



# 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-2016-00482-EYR**  
Issue Date: **April 21, 2016**  
Expiration Date: **May 21, 2016**

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:** Weeks Marine, Inc.  
4 Commerce Drive  
Cranford, NJ 07016

**ACTIVITY:** Dredge with ten (10) years maintenance for the purpose of sand mining. Barge overflow is proposed.

**WATERWAY:** Lower New York Harbor, Atlantic Ocean

**LOCATION:** Sand Mining Waterway: Lower New York Harbor, Ambrose Channel Federal Navigation Project.  
Sand Offloading Waterway: To be determined.

Sand Mining Location: Offshore of Sandy Hook, Monmouth County, New Jersey.  
Sand Offloading Location: To be determined.

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

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

CENAN-OP-RE  
Public Notice NAN-2016-00482-EYR

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 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

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

the Clean Water Act prior to a permit application 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 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.

The permit applicant has obtained the following governmental authorization for the activity under consideration:

- Waterfront Development Permit/Water Quality Certificate Number 1220-02-0003.5/WFD160001 dated April 7, 2016 from the 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>.

  
**For and In behalf of**

Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The applicant, Weeks Marine, Inc., has requested Department of the Army authorization to perform dredging with ten-year maintenance for the purpose of sand mining in the Lower New York Harbor Ambrose Channel Federal Navigation Project located offshore of Sandy Hook, Monmouth County, New Jersey. The permit applicant has not identified an upland placement location for the mined sand, but will be required to secure a state-authorized Acceptable Use Determination for placement of the mined sand prior to commencement of any dredging activities.

The proposed work area is rectangular-shaped, approximately 2.5-nautical miles long by 0.25-nautical miles wide (approximately 0.625 square miles in area), and bounded by the following coordinates:

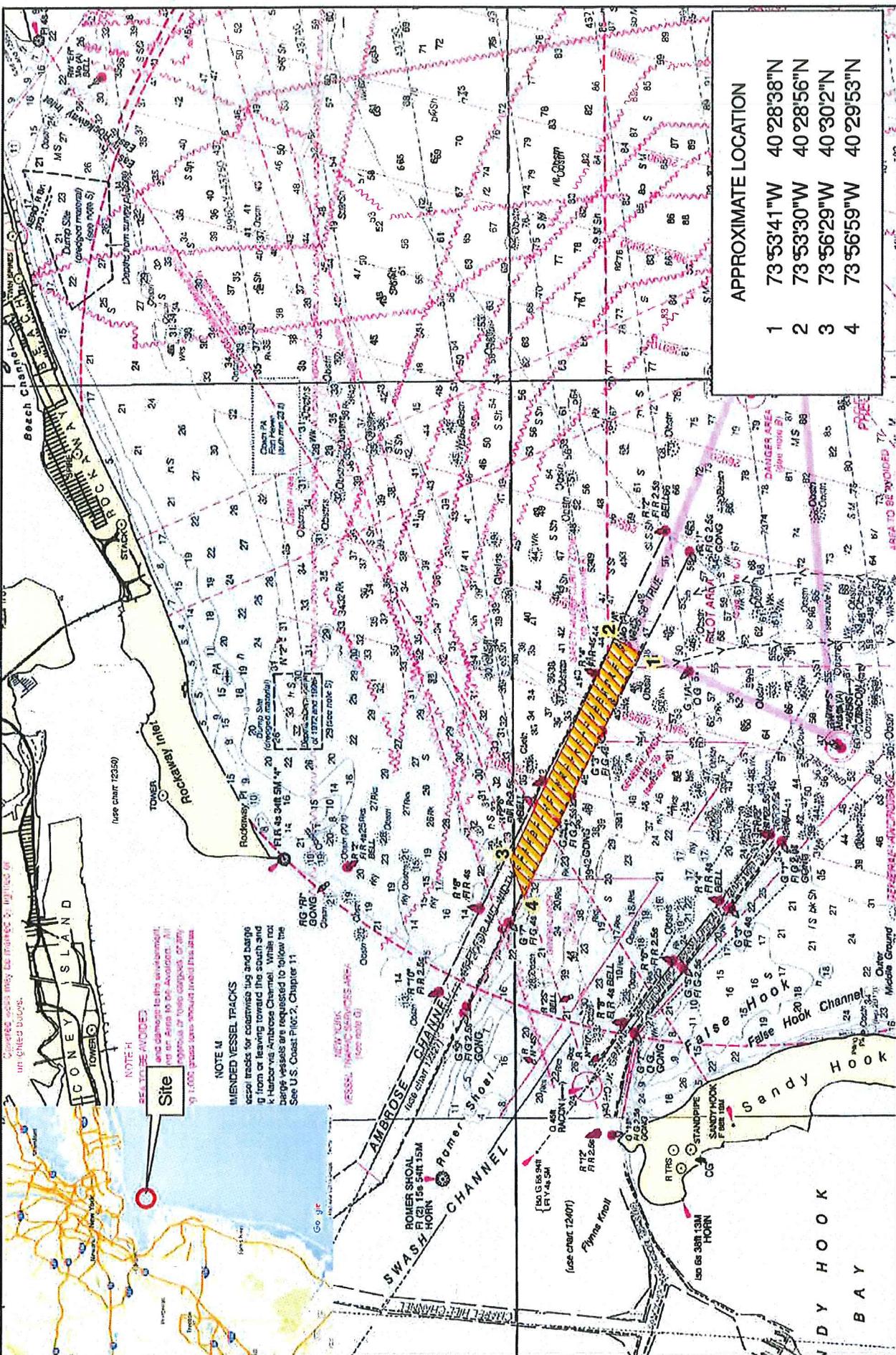
Southeast Corner: 73°53'41"W 40°28'38"N  
Northeast Corner: 73°53'30"W 40°28'56"N  
Northwest Corner: 73°56'29"W 40°30'2"N  
Southwest Corner: 73°56'59"W 40°29'53"N

