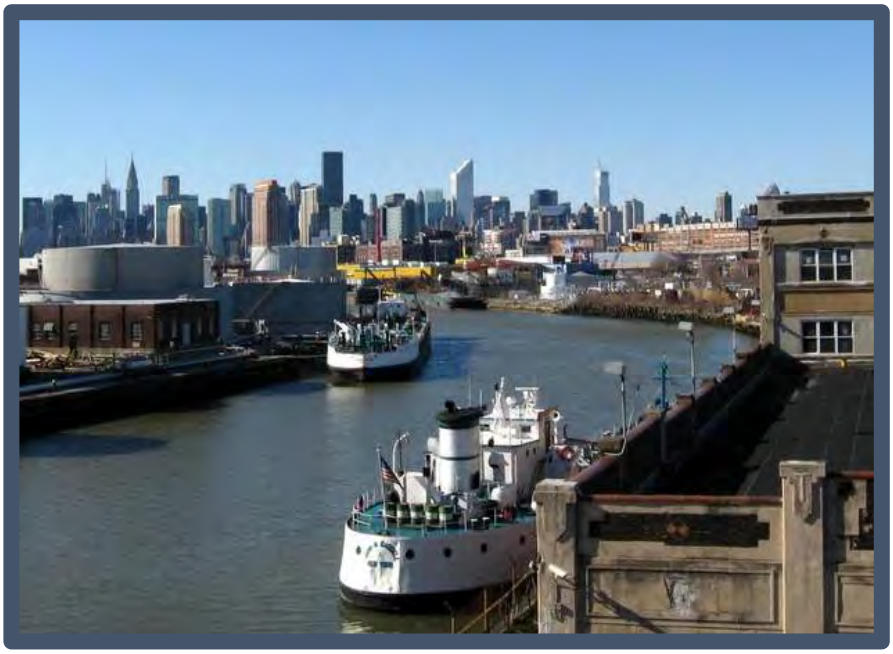
NEWTOWN CREEK COMMERCIAL NAVIGATION ANALYSIS

Prepared for the U.S. Environmental Protection Agency
By the
United States Army Corps of Engineers
New York District

February 19, 2026



Interagency Technical Assistance
IAG: DW96959427-01-0
Site: Newtown Creek Superfund Site
South End of Ivy Hill Road, Brooklyn/Queens, NY 11222
Site ID: NYN000206282

US Army Corps of Engineers

EPA United States Environmental Protection Agency

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1.0 Background and Purpose

Newtown Creek and its tributaries were once the busiest waterway of their size in the world, supporting more than 50 industrial facilities along their banks. The Newtown Creek Superfund Site is located along the border of Brooklyn (Kings County) and Queens (Queens County) in New York City. The creek is a 3.8-mile-long, tidally influenced tributary of the Lower East River, and the Study Area encompasses the main channel and its five tributaries: Whale Creek, Dutch Kills, East Branch, English Kills, and Maspeth Creek (Figure 1). The site was added to the National Priorities List in September 2010 and a Remedial Investigation and Feasibility Study (RI/FS) was initiated in 2011 in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA). The RI/FS is being conducted under an Administrative Settlement Agreement and Order on Consent (AOC) between the U.S. Environmental Protection Agency (EPA) and six Respondents, including the City of New York (NYC) and a group of five private parties (ExxonMobil, Phelps Dodge, Texaco, BP, and National Grid) known as the Newtown Creek Group (NCG). The AOC requires the Respondents to perform the RI/FS under EPA oversight.

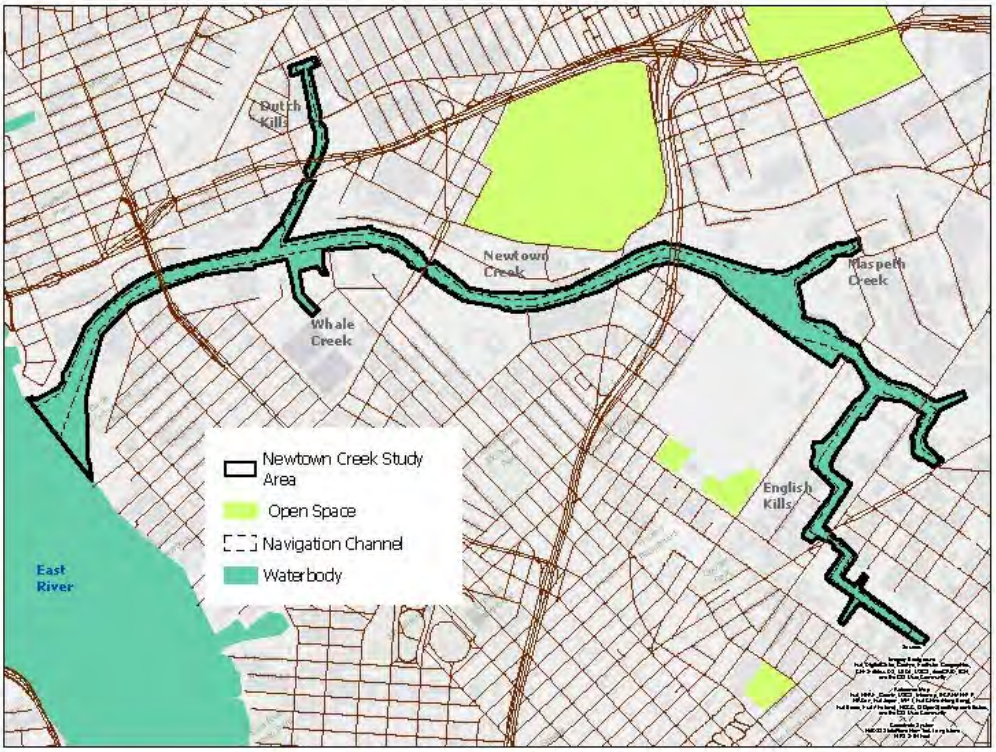


Figure 1: Newtown Creek Study Area

The objectives of the RI/FS are to: (1) collect sufficient data to characterize the nature and extent of contamination, including current contaminant loading; (2) support the human health and ecological risk assessments; (3) develop remedial alternatives; and (4) select an appropriate remedy. In developing these alternatives, the RI/FS must also account for both current and reasonably anticipated future uses of the creek and ensure compliance with applicable regulatory and statutory requirements. In particular, Sections 10 and 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. §§ 403 and 408), which govern activities affecting the federally authorized navigation channel, must be incorporated into the evaluation of remedial alternatives.

In August 2019, the USEPA entered into an Interagency Agreement (IA) with the U.S. Army Corps of Engineers (USACE) New York District (NYD) to obtain technical assistance in preparing a Commercial Navigation Analysis for Newtown Creek. This analysis will inform the Superfund investigation and support the remedial alternative development process. Specifically, the commercial navigation analysis outlines commercial users' past, current and future reasonably anticipated use of Newtown Creek's Authorized Channel (Figure 2) and presents information that would influence the depth of future dredging and capping remedial actions. The analysis also identifies impacts and restrictions to future operation and maintenance dredging of the channel and evaluates potential opportunities for deauthorization and/or modification to the authorization of the federal channel through future legislation. This Navigation Analysis does NOT consider the appropriate future depth of Newtown Creek and its tributaries associated with water quality, ecosystem recovery/restoration, and impacts to flooding. USEPA would consider and incorporate these factors into the RI/FS independently in addition to the Federal Authorized Channel depth which serves as an Applicable or Relevant and Appropriate Requirement (ARAR).

The August 2024 version of this report was utilized as a basis to deauthorize the East Branch (Reach I) in the Water Resources Development Act (WRDA) of 2024.

> Title III- DEATHORIZATIONS AND MODIFICATIONS
> SEC. 1302. SPECIFIC DEAUTHORIZATIONS.
>
> *"(l) NEWTOWN CREEK FEDERAL NAVIGATION CHANNEL, NEW YORK. –*
> *(1) IN GENERAL. – Beginning on the date of enactment of this Act, the project for navigation, Newtown Creek Federal navigation channel, New York, authorized by the first section of the Act of March 2, 1919 (chapter 95, 40 Stat. 1276; 46 Stat. 920; 50 Stat. 845) is modified to deauthorize a portion of the channel In East Branch, consisting of the area described in paragraph (2).*
> *(2) AREA DESCRIBED. – The area referred to in paragraph (1) is the area beginning at a point North 40.718066 and West 73.923931, and extending upstream*."

Future modification and deauthorization of other segments in Newtown Creek proposed in WRDA 2026 should be consistent with this updated navigation analysis (January 2026).

2.0 Location and Study Area Description

The Newtown Creek, New York, Federal Navigation Channel was originally authorized under the Rivers and Harbors Act of 1919 (Pub. L. 65-323) and subsequently modified by the Rivers and Harbors Act of 1937 (Pub. L. 75-392). The authorized channel extends from its confluence with the East River southward to Metropolitan Avenue at the boundary between northern Brooklyn and southern Queens. The existing federal navigation project provides for a channel 23 feet deep and 130 feet wide from the East River to a point approximately 150 feet north of Maspeth Avenue, including a triangular widening at the north side of the entrance. A turning basin is also authorized at a depth of 23 feet; however, the channel becomes progressively shallower and narrower as it approaches Metropolitan Avenue.

The Mussel Island turning basin was created in 1931 following the removal of Mussel Island, a 3.7-acre mudflat that previously divided the creek into two narrower channels. Congress authorized the island's removal in 1921 to facilitate the Turning Basin's construction.

Newtown Creek can be divided into 13 reaches with authorized depths ranging from 23 feet at the confluence to 12 feet in English Kills (Figure 3 and Table 1). Table 1 summarizes each reach's location, authorized and constructed dimensions, and associated commercial users, and incorporates results from the September 11, 2025, Hydrographic Condition Survey (USACE, 2025) (Attachment A). The survey indicates that Reaches E, G, H, I, and J were constructed to depths shallower than authorized, and Reach K was never constructed.

All depths are reported relative to mean lower low water (MLLW). Reach lengths are provided in nautical miles, and all distances and dimensions are approximate. Field observations and analysis confirm that Reach L is obstructed by low train and street bridges and does not receive marine traffic. Accordingly, this report evaluates only the main channel where water-dependent users currently operate. However, the investigation did identify SRM Concrete, LLC (parent company of SRM-NYCON, LLC), located at the terminus of Dutch Kills, which is no longer considering the future use of the authorized channel even if the freight bridges that currently restrict access are removed or repaired.

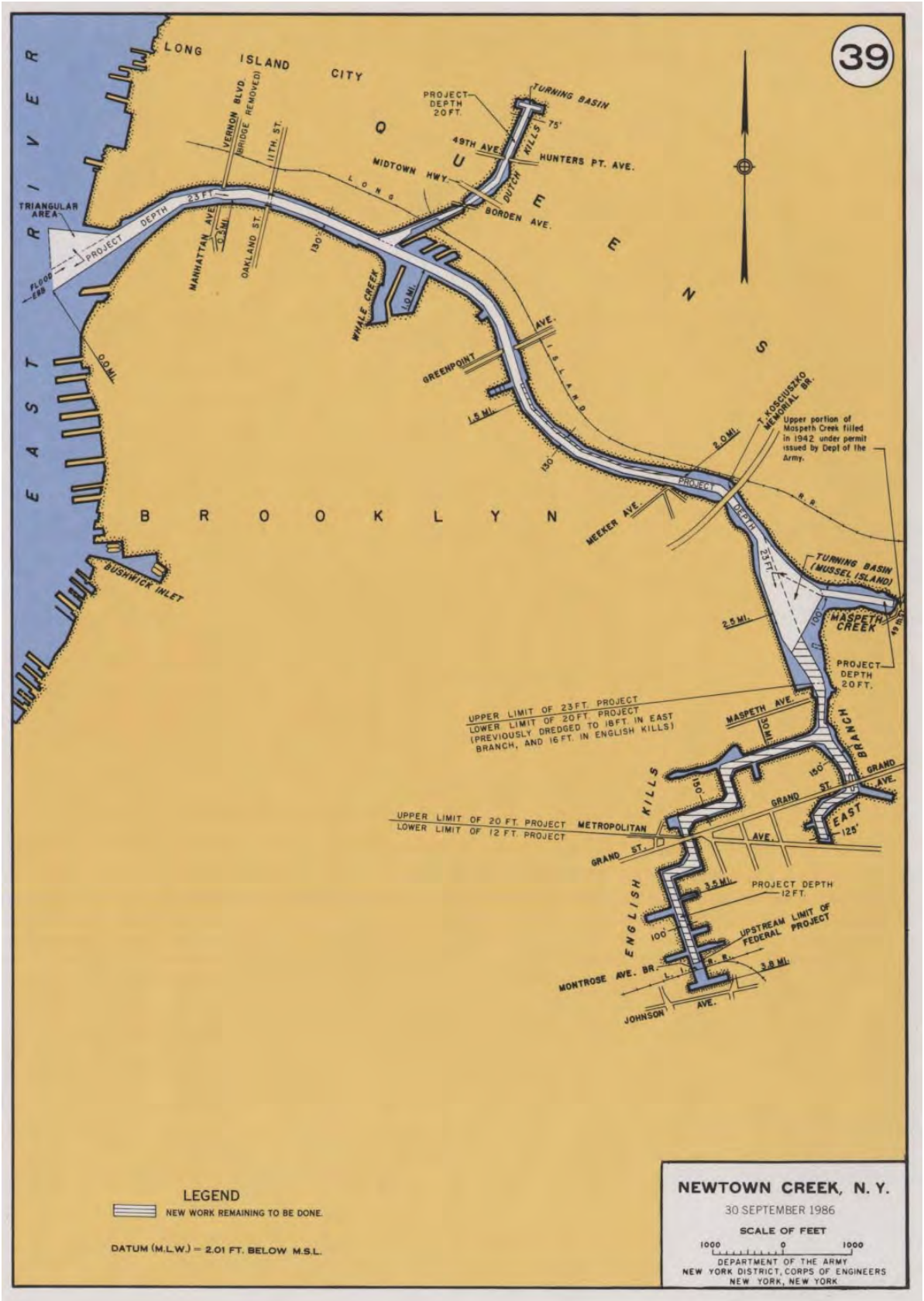


Figure 2: Newtown Creek Federally Authorized Navigation Channel

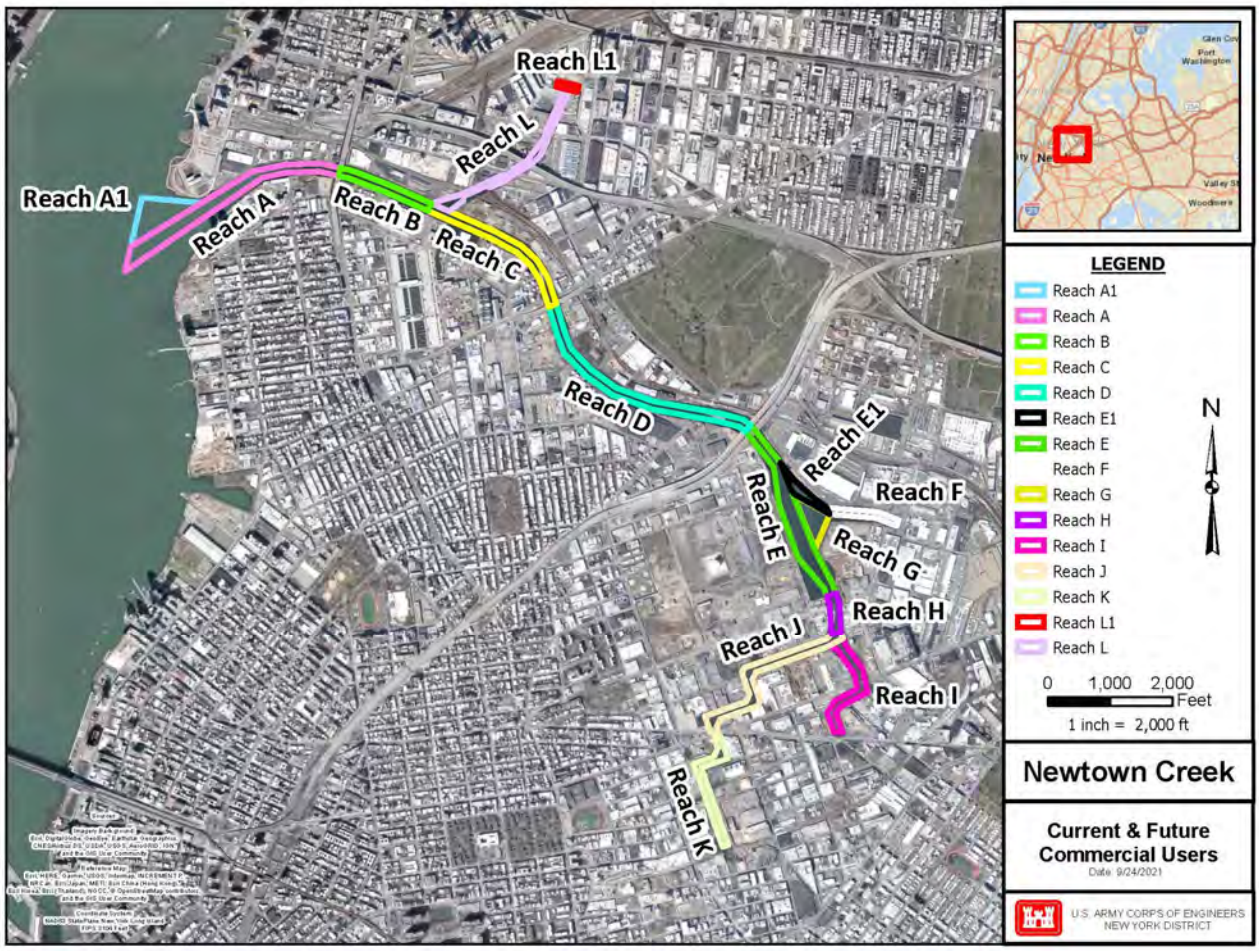


Figure 3: Newtown Creek Federal Navigation Channel Reaches

***Note: Reach I is no longer in the USACE O&M Portfolio given deauthorization in WRDA 2024**

Table 1: Newtown Creek Reaches, Authorized Depths, Condition Survey Results and Commercial Users

Reach	Authorized Project			Constructed Depth (feet)	Minimum Depths in Channel Entering from Seaward (feet)[1]			Commercial Users
	Width (feet)	Length (nautical miles/miles)	Depth (feet)		Left Outside Quarter	Middle Half	Right Outside Quarter	
Reach A: From the junction with the East River, to the Pulaski Bridge.	130 - 1000	0.55 m 0.6325 mi	23	23	5.0-34.9	14.5-35.5	13.1-36.1	• No Users
Reach A1 (Triangular Area): Parallel to Reach A and extends for approximately 1,335 feet.	Irregular	Irregular	23	23	7.9 – 34.7			• No Users
Reach B: From Pulaski Bridge to approximately 400 feet seaward of the junction with Whale Creek.	130	0.26 m 0.299 mi	23	23	14.6-20.2	18.9-22.4	15.3-21.2	• Zenith Energy (formerly Motiva)
Reach C: From the approximately 400 feet seaward of the junction with Whale Creek to Greenpoint Avenue Bridge.	130	0.44 m 0.506 mi	23	23	13.8-26.3	17.7-27.3	13.8-27.4	• Sims Metal • NYCDEP • Allocco Recycling • United Metro Energy • New York & Atlantic Railway
Reach D: From Greenpoint Avenue Bridge to Kosciuszko Bridge.	130	0.66 m 0.759 mi	23	23 (only 100 feet wide)	5.6-22.1	11.8-24.3	9.4-23.8	• Prologis (Future Users-Blue Highway) • Kinder Morgan (formerly AMOCO/BP) • Green Asphalt • 37-50 RR, LLC (Future User)
Reach E (Main Channel adjacent to Turning	130-300	0.50 m 0.575 mi	23	20	4.3-21.0	12.3-25.3	9.3-23.4	• Federal Express

Reach	Authorized Project			Constructed Depth (feet)	Minimum Depths in Channel Entering from Seaward (feet)[1]			Commercial Users
	Width (feet)	Length (nautical miles/miles)	Depth (feet)		Left Outside Quarter	Middle Half	Right Outside Quarter	
Basin): From the Kosciuszko Bridge, to approximately 150 feet seaward of Maspeth Ave.								(Future User-Blue Highway) • Maspeth Recycling (Future User)
Reach E1 (Branch Channel adjacent to Turning Basin): From the northernmost corner of Mussel Island turning basin at the junction with the Main Channel, to the east corner of the Mussel Island turning basin at the entrance of Maspeth Creek.	115-565	0.14 m 0.161mi	23	20	6.4-18.9	4.5-21	6.3-21.3	• No Users
Reach G (Mussel Island Turning Basin): Area between Branch Channel (Reach E1) and Main Channel	Irregular	4.77 acres	23	20	1.7-21.1			• Federal Express (Future User) <u>Utilize Turning Basin</u>: • United Metro • Prologis • Kinder Morgan
Reach F (Maspeth Creek)[2]	100	2,000 ft	20	20	-	-	-	• No Users
Reach H (To Entrance to English Kills): From approximately 150 feet seaward of Maspeth Avenue, to the junction with English Kills	150-280	0.14 m 0.161 mi	20	16	0-15.7	14.5-21.6	1.1-20.7	• Prologis (Future User- Blue Highway

Reach	Authorized Project			Constructed Depth (feet)	Minimum Depths in Channel Entering from Seaward (feet)[1]			Commercial Users
	Width (feet)	Length (nautical miles/miles)	Depth (feet)		Left Outside Quarter	Middle Half	Right Outside Quarter	
Deauthorized- Reach I (Partial[3]): Survey coverage exists from the junction with the Main Channel to the Grand Street Bridge.	125-150	0.29 m 0.3335 mi	20	16	4.4-18.4	11.1-19.4	3.0-19.4	• No Users
Reach J (English Kills): From junction with Main Channel to the Metropolitan Avenue Bridge.	80-240	0.47 m 0.5405 mi	20	16	5.5-20.8	12.5-21.2	0.5-21.3	• Empire Transit Mix (Future User) • Empire Metal Trading (formerly Charles King) • TNT Scrap
Reach K (Partial[3]): Survey coverage exists from Metropolitan Avenue Bridge landward approximately 1,450 feet landward.	80-215	0.35 m 0.4025 mi	12	0	5.4-16.7	3.5-17.5	3.5-17.6	• Bayside Fuel
Reach L (Dutch Kills, includes L1 Turning Basin) (Partial[3]): Survey coverage exists from the junction with the Main Channel at the beginning of Reach C, to approx. 350 feet landward of the beginning of this reach.	40-315	0.50 m 0.575 mi (2,800 ft long)	20	20	9.6-17.7	10.9-18.5	12.2-19.6	• No Current Active Users • SRM Concrete -Potential Future Use-TBD)

[1] Minimum value reported in range represents “minimum depths in channel” as published in September 2025 conditions survey table.

[2] No Condition Survey Data available.

[3] Partial**:** Range in depth measured and reported only for a portion of the reach during the hydrographic conditions survey. Reach K range presented from June 2023 survey. Reach I will no longer be included in future hydrographic conditions surveys.

3.0 New Work & Maintenance Dredging History

Based on available dredging records, the USACE conducted dredging within Newtown Creek from 1922 through 1974. The USACE dredging history is summarized in Table 2, and the resulting constructed depths for each reach are presented in Table 1. As noted previously, constructed channel dimensions do not necessarily reflect the dimensions maintained over time, as maintenance dredging decisions consider current vessel requirements and the condition of adjacent bulkheads. For example, Reach D was constructed to a width of only 100 feet—less than the authorized width of 130 feet—due to instability along the northern shoreline.

The most recent maintenance dredging within the federal navigation channel of Newtown Creek and Whale Creek Canal was performed by the New York City Department of Environmental Protection (NYCDEP) in April–May 2014. NYCDEP dredged the channel to depths ranging from 17 to 19.5 feet below Mean Low Water (MLW), removing approximately 24,000 cubic yards of sediment to provide adequate depth for safe navigation of new sludge vessels accessing the sludge loading facility on Whale Creek Canal. Following dredging, all exposed sediments were covered with a 6-inch layer of clean material (NYCDEP, 2014).

Table 2: USACE Dredging History of Newtown Creek

Fiscal Year[1]	Dredging Date	Depth (ft)	Reach	Construction (CYD)	Maintenance (CYD)
1923	July 1921 - Aug 1922	20	Entrance to Hobson Ave. (Lombardy St)	409,828	
1924	Apr - Nov 1923	20	Dutch Kills & T.B. - W.W.+ Maintenance.		192,371
1929	Dec 1928 - Jan 1929	20	Channel- Manhattan Ave & Lombardy St.		76,098
1932	Jan - Feb 1931	23	Widening Channel at Mouth of Creek	37,246	
	Apr - June 1931	20	Mussel Island.	128,297	
	July - Sept 1931	20	Maspeth Creek	192,853	
1932	July 1931	20	Mussel Island	108,598	
	Jan - June 1932	23	Entrance to Meeker Ave.	167,328	
	June 1932	23	at Union Ave	900	
1933	1933	23	Entrance to Meeker Ave.	150,889	
	Aug - Dec 1932	23	Entrance		
	Aug 1932 - June 1933	23	Vernon Ave to Meeker Ave.		
1935	May - June 1935	23	Mouth to Maspeth Ave (Main Channel)		34,160
1936	July 1935	23	Mouth to Maspeth Ave (Main Channel)		7,108

Fiscal Year[1]	Dredging Date	Depth (ft)	Reach	Construction (CYD)	Maintenance (CYD)
			English Kills to 16' from Maspeth Ave to		
1937	Apr - May 1937	16	Metropolitan Ave Br. (Prev Project)		108,255
1943	Jun 1943	18	Remove Obstructions to Dutch Kills		
1944	Dec 1943	16	Remove Obstructions to Dutch Kills		
			East Branch from Maspeth Ave. to Grand Street		
1945	Apr 1945	18	Bridge		19,244
1947	Oct - Nov 1946	16	English Kills to 16' from Entrance to Metropolitan Ave		103,910
1949	July 1947 – July 1948	16	East Branch from Grand St Br to Metropolitan Ave		35,303
1950	May - June 1950	23	East River to Vic. Of Maspeth Creek		146,552
1952	July 1950 – July 1951	23	Same as above		80,546
1952	Jan - Feb 1952	16	Newtown Creek, English Kills		63,387
1956	Apr - June 1956	15	Channel - Dutch Kills		10,200
1958	January 1958	18&16	East Br. Maspeth Ave - Metropolitan		
1959	June - Aug 1958	18&16	East Br. Maspeth Ave - Metropolitan		44,003
1961	March 1961	16	Entrance to Metropolitan Ave (English Kills)		38,120
1964	Jan - Apr 1964	18&16	Removal of Shoals (East Shoals)		27,768
1972	May - July 1971	16	English Kills to Metropolitan Avenue		84,044
1974	April 1974	16	East Branch		32,127
Total					**1,103,196**

[1] Fiscal Year prior to 1974 is from July 1 to June 30 and October 1 to September 30 after 1974.
[2]Some of the dredging operations expanded through two fiscal years. The most recent FY in which the dredging was completed is represented.

According to the September 1986 Conditions of Improvement report, the Newtown Creek navigation project was approximately 64 percent complete. Remaining work included completing the authorized project dimensions for the 23-foot main channel between Greenpoint and Meeker Avenues and from approximately 800 feet to 150 feet north of Maspeth Avenue; completing the 20-foot channel in the East Branch; and completing the 20-foot and 12-foot channels in English Kills. A portion of the authorized project in Maspeth Creek, extending to West Avenue (49th Street), had been filled by the Defense Plant Corporation under a Department of the Army permit issued in 1942. The uncompleted portions of the project are classified as inactive (USACE, 1986).

Under current law, future operation and maintenance dredging may only be performed to the maximum depth previously constructed, consistent with 31 U.S.C. § 1301. Any future dredging to restore the authorized channel depth in Reaches E, E1, G, H, I, J, and K—reaches classified as inactive—would require approval from USACE Headquarters, identification of a non-federal sponsor, and the availability of construction funding. Regardless of the depth maintained, future operation and maintenance dredging would include a mandatory 2-foot paid overdepth allowance beyond the authorized or constructed depth to the bottom of the maintenance prism.

4.0 Physical Constraints

Bridges represent physical constraints that may limit certain types of waterborne traffic. A bridge's dimensions and operational characteristics (e.g., fixed, lift, or swing) determine the available horizontal and vertical clearances and therefore, restrict vessels that exceed those limits. Within the commercially navigable portion of Newtown Creek, a total of 10 bridges span the waterway, including two active railroad bridges (Table 3).

Table 3: Bridges by Reach along Newtown Creek (NYSDOT and USDOT, FHA, 2005)

Bridge Name	Creek Mile (mi)[1]	Bridge Type	Maximum Horizontal Clearance (feet)	Maximum Vertical Clearance (feet)
Reach A				
Pulaski Bridge	0.73	Bascule	130	41 (MHW) 46 (MLW)
Reach C				
Greenpoint Avenue	1.53	Bascule	149	26 (MHW) 31 (MLW)
Reach D				
Kosciuszko Bridge	2.29	Fixed	249	129 (MHW) 125 (MLW)
Reach I				
Grand Avenue Bridge	3.14	Swing	88.5	9 (MHW) 14 (MLW)
Reach L				
LIRR NYCR Freight Bridge ("DB") (Southern)	0.11 (DK)[2]	Swing	46	1 (MHW) 5 (MLW)
LIRR NYCR Freight Bridge ("Cabin M. DB") (Northern)	0.16 (DK)	Bascule	50	14 (MHW) 19 (MLW)
Borden Avenue Bridge	0.25 (DK)	Retractable	49	4 (MHW) 9 (MLW)
Queens Midtown Expressway	0.30 (DK)	Fixed	90	90 (MHW) 94 (MLW)
Hunters Point Avenue	0.42 (DK)	Bascule	60	8 (MHW) 13 (MLW)

Bridge Name	Creek Mile (mi)[1]	Bridge Type	Maximum Horizontal Clearance (feet)	Maximum Vertical Clearance (feet)
Reach J				
Grand Street/Metropolitan Avenue	0.57 (EK)[3]	Bascule	86	10 (MHW) 15 (MLW)

[1] Creek Miles are from above mouth of East River Confluence.
[2] Creek Miles within Dutch Kills (DK) from confluence with Newtown Creek.
[3] Creek Miles from confluence with English Kills.
MHW: Mean High Water
MLW: Mean Low Water

Known constraints along Newtown Creek are summarized below:

- **Low-clearance and inoperable bridges in Reach L** restrict both current and future use of the channel within this reach. Communication with NYCDOT indicates that the Borden Avenue and Hunters Point Avenue bridges within Dutch Kills remain operable (Email Communication, 2021a). In contrast, correspondence with the Long Island Rail Road (LIRR) confirms that the two freight bridges at the confluence are inoperable and do not permit marine traffic to pass.

  The two LIRR bridges spanning Dutch Kills—referred to as the "DB" (Drawbridge) and "Cabin M DB"—were constructed in 1893 and 1908, respectively. The northern "Cabin M DB" bridge is located on the former Montauk Cutoff line, which was officially abandoned six years ago. During routine inspections in the late 1990s and early 2000s, the center pier of the DB Bridge was found to be significantly deteriorated. In 2001, the U.S. Coast Guard (USCG) granted permission for an extended temporary closure to allow installation of a suspender system consisting of piles, pile caps, suspender beams, and hanger rods to transfer load from the failing pier (Figures 4 and 5). As a result, both bridges remain inoperable. Until LIRR repairs or removes these structures, Dutch Kills will not be available for future marine use (Telephonic Communication, 2025a).

- **Sharp 90-degree bends in Reach K** create maneuverability challenges for barges serving Bayside Fuel.

- **An aeration pipe in Reach J**, installed by NYCDEP and located downstream of the Metropolitan Avenue Bridge (Figure 6), reduces channel depth across a portion of the reach and affects barge mobility.

