



**US Army Corps
of Engineers**
Philadelphia District

Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OP-R

Public Notice

Public Notice No.
CENAP-OP-R-2009-0421

Date

Application No.

File No.

In Reply Refer to:
REGULATORY BRANCH

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: Darryl Harris
Axeon Specialty Projects
4 Paradise Road
Paulsboro, New Jersey 08066

AGENT: Mark Shafer
WBCM
849 Fairmount Avenue
Baltimore, Maryland 21286

WATERWAY: Delaware River

LOCATION: Block 328, Lot 1.21, in the Borough of Paulsboro, Gloucester County, New Jersey.

ACTIVITY: The applicant proposes to construct four (4) mooring/breasting dolphins and perform maintenance work on existing mooring structure number 2. The structure was originally constructed in 1981. The proposed mooring dolphins would consist of nine (9) twenty four (24) inch steel piles that would be filled with concrete. A five (5) foot concrete cap and rubber fenders would be mounted to the piles. A new twelve (12) foot square gangway platform, consisting of four (4) eighteen (18) inch steel, concrete filled piles, with a four (4) foot concrete cap would be installed at the site. Water and sediment would be removed from the interior of the steel pipe using a high pressure water jet. Light towers would be installed on would be constructed on this gangway. Four (4) steel framed catwalks three (3) foot wide, and a maximum of sixty five (65) feet in length, would be placed between the proposed dolphins. These catwalks would be connected to the proposed dolphins. Work would be performed using with a hydraulic pile driver located on barge mounted equipment. A total of one hundred and twenty (120) square feet of the waterway would be filed within the piles associated with the piles. Vessels using the facility would have a maximum length of four hundred thirty (430) feet with a draft of twenty nine and one half (29.5) feet. An electric conduit would be installed under

the gangway and the proposed catwalks. The work would be located approximately one thousand eight hundred fourteen (1814) feet from the edge of the Federal navigation channel. No dredging is proposed as a part of this project.

PURPOSE: The applicant's stated purpose is to increase the berthing and mooring capacity of the existing dock and increase safety of the existing structures.

A preliminary review of this application indicates that the proposed work is not likely to adversely affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. Specifically, the pile driving proposed at the site may have an effect on Atlantic Sturgeon (Acipenser oxyrhynchus oxyrhynchus). With the inclusion of a seasonal restriction on work within the waterway, any impacts on this resource will be minimal. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

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.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work. The proposed work and/or structures are of such limited nature and scope that little likelihood exists for the proposed project to impact a historic property.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware", dated March 1999, shows that the site is located north of the designated EFH zone. Prey species for the species of concern could be impacted by the proposed work, however and adverse effects on EFH and the species of concern will not be substantial. No mitigative measures are required warranted for this action.

Compensatory mitigation According to Federal regulation 33 CFR 325.1(d)(7), applicants wishing to discharge dredged and fill material into waters of the U.S. must include a statement on how they have avoided and minimized impacts as well as how they intend to compensate for unavoidable impacts. The applicant has avoided/minimized impacts to the aquatic environment by incorporating engineering/construction procedures into the process that will substantially reduce impacts to aquatic resources. Other engineered systems were considered for the mooring/breasting dolphins, but posed a greater impact to aquatic environment that would have resulted in substantial filling of the open waters. Utilizing steel pipe piles considerably reduces that amount of fill over the open water of the Delaware River. For corrosion protection measures, ten (10) feet of the existing soil within the new pipe piles will be removed and replaced with concrete. In order to compensate for dredged/fill material, two (2) of the four (4) existing dolphins and the existing catwalks will be demolished, further reducing impacts. As a result, mitigative measures should not be required for this project as the amount of dredged and fill material within the pipe piles is minimal.

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.

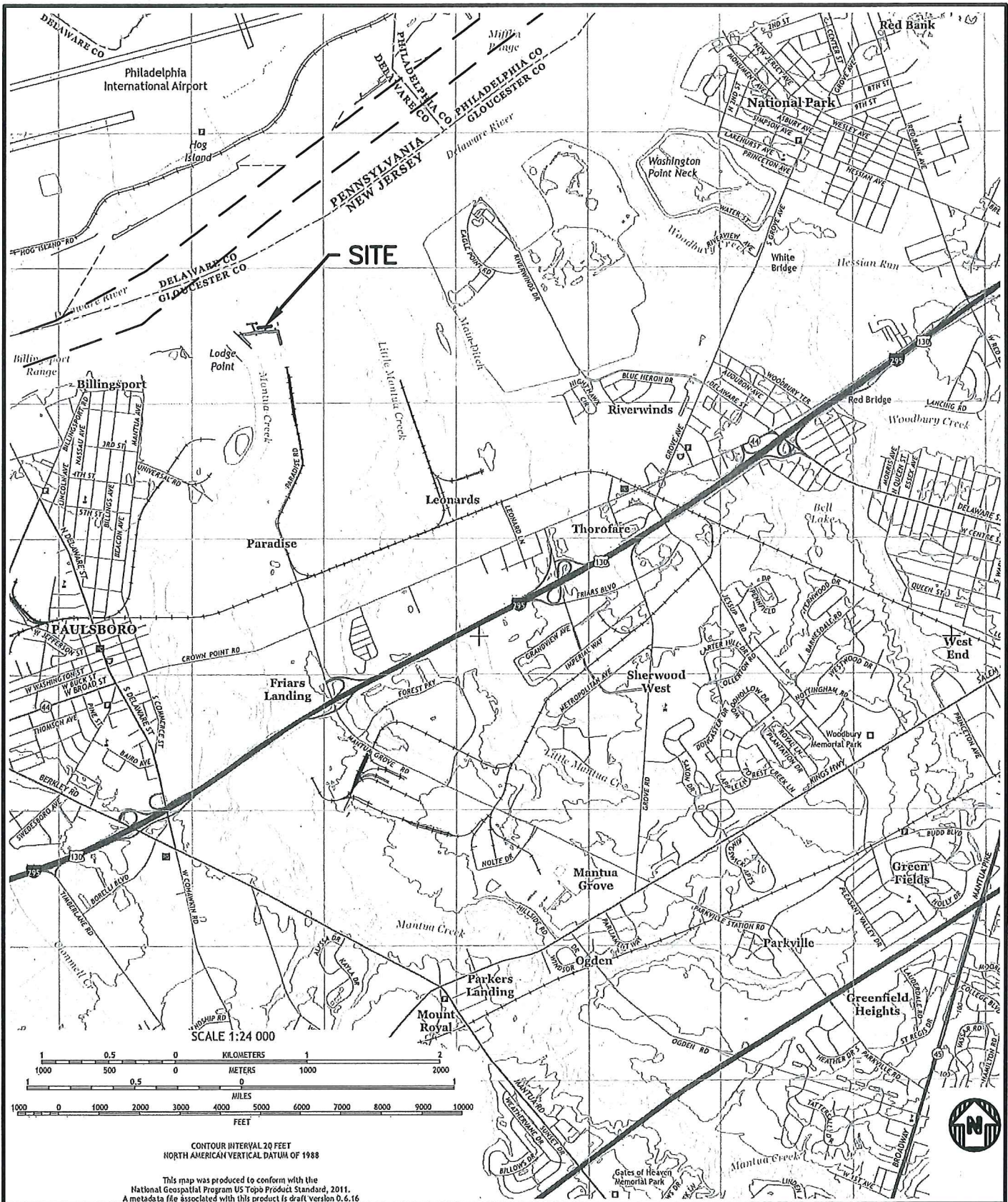
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

