



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: 2004-00718-RS
Issue Date: 1 September 2004
Expiration Date: 1 October 2004

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 USC 403).

APPLICANT: Bayshore Recycling Corporation
75 Crows Mill Road
P. O. Box 290
Kearsbey, NJ 08832

ACTIVITY: Install a temporary dredged material handling facility consisting of an ore carrier, several barges, ramps, a crane, and pipelines.

WATERWAY: Raritan River

LOCATION: Township of Woodbridge, 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 benefits 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, historical properties, fish and wildlife values, 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, consideration 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.

**CENAN-OP-RW
PUBLIC NOTICE NO. 2004-00718-RS**

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 of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Information on conditions at the project site and on the proposed work that would be undertaken is given in the attached Work Description. A preliminary review of the proposal and information submitted by the applicant indicates that most EFH-managed species do not heavily utilize the area and that ecological conditions favored by many of the species are not found at the work site. The primary effects on EFH (and EFH-managed species) would be a temporary increase in turbidity during construction, disruption of demersal and pelagic habitat, and habitat disturbance during grounding of the ore carrier, barges used as piers, and delivery barges. Construction impacts would be short-lived and are expected to last approximately two weeks. Impacts of groundings are based on the depth of water each vessel requires when low tides occur, but it should be noted that the groundings should last no longer than the duration of each low tide cycle. In addition, throughout the duration of the demonstration project, there would be an increase in shading, and a change in habitat due to the presence of the ore carrier, barges, and ramps which are expected to be in place. Therefore, based on the foregoing, the District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS 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.

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 occur. For activities within the coastal zone of New Jersey the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Bureau of Coastal Regulation, CN 401, 501 East State Street, Second Floor, Trenton, New Jersey 08625-0401, Telephone Number (609) 633-2289. Comments regarding the applicant's certification 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:

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**A Waterfront Development Permit 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 (212) 264-0184 and ask for Mark Steven Roth.

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

FOR / 
Richard L. Tomer
Chief, Regulatory Branch

Enclosures

**CENAN-OP-RW
PUBLIC NOTICE NO. 2004-00718-RS**

WORK DESCRIPTION

The applicant, the Bayshore Recycling Corporation, has requested Department of the Army authorization to construct a temporary dredged material handling facility in the Raritan River in the Township of Woodbridge, Middlesex County, New Jersey.

The purpose of the project is to facilitate the construction of an upland pilot dredged material reclamation facility for a period of approximately two years. This would provide the Port of New York with an additional means by which dredged material could be managed. It should be noted that if one or more of the dredged material reclamation techniques are successful, the applicant proposes to build a permanent processing facility at this location. If a permanent facility is proposed, reconfiguration of the structures in the waterway described herein may be necessary, and may require an additional public notice and authorization from the US Army Corps of Engineers.

The work would involve the mooring of an approximately 730 foot long by 76 foot wide Great Lakes ore carrier with a capacity to temporarily store approximately 37,000 cubic yards of dredged material prior to its being amended. In order to offload the ore carrier, the applicant proposes to use several barges with decks as piers. Barge C, approximately 366 feet long by 40 feet wide would be moored against the ore carrier.

The purpose of the ore carrier is two-fold. One is to temporarily store dredged material prior to its being needed ashore. The second purpose is to provide a location for the partial amendment of dredged material prior to its movement ashore.

A pump and hose bearing barge, approximately 80 feet long by 30 feet wide with beams for piperacks at the north (Barge C) and south (shoreline) end of this barge would also be installed. Barge D, approximately 120 feet long by 60 feet wide, would be connected to the east end of Barge C in an "L" shape perpendicular to the ore carrier. Barge D would be connected to the shoreline by a ramp, approximately 30 feet long by 25 feet wide. Because the depth of water present is less than the draft of the temporarily moored barges, the barges would sit on the riverbottom during low tide.

Each of the barges would be secured by internal or external spuds ranging from 16 to 32 inches in diameter. In addition, anchor buoys would be installed in the waterway in order to further secure the barges and ore carrier. A crane-mounted clamshell bucket would be mounted on Barge C in order to facilitate the movement of dredged material.