Figure 4: Southern LIRR NYC Rail Freight Bridge - "DB" Bridge

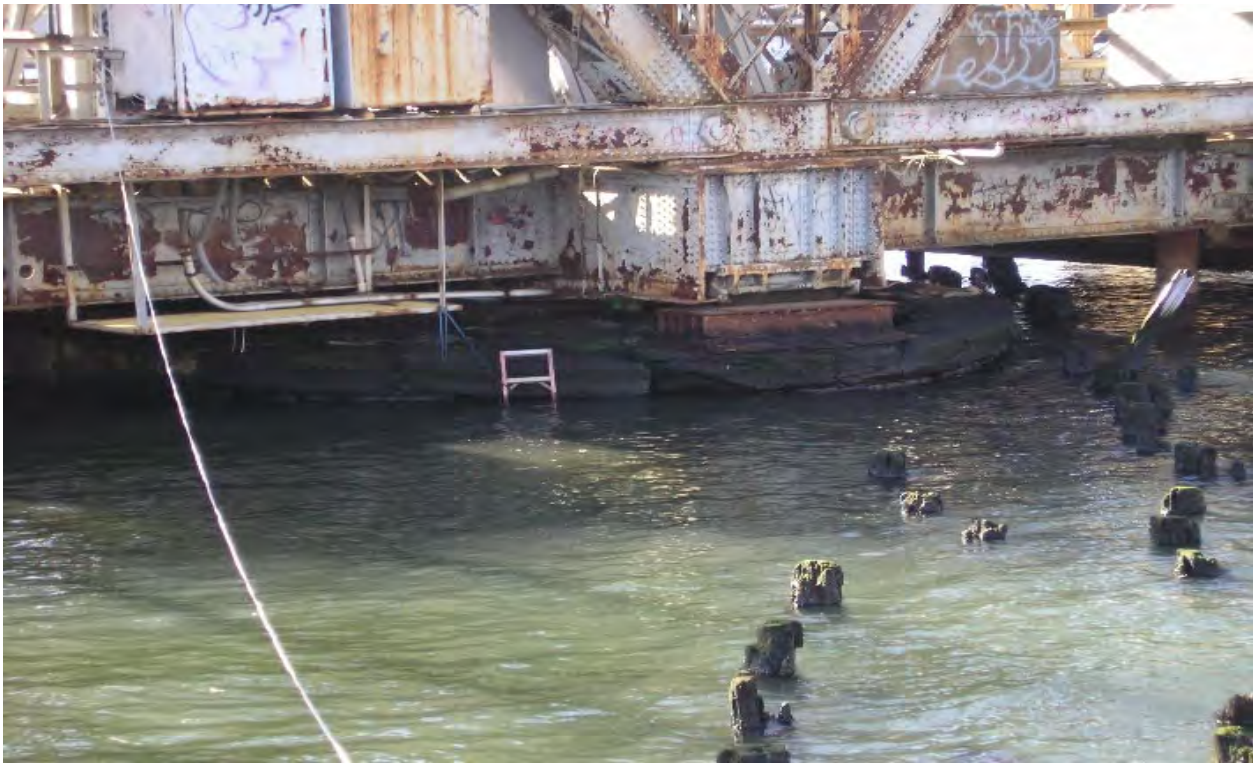


Figure 5: Southern LIRR NYC Rail Freight Bridge - "DB" Bridge

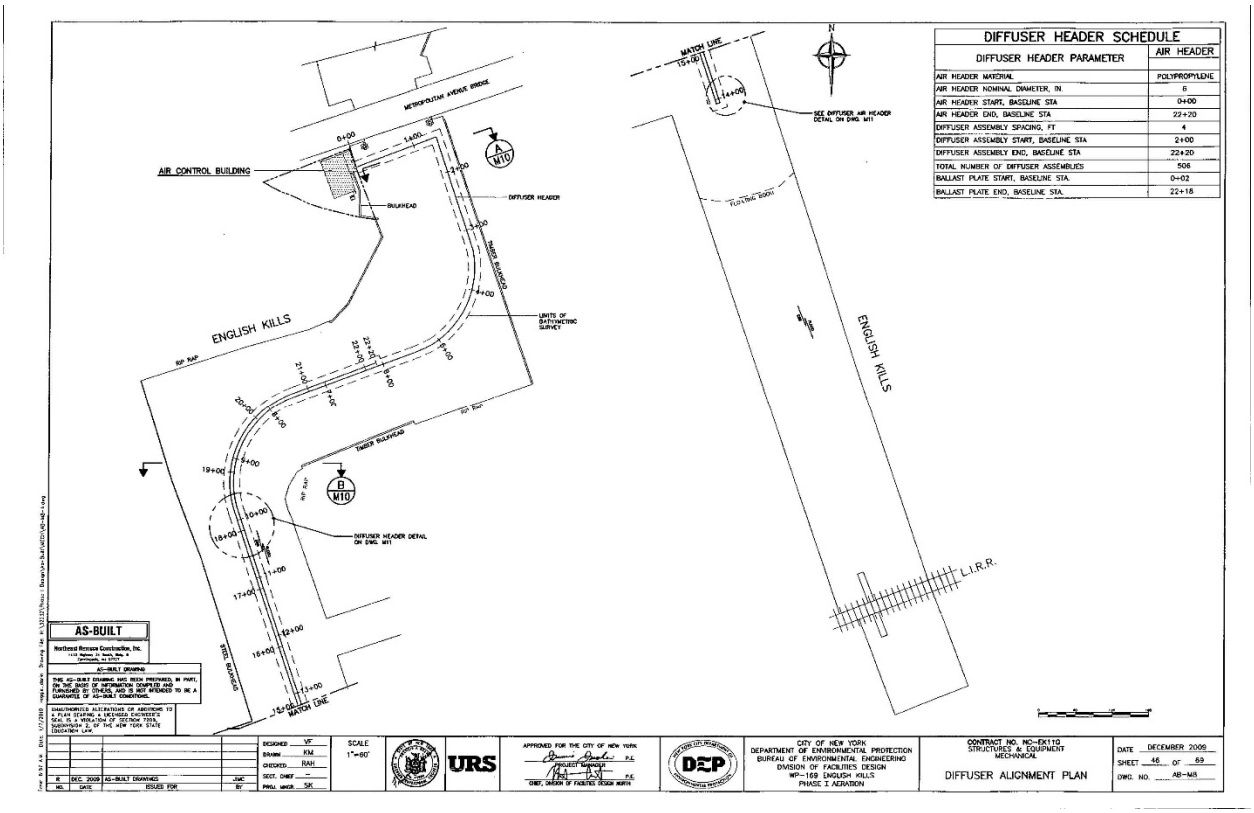


Figure 6: NYCDEP Aeriation Pipeline Alignment

5.0 Operational Information

Detailed data from the USACE Institute for Water Resources, Navigation Data Center (NDC) Waterborne Commerce Statistics were evaluated over a ten-year period to identify commodities transported, vessel trips, and vessel drafts within Newtown Creek. Data were available for the period 2012 through 2022 (IWR, 2012–2022) at the initiation of this analysis (Figures 7 through 9).

U.S. Coast Guard Automatic Identification System (AIS) vessel-tracking data, accessed via marinecadastre.gov, were also used to extract and visualize vessel location, time, vessel type, speed, length, beam, and draft for vessels operating within Newtown Creek. AIS data are collected through onboard navigation-safety transponders that continuously transmit vessel position and characteristics in U.S. and international waters. Vessel-traffic information was compiled for the period 2019 through 2024.

In addition, a berth-by-berth analysis was conducted through interviews with each commercial user currently or with plans to operate along the Creek. This analysis documented each user's current operations and their reasonably anticipated future use of their respective facilities.

5.1 Findings from Waterborne Commerce Statistics (2012-2022)

Waterborne Commerce Statistics reveal several notable characteristics of commercial activity on Newtown Creek over the 2012–2022 period. Despite limited through-navigation, commercial users transported nearly 11 million tons of commodities during the most recent ten years of record. More than 75 percent of this volume consisted of iron and steel scrap (5,841 thousand tons) and fuel oils (2,473 thousand tons). The remaining commodities—including alcohols, clay, gasoline, kerosene, sand, gravel, soil, and fill dirt—collectively accounted for more than 2,504 thousand tons (Figure 7).

Annual tonnage trends for scrap metal and petroleum products were evaluated (Figure 8), along with annual vessel trips and barge draft characteristics (Figure 9), to better understand changes in commercial activity and vessel requirements over time.

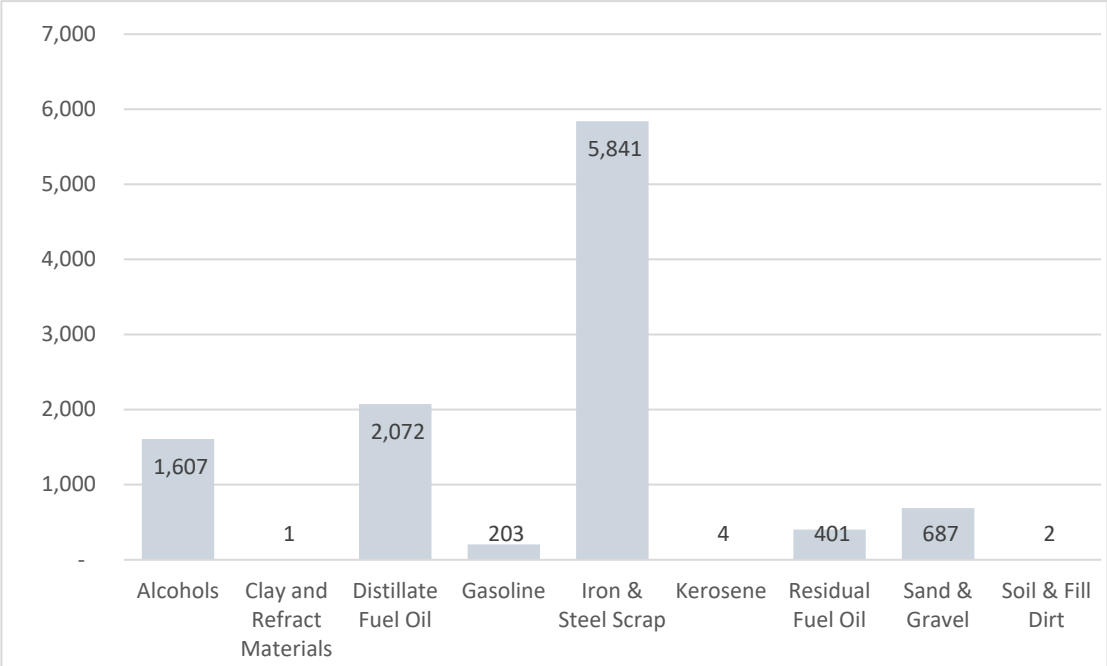
Key Observations

1. Commodity composition is dominated by scrap metal and petroleum products.
These two commodity groups account for more than three-quarters of all tonnage moved on Newtown Creek between 2012 and 2022. The remaining volume—primarily alcohols, sand, gravel, clay, soil, and fill dirt—represents a smaller but consistent share of industrial and construction-related cargoes (Figure 7).

2. Annual tonnage fluctuates, but long-term averages remain stable.
Over the ten-year period, scrap metal and petroleum products averaged approximately 775 thousand tons per year combined. The average total volume of all commodities transported was approximately 983 thousand tons per year (Figure 8). These patterns reflect both year-to-year variability in industrial demand and the continued reliance on barge transport for bulk materials.

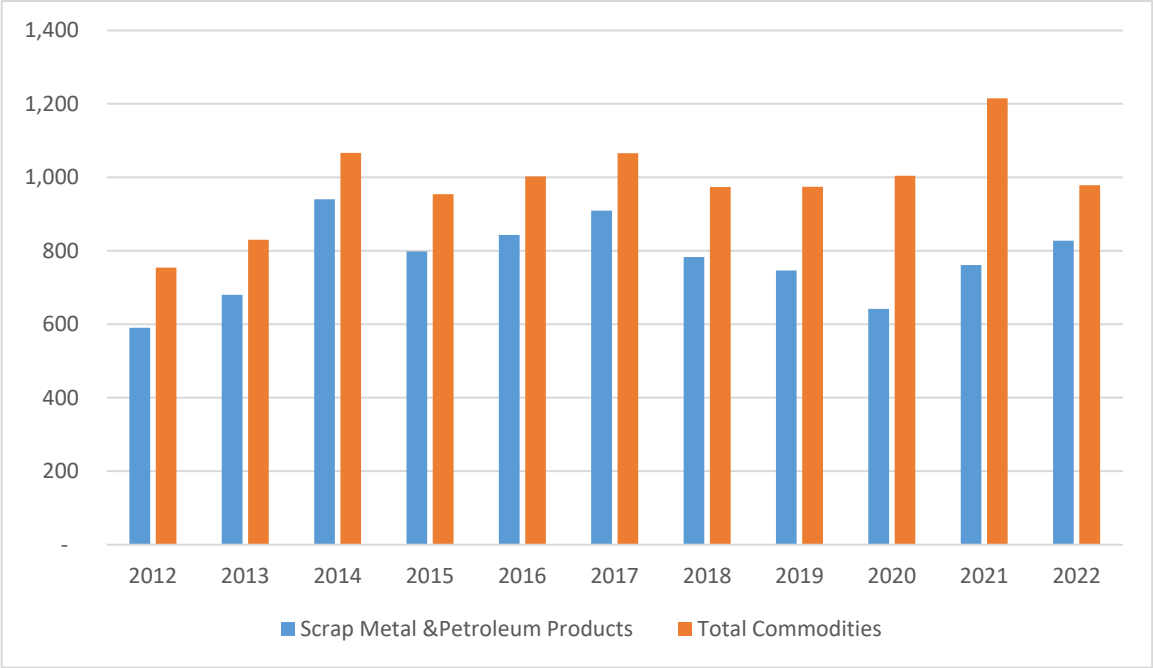
3. Most commerce is transported by shallow-draft vessels, but deeper-draft capacity is still needed.

Approximately 93 percent of all commerce was transported by vessels with loaded drafts of 12 feet or less. However, about 7 percent of the cargo required drafts greater than 12 feet, with some vessels drawing up to 22 feet (Figure 9). Several commercial users—particularly those located in Reach J, which has an authorized depth of 20 feet—have expressed interest in accommodating deeper-draft barges, as discussed in Section 6.2.



Note: Measurements are calculated in tons

Figure 7: Commodities Transported Newtown Creek (2012-2022) (in thousands)



Note: Measurements are calculated in tons

Figure 8: Scrap Metal & Petroleum Products as Segment of All Commodities Newtown Creek (2012-2022)

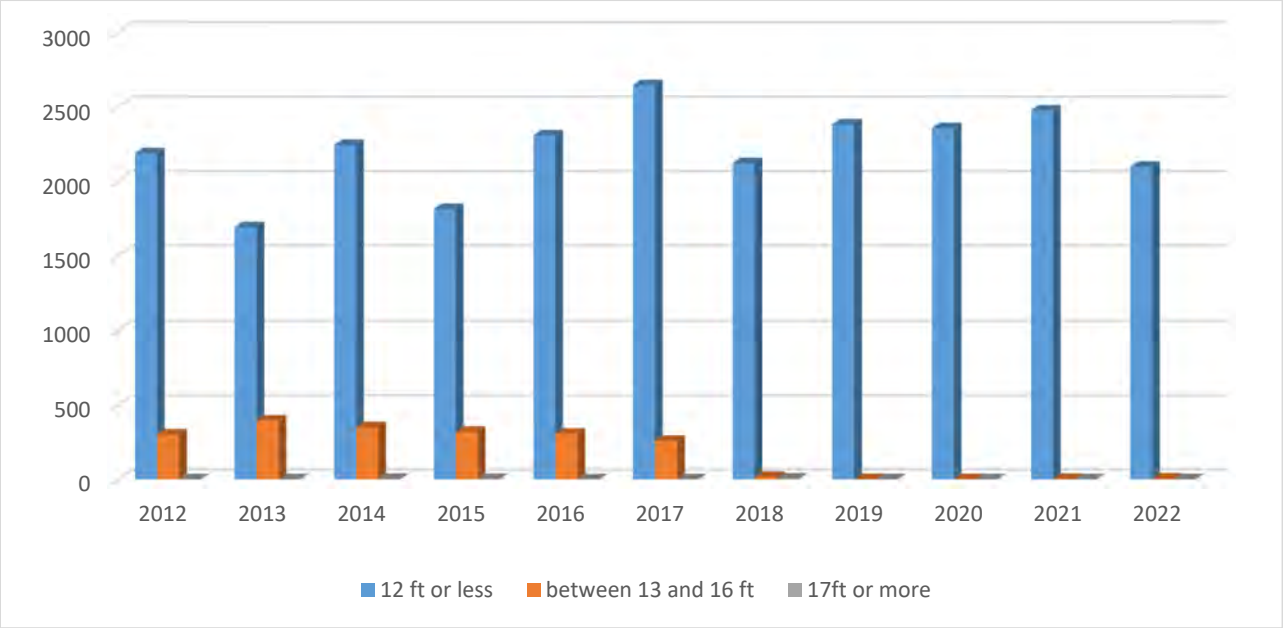


Figure 9: Total Trips by Year and Barge Draft Size

5.2 Automated Identification System (AIS) Vessel Tracking Data

Automatic Identification System (AIS) data from 2019–2024 were analyzed to characterize vessel activity within the study area. This assessment summarizes activity trends, dominant vessel types, spatial patterns, and temporal behavior using both terrestrial and satellite AIS records. Overall, the AIS data confirm that Newtown Creek functions primarily as a working harbor, with traffic overwhelmingly dominated by tug and barge operations.

U.S. Coast Guard AIS vessel-tracking data obtained from marinecadastre.gov identified 21 distinct vessel types and 327 unique vessels operating within Newtown Creek during the six-year period (Table 4; Figures 10 and 11). Tug and towing vessels consistently represented the largest category, accounting for 144 vessels (44 percent) of all AIS-identified traffic. Pleasure craft comprised the second-largest group, with 42 unique vessels recorded. In addition, approximately 66 vessels (20 percent) broadcast their vessel type as unknown, other, or not available, a pattern typical of smaller craft, older AIS units, or vessels with incomplete transponder configurations.

The specific names, descriptions, and photographs of vessels documented within Newtown Creek during this period are provided in **Appendix B**.

Table 4: Vessel Types in Newtown Creek in 2019 through 2024

Type Code	Vessel Type Name	Unique Vessels
31/52/32	Towing / Tug	144
0/90/99/77	Unknown / Not Available / Other Type / Truly Unknown	66
37	Pleasure Craft	42
60	Passenger	37
36	Sailing	11
51	Search and Rescue	6
80	Tanker — all	5
33	Dredging or Underwater Ops	4
55	Law Enforcement	3
69	Passenger (no info)	3
40	High Speed Craft	1
47	High Speed Craft (reserved)	1
30	Fishing	1
57	Spare — Local Vessel	1
67	Passenger (reserved)	1
70	Cargo — all	1

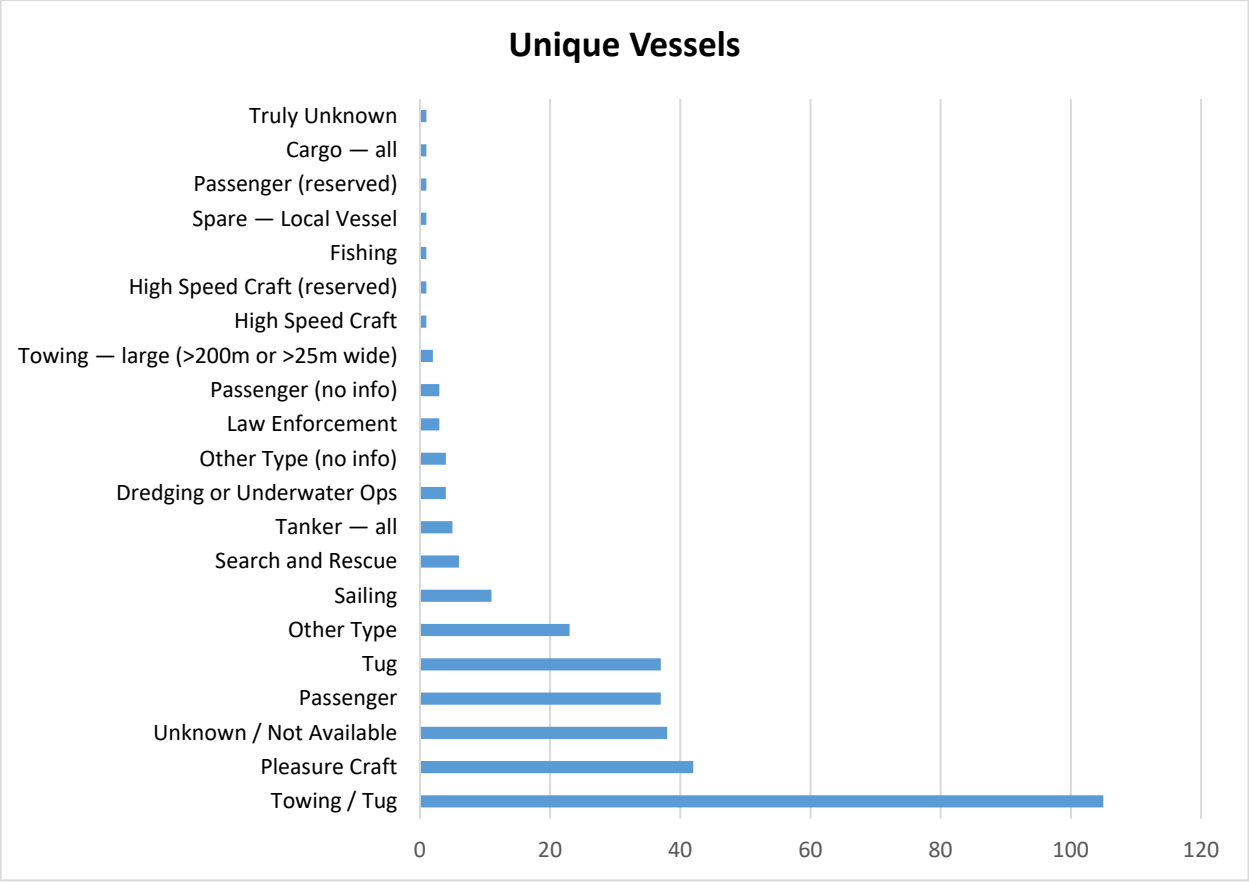


Figure 10: Number of Unique Vessels in Newtown Creek between 2019 and 2024

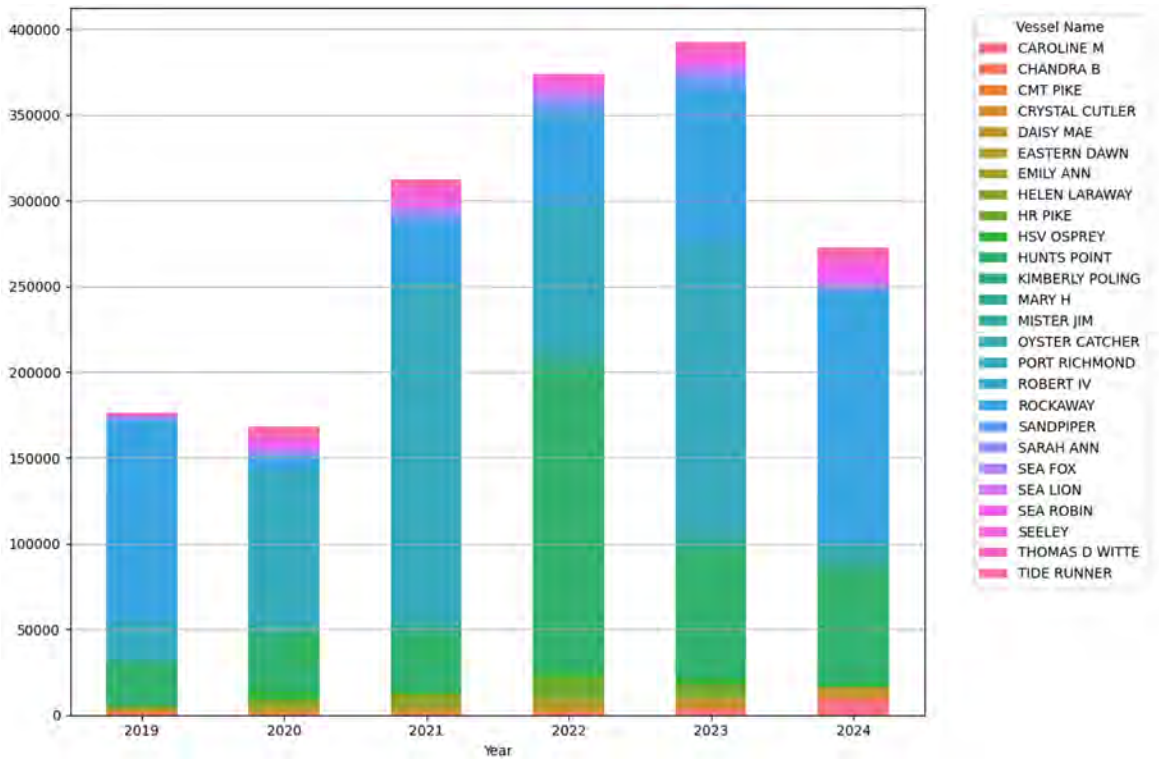


Figure 11: Total AIS Points per Year by Vessel during 2019 through 2024 (Vessel Descriptions are found in Appendix B)

Annual AIS message volume grew steadily, reaching a peak in 2023 (Figure 11). Just 18 tugs generated a vast majority of transmissions every year.

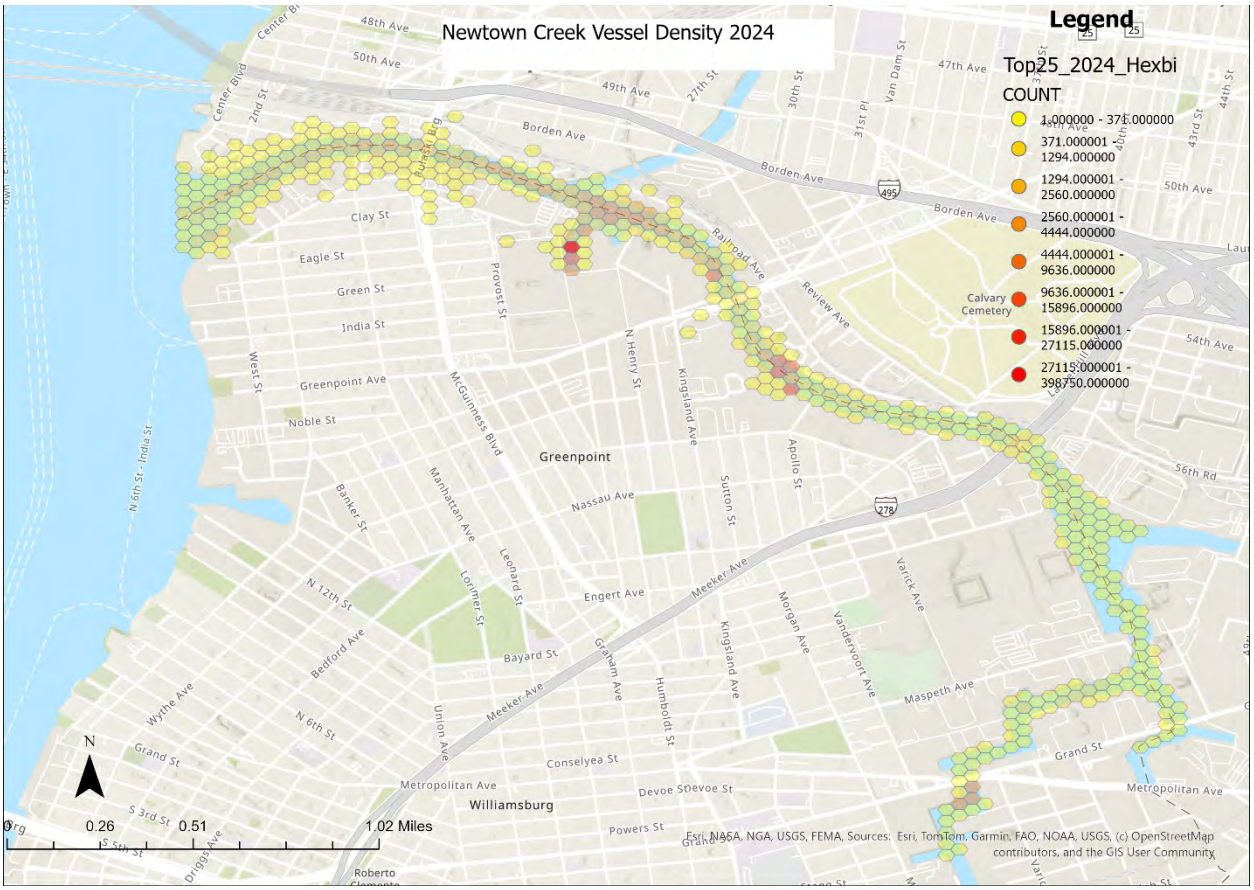


Figure 12: Vessel Density Heat Map for Top 25 Active Vessels in 2024

Spatial patterns observed in 2024 indicate concentrated vessel activity along the full length of Newtown Creek, with the highest densities occurring at turning basins and at commercial material-handling and recycling/waste-transfer facilities (Figures 12).

Rather than simply counting vessel “trips,” residency time proved to be a more informative indicator of activity. In 2024, several vessels spent well over 200 days within Newtown Creek—effectively functioning as near-permanent residents (Figure 13) (Figure 16). The single most active tug, *ROCKAWAY*, was present on 243 days and transmitted more than 280,000 AIS position reports (Figure 14).

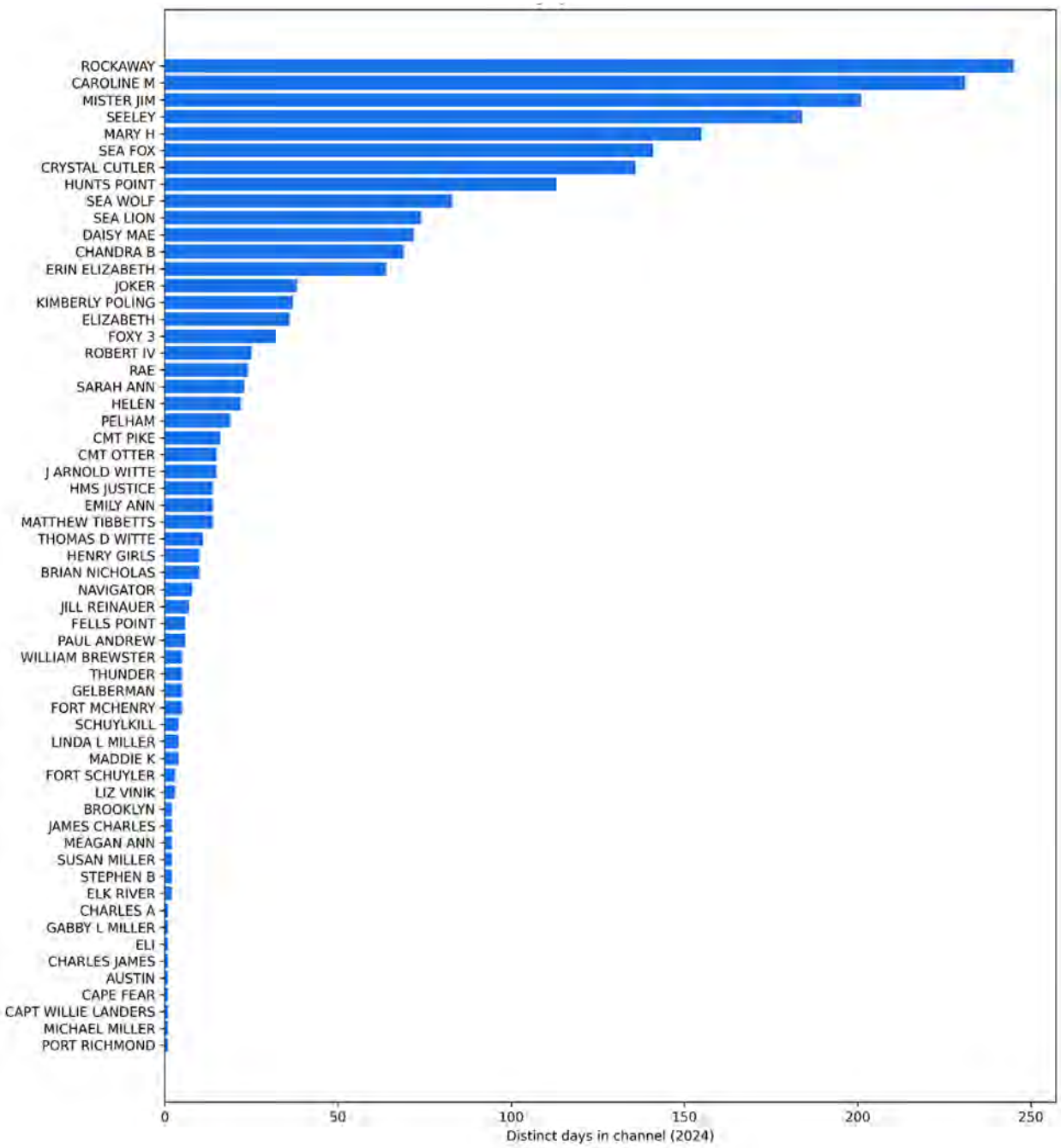


Figure 13: Days per Vessel in 2024

Daily presence patterns for the most active vessels reveal two distinct operational behaviors. Tugs and barges frequently remain within the Creek for extended periods, often leaving only for short intervals, while other vessels regularly traverse the entire length of the waterway (Figure 14). These AIS-derived patterns corroborate stakeholder interviews indicating continuous commercial navigation throughout the federal channel.

