Public Notice

US Army Corps of Engineers
Philadelphia District
Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OPR

Public Notice No.	Date
CENAP-OPR-2020-00403-95	**February 24, 2021**
Application No.	File No.
CENAP-OPR-2020-00403-95	
In Reply Refer to:	
REGULATORY BRANCH	

This District has received an application for a Department of the Army (DA) 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 Environmental Protection
Bureau of Shellfisheries & Delaware Bay Shellfisheries Council
Attn: Mr. Andrew Hassall
1672 East Buckshutem Road
Millville, New Jersey 08332

WATERWAY: Nantuxent Creek and Delaware Bay.

LOCATION: Money Island, Downe Township, Cumberland County, New Jersey;
Latitude: 39.283859ºN, Longitude: 75.243329ºW.

ACTIVITY: The applicant, New Jersey Department of Environmental Protection – Bureau of Shellfisheries & Delaware Bay Shellfisheries Council, has requested Department of the Army authorization to perform ten (10)-year maintenance dredging of the Nantuxent Creek entrance channel to Delaware Bay; and a commercial vessel dockage area upstream within Nantuxent Creek. The Nantuxent Creek entrance channel to Delaware Bay, although historically utilized by transiting marine vessels, is being proposed as a new State Channel (#212), to be included in the State of New Jersey's maintenance dredging program managed by the New Jersey Department of Transportation's Office of Maritime Resources.

All of the work would be accomplished via hydraulic cutterhead dredge or mechanical bucket dredge. All resultant dredged material, estimated to total approximately 30,300.0-cubic yards of predominantly coarse-grained sediment (i.e. greater than 75% sand), would be transported via floating and submerged pipeline from the Nantuxent Creek entrance channel to Delaware Bay; and via truck from the upstream dockage area; to the Money Island shoreline for beneficial re-use for habitat restoration. The hydraulic dredge pipeline would be marked in accordance with U.S. Coast Guard regulations and would be

floating, except where it crosses navigation channels where it will be sunken for safety reasons.

Each maintenance dredging event is anticipated to be approximately nine (9) to twelve (12) weeks in duration, including mobilization/demobilization, dredging, and material 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 September 15, 2021.

Nantuxent Creek Entrance Channel to Delaware Bay (#212):
Maintenance dredging of 28,470.0-cubic yards of shoaled sediments from a 2,300.0-foot long channel to -9.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, is proposed. The channel design width is 112.5-linear feet, tapering to 70.0-linear feet, with 3:1 side slopes.

Nantuxent Creek Commercial Vessel Dockage Area:
Maintenance dredging of 1,830.0-cubic yards of shoaled sediments from an irregular-shaped 600.0-linear foot long dockage area to -9.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, is proposed. The dredge footprint design width is 112.5-linear feet, with 3:1 side slopes.

Dredge Material Placement Area:
All resultant dredged material will be hydraulically and mechanically placed within approximately 5.10-acres of Waters of the U.S. along 1,800.0-linear feet of Delaware Bay shoreline at Money Island as a dune ridge at +8.0 feet NAVD 88, followed seaward by a sand beach at Mean Higher High Water (MHHW) at the dune toe, and grading seaward to MLW and the existing bay floor. Shoreline placement of the dredged material was designed to provide ecological uplift to support foraging habitat for Horseshoe Crab (*Limulus polyphemus*), Red Knot (*Calidris canutus rufa*), and other bay species.

The dredged material placement site was historically occupied by residential properties prone to flooding and storm damage. The NJDEP's Superstorm Sandy Blue Acres Buyout Program was awarded Federal Emergency Management Agency Hazard Mitigation Grant funds for the acquisition, demolition, and restoration of the residential properties. Beneficial re-use of the dredged material provides a suitable local source of material to restore the eroded Money Island shoreline, enhance habitat, and improve ecological and community resilience.

PURPOSE: The stated purpose of this project is to maintain safe navigational depths for transiting commercial fishing vessels; and restore and enhance eroded Delaware Bay shoreline habitat by reutilizing dredged material within the bay system.

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 those 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. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Due to the potential for extensive telework associated with the COVID-19 situation, all comments on the proposed work should be submitted, within thirty (30) days, via email only to the District Engineer, U.S. Army Corps of Engineers - Philadelphia District at **PhiladelphiaDistrictRegulatory@usace.army.mil**.

The USACE Cultural Resource Specialist is currently reviewing the proposed permit action for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places. A determination of effects will be coordinated with the State Historic Preservation Office, the Tribes and other consulting parties.

A preliminary review of this application indicates that the proposed work may affect listed aquatic-based species or their critical habitat. Pursuant to Section 7 of the Endangered Species Act (ESA), the Philadelphia District will evaluate the potential effects from the proposed actions to these species and their habitat and consult with NOAA Fisheries as appropriate. Consultation will be concluded prior to the final decision on this permit application.

A preliminary review of this application indicates that the proposed work may affect listed land-based species or their critical habitat. Pursuant to Section 7 of the Endangered Species Act (ESA), the Philadelphia District will evaluate the potential effects from the proposed actions to these species and their habitat and consult with the U.S. Fish & Wildlife Service as appropriate. Consultation will be concluded prior to the final decision on this permit application.

The Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with the NOAA Fisheries 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. The Philadelphia District will evaluate the potential effects of the proposed actions on EFH and will consult with NOAA Fisheries as appropriate. Consultation will be concluded prior to the final decision on this permit application.

Per Federal Regulations 33 CFR 325.1(d)(7), the applicant has stated that compensatory mitigation is not required because the proposed project is expected to result in a net increase in habitat functions and values through beneficial re-utilization of all resultant dredged material within the Delaware Bay system to restore and enhance eroded shoreline habitat.

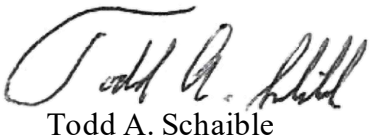
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (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 of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary 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.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, in writing to **PhiladelphiaDistrictRegulatory@usace.army.mil,** with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by contacting Mr. Robert Youhas of our office at via email at robert.youhas@usace.army.mil, or by phone at 215-656-6729.



Todd A. Schaible
Chief, Regulatory Branch

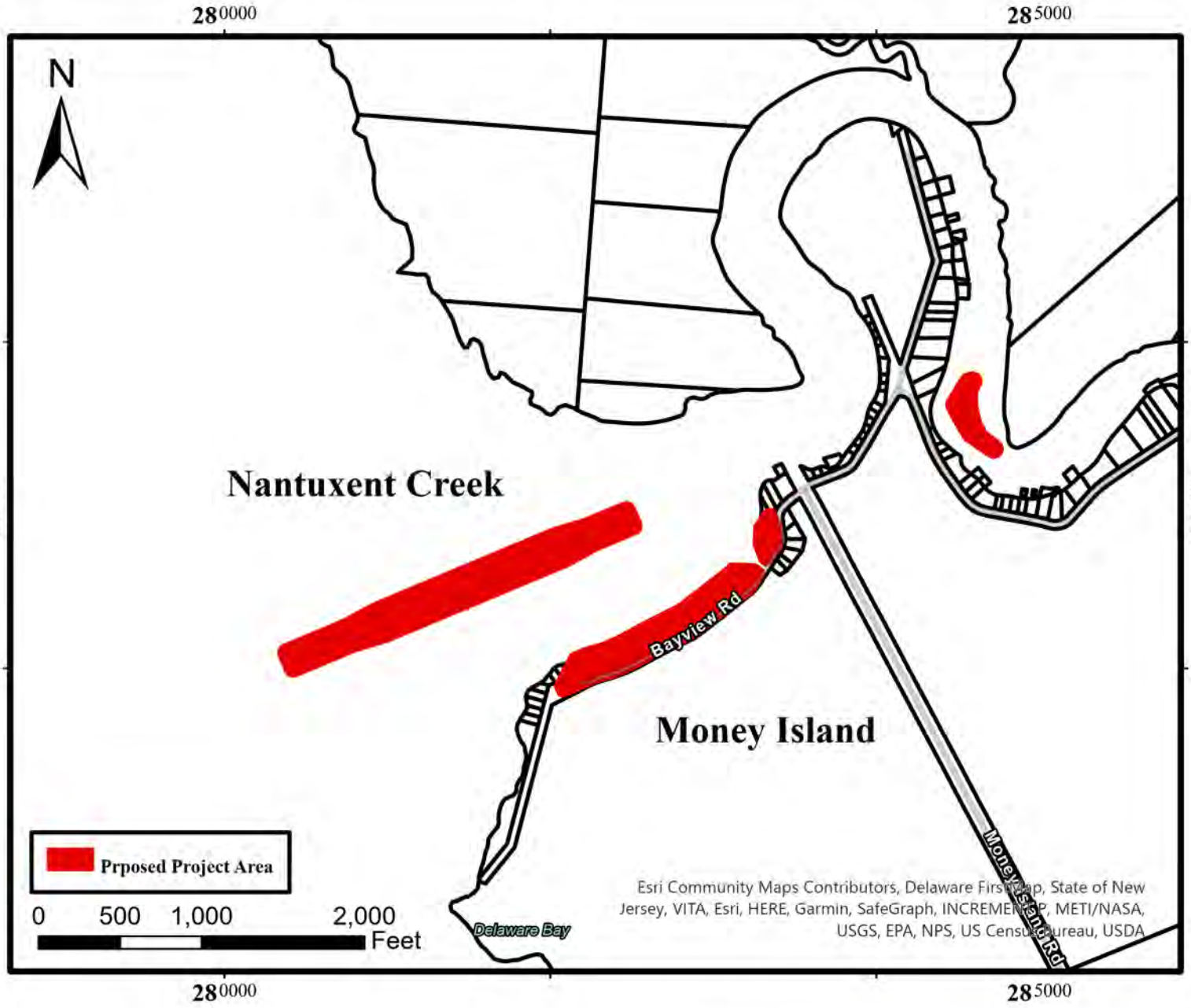
Nantuxent Quadrant Map:
USGS Cedarville Quadrant, 162

Nantuxent Creek Project Extent:

Latitude: 39° 17' 2.66"

