

# 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-2015-00065-EYR**  
Issue Date: **March 23, 2015**  
Expiration Date: **April 21, 2015**

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:** New Jersey Department of Transportation  
Office of Maritime Resources  
1035 Parkway Avenue, P.O. Box 600  
Trenton, NJ 08625

**ACTIVITY:** Dredge with ten years maintenance with beach placement.

**WATERWAY:** Pews Creek, Raritan Bay

**LOCATION:** Pews Creek and Middletown Township Beach between Weehawken Avenue and Johnson Place, Township of Middletown, Monmouth 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.

**\*\*\*PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH THIS OFFICE\*\*\***

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 submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments, including names and addresses, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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 construction work, fully described in the enclosed Work Description, could cause minimum disruption of habitat for various life stages of some EFH-designated species as a result of a minor short-term temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific minor adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of minor disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision on this permit application.

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.

Review 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 permit 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 application decision.

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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 Jersey State, the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Coastal Management Program, P.O. Box 418, 401 E. State Street, Trenton, NJ, 08625, Telephone (609) 633-2201. 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:

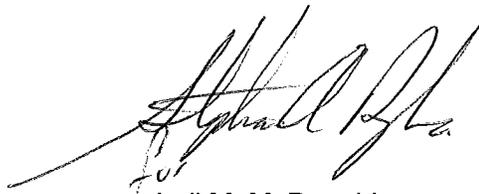
- New Jersey Department of Environmental Protection

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 may contact this office at (917) 790-8715 and ask for Mr. Robert Youhas.

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>.

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



Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

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### **WORK DESCRIPTION**

The applicant, New Jersey Department of Transportation, has requested Department of the Army authorization to perform dredging with ten-year maintenance with placement of the dredged material at a designated beach placement area. The project is located at Pews Creek, Raritan Bay, and Middletown Township Beach between Weehawken Avenue and Johnson Place in the Township of Middletown, Monmouth County, New Jersey.

