

### 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-2019-01139-95

December 9, 2019

Application No.

File No.

CENAP-OP-R-2019-01139-95

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: New Jersey Department of Transportation

Office of Maritime Resources Attn: Ms. Genevieve Clifton

P.O. Box 600

Trenton, New Jersey 08625-0600

WATERWAY: Barnegat Bay - Beach Haven State Channel Complex: Southwick Channel, Bay

Harbor Channel, Eastern Channel, Shelter Harbor Channel, Beach Haven Condos Channel, Morrison's Channel, Liberty Thorofare Channel, Buoy 77

Channel, and Penna's Channel.

LOCATION: Beach Haven Borough and Long Beach Township, Long Beach Island, Ocean

County, New Jersey.

ACTIVITY: The applicant, New Jersey Department of Transportation – Office of Maritime

Resources, has requested Department of the Army authorization to perform ten (10)-year maintenance dredging of nine (9) channels within Barnegat Bay, identified as the Beach Haven State Channel Complex: Southwick Channel, Bay Harbor Channel, Eastern Channel, Shelter Harbor Channel, Beach Haven Condos Channel, Morrison's Channel, Liberty Thorofare Channel, Buoy 77 Channel, and Penna's Channel. All of the work would be accomplished via hydraulic cutterhead dredge. All resultant dredged material, estimated to total approximately 26,747.0-cubic yards of sand and silt, would be transported via floating and submerged pipeline to the Parker Island Confined Disposal Facility (CDF) located in lower Barnegat Bay in Beach Haven Borough, Ocean County, New Jersey. The pipeline would be marked in accordance with U.S. Coast Guard regulations. Return water from the Parker Island CDF is proposed.

Each maintenance dredging event is anticipated to be approximately twelve (12) weeks in duration, including mobilization/demobilization, dredging, and

CDF placement activities. Two (2) or three (3) maintenance dredging events are anticipated to be conducted over the next ten (10)-years.

### Southwick Channel (#150):

Maintenance dredging of 2,380.0-cubic yards of shoaled sediments from a 0.08-mile long channel to -5.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, is proposed. The channel design width is 100.0-linear feet, with 3:1 side slopes.

### Bay Harbor Channel (#151):

Maintenance dredging of 2,531.0-cubic yards of shoaled sediments from a 0.08-mile 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-linear feet, with 3:1 side slopes.

### Eastern Channel (#152):

Maintenance dredging of 2,162.0-cubic yards of shoaled sediments from a 0.07-mile 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-linear feet, with 3:1 side slopes. The channel design width is 100.0-linear feet, with 3:1 side slopes.

### Shelter Harbor Channel (#153):

Maintenance dredging of 3,130.0-cubic yards of shoaled sediments from a 0.10-mile 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-linear feet, with 3:1 side slopes.

### Beach Haven Condos Channel (#154):

Maintenance dredging of 1,435.0-cubic yards of shoaled sediments from a 0.05-mile 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-linear feet, with 3:1 side slopes.

### Morrison's Channel (#155):

Maintenance dredging of 2,899.0-cubic yards of shoaled sediments from a 0.11-mile 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-linear feet, with 3:1 side slopes.

### Liberty Thorofare Channel (#156):

Maintenance dredging of 5,120.0-cubic yards of shoaled sediments from a 1.19-mile 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-linear feet, with 3:1 side slopes.

### Buoy 77 Channel (#158):

Maintenance dredging of 3,890.0-cubic yards of shoaled sediments from a 0.34-mile 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-linear feet, with 3:1 side slopes.

### Penna's Channel (#159):

Maintenance dredging of 3,200.0-cubic yards of shoaled sediments from a 0.22-mile 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-linear feet, with 3:1 side slopes.

PURPOSE:

The stated purpose of this project is to restore and maintain safe navigational depths for vessels transiting between Long Beach Island and Barnegat Bay.

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 thirty (30) days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

From a review of this application concerning Section 106 of the National Historic Preservation Act of 1966, the permit area has been so extensively modified from past use, including historical maintenance dredging, that little likelihood exists for the proposed project to impact an historic property.

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 would not affect listed land-based species or their critical habitat. As a result, pursuant to Section 7 of the ESA, consultation with the U.S. Fish and Wildlife Service is not necessary. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

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.

