



**US Army Corps
of Engineers**
Philadelphia District
1650 Arch Street
Philadelphia, PA 19103-2004
Attn: CENAP-OPR

Public Notice

Comment Period Begins: March 3, 2025
Comment Period Ends: April 2, 2025
File Number: NAP-2024-00767-95
File Name: NJDOT-OMR – Waretown and Barnegat Light State
Channel Complex
Contact: Robert Youhas
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This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: New Jersey Department of Transportation
Office of Maritime Resources
Attn: Ms. Genevieve Clifton
P.O. Box 600
1035 Parkway Avenue
Trenton, New Jersey 08625-0600

AGENT: WSP, USA
Attn: Ms. Katie Axt
250 W 34th Street, 4 FL
New York, New York 10119

LOCATION: Barnegat Bay in the Boroughs of Barnegat Light and Harvey Cedars, and the Townships of Barnegat, Lacey, Long Beach, and Ocean; all located in Ocean County, New Jersey; Approximate Center
Coordinates: 39.755594, -74.178582

PURPOSE: The stated purpose of this project is to maintain safe navigational depths for transiting emergency, commercial, and recreational vessels.

PROJECT DESCRIPTION:

The applicant, New Jersey Department of Transportation – Office of Maritime Resources (NJDOT-OMR), has requested Department of the Army (DA) authorization to perform ten (10)-year maintenance dredging of the Waretown and Barnegat Light State Channel Complex which is comprised of the following nineteen (19) State channels: Holiday Harbor State Channel (#117), Skippers Cove State Channel (#118), Waretown Creek State Channel (#119), South Harbor State Channel (#120), Waretown

South Condos State Channel (#121), Barnegat Beach State Channel (#122), Key Harbor Marina State Channel (#123), Pebble Beach State Channel (#124), Double Creek Mainland State Channel (#125), Double Creek State Channel (#126), High Bar Harbor State Channel (#127), Barnegat Light Buoy State Channel (#128), Barnegat Light Stake State Channel (#129), Loveladies Vol Sedge State Channel (#130), Loveladies North Spur State Channel (#131), Loveladies State Channel (#132), Harvey Cedars #2 State Channel (#133), Harvey Cedars #1 State Channel (#134), and Harvey Cedars State Channel (#135).

All of the dredging work would be accomplished via hydraulic cutterhead dredge or mechanical dredge. All resultant dredged material, estimated to total approximately 166,450.0-cubic yards of 50% sand and 50% silt and clay, would be transported via floating and submerged pipeline and hydraulically pumped, or mechanically dredged and placed, at the Oyster Creek Confined Disposal Facility (CDF) and Barnegat Lighthouse State Park Beach. The Oyster Creek CDF, located in Lacey Township, New Jersey, is owned by the State of New Jersey. Barnegat Lighthouse State Park Beach, located in Barnegat Light, New Jersey, is owned by the New Jersey Department of Environmental Protection's (NJDEP) Division of Parks and Forestry. Discharge of return water back into the waterway(s) from dredge material placement activities at both the Oyster Creek CDF and Barnegat Lighthouse State Park Beach is proposed.

All nineteen State navigation channels have been historically maintenance-dredged, most recently under DA Permit Numbers NAP-2012-00018-76, NAP-2015-00508-95, NAP-2015-00510-95, and NAP-2015-00511-95. The subject maintenance dredging project is intended to restore the Waretown and Barnegat Light State Channel Complex to authorized project dimensions. No lateral expansion or deepening is proposed.

For navigational safety, the hydraulic dredge pipeline will be marked in accordance with U.S. Coast Guard regulations. Additionally, the dredge pipeline would be submerged with the following exceptions: where it exits the dredge, where it enters and exits booster pumps, where it approaches the Oyster Creek CDF and Barnegat Lighthouse State Park Beach dredged material placement sites, and where submerged aquatic vegetation (SAV) is encountered. In these areas the dredge pipeline will be floated on the surface.

Each maintenance dredging event is anticipated to be approximately nine (9) to twelve (12) weeks in duration, including mobilization/demobilization, dredging, and placement activities. Two (2) or three (3) maintenance dredging events are anticipated to be conducted over the next ten (10)-years, with the initial dredging event proposed to be undertaken on or after 01 October 2025.