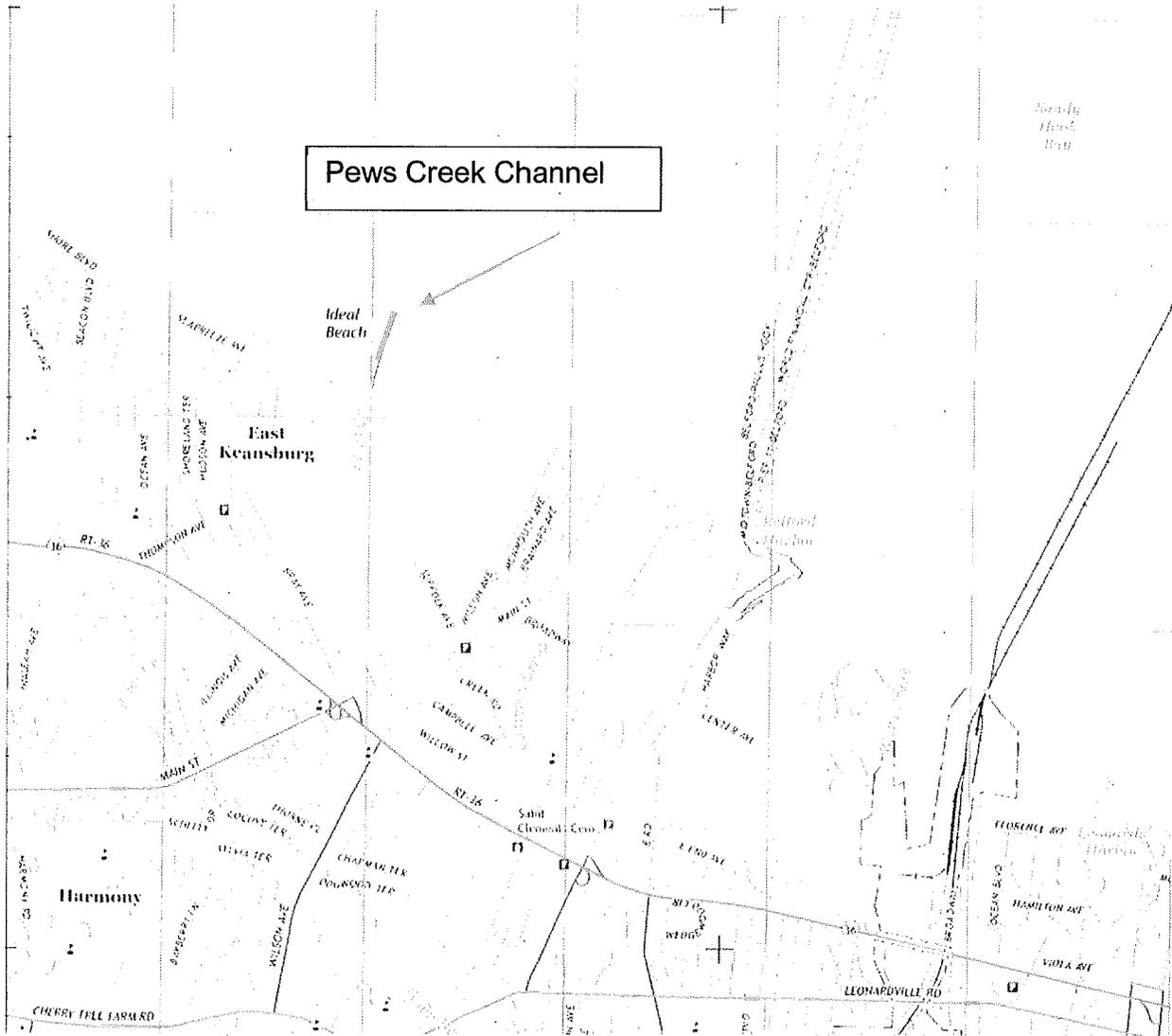
The proposed dredge area at Pews Creek and Raritan Bay is variably shaped, approximately 1,000-feet in length, ranges from approximately 40-feet to 100-feet in width, and extends to a maximum depth of 7-feet below the plane of Mean Low Water (MLW). The approximate dredge volume is 4,159 cubic yards, of which approximately 950 cubic yards will be placed below the Mean High Water Line at Middletown Township Beach between Weehawken Avenue and Johnson Place. All of the work would be accomplished by hydraulic dredging with the dredged material transported via pipeline to the beach placement area. The dredge pipeline would be floating, except at channel crossings where it would be submerged to accommodate vessels navigating Raritan Bay.

The applicant plans to conduct three additional dredging events within the ten-year maintenance period and have stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredging area to the minimum area required for safe and reasonable navigation of Pews Creek and Raritan Bay. Any potential impact would be temporary and would be offset by implementing best management practices associated with the proposed use of a hydraulic dredge and floating pipeline. The use of a hydraulic dredge and floating pipeline would provide the cleanest and least obtrusive method for sediment removal and transport, minimizing to the greatest extent possible any potential adverse effects to the aquatic environment.

The stated purpose of this project is to provide safe navigation for recreational marine vessels by restoring and maintaining Pews Creek and Raritan Bay to pre-Superstorm Sandy dimensions.

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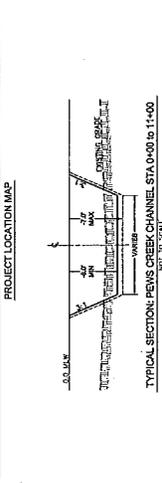
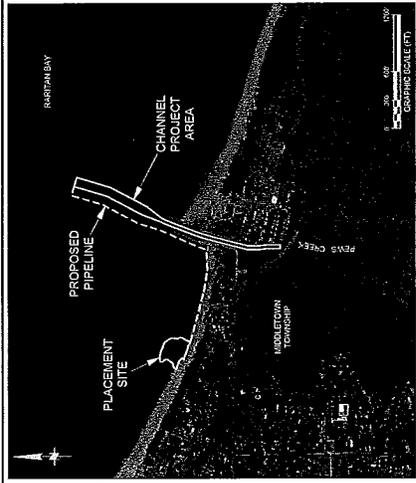
USGS Quad Map