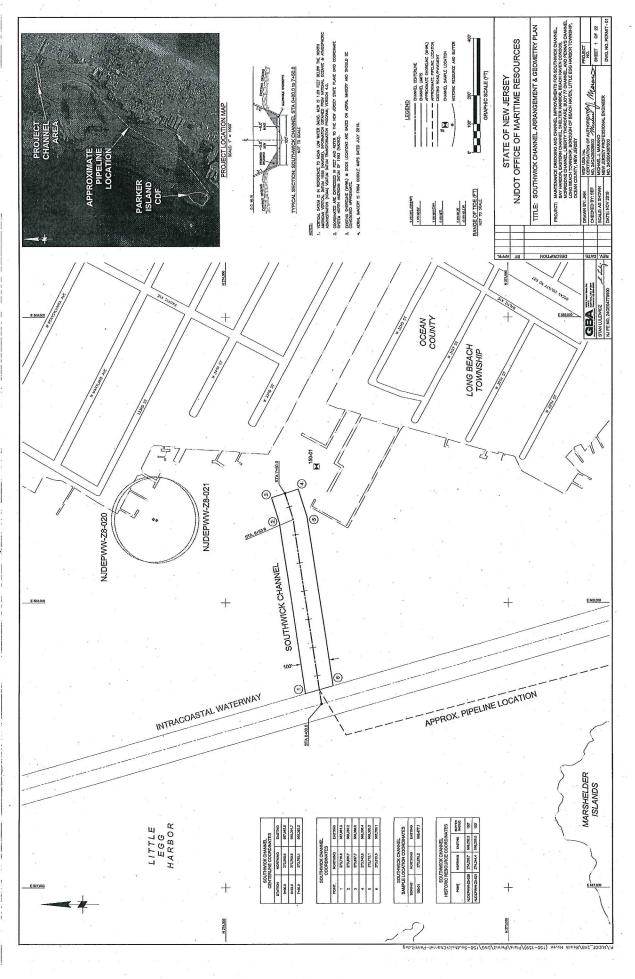
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. 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.

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.

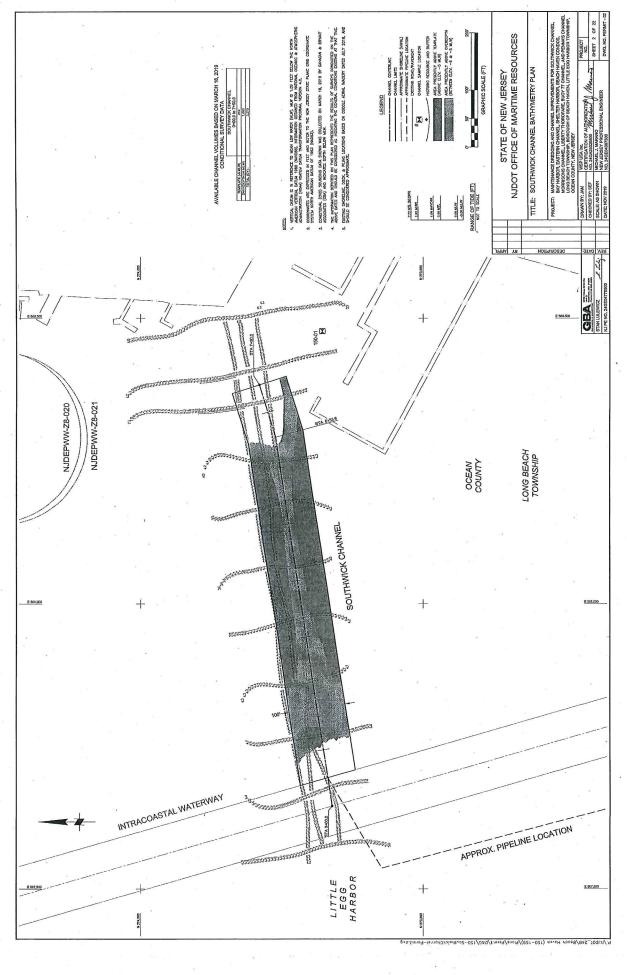
Additional information concerning this permit application may be obtained by contacting Mr. Robert Youhas of my staff at via email at robert.youhas@usace.army.mil, by phone at 215-656-6729, or by writing this office at the above address.

Edward E. Bonner

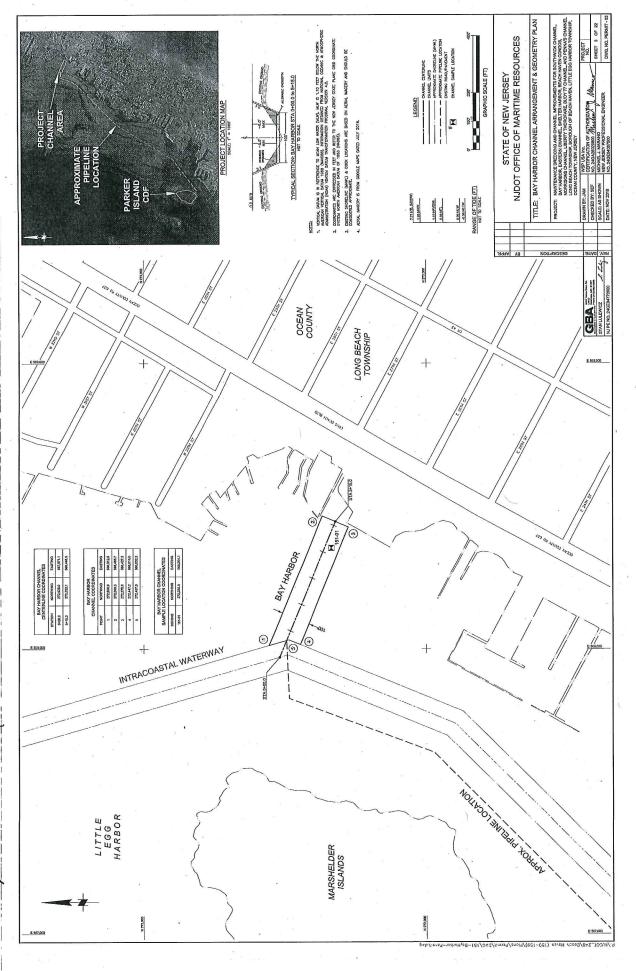
Chief, Regulatory Branch



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## S6-65110-6102 SAN



PROJECT: WAITENANCE DREDGING AND CHANNEL IMPROVADLENTS FOR BOLTHWICK CHANNEL.

