There are no significant fish and wildlife habitats, coastal recreational and water supply areas in the vicinity of the site. Operations of barges transporting dredged materials will be done in accordance with applicable federal (US Coast Guard) and state regulations.

Policy 35 **Dredging and Dredge Spoil Disposal in Coastal Waters Will Be Undertaken in a Manner That Meets Existing State Dredging Permit Requirements and**

Protects Significant Fish and Wildlife Habitats, Aesthetic Resources, Natural Protective Features, Important Agricultural Lands and Wetlands.

Dredging of the channel to provide navigational access will be performed in accordance with federal and state permits and policies with respect to maintenance of water quality and disposal of dredged sediments. There are no significant fish and wildlife habitats, aesthetic resources, natural protective features, and important agricultural lands in the project vicinity. As noted previously, Interstate has submittted a benthic sampling plan to NYSDEC to assess potential aquatic impacts of dredging.

Policy 36 **Activities Related to the Shipment and Storage of Petroleum and Other Hazardous Materials Will Be Conducted in a Manner That Will Prevent or at Least Minimize Spills into Coastal Waters; All Practicable Efforts Will Be Undertaken to Expedite the Cleanup of Such Discharges; and Restitution for Damages Will Be Required When These Spills Occur.**

Petroleum or other hazardous materials will not be transported or stored.

Policy 37 **Best Management Practices Will Be Utilized to Minimize the Non-point Discharge of Excess Nutrients, Organics and Eroded Soils into Coastal Waters.**

A Stormwater Management and Erosion Control Plan will be prepared.

Policy 38 **The Quality and Quantity of Surface Water and Groundwater Supplies, Will Be Conserved and Protected, Particularly Where Such Waters Constitute the Primary or Sole Source of Water Supply.**

The proposed facility will not affect surface or groundwater supplies, as the Arthur Kill and groundwater in the project study area are not designated public water supplies.

Policy 39 **The Transport, Storage, Treatment and Disposal of Solid Wastes, Particularly Hazardous Wastes, Within Coastal Areas Will Be Conducted in Such a Manner So as to Protect Groundwater and Surface Water Supplies, Significant Fish and Wildlife Habitats, Recreation Areas, Important Agricultural Lands and Scenic Resources.**

As noted previously, there are no significant fish and wildlife habitats, aesthetic resources, natural protective features, and important agricultural lands in the project vicinity.

New York City Policy J:
Adopt end-use plans for landfill areas which specify the following: final capacity, final contours, leachate, erosion and gas control systems, revegetation strategies, and interim review schedules.

This policy is not applicable.

New York City Policy K:
Curtail illegal dumping throughout the coastal zone and restore areas scarred by this practice.

This policy is not applicable.

New York City Policy L:
Encourage energy development from waste and waste landfills.

This policy is not applicable.

Policy 40 **Effluent Discharged from Major Steam Electric Generating and Industrial Facilities into Coastal Waters Will Not Be Unduly Injurious to Fish and Wildlife and Will Conform to State Water Quality Standards.**

This policy is not applicable.

Policy 41 **Land Use or Development in the Coastal Area Will Not Cause National or State Air Quality Standards to Be Violated.**

The proposed facility will not cause a violation of national or state air quality standards.

Policy 42 **Coastal Management Policies Will Be Considered If the State Reclassifies Land Areas Pursuant to the Prevention of Significant Deterioration Regulations of the Federal Clean Air Act.**

This policy is not applicable.

Policy 43 **Land Use or Development in the Coastal Area must Not Cause the Generation of Significant Amounts of the Acid Rain Precursors: Nitrates and Sulfates.**

The proposed action will not cause significant air quality impacts and therefore, significant amounts of acid rain precursors, nitrates or sulfates will not be generated.

Policy 44 Preserve and Protect Tidal and Freshwater Wetlands and Preserve the Benefits Derived from These Areas.

The dredging of a former navigational channel in the Arthur Kill to the existing bulkhead of the Interstate site will be done to provide barge access. Interstate has prepared and submitted a sampling plan to NYSDEC (April 14, 1999) for approval prior to the actual dredging operations taking place. The sampling plan is for the analysis of both chemical and biological (benthic) constituents to assess potential aquatic impacts of dredging.