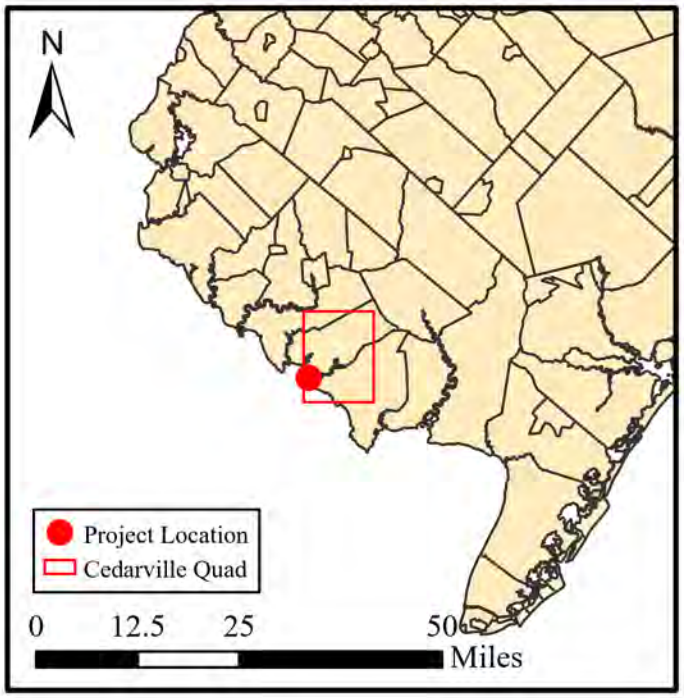
Longitude: -75° 14' 23.76"

The Cumberland parcels layer and roads layer were retrieved from the Office of Geographic Information Systems (OGIS).
The USGS quadrant shapefile was obtained from ESRI.



Location Map

Nantuxent Creek, Downe Township, Cumberland County NJ



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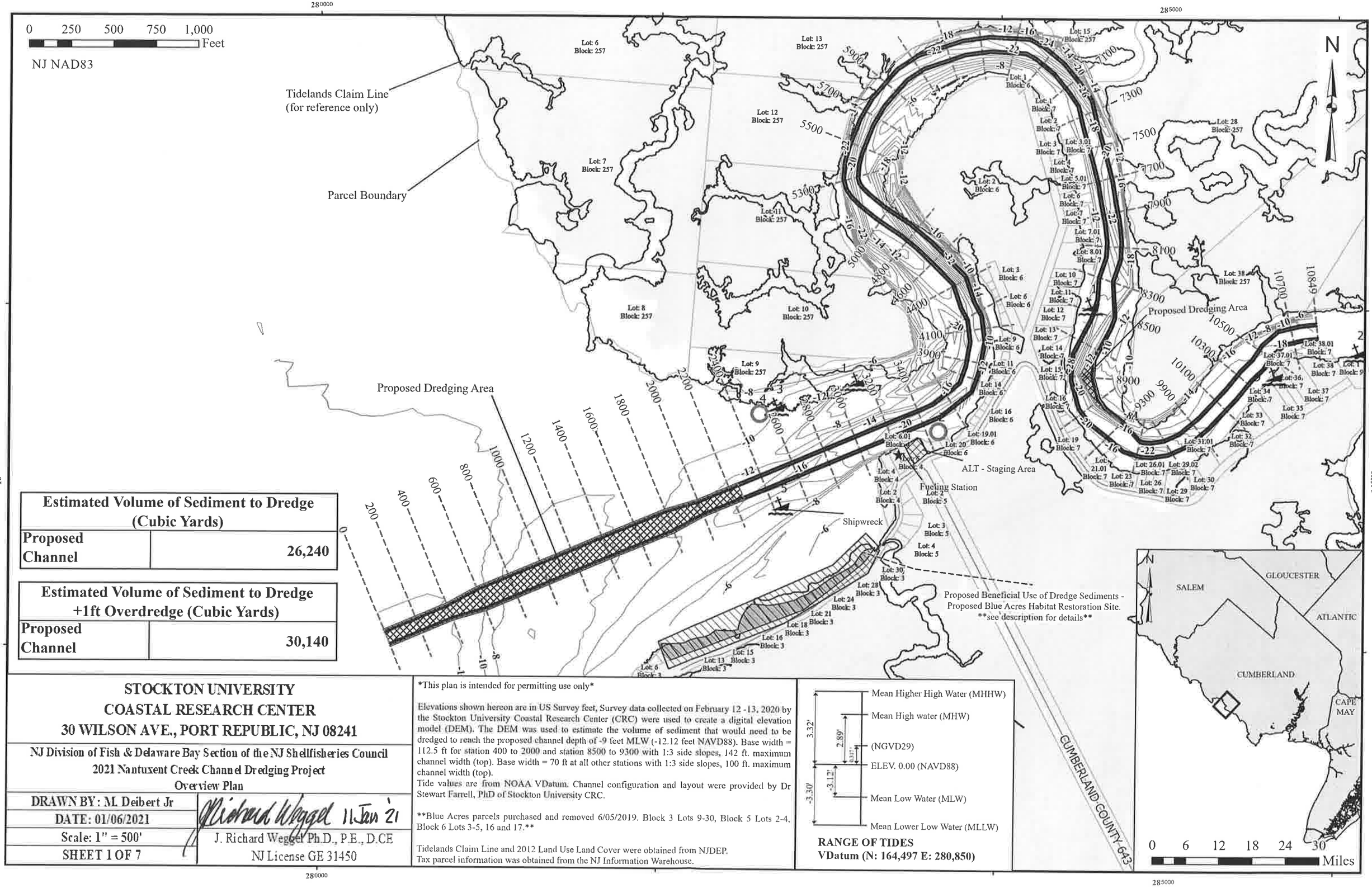