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, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Lawrence M. Slavitter at 215-656-6734, via email at lawrence.m.slavitter@usace.army.mil, or writing this office at the above address.

Samuel L. Reynolds
Acting Chief, Regulatory Branch



VICINITY MAP

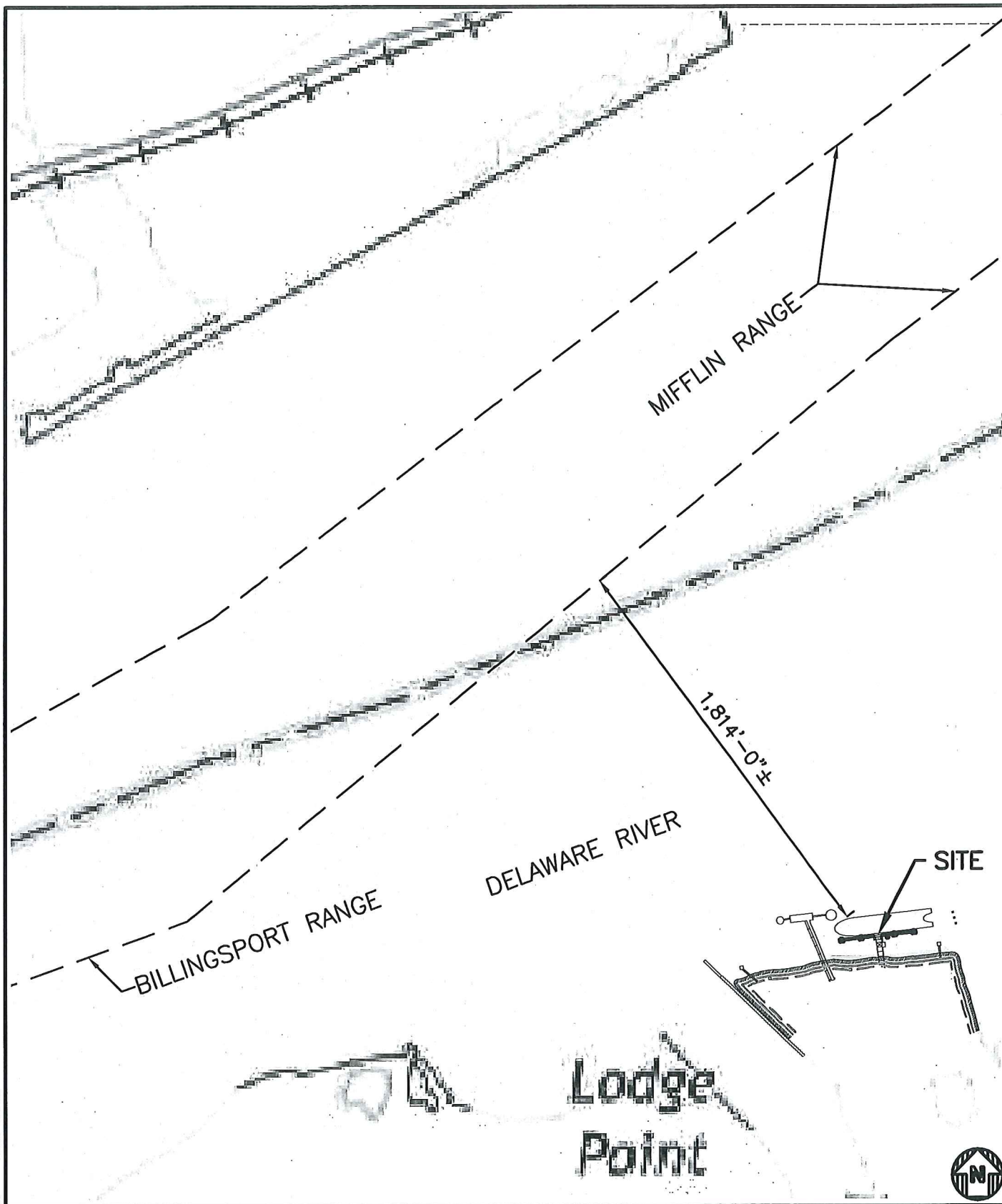
NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:
3/8/16