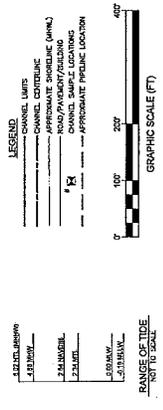
SANDY HOOK WEST, NJ-NY

2014

NAN-2015-00065-EYR



- NOTES:
1. THIS PLAN SHOWS THE PROPOSED MAINTENANCE AND CHANNEL IMPROVEMENTS FOR PEWS CREEK. THE CHANNEL IMPROVEMENTS ARE BASED ON THE CHANNEL CENTERLINE COORDINATES FROM AERIAL PHOTOGRAPHY AND AERIAL PHOTOGRAMMETRY (APM) DATA. THE CHANNEL CENTERLINE COORDINATES ARE BASED ON THE CHANNEL CENTERLINE COORDINATES FROM AERIAL PHOTOGRAMMETRY (APM) DATA. THE CHANNEL CENTERLINE COORDINATES ARE BASED ON THE CHANNEL CENTERLINE COORDINATES FROM AERIAL PHOTOGRAMMETRY (APM) DATA.
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  3. EXISTING CHANNEL CENTERLINE COORDINATES AND BANK LOCATIONS SHOWN ON AERIAL PHOTOGRAMMETRY (APM) DATA SHOULD BE CONSIDERED APPROXIMATE.
  4. AERIAL PHOTOGRAMMETRY (APM) DATA IS FROM GOOGLE MAPS, DATED SEPTEMBER 2014.



