



**US Army Corps
of Engineers®**
New York District

NEW YORK AND NEW JERSEY HARBOR DEEPENING CHANNEL IMPROVEMENTS

NAVIGATION STUDY

DRAFT INTEGRATED FEASIBILITY REPORT & ENVIRONMENTAL ASSESSMENT

APPENDIX A14: Public Comments

	Name	Association	Contact Info
1	Gina Santucci	New York City Landmarks Preservation Commission	GSantucci@lpc.nyc.gov
	Comment	The properties listed below are LPC designated and within the APE. Please note that these properties were submitted to USACE on 9/30/20. Additionally, LPC is adding St. Peter's Church, 53 St. Mark's Place, to the list of LPC designated properties near the area of impact. Regarding archaeology, the LPC would like to be consulted about all archaeological work within New York City.	
	Response	The District will include the LPC as a concurring party to the PA. The District will also ensure that the LPC designated properties are considered in the assessment of impacts and that they are consulted on all archaeological work carried out in NYC in association with this project	
2	Beryl A. Thurman	North Shore Waterfront Conservancy of Staten Island	nswcsibt@aol.com
	Comment	request for a 120-Day Public Comment Period Extension, as due to the ill timing of the release of the ACOE's Draft FONSI, FR/EA for yet another harbor deepening and widening project. We believe that the 45 day Public Comment Period or even a 90 day extension would not be sufficient for our people, organizations and officials to review, comprehend and comment on the ACOE's drafts	
	Response	The typical public comment period for a draft integrated report and environment assessment is 30 days. We had extended the comment period to 45 days, when we received requests to extend the comment period to 120 days. This study is subject to a law that requires us finish our study within three years. Understanding the public's interest in and concerns about the study, the ongoing pandemic, and the comment period falling on holidays, we received approval to extend the comment period to 75 days. The comment period now ends January 19, 2021. Please note you are still able to send us your comments after the comment period closes. We are always available to answer your questions and hear your concerns.	
3	Greg Remaud	NY/NJ Baykeeper	greg@nynjbaykeeper.org
	Comment	requesting a minimum 120-day extension for the Public Comment Period	
	Response	The typical public comment period for a draft integrated report and environment assessment is 30 days. We had extended the comment period to 45 days, when we received requests to extend the comment period to 120 days. This study is subject to a law that requires us finish our study within three years. Understanding the public's interest in and concerns about the study, the ongoing pandemic, and the comment period falling on holidays, we received approval to extend the comment period to 75 days. The comment period now ends January 19, 2021. Please note you are still able to send us your comments after the comment period closes. We are always available to answer your questions and hear your concerns.	
4	Gena Wirth	N/A	geneva.wirth@gmail.com
	Comment	The study should investigate the potential for hurricane storm surge pathways to be accelerated by the deepening, potentially intensifying impacts of future storm surge events on coastal communities. Studies should be done in current conditions and in future conditions, with sea level rise.	
	Response	Previous deepening Projects were found to not increase the risk of storm surge. The proposed deepening to 5 feet, which includes SLR assumptions in our analyses, is not expected to increase the severity of storm surge. To confirm this assumption, additional analyses will be conducted during the Preconstruction Engineering and Design phase of the project. If it is determined that there is a increased risk of storm surge, mitigation measures would be coordinated and incorporated into the project.	
5	Gena Wirth	N/A	geneva.wirth@gmail.com
	Comment	The study should investigate techniques for bathymetric contouring to add spatial complexity (for example, ridges and furrows) to the side slopes and channel bottoms -- to improve subtidal habitat complexity and quality. An investigation is needed to study whether a more complex channel bottom and sides provides higher quality subtidal habitat after dredging.	
	Response	It is not practical to add "spatial complexity" along channel side slopes or channel bottoms due to the fact that dredges do not have this level of precision. Additionally, channel sideslopes and bottoms are highly hydrodynamic areas that are exposed to scouring from both anthropogenic and natural sources.	
6	Gena Wirth	N/A	geneva.wirth@gmail.com
	Comment	The study should identify sites for the beneficial use of dredge material, and analyze the costs of this approach into the study and proposal. Sediment, particularly clean sand, is a resource for habitat restoration and coastal protection and is needed to build resilient edges in New York City. A deepening study should not occur without a study to identify sustainable and ecologically positive sites for sediment relocation and beneficial use.	
	Response	USACE is committed to beneficially using all dredged materials that may be produced as part of implementation of a navigation improvement project. For a common baseline for evaluating and comparing alternatives, the study used the least cost dredged material placement option (this is called the Federal Standard). Potential placement options (identified in collaboration with stakeholders) will be discussed in the final integrated report and will be coordinated and determined during the Preconstruction Engineering and Design phase. For purposes of cost estimating for this phase of the study, the Historic Area Remediation Site -- an open water dredged material placement site -- is being used as a beneficial use placement site for sand. Harder material will be beneficially used by placing it on reefs. Material not suitable for the Historic Area Remediation Site will be placed upload at an approved designated facility.	
7	Stephen Byrne	N/A	noreast.steve@gmail.com
	Comment	I am asking for a 120-day extension	
	Response	The typical public comment period for a draft integrated report and environment assessment is 30 days. We had extended the comment period to 45 days, when we received requests to extend the comment period to 120 days. This study is subject to a law that requires us finish our study within three years. Understanding the public's interest in and concerns about the study, the ongoing pandemic, and the comment period falling on holidays, we received approval to extend the comment period to 75 days. The comment period now ends January 19, 2021. Please note you are still able to send us your comments after the comment period closes. We are always available to answer your questions and hear your concerns.	
8	Roy Fischman	N/A	ropaf@aol.com
	Comment	Please grant a 120 day extension before finalizing the plans of this project.	
	Response	The typical public comment period for a draft integrated report and environment assessment is 30 days. We had extended the comment period to 45 days, when we received requests to extend the comment period to 120 days. This study is subject to a law that requires us finish our study within three years. Understanding the public's interest in and concerns about the study, the ongoing pandemic, and the comment period falling on holidays, we received approval to extend the comment period to 75 days. The comment period now ends January 19, 2021. Please note you are still able to send us your comments after the comment period closes. We are always available to answer your questions and hear your concerns.	
9	Ida Sanoff	Natural Resources Protective Association (NRPA)	ida.sanoff@gmail.com
	Comment	We urge you to consider a 120-day extension to the comment period for the above mentioned action	
	Response	The typical public comment period for a draft integrated report and environment assessment is 30 days. We had extended the comment period to 45 days, when we received requests to extend the comment period to 120 days. This study is subject to a law that requires us finish our study within three years. Understanding the public's interest in and concerns about the study, the ongoing pandemic, and the comment period falling on holidays, we received approval to extend the comment period to 75 days. The comment period now ends January 19, 2021. Please note you are still able to send us your comments after the comment period closes. We are always available to answer your questions and hear your concerns.	
	Ida Sanoff	Natural Resources Protective Association (NRPA)	ida.sanoff@gmail.com