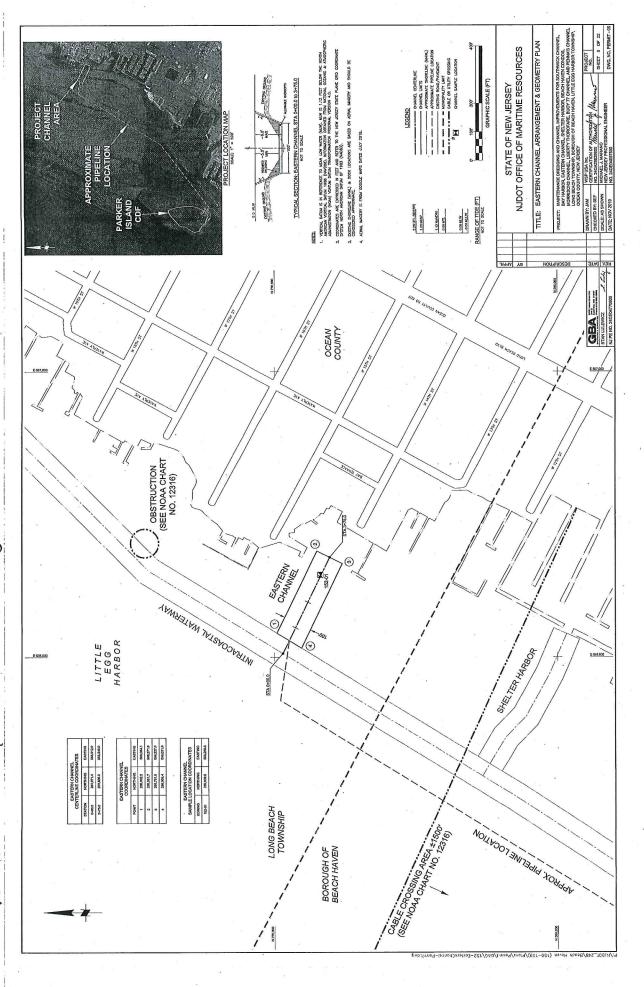
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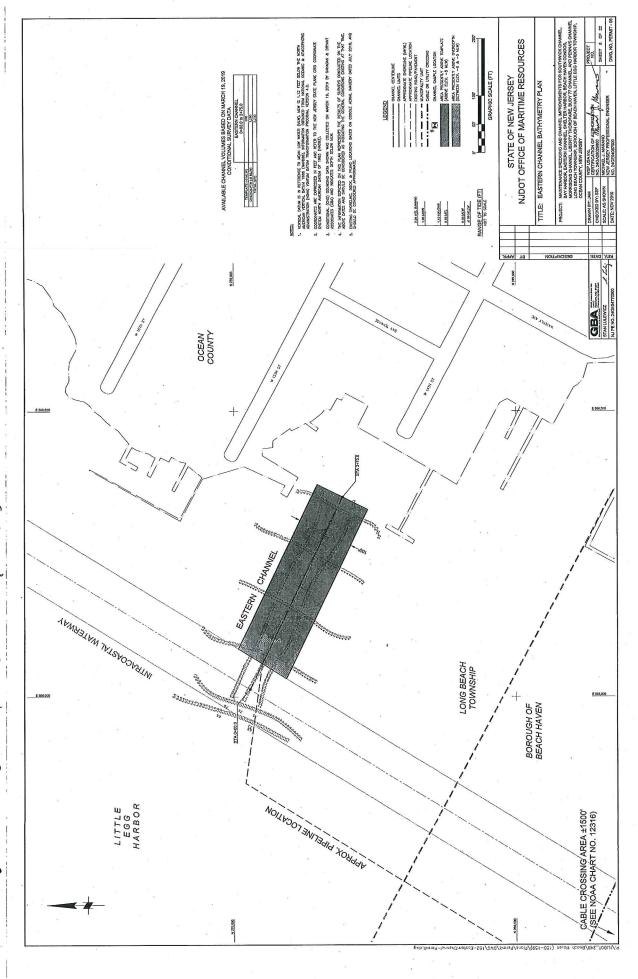
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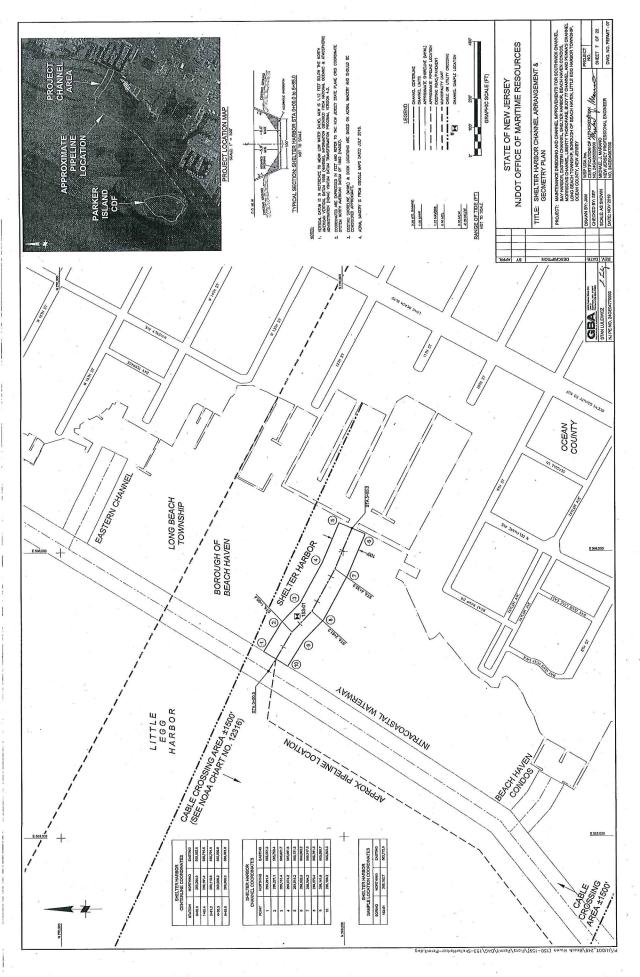