SCALE:
AS SHOWN

SK-0

Mar 08, 2016 - 3:54pm User: defox



CHANNEL LOCATION MAP

NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

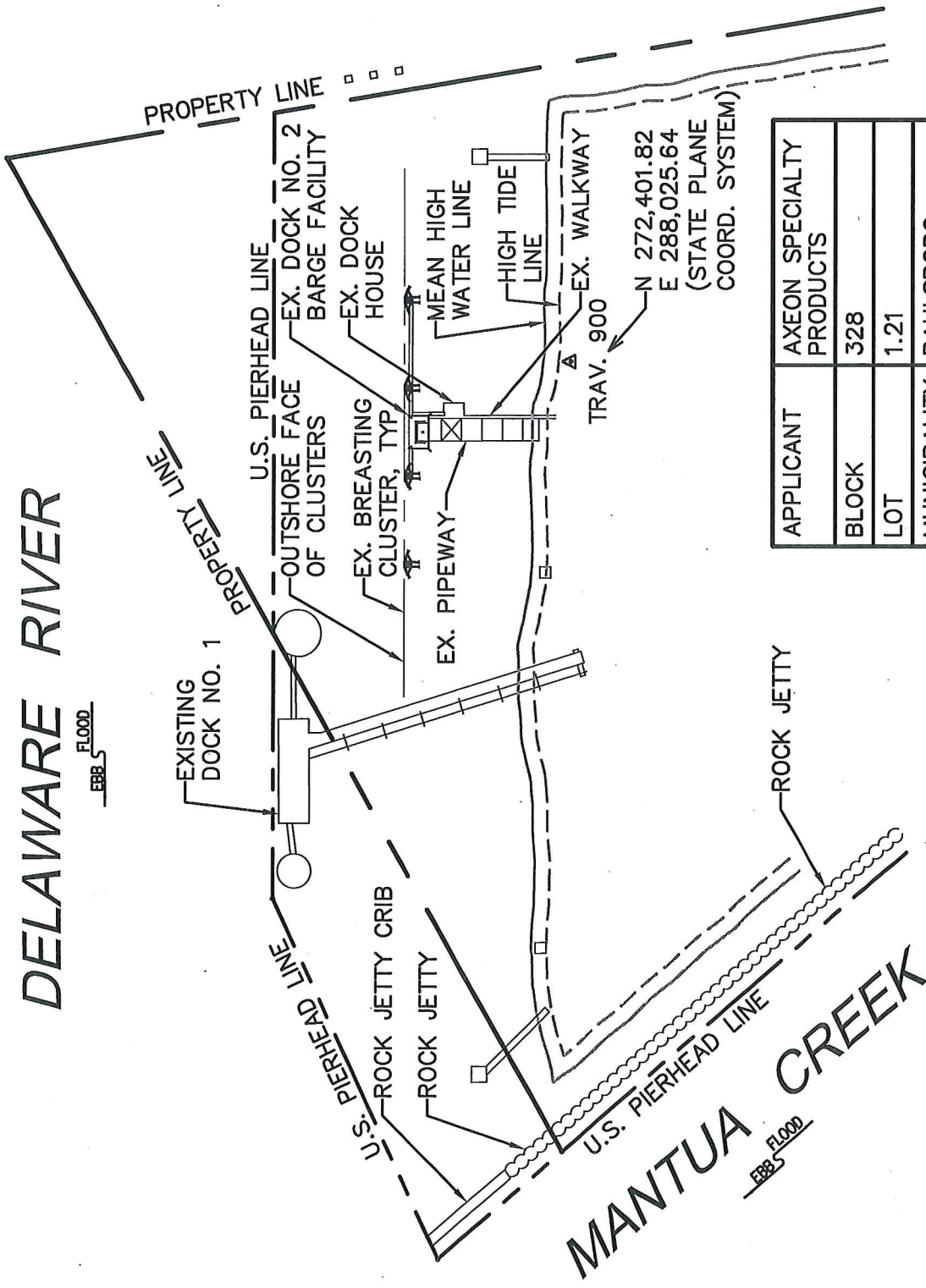
DATE:
3/8/16

SCALE:
N.T.S.

SK-0A



Mar 08, 2016 - 3:54pm User: defox



APPLICANT	AXEON SPECIALTY PRODUCTS
BLOCK	328
LOT	1.21
MUNICIPALITY	PAULSBORO



WHITNEY BAILEY COX & MAGNANI, LLC
849 Fairmount Ave. Suite 100 Baltimore, MD 21286
Tel. 410-512-4500 Fax. 410-324-4100
www.wbcm.com

WBCM
ARCHITECTURE ENGINEERING CONSTRUCTION

EXISTING OVERALL SITE PLAN

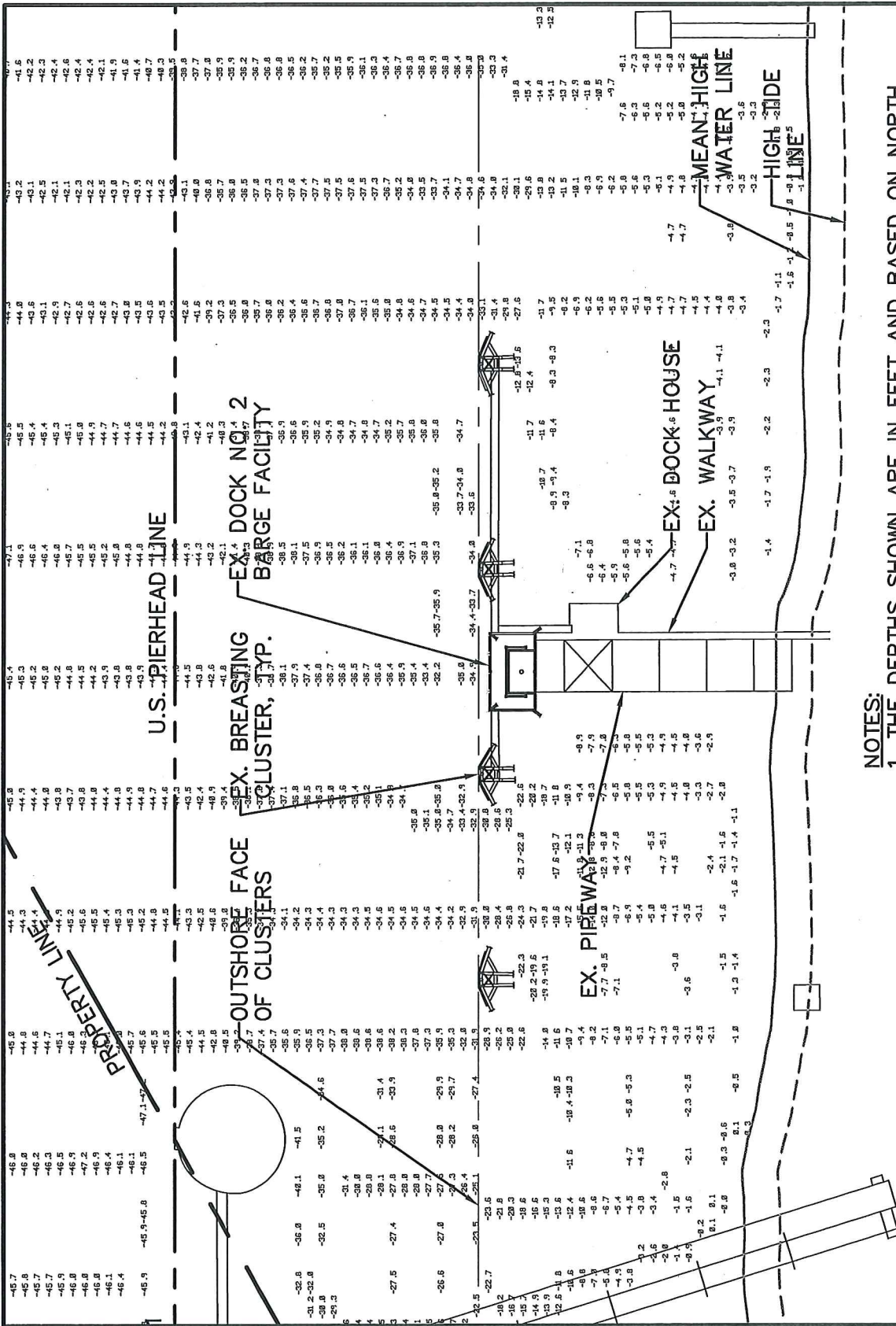
NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:	3/8/16
SCALE:	1"=150'-0"
SK-1	