Estimated Volume of Sediment to Dredge (Cubic Yards)	
Proposed Channel	26,240

Estimated Volume of Sediment to Dredge +1ft Overdredge (Cubic Yards)	
Proposed Channel	30,140

STOCKTON UNIVERSITY
COASTAL RESEARCH CENTER
30 WILSON AVE., PORT REPUBLIC, NJ 08241

NJ Division of Fish & Delaware Bay Section of the NJ Shellfisheries Council
2021 Nantuxent Creek Channel Dredging Project
Overview Plan

DRAWN BY: M. Deibert Jr	Richard Wegget 11 Jan 21
DATE: 01/06/2021	J. Richard Wegget Ph.D., P.E., D.CE
Scale: 1" = 500'	NJ License GE 31450
SHEET 1 OF 7	

This plan is intended for permitting use only

Elevations shown hereon are in US Survey feet, Survey data collected on February 12 -13, 2020 by the Stockton University Coastal Research Center (CRC) were used to create a digital elevation model (DEM). The DEM was used to estimate the volume of sediment that would need to be dredged to reach the proposed channel depth of -9 feet MLW (-12.12 feet NAVD88). Base width = 112.5 ft for station 400 to 2000 and station 8500 to 9300 with 1:3 side slopes, 142 ft. maximum channel width (top). Base width = 70 ft at all other stations with 1:3 side slopes, 100 ft. maximum channel width (top).
Tide values are from NOAA VDatum. Channel configuration and layout were provided by Dr Stewart Farrell, PhD of Stockton University CRC.

Blue Acres parcels purchased and removed 6/05/2019. Block 3 Lots 9-30, Block 5 Lots 2-4, Block 6 Lots 3-5, 16 and 17.

Tidelands Claim Line and 2012 Land Use Land Cover were obtained from NJDEP.
Tax parcel information was obtained from the NJ Information Warehouse.

RANGE OF TIDES
VDatum (N: 164,497 E: 280,850)

280000

0 150 300 450 600 Feet

NJ NAD83

165000

80000

Estimated Volume of Sediment to Dredge (Cubic Yards)	
Proposed Channel	24,970

Estimated Volume of Sediment to Dredge +1ft Overdredge (Cubic Yards)	
Proposed Channel	28,470

Tidelands Claim Line
(for reference only)

Obstruction

Core Locations

Shipwreck

150' Buffer

ALT Staging Area

Parcel Boundary

CUMBERLAND COUNTY-643

N

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NJ Division of Fish & Delaware Bay Section of the NJ Shellfisheries Council
2021 Nantuxent Creek Channel Dredging Project
Downstream Reach

DRAWN BY: M. Deibert Jr	J. Richard Weggel 11 Jan '21
DATE: 01/06/2021	J. Richard Weggel Ph.D., P.E., D.CE
Scale: 1" = 300'	NJ License GE 31450
SHEET 2 OF 7	

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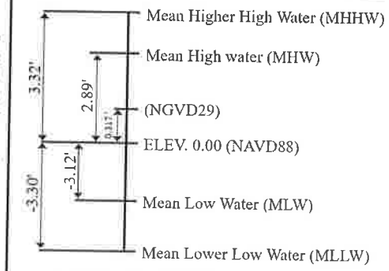

RANGE OF TIDES
VDatum (N: 164,497 E: 280,850)

Estimated Volume of Sediment to Dredge (Cubic Yards)	
Proposed Channel	1,350

Estimated Volume of Sediment to Dredge +1ft Overdredge (Cubic Yards)	
Proposed Channel	1,830

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NJ Division of Fish & Delaware Bay Section of the NJ Shellfisheries Council
2021 Nantuxent Creek Channel Dredging Project
Upstream Reach