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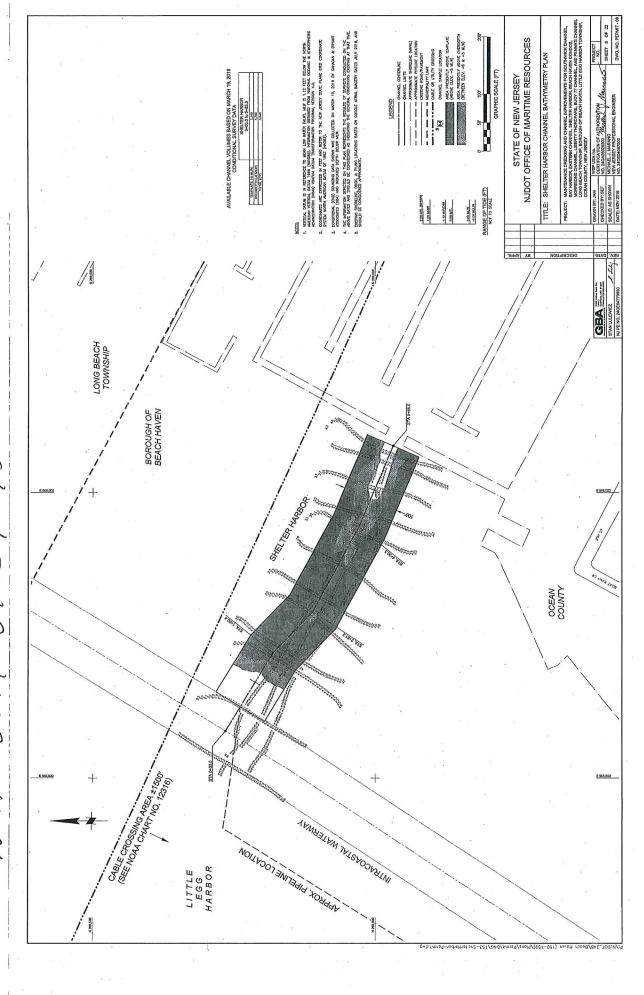
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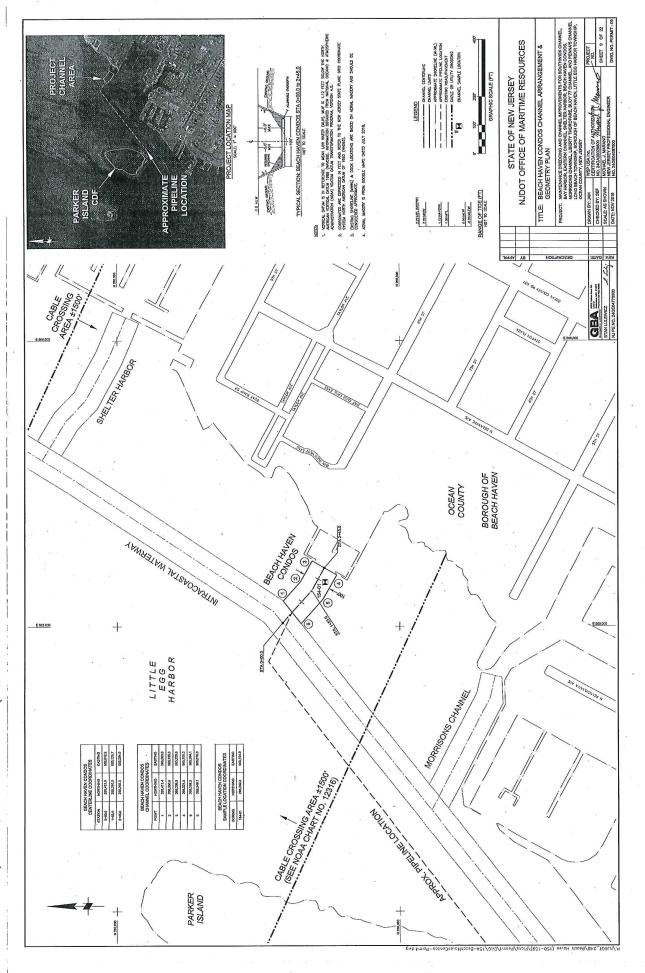