10	Comment	No information has been provided about whether or not removal of additional sand from near shore areas, combined with ongoing sand mining activities, will impact area beaches and shorelines		
	Response	There is no documentation of such shoreline effects resulting from the HDP 50' deepening. The EA for the HDCI has concluded there would, similarly, be no significant adverse effects to nearshore habitat.		
11		Ida Sanoff	Natural Resources Protective Association (NRPA)	ida.sanoff@gmail.com
	Comment	The previous Harbor deepening project never answered concerns about whether deeper water would permit higher waves to form in major storm events, increasing coastline damage and erosion.		
	Response	Previous deepening projects were determined to not increase the risk of storm surge, as documented. Channel improvements to 5 feet are similarly not expected to increase the severity of storm surge. Deepening the proposed area by 5 ft may reduce friction and allow water to move more efficiently into the bay. It is expected this would influence the timing or phase lag between ocean and bay high tides, however there would be minimal change of total flow through the channel resulting from dredging the channel. Additional analyses will be conducted during the Preconstruction Engineering and Design phase to confirm this assumptions. If it is found there is a increased risk of storm surge and a risk of significant impacts has been determined, a new NEPA evaluation would be undertaken, including any mitigation which would be coordinated with our regional resource and regulatory partners, and incorporated into the project, as required.		
12		Ida Sanoff	Natural Resources Protective Association (NRPA)	ida.sanoff@gmail.com
	Comment	The sound impacts of blasting on the increasing numbers of marine mammals in near shore waters, including whales, needs to be considered.		
	Response	USACE conducted a study on the impacts of blasting on fish during the 50 ft HDP (available here). Predictions based on the data collected from this study indicated that impacts on the aquatic community may be diminished using arrays configured with maximum charge weights located in the middle of lesser charge weights. The data also inferred that the confined charges used in the KVK Blasting Program (as part of original HDP construction) appeared to have less of an impact on aquatic biota than would equivalent open water charges. Specifically, concerns were related to the swim bladders of fish being impacted by the pressure of blasting. Based on observation, there are impacts to individual fish in the vicinity of the blast (who are brought up to the surface/stunned and often eaten by opportunistic birds overhead). Impacts are not significant to the larger fish community, they are temporary, spatially limited/focused on the individuals in the vicinity of the blast at the time it occurs. Link for above: https://www.nan.usace.army.mil/Portals/37/docs/harbor/Blasting_KVK_Report_Fish/Blast%20Monitoring%20Program%20for%20the%20New%20York%20and%20New%20Jersey%20Harbor%20Deepening%20Project.pdf?ver=2018-03-08-114416-447		
13		Dan Mundy	Jamaica Bay Ecowatchers	
	Comment	Phone call: He had questions about dredged material placement, contaminants, and beneficial use. He was concerned that contaminated sediments would be placed in Jamaica Bay and I said any contaminated or non-HARS suitable material would be placed upland. He was content with the answer.		
	Response	USACE did not encounter hazardous material during the previous harbor deepening projects and while it is not anticipated to be encountered during the work proposed under the New York-New Jersey Harbor Deepening Channel Improvements Study, it is always a possibility in any project. Prior to construction, sediment sampling will be conducted, and results will be compared to the ocean placement sampling standards to ensure proper classification and placement of dredged material. The ocean placement standards are among the most stringent criteria for determining classification of sediments and appropriate material placement. During the recent harbor deepening projects, sampling confirmed acceptable results for dredged material generated from the same navigation channels to be either placed at the ocean placement site or be beneficially reused for grading/closure materials, marsh restorations, and artificial reef development. While the proposed work is in a highly urban and historically industrialized area, several recent studies and data sources have demonstrated that the overall harbor has been trending cleaner in the past few decades and is expected to continue trending cleaner relating to, for example, natural attenuation recovery processes, historical and recent deepening and maintenance navigational dredging actions, and a CERCLA remedial action planned to occur in the Lower Passaic River. Also note, there are areas within Newark Bay that are undergoing (or planned to undergo) CERCLA cleanup actions; however, the work proposed under the New York-New Jersey Harbor Deepening Channel Improvements Study is not anticipated to occur in these footprints or disturb these areas.		
14		Barbara Santanas	Brooklyn Community Board 13	BSantanas@cb.nyc.gov
	Comment	Brooklyn Community Board 13 is urging the Army Corps of Engineers to consider an 120 day extension to the comment period for the above referenced project.		
	Response	The typical public comment period for a draft integrated report and environment assessment is 30 days. We had extended the comment period to 45 days, when we received requests to extend the comment period to 120 days. This study is subject to a law that requires us finish our study within three years. Understanding the public's interest in and concerns about the study, the ongoing pandemic, and the comment period falling on holidays, we received approval to extend the comment period to 75 days. The comment period now ends January 19, 2021. Please note you are still able to send us your comments after the comment period closes. We are always available to answer your questions and hear your concerns.		
15		Gail Toth	New Jersey Motor Truck Association	gtoth@njmta.org
	Comment	Support letter		
	Response	Comment Noted.		
16		Captain Robert Ellis	senior docking pilot with McAllister Towing	rkellis@live.com
	Comment	As a senior docking pilot with McAllister Towing in New York Harbor, I support both channel widening and the deepening of the channel 5' to 55' MLLW. Since the completion of the Bayonne Bridge navigation project, the size of the ships calling on New York has increased exponentially. For New York Harbor to remain a competitive port, we need to deepen the channel as much as possible. Some vessels, due to draft restrictions, are limited to calling only at HW. This can delay a docking or sailing up 11 hours. It stands to reason that with the steadily increasing size and draft of ships, that the channel needs to be as deep as possible. Similarly, channel widths need to be increased to accommodate these longer length vessels. The longest length vessel currently calling at APM Terminal will be unable to call at Maher terminal due to the narrower width of the channel off of Maher terminal. One of the most challenging parts of the transit to and from the Upper Bay to Newark Bay is the turn at Bergen Point. Widening from Bergen Point to the corner of South Elizabeth channel will permit the longer length vessels to more safely transit the turn.		
	Response	Comment Noted.		
17		John Toth		tothjohn@verizon.net
	Comment	I listened to your December 3rd presentation and I have a few questions to ask: How much material do you expect to excavate and where do you plan to place it? I heard that it would be disposed of by "National Standards" but what does that mean? The Ambrose Channel is a very productive fishing area and others like it in the areas the Corps intends to dredge. Has any studies been done to determine the impact that the planned dredging operations will have on the fisheries in these locations? Another concern is the blasting that will occur during this dredging. Fish are very sensitive to noise and how will this blasting affect them. Any studies done to determine this effect? Equinor is the developer that will be placing windmills by the NY Bight. Will their operations to erect windmills by this location have any impact on your dredging operations? Are you familiar with this windmill project? Is this dredging operation going to have a life span of 14 years? Please confirm. FYI - I used to work for the Port Authority of NY & NJ and was the Project Leader for establishing new signing programs at our airports. I was also involved in developing a new sign system for Ports Newark & Elizabeth a number of years ago.		

		It is expected that around 33 million cubic yards will be excavated, and placement is discussed in Appendix A13. See section 2.3 for information on fishing and other recreation activities. The implementation of best management practices to reduce noise and vibration to the extent practicable and seasonal restrictions designed to be protective of migratory finfish will avoid and mitigate the adverse effects to fish from blasting activities. See Appendix A1 (Endangered Species) and A4 (Essential Fish Habitat) for more details. Windmill construction is not expected to have an impact on this project. The construction of this project is expected to have a duration of 16 years.
	Jack Ching	Orient Overseas Container Line jack.ching@oocl.com
18	Comment	We appreciate that Port of New York and New Jersey sets up this industry consultation to understand our concern. OOCL truly believes it is in the best interest of the Port to undertake a 55' deepening program: 1. For exports, a 55' channel/berth depth allows extra tonnage for the largest container vessels deployed today. This allows for a lower logistics cost for exporters, making America's exports more competitive. 2. For imports, a 54' channel/berth depth is more restrictive operationally for the 19K+ TEU container vessels, resulting in unused deadweight tonnage and cargo space. With higher import volume, port/terminal could have more revenue, and importer/consumer could also be benefited with the lower shipping cost. Ocean freight is a key component of world trade. Being one of the most innovative international ocean carriers, OOCL plays a pivotal role in enhancing the connectivity of global supply chain network. We ensure cargos delivered to the right place at the right time for the right customer in an efficient and reliable manner. Appreciate your positive consideration. Thank you.
	Response	Comment Noted.
	Kari Martin	Clean Ocean Action kmartin@cleanoceanaction.org
19	Comment	Will there be an opportunity for the public to ask questions or provide verbal comments on the public meetings regarding the NYNJHDCI draft Integrated Feasibility Report and Environmental Assessment tomorrow?
	Response	Yes, we will be giving a presentation and meeting participants will have the ability to enter questions into the Webex chat box. After the presentation, we will read and answer as many questions as times allows. If people do not feel comfortable having their questions read and answered during the meeting, they can always reach out via email or phone.
	Peter Blair	
20	Comment	Did the original 1996 study utilize an Environmental Assessment or a Environmental Impact Statement?
	Response	The 1999 NEPA documentation was an Environmental Impact Statement (EIS), that concluded with a signed Record of Decision (ROD) 2002.
	Rob Buchanan	
21	Comment	Will all the public comments on the draft be shared with the public?
	Response	Yes, all the public comments on the draft report will be shared with the public as part of the Final Integrated Feasibility Report and Environmental Assessment.
	Linda Cohen	
22	Comment	I see that there are 30 panelists here, but can you tell me how many attendees are here?
	Response	At peak attendance, the December 3, 2020 public information sessions had 63 audio connections at the 2:00pm session and 30 audio connections at the 6:00pm session.
	Beryl Thurman	
23	Comment	What about impacts to the North Shore of Staten Island's Environmental Justice Communities?
	Response	The HDCI EA includes analyses of potential significant adverse effects to EJ communities.
	Peter Blair	
24	Comment	Will the USACE be considering the remaining capacity in the Historic Area Remediation Site (HARS) when determining dredged material disposal locations? Based on information from the previous two Site Management and Monitoring Plans for the HARS it appears there is minimal remaining capacity.
	Response	A project-sepcfic Dredged Material Management Plan (DMMP) Appendix is included in the EA. All placement and beneficial use sites will be premitted prior to use.
	Beryl Thurman	
25	Comment	Will the dredge equipment be muffled so that residents are not kept awake at night from noises from the dredge equipment during this process.
	Response	All construction activities will be compliant with all relevent state and local laws, regulations and ordinances.
	Rob Buchanan	
26	Comment	The 1.92 acres of shallows that will be lost seems like a small figure, but that only represents the direct impact of the dredging. does the study address the question of whether deeper channels will accelerate the loss or decline of other shallow areas in the harbor?
	Response	The EA anlyses has not identified any significant adverse impacts to the human or natual environment. Additional studies will be conducted during the PED phase of the project. If it is determined that there are potentially significant adverse effects at that time, a new NEPA analyses, including mitigation if required, would be conducted, and included in the project.
	Beryl Thurman	
27	Comment	Would the ACOE provide us with information on how far inland the blasting will be felt not just from human detection but blasting that as is able to effect structures and move furniture? It would be best if this is done not only in feet but also using streets as landmarks that residents will recognize?
	Response	If there is blasting that would potentially advesly affect nearby communities, USACE will coordinate with the local jurisdictions to be potentially adversely affected prior to commencement of the blast operations, so as to keep the potentially-affected communities apprised of those construction activities.
	Rob Buchanan	
28	Comment	On the subject of flood control, does the study address the question of whether deeper channels may increase the severity of flooding during storm surge events? a stevens institutue study of dredging and flooding in jamaica bay suggests that that is a possibility.
	Response	See previous responses.
	Shino Tanikawa	
29	Comment	Question: what is the impact on recreational use of the waterways/waterfront during construction?
	Response	The EA anlyses has not identified any significant adverse impacts to the human or natural environment. Additional studies will be conducted during the PED phase of the project. If it is determined that there are potentially significant adverse effects at that time, a new NEPA analyses, including mitigation if required, would be conducted, and included in the project.
	Shino Tanikawa	
	Comment	What is the potential impact on avian and aquatic species (beyond acres of shallow water habitat impacted)?