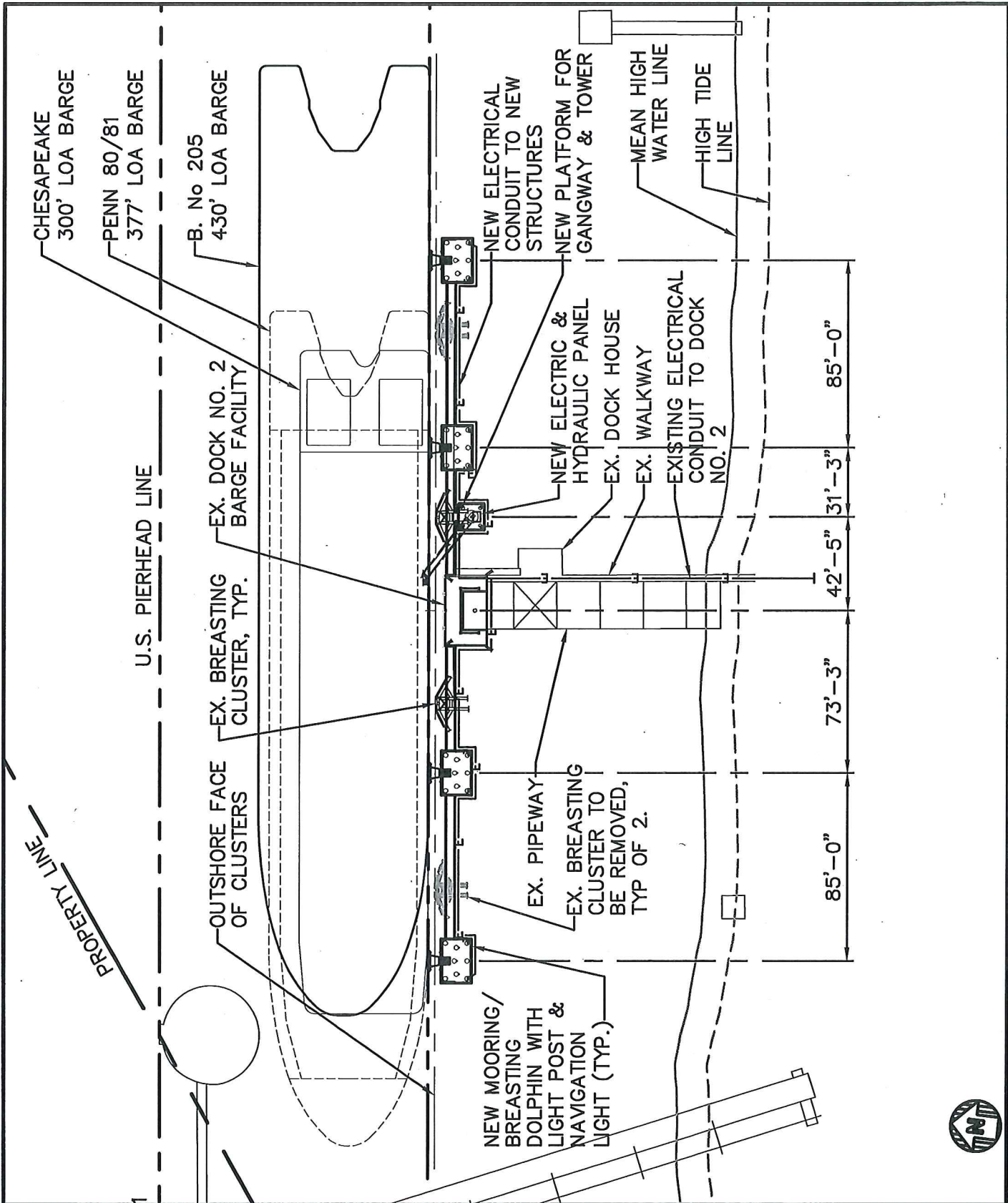
EXISTING DOCK NO. 2
CONDITIONS PLAN & SOUNDINGS
 NEW DOLPHINS - DOCK #2
 AXEON SPECIALTY PRODUCTS

DATE:
3/8/16
 SCALE:
1"=60'-0"
 SK-2



- NOTES:**
1. THE DEPTHS SHOWN ARE IN FEET AND BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 88).
 2. THE INFORMATION DEPICTED ON THIS DRAWING REPRESENTS RESULTS OF SURVEY MADE ON DECEMBER 11, 2015. SURVEY PERFORMED BY THOMAS L McELROY, RPLS OF GEOMATX SURVEYING AND MAPPING.
 3. NAVD 88: MLW EL. = -2.92', MHW EL. = +2.72'
 4. NGVD29 CONVERSION: NGVD29 = NAVD88 + 1.13'