Multiple tugs operate from berths in both the upper and lower Creek and routinely transit between facilities, while others serve as near-stationary assets at specific commercial locations. Collectively, these patterns confirm active, year-round use of all maintained reaches of Newtown Creek.

(A) HUNTS POINT− 113 days, regular entrant/exit pattern, primarily lower creek
(B) CRYSTAL CUTLER− 136 days, routinely works from the mouth to middle of the channel
(C) ROCKAWAY−245 days, regular resident of the creek, regular entrant/exit pattern
(D) MISTER JIM−201 days, highly mobile, active creek-wide
(E) SEELEY−184 days, frequently transits the entrance to the middle of the channel. Can frequently be found in two locations.
(F) DAISY MAE−72 days, frequent transits of the full federal channel.

Figure 14: Daily Presence in Newtown Creek throughout 2024 for six Resident Vessels

5.3 Berth-by-Berth Analysis

The purpose of the berth-by-berth analysis was to document the current state of commercial navigation on Newtown Creek and to characterize the reasonably anticipated future use of the waterway by each commercial user. All active and potential future users were initially contacted and interviewed by USACE New York District starting in September 2019. Interviews were conducted via phone or email correspondence.

As the report evolved through discussions with the Newtown Creek Community Advisory Group (CAG), stakeholders, and agencies, additional commercial users were identified and incorporated into the analysis. All current and potential future users are included in Table 5 and depicted in Figure 15.

Targeted outreach was conducted for users located in reaches where the constructed depth is shallower than the federally authorized depth or in reaches that were never constructed (e.g., Reach K). These users were informed that future operation and maintenance dredging would be limited to the maximum constructed depth within each reach.

Because of the extended period during which this report was developed, follow-up communication with all users was required multiple times to verify information and ensure accuracy. User-specific information presented in this report was confirmed or updated in May 2024 and again from October 2025 through January 2026.

Table 5: Commercial Users, Locations and Commodities

Company Name (Creek Miles [CM])	Street Address	Reach	Purpose	Commodities
Zenith Energy (CM 0.74 to 0.89)	25 Paidge Ave, Brooklyn, NY 11222	B	Stores and transports gasoline and ethanol	Gasoline and ethanol
SRM Concrete, LLC (parent of SRM-NYCON, LLC) (was) Future Potential	47-17 27th St., Long Island City, NY 11101	L1	Trucks raw materials to make concrete	Sand and stone

Company Name (Creek Miles [CM])	Street Address	Reach	Purpose	Commodities
User (CM 0.44 to 0.47 Dutch Kills)				
Sims Metal (CM 1.08 to 1.22)	3027 Greenpoint Ave, Long Island City, NY 11101	C	Barge out scrap metal	Scrap metal
NYCDEP (CM 1.00 to 1.22)	327 Greenpoint Ave, Brooklyn, NY 11222	C	Wastewater/ sewage treatment plant	Wastewater, sludge, biosolids
NY & Atlantic Rail, Co (CM 0.84 to 1.05)	52-15 11th Avenue, Long Island City, NY 11101	C	Transports a diverse range of commodities	Varied including lumber, paper and packaging, building materials, plastic, aggregates, food, waste and recyclables
Allocco Recycling (CM 1.26 to 1.33)	540 Kingsland Ave, Brooklyn, NY 11222	C	Recycling services	Scrap metal
United Metro Energy (CM 1.33 to 1.46)	500 Kingsland Ave, Brooklyn, NY 11222	C	Supply fuel to NYC, Westchester County and Long Island	Heating oil, diesel, gasoline and biofuel
Prologis (Future User) (CM 1.54 to 1.71)	460 and 410 Kingsland Ave, Brooklyn, NY 11222	D	Blue Highways Opportunity Site- TBD	TBD (microfreight, container freight, bulk freight)
Kinder Morgan (CM 1.71 to 1.83)	125 Apollo St, Brooklyn, NY 11222	D	Customers transport motor fuels for gas stations	Petroleum and ethanol
Green Asphalt (CM 1.53 to 1.61)	37-98 Railroad Ave, Long Island City NY 11101	D	Importing and exporting aggregates	Sand and stone
37-50 RR, LLC. (Future User) (CM 1.64 to 1.71)	37-50 Railroad Ave, Long Island City NY 11101	D	Importing and exporting aggregates	Sand and stone
Federal Express (POSSIBLE Future User) (CM 2.63 to 2.73)	55-90 48th St, Maspeth, NY 11378	E and G	International Shipping- Blue Highways	Packages
Maspeth Recycling (Future User) (CM 2.73 to 2.81)	58-08 48th St. Maspeth, NY 11378	E	Bulk terminal for stevedoring construction materials/ equipment	Construction materials and equipment
Prologis (Future User) (CM 2.91 to 3.0)	57-00 47th St, Maspeth, NY 11378	H	TBD	TBD

Company Name (Creek Miles [CM])	Street Address	Reach	Purpose	Commodities
Empire Metal Trading (formerly Charles King) (CM 0.1 to 0.18 English Kills [EK])	1301 Grand St, Brooklyn, NY, 11211	J	Shipping scrap metal	Metal
Empire Transit Mix (Future User) (CM 0.05 to 0.11 EK)	430 Maspeth Ave, Brooklyn, NY 11211	K	Concrete materials	Concrete
TNT Scrap (CM 0.27 to 0.29 EK)	340 Maspeth Ave, Brooklyn, NY 11211	K	Barge out scrap metal	Scrap Metal
Bayside Fuel Oil Depot (CM 0.6 to 0.67 EK)	1100 Grand St, Brooklyn, NY 11211	K	Shipping in heating oil and diesel fuel	Heating Oil and Diesel Fuel
Vane Brothers		All	Tug Company	NA
NY State Marine Highway		All	Tug Company	NA
CMT Towing (Coymans)		All	Tug Company	NA
Towboat & Harbor Carriers Association of NY NJ		A-E		
Centerline Logistics		A-E		
NYCDOT MTA-LIRR		L	Confirmation of operational bridges in Dutch Kills	

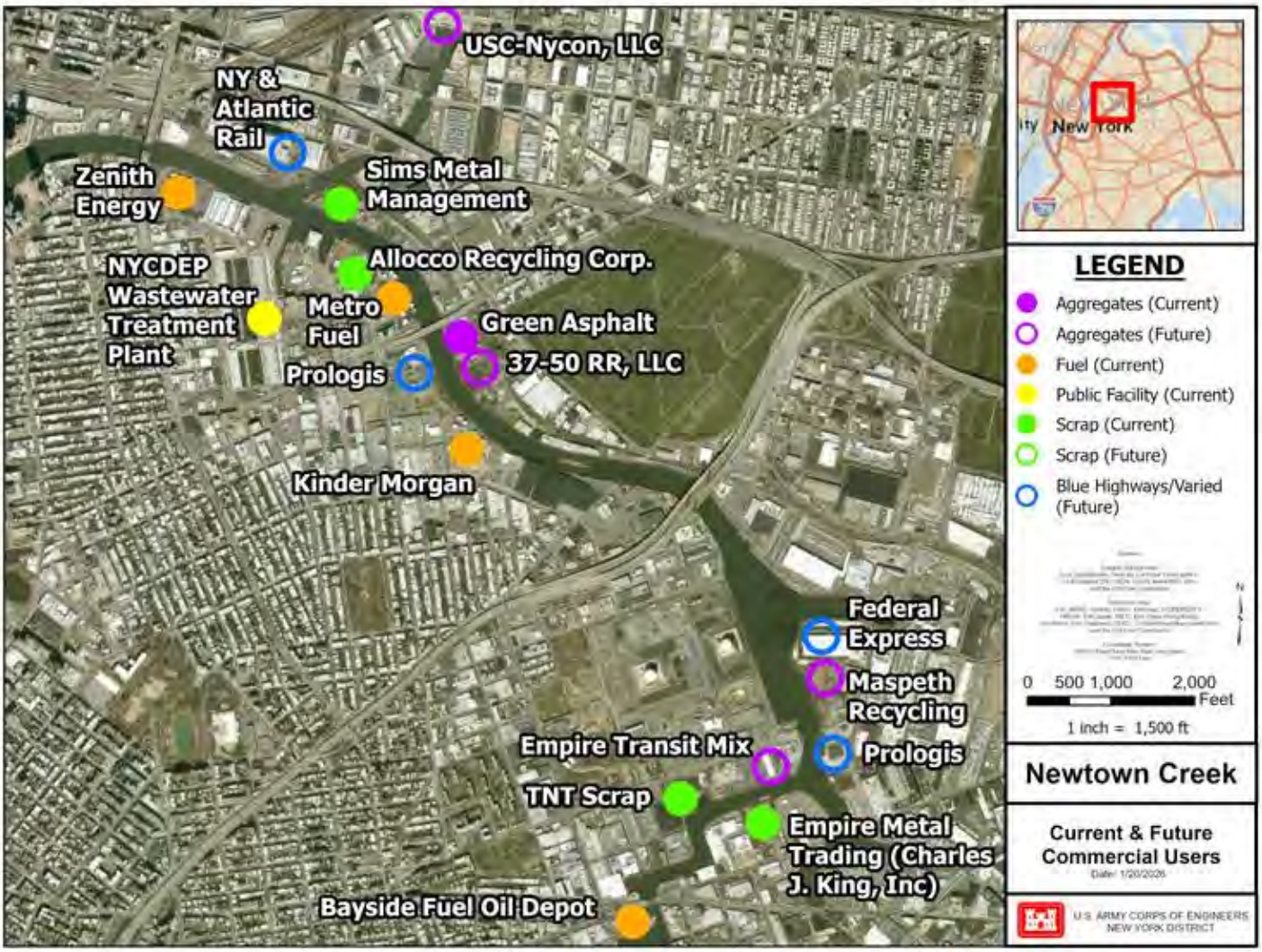


Figure 15: Commercial Users along Newtown Creek

Commercial User Questions

Each Commercial User was asked the questions set forth below.

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
2. Are there any physical constraints that limit how you are operating?
3. What is your future operation plans regarding transportation in the channel?
4. How would you operate if the channel was shallower with no maintenance?
   a. Would traffic be affected?
   b. Is ground transportation an option?
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?

6. How would you operate if the channel were deeper?
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2 to 5 years)? In the longer term (greater than 5 years)?
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? (Note: Information about the potential remedial action was not provided to any user by the USACE and if asked would state information would be provided by USEPA in the future).

Commercial User Interview Data

Commercial user interview data are summarized below, including facility locations and commodities handled, as listed in Table 5. Full responses from each user and follow-ups are presented in **Appendix C.**

New York City

NYCDEP coordinated with the New York City Department of Law, the New York City Department of Planning, the New York City Economic Development Corporation (NYCEDC), and New York City Department of Transportation (NYCDOT) to develop the City's collective position on the current and reasonably anticipated future use of Newtown Creek and its tributaries.

Overall, New York City has no objection to the deauthorization or modification of the tributaries of Newtown Creek. The City also has no objection to reducing the federal channel depth in the main stem of Newtown Creek to 20 feet for its operational needs. However, City representatives emphasized that they would not support a reduction in the federally authorized 23-foot channel depth if any current active user requires that depth for existing or reasonably anticipated future operations (Telephonic Communication, 2020n).

New York City considers Newtown Creek a "significant maritime industrial area," and future land-use planning is expected to continue supporting maritime navigation and commerce, which help reduce roadway congestion and facilitate the efficient movement of goods and services (Email Communication, 2021f).

The Blue Highways Program, led by NYCDOT and NYCEDC, seeks to improve quality of life by shifting freight movement from congested streets to the City's extensive waterways. Within this program, River Miles (RMs) 0 to 1.6 of Newtown Creek have been designated as both a Potential Marine Highway Site and a Blue Highways Opportunity Site in the Blue Highways Action Plan (NYCDOT and NYCEDC, 2025).

Zenith Energy Management

Zenith Energy Management operates 24 terminals across North America, Europe, and Latin America, storing crude oil, fuel, asphalt-refined products, petrochemicals, and vegetable oils. The Brooklyn terminal—located nearest to the mouth of Newtown Creek—occupies Reach B exclusively, from Creek Mile 0.74 to 0.89 (Figures 15 and 16). This facility handles gasoline and ethanol.

Barges serving the terminal are typically 350 feet long and 55 feet wide, with a loaded draft of approximately 10 feet. Although gasoline and ethanol are primarily moved via pipeline, vessels are used as a contingency, and also draw approximately 10 feet. Anticipated future operations may require vessels with drafts up to 16 feet. Owing to the terminal's proximity to the East River, it has the greatest operational flexibility on Newtown Creek for accommodating larger barges (Telephonic Communication, 2019a).

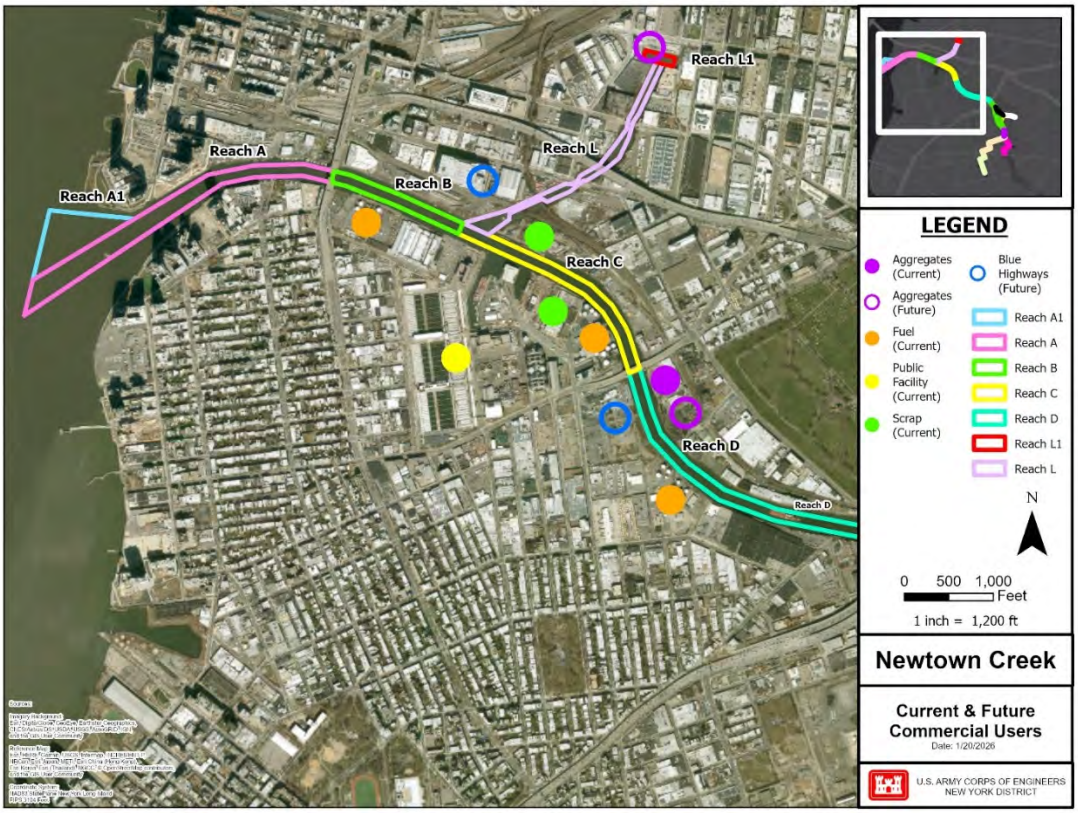


Figure 16: Users in Reach B, C, D and L

Smyrna Ready Mix (SRM) Concrete, LLC (parent of SRM-NYCON, LLC): Former Potential Future User

The SRM Concrete, LLC (parent company of SRM-NYCON, LLC) facility is located at 47-17 27th Street in Long Island City, at the terminus of the Dutch Kills tributary (Figures 15 and 16). The facility produces concrete using raw materials including sand, stone, and cement delivered to the site exclusively by truck. The prior tenant reported that existing bathymetry and the air draft limitations of the Borden Avenue and Hunters Point Avenue Bridges prevented the use of Dutch Kills for marine deliveries (Telephonic Communication, 2020k).

Subsequent coordination with NYCDOT confirmed that both the Borden Avenue and Hunters Point Avenue Bridges are currently operable (Email Communication, 2021a). However, the LIRR freight bridges located at the confluence of Dutch Kills remain inoperable and do not permit current or future vessel passage (Email Communication, 2021d). Importantly, the non-operability of these bridges alone is not a sufficient to deem future commercial use of the channel unlikely or unreasonable. Under federal law, the U.S. Coast Guard has the authority to require the LIRR to repair or remove bridges that constitute an unreasonable obstruction to navigation (33 U.S.C. § 494).

Coordination with SRM Concrete, the new facility owner, occurred between January and May 2024 (Email Communications, 2024a, 2024c). Following this engagement, SRM concluded that the benefits of deauthorizing the Dutch Kills channel outweigh the potential value of future marine utilization. SRM therefore supports the position to deauthorize Dutch Kills for commercial navigation.

Sims Metal Management

Sims Metal Management is the world's largest publicly listed metal recycler, with global operations focused on the purchasing, processing, and sale of ferrous and nonferrous recycled metals. The company's Newtown Creek facility is located in Reach C, between Creek Miles 1.08 and 1.22 (Figures 15 and 16). The site uses the creek exclusively for outbound barge shipments, as needed.

Sims typically maintains three barges in rotation, with each barge generally processed within a 24-hour cycle. Vessel loads range from 500 to 800 tons. The barges serving the facility are approximately 100 feet long, 35 feet wide, and draw about 17 feet. The company reports no physical constraints limiting current operations and has no plans to modify its marine activities. Existing water depths are sufficient for the vessels presently in use (Telephonic Communications, 2019a; 2020e).

AIS data confirms regular use of the tug EMILY ANN to transport barges to the Sims facility, as well as to TNT Scrap, during 2024 (Figure 17).

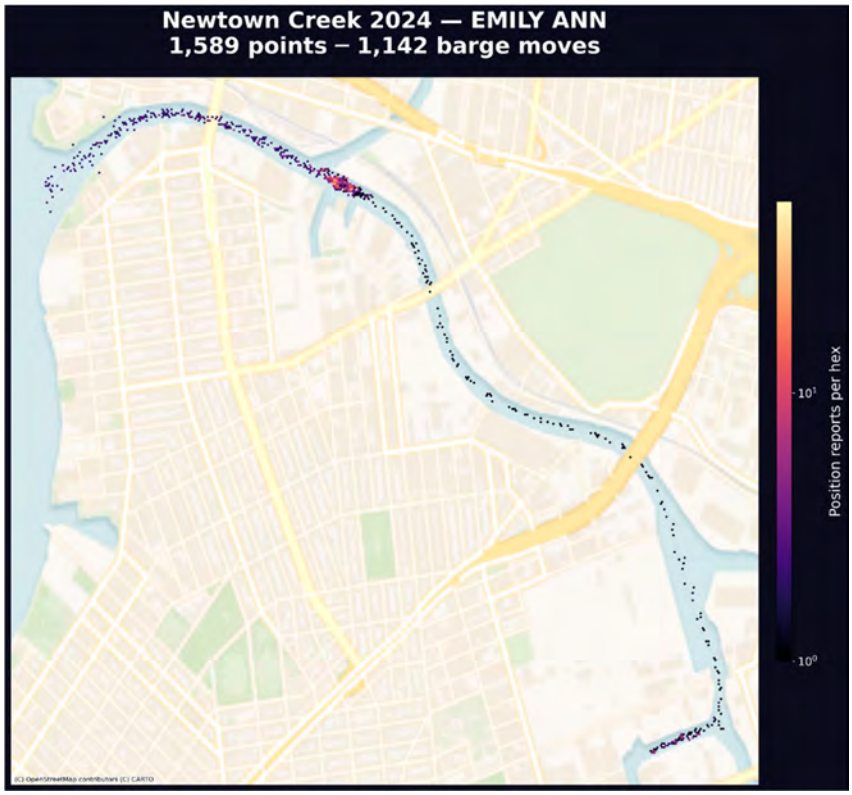


Figure 17: AIS Data illustrating transport by the EMILY ANN to SIMS and TNT Scrap in 2024

NYCDEP Newtown Creek Wastewater Treatment Plant
NYCDEP owns and operates a fleet of marine sludge vessels to support its core mission of transporting sludge among 14 facilities across the five boroughs. The Newtown Creek Wastewater Treatment Plant—the largest facility in the system—is located at Creek Miles 1.01 to 1.22 within Reach C at 329 Greenpoint Avenue (Figures 15 and 16). A dedicated sludge-loading dock, constructed in 2014 at Whale Creek (Figure 18), accommodates variable and seasonal sludge production and supports approximately 6 to 10 round trips per day within Newtown Creek.

NYCDEP designed and constructed three motorized NC-50 Class vessels specifically to navigate Newtown Creek without tug assistance and to load up to one million gallons of sludge per day at the Whale Creek dock. These vessels range from 290 to 380 feet in length, draw up to 14 feet when fully loaded, and have an air draft of 45 feet—allowing them to pass beneath the Pulaski Bridge without requiring an opening. Safe navigation requires a minimum of two feet of under-keel clearance, or 16 feet of total water depth. An 18-foot depth provides an additional safety margin to account for unusually low tides driven by lunar cycles or wind conditions.

In addition to the NC-50 Class vessels, NYCDEP operates a fleet of eight smaller vessels that support water-quality monitoring and maintenance programs. These vessels periodically transit the full extent of Newtown Creek, including English Kills,

East Branch, and Maspeth Creek, to service containment booms that capture floatables from combined sewer overflows (CSOs). The vessels range from 26 to 60 feet in length, draw 5 feet or less, and have air drafts of 22 feet or less. Their dimensions are not consequential for this navigational analysis. The fleet is moored at a marina in Whale Creek near the sludge dock, and NYCDEP reports no foreseeable changes to these operations (Telephonic Communication, 2020n; confirmed in 2025b).

AIS data also indicate that additional vessels—including the Rockaway, Hunts Point, Sarah Ann, and Sea Fox—regularly transit to the treatment plant. These vessels are described in Appendix B.

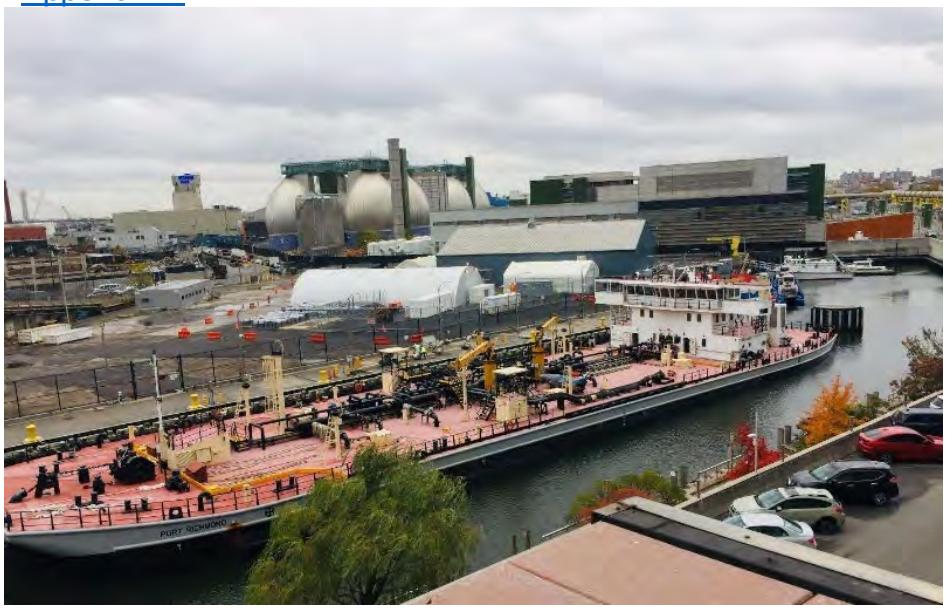


Figure 18: M/V Port Richmond & Water Quality Vessels Docked at Whale Creek Dock

New York and Atlantic Railway Co. (Potential Future User)

New York and Atlantic Railway Co. (NYA) is identified as a potential future waterway user. The company currently transports a diverse range of commodities—including lumber, paper and packaging, building materials, plastics, aggregates, food products, waste, and recyclables—via rail at Creek Miles 0.84 to 1.05, located downstream of the confluence with Dutch Kills.

NYA has indicated interest in expanding its operations to incorporate waterborne transport on Newtown Creek. Under this concept, construction materials would be delivered by barge to a suitable waterfront location and subsequently offloaded to rail for regional distribution (Telephonic Communication, 2025c). This prospective intermodal use would represent a new commercial navigation activity on Newtown Creek and aligns with broader city and regional goals to shift freight movement from roadways to marine and rail modes.

Allocco Recycling Corp.
Allocco Recycling Corp. provides aggregate, scrap metal, and construction-debris recycling services, accepting concrete, dirt, steel, and other metals for resale and processing. The facility is located in Reach C of Newtown Creek at Creek Miles 1.26 to 1.33 (Figures 15 and 16). Allocco operates a fleet of six tugs and 20 barges active throughout the Northeast marine highway system. The company loads hopper barges daily, ranging from 195 to 200 feet in length, 35 feet in width, and drawing between 12 and 13 feet when loaded (Allocco, 2021). Barges can be turned at the facility using the entrance to Whale Creek, and Allocco reports no physical constraints that currently limit operations.

Allocco expressed concern regarding potential impacts from future remedial actions, noting that any disruption to vessel movement or berthing efficiency would significantly affect business operations. A stoppage in creek navigation would result in major financial impacts (Email Communication, 2020a).

In January 2021, Allocco submitted a Response to the Request for Expression of Interest (RFEI) to DockNYC for a use and occupancy permit at North Henry Street and the No Name Inlet, intended to complement their existing operations at 540 Kingsland Avenue. The proposal included the installation of monopile berthing dolphins and a soldier-pile bulkhead to provide additional mooring capacity and improve operational efficiency (Allocco, 2021). At that time, Allocco indicated that, if the permit were granted, maintaining current operations would require an authorized channel depth of 20 feet (Telephonic Communication, 2021h).

Because the permit was not issued, Allocco reported that they would instead modify their operations in the future to transport sand, salt, and bluestone using larger vessels drawing up to 21 feet (Telephonic Communication, 2021f; 2021h). All information above was confirmed as accurate (Email Communication, 2025a). Accordingly, the authorized channel depth of 23 feet to their facility remains appropriate.[1]

United Metro Energy Corporation
United Metro Energy Corporation supplies heating oil, diesel, gasoline, and biofuels to customers in New York City, Westchester County, and Long Island. The facility is located at Creek Miles 1.33 to 1.46 within Reach C, adjacent to Allocco Recycling and the NYCDEP Newtown Creek Wastewater Treatment Plant (Figures 15 and 16). United Metro currently relies on 25,000-barrel double-hull barges with loaded drafts of

[1] New York City disputed Allocco's title to part of the property from which it now operates and further avers that Allocco's plans to use vessels requiring a 23-foot channel is mere pretext designed to gain some advantage in the property dispute, as well as obtain a use and occupancy permit at North Henry Street. Specifically, NYC stated that, "Allocco claims that if they are removed from the property, they are on illegally they may consider other uses which would require a deeper navigational depth. The City does not believe it is appropriate for Allocco to attempt to leverage an illegal current use, which would not require a 23-foot navigational depth, by saying that if the illegal use is taken away, they have a "concept" of a future use that "may" require a deeper depth." See Appendix C for full text.

approximately 15 feet to deliver fuel products to the site. These vessels represent the largest class that can be used efficiently under existing channel conditions.

United Metro anticipates continuing its current operations; however, the company noted that larger barges would allow for fewer trips and more economically efficient service. Such vessels require a minimum of 17 feet of channel depth at mean lower low water, and barges drawing up to 21 feet could be accommodated under the federally authorized 23-foot depth. Any reduction in channel depth would severely constrain the vessels currently in use, limiting their ability to operate efficiently. United Metro indicated that shifting to ground transportation is not a viable or economically efficient alternative. Given their interest in eventually using larger vessels, the company would not support reducing the authorized depth below 23 feet (Email Communication, 2020b; Telephonic Communication, 2020c).

A follow-up interview confirmed that United Metro uses the Turning Basin in Reaches E/G (Figure 23) to turn vessels upon exiting the channel (Telephonic Communication, 2020f). On March 12, 2021, the company was informed that the Turning Basin had been constructed to a depth of 20 feet rather than the authorized 23 feet. United Metro stated that a 20-foot constructed depth is adequate for empty barges (Telephonic Communication, 2021a). The company later confirmed that a 20-foot authorized depth would be sufficient to reach their dock, and an 18-foot authorized depth would meet their needs for empty-vessel maneuvering within the Turning Basin (Email Communication, 2021e).

AIS data show frequent use of the CHANDRA B at the facility in 2024 (Figure 19). All information above was confirmed as accurate (Telephonic Communication, 2025f).

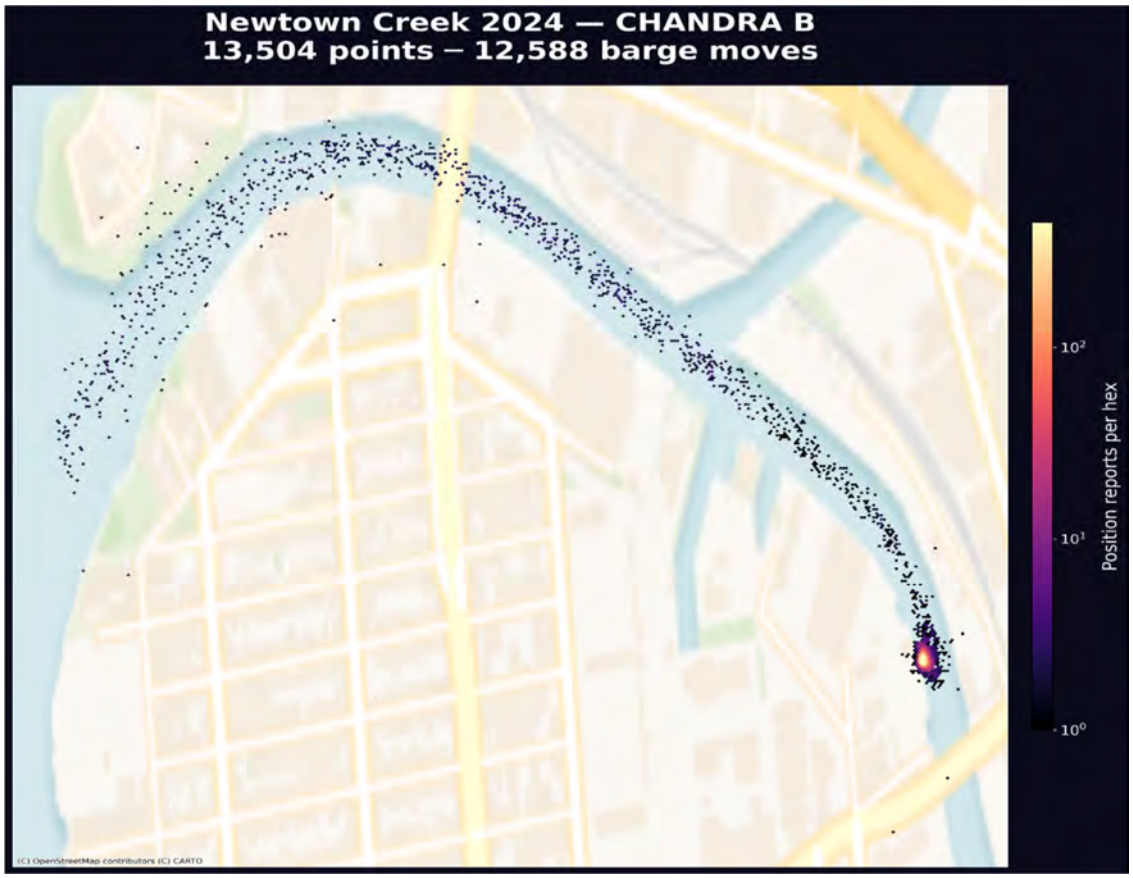


Figure 19: AIS data illustrating the Chandra D vessel at United Metro berth

Prologis

Prologis has been a primary contributor to the Blue Highways initiative (NYCEDC and NYCDOT, 2025), committing significant real estate investment, organizational resources, and sustained engagement. Prologis has advanced the program's objectives of reducing truck traffic, emissions, and congestion by shifting freight traffic from congested streets to the City's waterways. Importantly, Prologis' Water Dependent Blue Highways Marine Facility design has been developed in conversation with key community stakeholders including the Newtown Creek Alliance (Figure 20). Consistent with the City's policy goals, Prologis' properties at 440 and 460 Kingsland Avenue in Brooklyn, including the Former Exxon Site, have been identified as a private-sector Blue Highways Opportunity Site with planned activation this year.