It should be noted that dredged material would be delivered to the ore carrier by barges, each approximately 171 feet long by 46 feet wide, that would moor at the south end of Barge C and on its landward side. Each dredged material delivery barge would remain in place for approximately 24 hours, and, because the draft of the barge is greater than the depth of water, their arrivals and departures would occur only at high tide. Therefore, for part of the time the delivery barges would sit on the river bottom. Based upon the cyclic groundings noted in this document, approximately 40,000 square feet of river bottom will be directly impacted at times.

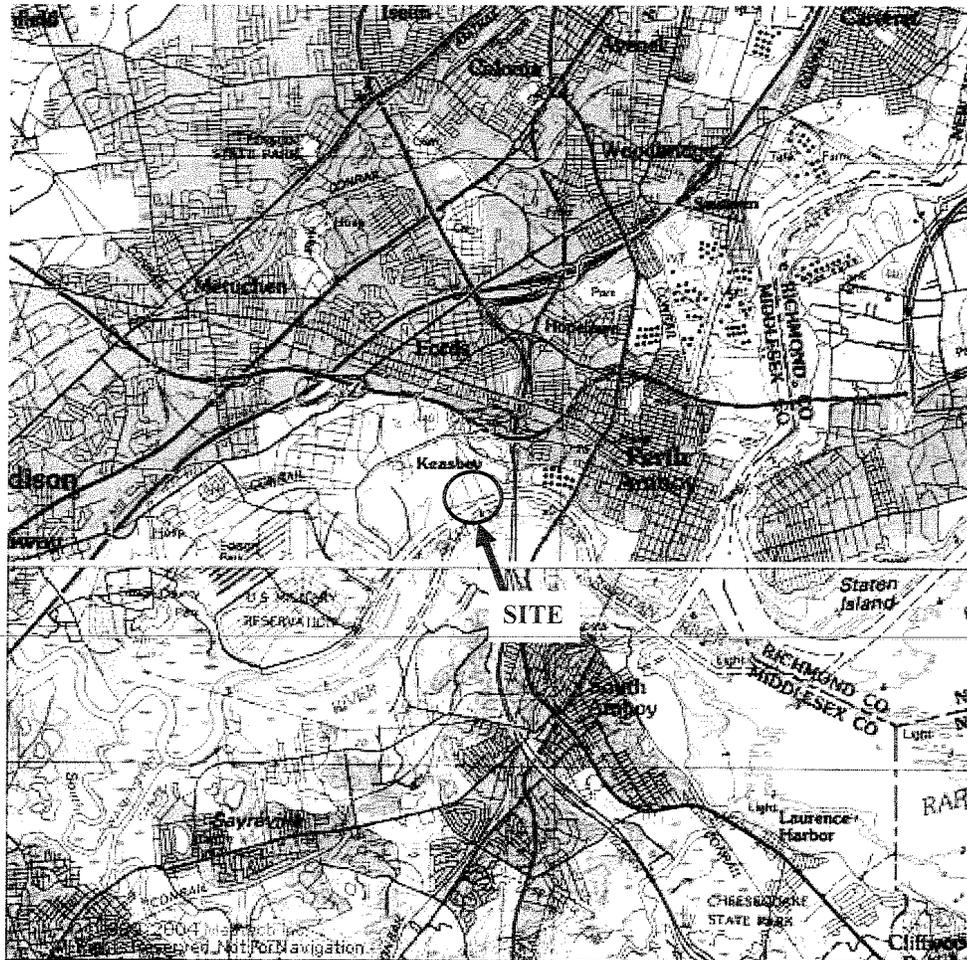
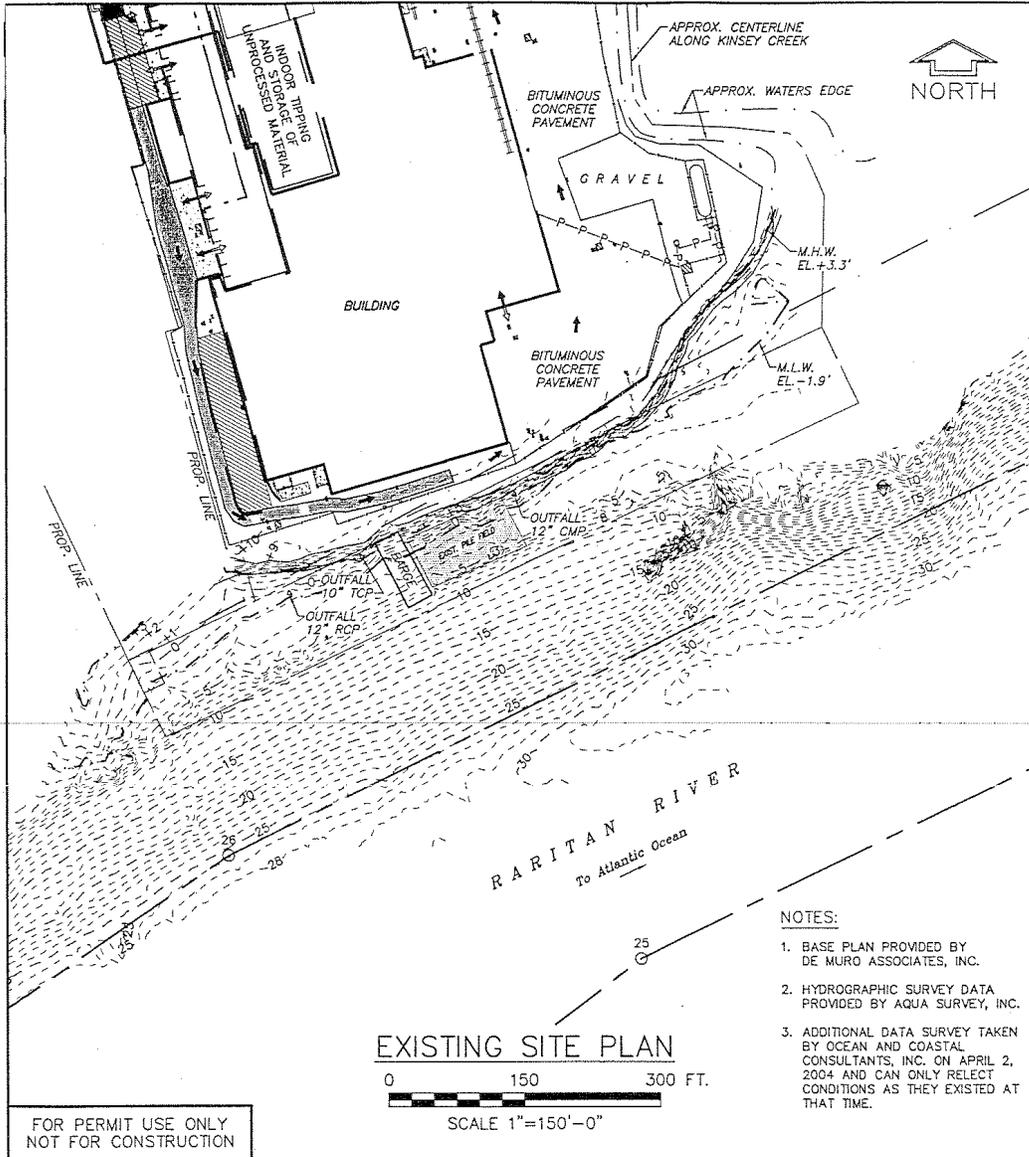
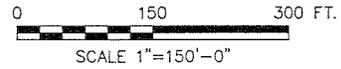