The Ambrose Federal Navigation Channel would be mined to a maximum depth of 90-feet below the Plane of Mean Low Water at a 1:3 slope. Approximately 2.0-million cubic yards of sand would be mined each year over the ten-year life of the permit using both a self-loading hopper dredge and a mechanical dredge. Barge overflow is proposed.

The applicant has 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 sand mining operations within the Ambrose Federal Navigation Channel. Any potential impacts to the aquatic environment would be temporary and would be offset by implementing best management practices, by not conducting sand mining dredge operations more than once per calendar year, and by observing a maximum hoist speed of 2-feet per second to minimize turbidity to the greatest extent possible during dredging operations.

The stated purpose of this project is to obtain sand for various construction, public works, and beneficial use projects in the New York-New Jersey metropolitan area.

USACE FILE: NAN-2016-00482-EYR



**Najarian Associates**  
The Science of Engineering

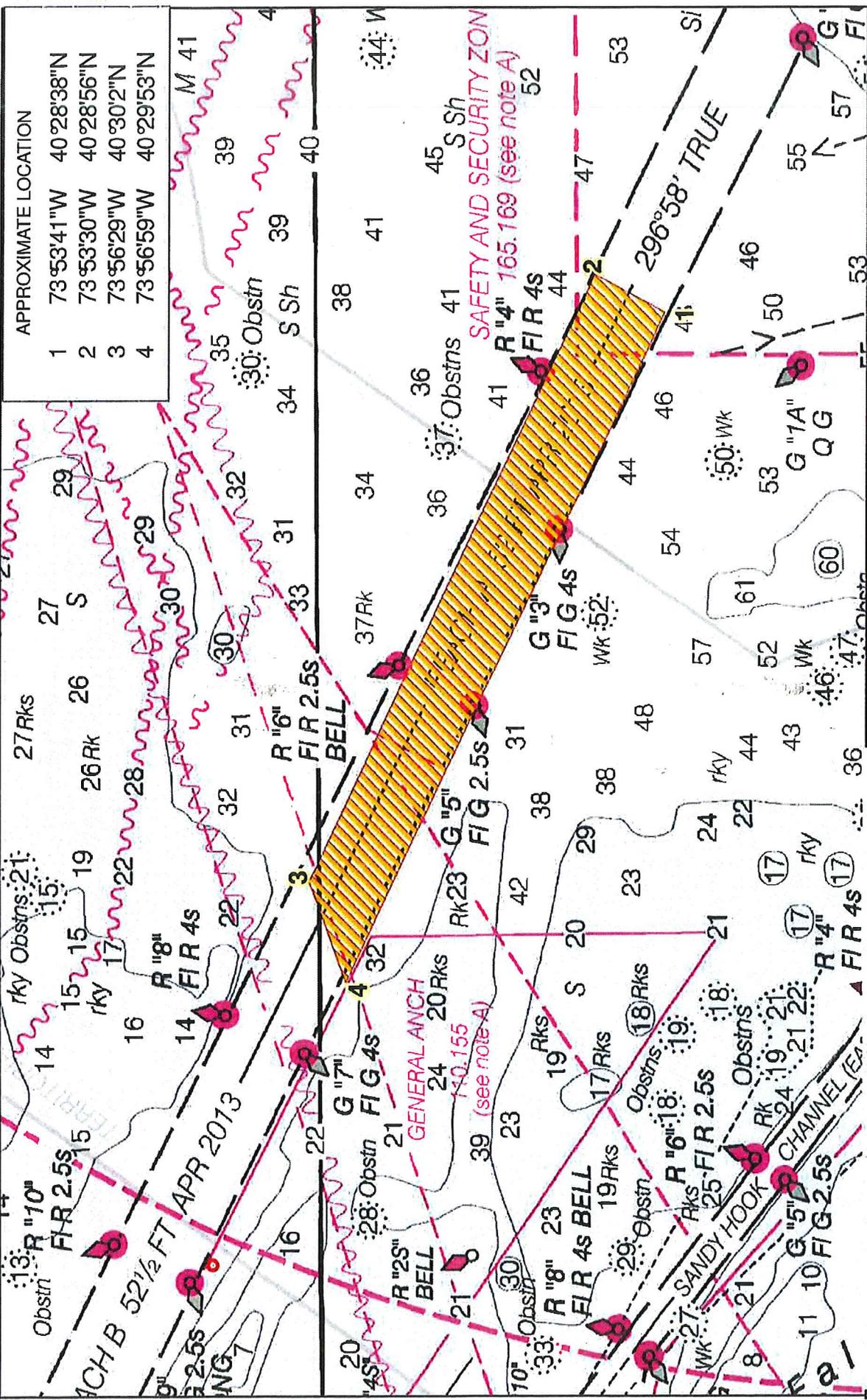
Source:  
NOAA Chart from NOAA WMS server  
Area Map from Google Earth

**Figure 1: Site Location**  
Ambrose Channel Dredging  
New York Harbor off Sandy Hook

1 inch = 8,000 feet 1/15/16

0 8,000 16,000 Feet

USACE FILE: NAN-2016-00482-EYR



	APPROXIMATE LOCATION
1	73°53'41"W 40°28'38"N
2	73°53'30"W 40°28'56"N
3	73°56'29"W 40°30'2"N
4	73°56'59"W 40°29'53"N

Source:  
Base Map NOAA Chart 12326

End points of Borrow Area taken from "Proposed Subaqueous Borrow - Sand Mining Borrow Location Plan for Amboy Aggregates" by Concept Engineering Consultants, PA, 3/30/12 as included in ACOE Permit NAN-2012-00561