The properties are located at Creek Miles approximately1.54 to 1.71. The Blue Highways Program, has designated River Miles (RMs) 0 to 1.6 of Newtown Creek as a Potential Marine Highway Site (Figure 21), and this Opportunity Site has been assessed as a strong fit for microfreight (packages, pallets, perishables), containerized freight (container-on-barge and/or truck/trailer-on-barge), and bulk commodities (construction materials, liquid and dry bulk, and C&D/waste).

Figure 20: Prologis Blue Highways Marine Facility Concept Design

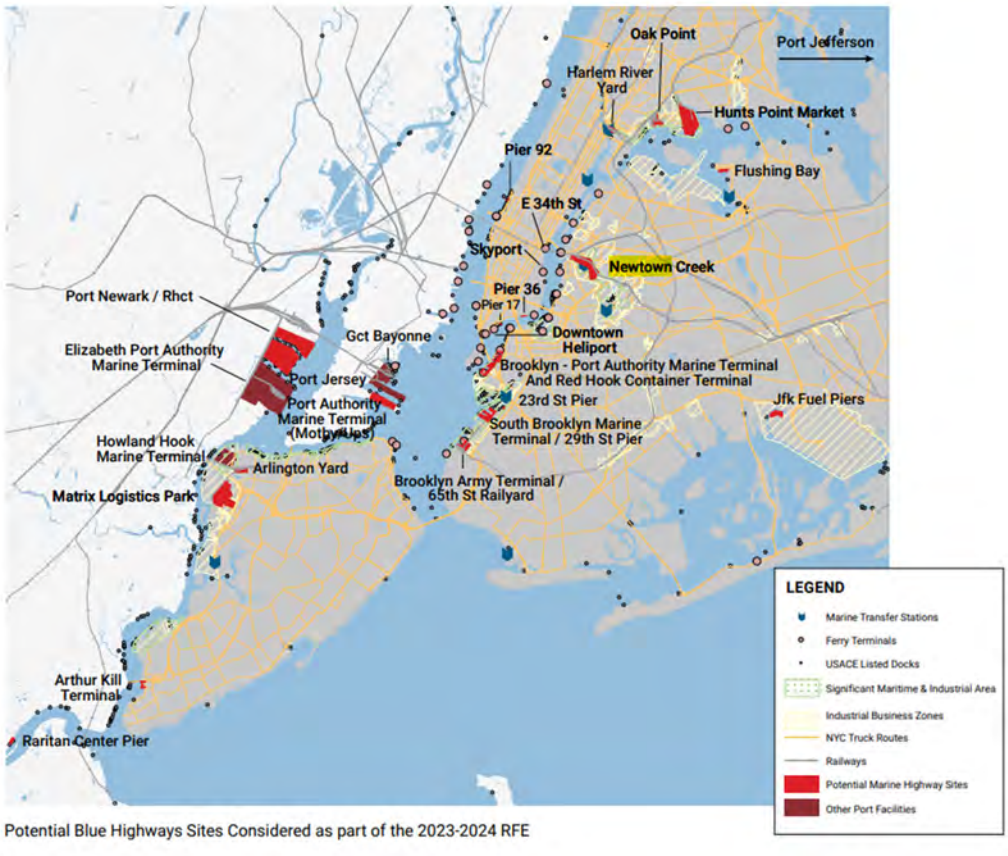


Figure 21: Potential Marine Highway Site (Source: NYCDOT and NYCEDC, 2025)

Prologis has definitive plans to expand Blue Highways across New York City and New Jersey, with these Kingsland assets envisioned as vital early operational nodes in a broader regional network. Prologis' longer-term operating concept anticipates large electrified RoRo vessels approximately 165 feet in length with a 45 feet beam, designed to carry more than 40 trailers and/or high density containerized cargo. To support both near-term activation and long-term scalability, reliable water access and navigable depth, adjacent to the Kingsland frontage and within the turning basin are essential. Prologis' original request was to maintain the navigation channel at 23 feet along the Kingsland site frontage (berthing/working area located at Reach D) and at 20 feet throughout the turning basin (Reach E1) to enable safe inbound/outbound movements and turning operations under loaded operating conditions (Email Communication, 2026a).

Subsequent vessel analysis and evaluations with naval architects and operators, revealed that an authorized depth of 18 feet is sufficient along their site frontage and through the turning basin to support their Blue Highways operations at Newtown Creek. This conclusion was driven by two developments:

1) Naval architects have confirmed the future electric vessel designs capable of supporting both RoRo and LoLo operations can be achieved with drafts under 18 feet, while still meeting throughput, safety and electrification objectives (Kane, 2026). This point was also confirmed by the independent evaluation conducted by the USACE Deep Draft Navigation Planning Center of Expertise (DDNPCX) and NYD described in Section 5.4.
2) The Responsible Parties' commitment to support Blue Highways infrastructure and increased certainty that comes with a more settled and coordinated plan materially reduces the risk of revisiting these assumptions in the future (Kane, 2026).

Although Prologis is not currently responsible for the maintenance of the bulkhead, nothing in the various agreements precludes Prologis both engineering and legally from the proposed operations. Additionally, the Kingsland site has existing waterfront interface conditions and cargo-handling infrastructure that support near-term activation, including existing pick crane operations over the bulkhead and a site layout that can accommodate LoLo logistics. Prologis' redevelopment plan (following ExxonMobil's lease and remediation activities through December 2026) will formalize this marine freight function as part of the site's next industrial use, cantilevering over the existing bulkhead to allow RoRo operations. Prologis can coordinate access and operational arrangements for waterside operations as the program advances, and intends to align capital improvements with the redevelopment schedule to enable activation within 3–6 years and scalable electrified operations thereafter.

Prologis submitted their permit application in November 2025, requesting approval to develop a Water Dependent (WD) Maritime "Blue Highways" facility with supporting

warehouse infrastructure. This permit application contemplated construction of approximately 130,000 square foot, Electrified Vehicle (EV) rooftop parking, and water access for both LoLo and RoRo operations (Email Communication, 2026a).

Kinder Morgan

Kinder Morgan is one of the largest energy infrastructure companies in North America and handles the transport of natural gas, gasoline, and crude oil. The company's 10-acre terminal on Newtown Creek is located in Reach D at Creek Miles 1.71 to 1.83 (Figures 15 and 16). Although Kinder Morgan does not operate its own marine fleet, its customers routinely deliver petroleum products to the facility using barges and tugs. All customer vessels draw 16 feet or less, with barge dimensions varying by operator. Commonly used vessels include Kirby Corporation barges (283 feet by 50 feet with a 9-foot loaded draft) and Reinauer Transportation barges (104 feet by 31 feet with a 10-foot loaded draft).

Customers report several physical constraints when navigating Newtown Creek, including concerns about the Pulaski Avenue and Greenpoint Avenue bridges not opening reliably, particularly during extreme winter and summer weather. Kinder Morgan does not anticipate changing how it receives barges or tugs and has no plans to modify its operations. The company noted that if the channel were to shoal or go unmaintained, customers would be unable to deliver petroleum products to the terminal, which would, in turn, prevent Kinder Morgan from loading trucks that supply gas stations across the five boroughs. While ground transportation is technically feasible, it is not considered cost-effective. Conversely, deeper channel conditions would not alter Kinder Morgan's operations or customer base. Terminal management emphasized that any channel depth less than 20 feet would pose operational challenges. With a 2-foot under-keel safety clearance and the potential for low tides, the authorized 23-foot channel depth remains appropriate (Telephonic Communication, 2019d).

A follow-up interview confirmed that vessels and tugs routinely use the Turning Basin (Figure 22) at the pilot's discretion, either before approaching the berth or when exiting Newtown Creek (Telephonic Communication, 2020h).

Kinder Morgan was later informed that the Turning Basin in Reaches E and G had been constructed to a depth of 20 feet rather than the authorized 23 feet, and that upstream portions of the basin could only be maintained to the constructed 20-foot depth. Earlier discussions indicated that Kinder Morgan anticipated future use of vessels drawing up to 21 feet and therefore required the full authorized 23-foot depth in Reach D. However, following coordination with Anchor QEA, terminal management stated that a 20-foot top of cap (bottom sediment) at MLLW would be acceptable for future operations. As a result, a reduced authorized channel depth of 18 feet (with 2 feet of over-dredge) would be acceptable adjacent to Kinder Morgan's facility and through Reaches E and G in the Turning Basin (Telephonic Communication, 2021d). Kinder Morgan confirmed that this information remains accurate (Email Communications, 2025c).

C.A.C Industries / Green Asphalt Co.
C.A.C. Industries / Green Asphalt Co. is located at 37-98 Railroad Avenue in Long Island City at Creek Miles 1.53 to 1.61 (Figures 15 and 16). The facility currently receives sand by barge from Perth Amboy, New Jersey, and stone from quarries south of Albany. These materials are distributed to concrete plants in Queens and Brooklyn. The facility also accepts reclaimed asphalt from roadway projects, which is processed and reused at Green Asphalt—New York's first 100 percent recycled asphalt plant.

The company presently uses 1,600-ton barges and plans to transition to inland hopper barges with capacities of 3,300 tons. These barges are approximately 260 feet long, 52.5 feet wide, and draw 12 feet, requiring a minimum water depth of 14 feet for safe operation. At present, the facility uses flexi-float spud barges for off-loading and has applied to NYSDEC for permits to repair the bulkhead. Once the bulkhead repairs are complete, no physical constraints to operations are expected, and no additional site improvements are planned. The company does not anticipate using larger vessels even if the channel were deepened in the future and will continue to require 14 feet of water depth for its operations (Telephonic Communication, 2020l).

Bulkhead repairs were completed in 2022, and the facility indicated that the Turning Basin will be used for maneuvering in the future (Telephonic Communication, 2022). All information above has been confirmed as accurate (Email Communication, 2025d).

37-50 RR, LLC (Potential Future User)
37-50 RR, LLC is located at 37-50 Railroad Avenue in Long Island City at Creek Miles 1.64 to 1.71 (Figures 15 and 16). The owners plan to develop a facility for the import and export of aggregates, including sand and stone, using hopper barges ranging from 165 to 225 feet in length. These vessels are expected to draw between 12 and 15 feet, requiring a minimum channel depth of 17 feet for safe and reliable access. If channel depths were to fall below 17 feet, the owners indicated that operations would shift to truck transport (Telephonic Communication, 2020i).

The company is actively coordinating with regulatory agencies—including NYSDEC, NYCDEP, NYSDOS, and USEPA—to secure permits for bulkhead repairs and dredging in front of the facility to establish navigable access to the channel (Email Communication, 2025e).

Federal Express (Potential Future User)
Federal Express is located at River Miles 2.63 to 2.73 along the eastern shoreline at the upstream boundary of the Turning Basin (Figures 15 and 22). The company currently relies exclusively on ground transportation and has no near-term plans to utilize Newtown Creek for freight movement. However, Federal Express management indicated that they wish to preserve the option for future waterborne access and do not want to preclude potential use of the creek. Accordingly, the proposed modification of the authorized depth to 18 feet within the Turning Basin was considered acceptable (Telephonic Communication, 2025e).

Prologis

Prologis also owns properties at 58-20 and 57-00 47th Street in Maspeth, located at Creek Miles 2.91 to 3.00 (Figures 15, 22, and 23). These parcels are currently vacant, and Prologis is evaluating potential maritime operations along the southern bulkhead. The company indicated that the existing constructed depth of 16 feet within this reach would be adequate to support their anticipated future use (Telephonic Communication, 2025d).

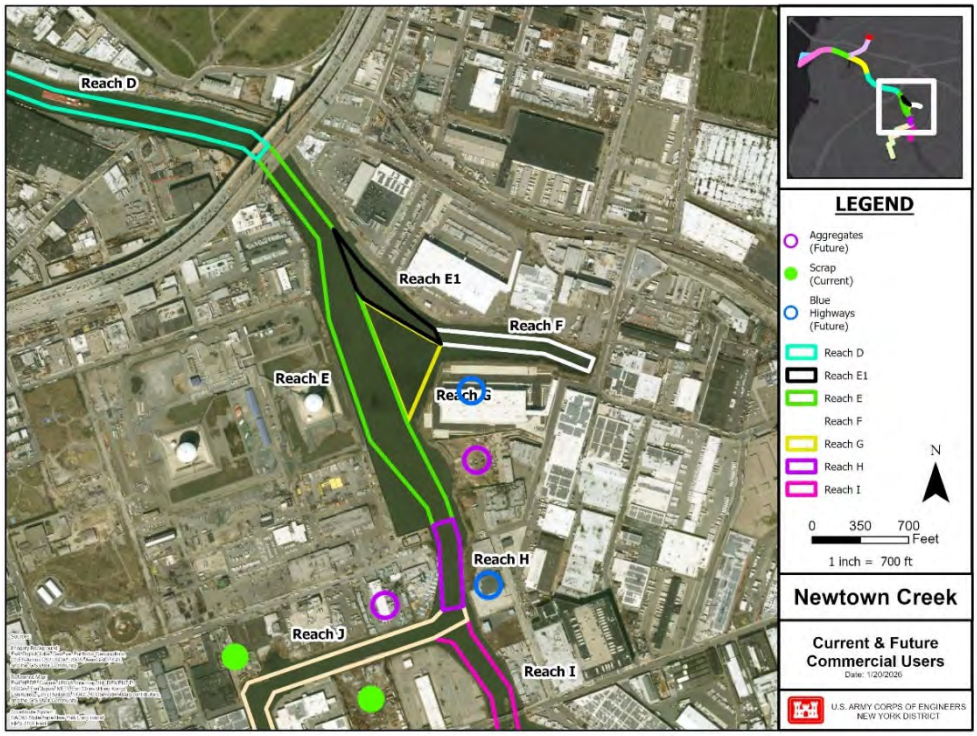


Figure 22: Turning Basin, Reaches E and G

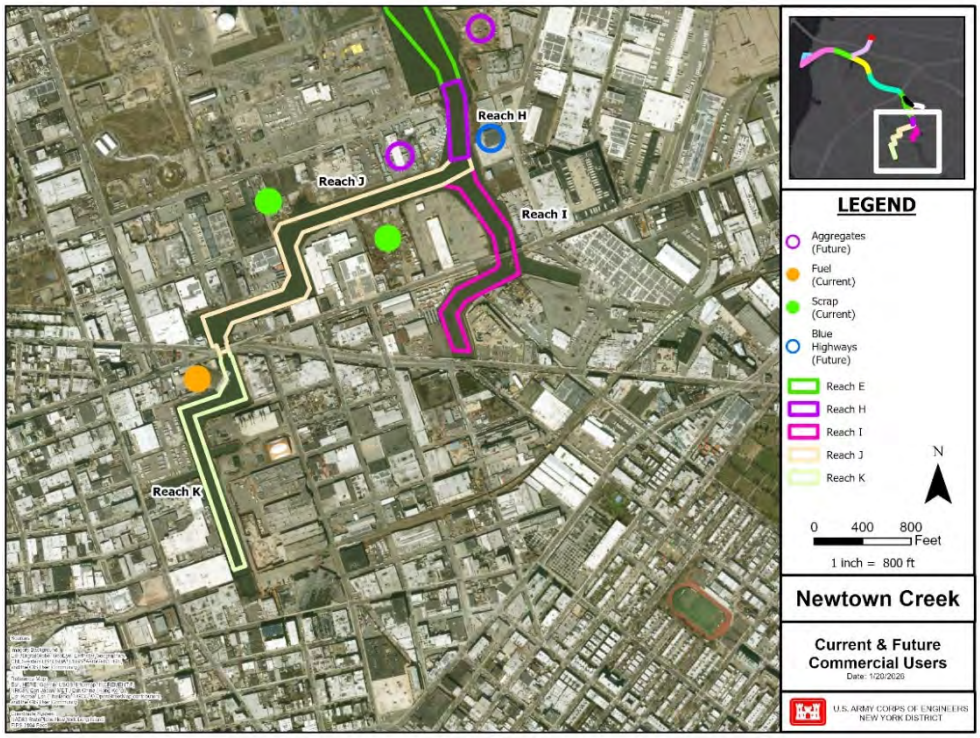


Figure 23: Users within Reaches H, I, J and K

Maspeth Recycling (Potential Future User)
Maspeth Recycling is located at Creek Miles 2.73 to 2.81 on Newtown Creek, upstream of the Turning Basin (Figures 15, 22, and 23). The proposed terminal is currently in the planning and design phase. The company intends to receive barges transporting sand and stone sourced directly from locations such as the upper Hudson River and Salem County, New Jersey. The owner-operator plans to construct a berth and associated infrastructure to support bulk terminal operations for stevedoring construction materials and equipment. In addition, the owner has expressed interest in the site being considered as a potential dredged-material processing facility to support proposed remediation activities (Telephonic Communication, 2020j).

Based on the anticipated commodities and marine operations, the facility would require no more than a 16-foot authorized channel depth beyond the Turning Basin through Reach H into English Kills (Email Communication, 2022a). Follow-up information provided by DEEDX indicates that Maspeth Recycling plans to use barges measuring approximately 150 feet by 40 feet with a 10-foot draft for their operations (Telephonic and Email Communication, 2024b). DEEDX confirmed that this information remains accurate (Email Communication, 2025f).

Empire Transit Mix (Potential Future User)
Empire Transit Mix is a 3.25-acre concrete plant located at 430 Maspeth Avenue at the junction of the south bank of Newtown Creek and the west bank of English Kills, approximately Creek Miles 0.05 to 0.11 from the mouth of English Kills (Figures 15, 22,

and 23). Historically, aggregate and cement were delivered to the facility by barge. Tugboats and barges ranging from 130 to 150 feet in length, 22 to 45 feet in width, and drawing 8 to 12 feet (up to 14 feet when fully loaded) were used in past operations (NYCDOT, 2005). The facility has not utilized Newtown Creek for marine deliveries since 2005.

According to the owner, “In the future there could be an opportunity for us to start using Newtown Creek for transportation of barges with aggregates” (Telephonic Communication, 2020m). Future operations would involve aggregate barges with capacities of approximately 1,200 cubic yards, requiring 12 to 15 feet of water depth for safe navigation (Email Communication, 2020c).

Empire Metal Trading

Empire Metal Trading (formerly Charles J. King) is a scrap-metal recycling company that purchases ferrous and non-ferrous materials, including steel, brass, copper, and aluminum. The facility is in Reach J near the confluence with English Kills at Creek Miles 0.10 to 0.18 (Figures 15, 22, and 23). The company ships scrap metal year-round via barge to facilities in the Claremont Channel and Port Newark. Barges are owned by Empire Metal’s customers, such as Sims Metal, which purchases the scrap. Each hopper barge has a gross loaded weight of approximately 3.5 million pounds. The barges currently provided by Sims Metal are roughly 130 feet long and 35 feet wide, with typical loaded drafts of 8 to 10 feet. Empire Metal reports no physical constraints to navigation, as all bridges along their route provide sufficient clearance. The company completed bulkhead renovations—including new sheeting, timber, and a fender system—in May 2020 (Email Communication, 2020e).

Empire Metal noted that reduced channel depths would create operational challenges, as shallower conditions would limit barge access without continued maintenance. If the channel were deepened to the authorized depth, the company would utilize larger barges drawing up to 18 feet, with an additional 2 feet of under-keel safety clearance (Telephonic Communication, 2020a). These larger vessels could be supplied by Sims Metal or by new customers in the future (Telephonic Communication, 2020d; 2020e). Ground transportation is not considered a viable alternative due to the large number of trucks required, associated costs, and environmental impacts. Because the company prefers the option to use larger barges, it would not support any reduction in the federally authorized 20-foot channel depth in Reach J (Telephonic Communication, 2020a).

Empire Metal Trading was later informed that Reach J had been constructed to a depth of only 16 feet rather than the authorized 20 feet, and that future maintenance would be limited to this 16-foot constructed depth. The Terminal Manager acknowledged that this constraint could limit operations to vessels drawing approximately 14 feet, which would increase reliance on outbound trucking and associated traffic. Although the company continues to prefer the ability to use vessels drawing up to 18 feet, it understands that the reach can only be maintained to the constructed 16-foot depth (Telephonic Communication, 2021b). Empire Metal Trading confirmed the accuracy of this

information on October 8, 2025 (Email Communication, 2025g). AIS data show frequent transits by the MISTER JIM during 2024 (Figure 24).

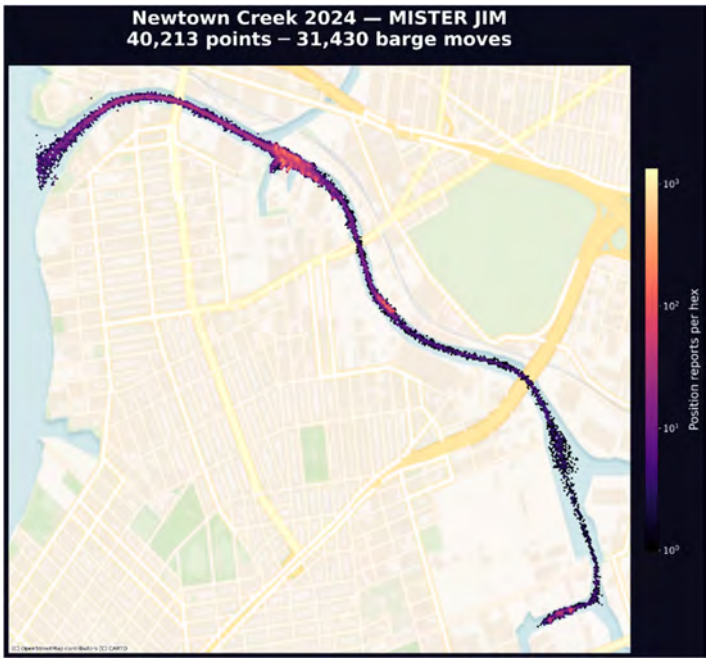


Figure 24: AIS data illustrating frequent transits to Empire Metal Trading in 2024

TNT Scrap Metal

TNT Scrap Metal purchases ferrous and non-ferrous scrap from individuals, construction sites, businesses, industry, and government entities in Brooklyn, New York. The facility is in Reach J within English Kills at Creek Miles 0.27 to 0.29, upstream of the confluence with Newtown Creek (Figures 15 and 23). The company relies exclusively on barge access to transport scrap metal. Operations utilize hopper barges approximately 195 feet long and 35 feet wide, requiring 12 feet of draft—an operational limit dictated by the available depth in this portion of the creek.

TNT Scrap does not anticipate modifying its operations along the channel. Shallower conditions would force the company to shift to smaller barges, reducing efficiency and increasing operational constraints. Current barge movements already operate at the limit of available depth, with only a narrow margin of under-keel clearance based on existing bathymetry. Ground transportation is not considered a viable alternative due to the large number of trucks required, associated costs, and environmental impacts, making it both economically inefficient and environmentally unsustainable (Telephonic Communication, 2019b).

TNT Scrap was later informed that Reach J had been constructed to a depth of 16 feet rather than the authorized 20 feet, and that maintenance would be limited to this 16-foot constructed depth. The owner indicated that a 16-foot depth is adequate for future operations and that the company will continue to use 12-foot-draft vessels, requiring a

14-foot authorized channel (Telephonic Communication, 2021e). AIS data show continued barge transits to TNT Scrap in 2024 (Figure 25).

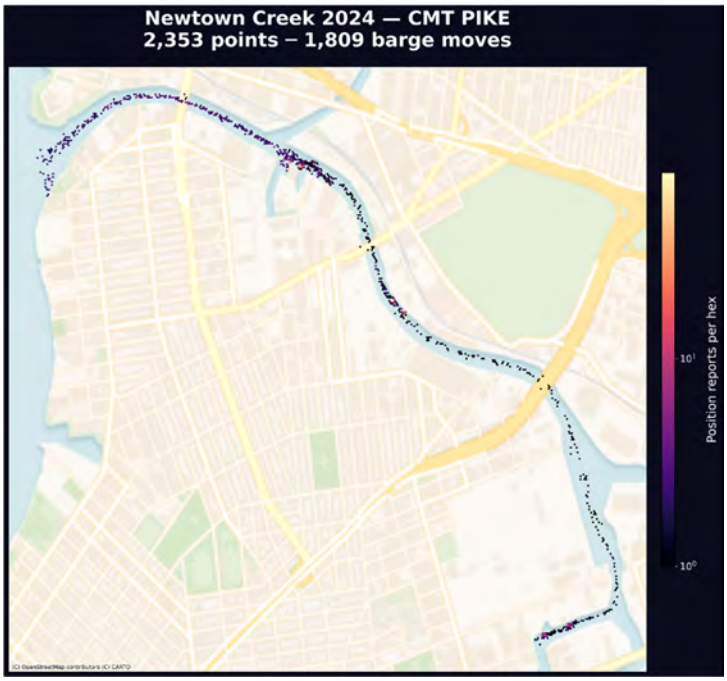


Figure 15: AIS Data Illustrating Transits from CMT PIKE to TNT Scrap in 2024

Bayside Fuel Oil Depot

Bayside Fuel Oil Depot is a distributor of heating oil serving the five boroughs of New York City and Long Island. The terminal is located at the furthest navigable point of Newtown Creek, within English Kills at Creek Miles 0.60 to 0.67 in Reach K, and receives heating oil and diesel by barge (Figures 15 and 23). Because of the relatively shallow depths and tight channel geometry at this upstream location, the owner commissioned custom barges specifically designed to operate within these constraints. All Bayside vessels draw no more than 11 feet and are used only when fully loaded.

Bayside operates three barges. The primary vessel is a 7,000-barrel barge measuring 192 feet in length with a 42-foot beam and a typical loaded draft of 10 feet—the largest vessel that can be safely commissioned given existing depths. The second vessel is a 10,000-barrel barge measuring 214 feet long and 40 feet wide with an 11-foot draft. Because it barely fits within the dimensions of the creek, it is used only in emergencies; even minor navigational deviations could result in significant damage or potential spills. A third barge with the same dimensions as the second but a 12-foot draft remains in storage and cannot be used in a fully loaded condition.

Bayside's operations are further constrained by tidal conditions and infrastructure limitations. Transits are restricted to high tide due to the approximately 5-foot tidal range. The company also expressed concern about the NYCDEP aeration pipe installed on the creek bottom, which limits maximum draft to approximately 12 feet even at high tide. In addition, drawbridges along the creek—particularly the Greenpoint Avenue and

Metropolitan Avenue bridges—are frequently inoperable. Based on these operational constraints, Bayside indicated that the authorized channel depth should not be modified (Telephonic Communication, 2019c).

Bayside was later informed that several reaches of Newtown Creek were constructed to shallower depths than authorized. English Kills, authorized to 20 feet, was constructed only to 16 feet, and Reach K—authorized to 12 feet—was never constructed. USACE indicated that future maintenance of English Kills would be limited to the 16-foot constructed depth and that maintenance beyond the Metropolitan Avenue Bridge would be unlikely. Bayside acknowledged that a 12-foot channel beyond TNT Scrap is adequate and confirmed that their facility will continue to require a 12-foot channel for operations regardless of whether it is maintained by USACE or by Bayside itself (Telephonic Communication, 2021c). This information was confirmed as accurate (Email Communication, 2025h). AIS data show frequent barge movements by the MARY H during 2024 (Figure 26).

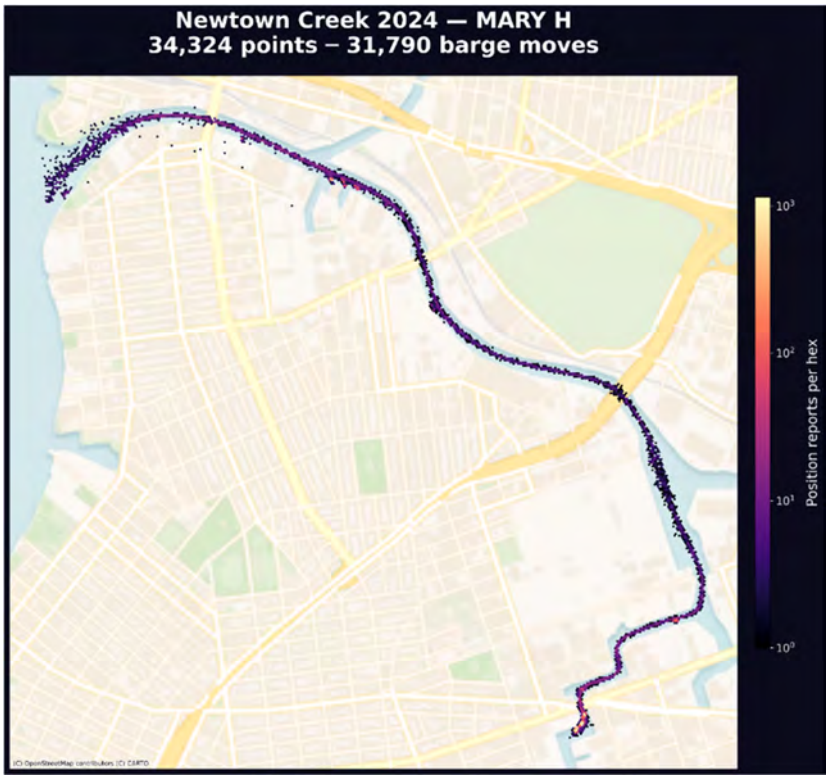


Figure 16: AIS Data Illustrating Many Extensive Transits with the MARY H to Bayside Fuel

Additional Future Commercial Users

The Towboat and Harbor Carriers Association of NY/NJ provided comments on the January 10, 2024 version of this Commercial Navigation Analysis (Appendix D). The Association emphasized that "*Newtown Creek boasted 28 thriving terminals, a true marine highway*," and noted that the remaining terminals now contend with inoperable

or unreliable bridges and compromised channel depths, leaving many "*hanging on by a thread*." Survey responses submitted by existing waterfront businesses to the U.S. Army Corps of Engineers regarding draft requirements underscored the need for dredging to authorized depths at long-neglected facilities that could otherwise support substantial economic activity.

The Association further stated that the New York maritime industry continues to struggle to retain terminals, lay berths, and support services, and therefore recommended expanding the Navigation Analysis to include additional potential users such as Federal Express, Amazon, UPS, and other shippers. The group also noted that the emerging offshore wind industry will require adequate lay berths and staging areas. In their view, Newtown Creek is critical to regional supply chains and should be considered for deepening—not deauthorization—given its strategic location, intermodal freight connections, and direct access to both Brooklyn and Queens. They expressed concern that the earlier report did not fully account for the Creek's potential to support expanded commercial activity, including its proximity to Long Island cargo rail ports.
In response to these comments, additional coordination was conducted with the Towboat and Harbor Carriers Association, as well as with property owners along the Creek—including Federal Express and Prologis—to confirm that the proposed modifications to the authorized channel depth would not constrain future commercial use. Coordination also occurred with the Blue Highways Program, led by NYCEDC and NYCDOT.