30	Response	<p>Direct impacts from construction are anticipated to be minimal. Motile species can avoid the dredge equipment. However, there would be some entrainment of slow-moving benthic individuals, larvae and eggs (for both fishes and shellfishes) suspended in the water column. When practicable, seasonal "windows" for dredging would be observed to ensure the availability of critical spawning and foraging locations and periods.</p> <p>As discussed in the Report, a diverse bird community exists in the NY/NJ Harbor area. The USACE does not anticipate that avian species, including shorebirds, seabirds, and migratory birds, would be adversely (directly or indirectly) affected by the proposed project. The proposed project would cause only temporary impacts to the bird community as individuals avoid active construction areas due to noise and general activity. Since dredging would occur in open and deep water, impacts to the bird community are expected to be temporary and minor.</p> <p>As part of potential beneficial use options, placement of dredged material within the upland areas may displace individuals using the sites for foraging and resting. Shorelines used by shorebirds would not be eroded any more in the future-with-project condition (proposed project) than in the without-project-condition. Moreover, the proposed project includes the option for possible beneficial uses to mitigate inshore shoreline losses and increase available nesting areas for beach-nesting species.</p> <p>The EA analyses have not identified any significant adverse impacts to the human or natural environment. Additional studies will be conducted during the PED phase of the project. If it is determined that there are potentially significant adverse effects at that time, a new NEPA analyses, including mitigation if required, would be conducted, and included in the project.</p>
	Comment	Rob Buchanan
31	Response	<p>Our National Economic Development plan calculation (how we come up with our benefit-to-cost ratio) unfortunately does not allow for the inclusion of ecosystem services. Our research center has done investigations into how to fit ecosystem services into our current process, and it is under evaluation at the Headquarters level of our agency. However, until the conceptual model is approved for use in our agency, we still consider the services that are provided by the ecosystem (and could be impacted) in a qualitative manner.</p>
	Comment	<p>does the cost benefit analysis take into account the value of ecosystems services and whether that may be reduced or eliminated by the project? if it does not should it be described as something other than a 'cost-benefit analysis'?</p>
32	Response	<p>Mitigation actions were related to two resources: Air quality and Aquatic Habitat. The 50-foot Harbor Deepening Project mitigated for NOx emissions per General Conformity under the Clean Air Act (CAA). The project built a Marine Vessel Engine Replacement Program (MVERP) to generate offsets from newer engines burning in our NYNJCTLI non-attainment area. The program was a success and repowered the SI Ferry, Tugboats and many other vessels to offset the total NOx generated each calendar year of construction. The 50 ft HDP also mitigated impacts to shallow water habitat. Some work was done "in-kind" creating shallow water habitat in Port Jersey. Because of limited "in-kind" opportunities, additional work was done out of kind through successfully creating wetland habitat at the Brooklyn Union Gas (BUG), Medwick and Woodbridge restoration sites, and at the Elders East marsh island in Jamaica Bay.</p>
	Comment	<p>Question: What mitigation projects were implemented for the 50' deepening and what have we learned from them? Were they successful? Were they "in-kind" mitigation (meaning, were the habitat functions preserved through mitigation?)</p>
33	Response	<p>USACE has the authority to conduct this feasibility study through the River and Harbor Act of 1970, Section 216. This authority limits the analysis of the study to the constructed 50-foot Harbor Deepening Project, completed in 2016. The Port Newark Channel is not part of the constructed 50-foot Harbor Deepening Project and therefore cannot be considered for improvements as part of this study. Additionally, due to the channel's proximity to the Newark Liberty International Airport, there are aircraft restrictions for the channel.</p>
	Comment	<p>Do you foresee any reason to extend deepening, etc. to the Newark Channel?</p>
34	Response	See previous responses.
	Comment	<p>Our Staten Island North Shore, shoreline are already eroded what mitigations are going to be taken to address this?</p>
35	Response	See previous responses.
	Comment	<p>I'm going to have to leave the meeting but would appreciate some followup on the questions I posed here in the chat--my email is rbuchanan@nyharbor.org. in particular i'd love to hear why the storm surge risk is not judged to be serious since the Stevens study clearly suggests that it is. Also, general feedback: it would good to know how many other attendees there are and what their questions are.</p>
36	Response	Generally, USACE projects are designed with a 50-year project life. Should the need arise in the future for additional depth, USACE will so evaluate given a new study authority.
	Comment	<p>What is the project life of new 55' depth? Will the USACE be back in 5 years saying that you need to go to 60'?</p>
37	Response	It is anticipated there will be minor impacts to other traffic within the harbor. The contracts will be sequenced in a way to minimize impacts. Additional coordination and decisions on this matter will occur during Preconstruction Engineering and Design. Ultimately, the project will benefit all vessels in the harbor.
	Comment	<p>How would this project affect other vessel traffic operating within the project area?</p>
38	Response	Questions and comments from these sessions are posted on the study's website (https://www.nan.usace.army.mil/Missions/Navigation/New-York-New-Jersey-Harbor/NY-NJ-HDCI/) and will be included in the Final Integrated Feasibility Report and Environmental Assessment.
	Comment	<p>Please display the questions so we know if a question has been asked, we can ask another.</p>
39	Response	Blast plans are very site-specific. All blast operations (if any, still TBD), will be coordinated with and in compliance with all local and state jurisdictions and their laws, regulations and ordinances.
	Comment	<p>When blasting, what is the typical range (in feet) of potential impact to surrounding structures?</p>
40	Response	The two projects are being executed under separate authorities. The coordination for construction schedules will be dictated by those specific authorities and funding allocations, as well as by availability of dredge industry equipment.
	Comment	<p>How will this project be coordinated with the current 50ft anchorage requirement project?</p>
41	Response	See previous responses.
	Comment	<p>The cumulative loss of sand from nearshore systems from the original deepening, sand mining and additional deepening has not been addressed.</p>
		Beryl Thurman

42	Comment	What mitigations are going to be taken to protect Arlington Marsh and Cove from the wakes and tides? And is the NY/NJ Port Authority ready to transfer their portion of Arlington Marsh and Cove over to NYS Parks? Especially since Howland Hook is not a viable option for any of the Panamax vessels because the Howland Hooks proximity to Shooters Island.
	Response	See previous responses.
43	Comment	Linda Cohen 1. What were the documented adverse reactions that were endured by Staten Island residents by the previous deepening ? 2. What is in this project that will specifically benefit Staten Island residents ?
	Response	Minor affects, such as broken or cracked windows were documented and mitigation was provided, as is required, under the 50' project. The HDCI, as was the HDP 50' project, are Federal Civil Works projects designed to benefit the region. The IR/EA documents all the benefits to the region, of which Staten Island is an integral member locality.
44	Comment	Byron Nicholas Hi everyone great presentation. Very insightful information I have a couple questions: If bedrock blasting do take place? Will the noise be loud enough to disturb residents in the vicinity of the channels? If so are there any mitigation efforts to reduce the noise burden? You've mentioned mitigation efforts to NOx pollutant emissions. Is it possible to utilize renewable energy to substitute fossil fuels?
	Response	See previous responses.
45	Comment	Ed Kelly The extension to Howland Hook MUST be re-considered. The Port requires the flexibility to have deep-draft vessels engaged in consortium operational frameworks to be able to use multiple/diverse terminal locations
	Response	The pathway to Howland Hook Marine Terminal was considered as part of this feasibility study. To reach Howland Hook Marine Terminal, vessels would need to transit the Arthur Kill by Shooters Island and between Bayonne and Staten Island; there are significant physical constraints that make modifications to the Arthur Kill costly. There are also costs associated with having terminal improvements to be able to service an ultra large container vessel (ULCV). Additionally, due to the beam/width of the ULCVs, there would be significant delays to other vessels transiting the Arthur Kill, particularly oil tankers, if an ULCV were to be docked at Howland Hook Marine Terminal.
46	Comment	Ed Kelly Will the dredging /widening operations be able to be undertaken WITHOUT closing sections of the channels? Paertial closures will probably NOT allow large vessel transits
	Response	As with earlier projects, dredging will likely require some temporary channel closings. Some of this may be mitigated with scheduling of dredging work in coordination with ship arrivals.
47	Comment	Kari Martin 1. Why is the Army Corps not recommending a full EIS? What is the rationale?
	Response	As the study was progressing and USACE had a better understanding of potential project impacts, USACE decided to prepare an EA rather than an EIS. Some of the items we considered: <ul style="list-style-type: none"> Any recommendation would be building upon the original NY/NJ Harbor Deepening Project's 50' FEIS, and will be proposing channel improvement measures only within locations within/adjacent to the authorized channel. At this level of evaluation, from a physical/ecological perspective - the proposed project is only directly impacting approximately 1.92 acres of littoral habitat. The NY/NJ Harbor Deepening Project 50' FEIS, and the two subsequent EAs with FONSI provided sufficient NEPA analyses upon which to base the supplemental NEPA analyses for the HDCI study. There will be continued agency and public/stakeholder outreach/communications via public meetings, email updates, etc. Acknowledging that the analysis of impacts of alternatives can/should be more detailed in an EA where there is heightened controversy surrounding potential impacts or where there is otherwise greater potential for significant impacts.
48	Comment	Kari Martin 2. What is USEPA's role in this plan?
	Response	The USEPA is a cooperating agency on this study. They review our NEPA documentation, participate in our interagency meetings and provide comments. They also participate through their role on the regional dredging team.
49	Comment	Kari Martin 3. How did the Army Corps make the determination on where materials will be managed? What assessments were done?
	Response	See previous responses.
50	Comment	Kari Martin 4. What assessments were done and where is the documentation for the need for this deepening?
	Response	The APA guides USACE's obligations, which includes the preparation of the Integrated Feasibility/Environmental Assessment Report (IR/EA), and all appendices to this integrated report, which includes compliance with every Federal, state and local statute that pertains to the proposed Federal Action. All documents are available for review on the USACE NY District website, or upon written request.
51	Comment	Kari Martin 5. What percentage of port companies with berthing areas agreed to this deepening and committed to deepening their berthing areas to meet new depth.
	Response	The study is in the feasibility phase and the discussions with port companies is ongoing.
52	Comment	Kari Martin 6. Who is participating in this meeting? Is that public information?
	Response	The public information sessions included the USACE project delivery team and members of the public.
53	Comment	Kari Martin 7. Can we see the questions asked during these 2 meetings?
	Response	Yes, questions and comments from these sessions are posted on the study's website (https://www.nan.usace.army.mil/Missions/Navigation/New-York-New-Jersey-Harbor/NY-NJ-HDCI/) and will be included in the Final Integrated Feasibility Report and Environmental Assessment.
54	Comment	Kari Martin 8. Will the recording of the two public meetings be made publicly available? If so, where and when?
	Response	Yes, a video recording of the meeting is placed on the study's website: https://www.nan.usace.army.mil/Missions/Navigation/New-York-New-Jersey-Harbor/NY-NJ-HDCI/
55	Comment	Ida Sanoff Studies on the Venice Lagoon have shown that transit of large vessels has been shown to have impacts on shallow water areas adjacent to the deeper waterways. Have you studied this?
	Response	See previous responses.
		Peter Blair

