



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

**In replying refer to:**  
Public Notice Number: NAN-2014-00440-EYA  
Issue Date: June 9, 2014  
Expiration Date: July 9, 2014

**To Whom It May Concern:**

The New York District, Corps of Engineers 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).

**APPLICANT:** Trevcon Construction Co. Inc.  
30 Church Street  
Liberty Corner, NJ 07938

**ACTIVITY:** Wharf Reconstruction and Expansion

**WATERWAY:** Arthur Kill

**LOCATION:** 74 South Front Street, Elizabeth, Union County, New Jersey

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

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 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.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Comments provided will become a part of the public record for this action.

**PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE**

CENAN-OP-RE  
PUBLIC NOTICE NO. NAN-2014-00440-EYA

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act 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 and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

In order for us to better serve you, please complete our Customer Service Survey located at: <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you

CENAN-OP-RE  
PUBLIC NOTICE NO. NAN-2014-00440-EYA

may contact this office at (917) 790 - 8092 and ask for Jun Yan.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

A handwritten signature in black ink, appearing to read "Stephen A. Dyle". The signature is fluid and cursive.

for

Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

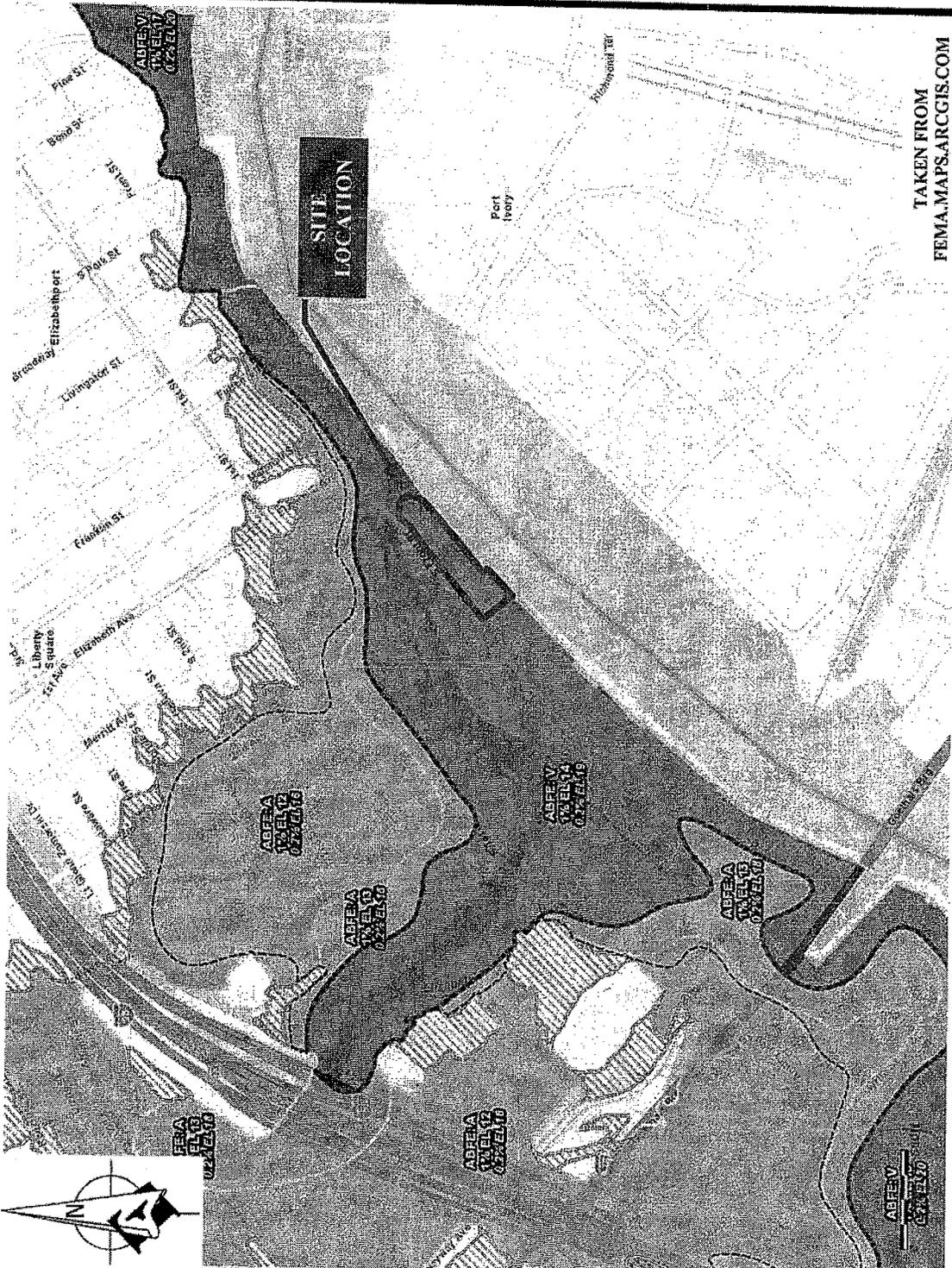
**WORK DESCRIPTION**

The applicant, Trevcon Construction Corp, has requested Department of the Army authorization for wharf reconstruction in Arthur Kill, at Elizabeth, Union County, New Jersey.