PROPOSED DOCK NO. 2 LAYOUT PLAN

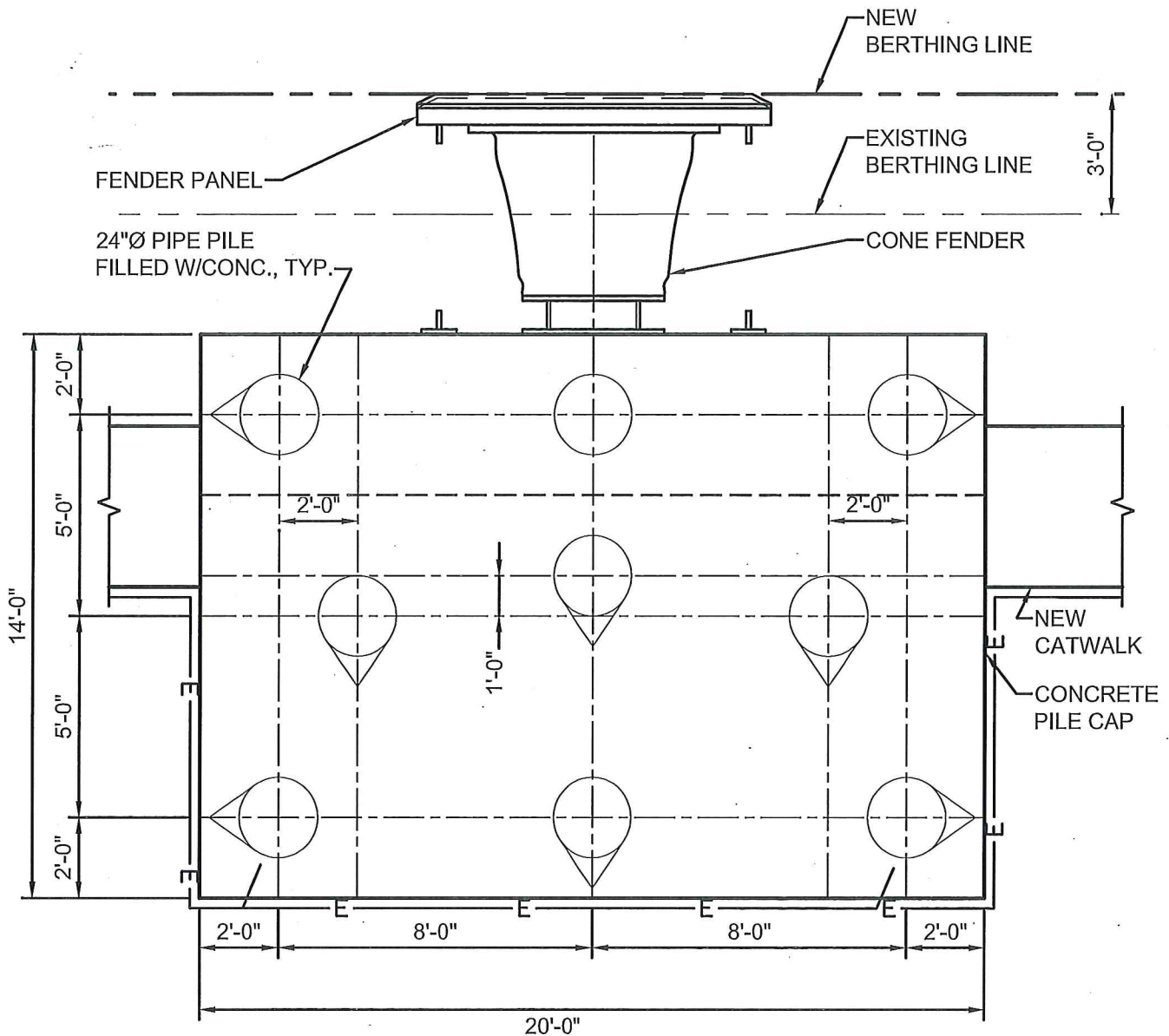
NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:
3/8/16

SCALE:
1"=60'-0"

SK-3





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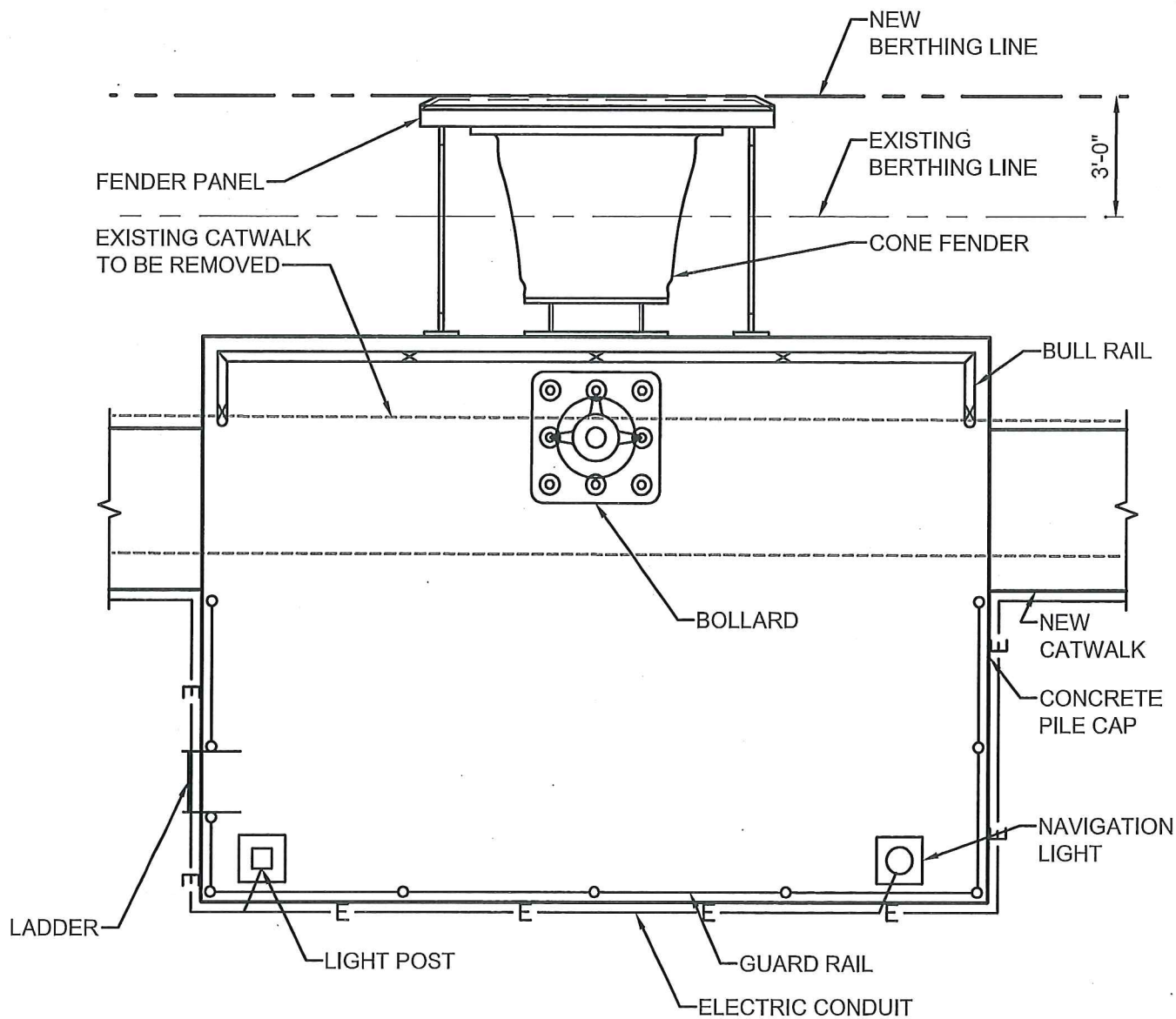
PILE PLAN - NEW MOORING / BREASTING DOLPHIN

NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:
3/8/16

SCALE:
1/4"=1'-0"

SK-4



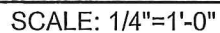
TOP PLAN - NEW MOORING / BREASTING DOLPHIN

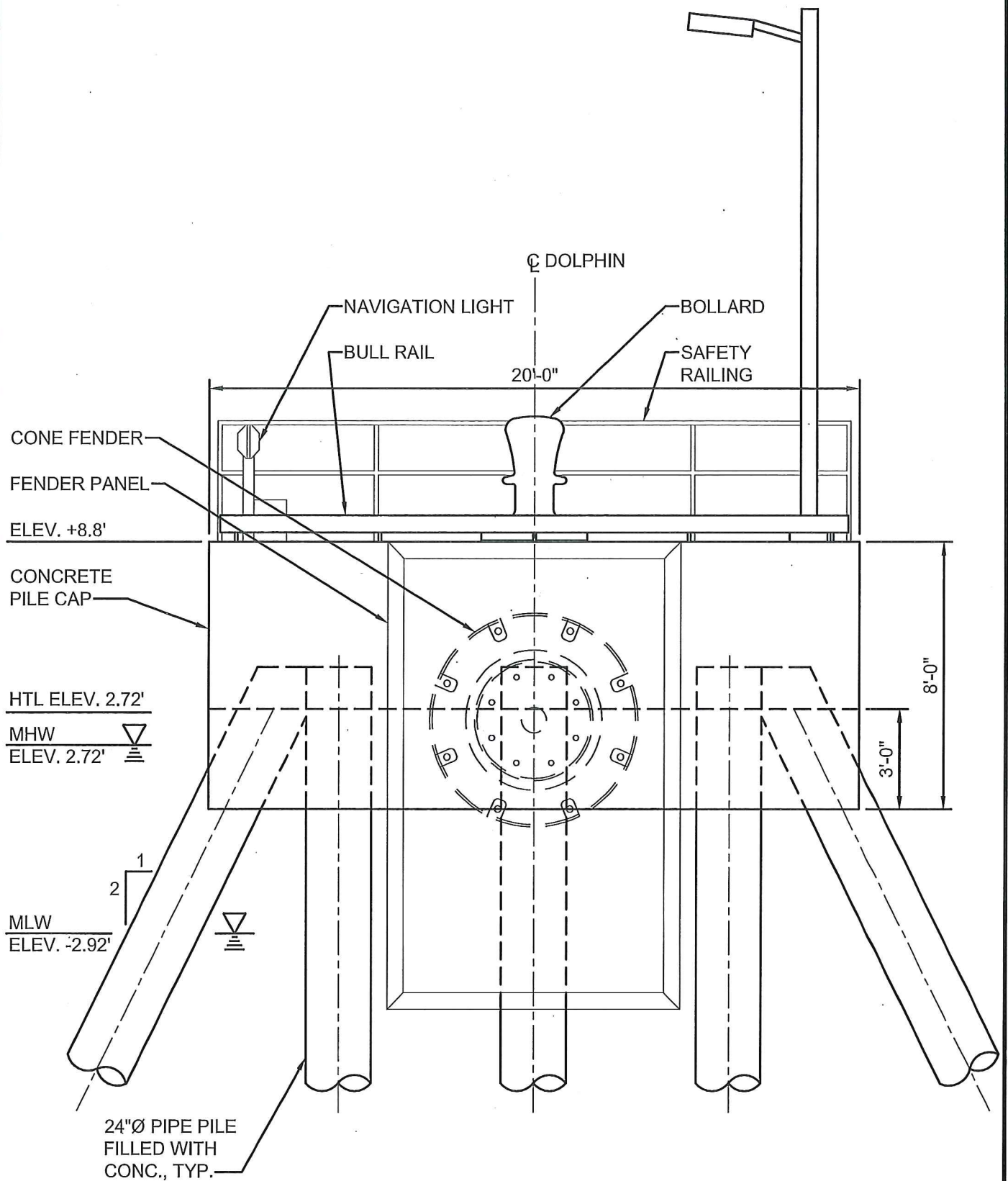
NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:
3/8/16

SCALE:
1/4"=1'-0"

