



**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
Application Amendment	January 4, 2018
Application No.	File No.
CENAP-OP-R-2017-703	
In Reply Refer to:	
REGULATORY BRANCH	

Reference is made to Public Notice CENAP-OP-R-2017-703-85 dated December 4, 2017 describing an application by the Delaware Department of Natural Resources and Environmental Control (DDNREC), Division of Fish and Wildlife 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) to continue the deployment of artificial reef materials at 14 previously authorized artificial reef sites located in the Delaware Bay and Atlantic Ocean. The purpose of our public notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the proposed work described therein. The comment period for the previous public notice expired on January 4, 2017.

The purpose of this notice is to advise the public of the DDNREC request to amend the vertical clearance requirement for artificial reef site #6, reducing the minimum vertical clearance from 25 feet to 15 feet. Artificial reef site #6 is located in the immediate vicinity of an area known as Brown Shoal. The location of reef site #6 is shown on the attached map and coordinates for the reef site are listed below.

The initial Department of the Army authorization for reef site #6 in 1994 required a minimum vertical clearance of 15 feet for any structures or materials deployed at that site. During a subsequent re-authorization of the overall Delaware artificial reef program in 1999, which included reef site #6, concerns were expressed over safety due to lightering operations and the associated barge traffic into the area known as Big Stone Anchorage. In response to these concerns, the minimum vertical clearance for all materials deployed at reef site #6 was increased from 15 feet to 25 feet. Subsequent to this permit modification in 1999, the lightering process of oil tankers with portions of the oil cargo being transferred onto smaller barges has been terminated with no known proposal to re-establish that oil lightering process.

In light of the current and foreseeable commercial traffic in the Delaware River and Bay, the Delaware Division of Fish and Wildlife has requested a re-evaluation of the minimum vertical clearance requirements for reef site #6 from the current 25 foot requirement to the previously permitted 15 foot requirement. Returning to a 15 foot vertical clearance would significantly increase the potential volume of reef material which could be placed on this site to enhance fish habitat. The boundaries of the reef site would remain the same.

In order to assure ample opportunity for public comment as it relates to this requested application amendment, the comment period for this public notice is being extended 15 days with comments due on or before January 19, 2018. Comments on the proposed work should be

submitted, in writing, to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

APPLICANT: Delaware Department of Natural Resources and Environmental Control,
Division of Fish and Wildlife

WATERWAY: Delaware Bay

LOCATION: Artificial Reef Site #6 Coordinates:

Southern Corner - Lat. $38^{\circ}58.500$ N; Long. $75^{\circ}09.650$ W

NE Corner - Lat. $38^{\circ}58.150$ N; Long. $75^{\circ}09.300$ W

NW Corner - Lat. $38^{\circ}58.200$ N; Long. $75^{\circ}10.110$ W

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 Michael D. Yost at (267) 240-5278, via email at: michael.d.yost@usace.army.mil, or writing this office at the above address.



Edward E. Bonner
Chief, Regulatory Branch

NOAA Chart Number 12304_1

75°10'20"W 75°10'10"W 75°10'W 75°9'50"W 75°9'40"W 75°9'30"W 75°9'20"W 75°9'10"W

