



April 12, 2016

US Army Corps of Engineers, New York District
ATTN: Regulatory Branch, 26 Federal Plaza, Room 1937
New York, N.Y. 10278.

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Applicant: New York State Marine Highway Transportation Company

USACE Regulatory Branch:

NY/NJ Baykeeper opposes the permit application for a commercial barge mooring for Ellis Island Flats at Jersey City, Hudson County, New Jersey in the Upper Bay of New York Harbor.

We believe this permit should be modified or rejected outright by USACE, as this mooring location is both a clear and avoidable “impairment to the protection and utilization of important (public) resources;” if not, we then strongly urge a public hearing on this issue. It would be truly difficult to find a less suitable location for a raft of work barges, and there are many alternative and appropriate places this facility could be located.

The applicant’s request for the barge mooring site is right in front of LSP’s North Cove and directly in the ferry path between Ellis Island and the Central Railroad Terminal at Liberty State Park. Putting mooring barges here, in the path of this historic ferry journey and right in front of one of the most popular stretches of the Liberty State Park public promenade is careless at best, as it mars the views of these great American landmarks.

The cultural, historic and scenic value of this ferry route, from Liberty Landing Marina past the Central Railroad Terminal to Ellis Island and the Statue of Liberty, is a primary reason that state and federal agencies decided against creating a public pedestrian bridge from Liberty State Park to Ellis Island. Officials and the public wanted to maintain this unique American experience of the ferry passage from Ellis Island into America, the land of promise and opportunity.

Ellis Island was the gateway for over 12 million immigrants to the United States between 1892 and 1954. The Central Railroad Terminal and adjacent train sheds housed the transportation that brought many of these immigrants to their new homes in America, and provided continued passenger service to millions.

Each year five million people from around the world visit Liberty State Park, many to take advantage of the Park’s 2-mile long promenade that features incomparable views of Ellis Island the historic Central Railroad Terminal and surrounding views of lower Manhattan. Tens of millions of public dollars have been invested to provide this public waterfront specifically because of its location and views.

Hopefully, seeking this location is an oversight by an applicant focused on so dredging that they don't see above the waterline, or because New York Marine and Highway Transportation Company's perspective is from the other side of the River. In any case, it is up to the USACE to protect these prized public resources by helping to locate these barge moorings away from national treasures to a more appropriate area.

There is an enormous public constituency that vigilantly speaks out to protect the historic trilogy, one of the world's greatest cultural viewsheds, whenever it is threatened. One example is that north of the Ellis Island a judge upheld a lawsuit that buildings could not impede the view of the Manhattan skyline to car passengers on the Lincoln tunnel helix – and those views did not include Ellis Island and the historic trilogy. Another is the consideration given to the placement of structures and monuments at Liberty State Park so as to maintain open and unfettered views of these iconic American landmarks.

There is also significant concern about barges interfering with existing transport and timely access to these great American tourist destinations including Ellis Island, the Statue of Liberty and crossing from those landmarks to Manhattan. Impacts include rerouting existing ferries, which would delay and limit access to these international treasures; diminished visitor experience, and economic losses from both impeded ferry access and reduced tourism. The request is not simply for a single barge to moor temporarily, it is for a configuration of 5 barges, “each measuring 195-feet by 35-feet, with a maximum size for the configuration to be 390 feet length and 105-feet beam by 12-foot depth. There is also a “swing radius of 194 yards.”

At a depth of 12-feet in area of flats and shallows, there may also be impact to various benthic species, such as shellfish, clams, marine invertebrates and grasses. So, we encourage the USACE to also review existing habitat reports and surveys that pertain to this site.

Thousands of people have attended public hearings at Liberty State Park to express concerns about various blights to the majesty of the park and its adjacent historic landmarks. Unquestionably, there is a public interest in keeping these great national treasures visually unmarred and the public would certainly want the opportunity to weigh in on this issue.

The impact of a raft of barges would be immediate, as upon mooring of the barges the area would instantly shift from a treasured historic trilogy in front of a two-mile promenade dedicated to viewing those landmarks into a haphazard work yard. A use much more suitable to other areas of the Harbor that already encompass maintenance work and waterborne storage.

NY/NJ Baykeeper shares the pride that the Port of NY/NJ is one of the great ports in the world and appreciates that the larger Harbor region requires working waterfronts and on-water maintenance. However, the flats between Ellis Island and the Central Railroad terminal is not the place for such activities.

Fortunately, avoiding it easy, as ours is a large harbor with vast opportunities to moor rafts of barges without blighting historic views and impacting local transportation to the south and east of Liberty State Park, among other places.

Sincerely.

Gregory A. Remaud
Deputy Director
NY/NJ Baykeeper

Cc: US Senator Robert Menendez
US Senator Corey Booker
Congressman Albio Sires
Senator Sandra Cunningham
Assemblyman Raj Muhkerji
Mayor Stephen Fulop
Robert Rodriguez, Liberty State Park
Sam Pesin, Friends of Liberty State Park
John Piltzeker, National Park Service
Mandy Edgecomb, Save Ellis Island Foundation
Paul Torres, Statue Cruises