DRAWN BY: M. Deibert Jr	
DATE: 01/06/2021	
Scale: 1" = 200'	
SHEET 3 OF 7	

J. Richard Wegge Ph.D., P.E., D.CE
NJ License GE 31450

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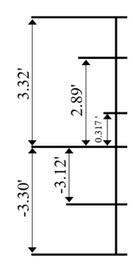
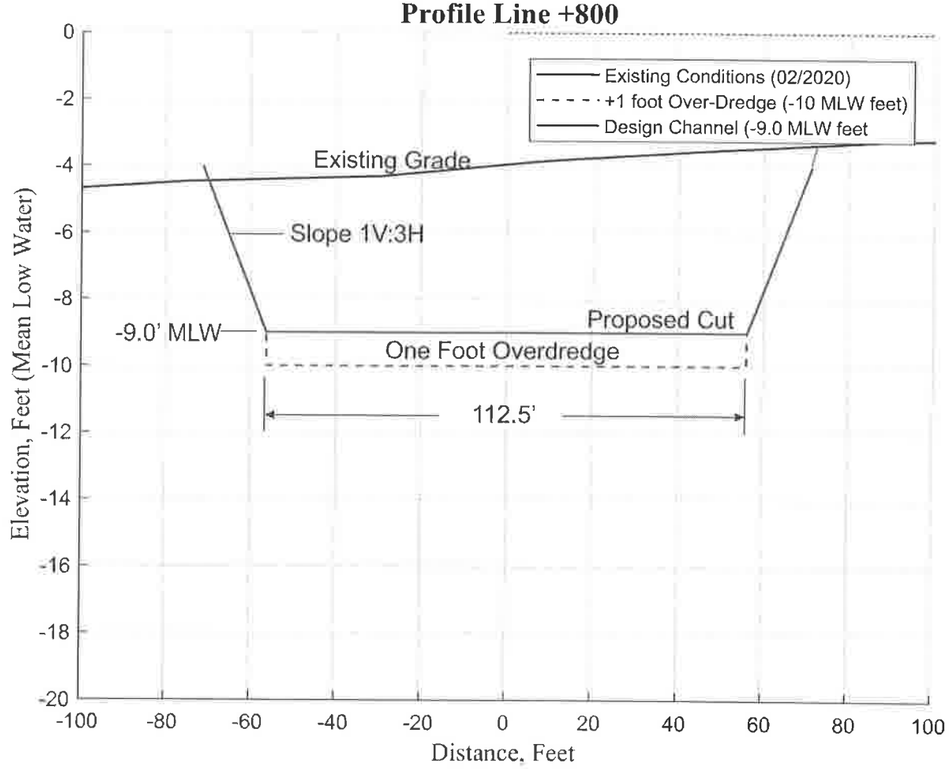


RANGE OF TIDES
VDatum (N: 164,497 E: 280,850)

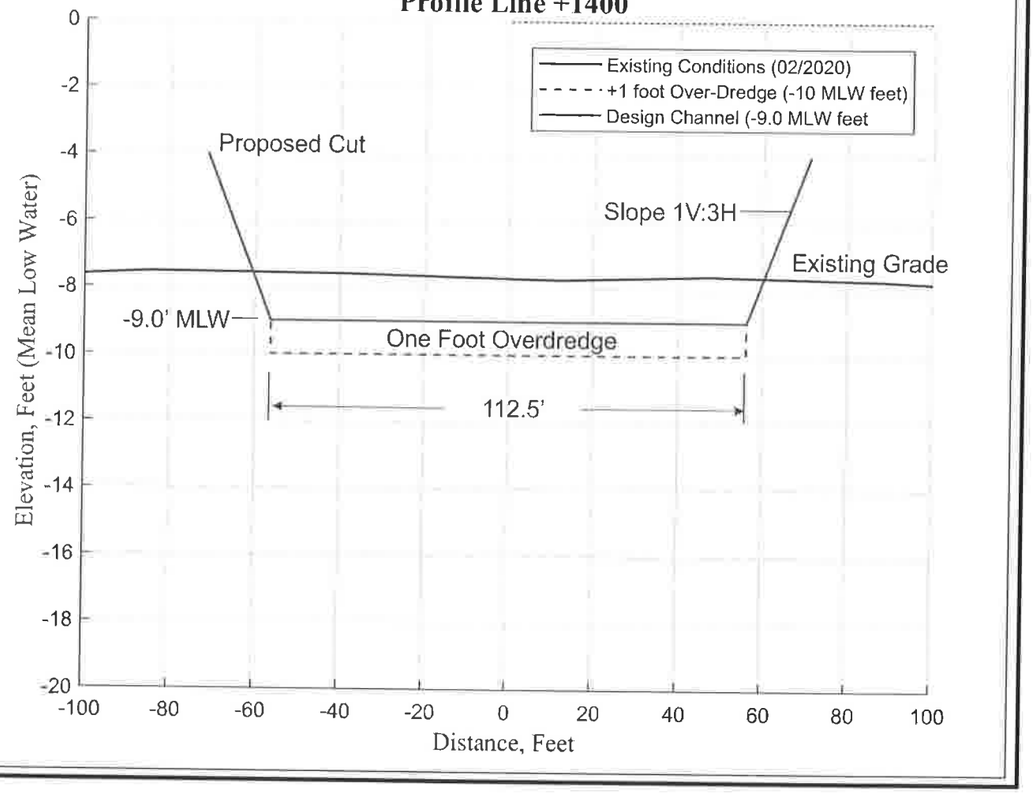
Nantuxent Creek, NJ | Cross-Sections

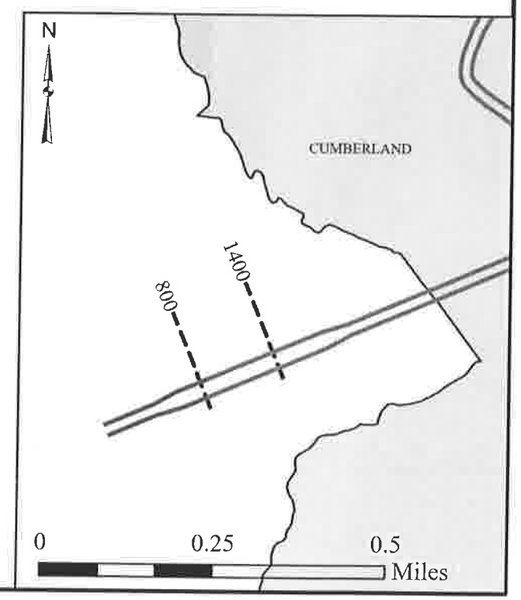
Profile Line +800



Nantuxent Creek, NJ | Cross-Sections

Profile Line +1400





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NJ Division of Fish & Delaware Bay Section of the NJ Shellfisheries Council
2021 Nantuxent Creek Channel Dredging Project
Typical Downstream Cross Section