SK-5





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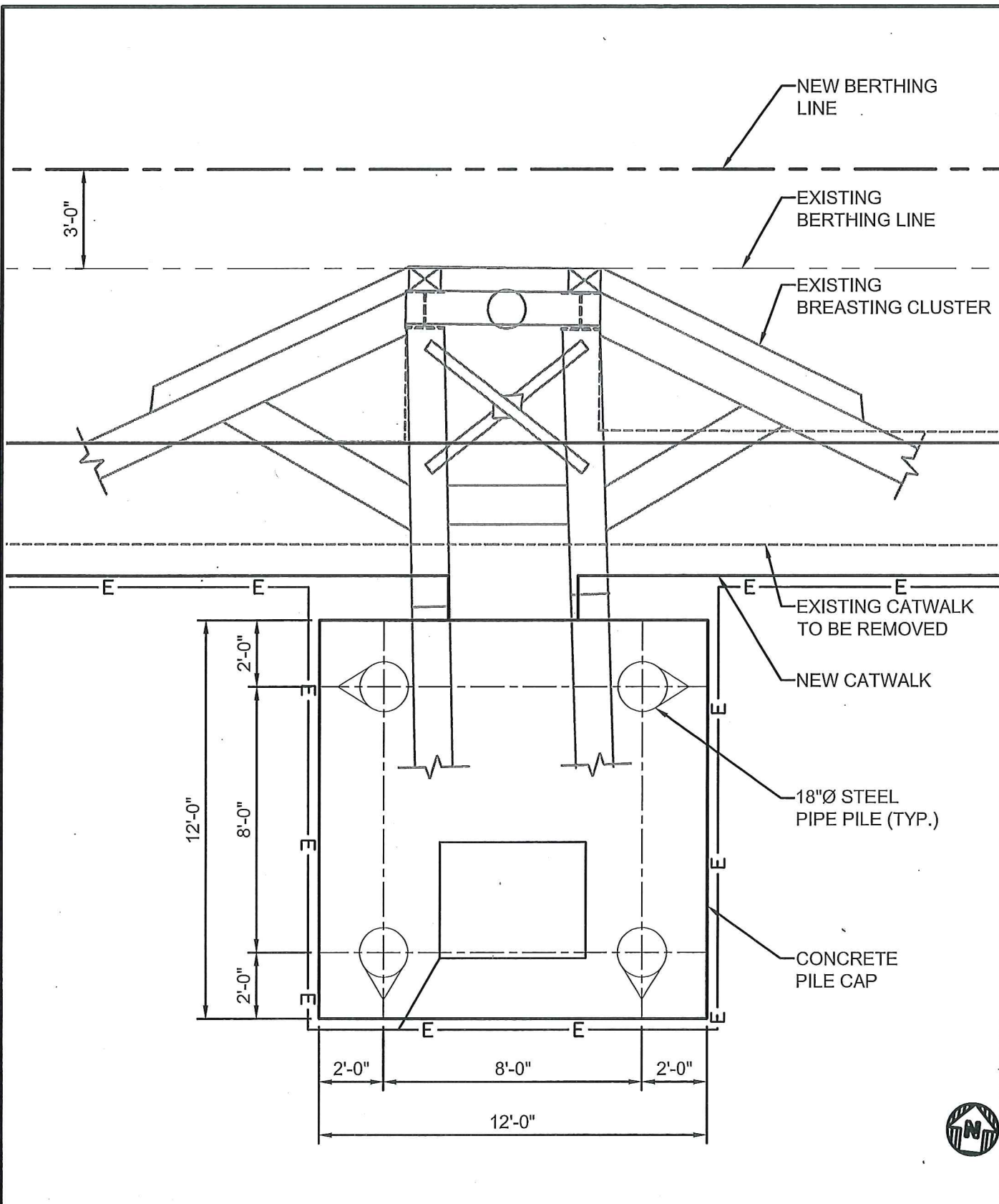
ELEVATION - NEW MOORING / BREASTING DOLPHIN

NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:
3/8/16

SCALE:
1/4"=1'-0"

