



**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.	Date
CENAP-OP-R-2016-0181-39	July 16, 2019

Application No.	File No.
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In Reply Refer to:
REGULATORY BRANCH

Reference is made to the Department of the Army Public Notice, dated April 4, 2019 that described the proposed construction activities at the site noted below. A copy of the initial Public Notice can be found at <https://www.nap.usace.army.mil/Missions/Regulatory/Public-Notices/Article/1805234/2016-0181-39/> (NOTE: a paper copy will be supplied upon request). This action is being reviewed 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).

In an effort to ensure that the public is fully aware and understands the proposed activities under review by this office, it was decided to issue this supplemental public notice providing greater clarity and discussion of the proposed activities under review in this application. This notice does not correct or change any information contained in the original April 4, 2019 notice, which was accurate, but rather provides additional information not included in the original public notice and expands our discussion of the public interest factors relevant to the Corps of Engineer review which will also be considered for preparation of an Environmental Assessment prepared under the National Environmental Policy Act (NEPA).

APPLICANT: Mr. Gary Lewis
Delaware River Partners LLC
200 North Repauno Avenue
Gibbstown, New Jersey 08027

WATERWAY: Delaware River

LOCATION: Block 8, Lots 2, 3, 4, 4.01 and 4.02, in the Gibbstown Section of Greenwich Township, Gloucester County, New Jersey. The site previously was known as the E.I. du Pont de Nemours & Company Repauno Works.

As noted in the previous public notice dated 4, 2019, the applicant proposes to construct a second dock structure at the above referenced site known as the Gibbstown Logistics Center that would allow for the transfer of liquefied natural gas products from shore to vessels. Details of the actual dredging and construction work remain unchanged. In response to comments from our previous public notice, the following additional information is being provided for greater understanding and clarity of the proposed project.

- Liquefied Natural Gas (LNG) will not be processed or stored on the project site. This product will arrive at the proposed structure via truck or tanker railcar. Approximately 13 trucks per hour would enter the site, 24/7. Each truck would carry approximately

12,000 gallons of product. Once on site, the LNG would be pumped directly from the traveling vehicle to a waiting LNG vessel(s). The approximate ship loading time is 2 weeks. Once full, the vessel(s) will leave the site and a new ship will arrive in-port.

- Gloucester County is proposing to construct a new access road to the port facility. The new road would divert the existing commercial traffic from Route 44 to the port facility, allowing the trucks to bypass residential areas in Gibbstown. Gloucester County has proposed the construction of this dedicated road as a means to limit traffic impacts associated with port activities on the community. The proposed access road will not require any approvals from the Corps of Engineers but is being evaluated due to the single and complete/reasonable related nature of this component. The road would be built by the County and is not being proposed by the applicant.
- The applicant has estimated that the proposed operations at the Site will generate approximately 15 trucks in and out of the facility per hour on average. The use of railcars for the transportation of LNG has not been adopted by the US Department of Transportation. Until such time that USDOT approves the transportation of LNG by rail and any specialized railcars are available, it is not possible to predict the timetable or volume of LNG that could be moved to the site by rail.
- All loading/unloading operations would take place a minimum of 1 mile from the nearest residences. The proposed access road would be located approximately 110 feet from the nearest residential area of the Township and is separated from these areas by an active railroad right-of-way.

As required by 33 CFR 320.4, the following Public Interest Review Factors will be considered by the Corps when evaluating the permit application. (NOTE: impacts are considered by this office to determine whether to issue a permit for the project. No final determination has been made by this office as of this date):

- Conservation: This factor would address a wide array of environmental resource conservation issues that extend beyond wetlands and waters of the United States that could be affected by any activity directly authorized through a Department of the Army permit, including measures to mitigate any of these effects.
- Economics: This factor would address the potential impacts of the project on the local economy and the region as a whole;
- Aesthetics: This factor would consider the aesthetics of the project site and surrounding locations and how these values could be affected by the proposed activity.
- General Environmental Concerns: This factor would be similar to the conservation factor noted above and would address any impacts to the overall human and natural environments that may be directly and indirectly affected by the proposed activity.
- Wetlands: This factor would address any direct or indirect impacts to wetlands related to the proposed activity. This would include a consideration of wetlands under the regulatory responsibility of the New Jersey Department of Environmental Protection and how impacts to those wetlands, if any, are minimized and mitigated through the State regulatory programs. As noted in our previous public notice, no federally regulated wetlands would be disturbed by the proposed construction activities.
- Historic Properties: This factor would consider any historic or cultural resources that could be affected by the proposed activity with an emphasis on those resources within the Corps' permit area that may be listed or eligible for listing on the National Register of

Historic Places. A review to date by this office has determined that no historic resources would be impacted by the work regulated by this office.