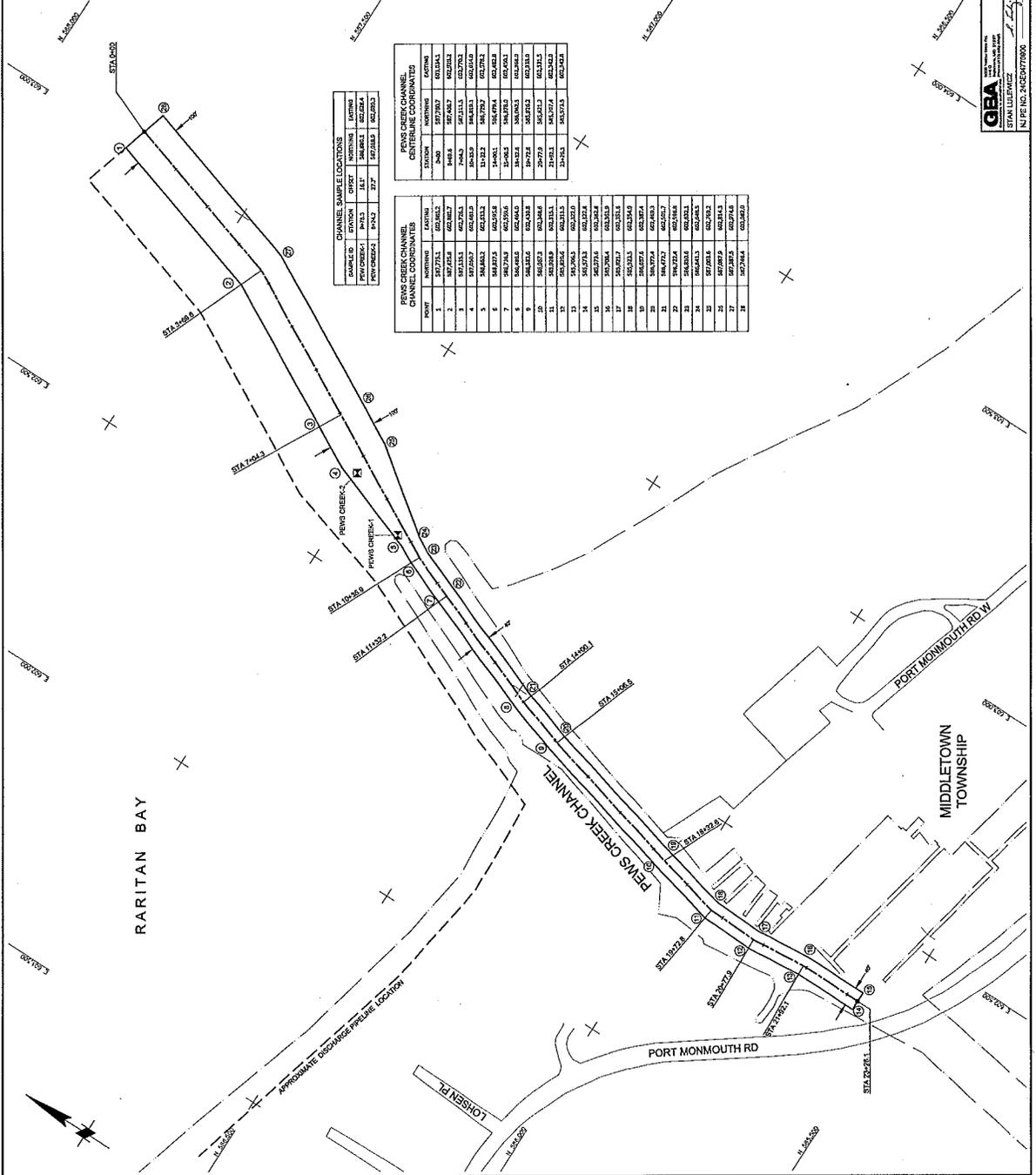
STATE OF NEW JERSEY  
NJDOT OFFICE OF MARITIME RESOURCES

TITLE: MAINTENANCE DREDGING AND CHANNEL IMPROVEMENTS FOR PEWS CREEK AND CHANNEL CENTERLINE ARRANGEMENT & GEOMETRY PLAN

PROJECT: PEWS CREEK, MIDDLE TOWN TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY

DRAWN BY: SEF  
CHECKED BY: MRS. J. M. [Signature]  
SCALE: AS SHOWN  
DATE: 11/14/14

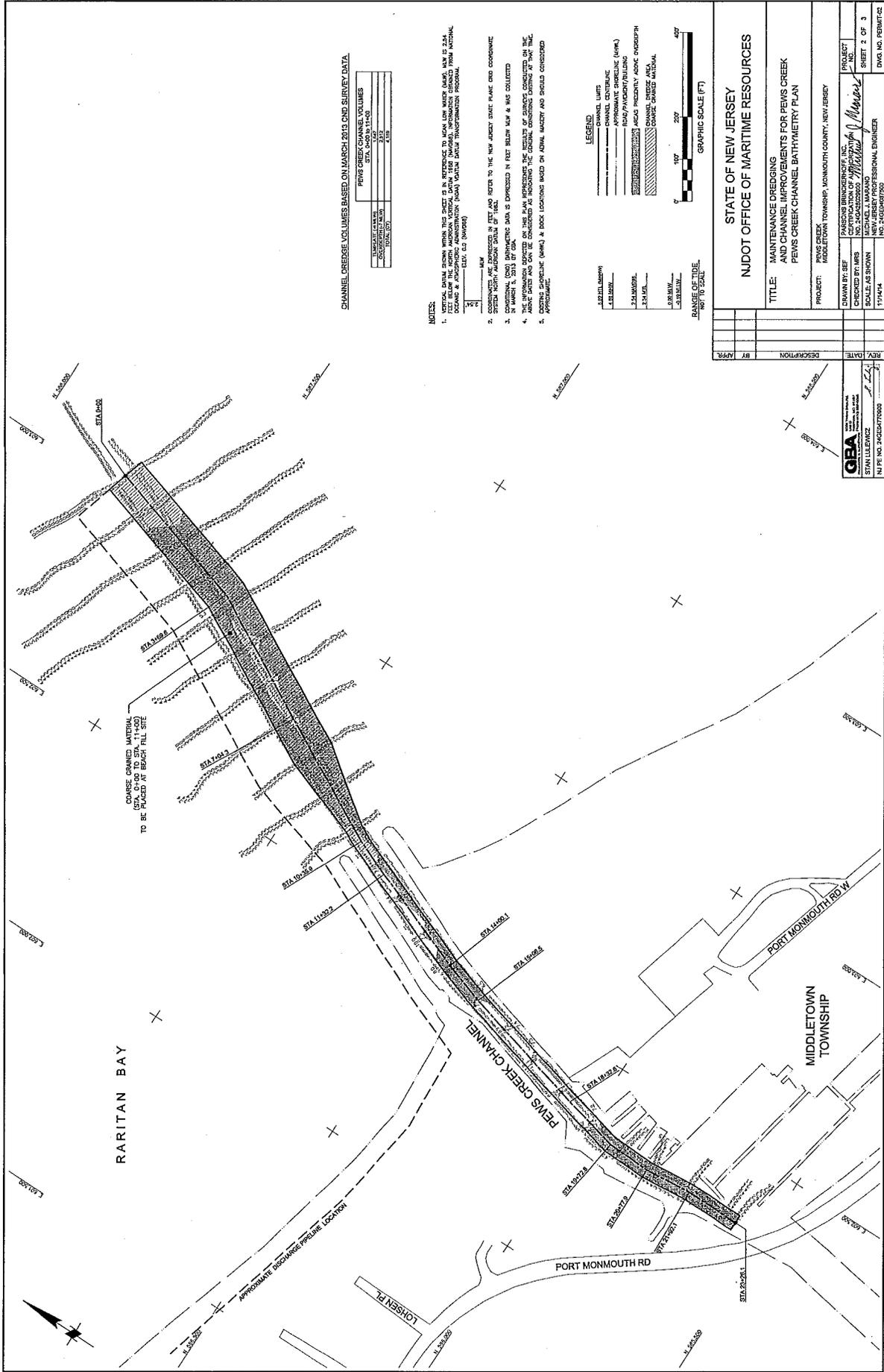
PROJECT NO.: 111414  
SHEET NO.: 1 OF 3  
DWG. NO.: PERM104  
NO. 24262807800



CHANNEL SAMPLE LOCATIONS					
SAMPLED	STATION	DEPTH	DATE	DEPTH	DEPTH
PEWS001	10+00	1.5'	10/15/14	1.5'	1.5'
PEWS002	10+00	2.5'	10/15/14	2.5'	2.5'
PEWS003	10+00	3.5'	10/15/14	3.5'	3.5'

PEWS CREEK CHANNEL CENTERLINE COORDINATES					
STATION	NORTHING	EASTING	STATION	NORTHING	EASTING
1	587215.1	62721.5	11	587215.1	62721.5
2	587215.1	62721.5	12	587215.1	62721.5
3	587215.1	62721.5	13	587215.1	62721.5
4	587215.1	62721.5	14	587215.1	62721.5
5	587215.1	62721.5	15	587215.1	62721.5
6	587215.1	62721.5	16	587215.1	62721.5
7	587215.1	62721.5	17	587215.1	62721.5
8	587215.1	62721.5	18	587215.1	62721.5
9	587215.1	62721.5	19	587215.1	62721.5
10	587215.1	62721.5	20	587215.1	62721.5
11	587215.1	62721.5	21	587215.1	62721.5
12	587215.1	62721.5	22	587215.1	62721.5
13	587215.1	62721.5	23	587215.1	62721.5
14	587215.1	62721.5	24	587215.1	62721.5
15	587215.1	62721.5	25	587215.1	62721.5
16	587215.1	62721.5	26	587215.1	62721.5
17	587215.1	62721.5	27	587215.1	62721.5
18	587215.1	62721.5	28	587215.1	62721.5
19	587215.1	62721.5	29	587215.1	62721.5
20	587215.1	62721.5	30	587215.1	62721.5
21	587215.1	62721.5	31	587215.1	62721.5
22	587215.1	62721.5	32	587215.1	62721.5