The NYCDOT/NYCEDC Blue Highways Program identified the first 1.6 river miles of Newtown Creek as a Blue Highways Opportunity Site capable of supporting the transport of a wide range of commodities in the future. The program also indicated that the mainstem, from Creek Mile 2.8 to the junction with English Kills, would be preserved at the existing constructed depth of 16 feet, which represents the maximum depth at which USACE can conduct future operation and maintenance dredging.

5.4 USACE Supplemental Evaluation

Prior to Prologis updating their request, New York City and the Newtown Creek Group (NCG) raised questions regarding the channel-depth requirements originally proposed by Prologis, as outlined in Section 5.3. In response, the New York District coordinated with the USACE Deep Draft Navigation Planning Center of Expertise (DDNPCX) to conduct an independent evaluation of the depths originally requested—23 feet adjacent to the Prologis berth and 20 feet through the Turning Basin—to determine whether these dimensions could reasonably be required by future users at the site. This assessment was challenging due to the limited technical details provided by Prologis and the absence of finalized vessel designs for their anticipated operations. Ultimately, DDNPCX determined that Prologis' anticipated future use and associated channel-depth needs are plausible, though the likelihood is uncertain.

Prologis provided independent calculations estimating that a future vessel with a 160-foot length and 40-foot beam carrying 45 TEUs (Twenty-foot Equivalent Units) would

have an estimated draft of 21.7 feet, and a vessel of the same dimensions with 55 TEUs would require a draft of 23.6 feet (Appendix C). To assess the plausibility of these estimates, DDNPCX reviewed the equations and inputs provided and confirmed the accuracy of the calculations.

The DDNPCX then compiled a summary of drafts for existing vessels with dimensions within approximately 10 percent of the 40-foot beam and 160-foot length parameters provided by Prologis (Table 6). Current vessel-traffic data for the region indicate that most vessels operating today within this size range draw 10 feet or less. DDNPCX subsequently expanded its review to include vessels in the size range of the *Chesapeake 1000*, *Ocean Express*, and *Pelagic Express;* examples identified by Prologis as existing vessels that meet their proposed criteria (Table 7). These vessels do draft 20 feet or more, consistent with Prologis' requested depth for Newtown Creek; However, these vessels are either longer, wider, or both longer and wider than the 40-foot beam and 160-foot length parameters provided by Prologis. When broadening their search to the global fleet, the DDNPCX identified seven vessels with drafts of 20 feet or deeper, although none are RoRo or typical cargo ships.

Table 6: Drafts of Vessels meeting 144-177 feet Length and 39-49 feet Beam

Draft (ft)	Count of Vessels
3	6
4	9
5	20
6	35
7	84
8	98
9	73
10	45
11	23
12	13
13	13
14	13
15	6
16	8
17	7
18	1

Table 7: Examples of Vessels with Larger Size Range Specifications

Vessel	Length	Beam	Max Draft
Prologis Proposed Vessel	160 ft (48.8 m)	40-45 ft (12.2-13.7 m)	~20 - 23.6 ft (6.1 - 7.2 m)

Vessel	Length	Beam	Max Draft
Chesapeake 1000 (heavy lift crane barge)	191 ft (58.3 m)	101 ft (30.8 m)	~20 - 23 ft (6.1 - 7.0 m)
Ocean Express (general cargo, mini-bulk)	295 ft (89.95 m)	50 ft (15.2 m)	21.65 ft (6.6 m)
Pelagic Express (general cargo, mini-bulk)	266 ft (81 m)	43 ft (13 m)	20 ft (6.1 m)
RTC42 (fuel transportation)	297 ft (90.5 m)	54 ft (16.5 m)	20 ft (6.1 m)

While the existing fleet that meets Prologis' parameters of a 40-foot beam and 160-foot length generally drafts 10 feet or less, the planned expansion of the Blue Highways initiative and the potential introduction of larger electrified vessels could result in deeper-draft vessels operating in Newtown Creek in the future.

To evaluate the potential draft implications of electrifying the existing fleet, DDNPCX calculated the vessel depth (vertical distance from keel to deck) for vessels within the same size category. If these vessels were electrified without altering their overall dimensions, their drafts could not exceed the vessel depths shown in Table 8. However, as illustrated in the table, design modifications associated with electrification could result in deeper drafts for vessels of the same general size. The DDNPCX also noted that the largest electric containership currently in operation has dimensions of 393 feet in length, 77 feet in beam, and an 18-foot draft, underscoring the potential for deeper-draft electric vessels as the technology evolves.

Table 8: Vessel Depths meeting 144-177ft Length and 39-49ft Beam

Vessel Depth (ft)	Count of Vessels
5	1
6	6
7	4
8	15
9	25
10	134
11	73
12	53
13	29
14	12
15	31
16	21
17	30
18	15
19	3

Vessel Depth (ft)	Count of Vessels
20	6
21	6
24	1
26	1
29	1
33	2
38	2

After completing discussions, input evaluations, and a review of the existing fleet, DDNPCX determined that, while the likelihood is uncertain, a future depth of up to 23-feet in Newtown Creek may be required to support the reasonably anticipated future use of Prologis. However, this evaluation also indicates that Prologis could likely utilize vessels from the existing fleet – many of which draft substantially less – for their future operations (Tables 6 and 8).

6.0 Reasonably Anticipated Future Use

Table 9 summarizes the reasonably anticipated future use of the navigation channel by each commercial user, based on the berth-by-berth interviews presented in Section 5.3.3 and Appendix C. These interviews identified each user's desired channel depth to support future operations while acknowledging the practical limitations imposed by the currently constructed depths.

Based on Bayside Fuel Oil Depot's continued reliance on marine access, the federal navigation channel cannot be deauthorized through English Kills to the Bayside facility. In addition, the reaches extending from the confluence with the East River through Reach C to Creek Mile 1.33 at Allocco's dock should remain at the existing authorized and constructed depth of 23 feet.

Reach C may be modified to a reduced depth of 20 feet (to United Metro), with upstream reaches reduced to 18 feet through Reaches D, E, and G. Interviews confirmed that Kinder Morgan and Prologis consider an 18-foot depth acceptable for their future operations, and that United Metro can maneuver empty barges within the Turning Basin at that depth. The authorized depth in Reach E may be reduced from 23 feet to 16 feet to align with the constructed 16-foot depth in Reach H and English Kills (Reach J).

Dutch Kills (Reach L) has no current or anticipated future users. SRM Cement LLC (parent company of SRM-NYCON, LLC), located at the terminus of Dutch Kills, no longer intends to utilize the waterway. Accordingly, Reach L can be deauthorized.

A portion of Reach K upstream of the Bayside Fuel Oil Depot may also be deauthorized, as removing its federal channel designation would not result in any loss of economic productivity.

Table 9: Authorized and Constructed Depths and Commercial User Current and Desired Future Depths

Reach	Users along Newtown Creek	Range of Depths in Channel Entering from Seaward (feet)[2]			Constructed Depth	Authorized Depth (feet)	Current User Depth (Vessel Draft- feet	Desired Future Use (Vessel Draft- feet)
		Left Outside Quarter	Middle Half	Right Outside Quarter				
B	Zenith Energy	16.9-20.9	18.8-23.0	15.4-21.4	23	23	10	16
L/L1[1]	SRM Concrete, LLC	10.9-17.7	10.5-20	10.6-21.8	20	20	-	-
C	NYCDEP	18.5-36.8	17.4-27.4	15.4-27.1	23	23	16	16[3]
	Sims Metal	18.5-26.5	22.8-27.4	20.4-27.1			17	17
	Allocco Recycling	11.2-21.8	19.6-23.1	17.5-22.2			15	21[4]
	United Metro Energy	15.4-20.1	17.8-22.6	15.3-22.1			15	18
D	Prologis- Blue Highway	13.8-21.2	18.2-22.7	10.1-21.9	23	23	-	16[5]
	Green Asphalt	13.4-18.4	18.1-21.5	11-17.9	23	23	12	12
	37-50 RR, LLC (future)	18.4-21.2	19.8-22.7	14.9-21.9			-	15
	Kinder Morgan	15.2-19.8	16.7-23.4	15.8-23			16	16[6]
E	Maspeth Recycling (future)	5.6-10.8	11.8-18.5	13.6-18.1	20	23	-	14

Reach	Users along Newtown Creek	Range of Depths in Channel Entering from Seaward (feet)[2]			Constructed Depth	Authorized Depth (feet)	Current User Depth (Vessel Draft- feet	Desired Future Use (Vessel Draft- feet)
		Left Outside Quarter	Middle Half	Right Outside Quarter				
H	Prologis	0-15.7	14.5-21.6	1.1-20.7	20	23	-	14
J	Empire Transit Mix (Future)	11.2-15.9	15.2-19.7	11.5-15.2	16	20	-	13
	Empire Metal Trading	11.6-16.3	11.8-19.8	17.6-18.9			10	18[4,7]
	TNT Scrap	14.4-19.4	11.4-20.1	1.2-14.1			12	12
K	Bayside Fuel[8]	14.4-19.4	11.4-20.1	1.2-14.1	0	12	11	11

[1] Partial Conditions Survey in Reach L: Depths reported only covers <10% of Dutch Kills (0.03 miles of the 0.56-mile channel).

[2] Range of Depths in Channel Entering from Seaward (feet): Reflects the range within the reach for the specific segment of channel adjacent the user's facility (See Table 5 for exact mileage) (USACE, 2025).

[3]NYCDEP, in coordination with other NYC agencies, has stated that NYC requires a minimum depth of 20-ft for their operations and also support user's future anticipated use in Reaches A-D.

[4] Vessel Draft reflects assumption that there is an available 2 feet safety under-keel clearance to authorized depth (user may have suggested hope of larger draft vessel in the future.)

[5] Prologis, former Exxon Site, has agreed to an 18-ft authorized channel adjacent to their property through the Turning Basin.

[6] Kinder Morgan indicated they would accept an authorized channel of 18-feet MLLW. This translates into an 18-ft authorized channel and 16-ft vessel with 2-ft safety under-keel clearance.

[7] User was notified that the channel would be maintained to the maximum constructed depth and understands that a 16-ft channel could result in the use of a 14-ft vessel in the future depending on conditions at that time.

[8] Channel bathymetry adjacent Bayside Fuel is from 2023.

7.0 Findings

Depths in each reach required to accommodate the reasonably anticipated future use of commercial users (Figure 27)—while accounting for the constructed depth (i.e., the maximum depth that can be maintained in the future)—are summarized in Table 10 and are outlined below.

- **Reach L/L1**: The only potential future user in Dutch Kills, SRM Cement LLC (parent of SRM-NYCON, LLC), has confirmed it no longer intends to utilize the tributary. Accordingly, Reach L/L1 can be deauthorized.

- **Reaches A and B:** The authorized channel depth should remain at 23 feet due to Allocco's reasonably anticipated future use. No modification is recommended currently.

- **Reach C**: Three distinct navigation-depth requirements apply within this reach:
  - **C_A**- Allocco require an authorized channel depth of 23 feet to Creek Mile 1.33 (40.735668, -73.942159). This depth should remain unchanged.
  - **C_B**- United Metro requires an authorized depth of 20 feet from Creek Mile 1.33 to Creek Mile 1.46 (40.733648, -73.940546).
  - **C_C**- To meet the needs of Prologis and Kinder Morgan upstream, an authorized depth of 18 feet is acceptable from Creek Mile 1.46 to Greenpoint Avenue Bridge (40.73326, -73.94038).

- **Reach D**: Users- specifically Prologis and Kinder Morgan- indicated that an authorized channel depth of 18 feet is sufficient from the Greenpoint Avenue Bridge to the Kosciusko Bridge River (40.727729, -73.929142).

- **Reach E**: Two distinct navigation-depth requirements apply within this reach:
  - **E_A** - Prologis and Kinder Morgan identified 18 feet as acceptable upstream through the Turning Basin to Creek Mile 2.7 (40.722214, -73.925873).
  - **E_B** - The segment of Reach E upstream of the Turning Basin at Creek Mile 2.7 (40.722214, -73.925873) may be modified to 16 feet, consistent with the constructed depths in Reaches H and J, to support users in Reach J.

- **Reaches E1 and G:** Portions of Reaches E1 and G must be maintained to preserve an adequate Turning Basin with an 18-foot authorized depth. Coordination with the Towboat & Harbor Carriers Association of NY/NJ, Vane Brothers, Centerline Logistics, and the U.S. Coast Guard indicated that a 450-foot turning radius is required to accommodate a 400-foot unit (barge and tug) operating at an 18-foot draft (Email Communications 2022b and 2022c). As a result, portions of these reaches adjacent to Reach F (Maspeth Creek) may be deauthorized.

  In April 2024, the Newtown Creek Community Advisory Group (CAG) requested that the deauthorized area also include space along the left (northern) bank to

support future wetland projects identified in the Newtown Creek Vision Plan (Riverkeeper and Newtown Creek Alliance, 2018). Accordingly, the area east of the line formed by points 40.726201, -73.927288; 40.724232, -73.925405; and 40.723507, -73.924712 may be deauthorized (Figure 26):

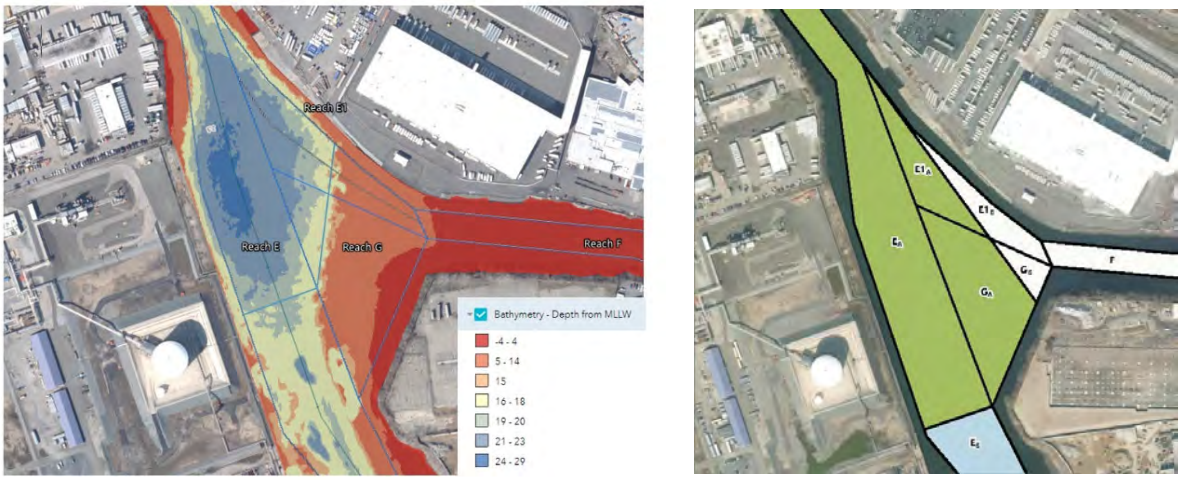


Figure 17: Current Bathymetry, Use and Future Proposed Alignment/Modification of the Turning Basin

- **E1$_A$** – A triangular portion of Reach E1 formed by points 40.724232, -73.925405; 40.724605, -73.926494; and 40.726201, -73.927288 should remain authorized to 18 feet to ensure an adequate Turning Basin for the future Blue Highways site (Prologis).
- **E1$_B$** – The portion of Reach E1 located north and east of the line formed by points 40.724204, -73.924649; 40.723916, -73.924483; 40.724232, -73.925405; and 40.726201, -73.927288 can be deauthorized.
- **G$_A$** – A portion of Reach G defined by points 40.724232, -73.925405; 40.723507, -73.924712; 40.722344, -73.925369 and 40.724605, -73.926494 should remain authorized to 18 feet to maintain adequate Turning Basin dimensions.
- **G$_B$** – A triangular portion of Reach G north and east of Reach G$_A$, bounded by points 40.723916, -73.924483; 40.723507, -73.924712; and 40.724232, -73.925405-- can be deauthorized.

- **Reach F**: There are no current or anticipated future users within Maspeth Creek; therefore, an authorized channel is no longer needed.

- **Reach H:** This reach was constructed to a depth of 16 feet and cannot be maintained at a greater depth. Although Empire Metal in Reach J expressed interest in using 18-foot-draft vessels supported by a 20-foot authorized channel,

it is highly unlikely that USACE would obtain approval or construction funding to deepen Reaches H and J from 16 feet to 20 feet. Therefore, the reasonably anticipated future use of Reach H is a 16-foot authorized channel.

- **Reach J**: Reach J was constructed to 16 feet, despite having an authorized depth of 20 feet. Users in this reach require three different navigation depths:
  - **J_A** – Empire Metal requested a 20-foot authorized channel in Reaches H and J; however, as noted above, USACE is unlikely to receive approval or funding to maintain this depth. The reasonably anticipated future use is a maintained 16-foot channel through English Kills to English Kills Creek Mile 0.18 (40.717538, –73.927437).
  - **J_B** - The segment from Empire Metal to TNT Scrap (English Kills Creek Mile 0.29; 40.716610, –73.929278) requires a 14-foot authorized channel.
  - **J_C** – The segment from TNT Scrap to Metropolitan Avenue Bridge (English Kills Creek Mile 0.55; 40.714293, -73.931197) requires only a 12-foot channel to support the last upstream user.

- **Reach K**: Bayside Fuel Oil Depot requires a 12-foot channel to English Kills Creek Mile 0.67 (40.713164, –73.931352; Reach K_A). Although Reach K was never constructed by USACE, Bayside indicated it would maintain the channel to its facility if necessary. There are no users beyond Creek Mile 0.67 (Reach K_B),and this segment could be deauthorized.

Based on these findings, Table 10 presents the authorized channel depths that would accommodate the reasonably anticipated future use of active and potential commercial users within each reach, while accounting for the practical limitations on future operation and maintenance associated to constructed depths. These recommended future depths are also illustrated in Figure 28.

Table 10: Authorized Depth by Reach

Reach	Reach Description	Constructed Depth	Authorized Depth (Feet)		Notes[2]
			Current	Future [1]	
A1	Parallel to Reach A and extends approximately 1335 feet.	23	23	23	No change at this time
A	From the junction with the East River, to the Pulaski Bridge.	23	23	23	No change at this time
B	From Pulaski Bridge to approximately 400 feet seaward from the junction with Whale Creek.	23	23	23	No change at this time
C	From approximately 400 feet seaward of the junction with Whale Creek to Greenpoint Avenue Bridge	23	23		
C_A	From approximately 400 feet seaward of the junction with Whale Creek to	23	23	23[3]	No change currently

Reach	Reach Description	Constructed Depth	Authorized Depth (Feet)		Notes[2]
			Current	Future [1]	
	approximately 700 feet upstream of No Name Inlet.				
C_B	From approximately 700 feet upstream of No Name Inlet to approximately 150 feet seaward of Greenpoint Avenue Bridge.	23	23	20	Modification to 20-feet authorized channel
C_C	From approximately 150 feet seaward of Greenpoint Avenue Bridge to the Bridge.	23	23	18	Modification to 18-feet authorized channel
D	From Greenpoint Avenue Bridge Kosciuszko Bridge	23	23	18	Modification to 18-feet authorized channel
E_A	(Main Channel adjacent to Turning Basin): From the Kosciuszko Bridge to the end of Turning Basin at the upstream end of Reach G_A	20	23	18	Modification to 18-feet authorized channel
E_B	(Main Channel adjacent to Turning Basin): From the end of Turning Basin to approximately 150 feet seaward of Maspeth Avenue	20	23	18	Modification to 18-feet authorized channel
$E1_A$	Northern portion of Turning Basin along an approximately 620-foot length of the Main Channel	20	23	18	Modification to 18-feet authorized channel
$E1_B$	North-eastern portion of Turning Basin north of reach G_A and north-east of Reach $E1_A$.	20	23	N/A	Deauthorization
G_A	Area within Turning Basin along an approximately 450-foot length between Reach E_A, Reach $E1_A$, and Reach G_B	20	23	18	Modification to 18-feet authorized channel
G_B	Approximately 430-foot-wide area between Turning Basin and the mouth of Maspeth Creek (Reach F), east of Reach $E1_A$ and north of G_B.	20	23	N/A	Deauthorization
F	Maspeth Creek	20	20	0	Deauthorization
H	From approximately 150 feet seaward of Maspeth Avenue, to the junction with English Kills	16	20	16	Modification to 16-feet authorized channel
J	(English Kills): From junction with Main Channel to the Metropolitan Avenue Bridge.	16	20		
J_A	From junction with Main Channel to approximately 800 feet upstream (to Empire Metal Trading).	16	20	16	Modification to 16-feet authorized channel

Reach	Reach Description	Constructed Depth	Authorized Depth (Feet)		Notes[2]
			Current	Future [1]	
J_B	Segment from approximately 800 to 1,500 feet upstream of Main Channel (from Empire Metal Trading to TNT Scrap).	16	20	14	Modification to 14 feet authorized channel
J_C	Segment from approximately 1,500 feet from Main Channel to Metropolitan Avenue Bridge	16	20	12	Modification to 12-feet authorized channel
K_A	From Metropolitan Avenue Bridge to approximately 500 feet upstream (Bayside Fuel Terminal)	NA	12	12	No change
K_B	From approximately 500 feet upstream of Metropolitan Avenue Bridge to a point located approximately 1,750 feet upstream	NA	12	N/A	Deauthorization
L/L1	Dutch Kills: Survey coverage exists from the junction with the Main Channel at the beginning of Reach C, to a point approximately 350 feet landward of the beginning of the reach.	20	20	N/A	Deauthorization

Note: “N/A” Not Applicable indicates that either the reach was not constructed (“constructed depth”) and/or that no objections have been raised to deauthorize this reach (“Authorized Depth, Future”).

[1] The future authorized depth could be the maximum depth constructed and potentially maintained (pending appropriations) which has been acknowledged by the users within associated reaches.

[2] “Notes”: Provide potential deauthorization or modification of the authorized federal channel and possible authorized depth for reasonably anticipated future use for each reach.

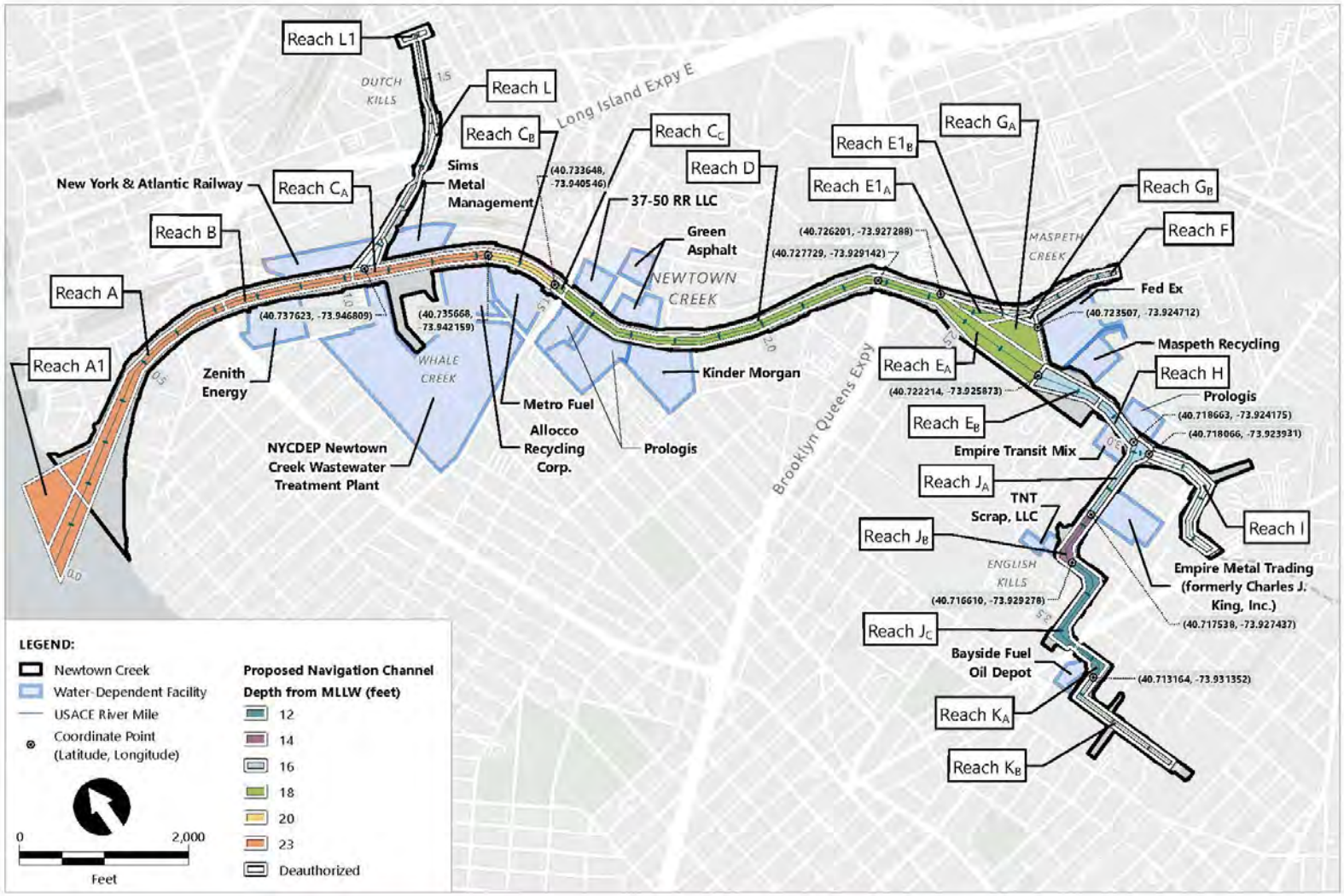


Figure 28: Future Authorized Depths That Would Accommodate Future Use

8.0 References

Allocco, 2021. DockNYC Request for Expressions of Interest (RFEI) Response, January 29, 2021.

Anchor QEA. 2020. Newtown Creek Early Action Operable Unit 3 Focused Feasibility Study

Email Communication. 2020a. Email Communication between Allocco Recycling, Lisa Baron and Malik Bethea, USACE, February 27, 2020

Email Communication. 2020b. Email Communication between United Metro Energy, Lisa Baron and Malik Bethea, USACE, February 27, 2020

Email Communication 2020c. Email communication of survey responses between Empire Transit Mix to Lisa Baron, USACE, October 26, 2020.

Email Communication 2020d. Email communication of survey responses between NYCDEP to Lisa Baron, USACE, November 23, 2020.

Email Communication 2020e. Email communication between Empire Metal Trading and Lisa Baron, USACE, November 24, 2020.

Email Communication 2021a. Communication between NYCDOT and Lisa Baron, USACE, April 4, 2021.

Email Communication 2021b. Communication between Kinder Morgan and Lisa Baron, USACE, April 5, 2021.

Email Communication 2021d. Communication between LIRR and Lisa Baron, USACE, April 7, 2021.

Email Communication 2021e. Communication between United Metro and Lisa Baron, USACE, May 5, 2021.

Email Communication 2021f. Communication between NYCDEP and Lisa Baron, USACE, September 7, 2021.

Email Communication 2022a. Communication between Maspeth Recycling and Lisa Baron, USACE, May 18, 2022.

Email Communication 2022b. Communication between Towboat & Harbor Carriers Association of NY NJ, Vane Brothers, US. Coast Guard, Centerline Logistics and Lisa Baron, 6/24/22 and 7/7/22.

Email Communication 2022c. Communication between Centerline Logistics and Towboat & Harbor Carriers Association of NY NJ, Vane Brothers, US. Coast Guard and Lisa Baron, 6/30/22.

Email Communication 2022d. Communication between LIRR and Lisa Baron, 11/17/22.

Email Communication, 2024a. Email Communication between Gibbons Law on behalf of USC-NYCON, LCC (previous tenant of property on Dutch Kills) and Lisa Baron, USACE, January 1, 2024.

Email Communication, 2024b. Email Communication between DEEDX (Milana Kononenko) on behalf of Maspeth Recycling and Lisa Baron, USACE, May 22 and 23, 2024.

Email Communication, 2024c. Email Communication between Smyrna Ready Mix Concrete, LLC (Ty Stone) to Office of Congresswoman Nydia Velazquez (Dan Wiley) and Lisa Baron, USACE, May 23, 2024.

Email Communication, 2025a. Email Communication between Allocco (Mike Allocco) and Lisa Baron, USACE, October 1, 2025.

Email Communication, 2025c. Email Communication between Kinder Morgan (Joseph Benson – Joseph_Benson@kindermorgan.com) and Lisa Baron, USACE, December 19, 2025.

Email Communication, 2025d. Email Communication between C.A.C Industries/Green Asphalt (James McMurray, jmcmurray@cacindinc.com) and Lisa Baron, USACE, 18 November, 2025.

Email Communication, 2025e. Email Communication between 37-50 RR, LLC (Tyler Juliano- tjuliano@jlijiv.com) and Lisa Baron, USACE, October 2, 2025.

Email Communication, 2025f. Email Communication between Maspeth Recycling (Milana Kononenko, milana@deedxny.com) and Lisa Baron, USACE, November 18, 2025.

Email Communication, 2025g. Email Communication between Empire Metal Trading LLC (Wayne King- wayne@empiremetaltrading.com) and Lisa Baron, USACE, October 8, 2025.

Email Communication, 2025h. Email Communication between Bayside Fuel Oil Depot Corp. (Vincent Allegretti, Sr. Vice President - vinnya@baysidedepot.com) and Lisa Baron, USACE, October 2, 2025.

Email Communication, 2026a. Email Communication between Prologis (Alec Bildstein and Team) and Lisa Baron, USACE, January 21, 2026.

Kane, Jeremiah, 2026. Letter Re: Newtown Creek- Prologis Water Depth to Lisa Baron, USACE, January 29, 2026.

NYCDEP, 2014. Newtown Creek and Whale Creek Canal Maintenance Dredging Post-Dredging Completion Report. DEC Permit No. 2-6101-00025/000888-00090 Newtown Creek WWTP Contract NC-50

New York City Department of Transportation (NYCDOT) & New York City Economic Development Corporation (NYCEDC), 2025. Blue Highways Action Plan, Integrating Short Sea Shipping Into New York City's Freight Network. October 2025.

New York State Department of Transportation (NYSDOT) and US Department of Transportation Federal Highway Administration (USDOT, FHA), 2005. Kosciuszko Bridge Project, Newtown Creek Navigation Analysis, September 22, 2005.

Riverkeeper and Newtown Creek Alliance, 2018. Newtown Creek Vision Plan
Newtown Creek Vision Plan – Newtown Creek Alliance

Telephonic Communication. 2019a. Communication between Sims Metal Management and Malik Bethea, USACE, September 26, 2019

Telephonic Communication. 2019b. Communication between TNT Scrap and Malik Bethea, USACE, October 1, 2019

Telephonic Communication. 2019c. Communication between Bayside Fuel and Malik Bethea, USACE, October 3, 2019

Telephonic Communication. 2019d. Communication between Kinder Morgan, Lisa Baron and Malik Bethea, USACE, November 12, 2019

Telephonic Communication. 2019e. Communication between NYCDEP, Lisa Baron and Malik Bethea, USACE, November 14, 2019

Telephonic Communication. 2020a. Communication between Empire Metal Trading and Malik Bethea, USACE, January 28, 2020

Telephonic Communication. 2020b. Communication between Zenith Energy, Lisa Baron and Malik Bethea, USACE, February 25, 2020
Telephonic Communication. 2020c. Communication between United Metro Energy, Lisa Baron, Malik Bethea and Thomas Hodson, USACE, March 27, 2020

Telephonic Communication. 2020d. Communication between Empire Metal Trading and Lisa Baron, USACE, March 27, 2020

Telephonic Communication. 2020e. Communication between Sims Metal Management and Lisa Baron, USACE, April 29, 2020.

Telephonic Communication 2020f. Communication between United Metro Energy and Lisa Baron, USACE, May 19, 2020.

Telephonic Communication 2020g. Communication between Vane Brothers and Lisa Baron, USACE, May 19, 2020.

Telephonic Communication 2020h. Communication between Kinder Morgan and Lisa Baron, USACE, May 19, 2020.

Telephonic Communication 2020i. Communication between 37-50 RR, LLC and Lisa Baron, USACE, August 28, 2020.