Figure 1: USGS Topographic Map



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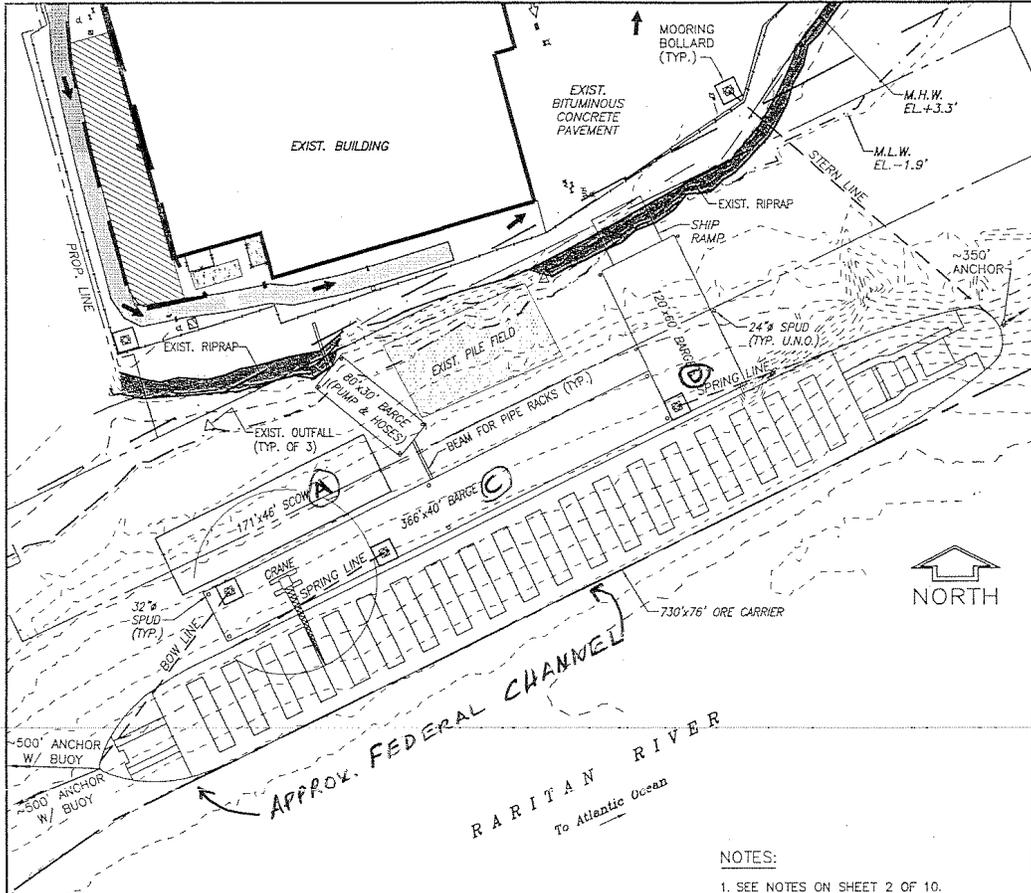
EXISTING SITE PLAN



- NOTES:**
1. BASE PLAN PROVIDED BY DE MURO ASSOCIATES, INC.
 2. HYDROGRAPHIC SURVEY DATA PROVIDED BY AQUA SURVEY, INC.
 3. ADDITIONAL DATA SURVEY TAKEN BY OCEAN AND COASTAL CONSULTANTS, INC. ON APRIL 2, 2004 AND CAN ONLY REFLECT CONDITIONS AS THEY EXISTED AT THAT TIME.

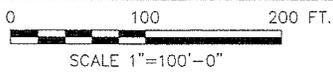
PURPOSE: TO STORE, TREAT, AND PROCESS DREDGED MATERIAL
 DATUM: N.G.V.D. 1929
 ADJACENT PROPERTY OWNERS: SEE APPLICATION
 AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PROPOSED TEMPORARY DREDGED MATERIAL STORAGE AND HANDLING FACILITY
 RARITAN RIVER
 TOWN OF KEASBEY
 COUNTY OF MIDDLESEX
 STATE OF NEW JERSEY
 APPLICATION BY: BAYSHORE RECYCLING CORP.
 DATE: 6/07/04



- NOTES:**
1. SEE NOTES ON SHEET 2 OF 10.
 2. DURING THE PERIOD WHEN THE SCOW IS TRANSITING IN/OUT OF SLIP, ANCHORS SHALL BE SLACKED AND BOW LINE SHALL BE MOVED TO THE BARGE.
 3. CONTOURS SHOWN AT 2 FOOT INCREMENTS FOR CLARITY.