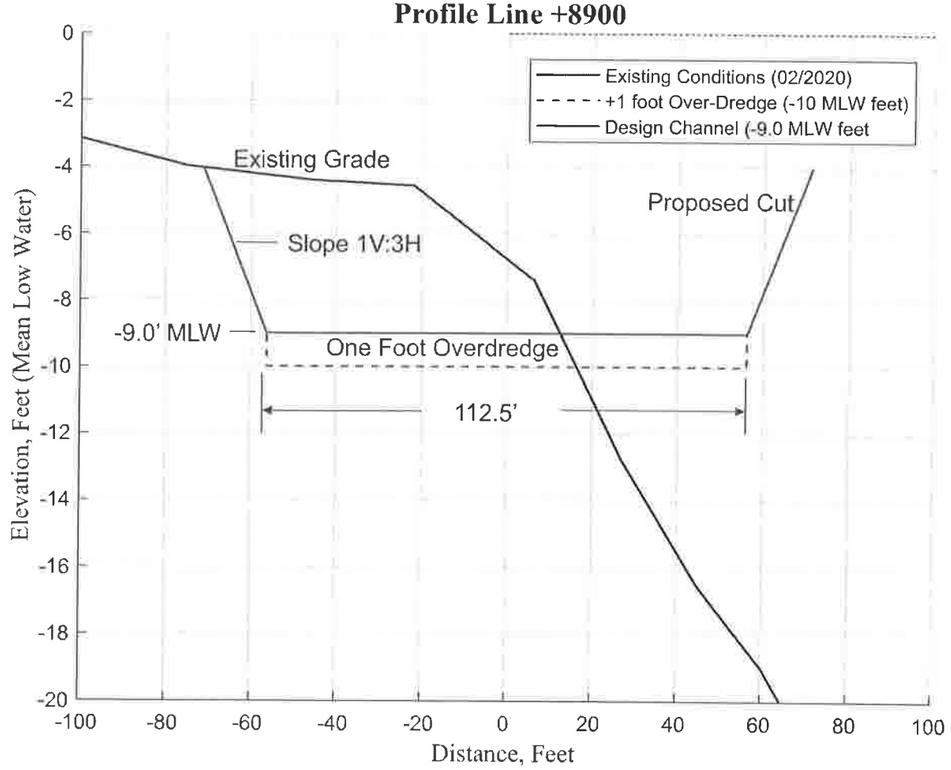
DRAWN BY: M. Deibert Jr	Richard Wegger 11 Jan '21
DATE: 01/06/2021	J. Richard Wegger Ph.D., P.E., D.CE
Scale: As Shown	NJ License GE 31450
SHEET 4 OF 7	

This plan is intended for permitting use only

Elevations shown hereon are in US Survey feet, Survey data collected on February 12 -13, 2020 by the Stockton University Coastal Research Center (CRC). Cross Sections are typical cross sections for the mouth of the Nantuxent Creek Channel.