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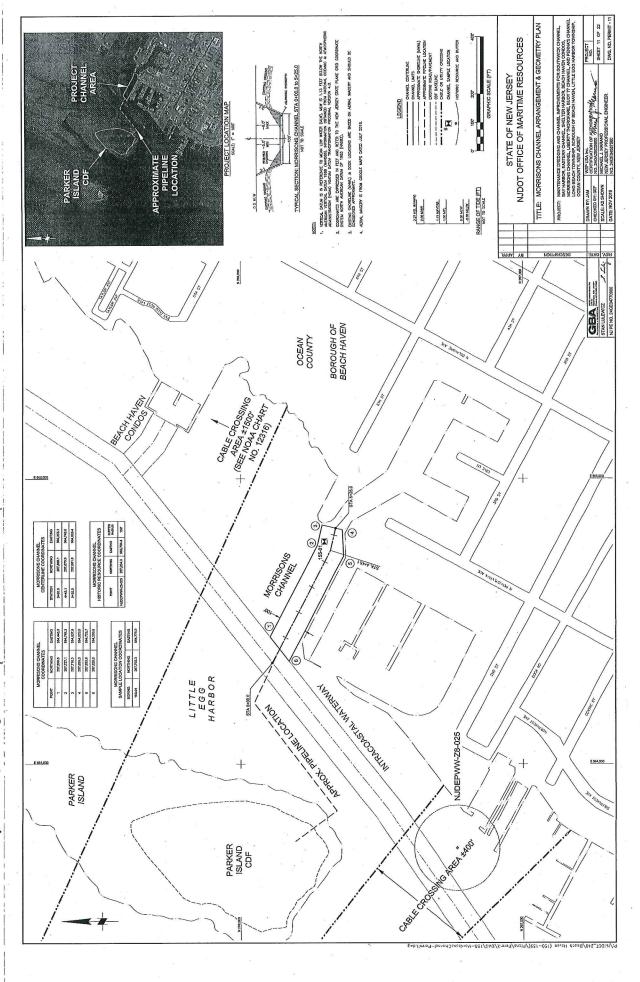
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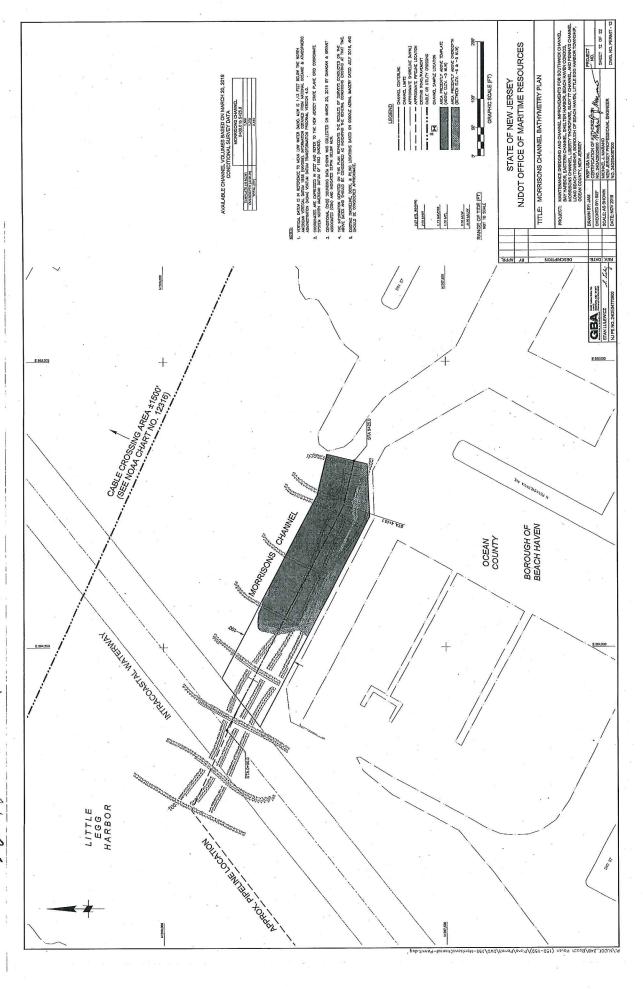