56	Comment	Very much appreciate the answer Gale. Thank you.
	Response	Comment Noted.
57		Kari Martin
	Comment	What other outreach is the Army Corps doing for this study? Are the municipalities around the impacted areas informed of this study's findings?
	Response	Yes, a full distribution list, including municipalities, is available in Appendix A12. In addition, further outreach was conducted during summer and fall of 2021, including meetings with resource agencies and stakeholder groups.
58		Ida Sanoff
	Comment	So you're not blasting at night but you are drilling?
	Response	See previous responses.
59		Ida Sanoff
	Comment	Where will the sand removed from Ambrose Channel be used? If it is of suitable quality, it should be palced on local beaches.
	Response	See previous responses.
60		Beryl Thurman
	Comment	What will be done about the current erosion????
	Response	See previous responses.
61		Ida Sanoff
	Comment	Studies on flooding should be done so that the public can comment prior to any permits being issued.
	Response	See previous responses.
62		Beryl Thurman
	Comment	We would be interested in having mitigations that actual remove all of the contaminated sediments in the KVK, Lower Newark Bay and the Arthur Kill to make these waters swimmable and fishable where residents can actually enjoy recreational benefits of these waters, is this possible for this project?
	Response	See previous responses.
63		Beryl Thurman
	Comment	The mitigations need to happen in EJ Areas where the projects are taking place in order to make a difference.
	Response	See previous responses.
64		Louise Usechak
	Comment	Q—what about sea level rise during this period? It sounds like it would take until 2036 to complete it. What is the likely elevation of sea level you are considering by the end of this period that needs to be taken into consideration during your design period. Will those ports still be operative in those locations with this increase in sea level. It sounds as if it would take 16 years from now to complete this process. Have you taken into consideration the projected level of sea level rise during this period and its impact on the project as well as the terminals currently in use. Rutgers University has done som good studies. What do you think this will have as impacts that you will need to address?
	Response	See previous responses.
65		Linda Cohen
	Comment	Why can't some of the tremendous economic benefits that will be gained be earmarked for the residents who will be mostly impacted on the north shore of SI, ie: to rebuild our terribly eroded shoreline ?
	Response	See previous responses.
66		Beryl Thurman
	Comment	In the ACOE's past Habor Deepening & Widening projects they did not implement fair treatment of the EJ communities and neither did the PA. That is apparent since you only think that the damages that occurred was 1 broken window. Are you planning to do much better this time in being fair and accountable to the EJ communities and providing compensation for past as well as any current damages? And what system do you have in place to handle damage claims and repair costs? Because homeowner insurance companies do not pay for damage claims for blasting projects in nearby navigational waters.
	Response	See previous responses.
67		Hugh Carola
	Comment	As a regular boated in Newark Bay, I can attest to the relative miniscule wakes of large vessels. It's the tugs that throw up the biggest ones
	Response	Comment Noted.
68		Beryl Thurman
	Comment	Residents complained that past drillings at night sounded like being in a dentist chair having a tooth drilled. A reduction in noise or no noise is definitely needed so that residents can rest.
	Response	See previous responses.
69		Linda Cohen
	Comment	can we see some of your faces during the evening session
	Response	Comment Noted.
70		1293033218
	Comment	Why can't we tell shippers to use many smaller boats instead of doing this deepening?
	Response	The shipping industry serves many ports in the U.S. and indeed, in the world. As such, it's not something under the U.S., much less the Port of NY & NJ to control/direct. The larger ships are built to be more efficient - both economically and environmentally (less pollution from newer engines and fewer needed transits). How this Port can accommodate them is the key question: We have found that, taking all the costs and efficiencies into account, that it's more efficient for the Port and indeed, the United States, to deepen the channels so these newer, larger containership can access the Port most efficiently by deepening it to 4-5 feet from the existing depth in the channels that serve most (not all) the container facilities in the Port.
71		1293033218
	Comment	When will there be money for this project?
	Response	Appropriations are determined by Congress.
72		James Scarcella
	Comment	appreciate the comment time extension
	Response	Comment Noted.
73		Cindy Zipf
	Comment	Given the extensive, long history of public involvement and interest within the NY/NJ district region for dredging issues, were there any public opportunities prior to this release of this deepening proposal ?
	Response	We have been coordinating with PANYNJ and resource agencies throughout the study process. This study is in the very beginning phase of development, and we are currently assessing feasibility. No plan has been recommended to Congress, and there will be additional opportunities for engagement.
		James Scarcella
	Comment	team , it would be better if you direct the convince the project sponsor to use South Brooklyn and Port Jersey facilities , the Kill Van Kull hard rock and till is very difficult to safely remove .

74	Response	USACE has the authority to conduct this feasibility study through the River and Harbor Act of 1970, Section 216. This authority limits the analysis of the study to the constructed 50-foot Harbor Deepening Project, completed in 2016. The channel to South Brooklyn is not part of the constructed 50-foot Harbor Deepening Project and therefore cannot be considered for improvements as part of this study. The study team considered moving operations from Elizabeth Port Authority Marine Terminal to Port Jersey Port Authority Marine Terminal and found it was too costly. There are a lot of goods coming through the harbor and more than one terminal is needed to be able to service the vessels. If ultra large container vessels (ULCVs) were to be directed to Port Jersey Port Authority Marine Terminal, the landside improvements required to be able to service the ULCVs and move the goods would be very costly and would not likely be economically justified.
75	Comment	Cindy Zipf Related to the dredged material management: Please clarify the terminology, I believe speaker said something like "least cost alternative" otherwise known as "standard _____"
	Response	See previous responses.
76	Comment	Matt Gove Can we keep deepening the harbor indefinitely? Seems like a physical limit for depth and width would be near.
	Response	This study does not look into the feasibility of deepening the harbor channels indefinitely. The channels can be deepened to the depth recommended as part of this study (a maintained depth of -55 feet MLLW for the channels north of Ambrose Channel and -58 feet MLLW for the Ambrose Channel).
77	Comment	Cindy Zipf Please provide links to all previous EIS and Supplemental EIS documents for the project areas
	Response	These documents are available at the following link: https://www.nan.usace.army.mil/Missions/Navigation/New-York-New-Jersey-Harbor/Harbor-Program-Reports/
78	Comment	1293033218 Why not just use the Port Authority in NJ and not the Elizabeth one so Staten Island resident won't be negatively impacted?
	Response	At least 80% of the Port's container handling capacity is in Newark Bay. Neither the Port Jersey - Port Authority Marine Terminal nor the supporting roads/infrastructure have the capacity to be able to handle all the cargo that is coming through the Port.
79	Comment	Matt Gove I get the idea of deepening leading to less vessels that are more heavily laden, but wouldn't deepening also attract more vessels that would have stayed away before because of depth issues?
	Response	The analysis assumes that the proposed improvements has no impact on the number of ultra large container ships calling the Port of NY/NJ. Vessel orderbooks and current vessel deployment to the Port of NY/NJ indicate carriers will use ultra large container vessels on services calling Port of NY/NJ regardless of the project. The study is looking to improve the efficiency of vessels that are already calling at the port.
80	Comment	Joseph Carroll what process will be used to document pre-blast property conditions and will there be a liaison to the community?
	Response	A structural survey will be performed, with owners' permission, before and after blasting to document damage or lack thereof. There will be a community liaison in the area available to address resident concerns.
81	Comment	Cindy Zipf Can you repeat the cost of the project?
	Response	Comment Noted.
82	Comment	Rob Buchanan what is the value of the estuary's ecosystems services? could trying to understand that be a part of the huge federal investment you are proposing?
	Response	Our National Economic Development plan calculation (how we come up with our benefit-to-cost ratio) unfortunately does not allow for the inclusion of ecosystem services. Our research center has done investigations into how to fit ecosystems services into our current process, and it is under evaluation at the Headquarters level of our agency. However, until the conceptual model is approved for use in our agency, we still consider the services that are provided by the ecosystem (and could be impacted) in a qualitative manner.
83	Comment	Rob Buchanan your faq section dismisses concerns about deep channels and increased flooding due to storm surge. what part of the draft study discusses that issue in more detail?
	Response	See previous responses.
84	Comment	James Scarcella Folks had recommended Sponsor use South Brooklyn in 1992, but dredging it to 50 feet did not occur due to short-sightedness. The HRE CRP is sometimes a flawed document. What additional assessments will be used to determine 'mitigation'? Thank you
	Response	We are going to be using a habitat assessment model to look at the change in habitat quality for any potential mitigation sites to offset the impacts to shallow subtidal habitat. With regards to other sources for other potential mitigation sites, these would be coordinated with the other regulatory agencies, primarily NJDEP.
85	Comment	Patrick Thrasher what are estuary's ecosystems services?
	Response	Our National Economic Development plan calculation (how we come up with our benefit-to-cost ratio) unfortunately does not allow for the inclusion of ecosystem services. Our research center has done investigations into how to fit ecosystems services into our current process, and it is under evaluation at the Headquarters level of our agency. However, until the conceptual model is approved for use in our agency, we still consider the services that are provided by the ecosystem (and could be impacted) in a qualitative manner.
86	Comment	Rob Buchanan if you cannot take ecosystems services into account, you cannot seriously describe your calculations as 'cost-benefit'--would you consider rephrasing that term to something like 'partial cost benefit analysis (not counting environmental costs)'
	Response	Our National Economic Development plan calculation (how we come up with our benefit-to-cost ratio) unfortunately does not allow for the inclusion of ecosystem services. Our research center has done investigations into how to fit ecosystems services into our current process, and it is under evaluation at the Headquarters level of our agency. However, until the conceptual model is approved for use in our agency, we still consider the services that are provided by the ecosystem (and could be impacted) in a qualitative manner.
87	Comment	Rob Buchanan how much money will go to mitigation--is there a formula you use?
	Response	There is no specific amount required. USACE mitigates value for value, which is why we are utilizing a habitat assessment model to determine the quality of potential habitat lost and the quality of any habitat gained through mitigation. The goal is to replace or restore the same amount or more that is being disturbed.
88	Comment	Cindy Zipf how are you addressing climate change and storm surge into the planning?
	Response	See previous responses.
89	Comment	1293033218 what other neighborhoods besides Staten Island will be affected?
	Response	See previous responses.
90	Comment	Cindy Zipf It is very hard to understand the verbal answer. Is this going to be in writing?
	Response	Comment noted. See previous responses.
91	Comment	Rob Buchanan what is your understanding of how much harbor deepening contributed to the height of flooding in the upper harbor during Sandy?
	Response	See previous responses.
		James Scarcella