PROPOSED TEMPORARY SITE PLAN WITH SCOW



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REV. 1 08/02/04

PURPOSE: TO STORE, TREAT, AND PROCESS DREDGED MATERIAL
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 ADJACENT PROPERTY OWNERS: SEE APPLICATION
 AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PROPOSED TEMPORARY DREDGED MATERIAL STORAGE AND HANDLING FACILITY
 RARITAN RIVER
 TOWN OF KEASBEY
 COUNTY OF MIDDLESEX
 STATE OF NEW JERSEY
 APPLICATION BY: BAYSHORE RECYCLING CORP.
 DATE: 6/07/04

SHEET 3 OF 6

20-026749-01 (1)

AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PURPOSE: TO STORE, TREAT, AND
PROCESS DREDGED MATERIAL
DATUM: N.G.V.D. 1929
ADJACENT PROPERTY OWNERS:
SEE APPLICATION

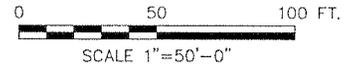
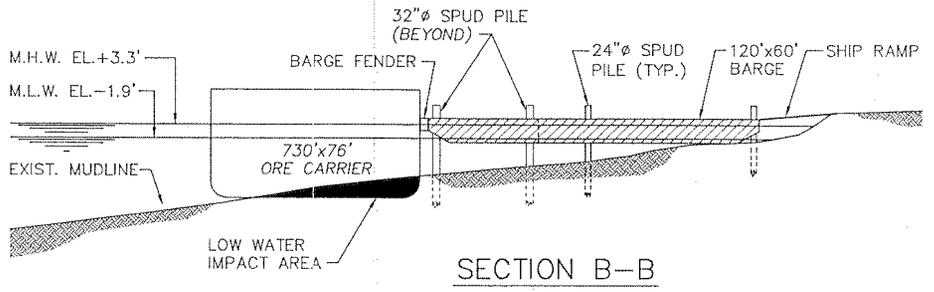
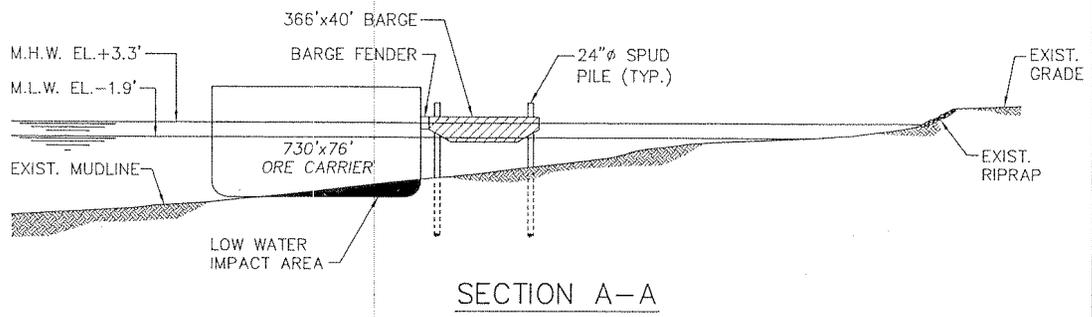
DATE: 6/07/04

