



**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. <b>CENAP-OP-R-2017-0718</b>	Date <b>December 11, 2017</b>
Application No.	File No.
In Reply Refer to: <b>REGULATORY BRANCH</b>	

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:** Seth Richter  
Rutgers, The State University of New Jersey  
33 Knights Bridge Road  
Piscataway, New Jersey 08854

**AGENT:** Ericka Naklicki  
T&M Associates  
11 Tindall Road  
Middletown, New Jersey 07748

**WATERWAY:** Shooting Thorofare

**LOCATION:** At the Rutgers University Marine Field Station, located at the end of Great Bay Boulevard, in Little Egg Harbor Township, Ocean County, New Jersey.

**ACTIVITY:** The applicant proposes to perform maintenance hydraulic dredging to a boat basin used by the University for its research vessels. This office issued a Department of the Army permit for the dredging of the marina in 2003. The site was last dredged in 2003. The hydraulic dredge will remove approximately 10,500 cubic yards from an area approximately 2 acres in size. The boat basin will be dredged to a depth of 8 feet below mean low water. The dredged material, composed primarily of sand, with some silt, would be discharged through the pipe directly into Shooting Thorofare. The dredge pipe would be suspended approximately 15 feet below the water surface using an anchoring system that would be secured to the bottom of the waterway. The discharge port of the pipeline would be located approximately 80 feet from the opening to the marina basin. Discharge of dredged material into the waterway is expected to last approximately 2 weeks. The material would spread over an area approximately 330 feet from the outfall pipe, impacting a total area of approximately 7.5 acres. Due to the high velocity of the water in the area of the discharge pipe, the excavated material is not expected to fall out of suspension.

**PURPOSE:** The applicant's stated purpose is to provide for adequate water depths for research vessels that use the mooring facilities within the marina basin.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As a result, consultation with NOAA Fisheries pursuant to Section 7 of the ESA is not necessary. The applicant has stated that during approximately 30 years of studies at the site, no Atlantic Sturgeon have been noted in and around the University's basin. 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 30 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 permit area has been so extensively modified 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, specifically page 33 the project will have an adverse effect on EFH and the species of concern. However, these impacts can be mitigated with the inclusion of special conditions to any permit issued by this office. Coordination between the National Marine Fisheries Service and the Corps will take place to ensure impacts to aquatic resources will be minimal.

According to Federal regulation located at 33 CFR 325.1(d)(7) and 33 CFR 332.4 (b)(1), applicants wishing to discharge 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 stated that they will avoid/minimize impacts to the aquatic environment by incorporating engineering/construction procedures into the process that will substantially reduce impacts to aquatic resources. Additionally, the applicant states "...for hydraulic dredges, specific operational procedures designed to minimize water quality impacts, such as removal of the cutter head, flushing of pipeline sections prior to disconnection, or limitations on depth of successive cuts, may be required; If necessary, the contractor will make every effort to minimize impacts on the water quality and surrounding habitats. Best Management Practices (BMP's) will be implemented where necessary. Note that we anticipate that the contractor will utilize 8" to 10" fused polyethylene pipeline as the dredge discharge pipe that will be 15 feet below water surface elevation. The pipe will not be located in the adjacent wetland habitats. The pipeline will extend into the Shooting Thorofare and will be entirely submerged". As such, the applicant does not believe compensatory mitigation is warranted for this matter.

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 Slavitter at 215-656-6734, via email at [lawrence.m.slavitter@usace.army.mil](mailto:lawrence.m.slavitter@usace.army.mil), or writing this office at the above address.