92	Comment	due to covid and the current recession, our region will have less funds for the sponsor. how will the sponsor get the funding together to carry the project thru? also please note , when channels are deepened, wave amplification can occur . how will aceo tackle this issue? thank you.		
	Response	See previous responses.		
93	Comment	Gregory Remaud		
	Response	Thank you for the time extension for the comment period and for this presentation.		
94	Comment	Rob Buchanan		
	Response	it seems irresponsible to greenlight another round of deepening if you don't have an understanding of how previous rounds may have contributed to flood heights.		
95	Comment	1293033218		
	Response	The residents of the entire north shore of Staten Island are being affected yet again. Are residents elsewhere being negatively affected by noise. vibration, etc.		
96	Comment	Cindy Zipf		
	Response	Thank you for the extension of time for the holidays and COVID limitations. I also hope the format for future public forums in the future will better allow for more transparency -- for example to see who is talking and see the number of participants.		
97	Comment	Cindy Zipf		
	Response	Thank you. Be safe and well.		
98	Comment	Mike Gannon, President	Douglas Manor (Homeowner) Association	mgannon51b@gmail.com
	Response	Ms. Baumert: Will there be a list of proposed mitigation sites outside of the dredging area but within the NY harbor area? If so I would like to propose adding the Douglas Manor (zip code 11363) shoreline along Little Neck Bay to the list. It has a crumbling seawall that needs to be transitioned to a natural shoreline and in desperate need of storm resiliency. The shoreline is a mix of public (NYCDP&R, NYCDOT, NYS), and private (Douglas Manor Association) property.		
99	Comment	Kathleen D DePrizio	HMM America Shipping Agency, Inc	Kathleen.DePrizio@hmm21.com
	Response	Support letter		
100	Comment	Kurt Mittenzwei	CMA CGM	usa.kmittenzwei@usa.cma-cgm.com
	Response	Support letter		
101	Comment	Robert Hughes III	Hughes Marine Firms	Rjhughes3@hughesmarine.com
	Response	Support letter		
102	Comment	Thorsten Schmittberger	ACL Cargo	TSchmittberger@aclcargo.com
	Response	Support letter		
103	Comment	Wen-jin Lee	Yang Ming (America) Corp.	wenjinlee@us.yangming.com
	Response	Support letter		
104	Comment	Dave Daly	Ocean Network Express (North America) Inc.	dave.daly@one-line.com
	Response	Support letter		
105	Comment	Kathy Durso	Consolidated Rail Corporation	Kathy.Durso@conrail.com
	Response	Support letter		
106	Comment	Lingard Knutson	EPA	Knutson.Lingard@epa.gov
	Response	Please find attached Region 2 comments on the NYNJ Harbor Deepening Channel Improvements Feasibility Study and Environmental Assessment. Please contact me, or Mark Austin if you have any questions.		
107	Comment	Beryl Thurman	North Shore Waterfront Conservancy of Staten Island	nswcsibt@aol.com
	Response	We hope that you are doing well. The attachment is the North Shore Waterfront Conservancy of Staten Island, Inc.'s Public Comment for the ACOE's Draft FONSI, RF/EA for the NY/NJ Harbor Deepening & Widening Improvements Navigation Study.		
108	Comment	James Scarcella	Natural Resources Protective Association (NRPA)	nrpa2@aol.com
	Response	please see comments regarding ACOE ny nj harbor deepening channel improvements navigation study , draft feasibility report and environmental assessment .		
109	Comment	Jay Ruble	Maher Terminals LLC	jruble@maherterminals.com
	Response	Support letter		
110	Comment	Christopher J Parvin	MSC Mediterranean Shipping Company (USA) Inc.	christopher.parvin@msc.com
	Response	Support letter		
111	Comment	Captain Brendan L. Foley	New Jersey Sandy Hook Pilots' Benevolent Association	
	Response	Support letter		
112	Comment	Edward J. Kelly, Executive Director	Maritime Association of the Port of NY/NJ (MAPONY/NJ)	
	Response	Support letter		
113	Comment	Andrew McGovern, Chairperson	Harbor Safety, Navigation and Operations Committee of the Port of NY/NJ HOPs	
	Response	Support letter		
114	Comment	Timothy J. Dacey, President	New Jersey Maritime Pilot & Docking Pilot Commission	
	Response	Support letter		

115		Captain Robert Flannery, President	Metro Pilots Association	
	Comment	Support letter		
	Response	Comment noted.		
116		Captain Robert Flannery, Chair	Deep Craft Committee for the Ports of NY/NJ	
	Comment	Support letter		
	Response	Comment noted.		
117		Ida Sanoff	Natural Resources Protective Association	
	Comment	<p>We are submitting comments for the above mentioned project and requesting that a full Environmental Impact Statement be done. The overall impression of the NYNJHDCI Draft EA is that the tail is wagging the dog. The objective appears to be the use of taxpayer dollars to reduce costs for shipping companies so they can generate greater profits. The document contains many statements, uncertainties and assumptions that make it difficult to understand why this project has even been proposed, including:</p> <ul style="list-style-type: none"> · "The commodity and fleet forecast developed for the study is an additional source of uncertainty". "There is also uncertainty with the model used to calculate benefits, Harbor Sym". · "...forecasting the fleet distribution over the study period involves significant uncertainty". · "Carriers will use ultra large vessels on services calling on PONYNJ regardless of the project". If they will continue using ultra large vessels, then maneuverability issues are currently being overcome. So why is the project even necessary? · "A deeper channel is likely to result in a decrease in the number of vessels calling at the port". This is just an assumption. Nothing has been provided to back up this claim. · "As population grows in the next 15-20 years, cargo volume going through the port is expected to double or even triple". This does not take into account the economic impacts of the COVID pandemic. Some experts have predicted that demand for consumer goods, construction supplies and other items will take years to rebound. The assumption about increased cargo volume should be reexamined. <p>It is difficult to understand why a FONSI was issued for this proposed project. A full EIS needs to be done.</p> <ul style="list-style-type: none"> · The online presentation stated that, "Additional analyses are to be done to determine if deeper channels will exacerbate storm surge flooding and that mitigation measures will be implemented if needed." Storm surge impacts need to be investigated before the project moves forward. Also, to our knowledge, no one has ever looked at the cumulative impacts of ongoing sand mining, channel deepening and loss of sand on area beaches. · The Draft EA states that "Hydrologic, salinity and ecological modeling was deferred to the Preconstruction and Engineering Design phase because the study team relied on existing information, even though, ... "The decision to use existing information may result in inaccurate environmental impacts and mitigation costs". This is not acceptable. Even small fluctuations in water temperature, salinity, dissolved oxygen content and other parameters can result in profound changes in habitat. This decision basically says that if a mistake in assessing environmental impacts is made, an attempt will be made to mitigate damages. But we need to know about potential damages before they occur, because the damage may be significant. It should also be determined whether or not mitigation will be in the damaged areas or if compensation is proposed for a different location. An Environmental Impact Statement is needed. 		
	Response	Comment noted. See previous responses.		
118		Linda Cohen		lindashoob@aol.com
	Comment	...should have had more outreach...		
	Response	See previous responses.		
119		Linda Cohen		lindashoob@aol.com
	Comment	Why was a FONSI issued (Finding of no significant impact), when in fact, the impacts may be great to our communities who abut the project area at the Kill Van Kull ? ...As it stands, this project appears to have many negative impacts. Therefore, please provide an environmental impact statement.		
	Response	See previous responses.		
120		Linda Cohen		lindashoob@aol.com
	Comment	There are several contamination sites in the area, worst of all is Archer-Daniels Midland co. SI warehouse which stored hi grade uranium on Richmond Terrace near the Bayonne Bridge. This area has not yet been cleaned up. There are concerns that residents living nearby will be impacted. A list of all contamination sites in this area and plans for protecting residents during the deepening process should have been included.		
	Response	See previous responses.		
121		Linda Cohen		lindashoob@aol.com
	Comment	Air quality is also problem in this area, having the highest rates of asthma in the region, and the death rate from lung cancer is the highest in NYC. Your report acknowledges toxic emissions from this dredging project, yet fails to say how the people will be protected from these further assaults.		
	Response	See previous responses.		
122		Linda Cohen		lindashoob@aol.com
	Comment	In terms of water quality, settled toxins will be resuspended by the dredging process. Irregardless of warning signs, people will continue to fish and consume the fish of the Kill Van Kull. How will you protect them? This area is serviced by the old overworked Port Richmond Sewage Treatment Plant which currently discharges tremendous amounts of raw sewage into the Kill Van Kull during rainstorms. Adding settled toxins to this brew is not a good idea.		
	Response	See previous responses.		
123		Linda Cohen		lindashoob@aol.com
	Comment	Our coastline suffers from erosion which previous dredging has contributed to, and bulkheads were damaged. The greater wave height that will ensue from more harbor deepening will cause greater erosion to our coastline during future storms. Our coastline should be maintained well like most others in the nearby locales. We need repairs for our coastline, not added assaults.		
	Response	See previous responses.		
124		Linda Cohen		lindashoob@aol.com
	Comment	During the last dredging, SI residents were adversely impacted from the noise and vibrations of drilling and blasting, with some homes damaged. Now Staten Island residents will again be affected negatively with noise and vibrations. Also, our marine animals navigate these waters, many of whom communicate by sound. What protections will be placed for residents and marine life?		
	Response	See previous responses.		
125		Linda Cohen		lindashoob@aol.com
	Comment	Rather than inconvenience the same communities again with repeated Kill Van Kull deepening, why can't other ports be used instead? Please disclose why other ports were not chosen.		
	Response	See previous responses.		
126		Linda Cohen		lindashoob@aol.com
	Comment	If this proposal is accepted, how will Staten Island residents benefit? What do SI residents, who will be the most impacted, get from this? Where is the compensation?		
	Response	See previous responses.		
127		Elizabeth Balladares	Citizens Advisory Committee of the New York-New Jersey Harbor and Estuary Program (HEP CAC)	eballadares@hudsonriver.org
	Comment	Please find our comment letter and list of questions attached on the New York-New Jersey Harbor Deepening Channel Improvements (NYNJHDCI) Feasibility Study and Environmental Assessment on behalf of the Citizens Advisory Committee (CAC) of the New York-New Jersey Harbor and Estuary Program (HEP). We once again thank you for joining us in December to speak on this project and hope we can continue this conversation as the project continues to move further along.		
	Response	Comment noted.		
128		James Auger	Hapag-Lloyd (America), LLC	jim.auger@hlag.com
	Comment	Support letter		
	Response	Comment noted.		
		Eric Johansson	Towboat and Harbor Carriers Association of NY NJ	director@tbhca.com