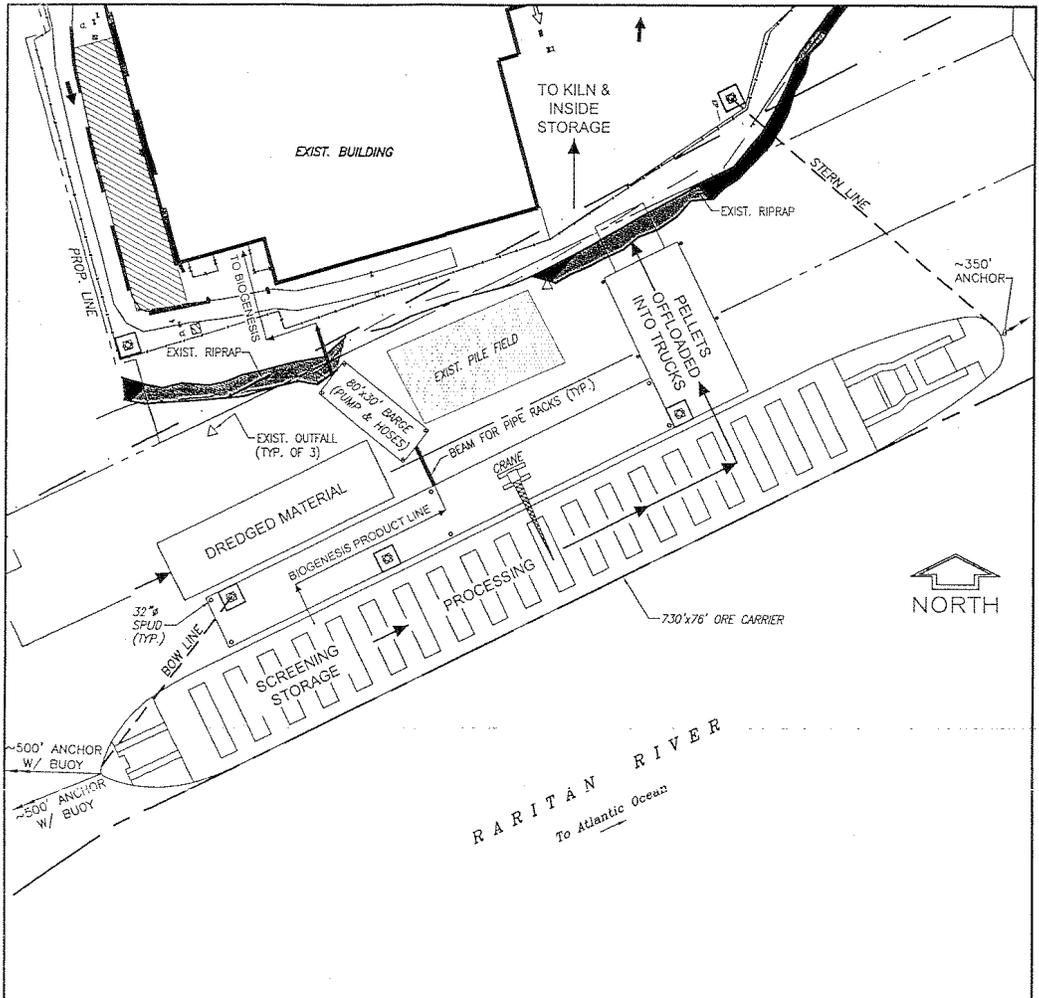
PROPOSED TEMPORARY DREDGED MATERIAL
STORAGE AND HANDLING FACILITY
RARITAN RIVER
TOWN OF KEASBEY
COUNTY OF MIDDLESEX
STATE OF NEW JERSEY
APPLICATION BY: BAYSHORE RECYCLING CORP.

SHEET 4 OF 6

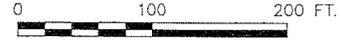
REV. 1 8/02/04

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PROPOSED PROCESSING SCHEMATIC