Telephonic Communication 2020j. Communication between Matrix New World Engineering and Maspeth Recycling and Lisa Baron, USACE, September 11, 2020.

Telephonic Communication 2020k. Communication between USC-NYCON, LLC and Lisa Baron, USACE, October 1, 2020.

Telephonic Communication 2020l. Communication between Green Asphalt and Lisa Baron, USACE, October 1, 2020.

Telephonic Communication 2020m. Communication between Empire Transit Mix and Lisa Baron, USACE, October 13, 2020.

Telephonic Communication 2020n. Communication between NYCDEP, NYC Planning, NYC Economic Development Corporation, NYC Law Office and Lisa Baron and Tom Hodson, USACE, October 22, 2020.

Telephonic Communication 2021a. Communication between United Metro Energy and Lisa Baron, USACE, March 12, 2021.

Telephonic Communication 2021b. Communication between United Metal Trading and Lisa Baron and Tom Hodson, USACE, March 18, 2021.

Telephonic Communication 2021c. Communication between Bayside Fuel Depot and Lisa Baron, USACE, March 18, 2021.

Telephonic Communication 2021d. Communication between Kinder Morgan and Lisa Baron, USACE, March 19, 2021.

Telephonic Communication 2021e. Communication between TNT Scrap and Lisa Baron, USACE, March 24, 2021.

Telephonic Communication 2021f. Communication between Allocco and Lisa Baron, USACE, March 31, 2021.

Telephonic Communication 2021g. Communication between United Metro Energy and Lisa Baron, USACE, March 31, 2021.

Telephonic Communication 2021h. Communication between Allocco and Lisa Baron, USACE, May 13, 2021.

Telephonic Communication 2025a. Communication between MTA, LIRR, NYCDOT and Lisa Baron, USACE, December 18, 2025.

Telephonic Communication 2025b. Communication between NYCDEP (Angela Licata and Ronald Weisbard) and Lisa Baron, USACE, December 1, 2025.

Telephonic Communication 2025c. Communication between New York & Atlantic Railway Co. (Marlon Taylor) and Lisa Baron, USACE, January 14, 2025.

Telephonic Communication 2025d. Communication between Prologis (Jeremiah Kane, Alec Bildstein, and team) and Lisa Baron, USACE, November 24 and December 22, 2025 and January 13 and 20, 2026.

Telephonic Communication 2025e. Communication between Federal Express (Nick Trbovic) and Freeport Minerals (Cliff Firstenberg) and Lisa Baron, USACE, November 24, 2025.

Telephonic Communication 2025f. Communication between United Metro Energy (John McConnville) and Lisa Baron, USACE, January 20, 2026.

U.S. Army Corps of Engineers. New York District, Operations Division. August 12, 2021 Conditions Survey.

U.S. Army Corps of Engineers. Institute for Water Resources, Navigation Data Center. Waterborne Commerce Statistics. 2007-2017. http://www.iwr.usace.army.mil/ndc/index.htm

U.S. Army Corps of Engineers. 2006. EM 1110-2-1613, Engineering and Design – Hydraulic Design of Deep Draft Navigation Projects, 31 May 2006.

U.S. Army Corps of Engineers, 1986. New York District Project Maps River and Harbor, 30 September 1986.

U.S. Army Corps of Engineers, Institute for Water Resources Navigation Data Center; Revised 2017; The Ports of New York, NY, and NJ, and Ports on Long Island, NY - Port Series No. 05, http://www.iwr.usace.army.mil/ndc/ports/pdf/ps/ps05.pdf

U.S. Environmental Protection Agency (USEPA). 2020. Case Summary: Settlement Reached at Newtown Creek Superfund Site. https://www.epa.gov/enforcement/case-summary-settlement-reached-newtown-creek-superfund-site

Appendix A

Navigation Channel Condition Survey

September 11, 2025

Appendix B

Descriptions of Vessels Utilized in Newtown Creek

Rockaway (IMO 9648063) is a specialized waste-disposal vessel primarily operating in New York Harbor and surrounding industrial waterways, including Newtown Creek. With a length of 89 meters (approximately 292 feet), a beam of 22 meters (72 feet), and a draft of 6 meters (19.7 feet), the Rockaway is designed for the efficient collection and transportation of waste materials, including industrial waste, sewage, and other refuse from maritime operations. As part of the waste management infrastructure for the region, the Rockaway plays a critical role in keeping the waterways clean and ensuring compliance with environmental regulations. The vessel is uniquely suited for navigating industrial channels and transporting waste to designated processing or disposal sites. The vessel's IMO number (9648063) helps track its operational status and movements, ensuring its activities are coordinated with local environmental efforts. Though specific details of its owner or operator require consultation of maritime registry databases, the Rockaway is an integral part of the region's waste management efforts, supporting both environmental sustainability and safe transport of waste materials.

The Rockaway

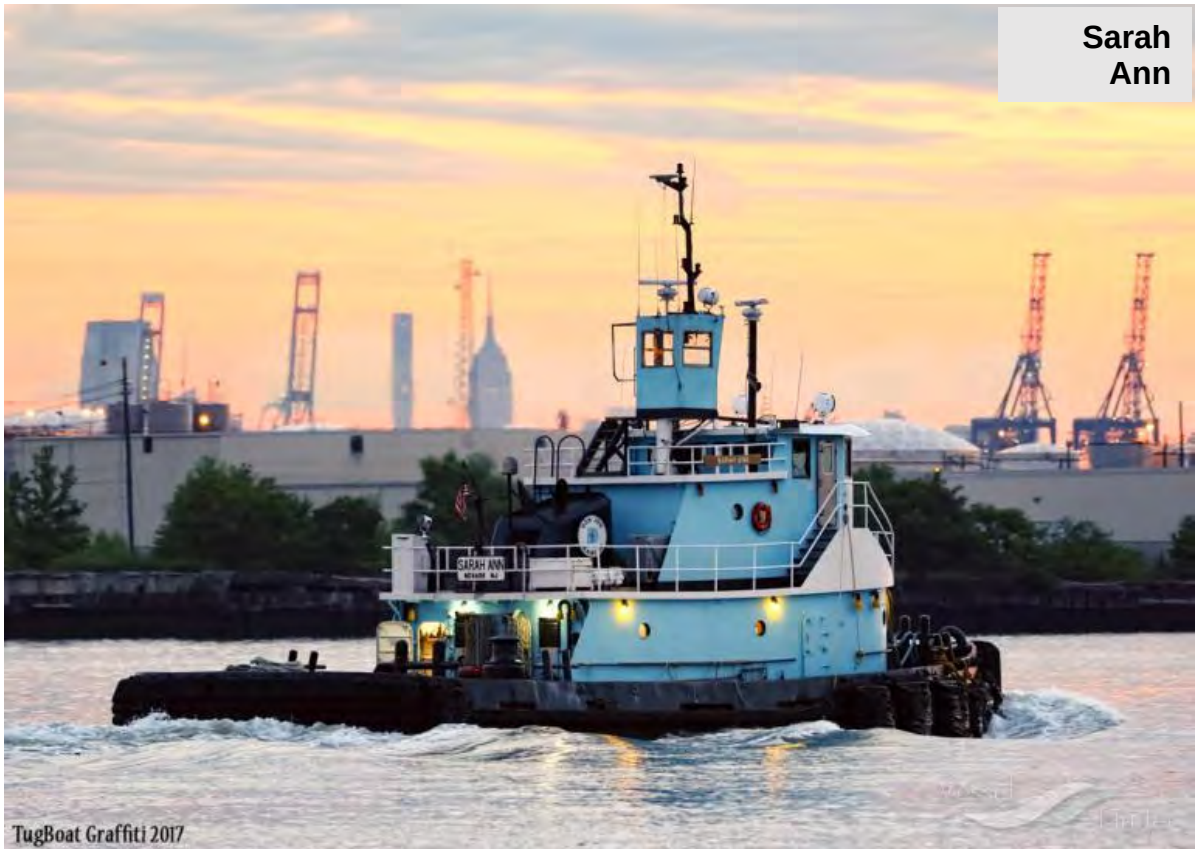
Royal Princess – The vessel associated with the call sign WDK2805 is the Royal Princess. This vessel is a massive cruise ship. Specific vessel associated with this call sign appears to be a smaller passenger vessel (approximately 29 meters long) used for local transport, as opposed to the large ocean-going cruise liner of the same name (IMO 9584712) operated by Princess Cruises. The specific local Royal Princess's build year is not publicly available basic AIS data. The detailed operational profile of a massive ocean-going cruise liner (142,000 GT, 330m long) is not applicable to the vessel identified by the call sign WDK2805. The vessel with call sign WDK2805 is a much smaller passenger vessel operating locally, likely providing harbor tours or small-scale transport, for which detailed operational information such as horsepower and specific daily tasks in the harbor is not publicly available.

Mary H – The vessel with call sign WDI7122, is a U.S. flagged, twin-screw tug built in 1981, approximately 20 meters long (65 feet) with a draft of 3 meters (9.8-ft)and a gross tonnage around 93 GT. The tug is active on the U.S. East Coast, including the Hudson River and New York Harbor, performing harbor towing, barge handling, and general tug duties. As an active tug rated at 1,200 horsepower, the MARY H routinely performs maneuvers and assist work that support logistics. The vessel was originally built as the Joan Cenac and later acquired by Bren Transportation Company of Brooklyn, New York, where she was renamed. Tugs like the Mary H are frequently used to position and move barges carrying various materials in the region's busy channels, ensuring safe and timely transport of goods for port operations and local industries.

CMT PIKE – is a U.S. flagged, twin-screw towboat/tug built in 1979, approximately 19 meters (62 feet) long with a gross tonnage around 86 GT and draft of 2.4 meters (7.9ft) and is active on the Hudson River, in New York Harbor, and along the U.S. East Coast performing barge handling, general towing, and marine construction support. As a modern, highly versatile tug rated 1,200 horsepower and owned by the Carver Marine Towing Company, the CMT Pike routinely performs maneuvers and assist operations that support major regional logistics and infrastructure projects. Tugs like the CMT Pike often feature a retractable wheelhouse to navigate under low bridges on inland waterways and are frequently used to position and move barges carrying aggregate or stone materials or to assist with projects such as transporting bridge sections, ensuring safe and timely transport in the region's busy and constrained channels. The vessel has had many previous names, including Comanche, Bayou Eagle, Delta Bengal, HR Pike, and Pike.

Hunts Point (IMO 9648049) is a U.S. flagged waste disposal vessel built in 2014, primarily operating in the New York metropolitan area. Designed to transport and manage municipal sludge, it plays a vital role in the region's wastewater treatment infrastructure. One of its key destinations is the Newtown Creek Wastewater Treatment Plant in Brooklyn, the largest of New York City's 14 treatment facilities. Hunts Point regularly ferries sludge from smaller plants to Newtown Creek, where advanced processing technologies convert waste into biosolids and energy. This logistical link helps streamline the city's environmental management efforts and supports Newtown Creek's mission to reduce pollution in the East River and surrounding waterways.

Sarah Ann (IMO 8896971) is a U.S. flagged tugboat built in 1994, operating primarily in the busy waterways of New York Harbor. With a length of 29 meters and a beam of 9 meters, it is well-suited for harbor towing, barge handling, and coastal support operations. Sarah Ann plays a behind-the-scenes but essential role in the logistics of municipal waste and sludge transport, often assisting vessels like Hunts Point that ferry sludge to the Newtown Creek Wastewater Treatment Plant. As Newtown Creek is the largest sewage treatment facility in New York City, tugboats like Sarah Ann are critical in maneuvering sludge barges through tight harbor channels, ensuring timely and safe delivery of waste for processing. This coordination supports the city's broader environmental goals by helping reduce pollution and improve water quality in the East River and surrounding estuaries.



Seeley (IMNO 8987113) is a U.S. flagged pusher tug built in 1981, about 24 meters long with a 7–9meter beam, draft 3.3 meters (10.8-ft), and roughly 197 GT, currently active in East Coast and New York Harbor towing and barge-handling work. Over its life the vessel has carried several names and owners and is documented as a robust harbor pusher/tug used for short coastal moves, ship assist, and moving barges and work-barges between ports around New York and New Jersey. Seeley's operations make it well-suited to support sludge, debris, and material movements serving large wastewater facilities; tugs like Seeley regularly maneuver and position barges and tank barges that deliver sludge or remove residuals to and from treatment sites, including the Newtown Creek area and adjacent terminals in New York Harbor.

J Arnold White – is a U.S. flagged, triple-screw towboat built in 2021, approximately 24 meters (78 feet) long, draft of 3 meters (9.8 ft), with a gross tonnage around 145 GT, and is active in New York Harbor, the Hudson River, the NYS Canal System, and along U.S. East Coast performing barge handling, general towing, and marine construction support. As a modern, high-horsepower tug rated at an impressive 2,400 horsepower, the J Arnold White was named the 2022 Tug of the Year and is owned by DonJon Marine Company. The tug was specifically designed by Boksa Marine Design with a telescoping wheelhouse to navigate under low bridges on inland waterways like the NYS Canal System. It routinely performs maneuvers and assist work that support major regional logistics and infrastructure projects and is frequently used to position and move barges carrying various materials, ensuring safe and timely transport in the region's busy and constrained channels.

J Arnold White

Caroline M – is a U.S. flagged, twin-screw tug built in 1981, approximately 21 meters (66 feet), draft of 2.8 meters (9.2 ft), with a gross tonnage around 86 GT, and is active in the Port of New York, the Hudson River, and Long Island Sound performing harbor towing, barge handling, and general tug duties. As an active harbor and coastal tug rated at 1,440 horsepower and owned by the Carver Marine Towing Company, the Caroline M routinely performs maneuvers and assist work that support port and regional logistics. Tugs like the Caroline M are frequently used to position and move various barges carrying material such as aggregate or stone, ensuring safe and timely transport in the busy channels of the New York Harbor and along the Hudson River. The vessel was previously named Bayou Babe, Wauwinet, and Virginia before being renamed in 2023.

Caroline M

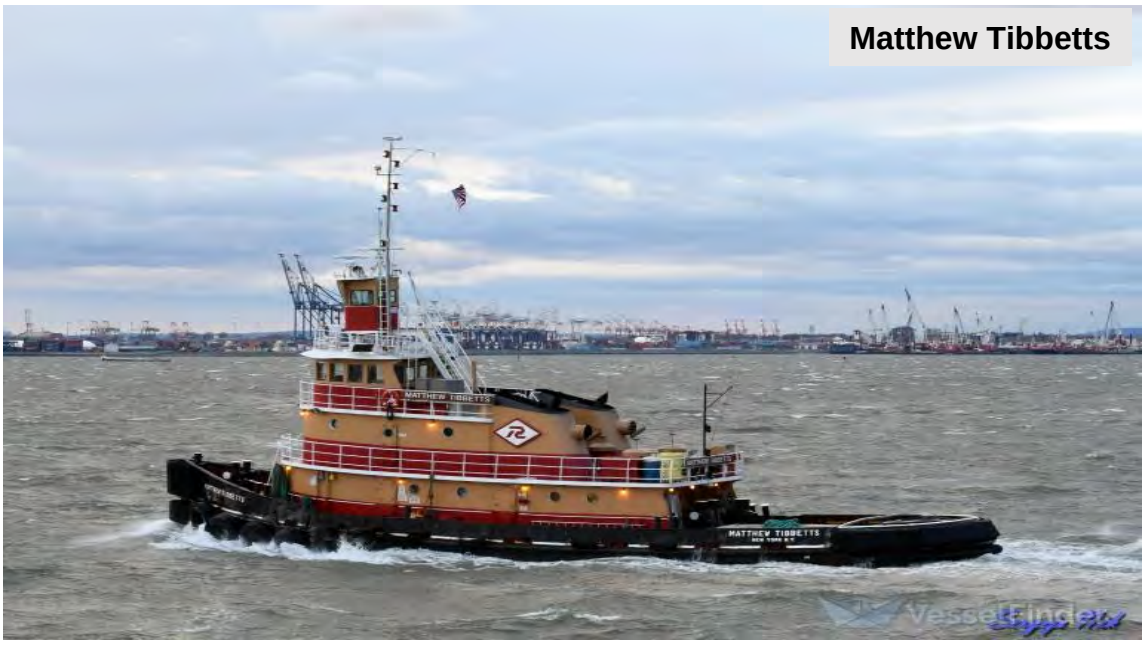
Sea Fox (IMNO 7129465) is a U.S. flagged tug built in 1972, about 21 meters long with a gross tonnage around 147 GT, and is active in New York Harbor and the U.S. East Coast performing harbor towing, barge handling and general tug duties. As an active harbor tug in the New York area, Sea Fox routinely performs maneuvers and barge assist work that support port logistics and waste transport operations; tugs like Sea Fox are frequently used to position and move barges carrying sludge, debris or materials that serve major treatment sites such as the Newtown Creek Wastewater Treatment Plant, helping ensure safe, timely deliveries and removals in the constrained channels around the creek.

Mister Jim (IMNO 8957376) is a U.S. flagged, twin-screw tug built in 1982, approximately 22 meters long with a gross tonnage around 160 GT, and is active in the Port of New York, the Hudson River, and the U.S. East Coast performing harbor towing, barge handling, and general tug duties. As an active harbor and river tug owned by the Carver Marine Towing Company, Mister Jim routinely performs maneuvers and assist work that support port and regional logistics. Tugs like the Mister Jim are frequently used to position and move various barges, including those carrying aggregate or stone materials, ensuring safe and timely transport in the busy channels of the New York Harbor and along the Hudson River. The vessel is rated at 2,600 horsepower, providing substantial power for these operations.

Daisy Mae (IMNO 1276338) is a U.S. flagged, triple-screw tug built in 2017, approximately 25 meters (82 feet) long with a gross tonnage around 158 GT, and is active in New York Harbor, the Hudson River, and the U.S. East Coast performing harbor and coastal towing, as well as barge handling and general tug duties. As a modern, powerful tug rated at 3,200 horsepower and owned by the Coeymans Marine Towing Company (part of the Carver Group), the Daisey Mae routinely performs maneuvers and assist work that support major port and regional logistics. The tug is designed with ice strengthen frames for winter operations along the Hudson River and is frequently used to position and move large barges carrying thousands of tons of aggregate or stone materials from sources like Salem, New Jersey, to New York City terminals in Brooklyn. The vessel is equipped with an elevated pilothouse to provide the captain an improved view over light barges, making it highly versatile for both towing and pushing operations in the regions constrained channels.

Navigator (IMO 8999776) is a U.S. flagged, twin-screw tug built in 1981, approximately 19 meters long with a gross tonnage around 116 GT, and is active in the Port of New York, on the U.S. East Coast, and along the Hudson River performing harbor towing, barge handling, and general tug duties. As an active harbor tug rated at 1,200 horsepower and owned by Balico Marine Services, the Navigator routinely performs maneuvers and assist work that support regional marine construction and logistics. Tugs like the Navigator are frequently used to position and move barges associated with construction projects or material transport in the busy channels of the New York Harbor and surrounding waterways, ensuring safe and timely operations. The vessel was previously named Miss Jean until 2012.

Matthew Tibbetts (IMO 8986949) is a U.S. flagged, twin-screw tug built in 1969, approximately 27-28 meters long with a gross tonnage around 109 GT, and is active in New York Harbor, the Hudson River, Long Island Sound, and along the U.S. East Coast performing coastwise towing, harbor assist work, and general tug duties. As a repowered tug rated at 2,000 horsepower and owned by Reinauer Transportation Companies of Staten Island, New York, the Matthew Tibbetts routinely performs maneuvers and assist work supporting major port and regional logistics. The tug is frequently used to position and move barges carrying petroleum and chemical products, a primary commodity for its owner, ensuring safe and timely transport in the region's busy waterways. It operates extensively in the New York area and has a wide operating range along the coast from Maine to Texas and into Eastern Canada and Puerto Rico.



Sea Robin – The vessel with the call sign WDL2421 is named Sea Robin. However, the AIS data identifies it as a pleasure craft, rather than a tugboat, which is a key distinction.

Oyster Catcher – The vessel with the call sign WDL2424 is named Oyster Catcher (MMSI 368111930). The available information indicates it is a small “Other” type vessel, possibly a pleasure craft or a workboat of limited size. Vessel tracking websites list its length overall at approximately 11 meters (about 36 feet) and its width at 2 meters.

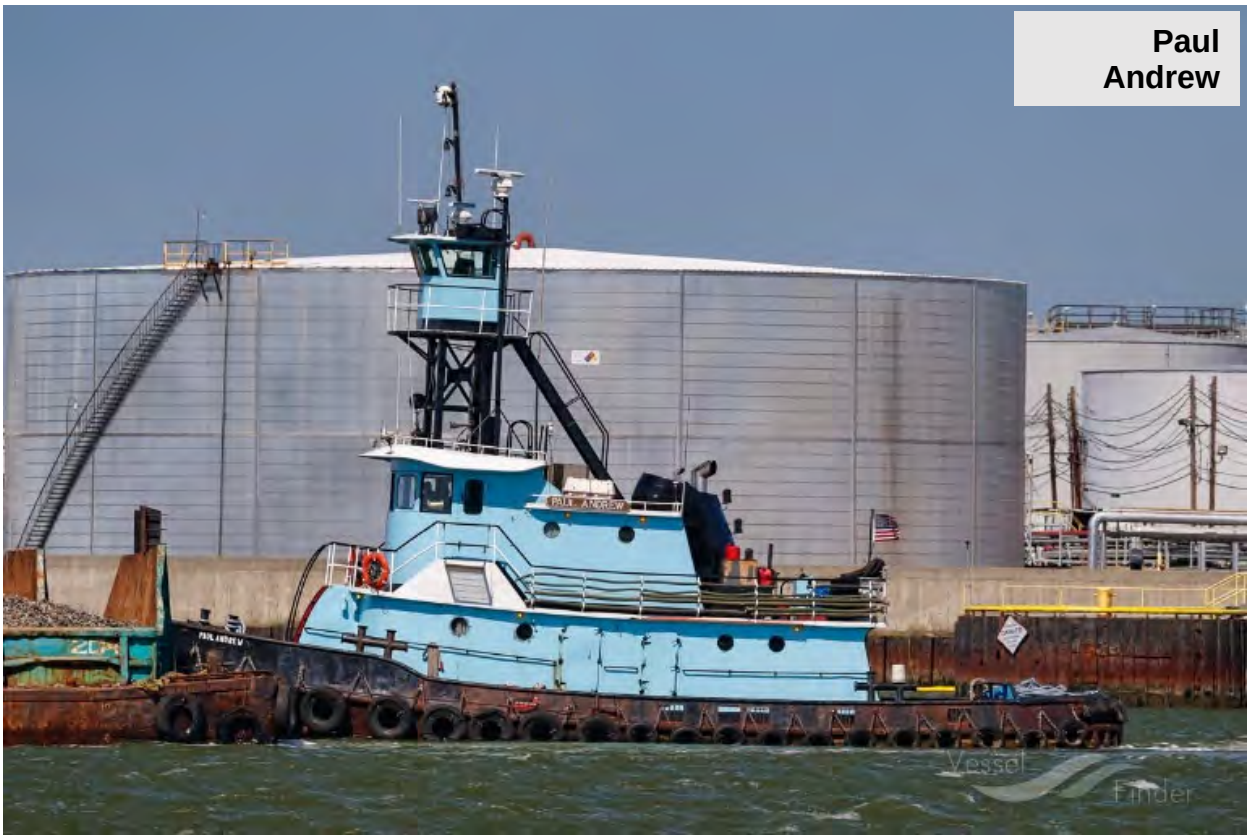
Foxy 3 (IMO 8991798) is a U.S. flagged, twin-screw tug built in 1974, approximately 20 meters (64 feet) long with a gross tonnage around 128 GT and is active in the Port of New York and along the U.S. East Coast performing harbor towing, barge handling, and general tug duties. As an active tug rated at 1,600 horsepower and owned by the Fox Marine Corporation, the FOXY 3 routinely performs maneuvers and assist work that support regional logistics. Tugs like the FOXY 3 are frequently used to position and move barges carrying various materials in the busy channels of the New York Harbor and surrounding waterways, ensuring safe and timely transport. The vessel has operated under several previous names, including Bronx 6, H.R. 6, William J. McCormack, Barker Boys, and BF Jersey, reflecting its long history of service in the New York area.

Foxy 3

Pelham (IMO5108182) is a U.S. flagged, twin-screw tug built in 1960, approximately 24.5 meters (80.4 feet) long with a gross tonnage around 175 GT and is active in the Port of New York and along the U.S. East Coast performing harbor towing, coastal towing, and general tug duties. As an active harbor and coastal tug, the Pelham routinely performs maneuvers and assist work that support major port and regional logistics. The tug has a history of operation under various owners, including Exxon, Foss Maritime, and more recently, McAllister Towing and Transportation Co Inc. It has been used for a variety of tasks, from harbor assist to long-range towing along the East Coast, providing essential support to port operations in the busy channels around New York and beyond. The vessel has been repowered over the years and rated up to 3,000 horsepower, giving it substantial power for its operations.

Pelham

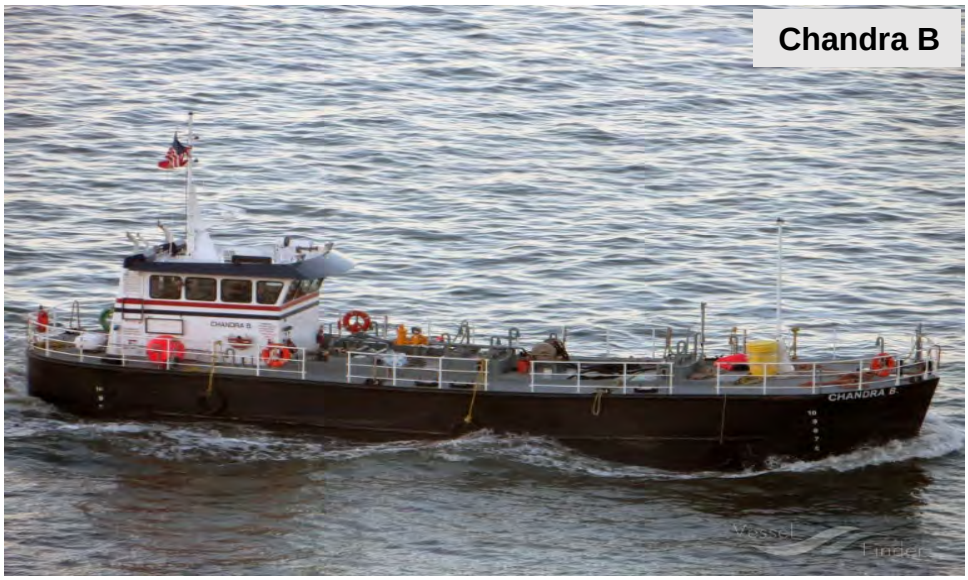
Paul Andrew – is a U.S. flagged, twin-screw tug built in 1968, approximately 20-21 meters (63-68 feet) long with a gross tonnage around 99 GT, and is active in the Port of New York, the U.S. East Coast, and inland waterways such as the Kill Van Kull performing harbor towing, construction support, and general tug duties. As an active tug rated at 1,200 horsepower and owned by the DonJon Marine Company, the Paul Andrew routinely performs maneuvers and assist work that support major regional logistics, marine salvage, and environmental dredging projects. Tugs like the Paul Andrew are frequently used to position and move dump scows carrying dredged material from projects (such as the deepening of the Elizabeth Channel) for disposal or remediation, ensuring safe and timely transport in the regions busy and constrained channels. The vessel has had several previous names, including Special, Miss Elizabeth and Miss Holly.



Julia Miller – is a U.S. flagged Port Tender vessel. AIS data indicates it is a smaller vessel, approximately 9 meters long with a width of 3 meters, and is active in the Port of New York. As an active port tender, the Julia Miller performs general duties supporting logistics and operations within the busy channels around New York. Due to its smaller size and classification, it is not a heavy commercial tugboat. Specific details regarding its year of construction, tonnage, horsepower, or owner are not publicly available in the AIS data.

Thunder – is a U.S. flagged, twin-screw towboat built in 2012 by Conrad Shipyard of Morgan City, Louisiana. The vessel is approximately 23 meters (75 feet) long with a gross tonnage around 189 GT, and is active on the U.S. East Coast, the Gulf of Mexico, and potentially inland rivers, performing towing, pushing, and general tug duties. As a modern, powerful tug rated at 2,000 horsepower, the Thunder is owned by the Centerline Logistics Corporation (previously Harley Marine Services). Tugs like the Thunder are frequently used to position and move barges, ensuring safe and timely transport in a busy and constrained channel. The vessel has 72-inch propellers and substantial fuel capacity, making it suitable for coastwide operations.

Chandra B – is a U.S. flagged double-hull bunkering tanker (not a tugboat) built in 2015, approximately 23 meters (75 feet) long with a gross tonnage around 84 GT, and is active in New York Harbor and surrounding waterways, performing fuel delivery operations. As an active service vessel in American Petroleum Transport's fleet, the Chandra B routinely performs maneuvers and bunkering operations that support port logistics. Vessels like the Chandra B are frequently used to deliver fuel to other ships in the harbor, including the Circle Line Fleet, Governor's Island ferries, and New York Water Taxis, ensuring these local passenger and service vessels have the necessary fuel to maintain operations in the region's busy channels.



Erin Elizabeth – is a U.S. flagged, triple-screw tug/towboat built in 2022, approximately 27.5 meters (90.2 feet) long with a gross tonnage of around 287 GT, and is active in the

Port of New York, the Hudson River, and the U.S. East Coast performing harbor towing, pushing ahead, and general tug duties. As a modern, high-horsepower tug rated at 3,900 horsepower and owned by the Carver Marine Towing Company (previously acquired from Kirby Corporation/Cenac Towing), the Erin Elizabeth routinely performs maneuvers and assistance work that supports major port and regional logistics. Tugs like the Erin Elizabeth are frequently used to position and move large barges carrying materials such as aggregate or stone, ensuring safe and timely transport in the region's busy and constrained channels, particularly along the Hudson River and into New York Harbor. The vessel features flanking rudders for enhanced maneuverability and sophisticated winches for handling various towing and pushing operations.

Erin Elizabeth

NYPD 9 – is an active, high-speed patrol and response vessel operated by the New York Police Department's Harbor unit. It is a versatile, technologically advanced boat designed for a range of law enforcement and counter-terrorism activities in the complex waterways surrounding New York City.

NYPD 452 – is an active, modern law enforcement vessel operated by the New York City Police Department's Harbor Unit. This 14-meter (46-foot) patrol boat is constructed for high-speed response and durability, likely utilizing marine-grade aluminum, and is capable of reaching speeds in excess of 40 mph. Its primary mission includes maritime security and counterterrorism within the busy New York Harbor and surrounding rivers. The vessel is equipped with sophisticated operational technologies, including radiation detectors for scanning cargo, side-scan sonar and infrared cameras for search and rescue operations, and ballistic protection for the crew in the wheelhouse. The NYPD 452 serves as a versatile platform for patrol duties, emergency response, and securing critical waterfront infrastructure.