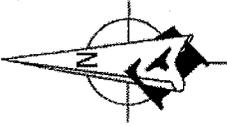
The work would involve replacing existing commercial wharf with a new 40-foot wide by 422-foot long wharf supported by one-hundred and twenty-nine (129) 24 inch diameter steel pipe piles filled with concrete.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by limiting construction to the smallest area practicable and utilizing the existing structural footprint as much as possible.

The stated purpose of this project is to provide safe mooring for commercial use



TAKEN FROM  
FEMA.MAPS.ARCGIS.COM



- About
  - Content
  - Legend
- Legend**
- Preliminary Work Maps (supersede ABFEs)**
  - Limit of Moderate Wave Action (LIMWA) (zoom in to make visible)
  - 1 Pct. Annual Chance Flood Hazard
  - Floodway
  - Gutters (zoom in to make visible)
  - Coastal Shoreline (zoom in to make visible)
  - Floodplain Areas (zoom in to make visible)
  - A
  - AE
  - AO
  - VE
  - Shaded X
  - Advisory Base Flood Elevation
  - Advisory Zone V-A Boundary (zoom in to make visible)
  - Limit of Moderate Wave Action (LIMWA) (zoom in to make visible)
  - Advisory Shaded Zone X (zoom in to make visible)
  - Advisory Base Flood Elevation Zone (zoom in to make visible)
  - Advisory Zones V and A (zoom in to make visible)
  - A
  - V

NAN-2014-00440-EYA  
Drawing 1 of 4

See Item 16's Terms of Use Advisory Contact Email: Robert.Helms

SCALE: 1" = 1,000'	JOB NO.: 93280	STATUS:
DRAWN BY: ESG	PROJECT TITLE:	
CHK'D BY: ESG	RECONSTRUCTION OF WHARF	
APPR.V. BY: ESG	TREVCON CONSTRUCTION CO., INC.	
DATE: 12/26/13	2 - 74 SOUTH FRONT STREET	
	ELIZABETH, NJ	
	DRAWING NAME:	DRAWING NO:
	ADVISORY BASE FLOOD ELEVATION MAP	3280-0004
		REV. 1

**Envir Services, Inc.**  
505 Milltown Road, North Brunswick, NJ 08902  
(732) 296-9601 • Fax (732) 296-9602 • www.envirservices.com

EXISTING FILL, PLATFORM,  
CONCRETE WALL,  
AND PILES TO BE  
REMOVED AS REQUIRED

TOP OF PLATFORM EL. 6.50

MEAN HIGH WATER EL. 2.24'