- **Fish and Wildlife Values:** This factor would be similar to the general environmental concerns noted above but would focus more specifically on fish and wildlife resources that could be affected by the proposed activities. The evaluation of this factor would include coordination with other Federal and State agencies such as the US Fish and Wildlife Service and the National Marine Fisheries Service.
- **Flood Hazards:** This factor would include a consideration of flooding hazards that could be associated with the proposed activity. It is noted that the NJ Department of Environmental Protection (NJDEP) has already issued a Flood Hazard Area Permit for the overall port facility.
- **Floodplain Values:** This factor would include any other secondary or indirect impacts to the floodplain from the on-shore construction activities. The consideration of this factor relies, in part, on the New Jersey Flood Hazard Area program and Coastal Zone Management programs.
- **Land Use:** This factor considers land use on the project site and surrounding areas and whether the proposed activity may alter those uses. It is noted that the overall Gibbstown Logistics Center which includes the construction and dredging areas under review in this application was formerly operated as an industrial site known as the DuPont Repauno Site.
- **Navigation:** This factor would include a consideration of the potential direct effects to navigation along the Delaware River and Bay caused by the construction and dredging activities. In addition, it would include a consideration of the coordination and review, as well as any other approvals that may be required for the transit of vessels to and from the proposed facility by other agencies, such as the US Coast Guard and Department of Homeland Security.
- **Shoreline Erosion and Accretion:** This factor would include a consideration of shoreline erosion or accretion that could be a direct result of the proposed construction and dredging activities as well as any indirect effects resulting from the operation of the proposed structures. This evaluation could include both design and operational considerations, where applicable.
- **Recreation:** This factor would include consideration of the recreational values, if any, at the project site and along the Delaware River and what effects, if any, the proposed activity would have on those resource values. It is noted that the Delaware River is a heavily traveled and utilized waterway providing a wide array of recreational and commercial values.
- **Water Supply and Conservation:** This factor would address any effects to the use and supply of water. This factor would include an evaluation of any water supply intakes in the vicinity of the proposed activity as well as any proposed water supply intakes associated with the proposed activity. It is noted that the Delaware River Basin Commission is a multi-state agency with a lead responsibility to manage water supplies and water quality within the overall Delaware River basin.
- **Water Quality:** This factor would include a consideration of water quality. The primary focus of this evaluation would be any effects to water quality associated with the construction and dredging activities. This would normally include measures to manage and/or mitigate suspended sediments resulting from these activities. However, NJDEP and other local land use agencies may implement controls and conditions to address upland land uses as a mechanism to address water quality issues. It is further noted that

any discharges of dredged or fill materials into waters of the United States would require a Water Quality Certification (WQC) from NJDEP pursuant to Section 401 of the Clean Water Act. Any conditions imposed by the State in any required WQC would be included as conditions of the Federal authorization. A review of the WQC by NJDEP is currently pending.