SK-7



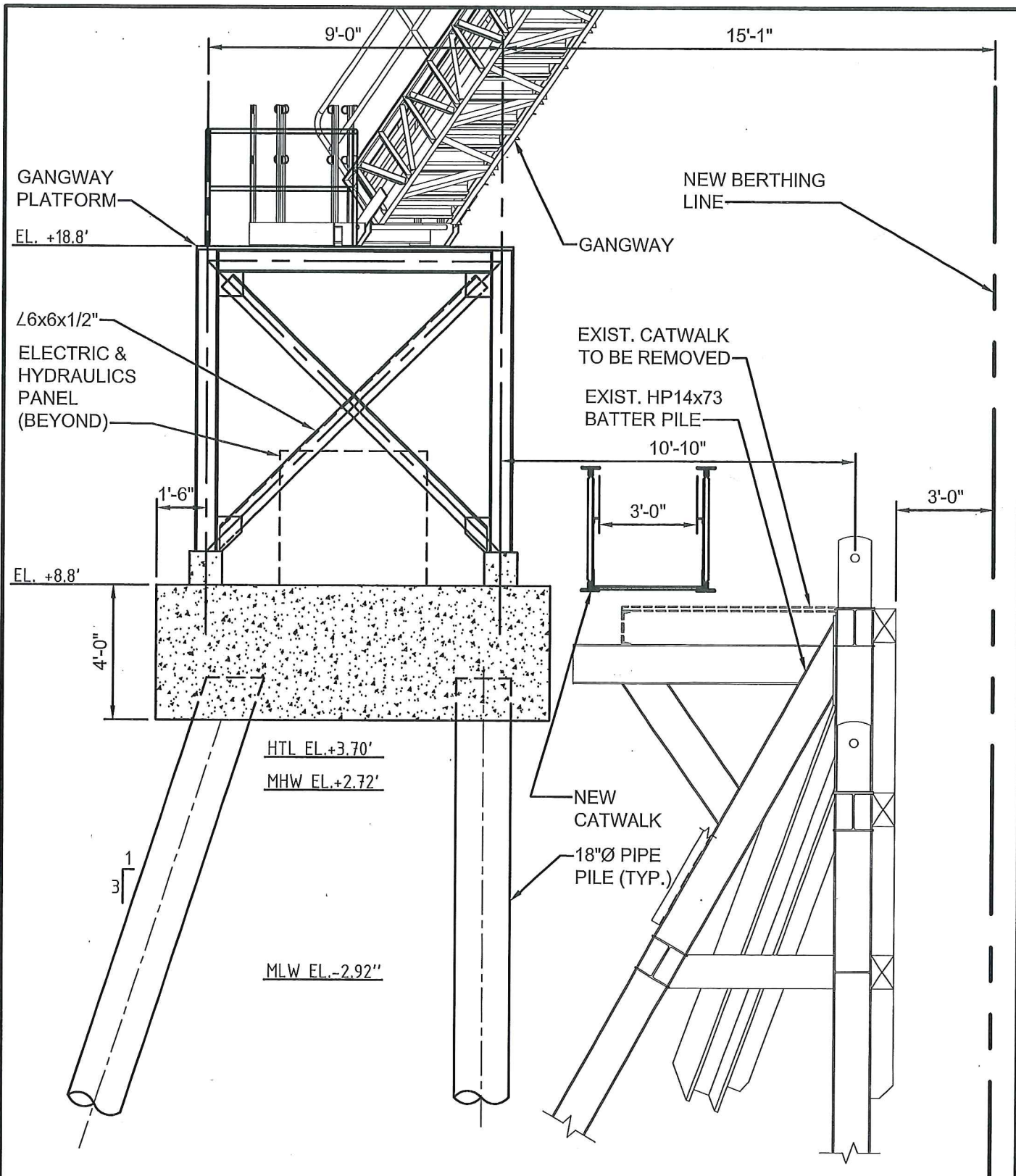
PILE PLAN - GANGWAY PLATFORM

NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:
3/8/16

SCALE:
1/4"=1'-0"

SK-8



Mar 08, 2016 - 3:54pm User: defox



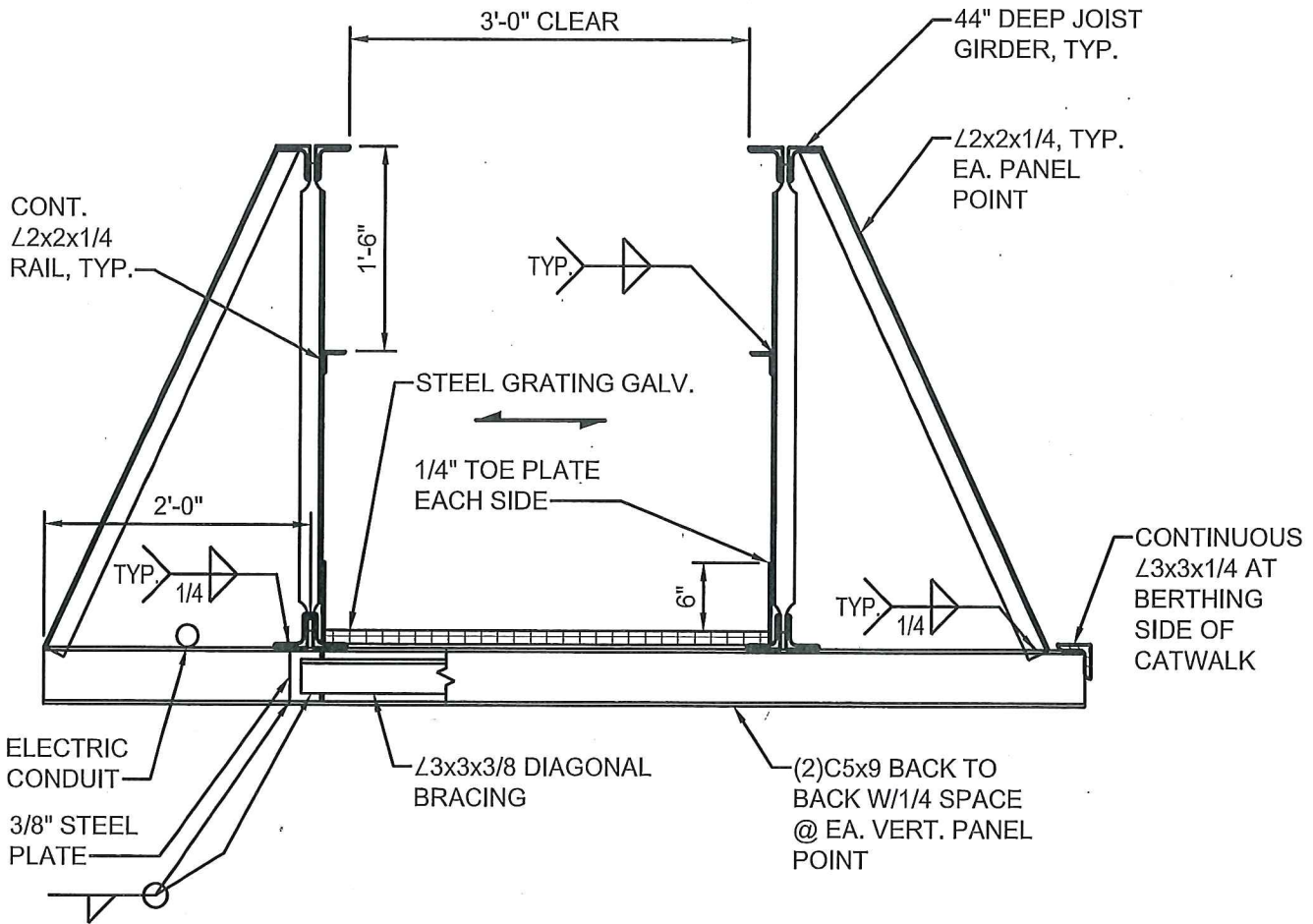
ELEVATION - NEW GANGWAY TOWER

NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:
3/8/16

SCALE:
1/4"=1'-0"

SK-10



- 1) STEEL GRATING SHALL BE PROVIDED AS SERRATED 1 1/4"x1/8" MAIN BEARING BARS @ 1 3/16" O.C. SPACING AND CROSS BARS @ 4" O.C.
 - DESIGN GRATING FOR 75 PSF L.L.
 - PROVIDE GRATING WITH HOT DIPPED GALV. COATING.



SECTION - CATWALK

NEW DOLPHINS - DOCK #2
AXEON SPECIALTY PRODUCTS

DATE:
3/8/16

SCALE:
3/4"=1'-0"

SK-11