Edward E. Bonner  
Chief, Regulatory Branch



**CENAP-OP-R-2017-0718**

Rutgers University Marine Field Station



Google earth

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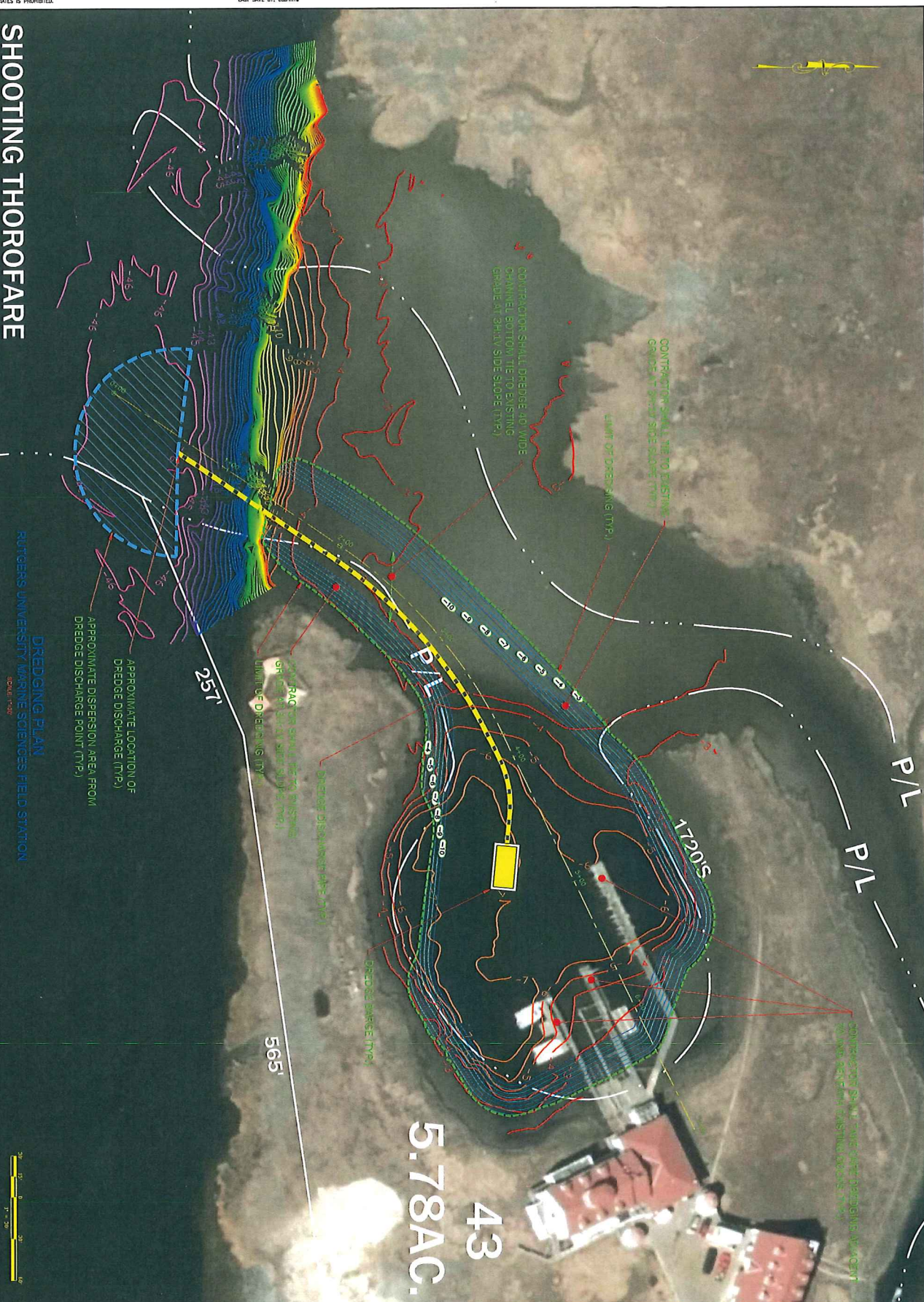
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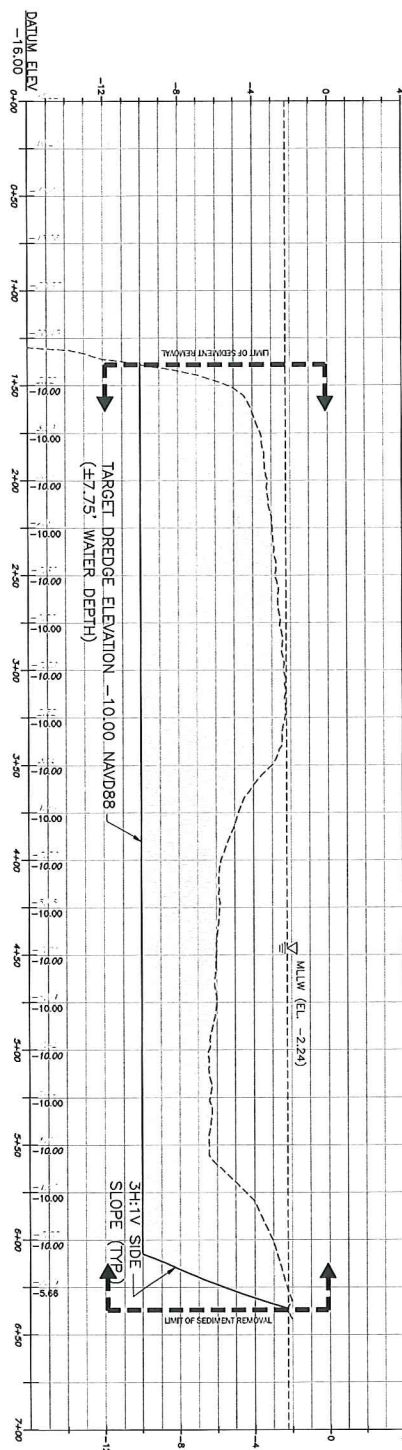
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# SHOOTING THOROFARE