129	Comment	Support letter		
	Response	Comment noted.		
130		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	We disagree with the conclusion of the Environmental Assessment of a Finding of No Significant Impact (FONSI), 2 that an Environmental Impact Statement (EIS) is not needed. We request that USACE prepare an EIS to fully examine the possible negative impacts (and the full range of mitigation activities for those impacts) the Project could have on the Harbor ecosystem and recreation activities.		
	Response	Comment Noted		
131		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	As we detail in this letter, an Environmental Assessment is insufficient for a project of this size, scope, and impacts. To adequately and legally protect natural resources, public enjoyment, and economic interests in New York and New Jersey, the NEPA review of the Project must include a full Environmental Impact Statement.		
	Response	Comment Noted		
132		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	There appears to be large gaps in the analysis of possible negative effects from the Project in the Draft IFR/EA, making the FONSI unconvincing. For a proposed project that covers a large area, would last for years, and occurs in a sensitive ecosystem within a heavily populated urban area, the Draft IFR/EA does not appear to satisfy the requirements under NEPA.		
	Response	Comment Noted		
133		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	The Draft IFR/EA does not evaluate the negative effects to the ecosystem or local communities from the large amount of seafloor blasting that would need to occur to fulfill the requirements of the Project. Many ocean and estuarine animals rely heavily on hearing for survival, so this is not a trivial issue. Likewise, loud and consistent noise has been extensively documented to negatively affect humans		
	Response	See Sections 2.18, 6.17, and 6.18 for information on noise and blasting.		
134		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	There appears to be gaps in analysis for, among other impacts, air quality and environmental justice, blasting, recreation, turbidity and toxins, dredge material evaluation, and the effect on storm surge from the Project. We go into further detail below on these topics.		
	Response	Comment noted.		
135		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	Surfrider is concerned about impacts to water quality, habitat, and wildlife from the disturbance of polluted sediment through dredging, especially to bottom dwellers, such as the endangered Atlantic and shortnose sturgeon, and winter flounder, and to the benthic community that lives on the seafloor, such as oysters, clams, and horseshoe crabs.		
	Response	See Section 6.15 and Appendix A6 for information regarding hazardous, toxic, and radioactive waste.		
136		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	The Draft IFR/EA mentions dangerous materials that could be uncovered during the dredging process, but does not go into detail about the process for safely managing those materials		
	Response	See previous responses.		
137		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	Surfrider is concerned about the increased turbidity that will result from this Project. The clarity of water is crucial to the ability of many species to navigate, find food, and avoid predators. Every mitigation technique available should be thoroughly examined before the Project moves forward.		
	Response	Increases in turbidity would be temporary in nature and are anticipated to result in minor levels of impact, primarily in the sediment plume, which should quickly settle due to the predominant sand sediments to be dredged. See Section 6.5 for additional information.		
138		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	The proposed dredging and ocean dumping of dredge spoils at the HARS site could negatively affect recreational activities in the Project area. These activities include fishing, pleasure boating, offshore wildlife viewing, whale watching, diving, beach going, bird watching, and various water sports such as swimming and surfing. Besides needing to be tested for harmful substances, sand compatibility is critical for safely placing spoils in recreation areas.		
	Response	Comment noted.		
139		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	Poorly crafted beach fill projects have been linked to increased swimmer injuries, as the sand placement may cause sharp drop offs into deep water. This allows larger waves to crash directly on the beach, rather than being broken up by nearshore sand bars.		
	Response	Comment noted.		
140		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	Surfrider completed a study in 2014 showing that each visit to the coast by a recreational user resulted in a \$56 contribution to the coastal economy in New York, and a \$74 contribution in New Jersey. That economy could be negatively impacted from this Project.		
	Response	Comment noted.		
141		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	It is not clear from reading the Draft IFR/EA what process would be created for evaluating dredge spoils for safe reuse or disposal. The Project area encompasses and interacts with areas that have historically been used for heavy industry (and "Superfund" sites), so a robust process for testing dredge spoils before they are reused or disposed of upland or in ocean areas such as the Historic Area Remediation Site (HARS), is critical.		
	Response	All dredging activity within the boundaries of present navigation channels would comply with current Water Quality Permits for the New York and New Jersey Harbor system of connected channels. Sediments will be tested in accordance with the Evaluation of Dredged Material for Discharge in Waters of the U.S. Testing Manual and the USACE Manual, Evaluation of Dredged Material Proposed for Disposal at Island, Nearshore, or Upland Confined Disposal Facilities – Testing Manual as well as State sampling requirements of the NJDEP, Appendix G of the Coastal Zone Management Regulations, N.J.A.C. 7:7, Department's Dredging Technical Manual and additionally, the NJDEP and NYDEC coordinated sediment sampling and analysis plan protocols for dredging and dredge material placement in NY and NJ, as previously utilized for sampling of USACE maintenance dredging projects and the Harbor Deepening Project, prior to commencement of dredging to ensure appropriate placement/disposal of dredged material.		
142		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	Insufficient analysis of storm surge is another analysis gap in the Draft IFR/EA. This issue is of critical concern given the dense, vulnerable communities--many of which are communities of color--surrounding the Harbor. USACE is relying on data and analysis from their 1999 evaluation of deepening the Harbor to evaluate this issue. Considering new data collection technology, changes to the harbor, and new information concerning climate change and sea level rise, relying on 22 year old data does not seem sufficient for a NEPA analysis.		
	Response	Previous deepening studies were not found to increase the risk of storm surge. Additional analyses will be conducted during Preconstruction Engineering and Design to ensure proper mitigation measures, if any, are properly implemented as a project cost.		
143		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	Air quality impacts appear to be the biggest environmental justice concern with the proposed Project. Although the USACE estimates that the Project will lead to less total ships entering the Harbor, the Draft IFR/EA reports a substantial increase in NOx, a well known pollutant that negatively impacts human health.		
	Response	There will be no net increase of regulated pollutant constituents in the project area during construction or for the life of the project due to implementation of the project. See CAA Appendix A5.		
144		Matt Gove	Surfrider Foundation	mgove@surfrider.org
	Comment	The claim by USACE that less total ships will enter the Harbor after the Project is completed is tenuous, as predicting what type and quantity of vessels will utilize the Harbor in the future is almost impossible. Indeed, the last deepening project was predicted to last decades longer than it has.		
	Response	Comment Noted		
145		Lars Oestergaard Nielsen	Maersk	lars.oestergaard.nielsen@maersk.com
	Comment	Support letter		
	Response	Comment noted.		
146		Guy Buzzoni	Global Container Terminals	gbuzzoni@globalterminals.com
	Comment	Support letter		

	Response	Comment noted.		
147		Gary Love	FAPS, Inc.	loveg@fapsinc.com
	Comment	Support letter		
	Response	Comment noted.		
148		Jesmond Spiteri	RORO Division, NYK Group Americas Inc.	jesmond.spiteri@nykgroup.com
	Comment	Support letter		
	Response	Comment noted.		
149		Patrick Thrasher	PANYNJ	PTHRASHER@panynj.gov
	Comment	Please see attached. We look forward to continuing our strong partnership and making this critical project happen!		
	Response	Comment noted.		
150		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	COA urges the U.S. Army Corps of Engineers (USACE) to require a full Environmental Impact Statement (EIS) to better assess environmental impacts, assess cumulative impacts, consider future projects in the same region, and conduct a careful assessment of all alternatives.		
	Response	Comment Noted		
151		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	COA firmly rejects our finding that the TSP will not "significantly adversely impact public health or safety, the quality of the human environment, threatened and endangered species, or state species of special concern."		
	Response	Comment Noted.		
152		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	failed to consider the meaningful evaluation of alternatives, specifically the "no action" alternative. Clean Ocean Action maintains that dredging beyond 50 feet is the point where marginal benefits begin. Based on the presented documents, the economic and environmental costs are not justified.		
	Response	Comment Noted		
153		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	lack of clear and convincing need for the deepening project, especially when compared to existing economic needs in the region that have dramatically increased due to the pandemic		
	Response	Comment Noted.		
154		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	failed to consider need for Congressional authorization and appropriations, as well as regional matching funds from New York and New Jersey		
	Response	Comment Noted.		
155		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	no detailed assessment of the impact of the pandemic on future markets and commerce, and the potentiality of more dependence on U.S. production rather than imports		
	Response	Comment Noted.		
156		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	lack of careful assessment of environmental impacts and consequences to local communities or ecosystems, including endangered species, especially from noise and resuspension of sediments. Relying on old environmental analyses is irresponsible and unacceptable. This EA must be rejected and a full EIS must be completed.		
	Response	Comment Noted. See Appendices A1, A4, A7, A11		
157		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	no detailed assessment of impact of climate change, including sea level rise impacts to the port and the region		
	Response	See Section 4.4 and Chapter 6 for additional information on climate change.		
158		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	incomplete, assumed, or unspecified dredged material management alternatives and options for 34 million cubic yards of material. The study makes broad characterizations of the material and fails to clearly identify beneficial reuses for the material. the sediments in-and-around the Port of New York and New Jersey is renowned for the legacy of contaminants they contain		
	Response	Comment Noted. See Appendix A13		
159		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	upland alternative assessments for dredged material management must have careful review and public support		
	Response	Comment Noted. See Appendix A13		
160		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	antiquated management options for dredged materials		
	Response	Comment Noted. See Appendix A13		
161		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	lack of consideration of the legacy of contaminants in-and-around the Port of New York and New Jersey. the NYNHDCI study indicates borings and laboratory test data from various channels from the late 1990s – more than 20 years ago – are being used to make determinations. This is scientifically indefensible and wholly unacceptable.		
	Response	Comment Noted. See Appendix A13		
162		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	expectant use of the Historic Area Remediation Site without due process. It is unacceptable to approve this study and project, and rely on studies to determine contamination of material after project approval. It must not wait until pre-construction.		
	Response	Comment Noted. See Appendix A13		
163		Kari Martin	Clean Ocean Action	KMartin@CleanOceanAction.org
	Comment	lack of public involvement. it is disappointing, at best, that neither the USACE or the Port Authority of New York and New Jersey (PANYNJ) sought input or participation from non-governmental organizations in the NY/NJ region, particularly those with a history of public involvement in these issues.		
	Response	Comment Noted. See Appendices A8, A9.		
		Gabriella Velardi-Ward, Coordinator	Coalition for Wetlands and Forests	SICWF2017@gmail.com