Holiday Harbor State Channel (#117) (39.792140, -74.165402)

Maintenance dredging of 3,390.0-cubic yards of shoaled sediments from a 4,740.0-foot-long channel to -6.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 60.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 10.73-acres.

Skippers Cove State Channel (#118) (39.789166, -74.165917)

Maintenance dredging of 4,140.0-cubic yards of shoaled sediments from a 5,250.0-foot-long channel to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 50.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 11.77-acres.

Waretown Creek State Channel (#119) (39.787957, -74.166127)

Maintenance dredging of 4,690.0-cubic yards of shoaled sediments from a 5,000.0-foot-long channel to -6.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 60.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 11.31-acres.

South Harbor State Channel (#120) (39.783618, -74.166878)

Maintenance dredging of 2,660.0-cubic yards of shoaled sediments from a 4,815.0-foot-long channel to -6.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 50.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 10.90-acres.

Waretown South Condos State Channel (#121) (39.780609, -74.167400)

Maintenance dredging of 5,180.0-cubic yards of shoaled sediments from a 5,010.0-foot-long channel to -6.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 50.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 11.35-acres.

Barnegat Beach State Channel (#122) (39.769583, -74.169309)

Maintenance dredging of 4,180.0-cubic yards of shoaled sediments from a 4,875.0-foot-long channel to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 60.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 11.03-acres.

Key Harbor Marina State Channel (#123) (39.763349, -74.170388)

Maintenance dredging of 5,600.0-cubic yards of shoaled sediments from a 5,590.0-foot-long channel to -6.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 60.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 12.68-acres.

Pebble Beach State Channel (#124) (39.763777, -74.171478)

Maintenance dredging of 4,280.0-cubic yards of shoaled sediments from a 6,100.0-foot-long channel to -6.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 13.74-acres.

Double Creek Mainland State Channel (#125) (39.760592, -74.166174)

Maintenance dredging of 36,880.0-cubic yards of shoaled sediments from a 11,945.0-foot-long channel to -7.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 40.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 25.14-acres.

Double Creek State Channel (#126) (39.761391, -74.167682)

Maintenance dredging of 36,730.0-cubic yards of shoaled sediments from a 17,067.40-foot-long channel to -7.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 38.78-acres.

High Bar Harbor State Channel (#127) (39.774241, -74.121538)

Maintenance dredging of 36,810.0-cubic yards of shoaled sediments from a 7,600.0-foot-long channel to -7.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 17.32-acres.

Barnegat Light Buoy State Channel (#128) (39.761276, -74.111668)

Maintenance dredging of 16,000.0-cubic yards of shoaled sediments from a 4,300.0-foot-long channel to -8.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 9.58-acres.

Barnegat Light Stake State Channel (#129) (39.761276, -74.111668)

Maintenance dredging of 9,130.0-cubic yards of shoaled sediments from a 2,701.80-foot-long channel to -8.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 40.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 4.20-acres.

Loveladies Vol Sedge State Channel (#130) (39.740593, -74.147853)

Maintenance dredging of 36,000.0-cubic yards of shoaled sediments from a 9,700.0-foot-long channel to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 22.15-acres.

Loveladies North Spur State Channel (#131) (39.721645, -74.134417)

Maintenance dredging of 11,000.0-cubic yards of shoaled sediments from a 3,000.0-foot-long channel to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 6.77-acres.

Loveladies State Channel (#132) (39.720682, -74.141379)

Maintenance dredging of 13,000.0-cubic yards of shoaled sediments from a 3,500.0-foot-long channel to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 7.92-acres.

Harvey Cedars #2 State Channel (#133) (39.711749, -74.142140)

Maintenance dredging of 12,000.0-cubic yards of shoaled sediments from a 2,400.0-foot-long channel to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width varies between 60.0- to 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 5.36-acres.

Harvey Cedars #1 State Channel (#134) (39.708891, -74.143887)

Maintenance dredging of 9,500.0-cubic yards of shoaled sediments from a 2,540.0-foot-long channel to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 5.72-acres.

Harvey Cedars State Channel (#135) (39.693172, -74.153355)

Maintenance dredging of 780.0-cubic yards of shoaled sediments from a 4,650.0-foot-long channel to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge is proposed. The channel design width is 100.0-feet, with 3:1 side slopes. The total dredge footprint is approximately 10.56-acres.