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CHANNEL DREDGE VOLUMES BASED ON MARCH 2013 CHD SURVEY DATA

SECTION	STATIONING	APPROXIMATE VOLUME (CY)
1	STA. 10+00 TO STA. 11+00	2,322
2	STA. 11+00 TO STA. 12+00	2,322
3	STA. 12+00 TO STA. 13+00	4,139
<b>TOTAL</b>		<b>8,783</b>

NOTES:

- VERTICAL DATA SHOWN THROUGH THIS SHEET IS IN REFERENCE TO MEAN LOW WATER (MLW) OF 2.24 FEET BELOW THE NORTH AMERICAN DATUM (NAD 83). ALL VERTICAL DATA IS BASED ON THE CHD SURVEY DATA. APPROXIMATE CHANNEL CENTERLINE IS SHOWN FOR REFERENCE. APPROXIMATE CHANNEL CENTERLINE IS SHOWN FOR REFERENCE. APPROXIMATE CHANNEL CENTERLINE IS SHOWN FOR REFERENCE.
- COORDINATES ARE EXPRESSED IN FEET AND METERS TO THE NEW JERSEY STATE PLANE GRID COORDINATE SYSTEM NORTH AMERICAN DATUM OF 1983.
- STATIONING IS GIVEN IN 100 FOOT INTERVALS.
- THE INFORMATION SHOWN ON THIS PLAN REPRESENTS THE RESULTS OF SURVEYS CONDUCTED ON THE ABOVE DATES AND CAN BE CONSIDERED AS INDICATING THE CHANNEL CONDITIONS DURING AT THAT THE APPROXIMATE CHANNEL CENTERLINE (MMLC) & DOCK LOCATIONS BASED ON AERIAL IMAGERY AND SHOULD BE CONSIDERED APPROXIMATE.

**LEGEND**

- SOLID LINE: CHANNEL CENTERLINE
- DASHED LINE: APPROXIMATE CHANNEL CENTERLINE (MMLC)
- DIAGONAL HATCHING: DREDGE VOLUME
- STIPPLE: APPROXIMATE CHANNEL CENTERLINE
- DOTTED LINE: APPROXIMATE CHANNEL CENTERLINE
- CROSS-HATCHING: APPROXIMATE CHANNEL CENTERLINE
- WAVE PATTERNS: APPROXIMATE CHANNEL CENTERLINE

**GRAPHIC SCALE (FT)**

0 100 200 300 400

**RANGE OF TIDE**  
NOT TO SCALE

APPROXIMATE MLW  
APPROXIMATE MLLW  
APPROXIMATE MHW  
APPROXIMATE MSL

STATE OF NEW JERSEY  
NJDOT OFFICE OF MARITIME RESOURCES

TITLE: MAINTENANCE DREDGING AND CHANNEL IMPROVEMENTS FOR PEVIS CREEK AND PEVIS CREEK CHANNEL BATHYMETRY PLAN

PROJECT: PEVIS CREEK, MIDDLETOWN TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY

REV.	DATE	DESCRIPTION	BY	APP.

PROJECT NO. 15-00065-EYR  
SHEET 2 OF 3  
DATE: 11/14/14  
DRAWN BY: SEF  
CHECKED BY: LMS  
SCALE AS SHOWN  
11/14/14

PROJECT NO. 15-00065-EYR  
SHEET 2 OF 3  
DATE: 11/14/14  
DRAWN BY: SEF  
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SHEET 2 OF 3  
DATE: 11/14/14  
DRAWN BY: SEF  
CHECKED BY: LMS  
SCALE AS SHOWN  
11/14/14

**GBA**  
STAN LILIEWICZ  
NJ PE NO. JAC04070900