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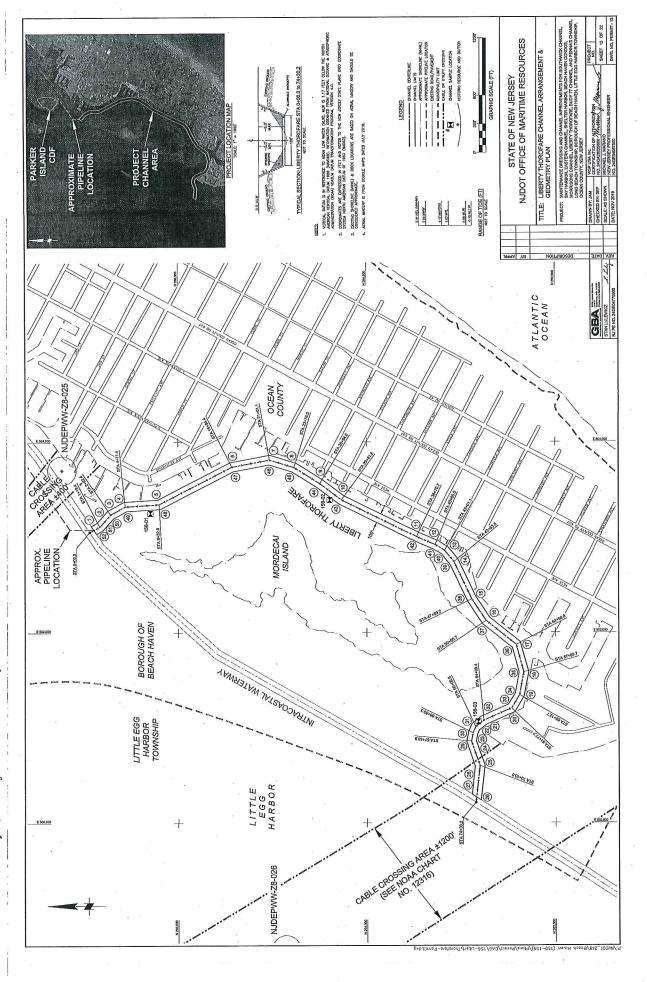
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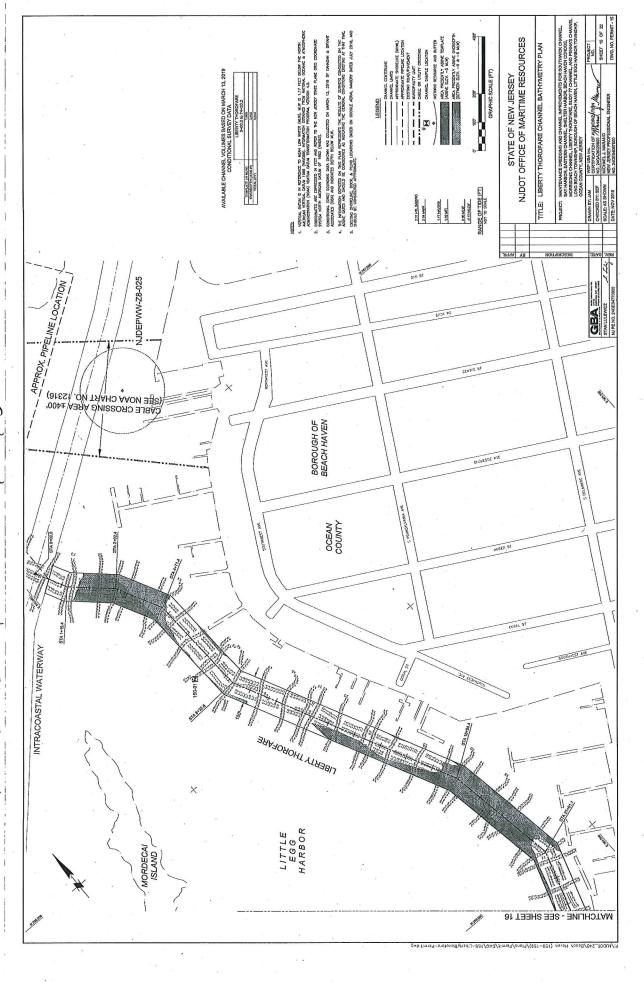
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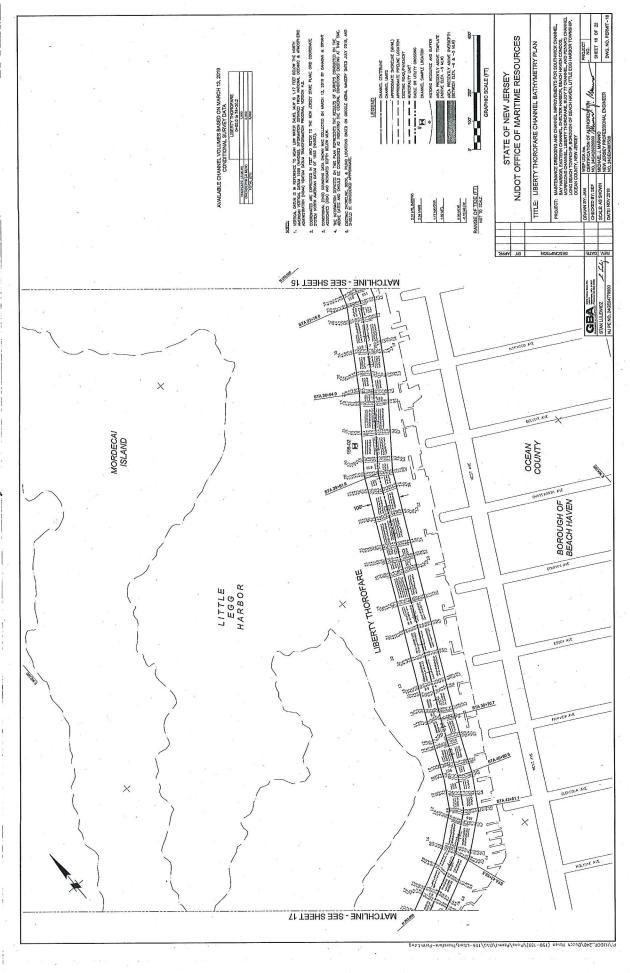