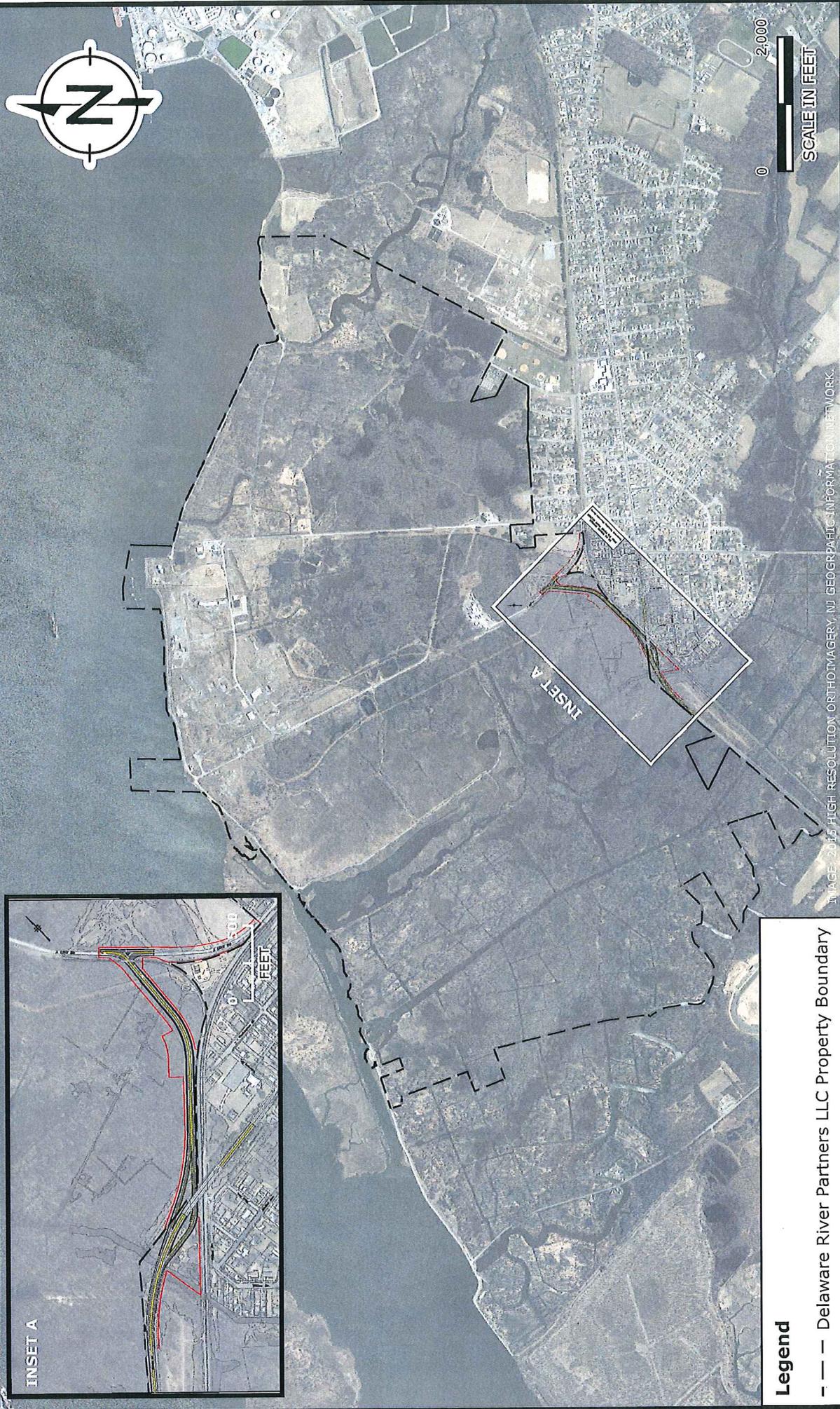
- **Energy Needs:** This factor would include a consideration of energy needs on both local and national scales. It would include a consideration of energy production, uses, and conservation. The development of domestic natural gas products, including LNG, and other petroleum products have generated domestic uses for these resources as well as international uses.
- **Safety:** This factor would include a consideration of the potential direct effects to safety along the Delaware River and surrounding locations caused by the construction and operation of the proposed facilities. In addition, it would include a consideration of the coordination and review, as well as any other approvals that may be required for the proposed facilities by other agencies, such as the US Coast Guard, FERC, Department of Homeland Security, the State, or local municipalities.
- **Food and Fiber Production:** This factor normally includes consideration of issues relating to agricultural or silvicultural activities. The proposed project or the project site do not include any issues related to these public interest factors and as such, it has been concluded, to date, that there would be no effect on these resource issues.
- **Mineral Needs:** This factor normally includes consideration of issues relating to mining activities and resources. The proposed project or the project site do not necessarily include any issues related to this public interest factor and as such, it has been concluded, to date, that there would be no effect on this resource issue. However, natural gas products may be considered a mineral resource and would be relevant to this application. As noted above in Energy Needs, the development of domestic natural gas products, including LNG, and other petroleum products have generated domestic uses for these resources as well as international uses.
- **Consideration of Property Ownership:** Department of the Army regulations found at 33 CFR 320.4(g) state that an inherent aspect of property ownership is a right to reasonable private use. However, this right is subject to the rights and interests of the public in the navigable and other waters of the United States. The applicant is the owner of the subject property. This public interest factor would include a consideration of an applicant's property ownership where other conflicts may be identified.
- **Needs and Welfare of the People:** This public interest factor addresses the Corps' goal to balance the benefits and detriments of a proposal. This specific project will provide both short-term and permanent jobs for the surrounding communities. It will also serve to revitalize a previously used and developed industrial property. There are inherent risks with all industrial activities for both the local and global human environments. Potential impacts and risks must be evaluated and minimized, and mitigated where appropriate and practicable. This evaluation must also consider and recognize the legal and regulatory responsibilities of other agencies and organizations for particular projects or portions of those projects.