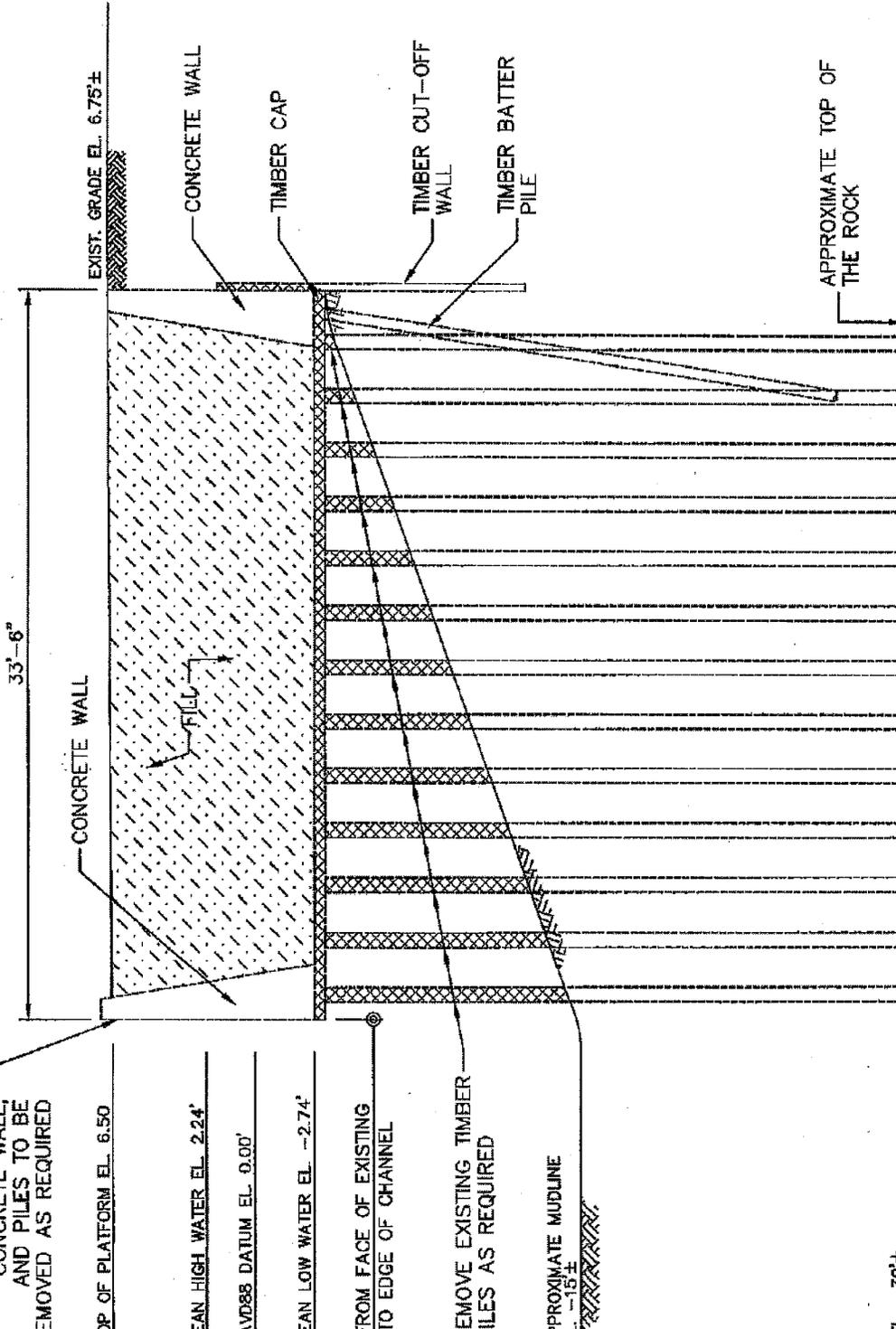
NAVD88 DATUM EL. 0.00'

MEAN LOW WATER EL. -2.74'

75± FT. FROM FACE OF EXISTING  
WHARF TO EDGE OF CHANNEL

REMOVE EXISTING TIMBER  
PILES AS REQUIRED

APPROXIMATE MUDLINE  
EL. -15±



NAN-2014-00440-EYA  
Drawing 2 of 4

DEMOLITION SECTION  
SCALE: 1/8"=1'-0"

**Envar**  
Services Inc.  
CERTIFICATE OF AUTHORITY #CA2003000  
Engineering, Environmental & Construction  
1000 Union Blvd., Suite 200, Elizabeth, NJ 07208-3001  
www.envar.com