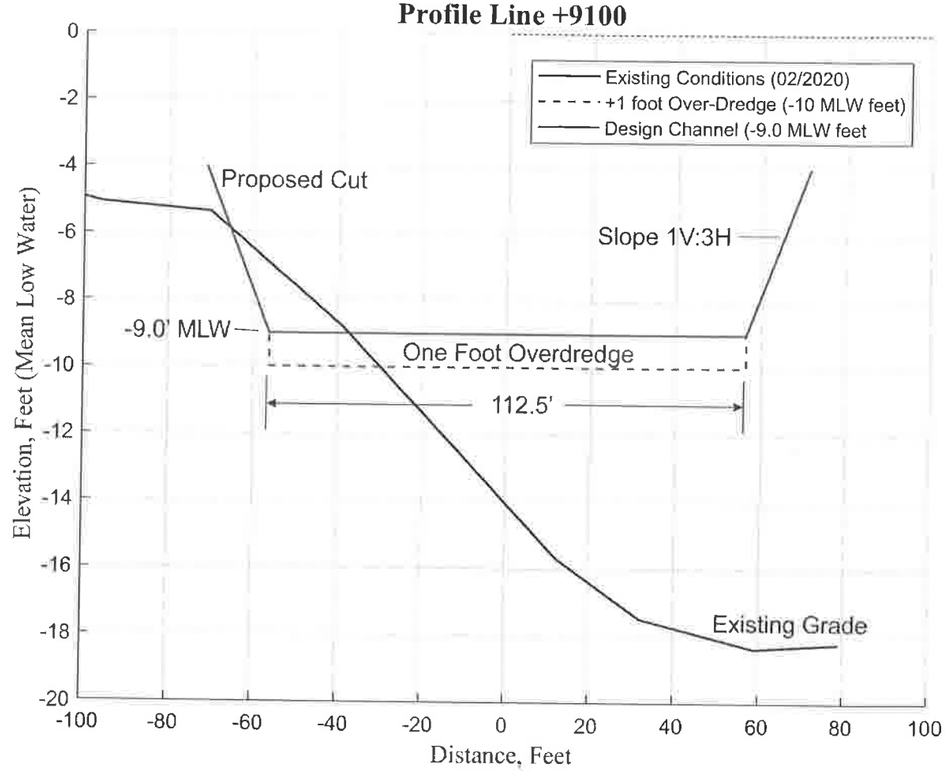
Nantuxent Creek, NJ | Cross-Sections

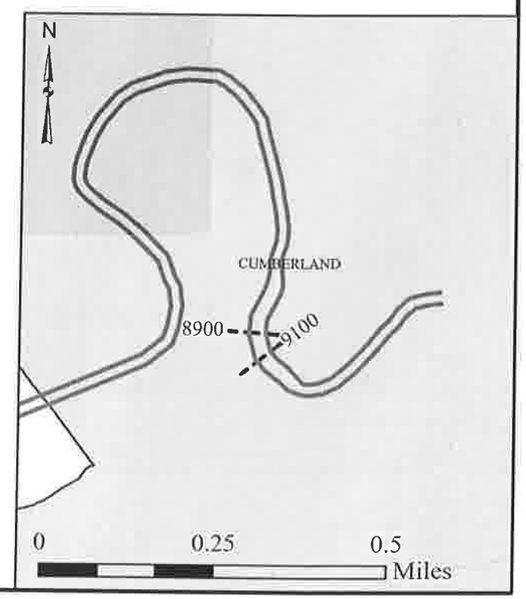
Profile Line +8900



Nantuxent Creek, NJ | Cross-Sections

Profile Line +9100





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NJ Division of Fish & Delaware Bay Section of the NJ Shellfisheries Council
2021 Nantuxent Creek Channel Dredging Project
Typical Upstream Cross Section

DRAWN BY: M. Deibert Jr	J. Richard Wegge 11 Jan '21
DATE: 01/06/2021	J. Richard Wegge Ph.D., P.E., D.CE
Scale: As Shown	NJ License GE 31450
SHEET 5 OF 7	

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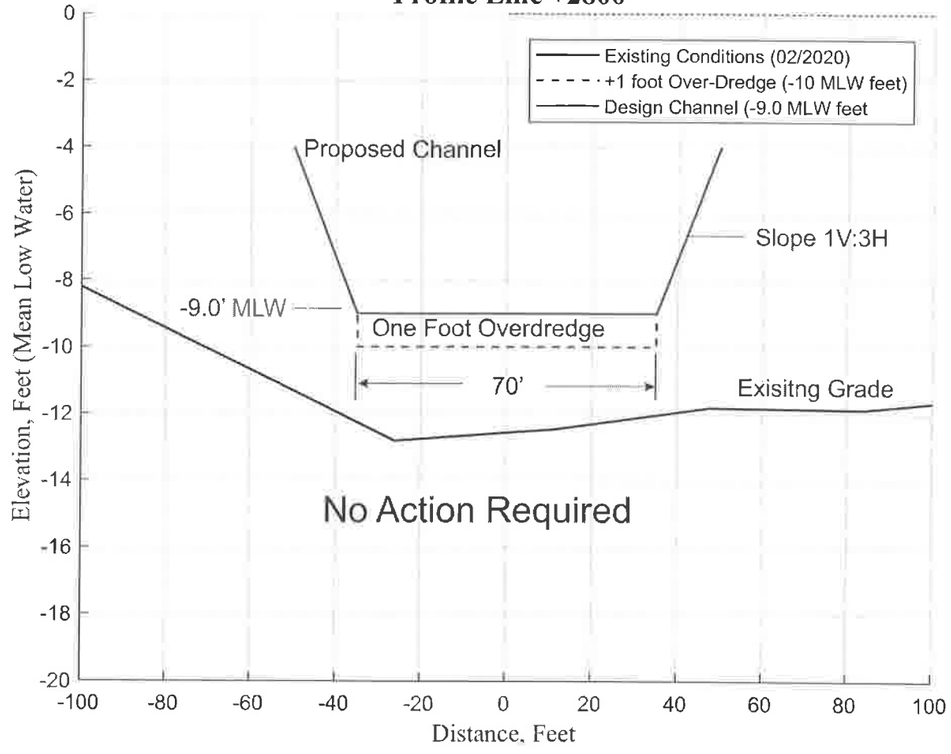
Elevations shown hereon are in US Survey feet, Survey data collected on February 12 -13, 2020 by the Stockton University Coastal Research Center (CRC). Cross Sections are typical cross sections for the back portion of the Nantuxent Creek Channel.