164	Comment	Environmental and Climate Change: Have you considered the threat of climate change, sea level rise, storm surge, torrential rain flooding and all of the other effects from climate chaos which we are now experiencing? What effect will this widening have on flooding on shoreline communities considering sea level rise? Where will the natural shore lines go? Will the shore communities have the opportunities to be protected by creating living shore lines, wetland, oyster beds or forests? If, as the draft suggests, this project will provide access to fully loaded vessels to unload their cargo, we will have hard shore lines and then I ask the above questions again.		
	Response	Comment Noted. See EA/Appendices		
165		Gabriella Velardi-Ward, Coordinator	Coalition for Wetlands and Forests	SICWF2017@gmail.com
	Comment	Air and water pollution: CWF is located in Granitville Staten Island. We are almost directly across Arthur Kill from the petroleum refineries on the coast of New Jersey. How will the dredging and widening of this body of water effect the toxic chemicals that have settled to the bottom of the water? In total there were 2.7 million pounds of chemicals released into the air by the refinery over the past 10 years. And over 25 million pounds of chemical released into the water.		
	Response	Comment Noted. See Appendices A2, A5, A13		
166		Gabriella Velardi-Ward, Coordinator	Coalition for Wetlands and Forests	SICWF2017@gmail.com
	Comment	Health of residents: There are many chemicals released into these bodies of water where your proposed work will take place. The north shore of Staten Island, frequently floods. The toxic waters from Kill van Kull and from Arthur Kill flows into people's homes. With this kind of action, blasting away rock to widen and deepen the waterway, will not be simply a discomfort for those living nearby. This can cause hearing loss, stress if it is constant as well as cracking in nearby homes. Please consider these factors.		
	Response	Comment Noted. See EA.		
167		Gabriella Velardi-Ward, Coordinator	Coalition for Wetlands and Forests	SICWF2017@gmail.com
	Comment	Recreation: Staten Island is an Island. Residents have not been able to enjoy recreational activities, swimming, fishing, kayaking etc., since there is so much pollution in the water		
	Response	Comment Noted. See Appendices A2, A3, A6, A13.		
168		Gabriella Velardi-Ward, Coordinator	Coalition for Wetlands and Forests	SICWF2017@gmail.com
	Comment	Natural shore line stabilization and protection: Protecting existing forests, marshes and wetlands and the establishment of oyster beds, not only stabilizes the shore line but also protects the residents from sea level rise and flooding. This project should not destroy these areas, whether publicly owned or privately owned.		
	Response	Comment Noted. See Appendices A2, A3, A4, A13.		
169		Gabriella Velardi-Ward, Coordinator	Coalition for Wetlands and Forests	SICWF2017@gmail.com
	Comment	I will leave it with this question: In light of climate change, is getting more goods into the hands of consumers, the best way to handle the climate crises we are currently in?		
	Response	Comment Noted. See Integrated Report/ EA, and all relevant appendices.		
170		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The EA does not fully discuss the impacts of port improvements at the Port Authority Elizabeth Marine Terminal to meet the new proposed depths.		
	Response	The PANYNJ port facility improvements, which are considered Federal Without Project Conditions (unrelated to the proposed Federal Action) are not authorized under the HDCI Study Authority, and are therefore not part of the proposed Federal Action under study.		
171		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	This impact assessment is required by the new Council of Environmental Quality National Environmental Policy Act regulations. The EA requires a more detailed environmental justice analysis and should incorporate thoughtful dialogue with the environmental justice community prior to the release of the EA.		
	Response	Comment Noted. See EA, and Appendices A8, A9, A11, A13		
172		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The EA does not fully discuss the impacts of port improvements at the Port Authority Elizabeth Marine Terminal to meet the new proposed depths.		
	Response	Comment Noted. See # 170		
173		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	EPA is aware of several sites on the north shore of Staten Island with environmental considerations that require discussion and evaluation regarding any sediment removal outside of the existing channel footprint, and consideration of hydrological changes that may be caused by the deepening project. Because of these and other issues, EPA cannot concur with a finding of no significant impact for the project.		
	Response	See revised EA and Appendices A4, A8, A9, A11, A13		
174		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	Page 8 and Page 89. Please note that EPA was not included in any interagency meetings after the November 19, 2019 initial interagency meeting.		
	Response	Comment Noted. See Appendices A8, A9.		
175		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	Figure 2 Please clarify whether ULCV's are using the Port of New York and New Jersey and clarify vessel size definitions.		
	Response	Clarifications have been made to the report.		
176		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	While the USACE has determined that hydrologic, salinity, and ecological modeling can be deferred to the Preconstruction Engineering and Design phase, EPA has several concerns. After the original 50' channel deepening, it is EPA's understanding that the Atlantic Salt facility on the Kill Van Kull suffered instability to its wharf. Without modeling of the removal of the shallow sediment in areas of the Kill Van Kull, there may be other facility wharves that may also fail, possibly releasing contaminated industrial soil into the water. This should be discussed and analyzed for public review during the environmental review process.		
	Response	See revised EA. There is no documentation to support EPA's assertion that construction of the 50' project caused any instability to the wharf.		
177		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	EPA is also concerned that while the USACE states that erosion of the shoreline will not be increased by the use of ULCVs, the document does not discuss whether the ULCV's will require more tugs to assist, and whether an increase in tugs will cause more shoreline erosion.		

	Response	See revised IR/EA.		
178		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	Tables 18, 19 and 21 state that "investment costs include the cost of mobilization, demobilization, the berth deepening associated cost..." The Port Authority of New York and New Jersey's Port Master Plan 2050 also describes the enhancement of berths and wharves to meet capacity needs. If the Port Authority of New York and New Jersey is going to reconstruct berths at the Port Authority Elizabeth Marine Terminal to meet the channel deepening requirements, these actions are part of the impacts of the NYNJHDCI project and must be analyzed as part of Environmental Justice. These would be "close and causal" relationship, as per the Council of Environmental Quality National Environmental Policy Act implementing regulations, Section 1508, (g) (2).		
	Response	The PANYNJ proposed berth deepening are part of the Federal Without Project Condition; these PANYNJ proposed actions at their facilities would occur regardless of the HDCI.		
179		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	EPA does not concur with the finding that there will be no disproportional impacts on communities with EJ concerns within the project's action area. As the EJ analysis conducted in the EA was broader in scope, the findings do not accurately reflect the localized effects of the blasting and drilling to the Staten Island North Shore communities. We are particularly concerned about the area along the Kill Van Kull Channel, which includes communities in the North Shore of Staten Island and the South Shore of Bayonne. EPA conducted an EJSscreen analysis of the action area along the Kill Van Kull Channel with a one-mile buffer.		
	Response	Comment Noted. See revised EA.		
180		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The one-mile buffer around the Kill Van Kull channel is at or above the 80th percentile in the nation for seven of the eleven EJ Indexes and at or above the 90th percentile in the nation for three of the EJ Indexes. Specifically, the area is in the 82nd percentile in the nation for the EJ Index for Traffic Proximity and Volume. This is concerning because these communities are already disproportionately affected by noise levels associated with traffic. Conducting a project that increases noise levels for these communities would further compound this issue.		
	Response	Comment Noted See revised EA.		
181		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	This area also contains particularly sensitive buildings such as schools and public housing development buildings. For example, Port Richmond High School within census block group 360850213005 is already in the 86th percentile in the nation for Traffic Proximity and Volume and is less than 0.5 km from the Kill Van Kull Channel where blasting may occur.		
	Response	Comment Noted.		
182		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	It is suggested that mitigation measures be instituted to assure that those at-risk populations, as well as all others, are protected from potential impacts. Additionally, there should be robust outreach and communication with the communities and populations in proximity to the project to assure that their concerns and needs are met, and that their interest and well-being are protected. Having an informed and engaged population helps to foster community buy-in.		
	Response	See revised EA and Appendix A8, A9, A13		
183		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	EPA recommends expanding this analysis to include consideration of linguistically isolated populations. EPA recommends that major project documents be translated into the appropriate languages, and public information sessions have translation capabilities, as needed.		
	Response	Comment Noted.		
184		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The EA does not include a discussion of, and potential impacts to, several contaminated sites nearby. Changes in depth to nearshore sediments on the Kill Van Kull may affect wharves and docks to these facilities.		
	Response	See revised EA and Appendices A6, A13.		
185		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The Archer-Daniels Midland Company Staten Island Warehouse site at 2393 Richmond Terrace on Staten Island was used by the Union Mini'ere du Haut-Katanga Company to store high-grade Belgian Congo uranium ore from 1939 to 1942. The Department of Energy is evaluating the site for radiological contamination and cleanup.		
	Response	Comment Noted.		
186		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The Jewett White Lead site at 2000-2012 Richmond Terrace is a New York State Superfund site located on the north shore of Staten Island that should be included in the EA analysis. While the on-site remedial actions are complete, residual lead soil contamination should be evaluated.		
	Response	Comment Noted.		
187		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The Storage Bins site at 2901 and 2945 Richmond Terrace was under the voluntary cleanup program in New York until 2012. The site contains lead, benzene and other hazardous substances and should be considered.		
	Response	Comment Noted.		
188		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	EPA also notes that there are chromate-contaminated sites on the Bayonne shore of the Kill Van Kull that should be considered.		
	Response	Comment Noted.		
		David Kluesner/Mark Austin	EPA	(212) 637-3954