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**CENTERLINE PROFILE**  
RUTGERS UNIVERSITY MARINE SCIENCE FIELD STATION

DATUM INFORMATION

## PROFILE LEGEND

- |   |                                      |
|---|--------------------------------------|
|  | MEAN LOWER LOW WATER (EL. -2.2+)     |
| - - - - -   | EXISTING SURFACE ELEVATION (APPROX.) |
| _____   | PROPOSED SURFACE ELEVATION           |
| <input type="checkbox"/> _____  | SEDIMENT/MATERIAL TO BE REMOVED      |

DATUM	NAVD 88	MLLW
MHHWL	4.64	6.88
MHWL	1.26	3.50
NAVD 88	0.00	2.24
MTL	-0.43	1.81
MLWL	-2.11	0.13
MLLWL	-2.24	0.00

ALL PLAN ELEVATIONS ARE IN NAVD 88.

1. THE ENTIRE OF THE PROJECT IS BEING LAID OUT TO CREATE A BUILT BATH AND BUILT KITCHEN WITH A BUILT IN STOVE, SINK, AND CUPBOARD. THE REMAINING PORTION OF THE PROJECT IS TO BE LEFT OPEN FOR THE CUSTOMER TO FINISH AT A LATER DATE.
2. THE PROJECT DUE TO THE BUILT BATH AND KITCHEN IS ALPHABETICALLY ORDERED BY THE PROJECT NUMBER.
3. THE TOTAL ESTIMATED BUDGET OF THE PROJECT IS \$12,000.
4. THE PROJECT IS TO BE COMPLETED BY THE END OF THE YEAR.
5. THE PROJECT IS TO BE COMPLETED BY THE END OF THE YEAR.
6. THE PROJECT IS TO BE COMPLETED BY THE END OF THE YEAR.
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9. THE PROJECT IS TO BE COMPLETED BY THE END OF THE YEAR.
10. THE PROJECT IS TO BE COMPLETED BY THE END OF THE YEAR.

STATION	AREA (SF)	VOLUME (CY)	CUMULATIVE VOLUME (CY)	% OVERDREDGE
0+00	0	0	0	0
0+50	0	0	0	0
1+00	0	0	0	0
1+50	200	220	220	260
2+00	400	590	810	960
2+50	400	760	1,560	1,870
3+00	400	810	2,380	2,830
3+50	500	920	3,290	3,930
4+00	600	1,020	4,320	5,140
4+50	600	1,110	5,430	6,480
5+00	700	1,220	6,650	7,930
5+50	700	1,310	7,950	9,490
6+00	900	1,480	9,430	11,250
6+50	0	800	10,230	12,200
7+00	0	0	10,230	12,200

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