SIDNEY M. JOHNSON  
PROFESSIONAL ENGINEER - NEW JERSEY LICENSE #28835  
DATE: 5/15/2014

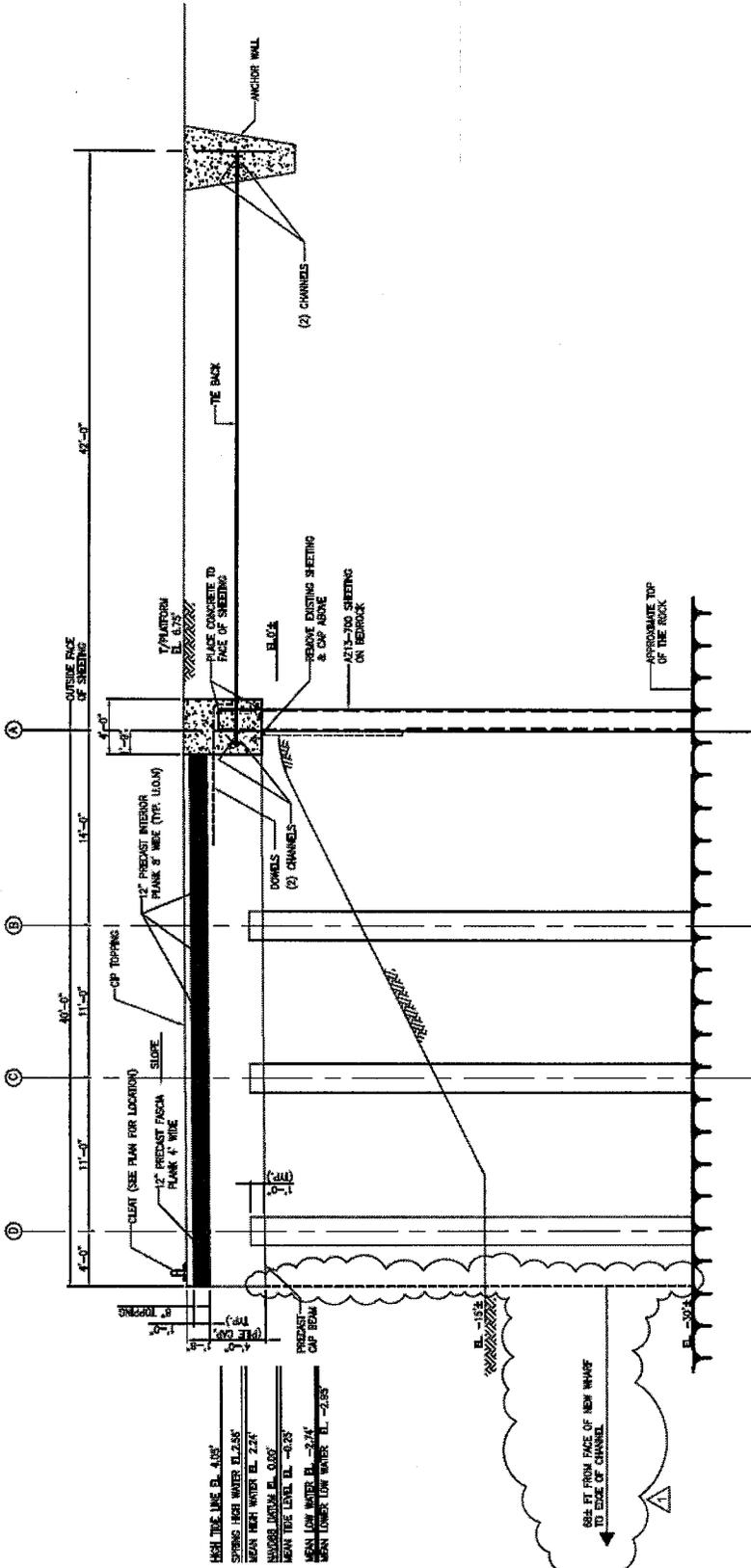
DESIGNED BY: RM  
DRAWN BY: ESB  
CHECKED BY: ESB  
APPROVED BY: ESB  
PRINTED: 5/15/2014 10:00 AM

REVISION DESCRIPTION  
REV. NO. DATE APPROVED BY  
1 5/15/14 ESB

JOB NO.	90280
SCH. 1 OF	
DRAWING NO.	3348-SK1
DATE	2/7/2014
PROJECT	DEMOLITION SECTION
LOCATION	2-74 SOUTH FRONT STREET ELIZABETH, NJ
SCALE	1/8" = 1'-0"

PROPOSED: IN ARTHUR KILL  
AT UNION COUNTY  
CITY OF ELIZABETH STATE N.J.  
APPLICATION BY: CITY OF ELIZABETH  
SHEET 1 OF 7, DATE: MARCH 7, 2014





PROPOSED: IN ARTHUR KILL  
 AT UNION COUNTY  
 CITY OF ELIZABETH STATE N.J.  
 APPLICATION BY: CITY OF ELIZABETH  
 SHEET 2 OF 2 DATE: MARCH 11, 2014

TYPICAL CROSS - SECTION  
 SCALE: 1/4" = 1'-0"  
 SEE LIND. - 500, 100A, 105A

NAN-2014-00440-EYA  
 Drawing 4 of 4

**KRUNO KUNKERA**  
 LICENSED PROFESSIONAL ENGINEER  
 NJ LIC. NO. CE 35742

CERTIFICATE OF AUTHORIZATION NUMBER 0005688

DRAWING TITLE:  
 PROPOSED PLATFORM  
 SECTIONS

REV. 05/20/14

DRAWING No.: 13-020-106A

1

**PERMIT DRAWING**

DRAWN:	KC
DESIGNED:	KZ
CHECKED:	NB
APPROVED:	KK
PROJECT NAME:	PROPOSED WATERFRONT DEVELOPMENT
CITY OF ELIZABETH, NJ	
PROJECT NO.:	13-020
CLASSIFICATION:	DESIGN

**Garden State**  
 ENGINEERING  
 SURVEYING  
 & PLANNING  
 Tel.: (201) 587-1755

REV	DATE	BY	CHKD	DESCRIPTION
0	03/11/14	KC	KK	ISSD FOR PERMIT
1	05/20/14	KC	KK	REV'D AS NOTED