**Najarian Associates**  
The Science of Engineering

**Figure 2: Project Area**

Ambrose Channel Dredging  
New York Harbor off Sandy Hook

0 3,000 6,000 Feet

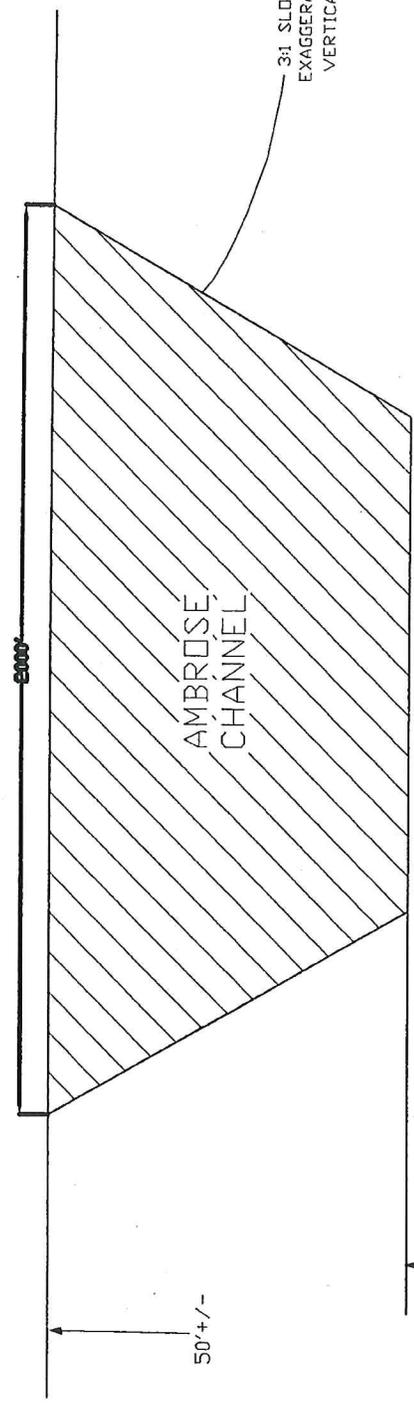
1 inch = 3,000 feet 1/15/16

USACE FILE: NAN-2016-00482-EYR

50' +/-



MLW



3:1 SLOPE  
EXAGGERATED  
VERTICALLY

AMBROSE  
CHANNEL

2000'

CROSS SECTION AT LOCATION SHOWN ON SHEET 1/4

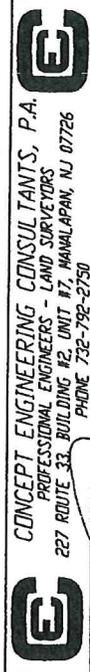
90'

SCALE  
1"=400' H  
1"=20' V

NOTE:  
THIS MAP WAS REDRAWN IN ACCORDANCE WITH THE ORIGINAL  
DRAWING PREPARED BY THIS OFFICE, DATED 15 MAR 1993.  
IT INCLUDES AMENDMENTS AS PER THE CLIENT.  
LATITUDE AND LONGITUDE VALUES WERE GIVEN BY THE CLIENT.

Proposed Subaqueous Borrow Sand Mining

Ambrose Channel



CONCEPT ENGINEERING CONSULTANTS, P.A.  
PROFESSIONAL ENGINEERS - LAND SURVEYORS  
227 ROUTE 33, BUILDING #2, UNIT #7, MANALAPAN, NJ 07726  
PHONE: 732-792-2750

JOHN J. PLOSKONKA P.E.  
PROFESSIONAL ENGINEER  
N.J. LIC. No. 1501

30MAR2012  
DATE

NEAL BARTON P.L.S.  
PROFESSIONAL LAND SURVEYOR  
N.J. LIC. No. 3680

DATE

DATE	30Mar12
SCALE	As Shown
DRAWN BY	JD
CHECKED BY	NS
DATE FILED	03/15/12
FILE NO.	N/A
SHEET	2 OF 3
JOB NO.	07007