



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-2012-00561-WSC
Issue Date: July 24, 2012
Expiration Date: August 24, 2012

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: Amboy Aggregates
P.O. Box 3220, Lower Main Street
South Amboy, NJ 08879

ACTIVITY: Maintenance dredge with ten years maintenance for the purpose of sand mining. Barge overflow is proposed.

WATERWAYS: Sand Mining Waterway: Lower New York Harbor, Ambrose Channel Federal Navigation Project.
Sand Offloading Waterway: Raritan River.

LOCATIONS: Sand Mining Location: Offshore of the Township of Middletown, Monmouth County, New Jersey.
Sand Offloading Location: Amboy Aggregates, City of South Amboy, Middlesex 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.

CENAN-OP-RW
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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.

Based upon a review of the latest public listing of threatened and endangered species, it has been preliminarily determined that the proposed dredging activities for which authorization is sought herein, are not likely to affect the following federally threatened or endangered species (humpback whales, finback whales, right whales, loggerhead turtles, leatherback turtles, green turtles, Kemp's Ridley turtles, Shortnose sturgeon, and Atlantic sturgeon) or their critical habitat pursuant to Section 7 of the Endangered Species Act (ESA; 16 USC 1531). The USACE New York District is conducting informal consultations with the National Marine Fisheries Service in accordance with Section 7 of the Endangered Species Act.

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). EFH impacts at the dredge site would mostly derive from movement of the hopper dredged through the water column, entrainment of bottom sediments during dredging operations, and turbidity generated during dredging operations. These impacts would be short-lived episodically every year during the proposed ten year life of the permit. Among the list of EFH-designated species known to occur at the dredge site, the most likely species to be impacted would be overwintering, reproductive and non-reproductive species of flounder. Consultation with the National Marine Fisheries Service 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 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:

Waterfront Development Permit from the New Jersey Department of Environmental Protection.
Tidelands License from the New Jersey Department of Environmental Protection.

WORK DESCRIPTION

The applicant, Amboy Aggregates, has requested Department of the Army authorization to maintenance dredge, with ten years maintenance, for the purpose of sand mining in the Lower New York Harbor Ambrose Channel Federal Navigation Project located offshore of the Township of Middletown, Monmouth County, New Jersey. Processing of the mined sand would occur at the applicant's facility on Raritan Bay in the City of South Amboy, Middlesex County, New Jersey.

The proposed work area is approximately 2.5 nautical miles long by 0.25 nautical miles wide (approximately 0.625 square miles in area). Under the authorization requested, the applicant is proposing to continue work within part of the footprint of the channel it has mined since 1992. The channel would be mined at a 1:3 slope to a maximum depth of 90 feet below the plane of mean low water. Approximately 1.5 to 2.0 million cubic yards of sand would be mined each year over the ten year life of the permit from within this area using a self loading hopper dredge. Barge overflow is proposed.

Any dredged material which would be used for construction aggregate would be delivered by hopper barge to Amboy Aggregates' currently existing processing facility in the City of South Amboy, Middlesex County, New Jersey. At the upland facility, the hopper dredge would tie up to a moored barge where the cargo is unloaded via a conveyor system. The unloaded sand would then be stockpiled over a reclaim tunnel equipped with gates on top to allow the stockpiled sand to drop onto another conveyor belt that supplies the processing plant directly. The unprocessed material would be stockpiled to a maximum volume of 50,000 cubic yards at any one time. Since much of the water would be removed by below deck pumps on the hopper dredge, no excess water is anticipated to be generated as a result of the processing of the material.

The stated purpose of the proposed project is to perform maintenance dredging by hopper dredge to obtain sand and gravel for various construction, public works and beneficial use projects in the New Jersey/Metropolitan New York region.

It is noted that Department of the Army Permit Number 2001-00492 was issued to Amboy Aggregates on January 10, 2003 and expires on January 10, 2013 for dredging for the purpose of sand mining in for this immediate permit area. Amboy Aggregates has submitted this new application to allow for a continuation of the dredging after the current permit expires. As background, the yearly volumes dredged under the existing permit are as follows:

Year	Volume in Cubic Yards
2003	1,808,626
2004	2,137,507
2005	1,779,380
2006	1,572,008
2007	1,602,616
2008	1,284,529
2009	871,614
2010	745,384
2011	1,017,995
2012 (as of 6/30/12)	536,846
Total	13,356,505

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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) 790-8417 and ask for Steven Schumach.

