



Public Notice

Public Notice No. CENAP-OP-R-NJ-SPGP17 (revalidation)

In Reply Refer to: CENAP-OP-R NJ-SPGP17 Date January 26, 2018

US Army Corps of Engineers
Philadelphia District
100 Penn Square East
Philadelphia, Pennsylvania 19107-3390

DEPARTMENT OF THE ARMY
STATE PROGRAM GENERAL PERMIT
STATE OF NEW JERSEY
U.S. ARMY CORPS OF ENGINEERS
PHILADELPHIA DISTRICT

PUBLIC NOTICE OF GENERAL PERMIT ISSUANCE

Reference is made to Public Notice CENAP-OP-R-New Jersey-SPGP-17 dated July 27, 2017 proposing the revalidation and extension of General Permit SPGP-17 under Section 10 of the River and Harbor Act of 1899 and Section 404 of the Clean Water Act for the construction of structures, work and the discharge of dredged and fill material in substantially developed artificial tidal lagoons in the State of New Jersey.

After a complete review of our file and full consideration of the comments and recommendations received in response to the above referenced public notice, the revalidation and extension of General Permit SPGP-17 was issued on January 26, 2018 (Enclosure). This General Permit authorizes the construction of structures; work and the discharge of dredged and fill material in substantially developed artificial tidal lagoons in the State of New Jersey. This general permit is applicable to the appropriate navigable waters located within the geographic boundaries of both the Philadelphia District and the New York District of the Corps of Engineers.

Any person who wishes to perform work under the terms and conditions of this General Permit need only apply to the State of New Jersey, Department of Environmental Protection, Land Use Regulation Program, Bureau of Coastal Regulation, CN 401, Trenton, New Jersey, 08625-0401. Once the State has determined that the proposed work conforms with this General Permit, any Waterfront Development permit and/or Wetlands permit issued by the State of New Jersey, Department of Environmental Protection, Land Use Regulation Program, Bureau of Coastal Regulation, P.O. Box 439, Trenton, NJ 08625, for the work will also include the approval of the Corps of Engineers (SPGP-17). Conversely, existing or proposed structures or work in navigable waters of the United States will not be considered approved by this office unless prior review and approval has been completed by the State. No work under the General Permit shall commence until a copy of the General Permit (SPGP-17) is received from the State of New Jersey.

This General Permit has been reissued for a period of five (5) years. It expires on December 31, 2022. At that time, an assessment of the cumulative impacts of this General Permit will be done to determine if the general permit should be continued.

Please note SPGP-17 has been modified. Terms of authorization and special conditions of SPGP17 have been modified as described in the attached SPGP-17. Significant changes include the removal of approval for access channel dredging outside of lagoons, the requirement for usage of non-polluting materials only in those lagoons mapped as shellfish habitat (high or moderate density- commercial) after lagoon construction, allowance for alternative dredged material disposal provided such disposal has been reviewed separately, and allowance for work in natural channels that have been so modified by man prior to 1970 such that they now function as terminal lagoons.

Any questions concerning this general permit should be addressed in writing to the District Engineer at the address on the letterhead of this notice or by calling this office at (215) 656-6725.

FOR THE DISTRICT ENGINEER:



Edward E. Bonner
Chief, Regulatory Branch