FDNY M4 – is a specialized, high-speed Search and Rescue (SAR) and fire response vessel operated by the New York City Fire Department's Marine Division, stationed at Fort Totten in Queens. It is a durable, approximately 33-foot (10-meter) "SAFE Boat" type vessel, designed with a robust aluminum hull and often equipped with rigid foam pontoons for stability and unsinkability in varying water conditions. Powered by high-powered outboard motors, the M4 is highly maneuverable and capable of high speeds (over 40 mph) to facilitate rapid emergency response across New York's intricate waterways. While not one of the massive fireboats like the Three Forty Three that pump tens of thousands of gallons per minute, it is equipped with a fire pump capable of around 1,000 gallons per minute and also performs water rescues, EMS support

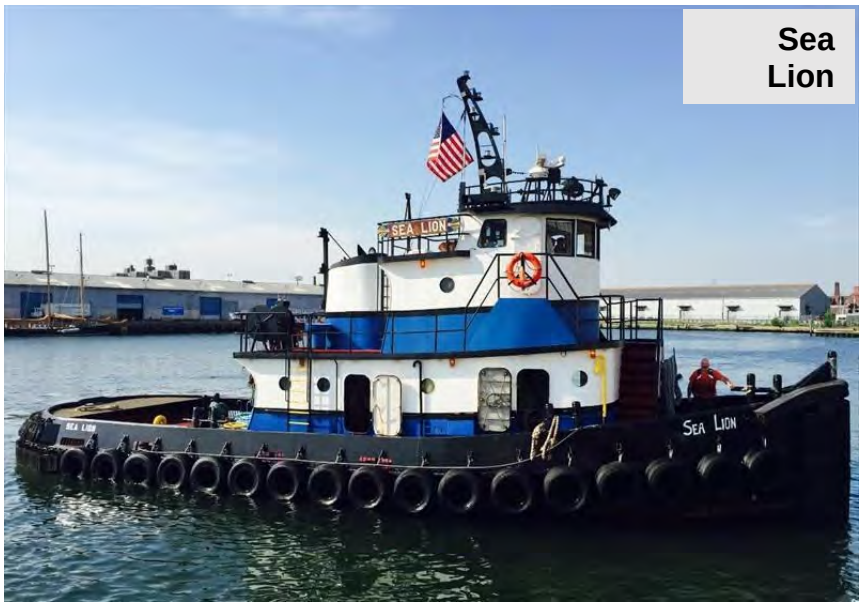
(carrying CFR-D equipment), and tactical support, utilizing advanced navigation, radar, and communication systems to coordinate effectively with other emergency units.

NYPD CT3U – is a highly specialized, cutting-edge counterterrorism and patrol vessel operated by the New York City Police Departments Harbor Unit. This advanced craft is a 46-foot (14-meter) aluminum catamaran, utilizing a twin-hull design and waterjet propulsion to offer exceptional stability, high maneuverability, and speeds over 40 knots. The vessel functions as a mobile command and surveillance platform, equipped with state-of-the-art technology including Coda side-scan sonar, FLIR thermal imaging cameras, satellite communications, and sophisticated, 360-degree radiation detection systems to scan cargo and other vessels for potential threats. Designed for all-weather, around-the-clock operations, the NYPD CT3 is an integral asset dedicated to protecting New York City's critical maritime infrastructure and preventing terrorist activities on the water.

HSV Osprey – is a 16-meter, aluminum-hulled vessel registered in the United States. It is a survey craft owned and operated by the New York City Department of Environmental Protection (NYC DEP) and is specifically designed for conducting water quality sampling in the New York Harbor area. While its general type is often listed as "Other" on marine tracking sites, its specific purpose is for environmental monitoring and data collection. As of recent reports, the vessel's position was along the US East Coast.

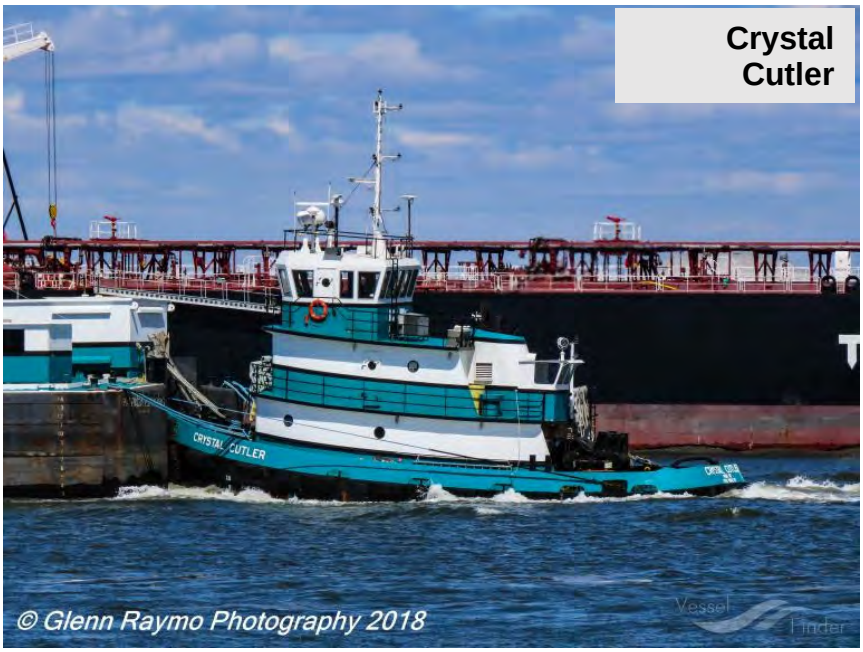
HSV Osprey

Sea Lion – is a 20-meter, U.S. flagged tugboat. It is registered in the United States and operates primarily along the US East Coast, with frequent movements in the New York area. Marine tracking data classifies it as a towing vessel, and its current position is often reported as being in the North Atlantic Ocean, frequently in route to the Port of New York.



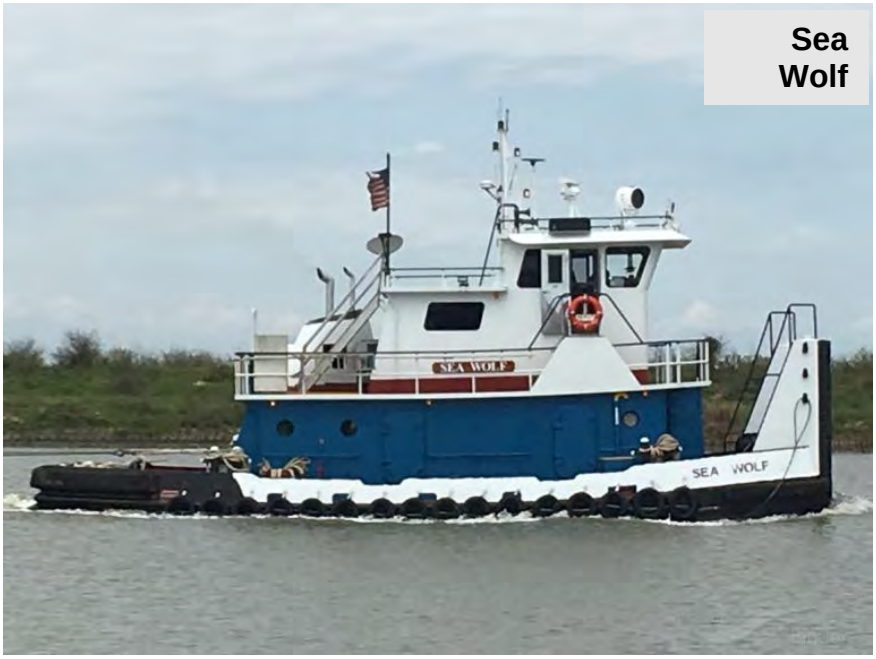
RAE – is a vintage, 16-meter (46-foot) single-screw tugboat with a horsepower rating of 450, registered in the U.S.A. Originally built in 1952 by Burton Shipyard Incorporated of Port Arthur, Texas, as the Miss Bonnie, the vessel was renamed Rae after being acquired by the Mount Sea Corporation in 2006. It is currently owned by the Fox Marine Corporation of Easton, Pennsylvania, which acquired it in 2010. The vessel operates primarily along the U.S. East Coast, with its hailing port being New York, NY. As a classic conventional tug, it performs towing operations, maneuvering other vessels such as barges or disabled ships in harbors, rivers, or narrow channels.

Cystal Cutler – is a 23-meter (75-foot) twin-screw tugboat operating along the US East Coast. The vessel was custom designed by naval architect Frank Basile of Entech & Associates and built by G&S Marine Inc. of Louisiana in 2010. With a horsepower rating of approximately 1,500 HP, the Crystal Cutler is part of the fleet of Poling & Cutler Marine Transportation and its hailing port is New York, NY. It features a deep V bow design optimized for both shallow-draft work common in the Gulf of Mexico and for navigating the busy New York Harbor. The tug is primarily used for pushing tank barges, such as the 15,000-barrel Patricia E. Poling, but is also equipped with a JonRie InterTech single-drum towing winch and 1,700 feet of wire rope for general towing operations.



Perception – is a 10-meter (approximately 33-foot) sailing vessel registered in the United States. The boat operates along the U.S. East Coast, where it was most recently reported. While many vessels share the name Perception, this specific craft is uniquely identified by its call sign PEON and is classified as a sailing vessel on marine tracking sites.

Sea Wolf – is an 18-meter (59-foot) tugboat registered in the United States. It operates along the U.S. East Coast and is classified as a towing vessel. The tug has a width of 7 meters and is actively engaged in marine operations, often reported in the North Atlantic Ocean or within ports along the East Coast.



Tide Runner- is a US-flagged high-speed craft (HSC) operating along the U.S. East Coast. According to marine tracking data, it is a relatively small vessel, measuring 8 meters (approximately 26 feet) in length and 3 meters in width. It is often reported as operating in or around the port of New York, United States.

Sandpiper, Piping Plover, and The Crew are also used in Newtown Creek; however, they are not described or included in this Appendix.

Appendix C

Newtown Creek Commercial User Interviews

November 2019 – January 2025

Newtown Creek Commercial User Interview and Responses

Zenith Energy

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   Gasoline and Ethanol tanker vessels up to 350 feet, 55 feet wide, with 10 feet draft at our dock.
2. Are there any physical constraints that limit how you are operating?
   Future and current operations dependent on an open, navigable channel.
3. What is your future operation plans in regards to transportation in the channel?
   Future and current operations dependent on an open, navigable channel.
4. How would you operate if the channel was shallower with no maintenance? Would traffic be affected? Possibly Is ground transportation an option? NO
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?) All depends on if we can continue to receive tanker vessels. Future and current operations dependent on an open, navigable channel.
6. How would you operate if the channel were deeper?
   Probably the same but could possibly receive deeper draft vessels (15-16ft max).
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? In the longer term (5+ years)?
   Not that I'm not aware of.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? Information about the potential remedial action would be provided by USEPA.
   Channel needs to continue be open to vessel traffic. All future and current operations dependent on an open, navigable channel.

SRM Concrete, LLC- Parent Company of new tenant SRM-NYCON, LLC
Decision documentation from SRM to Daniel Wiley, District Director Congresswoman Nydia Velazquez

From: Ty Stone <tstone@smyrnareadymix.com>
Sent: Thursday, May 23, 2024 3:33 PM
To: Wiley, Daniel <Daniel.Wiley@mail.house.gov>; lisa.a.baron@usace.army.mil
Cc: Willis Elkins <welkins@newtowncreekalliance.org>; JD Kious <jdkious@smyrnareadymix.com>; Mike Dulong <mdulong@riverkeeper.org>; Beca-Barragan, Renata <Renata.Beca-Barragan@mail.house.gov>; LeGendre, Rumer <Rumer.LeGendre@mail.house.gov>
Subject: Re: [Non-DoD Source] Newtown Creek Navigation Analysis - request call

Dan-

Thank you for your patience while we worked through this issue internally. As you know, access to this channel was considered in our initial acquisition analysis and, as such, we were very reluctant to limit any future potential there. The Hollingshead family takes our company's involvement in our local markets very seriously and we used that compass to acknowledge that the decertification of the channel outweighs our future utilization.

Please accept this email as confirmation that Smyrna Ready Mix Concrete, LLC agrees with the position to decertify the Dutch Kills channel for commercial navigation. JD Kious is copied on this response and will be happy to handle any paperwork necessary.

Again, thank you for all of the information you shared and please let me know if SRM can be of further assistance.

Ty

Ty M. Stone| Business Development-Land Manager| **Smyrna Ready Mix Concrete, LLC.** | 228 Dean Forest Rd, Savannah, Georgia 31408

O: 615-355-1028 | C: 912-944-7224| tstone@smyrnareadymix.com

Dan Wiley | District Director North Brooklyn/Western Queens | Congresswoman Nydia Velázquez

Queens Office: (718) 340-6244 | Brooklyn Office: (718) 599 3658 | Cell: (202) 897-6802

Text below represents position of previous tenant and is no longer considered.

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   As a concrete producer, we are one of the few manufacturing companies in New York City. This site contains two concrete batching plants and because of its proximity to Manhattan is critically important to our company. The facility currently is bringing raw materials (sand (aka fine aggregate); stone (aka coarse

aggregate); and cement) via trucks to manufacture concrete and are not currently using Newtown Creek for transportation of these raw materials. However, as federal interstate I-278 (Brooklyn Queens Expressway – BQE) a critical important truck route is about to undergo major repair/reconstruction (See link at: https://www.bqe-i278.com/en), there is an urgent need to be able to utilize the creek to transport their raw materials in the very near future. Waterborne transport is certainly a much more economical and cost-effective mode of transport compared to trucks and rail. If barges would be used, the operation would utilize 10-12 ft. draft vessels with 40 feet wide and 150 feet length.

2. Are there any physical constraints that limit how you are operating?
   The current bathymetry and possibly air draft of the bridges (Borden Avenue and Hunters Point Avenue Bridges) prevent use of Dutch Kills. The tugs transporting the barges of raw materials would need 16 feet of air draft. In addition, there is additional concern that the NYC Department of Transportation will be strictly enforcing three-decade old truck weight limits that will severely constrain logistics for the supply of these raw materials. NYCDOT Deputy Commissioner just sent an invitation to convene a high-level summit of government officials and industry leaders to discuss this issue which is supposed to take place sometime in October 2020. As the fines for these overweight violations are $7,000 per occurrence, these restrictions and strict enforcement would make operations prohibitively expensive and cause an immediate shift to barge transportation at this facility.

3. What are your future operation plans in regard to transportation in the channel?
   The company is a long-term tenant (and sub-tenant) on NYC owned property on the water in Brooklyn under a long-term lease intending to receive and ship aggregates via barges and trucks to its other facilities in New York, including this one in Long Island City. If the company is prevented or restricted from using trucks, if able to use Dutch Kills, the Company would bring in vessels that would have a 10-foot draft and require 12 feet of depth at mean low water.
4. How would you operate if the channel was shallower with no maintenance? Would traffic be affected? In future, if able to use barges, on average, each barge would replace approximately 40 trucks.
   Is ground transportation an option? YES – currently using trucks.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?) Facility would maintain use of trucks, which very well may become prohibitively expensive.
6. How would you operate if the channel were deeper?
   Would utilize barges that require 12 feet of water for 10 feet draft vessels.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? The company has a long-term lease at this facility and this dock is capable of receiving barges right now. The dock is capable of accepting barges if the waterway has depth of 12 feet. at mean low water. In the longer term (5+ years)? The company has a long-term lease at this facility and this dock

is capable of receiving barges right now. The dock is capable of accepting barges if the waterway has depth of 12 feet at mean low water.

8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? Information about the potential remedial action would be provided by USEPA. If, in the worst-case scenario, the reconstruction of the BQE and increased truck weight limits are strictly enforced by NYC, operating this facility would become prohibitively expensive. If that happened and the channel was not navigable, we are not sure we would be able to use this facility. As we are parties to multi-year construction contracts to produce and deliver concrete to many major public and private sector construction projects, and could not pass along these costs, we might very well have to shut down this facility putting dozens of long time union employees out of work.

Sims Metal

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   Barge material out as needed. Have 3 barges there typically at any time. All barges draft 17ft. Tend to turn around 3 barges every 24hrs. Loads range from 500-800 tons. Barges do not go lower than 4ft above the deck.
2. Are there any physical constraints that limit how you are operating?
   No constraints. Since barges are small and creek is deep enough, they're not sensitive to any physical constraints.
3. What are your future operation plans in regard to transportation in the channel?
   No future operation changes, current operations will continue down the line.
4. How would you operate if the channel was shallower with no maintenance?
   Depends on how shallow, we need a 17ft draft. Would not require any additional modifications to the facilities. High and low tides do not affect their operations. Would traffic be affected? Not affected. Is ground transportation an option? Not at all because trucks cannot carry as much as a barge and trucks would be way too costly. There would be dozens of trucks needed.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   We will continue to operate as we do now.
6. How would you operate if the channel were deeper?
   Would not affect their operations. No plans on getting bigger barges.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? In the longer term (5+ years)?
   No infrastructure changes needed regardless of deeper channel. Wouldn't impact them.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? Information about the potential remedial action would be provided by USEPA.
   No concerns. Pretty dynamic, can make use with whatever conditions they have.

Follow-up with Eric Knorr (April 29, 2020): Sims was asked why they are only leasing the 10 to 12-ft draft vessels to Empire Metal and TNT Metal. Sims indicated that they lease the smaller vessels in order to maximize the use of their entire CURRENT fleet to meet their clients' needs. Sims may purchase more vessels in the future and provide those larger vessels to these 2 companies if they wanted and they had them.

NYCDEP Newtown Creek Wastewater Treatment Plant

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.

   The marine sludge vessels, owned and operated by the NYC Department of Environmental Protection, utilize Newtown Creek to perform its core mission: transportation of sludge. NYC DEP operates and maintains 14 sewage treatment facilities throughout the five boroughs. The sludge vessels load and discharge sludge between the 14 facilities for final processing of sludge as all the facilities are not equipped with dewatering facilities. The largest Wastewater Facility in the system is Newtown Creek and is located at 329 Greenpoint Avenue. A sludge loading dock was built in 2014 at Whale Creek located within the property of the Wastewater Facility. Variable and seasonal production levels of sludge require scheduling 6-10 round trips in Newtown Creek to meet all sludge service requirements. The duration for each load is three hours and a typical transit time between Whale Creek and the mouth of Newtown Creek is 30 minutes. The loaded vessels transport sludge to another wastewater facility for final [dewatering] processing the same day. Prior to 2014, sludge vessels loaded sludge at a dock located on the East River approximately one mile from the Wastewater Facility. The property where this dock was located was rezoned and developed for residential and recreational use. The change of the sludge loading location required vessels to navigate Newtown Creek to the dock at Whale Creek. DEP invested $ 105 m. to design and build three motorized vessels [NC-50 Class Vessels] to navigate Newtown Creek unassisted and load sludge at the Whale Creek dock. The older sludge vessels in the fleet were not designed to navigate around the restrictions of Newtown Creek. Specific design requirements were needed to remove the daily volume of sludge [one million gallons] from the Wastewater Facility and safely maneuver in the Newtown Creek. A maximum load draft of 14 feet and an air draft of 45 feet were two key design characteristics that the vessels were built around to pass under the Pulaski Bridge without requiring an opening. Bow and stern thrusters along with twin controllable pitch propellers allow for optimal directional control and maneuverability in the restricted waterway. The sludge vessels only operate in Newtown Creek up to the Whale Creek inlet.

   Additionally, the DEP operates a fleet of eight smaller vessels for water quality programs and occasionally transit Newtown Creek to the end at English Kills, East Branch and Maspeth Creek. Containment of floatables from combined sewer overflow [CSO] are trapped in booms at these branches of Newtown

Creek. DEP vessels maintain and clean out the boom sites as needed. The size of these vessels range from 26 to 60 feet. The water drafts [5 feet or less] and the air drafts [22' feet or less] are not consequential for the navigational analysis. The smaller fleet of vessels are moored at a marina in Whale Creek near the sludge dock. See tables below for information on vessel characteristics for the fleet.

M/V Hunts Point – M/V Port Richmond – M/V Rockaway

Gross Tonnage	2828 tons
Overall Length	290'
Regular Length	275'
Depth Molded	18'-06"
Beam	70'-6"
Draft fwd. lt.	4'-6"
Draft aft lt.	10'-6"
Draft fwd. full	13'-0"
Draft aft full	14'-0"
Horse Power	3650
Capacity	140,000 cu. ft.
Air Draft	45'-0"
Speed	10 kts.
Propellers	2 CPP
Year Built	2014
ABS Class	Bulk Liquid Carrier

Marine Vessel Fleet

	Name	Useful Life	Year Built	Age (yrs)	Length (ft)	Volume	Status	Comments
	Sludge Vessels: Transport liquid sludge from water pollution control plants without dewatering capability to those with dewatering facilities, or to plants whose receiving body of water can accommodate effluent with certain levels of nutrients. Volume is normal MAX. operating load capacity which is 80% of total cargo space							
1	**North River**	40+ years	1974	46	325	82,000 cu. Ft.	Operating	Built for ocean offloading. Retrofitted to meet current operations with a reduced capacity of approx. 80,000 cubic feet.
2	**Red Hook**	30+ years	2008	12	352	130,000 cu. Ft.	Operating	Designed for coastal routes - deep draft restricts use at NC Plant
3	**Hunts Point**	30+ years	2014	6	290	130,000 cu. Ft.	Operating	designed for inland river use- low air draft access to NC plant Whale Creek dock
4	**Port Richmond**	30+ years	2014	6	290	130,000 cu. Ft.	Operating	designed for inland river use- low air draft access to NC plant Whale Creek dock
5	**Rockaway**	30+ years	2014	6	290	130,000 cu. Ft.	Operating	designed for inland river use- low air draft access to NC plant Whale Creek dock
6	**Udall's Cove**	30+ years	1987	33	380	440,000 cu ft.	Operating	back-up storage/ emergency use
	Skimmer Vessels: Remove floatables and debris from waterways following rain events that result in combined sewer overflows;							
7	**Ibis**	15+ years	1992	28	45'	15 yrds	Operating	Primarely used for CSO floatables containment facilities
8	**Jamaica Bay**	20+ years	2006	14	59'10"	15 yrds	Operating	Primarely used for CSO floatables containment facilities
9	**Shear Water**	20+ years	2009	11	59'10"	15 yrds	Operating	Primarely used for CSO floatables containment facilities
10	**Oyster Catcher**	20+ years	1999	21	25'9"	N/A	Operating	skimmer vessel/CSO boom support vessel
	Harbor Survey Vessels: Perform on-site testing and surveys of water quality; monitor coast line for illegal discharges from outfalls;							
11	**HSV Osprey**	20+ years	1992	27	55	N/A	Operating	55 Feet, a "laboratory at sea"
12	**Sandpiper**	20+ years	2014	6	29	N/A	Operating	CSO Survey Vessel
13	**Sea Robin**	20+ years	2019	1	30	N/A	Operating	Sentinal Monitoring
14	**Tide Runner**	20+ years	2019	1	30	N/A	Operating	Support Vessel

2. Are there any physical constraints that limit how you are operating?
   There are currently no limiting constraints on how we operate in Newtown Creek.
3. What are your future operation plans in regard to transportation in the channel?
   There are no foreseeable changes to current operations. We will continue to remove sludge from the Wastewater Facility at Whale Creek at the current rates
4. How would you operate if the channel was shallower with no maintenance?
   1. Would traffic be affected? Yes. DEP sludge vessels have a full load draft of 14'-0". A minimum of two feet below the keel [16'] is needed to safely navigate in Newtown Creek. Ideally 18' of water depth would provide greater safety to protect against unusual low tides from lunar cycles and wind. Local shoaling from storms is also a concern to keep the water depth at current levels or deeper.
   2. Is ground transportation an option? Not an option
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   The last bathymetric survey DEP has on file is from June 2014. We could review and comment after reviewing a current survey.
6. How would you operate if the channel were deeper?
   A deeper channel would provide a better level of comfort, but we would operate the same with regards to speed and maneuvering.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2 to 5 years)? In the longer term (greater than 5 years)?
   No changes are needed
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? (Note: Information about the potential remedial action was not provided to any user by the USACE and if asked would state information would be provided by USEPA in the future).
   We would be concerned if the current depths are not maintained. We would also be concerned if the channel was narrowed in any way.

Follow-up Email from NYC (NYCDEP) following concurrence with NYC Department of Law, outside Counsel and NYCEDC on September 7, 2021:

"New York City- NYCDEP coordinated with New York City Department of Law, New York City Department of Planning and New York City Economic Development Corporation (NYCEDC) to determine New York City's collective position on the current and reasonably anticipated future use of Newtown Creek and its tributaries. Overall, NYC has no objection to the deauthorization or modification of the tributaries of Newtown Creek. NYC also has no objection to the reduction of the federal channel depth in Newtown Creek to a depth of 20 feet for their own operations. However, NYC representatives also stated that they would not support a reduction in the federally authorized channel depth of 23 feet if a current active user required that depth for their current or planned

reasonably anticipated future use. We understand that the Corps' test is the current and reasonably anticipated future uses, but as we've advised NYC deems this waterbody a "significant maritime industrial area" and as such plans for the future uses would be supported by maritime navigation and commerce, which relieve local roadway congestion and facilitate the movement of goods and services.

In regard to the two specific locations that have been identified recently, in addition to our prior response to the questionnaire as well as the email we sent regarding the City's overall position, we have the following to add:

With respect to the Allocco location, they do not have a current use which requires a 23 foot navigational depth. In fact, part of their existing use is on property owned by the City that Allocco is on illegally. Allocco claims that if they are removed from the property they are on illegally they may consider other uses which would require a deeper navigational depth. The City does not believe it is appropriate for Allocco to attempt to leverage an illegal current use, which would not require a 23-foot navigational depth, by saying that if the illegal use is taken away they have a "concept" of a future use that "may" require a deeper depth. Allocco has not provided any specific plans for that conceptual use, no plans for dredging the existing berth next to their facility which currently is considerably more shallow, no contracts for the materials to be processed, no purchases or leases for the required vessels and no financial information to demonstrate that this concept is commercially viable. In fact the lack of any certainty in their plans is shown by their going back and forth between concepts for using the site for bluestone versus salt shipments, which require different vessels and are completely different market sectors.

With respect to NYCON's site, there can be no reasonably anticipated future use requiring the retention of the navigational depth of 12 feet in Dutch Kills. The Corps has confirmed with the LIRR that the two bridges in that area are inoperable and they have no plans to fix or remove them. As such, NYCON cannot access its facility via Dutch Kills."

Allocco Recycling

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   We load hopper barges daily at our facility. Barges are 250Lx52Wx14D (indicated 12-15 ft draft with follow-up call)
2. Are there any physical constraints that limit how you are operating?
   Not currently.
3. What are your future operation plans in regard to transportation in the channel?
   No changes, we plan to continue to use the creek daily
4. How would you operate if the channel was shallower with no maintenance?

Would traffic be affected? N/A Is ground transportation an option? N/A

5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   We would continue to operate normally
6. How would you operate if the channel were deeper?
   This would be a benefit we would be able to bring bigger vessels to our dock.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? In the longer term (5+ years)?
   No
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? In21formation about the potential remedial action would be provided by USEPA.
   We are concerned that we would not be able to operate our business as efficiently as we do currently. A stoppage in creek travel would result in a major financial impact.

Follow-up #1 (26 March 2020): Mike Allocco – confirmed they will not utilize the turning basin in Reach E/G. They turn around right at their facility utilizing the entrance to Whale Creek. If Whale Creek silted in and the channel remained authorized at 130ft wide, Allocco would need to find an alternative location to turn around given his current barge length is 250ft long. The owner indicated they would utilize the East River and not the Turning Basin in Newtown Creek.

Follow-up #2 (31 March 2021): Mike Allocco- Confirmed above information as well as their desire to utilize 21-ft draft vessels in the future.

Follow-up #3 (13 May 2021): Mike Allocco- Confirmed the following information:

- Use of the tug and barge dimensions presented in the response to the DockNYC Request for Expression of Interest (Allocco, 2021)
- Current transport of sand to the facility via truck
- Allocco submitted a Response to the Request for Expression of Interest (RFEI) to DockNYC (January 29, 2021) for a use and occupancy permit at North Henry Street and the No Name Inlet in conjunction with their current operations at 540 Kingsland Avenue.
- If approved, Allocco plans to install monopile berthing dolphins and soldier pile bulkhead that would provide additional mooring for barges along the bulkhead to improve berthing and efficiency of operations.
- Allocco indicated that if the permit was granted, they would maintain current operations and an authorized channel depth of 20-feet would be satisfactory.

- If the permit is not issued, Allocco would adjust their operations to transport sand, salt and bluestone using larger vessels drafting up to 21 feet to their dock in the future. Therefore, the authorized channel depth of 23-feet to their facility would remain at this time.

Follow-up #4 (1 October 2025): Mike Allocco- all information was confirmed accurate. Mr. Allocco indicated Allocco has been in talks with EDC to occupy the landside of the area proposed with some type of lease. However, as far as reconstruction of the shoreline, moorings and in water work they did not approve.

United Metro Energy

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   Proving products by barges.
2. Are there any physical constraints that limit how you are operating?
   Yes, cannot bring in larger vessels because of the draft needed and the current bathymetry of the creek
3. What are your future operation plans in regard to transportation in the channel?
   To continue as is, or use larger vessels.
4. How would you operate if the channel was shallower with no maintenance?
   Would not recommend.
   Would traffic be affected? Yes Is ground transportation an option? No
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   The same as they currently operate.
6. How would you operate if the channel were deeper?
   Would bring in bigger barges.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? In the longer term (5+ years)? No infrastructure changes within the upcoming years.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? Information about the potential remedial action would be provided by USEPA.

Follow-up #1 (May 19, 2020): John McConville (President) indicated that they utilize the Turning Basin.

Follow-up #2 (March 12, 2021): John McConville

- There are several reaches in Newtown Creek that were constructed at a shallower depth than authorized. In particular, the Turning Basin that is

authorized at 23-ft was only constructed at 20-ft. You had indicated that Empire utilizes the Turning Basin.

- The only way the Turning Basin would be maintained at the authorized depth is if the USACE received additional Congressional direction and had a cost shared sponsor.
- You previously indicated United Metro would like to bring in 21-ft vessels in the future if the channel was maintained to its constructed depth.
- Knowing that the Turning Basin would not be maintained to a depth greater than constructed (20-ft), would this be reasonable for your future use and would you operate differently in the future? No. United Metro could still utilize 21-ft vessels at their facility since these vessels will be empty when using the Turning Basin. A 20-ft Turning Basin would be adequate depth for these empty barges.

Follow-up #3 (March 31, 2021): John McConville, Nicole Lam, Aaron Gershonowitz

- Repeated background information for new contacts/call participants.
- Relayed discussions with Kinder Morgan on their acceptance of 20-feet top of cap resulting in an 18-foot navigational channel upstream of United Metro through the Turning Basin.
- Would an authorized channel depth of 18-feet through the Turning Basin provide adequate draft for your empty vessels (16-feet draft) in the future?
- Email response (May 5, 2021) was provided by Aaron Gershonowitz stating: "we are fine with a 20-ft authorized channel up to our dock and that our empty vessels in the future would be ok with an 18-ft authorized channel in the turning basin."

Prologis- Blue Highways Program
Alec Bildstein (abildstein@prologis.com)- January 21, 2026

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   Prologis is not currently operating marine freight on Newtown Creek because the Kingsland waterfront is currently under lease to ExxonMobil through December 2026 as they complete ongoing site activities. Upon lease expiration and completion of redevelopment, Prologis intends to activate the site as a Blue Highways marine freight node that will rely on Newtown Creek for inbound and outbound freight movement. In support of near-term activation planning, Prologis is currently coordinating with RoRo and LoLo operators. Prologis' longer-term operating concept anticipates larger RoRo vessels approximately ~165 feet length / ~45 feet beam, designed to carry up to 45+ trailers (and/or equivalent trailerized containerized freight), including next-generation electrified vessels.

2. Are there any physical constraints that limit how you are operating?
   The primary physical constraint is insufficient navigable depth to support safe berthing, cargo operations, and turning movements for the design vessel classes planned for Kingsland, especially in the loaded condition and as the program transitions to electrified vessels with higher displacement and draft. Prologis requests that Newtown Creek be maintained at 23 feet adjacent to the Kingsland frontage (berthing/working area) and at a minimum of 20 feet throughout the turning basin. These depths are needed to allow vessels to safely enter the site, dock, load/unload, and exit via the turning basin without restricting payload, limiting operating windows, or introducing unsafe clearance conditions.
3. What are your future operation plans regarding transportation in the channel?
   Prologis intends to utilize Newtown Creek as a Blue Highways node to move goods between New Jersey and New York City and among NYC boroughs via waterborne freight. Anticipated service types include trailerized RoRo operations, crane picked containerized freight, and select bulk commodities where appropriate. The objective is to shift freight from roadways to the waterway, thereby reducing truck vehicle miles traveled, roadway congestion, and associated emissions.
4. How would you operate if the channel was shallower with no maintenance?
   The team would not be able to utilize Newtown Creek for marine freight movement without increased depth.
   a. Would traffic be affected?
      Yes. Cargo that would otherwise be moved by water would shift to truck-based transportation, increasing truck trips on local streets and regional crossings and reducing the congestion- and emissions-reduction benefits of the Blue Highways program.
   b. Is ground transportation an option?
      Yes, although it would not achieve the traffic-reduction and sustainability benefits associated with Blue Highways operations.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   Under existing bathymetric conditions and without maintenance, the site would be constrained to operate as a conventional industrial facility supported primarily (or exclusively) by truck transportation, rather than as a future Blue Highways RoRo marine freight node. Vessel choice would be limited and more importantly, economic efficiency, feasibility, as well as growth in commercial activity, including jobs and tax revenue, would be threatened.