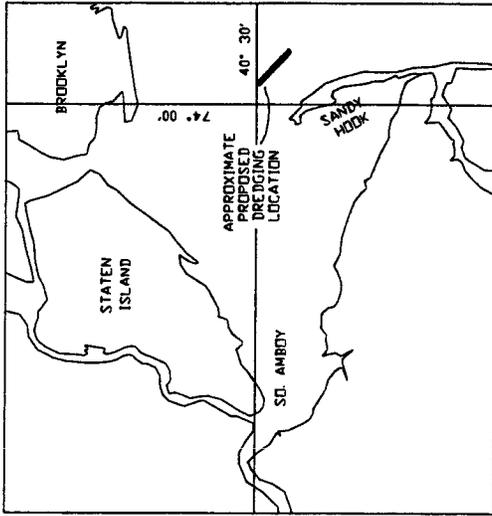
In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/business/buslinks/regulat/index.php?survey>

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

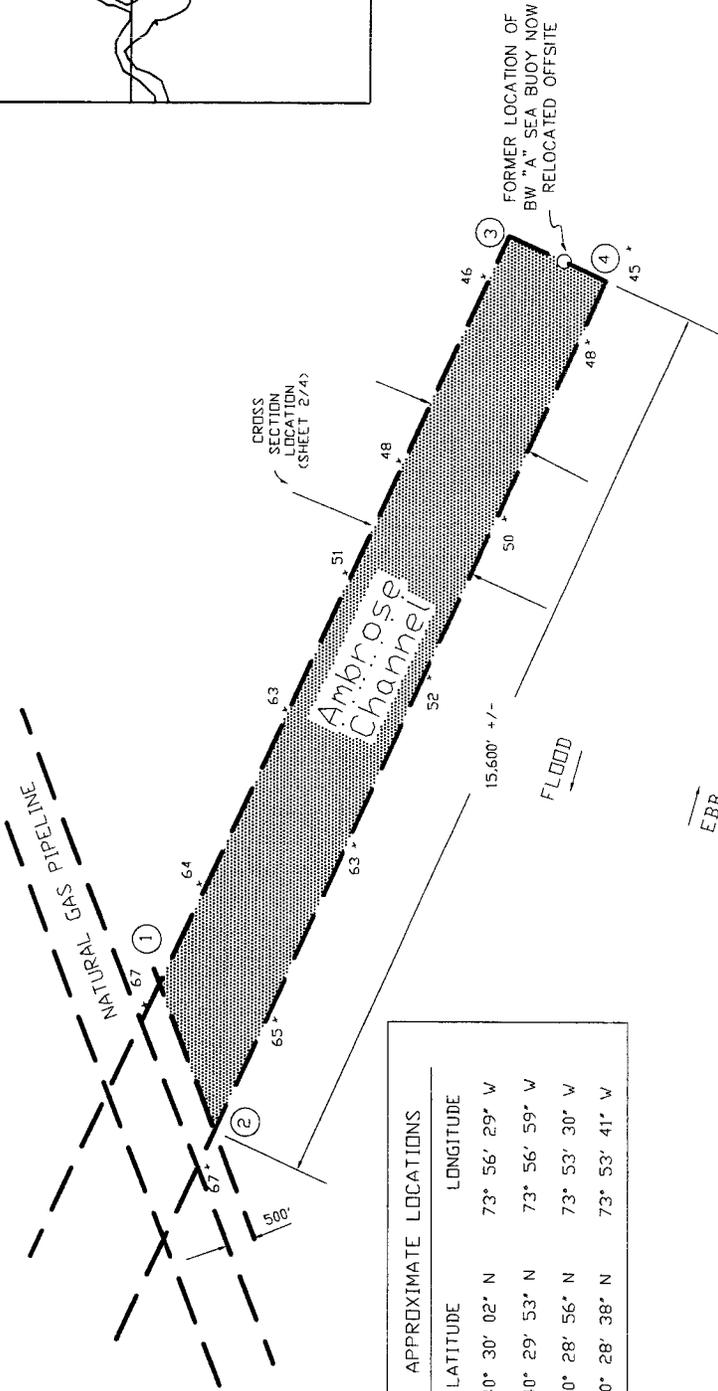


Jodi M. McDonald
Chief, Regulatory Branch

Enclosures



Key Map
SCALE: 1:250,000



APPROXIMATE LOCATIONS	
LATITUDE	LONGITUDE
① 40° 30' 02" N	73° 56' 29" W
② 40° 29' 53" N	73° 56' 59" W
③ 40° 28' 56" N	73° 53' 30" W
④ 40° 28' 38" N	73° 53' 41" W