Dredged Material Disposal

All resultant dredged material will be hydraulically pumped via pipeline, or mechanically dredged and placed, into uplands at the Oyster Creek CDF; and at the Barnegat Lighthouse State Park Beach for beneficial re-use as beach restoration/re-nourishment.

At the Barnegat Lighthouse State Park Beach, dredged material will be placed into an approximately 6.0-acre upland beach template. All dredged material placed at the Barnegat Lighthouse State Park Beach will be graded to the authorized beach template elevation of 9.0-feet NAVD88. Temporary impacts to 0.423-acres below the High Tide Line along the existing jetty for construction equipment access and dredge pipeline staging is proposed. All temporary impacts will be restored to pre-construction conditions and elevations.

Discharge of return water back into the waterway(s) from dredge material placement activities at both the Oyster Creek CDF and Barnegat Lighthouse State Park Beach is proposed.

For additional project details, see the attached plans identified as: Project Plan Sheets 1 through 79.

MITIGATION

The applicant has stated that the proposed project has been designed to avoid and minimize adverse effects on the aquatic environment to the maximum extent practicable. Information provided in the application and on the plans indicates that compensatory mitigation is neither practicable nor feasible for the amount of dredged or fill material to be discharged into waters of the United States.

Proposed discharges into Waters of the U.S. for the subject project are limited to the discharge of return water back into the waterway(s) at the Oyster Creek CDF and the Barnegat Lighthouse State Park Beach dredged material placement areas; in addition to the temporary disturbance of 0.423-acres below the High Tide Line at Barnegat Lighthouse State Park for construction access and dredge pipeline staging. All temporary impacts will be restored to pre-construction conditions and elevations.

CORPS EVALUATION FACTORS

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof. Among these factors are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people.

The evaluation of the impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency if the project includes a discharge of dredge or fill material pursuant to Section 404 of the Clean Water Act.

Evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, (40 CFR part 230) or of the criteria established under authority of section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972.

In cases involving construction of artificial islands, installation and other devices on the outer continental shelf lands, the decision as to whether a permit will be issued will be based on evaluation of the impact of the proposed work on navigation and national security.

ENDANGERED SPECIES

A preliminary review of this application indicates that species and/or their critical habitat pursuant to Section 7 of the Endangered Species Act (ESA) may be present in the action area. This office will forward this Public Notice to the U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS) with a request for technical assistance on whether any ESA-listed species or their critical habitat may be present in the area which would be affected by the proposed activity. This office will evaluate the potential effects of the proposed actions on ESA-listed species or their critical habitat and will consult with the USFWS and/or NMFS, as appropriate. ESA Section 7 consultation would be concluded prior to the final decision on this permit application.

CULTURAL RESOURCES AND TRIBAL TRUST

The District's Cultural Resource Specialist and Tribal Liaison is currently reviewing the proposed permit action for potential impacts to Historic Properties eligible for or

listed on the National Register of Historic Places and for potential issues concerning the Tribes. A determination of effects will be coordinated with the State Historic Preservation Office, the Tribes and other consulting parties as necessary.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires all federal agencies to consult with the NMFS for all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). A preliminary review of this application indicates that EFH is present within the project area. This office will evaluate the potential effects of the proposed actions on EFH and will consult with NMFS, as appropriate. Consultation would be concluded prior to the final decision on this permit application.

WATER QUALITY CERTIFICATE

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate (WQC) is required from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

COASTAL ZONE MANAGEMENT ACT

In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management (CZM) Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State CZM Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact on the State's coastal zone should be sent to this office with a copy to the State's CZM office.

SUBMISSION OF COMMENTS AND PUBLIC HEARING REQUEST

Any comments received will be considered by this office to determine whether to issue, modify, condition, or deny a permit for this proposed project. To make this decision, comments are used to assess the probable impact on the public interest. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work must be submitted, in writing, within the comment period indicated in the header above. Any person may request, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing must be in writing and state the reasons for holding a public hearing.

Please provide any comments, request for a public hearing, or requests for additional information to the Regulatory Project Manager indicated above. All Public Notices are posted on our website at:

<https://www.nap.usace.army.mil/Missions/Regulatory/Public-Notices/>

FOR: Todd A. Schaible
Chief, Regulatory Branch