PRE-APPLICATION MEETING
with
INTERSTATE INDUSTRIAL CORPORATION

U.S. ARMY CORPS OF ENGINEERS
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

DECEMBER 17, 1997

NAME	ADDRESS	TELEPHONE/FAX
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Tara Hemmer	TAMS Consultants	212-867-1777
Andrea M Schaffer	AMREP Solutions	212/705-4774/4770
Jim Haggerty	USACE	212-264-3912/4260

TAMS

December 10, 1997

Mr. James Haggerty
Chief, Eastern Permits Section
New York District Corps of Engineers
Jacob K. Javits Federal Building
New York, NY 10278-0090

Dear Mr. Haggerty:

Re: Interstate Industrial Corporation

This letter is to confirm our preapplication meeting on Wednesday December 17, 1997 to discuss the proposed work by Interstate Industrial Corporation to develop an upland disposal site for dredged material at their facility on Staten Island along the Arthur Kill. The meeting is scheduled to take place at your office at 10:00.

Three people including myself will attend the meeting representing the project developer. It is my understanding that you and Mr. Mark Hellman, the proposed Project Manager for this application will participate in this meeting. During the meeting, we would like to review with you the current plans for conducting dredging adjacent to the facility including the proposed sampling plan and sediment analysis to be conducted.

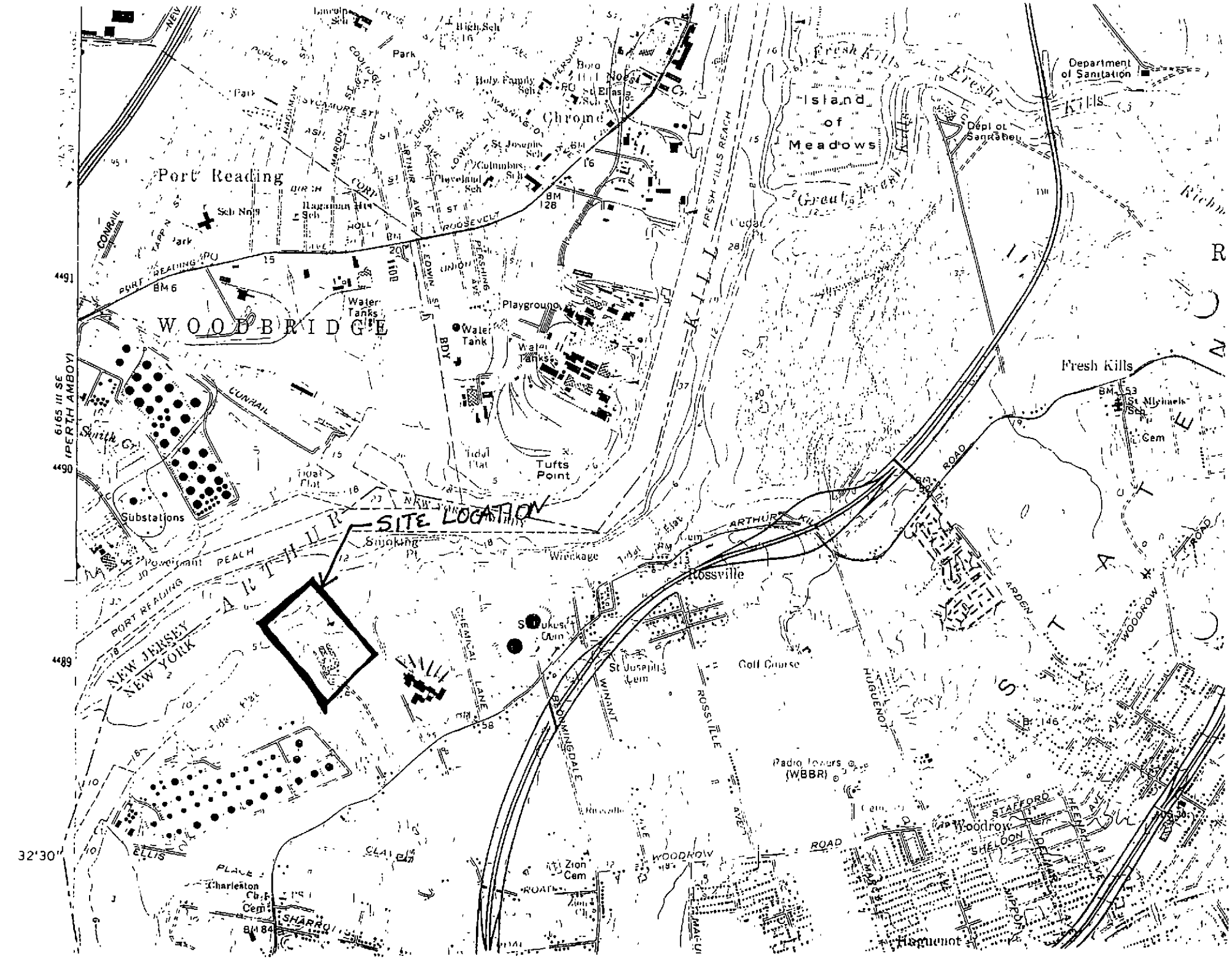
If you have any questions or require any additional information, please contact me.