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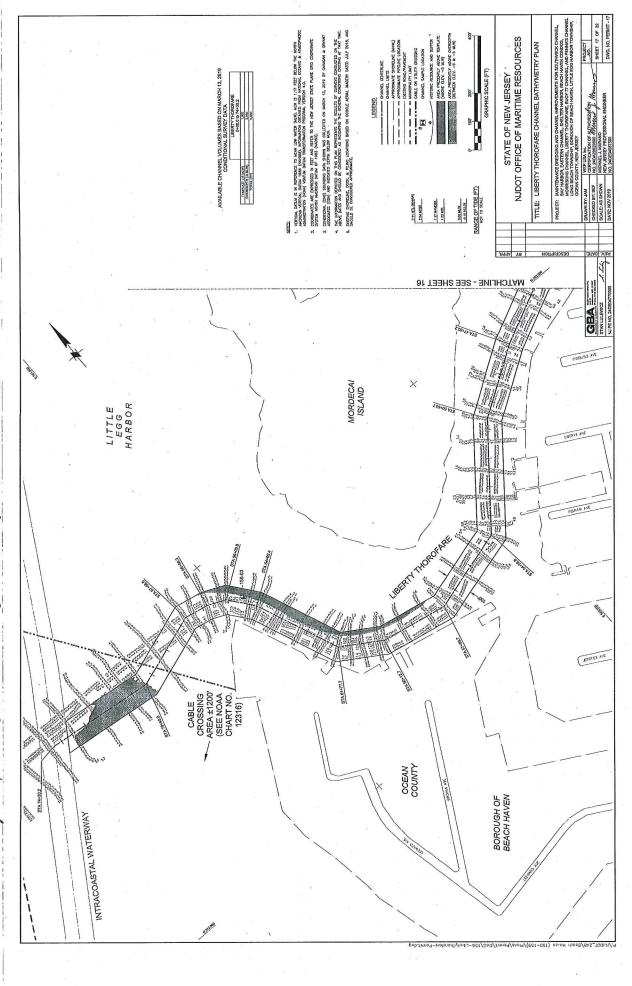
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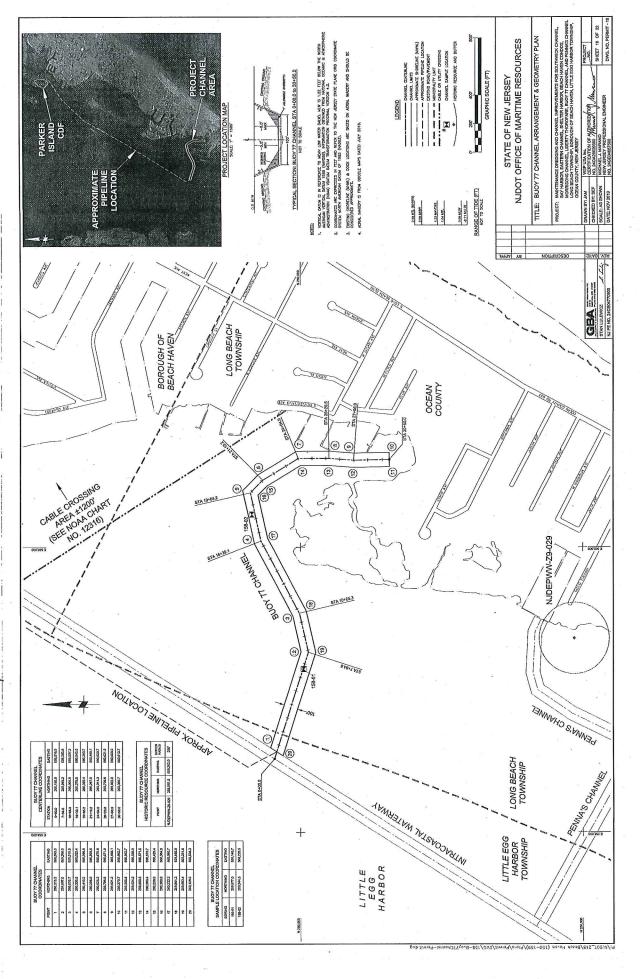
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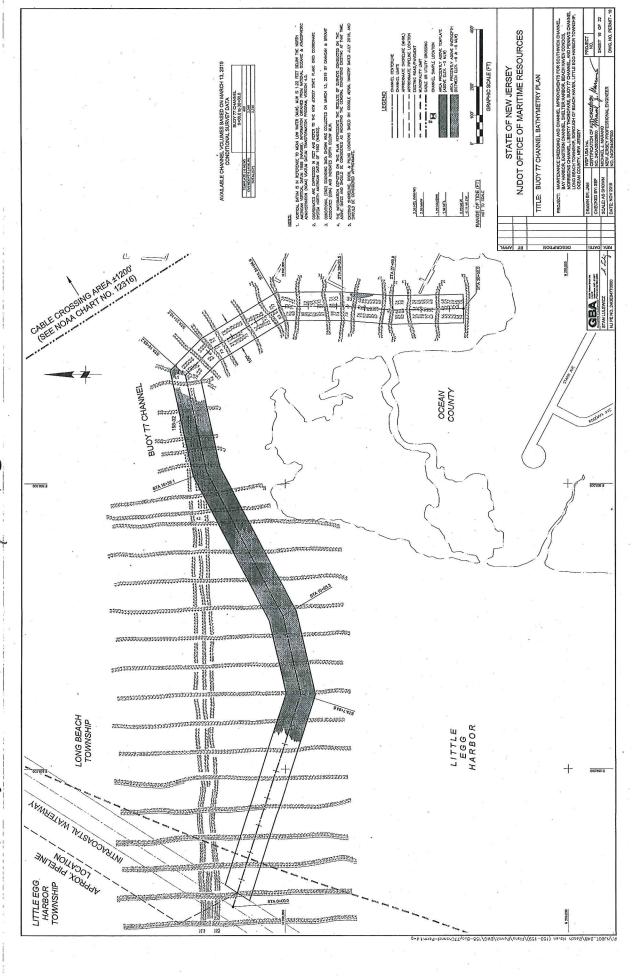