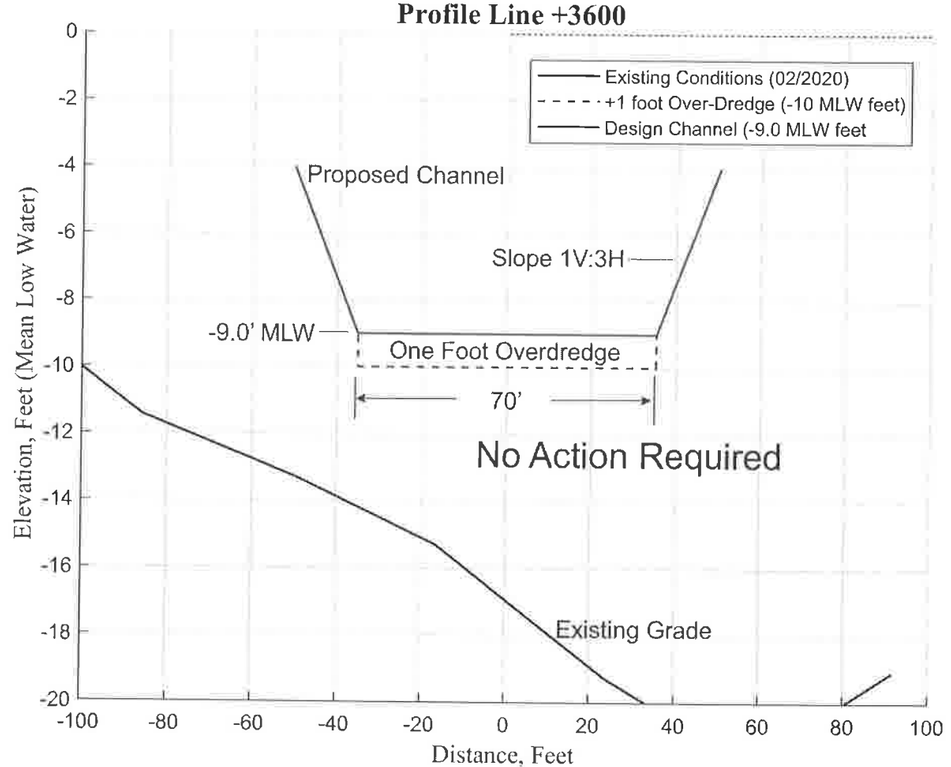
Nantuxent Creek, NJ | Cross-Sections

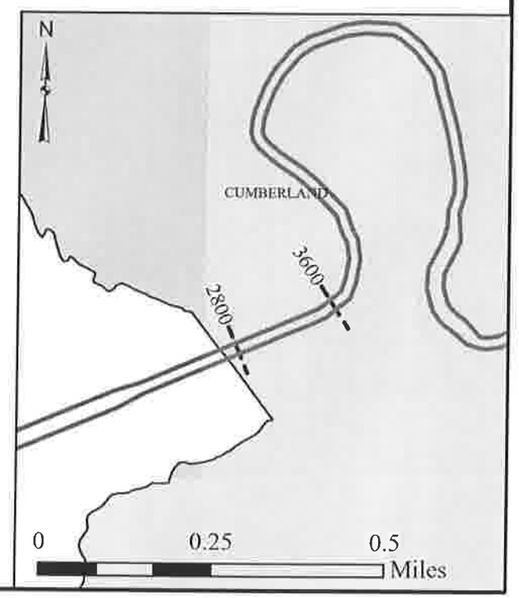
Profile Line +2800



Nantuxent Creek, NJ | Cross-Sections

Profile Line +3600





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30 WILSON AVE., PORT REPUBLIC, NJ 08241

NJ Division of Fish & Delaware Bay Section of the NJ Shellfisheries Council
2021 Nantuxent Creek Channel Dredging Project
Typical Midstream Cross Section

DRAWN BY: M. Deibert Jr	J. Richard Weggel 11 Jan '21
DATE: 01/06/2021	J. Richard Weggel Ph.D., P.E., D.CE
Scale: As Shown	NJ License GE 31450
SHEET 6 OF 7	

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0 100 200 300 Feet

NAD83 NJ State Plane US Feet
NAVD88 Feet

Taper to existing Grade

1977 Tidelands Claim

MLW (-3.10')

MLLW (-3.27')

MHHW (3.25')

MHW (2.84')

Taper to existing Grade

Taper to existing Grade

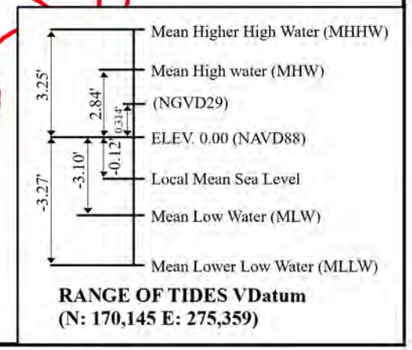
NANTUXENT DR

Restoration 1

Money Island,
Lawrence Twp Cumberland County NJ

Restoration 2

Estimated Fill Volume	
	Cubic Yards
Restoration 1	30,240
Restoration 2	3,600
Estimated Disturbance	
	Acres
Restoration 1	4.6
Restoration 2	0.5



RANGE OF TIDES VDatum
(N: 170,145 E: 275,359)

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COASTAL RESEARCH CENTER
30 WILSON AVE., PORT REPUBLIC, NJ 08241

NJ Division of Fish & Delaware Bay Section of the NJ Shellfisheries Council
2021 Nantuxent Creek Channel Dredging Project
Sand Placement Location

DRAWN BY: M. Deibert Jr
DATE: 01/06/2021
Scale: 100'
SHEET 7 OF 7

J. Richard Wegge 1/6/21
J. Richard Wegge Ph.D., P.E., D.CE
NJ License GE 31450

This plan is intended for permitting use only

Tide values are from NOAA VDatum.

Template runs 1,300 feet along the shoreline and extends about 160 feet into the water.

Tidelands Claim Line and 2012 Land Use Land Cover were obtained from NJDEP.

Tax parcel information was obtained from the NJ Information Warehouse.