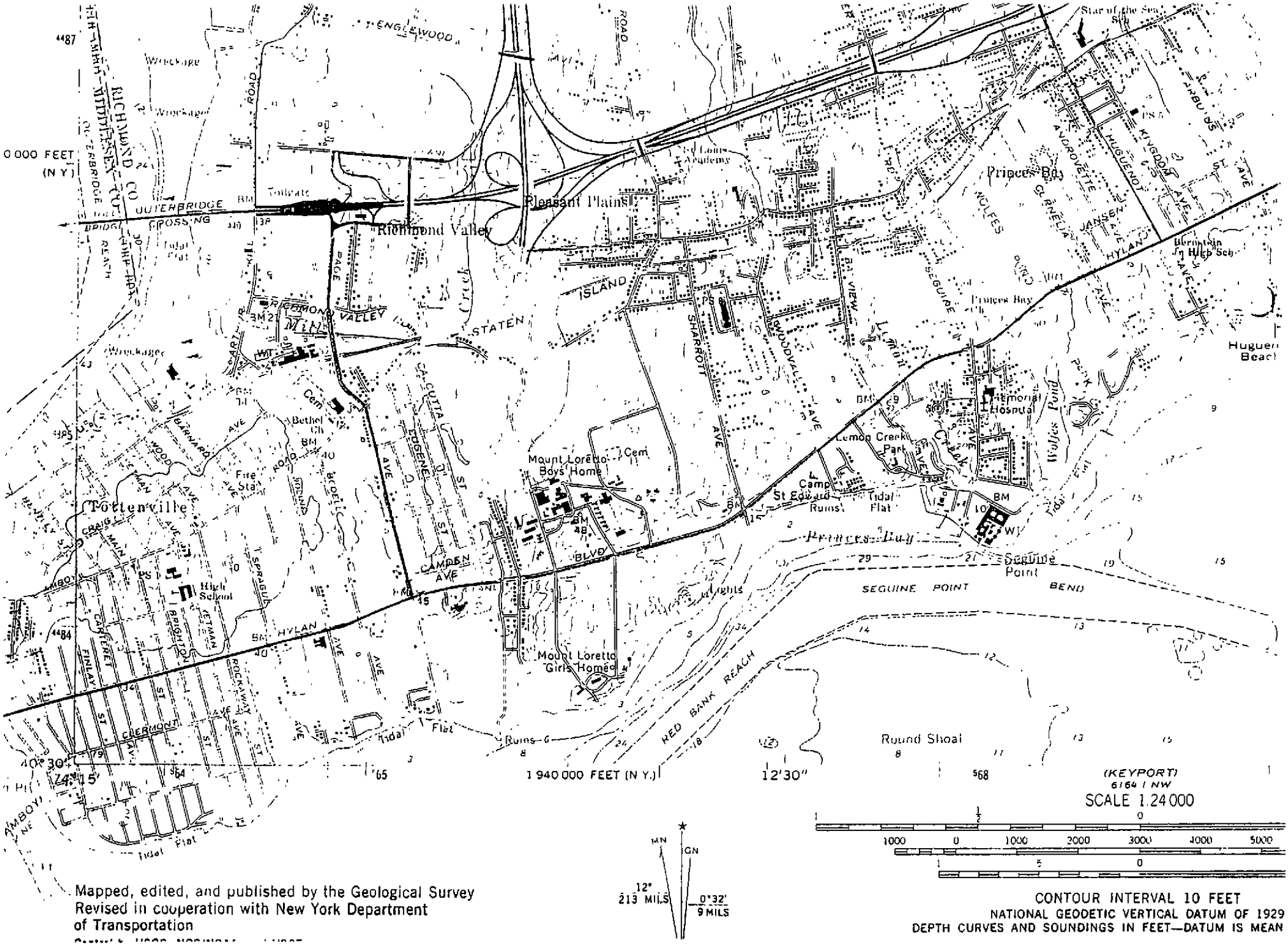
Very truly yours,

TAMS Consultants, Inc.