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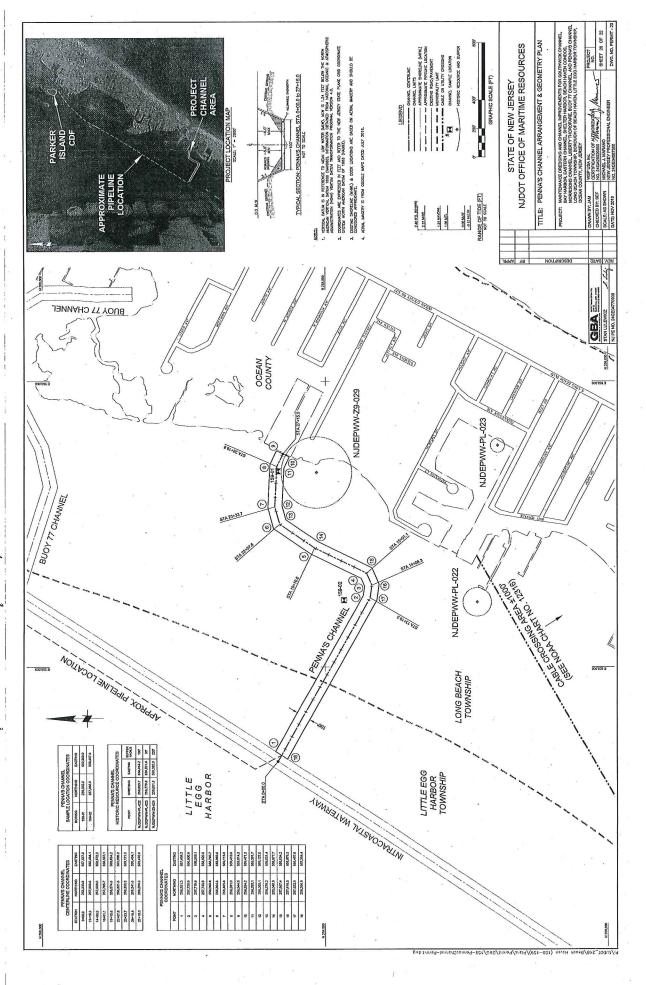
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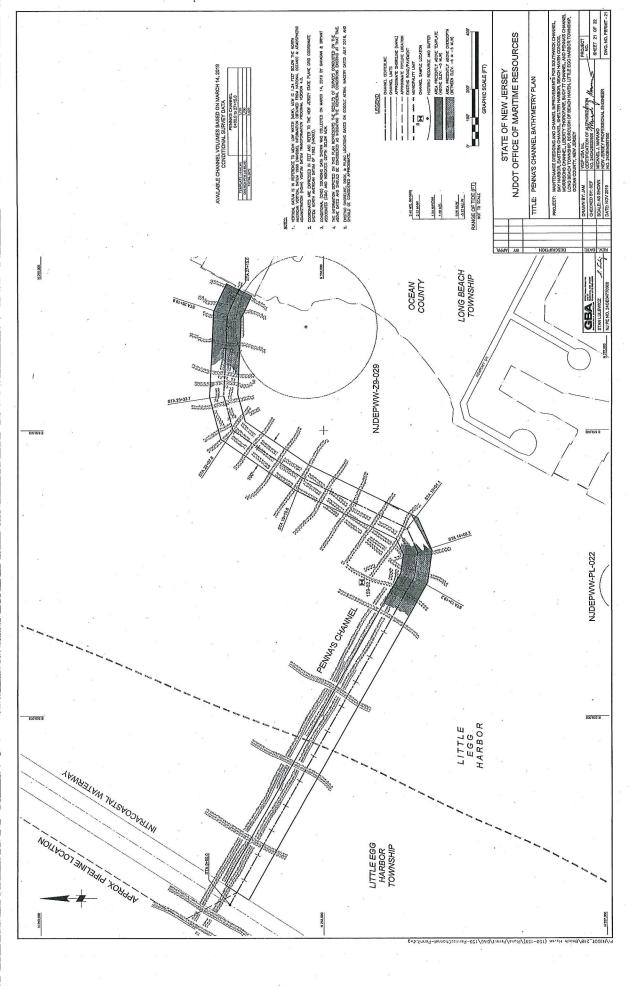
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