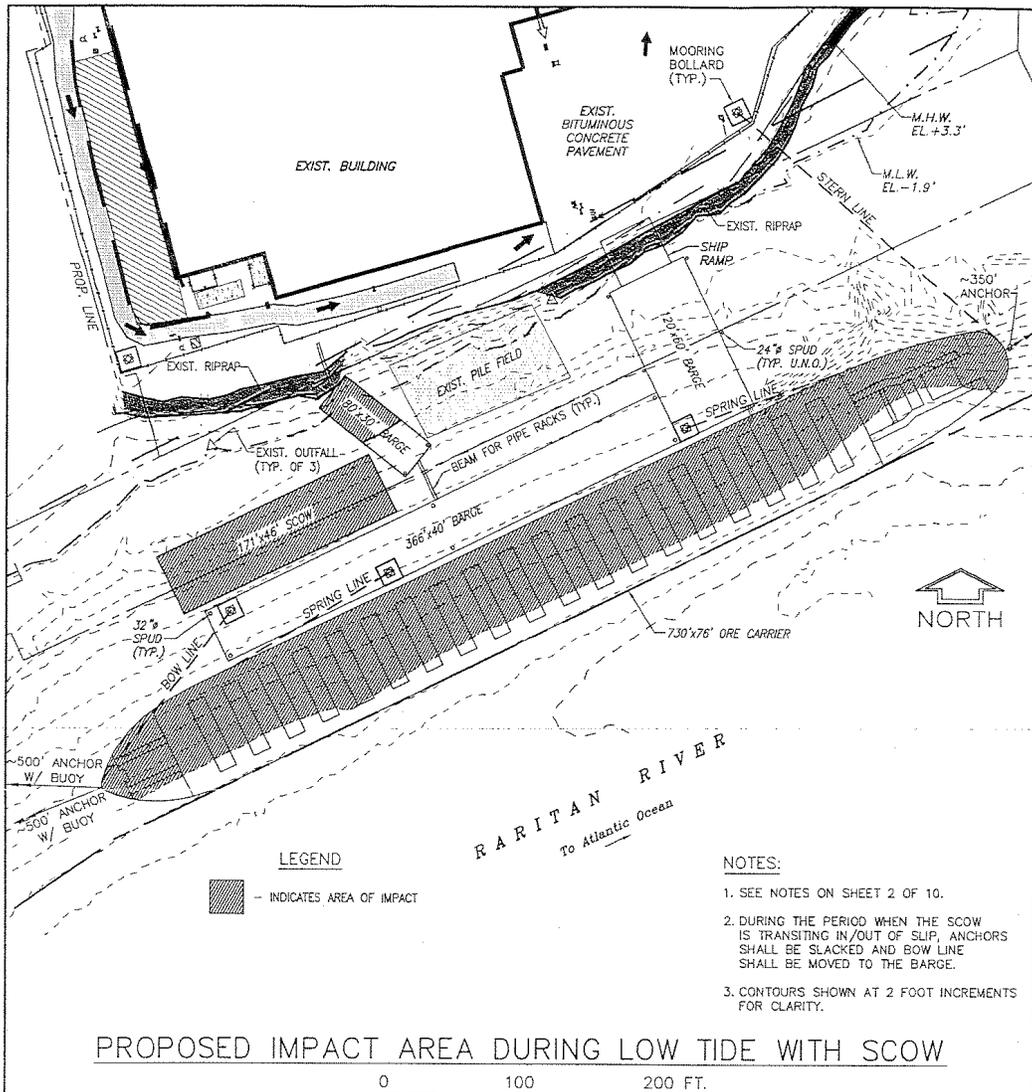


SCALE 1"=100'-0"

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REV. 1 8/02/04

<p>PURPOSE: TO STORE, TREAT, AND PROCESS DREDGED MATERIAL</p> <p>DATUM: N.G.V.D. 1929</p> <p>ADJACENT PROPERTY OWNERS: SEE APPLICATION</p> <p>AGENT: OCEAN AND COASTAL CONSULTANTS, INC.</p>	<p>PROPOSED TEMPORARY DREDGED MATERIAL STORAGE AND HANDLING FACILITY</p> <p>RARITAN RIVER TOWN OF KEASBEY COUNTY OF MIDDLESEX STATE OF NEW JERSEY</p> <p>APPLICATION BY: BAYSHORE RECYCLING CORP.</p> <p>DATE: 6/07/04</p> <p>SHEET 5 OF 6</p>
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PROPOSED IMPACT AREA DURING LOW TIDE WITH SCOW

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REV. 1 8/02/04

PURPOSE: TO STORE, TREAT, AND
PROCESS DREDGED MATERIAL
DATUM: N.G.V.D. 1929
ADJACENT PROPERTY OWNERS:
SEE APPLICATION
AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PROPOSED TEMPORARY DREDGED MATERIAL
STORAGE AND HANDLING FACILITY
RARITAN RIVER
TOWN OF KEASBEY
COUNTY OF MIDDLESEX
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APPLICATION BY: BAYSHORE RECYCLING CORP.
DATE: 6/07/04 SHEET 6 OF 6

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