Any comments to this supplemental public notice as they relate to the subject application MUST be submitted to this office for consideration within 15 days of the date of this notice.

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



Edward E. Bonner
Chief, Regulatory Branch



Legend

— — — Delaware River Partners LLC Property Boundary



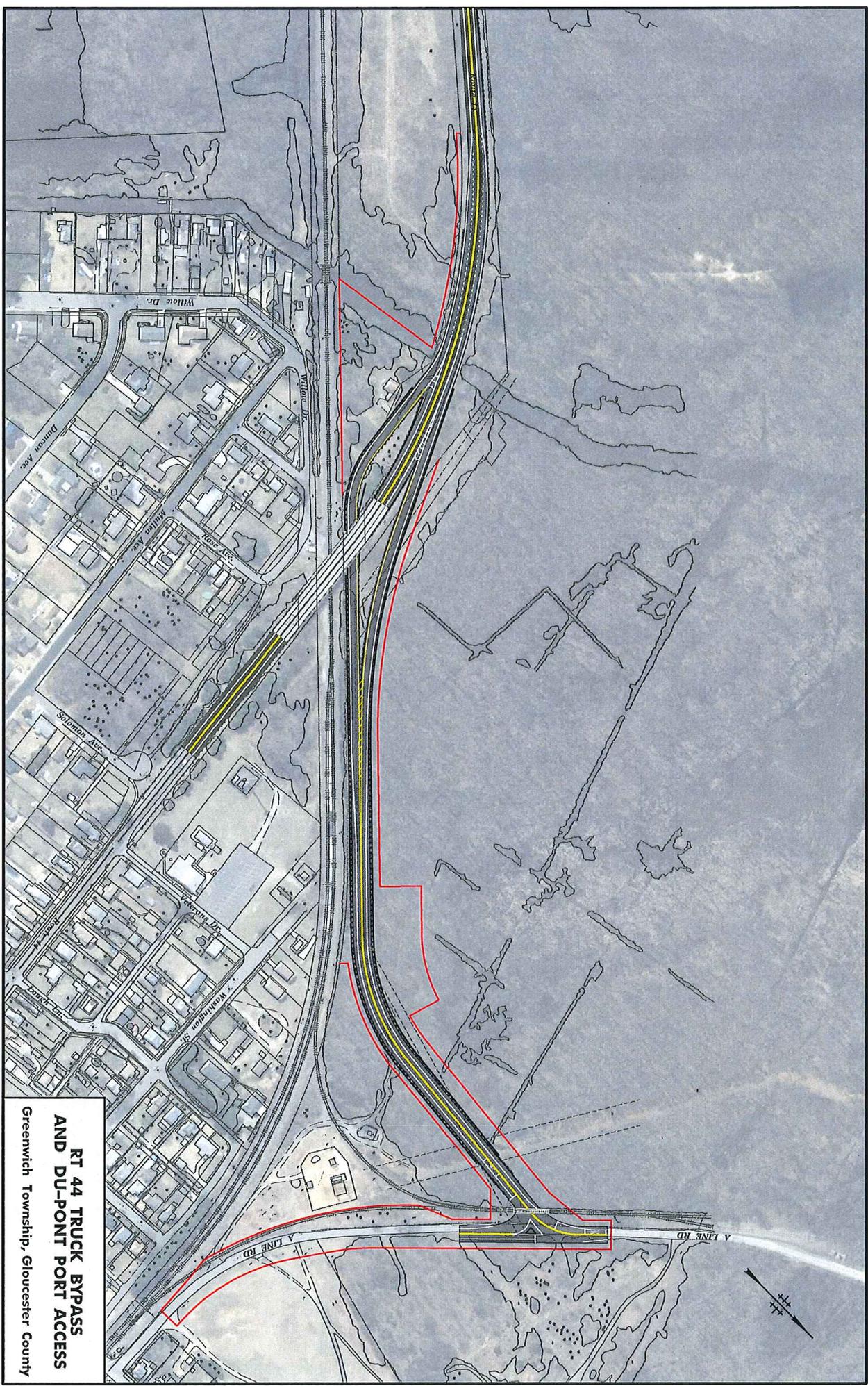
DRAFTED BY: HWC

DATE: 7/10/2019

PROPOSED GLOUCESTER COUNTY ROUTE 44 TRUCK BYPASS
GIBBSTOWN, NJ

FIGURE 1

PROJECT: 1690000609



**RT 44 TRUCK BYPASS
AND DU-POINT PORT ACCESS**
Greenwich Township, Gloucester County