

CAROLYN B. MALONEY  
14TH DISTRICT, NEW YORK

2331 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-3214  
(202) 225-7944

COMMITTEES:  
FINANCIAL SERVICES

GOVERNMENT REFORM

JOINT ECONOMIC COMMITTEE



**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3214

DISTRICT OFFICES:  
1651 THIRD AVENUE  
SUITE 311  
NEW YORK, NY 10128  
(212) 860-0806

28-11 ASTORIA BOULEVARD  
ASTORIA, NY 11102  
(718) 932-1804

WEBSITE: [www.house.gov/maloney](http://www.house.gov/maloney)

December 8, 2006

Colonel Aniello Tortora  
Commander and District Engineer, New York District  
United States Army Corps of Engineers  
26 Federal Plaza  
New York, New York 10278

Dear Colonel Tortora:

As elected officials representing the area in which the City of New York is proposing to open the East 91st Street Marine Transfer Station as part of the City's solid waste management plan, we write to raise serious concerns about the City's permit applications to the United States Army Corps of Engineers (ACE). The transfer station will be built out into the aptly named Hell's Gate section of the East River.

We believe that the permit applications fail to meet the general criteria delineated in ACE regulations that ACE must evaluate when considering whether to grant permits under the terms of the Clean Water Act and the Rivers and Harbors Act. Specifically, we urge ACE to reject the City's applications because the City failed to sufficiently consider the extent and permanence of the detrimental effects that the proposed structure would have on the public and private uses to which this largely residential area is suited. We also urge ACE to examine with utmost scrutiny the City's effort to build permanent structures in the East River in such close proximity to the River's Hells Gate section, a proposal that raises serious safety concerns.


Because the City plans a vast expansion of the capacity of the former marine transfer station, the facility would require a far larger "footprint" in the East River than previously existed. We harbor serious concerns about the siting of an expanded footprint near the Hell's Gate section of the East River, a stretch that is notoriously difficult to navigate. This expanded footprint would threaten to interfere with shipping lanes in this economically and strategically vital waterway. In particular, we fear that the expanded footprint will require vessels to assume a different angle of approach, increasing the possibility of a serious maritime accident. Because of these concerns, we believe the City's permit application should be rejected.

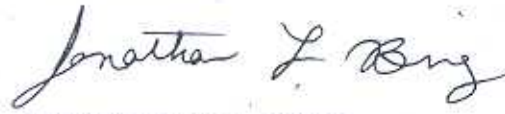
Therefore we join in urging ACE to examine and consider with the utmost scrutiny the City's permit application filed in connection with the marine transfer facility located at East 91st Street and the East River in Manhattan. Should you have any questions or concerns, please feel free to contact Congresswoman Maloney's New York Chief of Staff, Minna Elias, at 212 860-0606. We look forward to your response.

Sincerely,

  
CAROLYN B. MALONEY  
Member of Congress

  
LIZ KRUEGER  
State Senator

  
ALEXANDER B. GRANNIS  
Member of Assembly

  
JONATHAN L. BING  
Member of Assembly

  
JESSICA LAPPIN  
City Council Member

  
DANIEL R. GARODNICK  
City Council Member