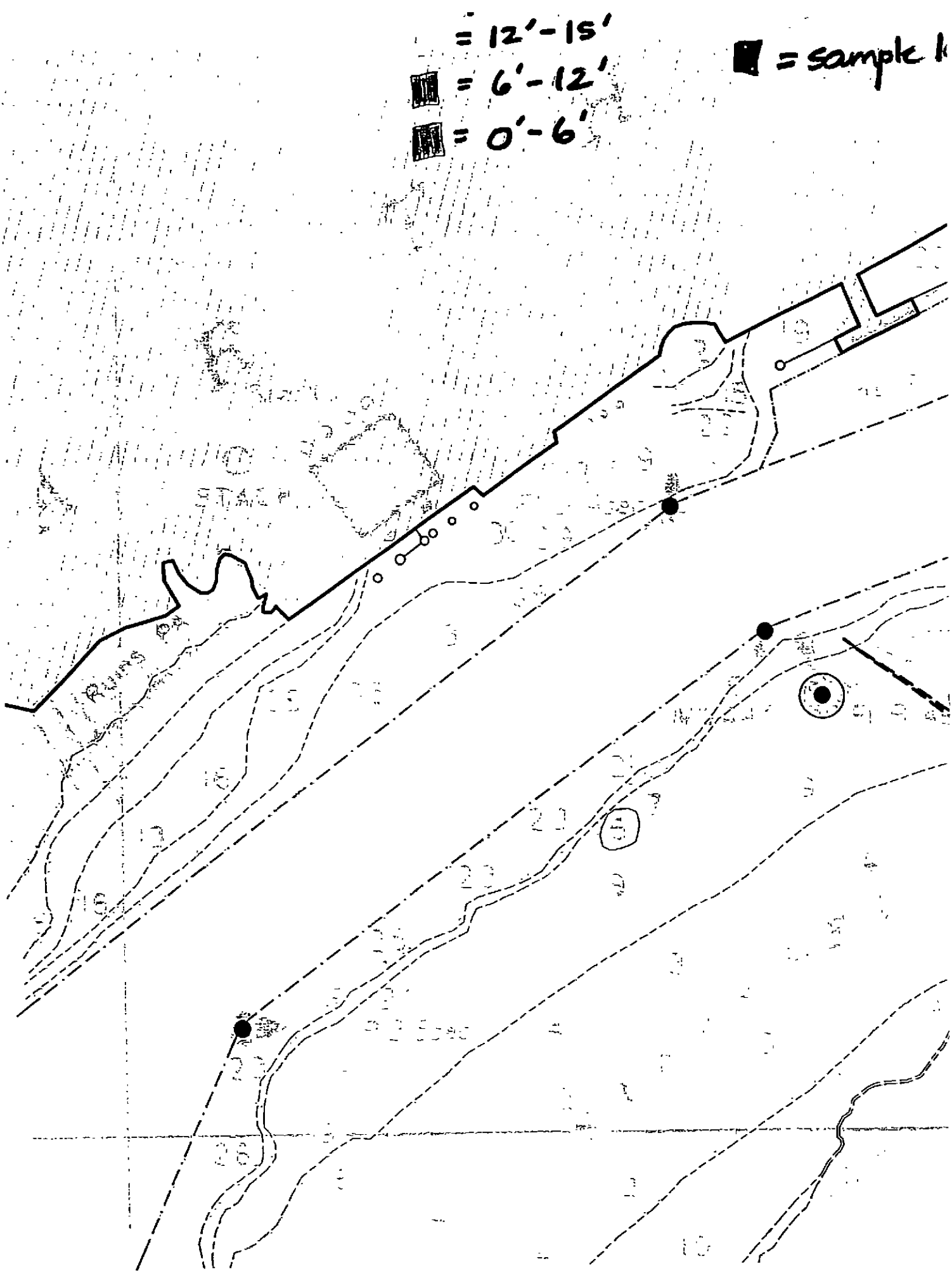
James M. Mansky
Senior Associate

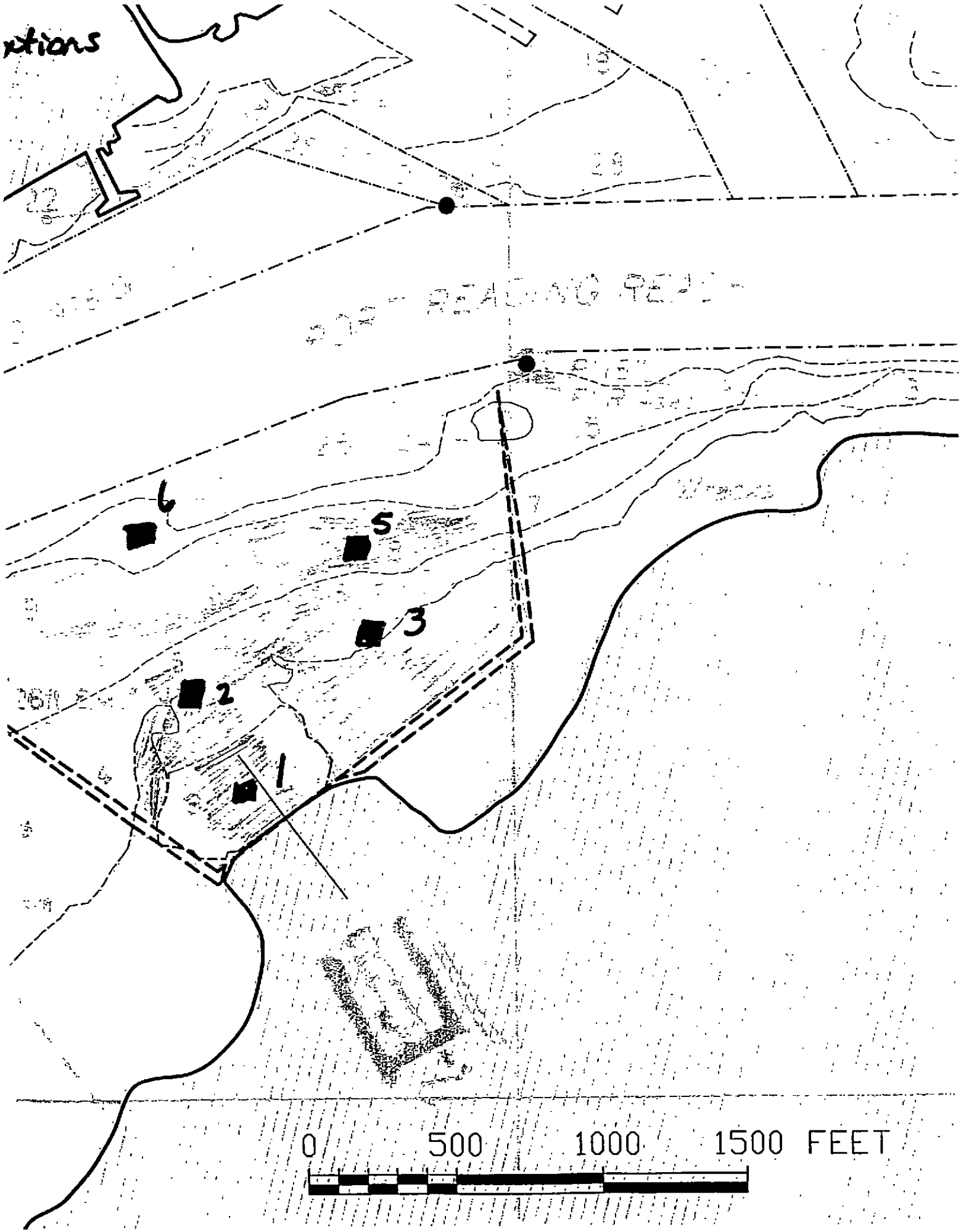
TAMS Consultants, Inc.
The TAMS Building 655 Third Avenue New York, NY 10017
(212) 867-1777 Fax (212) 697-6354 Telex ITT 422188


SITE LOCATION
WOODBRIDGE
Port Reading
Island of Meadows
Fresh Kills
Tufts Point
Rossville
Woodrow
Hugenot
Chrome
Substations
Playground
Water Tanks
Water Tank
Tidal Flat
Golf Course
Department of Sanitation
Landfill
Fresh Kills
Richmond
Staten Island
NEW JERSEY
NEW YORK
Arthur Kill
Smith Ck
Ellis Ck
Chemical Lane
Bloomingdale
Winant
Russell Ave
Huguenot
Arden
Woodrow
Stafford
Sheldon
Hyperion
Edgar
Heenah
Ave
Road
Place
Conrail
Sharrott
Charleston
Zion Cem
St Michaels Cem
St Joseph's Cem
Radio Towers (WBBR)
Wreckage
Smoking Pt
Power Plant Beach
Port Reading
Port Reading PO
Holy Family Sch
St Joseph's Sch
Columbus Sch
Cleveland Sch
Lincoln Sch
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BM 53
BM 146
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BM 58
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Mapped, edited, and published by the Geological Survey
Revised in cooperation with New York Department of Transportation


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= 6'-12'
= 0'-6'
= sample l
RUINS


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