6. How would you operate if the channel were deeper?
   If the channel and turning basin were maintained at the requested depths, future tenants would be able to fully utilize Newtown Creek for Blue Highways operations, including reliable berthing, routine loading/unloading, and safe turning movements for planned vessel classes. This would enable consistent marine service frequency, support higher payloads per trip, and better achieve mode-shift objectives.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2 to 5 years)? In the longer term (greater than 5 years)?
   Yes. The site is currently leased to ExxonMobil through December 2026 while environmental remediation activities are completed. Following Exxon's departure, Prologis intends to redevelop the property to support industrial use designed to leverage Newtown Creek for Blue Highways operations. Capital investments and operational setup (e.g., yard configuration, on-site circulation, waterfront interface improvements and/or operating arrangements, and tenant-specific cargo handling systems) are being incorporated into the redevelopment plan. These investments are expected to be feasible in the 3–6 year timeframe consistent with redevelopment, with additional scaling (including electrified fleet operations) in the longer term. In the very near term (1-2 years), Prologis will need to use existing vessels. In the short to medium term (2-7 years), Prologis expects to bring online the next generation of electrified Blue Highways vessels.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? (Note: Information about the potential remedial action was not provided to any user by the USACE and if asked would state information would be provided by USEPA in the future)."
   Prologis is deeply concerned that the remedial action locks in the resulting channel depth permanently and that any reduction in the authorized channel depth is a decision that can't be changed or undone in the future as technology, infrastructure, and the supply chain sustainably evolve. Prologis is not a responsible party for historic environmental conditions in Newtown Creek and does not intend to become one. Prologis is supporting ExxonMobil in completing required site remediation and intends to maintain compliant site conditions going forward. At this time, Prologis has no additional concerns beyond ensuring that any future modifications maintain sufficient navigable depth to support safe Blue Highways operations; Prologis will evaluate any

proposed actions once information is made available by the appropriate agencies.

Additional Information to supplement the USACE questions-

Although Prologis is not currently responsible for the maintenance of the bulkhead, nothing in the various agreements precludes Prologis both engineering and legally from the proposed operations. Additionally, the Kingsland site has existing waterfront interface conditions and cargo-handling infrastructure that support near-term activation, including existing pick crane operations over the bulkhead and a site layout that can accommodate LoLo logistics. Prologis' redevelopment plan (following ExxonMobil's lease and remediation activities through December 2026) will formalize this marine freight function as part of the site's next industrial use, cantilevering over the existing bulkhead to allow RoRo operations. Prologis can coordinate access and operational arrangements for waterside operations as the program advances, and intends to align capital improvements with the redevelopment schedule to enable activation within 3–6 years and scalable electrified operations thereafter.

Additional stakeholder coordination: Prologis has held discussions with several potential end users and logistics providers (including national shippers and carriers) regarding prospective Blue Highways demand. These conversations are ongoing as the program advances.

Desing Vessel Information
Future Vessel Expected Design:

- ***Length:*** *160 ft*
- ***Beam:*** *40 ft*
- ***Hull form:*** *pointed / ship-shaped bow, coastal-capable to navigate eastern seaboard*
    - ***Block coefficient (Cb): ~0.75***

Draft calculation method (simplified hydrostatics)
$T = \Delta \rho \cdot L \cdot B \cdot Cb$

Where:

- $\rho = 1000\ kg/m3 (freshwater)$
- $L = 48.8\ m$
- $B = 12.2\ m$
- $Cb = 0.75$

This yields:

- ***≈ 0.092 ft of draft per 100 t of added displacement***

Customer Specified TEUs	Total Displacement (t)	Estimated Draft (ft)
35	3,100	19.8 ft
45	3,400	21.7 ft
55	3,700	23.6 ft

Prologis' Blue Highways Basis of Design Cases:

1. ***Direct Waterborne Distribution from Maine***
    a. *Conceptual design for long-haul inbound water distribution utilizing larger electric vessels. This case assumes onboard Tesla Megapack battery systems integrated into the hull, containerized cargo, and one to two container tiers on deck, resulting in a highly weight-intensive operating profile, required 20' draft.*
    b. *160' Length x 45' Beam, total displacement of 3,400 tons assuming 45 TEUs and 35 Tesla Megapacks in the Hull, equating to a draft of 21.7'*
2. ***Stacked Container Operations (Gantry Crane Interface)***
    a. *A containerized freight scenario supporting stacked containers up to three levels high via gantry crane infrastructure.*
    b. *Note that these vessels often draft up to 30', thus these operations would be cargo weight limited, not vessel size limited.*
3. ***Traditional Blue Highways Operations (Bulk and Construction Materials)***
    a. *Conventional Blue Highways use cases including aggregates and other bulk commodities.*
        i. *Prologis is in active discussions with aggregate operators regarding potential leases across select sites within the New York City portfolio.*
        ii. *Prologis is currently in contract negotiations for the acquisition of a site at the Gowanus Bay Terminal, which would serve as an additional future Blue Highways node supporting this critical market segment.*
        iii. *Bulk Vessels can require drafts of up to 20'.*
4. *One additional opportunity that has arisen is to use a vessel similar to RTC42 (official number 1240837) for bulk liquid transport to the site. Note that this is a longer vessel than we initially contemplated, and are working through the turning basin feasibility. This boat would be unladen on the turnaround.*

Additional Resources:

- *Prologis / EDC Blue Highways Podcast – Moving the World:*
    - *Youtube: https://www.youtube.com/watch?v=YBaJcXYEyC8*

    - *LinkedIn: https://www.linkedin.com/feed/update/urn:li:activity:7386517422406803456/*
    - *Spotify: https://open.spotify.com/episode/5sGRmds60RGT0CQJEWnJAl?si=8eHUwYxcQ2yem6oD0kigzw*
- *Newtown Creek Alliance Attachment: 'Newtown Creek Alliance Blue Highways 400 Kingsland Ave'*
    - *In January 2025, the Newtown Creek Alliance proposed the attached site layout for a Blue Highways use at 440 Kingsland utilizing RoRo and LoLo operations, which served as an important resource for Prologis' final design.*
- *Prologis RFEIs and Renderings:*
    - *Kingsland Ave Renderings: '440 Kingsland Ave - Greenpoint - Facing South'*
    - *Brooklyn Marine Terminal: 'BMT RFEI_Response_Prologis'*
    - *Pier 92: 'Pier 92 RFEI_Response_Prologis'*
    - *Navy Yard: 'BNY RFEI_Response_Prologis'*
    - *Pier 76: 'Pier 76 Rendering'*

Existing vessels that presently fit the criteria we are requiring:

- *Trailer Bridge: San Juan – Jax Bridge: Draft Unknown*
- *Chesapeake 1000: Heavy-lift Crane Barge ~20 ft draft (20-23 ft loaded)*
- *Ocean Express: General Cargo / Mini-Bulk 21.65ft draft*
- *Pelagic Express: General Cargo / Mini Bulk 20 ft draft*
- *RTC42: Fuel transportation 20 ft draft*

Follow-Up #1 (January 29, 2026): **Prologis letter from Jeremiah Kane (Senior Vice President) to USACE (Lisa Baron)-**

PROLOGIS®

VIA EMAIL

January 29, 2026

Lisa Baron
US Army Corps of Engineers

RE: NEWTOWN CREEK – PROLOGIS WATER DEPTH

Dear Lisa,

I wanted to follow up and close the loop as we approach the WRDA deadline.

First and foremost, thank you to you and the team for the time, effort, and flexibility you have extended to us throughout this process. The Corps truly went above and beyond to give us the space to continue our technical work, and that latitude gave us real comfort that we could proceed thoughtfully rather than reactively. We do not take that lightly.

Since our last correspondence, we have continued to advance our vessel analysis and have engaged additional naval architects and operators. As a result of that work, we have reached a clearer and more settled conclusion on our operational needs at Kingsland.

Based on this further analysis, Prologis is confident that we can achieve our Blue Highways objectives at more shallow depths than previously requested. We now believe that our authorized and maintained depth of 18 feet to the site frontage and through the turning basin is sufficient to support our Blue Highways operations at Newtown Creek.

This conclusion is driven by two developments:

First, through additional design work with naval architects, we have confirmed that future electric vessel designs capable of supporting both RoRo and LoLo operations can be achieved with drafts under 18 feet, while still meeting our throughput, safety, and electrification objectives.

Second, we are able to proceed with this depth in part because of the Responsible Parties' commitment to supporting Blue Highways infrastructure and the increased certainty that comes with a more settled and coordinated plan. That alignment materially reduces the risk that we would need to revisit these assumptions in the future.

Importantly, none of this diminishes our appreciation for the Corps' careful consideration of our earlier request or the seriousness with which you evaluated long term navigational needs in Newtown Creek. The ability to reach this updated position is a direct result of the Corps engaging with us in good faith and allowing us the time to complete deeper diligence.

Please let us know if there is any additional clarification we can provide as you finalize WRDA materials. We remain very grateful for your partnership and professionalism throughout this process.

Sincerely,

461 5th Avenue, 21st Floor, New York, NY 10017 www.prologis.com

Prologis L.P., a Delaware limited partnership

By: Prologis, Inc.
Its: General Partner

Jeremiah Kane
SVP, Value Add Investments

cc: Heidi Seal, Legal Head, North America Real Estate Transactional
Alec Bildstein, Manager, Capital Deployment
Jackie Chen, Analyst, Capital Deployment

Kinder Morgan

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   Their customers are transporting petroleum products on barges and tugs. Draft is 16ft, size of barges vary between customers. (Kirby, Reinauer barges)
2. Are there any physical constraints that limit how you are operating?
   Bridges on Newtown Creek do not open in the winter and summer based on weather conditions.
3. What are your future operation plans in regard to transportation in the channel?
   No future plans or changes.
4. How would you operate if the channel was shallower with no maintenance?
   Their customers wouldn't be able to bring their products into their facilities, and they wouldn't be able to load trucks that are sent to fuel gas stations in the five boroughs.
   Would traffic be affected? Is ground transportation an option? It is an option, but it is not a cost-effective option.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   Kinder Morgan is fine, it's more of a question for the barge companies and how they would operate their vessels in shallower water.
6. How would you operate if the channel were deeper?
   No changes if the channel were deeper.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? In the longer term (5+ years)?
   No infrastructure changes.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? Information about the potential remedial action would be provided by USEPA.
   Anything lower than 20ft would be a challenge. Want to maintain a 2-ft yield. Varying based on low tides, and high tides, want to stay on the side of caution. Wouldn't be opposed to an 18-ft depth, but not putting their name on it.

   Follow-up #1 (May 19, 2020): Terminal Operator (Gus Rappold) for Kinder Morgan and Vane Brothers Tug Company indicated that they utilize the Turning Basin to turn around to exit the channel.

   Follow-up #2 (March 19, 2021): Paul Muller (Terminal Manager) and Brian McCormick:
   - There are several reaches in Newtown Creek that were constructed at a shallower depth than authorized. In particular, the Turning Basin (Reaches E and G) is authorized at 23-ft but was only constructed to 20-ft. You had indicated that Kinder Morgan utilizes the Turning Basin.

- You previously indicated Kinder Morgan would like to bring in 21-ft vessels in the future if the channel was maintained to its constructed depth.
- Knowing that the Turning Basin would not be maintained to a depth greater than constructed (20-ft), would this be reasonable for your future use and would you operate differently in the future?
- Management has coordinated with Anchor QEA and has since indicated that a 20-ft top of cap (bottom sediment) at MLLW was acceptable for their future operations.
- This depth of cap would be acceptable adjacent their facility in Reach D, as well as Reaches E and G for the Turning Basin.
- USACE indicated that accepting a depth of 20-ft to top of cap at MLLW would result in acceptance of a new reduced authorized channel depth of 18-feet (with 2 feet over dredge). In addition, a vessel draft of 16-feet would be acceptable in the future with an 18-foot authorized channel.

Follow-Up #3: Email from Kinder Morgan (Brian McCormick) (5 April 2021):
Per our terminal superintendent, barges/tugs at our Brooklyn facility use the turning basin for both entry & exit. It is really the pilot's discretion that determines whether turning is done pre- or post-transfer, though it makes more sense for the latter given the shallower barge draft post-product offload and the current shallow condition of the turning basin.

I would like to expound on the reason for our shift in position regarding the authorized channel depth. Our previous desire to see reaches A-G at their authorized channel depths of 23' was based off our ability to cater to barges at such drafts throughout our other facilities in the NYH. In an ideal situation where Newtown Creek was not a Superfund site awaiting substantial remediation, 23' authorized channel depths would be utilized by our customers to their fullest extent commercially. Given the fact that no such ideal situation exists, a reduced authorized channel depth to 18-feet (with 2 feet over dredge) would be considered acceptable for our commercial purposes with the understanding that future regular maintenance dredging by both USACE and private waterfront landowners for the purpose of navigation would be made possible by such a compromise.

Follow-up (December 19, 2025): Email from Kinder Morgan (Joseph Benson – Joseph_Benson@kindermorgan.com) confirming above is accurate.

Green Asphalt

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   Green Asphalt is currently bringing in sand by barge from Perth Amboy and stone from quarries just south of Albany. Both the sand and stone are sold to

concrete plants in Queens and Brooklyn. The old asphalt is taken in from road projects to Green Asphalt where they process it and reuse it in New York's first 100% recycled asphalt plant. Any excess processed millings are sent upstate via the same barges and used in asphalt manufacturing in the Albany area. The types of inland hopper barges are 3,300 ton, 260-feet long, 52.5 feet wide and 12 foot draft requiring 14 foot depth of water.

2. Are there any physical constraints that limit how you are operating?
   The facility is repairing their bulkhead and currently using temporary flexi-float spud barges for off-loading the sand and stone. Once the bulkhead is repaired, they will not have any physical constraints for their operation. In addition, no dredging is required to access their berth.
3. What are your future operation plans in regard to transportation in the channel?
   They plan to utilize the 3,300 ton barges rather than the 1,600 ton barges used now with the flexi-floats.
4. How would you operate if the channel was shallower with no maintenance?
   a. Would traffic be affected? Yes- If shallower than 14-feet of water.
   b. Is ground transportation an option? No. This would defeat the purpose of the company's mission of "Green" Asphalt taking trucks off the road.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   The company would continue to operate given there are adequate depths within the channel for operation.
6. How would you operate if the channel were deeper?
   3,300 ton barges with 12 foot draft are still planned even if the channel was deepened.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2 to 5 years)? In the longer term (greater than 5 years)?
   No. Once the bulkhead repairs are completed, there are no other infrastructure improvements planned.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? (Note: Information about the potential remedial action was not provided to any user by the USACE and if asked would state information would be provided by USEPA in the future).
   None as long as the channel does not decrease more than 14 feet in depth.

Follow-up (November 18, 2025): James McMurray (jmcmurray@cacindinc.com) confirmed above information remains accurate.

37-50 RR, LLC

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.

We are not currently using the Newtown Creek channel, but would like to in the future. We are looking to use hopper barges between 165-225' length with 12-15' depths and a 17' draft would be required.

2. Are there any physical constraints that limit how you are operating?
   The depth of the channel in the area closest to our bulkhead would need to be dredged to make the use of the channel more accessible.
3. What are your future operation plans in regard to transportation in the channel?
   We are looking to use hopper barges between 165-225' length with 12-15' depths and a 17'.
4. How would you operate if the channel was shallower with no maintenance?
   We would default to using trucks.
   a. Would traffic be affected? Yes
   b. Is ground transportation an option? Yes
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   We wouldn't be able to operate without the use of a spud barge to reach the part of the channel with greater depths to accommodate the draft required for the barge.
6. How would you operate if the channel were deeper?
   We would take trucks off the road and use the waterway as a means to operate our business.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2 to 5 years)? In the longer term (greater than 5 years)?
   We would need to repair our existing bulkhead and install a spud barge in order to use the channel effectively. It is more likely we would make these investments in the long-term range rather than the short-term.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? (Note: Information about the potential remedial action was not provided to any user by the USACE and if asked would state information would be provided by USEPA in the future).
   None

Follow-up (October 2, 2025): Tyler Juliano (tjuliano@jlijiv.com) confirmed the above information is accurate.

Maspeth Recycling
Milana Kononenko (milana@deedxny.com) Updated Responses
(November 18, 2025)

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.

N/A - The owner-operator is not presently using the navigation channel for commercial purposes.

Maspeth Recycling has not yet transitioned from a future to a current user of the Creek, which will require construction of a pier. However, it is actively advancing toward securing all authorizations necessary for its proposed operations, including water-borne transport. The construction of the water-transportation infrastructure has already obtained key approvals, including federal authorization from the U.S. Army Corps of Engineers (Permit No. NAN-2023-00140) and a coastal consistency determination from the New York State Department of State (File No. F-2024-0095)

In accordance with the regulatory process, the applicant has also submitted two coordinated permit applications to the New York State Department of Environmental Conservation (NYSDEC):

1. The application for construction of the water-transportation infrastructure; and
2. The application for operation of the solid waste management facility (SWMF).

Both applications are currently under active review, and the project continues to advance through the required permitting stages. Upon issuance of these approvals and construction of the proposed pier, Maspeth Recycling will transition from a future to a current user.

2. Are there any physical constraints that limit how you are operating?
   N/A - The owner-operator is not presently using the navigation channel for commercial purposes.
3. What are your future operation plans in regard to transportation in the channel?
   The owner-operator intends to develop a berth and associated infrastructure to function as a bulk terminal for stevedoring construction materials / equipment. In addition, the owner is interested in the site being considered as a potential dredged material processing facility for the proposed remediation activities.

   Maspeth Recycling's current operations and the SWMF application are limited to the acceptance and processing of visually clean mixed excavated material**,** consisting of visually uncontaminated concrete, rock, gravel, sand, dirt, asphalt, brick, and other masonry and soil-like materials. Processing of dredged material generated from remediation activities is not included in the SWMF permit application submitted to NYSDEC.

   Considering that Newtown Creek is a Superfund Site, it is not anticipated that the dredged materials derived from it will be accepted and authorized by the NYSDEC for acceptance at the site. This would require additional authorization from both NYSDEC and the New York City Department of Sanitation (DSNY) prior to

acceptance and handling at Maspeth Recycling. Therefore, it will need to be transported to facilities/locations authorized to receive this type of material.
At this time, Maspeth Recycling is not seeking approval for dredged material processing, in particular, generated from remediation sites.

4. How would you operate if the channel was shallower with no maintenance?
   Failure to maintain the channel to a depth of 12 feet (MLLW) would render the proposed terminal infeasible.
   a. Would traffic be affected?
      Yes. Controlling depths of less than 12 feet would require lightering of barges and/or tide-stage limitations on navigation. Either of these restricted operations would render the facility fiscally infeasible.
   b. Is ground transportation an option?
      The facility presently operates solely on ground transportation and is a source of up to XX trucks per hour to the locally congested roadways. The owner-operator is pursuing the bulk terminal in an effort to increase the efficiency of the operation and to reduce local traffic congestion, air quality impairments and impacts to transportation infrastructure.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   Abandonment of channel maintenance would introduce uncertainty related to the future viability of the proposed terminal and would decrease the attractiveness of investing in the facility's efficiency and associated environmental benefits.
6. How would you operate if the channel were deeper?
   The proposed terminal's efficiency and cost-effectiveness will benefit from a deeper channel and the resulting ability to utilize larger pay load barges. The facility plans to utilize vessels with a draft of 15 feet depth.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2 to 5 years)? In the longer term (greater than 5 years)?
   The proposed terminal is in the planning and design phase. The terminal will be designed for the deepest channel that can be reasonably anticipated. The Owner intends to construct the new terminal in the short-term.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? (Note: Information about the potential remedial action was not provided to any user by the USACE and if asked would state information would be provided by USEPA in the future).
   Reduction in the commercial viability of the channel as a result of remediation activities would reduce or eliminate the feasibility of developing a bulk terminal and accruing the substantial efficiency and environmental benefits associated with it. Without the potential for a water-dependent use, the commercial potential of the property will be reduced and the Owner will suffer property value damages.

Telephonic and Email Communication (Milana Kononenko, DEEDX) (May 22 and 23, 2024): DEEDX confirmed that “Maspeth Recycling is planning to use 150' x 40' x 10' (deep) barges for their operations. The facts, which we think are more urgent and impactful, would be the immediate benefits for the communities living in the area and the environmental goals on the local, state, and federal levels in terms of the greenhouse gas emissions reduction and all other factors that depend on the high volumes of heavy-duty truck traffic in the area and the region.”

Empire Transit Mix

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   At this time we are not using the cannel. The vessels in the future would be aggregate barges approximately 1200 cubic yards. Draft we would require 12 to 15 ft.
2. Are there any physical constraints that limit how you are operating?
   We have fleet of trucks and we only have so many over-weight permits. Which they stopped giving out years ago. Barges would be lets truck to handle inbounded deliveries.
3. What are your future operation plans in regard to transportation in the channel?
   Delivery of aggregates by barges.
4. How would you operate if the channel was shallower with no maintenance?
   c. Would traffic be affected?
   d. Is ground transportation an option?
      it's getting harder each year with ground transportation. Truck routes are now reduce to one lane. Due to bike and buses lanes. These new lanes have cause more traffic. When trucks make delivers to commerce on the truck route now you have 3/4 of that one lane blocked. The future is not looking better for transportation.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   That would be big concern for the future use of the canal.
6. How would you operate if the channel were deeper?
   This would allow us more flexibility for barging.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2 to 5 years)? In the longer term (greater than 5 years)?
   We would have to investigate if any of these Modifications would affect any future plans for our operation. We would look at the investment, will this help our company in the future to make sure we're profitable.

8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? (Note: Information about the potential remedial action was not provided to any user by the USACE and if asked would state information would be provided by USEPA in the future).
   Always have concerns when one or more agency are involved with a project. WHO's best interest are they looking at? What changes are being made that will affect all commerce and only consider a select few.

Empire Metal Trading

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   For shipping, use barges. Does not own barges, whoever they're selling to own the barges. Shipping scrap metal. Gross total weight probably 3.5-4 million each. Barge is about 85ft by 130ft. Hopper Scow. Everything is put below the deck. Usually put 8-10 ft. into the water.
2. Are there any physical constraints that limit how you are operating?
   No physical constraints. The bridges do not have any impact and their barges can clear all bridges.
3. What are your future operation plans in regard to transportation in the channel?
   Continuing, function of throughput. Has year-round operations.
4. How would you operate if the channel was shallower with no maintenance?
   It would be a bother.
   Would traffic be affected? Is ground transportation an option?
   No ground transportation would ever be considered, especially environmentally and a pollution nightmare.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   Same as today, operations are not affected.
6. How would you operate if the channel were deeper?
   Same as today, wouldn't make a difference.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? In the longer term (5+ years)?
   They're replacing entire bulkhead due to age. Shouldn't been finished Dec 2019, should be done by end of Spring.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? Information about the potential remedial action would be provided by USEPA.
   If the depth gets deeper, there shouldn't be any operational changes. However, he's concerned about the likelihood of a successful cleanup in a timely fashion. He indicated that the primary pollutant in the creek is coal tar.

Follow-up #1: Wayne King – 27 March 2020

1. If Sims Metal is providing the scows and they are using 17ft draft vessels, why are you using scows that draft 8-10 ft? Sims Metal provides the scows to transport scrap metal to Claremont Channel and Port Newark. Sims has 19 different scows/year that they are using in their rotation. Empire using old garbage scows from Staten Island with a design draft of 8-10 ft. The drafts could be deeper if they chose to load heavier material.
2. Wayne has worked at this location for over 30 years and has not seen a larger vessel at the facility. He also stated that TNT cannot load to capacity - scows owned by Thorton. Indicated there is not sufficient draft at facility (predicted either in channel or at berth).
3. Scows placed at facility are uniform, they know what they will be getting in each docking.
4. The customer (Sims) is making the choice and selection of using the smaller barges. They are sending bigger barges to other places.
5. Wayne indicated if they had deeper depths and other customers could use deeper draft vessels. They could put 1 month of material in 1 barge-economics would be fantastic. They do not bring in larger vessels due to lack of channel depth.
6. Empire doesn't sell directly since they do not want to deal with letter of documents, warfing, stevedoring, work force, claims, etc.
7. Receive scrap metal via truck and exit via barge.
8. Sims owns most of barges with >80 barges; #1 competitor only owns 6 barges.
9. Size of loading equipment is 62ft on center; 5-6 ft from fender system (35ft wide).
10. NAN post call: need to call Sims to understand why sending smaller scows to Empire.

Follow-up #2 (March 18, 2021): Wayne King

- There are several reaches in Newtown Creek that were constructed at a shallower depth than authorized. In particular, the mainstem Reaches E and G (Turning Basin) is authorized at 23-ft but was only constructed at 20-ft and Reach J - English Kills was authorized at 20-ft but only constructed to 16-ft.
- The USACE would only maintain English Kills in the future to a maximum of its constructed depth (16-ft). The only way English Kills could be maintained at the authorized depth is if the USACE conducted a study, received additional Congressional direction and had a cost shared sponsor.
- You previously indicated that Empire Metal Trading would like to bring in 18-ft vessels in the future if the channel was maintained to its authorized depth.
- Knowing that the English Kills would not be maintained to a depth greater than constructed (16-ft), would this be reasonable for your future use and would you operate differently in the future? This is very disappointing. If Empire Metal Trading is limited in the future to a maintained 16-ft channel, this would limit use to 14-ft vessels. This would impact us in the future resulting in the need to use

outbound trucks increasing traffic. A vessel draft of 18-ft is still desired for future operation; however, Wayne understood that the channel could only be maintained to the maximum 16-ft constructed channel.

Follow-up #3: Wayne King (wayne@empiremetaltrading.com), October 8, 2025: Confirmed above information is accurate.

TNT Scrap

1. How are you currently using the Newtown Creek navigation: Hopper barges and fill with scrap metal and transport to Port Newark (1-2 week). 195x35x12FT long limitations to make the turn
2. Are there any physical constraints that limit how you are operating?
   No physical constraints.
3. What are your future operation plans in regard to transportation in the channel?
   Have no plans in modifying their operations along the channel.
4. How would you operate if the channel was shallower with no maintenance?
   If the creek was shallower they wouldn't be able to ship out their materials. Basically at a limit with a slight margin of safety.

   Would traffic be affected? Is ground transportation an option? Not using ground because of the amount of trucks that would be needed. 400+ trucks would be needed per week. Cost wise its way too much.
5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   There's an aeration pipe in the creek. That helps the creek now for water quality. Conditions would stay the same, operations would stay the same.
6. How would you operate if the channel were deeper?
   [Will not affect their operations.] TIM- would bring in larger vessels up to 18ft.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? In the longer term (5+ years)?
   If deeper, the project would have to take away part of his property because it's going to come back up on the property side. Moving the aeration pipe is going to be a "bitch". Modifications would lead to long term investments due to "today's market".
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? Information about the potential remedial action would be provided by USEPA.
   N/A.

Follow-up #1 (March 23, 2021): Tim Fulton

- There are several reaches in Newtown Creek that were constructed at a shallower depth than authorized. In particular, the mainstem Reaches E and G

(Turning Basin) is authorized at 23-ft but was only constructed at 20-ft and Reach J - English Kills was authorized at 20-ft but only constructed to 16-ft.

- The USACE would only maintain English Kills in the future to a maximum of its constructed depth (16-ft).
- You previously indicated that TNT Scrap would like to bring in 18-ft vessels in the future if the channel was maintained to its authorized depth.
- Knowing that the English Kills would not be maintained to a depth greater than constructed (16-ft), would this be reasonable for your future use and would you operate differently in the future? Operations would not change in the future and would continue to use 12-ft draft vessels.

Bayside Fuel Oil Depot

1. How are you currently using the Newtown Creek navigation channel? Obtain current vessel types, drafts, size.
   Shipping in heating oil and diesel. Owner had barges designed and built to be able to operate in the canal. Do not draft more than 11ft (drafts are a little smaller but used 11 as a cushion). 11ft draft for fully loaded drafts.
   - Regular boat is 7k barrel barge: 10ft draft, 192ft long. 42ft beam. Couldn't build bigger because it would draft more.
   - (James Joseph boat) is limited because it barely fits the dimensions of the creek. 214ft long, 11ft draft, 40ft beam, 10k barrel boat. Only used in emergencies because if something goes wrong it can cause damages.
   - Another 10k barrel boat with similar dimensions. 12ft draft.
2. Are there any physical constraints that limit how you are operating?
   Only ship in on high tide. Worried about the aeration pipe at the bottom as well. When coming in on high tide, have a minimum 12ft clearance. Draw bridges also don't always work. Have 1 barge that they use on a regular basis. Broken bridges affect the size of the boat they can build since the bridges cannot go up. Need to have the Metropolitan Ave bridge open (constant problem: heat restrictions, if it's above 64 degrees they have to cool it down). Can only get under Greenpoint and Kosciuszko Bridges. Metropolitan Bridge needs to open or they cannot get through. Dealing with high wind and tides (big barges move around and shift). During the winter ice limits operations. Other people are taking use of the canal for recreational use (park pleasure boats). Worried about maneuvering through ice and having to deal with ice cracking the smaller boats. In winter Bayside needs to hire a service to break the canal's ice on his expense. People parking pleasure boats all around can affect maneuvering big barges through the canal. Not thrilled about the dredging.
3. What are your future operation plans in regard to transportation in the channel?
   No plans on changing their operations in the channel.
4. How would you operate if the channel was shallower with no maintenance? They would be out of business. Boats are built specifically to maximize what they're working with, anything smaller and all the boats are useless.

Would traffic be affected? Is ground transportation an option? Not an option unless they're going to install pipeline for them.

5. How would you operate if conditions stayed the same as they are now with current bathymetry and no maintenance?
   The aeration pipe helps move things around. DEP pipeline. Bulkheads fall off the ships and can puncture boats if they hit them.
6. How would you operate if the channel were deeper?
   They would be able to use the two bigger boats because they draft a little bit more. Probably wouldn't be able to get bigger barges than that because of the width restrictions from the bridges. Instead of having 1 boat, they'll have three boats.
7. Are there facility/infrastructure changes, operational modifications or other investments you would need to make in order to operate in a deeper channel? If so, how likely is it that you will be able to make these investments in the short-term (2-5 years)? In the longer term (5+ years)?
   No investments due to the environment they're in. Outsiders want gas and oil out, so fuel is not really wanted during this day and age. Trying to survive as long as they can.
8. What concerns do you have regarding future modifications to the authorized channel resulting from a potential remedial action? Information about the potential remedial action would be provided by USEPA.
   Finds it interesting that they're dredging to the same depth. Little iffy on how its staying at 12ft. Means all of the bulkheads along the canal will not need to be reinstalled. If they go lower he's out of business. If they go deeper he's thrilled. Doesn't have clearance for anything less than 12ft. His business is seasonal. (Dec-March). Any disruptions are lost opportunity to recover. Any restrictions from construction that limits his transportation through the canal, he has 0 tolerance. More flexibility from April-October. Anything happening in those months, he's getting people to stop any types of closures along the creek. Only has 4 months to make a living. Cannot make money back if he's restricted from December – March. Concerned if the creek is closed 8am-4pm, would transportation operation because high tide would only fall around that time. If he's limited, will not be able to keep up with demand, terminal will run dry, cannot make back lost opportunities.

Follow-up #1 (March 18, 2021): Vinny Alagreti

- There are several reaches in Newtown Creek that were constructed at a shallower depth than authorized. In particular, the English Kills was authorized at 20-ft but only constructed to 16-ft. In addition, Reach K was authorized at 12-ft, but was never constructed.
- The USACE would only maintain English Kills in the future to a maximum of its constructed depth (16-ft) and would unlikely maintain the channel beyond Metropolitan Bridge given that reach was never constructed.

- Bayside acknowledged that a 12-ft channel beyond TNT was adequate and their facility will continue to require 12-ft channel for their operations, no matter who would maintain it (USACE or Bayside).

Follow-up #2 (October 2, 2025): Vincent Allegretti, vinnya@baysidedepot.com): Confirmed above information is accurate.