PROPOSED DREDGING TO 90' M.L.V. 3:1 SLOPE (2000' WIDE TOP)

NOTE:
ALL SOUNDINGS ARE IN FEET AND REFER TO THE U.S. CORPS OF ENGINEERS M.L.V. DATUM.

**Proposed Subaqueous Borrow Sand Mining
Borrow Location Plan for:
Amboy Aggregates**

Ambrose Channel
SITUATED IN
City of South Amboy, Middlesex County, New Jersey

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. 15311

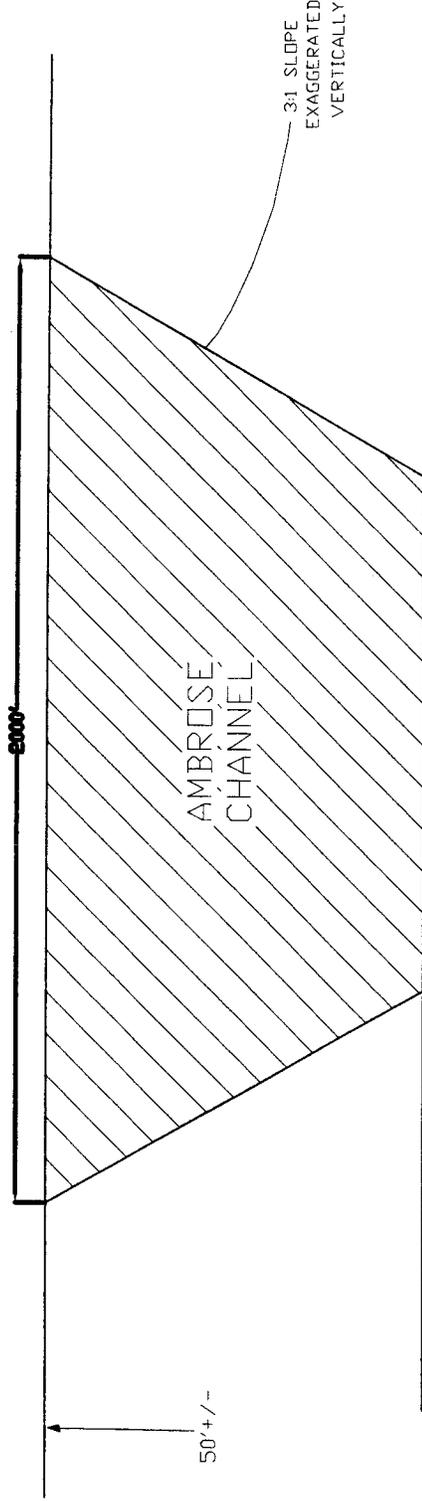
NEAL BARTON P.L.S.
PROFESSIONAL LAND SURVEYOR
N.J. LIC. NO. 30980

DATE	30MAR12
SCALE	1" = 3000'
DRAWN BY	JD
CHECKED BY	NB
DATE FILED	30MAR12/NB
PROJECT	AMBOY
REVISION	N/A
SHEET	1 OF 3
JOB NO.	07007

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.

50' +/-

ML W



CROSS SECTION AT LOCATION SHOWN ON SHEET 1/4

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

NOTE:
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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
Borrow Location Cross Section for:
Amboy Aggregates**

Ambrorse Channel
SITING IN
City of South Amboy, Middlesex County, New Jersey

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. 75371

30MAR2012
DATE

NEAL BARTON P.L.S.
PROFESSIONAL LAND SURVEYOR N.J. Lic. No. 3640

DATE

DATE	30Mar12
SCALE	As Shown
DRAWN BY	JD
CHECKED BY	MB
DATE FILE	From 2-20-12
REVISED	N/A
SHEET	2 OF 3
JOB NO.	07007