189	Comment	While the document does present a general conformity applicability analysis and draft general conformity determination, please note that the final determination will need to be presented to the public for comment separately. EPA also notes that should dredged material need to be placed out of the region (e.g. Pennsylvania), all transportation emissions within the New York-Northern New Jersey-Long Island, NY-NJ-CT nonattainment area will need to be included in the general conformity determination.		
	Response	Comment Noted. See Appendix A5.		
190		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The volume of material to be removed as a result of the proposed plan is between 27 MCY and 33 MCY, yet the discussion of placement of dredged materials is limited to the following statement: "Dredged material will be beneficially used and placed either upland, at the Historic Area Remediation Site (HARS) or on a reef." EPA will reserve more specific comments until such a time as USACE has identified more detailed placement options for the quantities and types of material to be removed. EPA urges the USACE to contact the New York and New Jersey artificial reef managers to discuss the availability of these options.		
	Response	Comment Noted. See revised EA and Appendix A13.		
191		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	Concerning the potential placement of 22 MCY of materials at the HARS, USACE should coordinate as soon as possible with EPA Region 2 regarding this option. EPA is also concerned that upland disposal sites for non-HARS suitable material in the region may not be available in the near future. Upland placement costs may affect the project economics. In addition, EPA suggests that estimated volumes of hard clay be estimated, and any possible beneficial use of the clay be explored.		
	Response	Comment Noted.		
192		David Kluesner/Mark Austin	EPA	(212) 637-3954
	Comment	The USACE should discuss the NYNJHDCI project with EPA Region 2 regarding the Newark Bay Study Area of the Diamond Alkali Superfund Site. EPA is requesting that the USACE meet with the 5 project manager of the study as soon as possible to determine what, if any, information should be included in the EA.		
	Response	Comment Noted. See revised EA and Appendices A6, A13.		
193		Gregory Remoud	NY/NJ Baykeeper	732-888-9870
	Comment	"Finding of No Significant Impact" unsupported by EA and a detailed assessment of EJ and environmental impacts needs to be done		
	Response	Comment Noted. See revised EA and Appendices.		
194		Gregory Remoud	NY/NJ Baykeeper	732-888-9870
	Comment	Current EA does not include environmental justice concerns, and should include that impacted neighborhoods are environmental justice communities		
	Response	Comment Noted. See revised EA.		
195		Gregory Remoud	NY/NJ Baykeeper	732-888-9870
	Comment	Current study does not identify nearby superfund sites, including Arthur Midland Daniels Site that NSWCSI requests to be added. Noise, pollution and ship traffic unaddressed		
	Response	Comment Noted. See revised EA.		
196		Gregory Remoud	NY/NJ Baykeeper	732-888-9870
	Comment	Long range impacts on water quality from sediment dredging and channel deepening not considered in impact study		
	Response	Comment Noted. See revised EA and Appendices A2, A3.		
197		Rob Buchanan	Billion Oyster Project	rbuchanan@nyharbor.org
	Comment	Draft Comments Harbor Deepening (attached)		
	Response	Comments Noted.		
198		Rob Buchanan	Billion Oyster Project	rbuchanan@nyharbor.org
	Comment	as noted in comments, there does not seem to be any material in the draft that addresses the question of storm surge, aside from a brief reference in table 33. Presumably that question will be addressed in the final draft--but if so, how will you arrange for comments in advance?		
	Response	See previous responses.		
199		Pete Malinkowski	Billion Oyster Project	212-458-0800
	Comment	Current study doesn't mention history of dredging impacts on estuary and how current dredging would impact shipping traffic which would ultimately affect shoreline communities. Current study appears to "downplay" social and environmental concerns		
	Response	Comment Noted., See revised EA.		
200		Pete Malinkowski	Billion Oyster Project	212-458-0800
	Comment	Incomplete cost benefit analysis, BAP feels CBA assumptions are vague		
	Response	Comment Noted.		
201		Pete Malinkowski	Billion Oyster Project	212-458-0800
	Comment	If "ecosystems services" cannot be included in a cost benefit analysis by the corps, then it should be renamed "partial cost-benefit analysis"		
	Response	Comment Noted.		
202		Pete Malinkowski	Billion Oyster Project	212--458-0800
	Comment	Study only includes 1.9 acres of dredging but doesn't address the farther-reaching effects of dredging on oyster habitats		
	Response	Comment Noted. See revised EA.		
203		Pete Malinkowski	Billion Oyster Project	212-458-0800
	Comment	Absence of detailed hydrological modeling to show impact/lack of impact of widening channels on oyster habitats		
	Response	Comment Noted, See revised EA.		
204		Pete Malinkowski	Billion Oyster Project	212-458-0800
	Comment	Absence of discussion on storm surges and impact of deeper/wider channels on flood heights		
	Response	Comment Noted. See revised EA.		
205		Pete Malinkowski	Billion Oyster Project	212-458-0800
	Comment	In table 33 on page 90, at the beginning of Chapter 6 ("Environmental Impacts"), there is an entry entitled "Flood Height" with an "Action Project Alternative" finding of "No Effect," but there is no explanation or corresponding text. Was this section simply left out of the draft?		
	Response	Comment Noted See revised EA.		
206		Pete Malinkowski	Billion Oyster Project	212-458-0800
	Comment	Should go deeper into mitigation measures and environmental enhancements		
	Response	Comment Noted. See revised EA and Appendices A11, A13.		
207		Pete Malinkowski	Billion Oyster Project	212-458-0800
	Comment	"An expansion of the definition of mitigation for lost shallows and shorelines to include related restoration projects (eg, oysters, salt marshes, stream daylighting, maritime forests)"		
	Response	Comment Noted. See revised EA and Appendices A11, A13.		

		Pete Malinkowski	Billion Oyster Project	212-458-0800
208	Comment	Beneficial reuse of dredged and blasted materials as a required element of the plan		
	Response	Comment Noted. See revised EA and Appendix A13.		
		Pete Malinkowski	Billion Oyster Project	212-458-0800
209	comment	Federal funding (rather than pushing some or all of that cost onto local fiscal partners) for that reuse, with support for pilot projects sponsored by community groups and small nonprofits		
	response	Comment Noted. See revised EA and Appendix A13.		
		Pete Malinkowski	Billion Oyster Project	212-458-0800
210	Comment	The establishment of an Environmental Benefits Fund (EBF) for damages and changes caused by the deepening, with funding for community-based restoration and public access programs		
	Response	Comment Noted. See revised EA.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
211	Comment	Impacts of larger diesel-fueled ships on health of residents not addressed		
	Response	Comment Noted.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
212	Comment	FAQ slides on CAC website not answered		
	Response	Comment Noted.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
213	Comment	What are the metrics used to determine job increases due to deepening channels		
	Response	The study uses the US Army Corps of Engineers Regional Economic System (RECONS) model to estimate employment effects from the proposed action. RECONS is the USACE-certified model designed to provide estimates of regional economic impacts and contributions associated with USACE projects. RECONS uses the IMPACT analysis for PLANNING (IMPLAN®) software and data system, provided by the Minnesota IMPLAN Group, to estimate the economic impact or contribution of Civil Works spending and associated economic effects of USACE programs and infrastructure. IMPLAN customizes regional input-output (IO) models to provide estimates of output (sales), employment, income, and gross regional product effects in a specified location. IMPLAN includes IO multipliers for 536 industry and government sectors, allowing for a detailed examination of economic effects on specific sectors. For this study, regional effects are estimated based on project first costs. The RECONS model uses detailed multipliers customized to the study area to estimate employment effects resulting from the project expenditures and not the effects of the recommended plan itself after construction is completed. Employment data reported includes both full-time and part-time job estimates and, therefore, is standardized to Full Time Equivalent (FTE) measures.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
214	Comment	Were any alternatives assessed that would have less environmental impact?		
	Response	See Chapter 4 for information on plan formulation and alternative development.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
215	Comment	How did the Corps assess EJ concerns and what are the mitigation measures to protect public health		
	Response	Comment Noted.. See revised EA.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
216	Comment	Where is the hydrological modeling and when will it be available to the public? Hydrological modeling should include direct impact area as well as less proximate areas of the harbor		
	Response	Comment Noted. See revised EA.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
217	Comment	What modeling was done to determine that erosion and increased sedimentation won't adversely effect wetlands		
	Response	Comment Noted. See revised EA.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
218	Comment	Include specific studies that demonstrate channel deepening does not lead to increased flood height		
	Response	Comment Noted. See revised EA.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
219	Comment	What are the mitigation measures for increased flood heights and what is the process for deciding how much to spend on mitigation efforts		
	Response	Comment Noted. See revised EA and Appendices A11, A13.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
220	Comment	What is the impact on wildlife? Not only from blasting but also dredging and long-term impacts of such noise pollution on their population/health.		
	Response	Comment Noted. See revised EA.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
221	Comment	What kind of impacts will the NJ marshes, that this project will run adjacent to, experience?		
	Response	Comment Note. See revised EA and Appendix A11.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
222	Comment	How do we know these mega ships moving about the harbor will not have detrimental effects the surrounding shorelines, old and decrepit bulkheads, and smaller ships tied to piers (affected by hard pulls as these mega ships go by)?		
	Response	Comment Noted. See revised EA.		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
223	Comment	Will the speed of the vessels impact erosion		
	Response	Comment Noted. See revised EA		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
224	Comment	What is the dispersal of sediment that occurs adjacent to the dredged area that isn't captured by the dredge bucket?		
	Response	Comment Noted. See revised EA		
		CAC NY-NJ HEP	Citizens Advisory Committee	meredith@nynjbaykeeper.org
225	Comment	What is the Corps' best estimate for the cost of flooding during Sandy? What is the estimate for the cost of the last foot of flooding?		
	Response	Comment Noted. See revised FR/EA.		
		Cortney Koenig Worrall, President and CEO	Waterfront Alliance	
226	Comment	We support the tentatively selected plan to deepen the pathways to Elizabeth Port Authority Marine Terminal and Port Jersey-Port Authority Marine Terminal to the maximum extent proposed, by 5 feet to a maintained depth of -55 feet MLLW.		
	Response	Comment Noted.		
		Cortney Koenig Worrall, President and CEO	Waterfront Alliance	

227	Comment	It is essential that the Federal Channels allow for full utilization of the capacity of this fleet, and dredge now to the maximum proposed depth of 55feet. To that end, we encourage: 1. maximizing the safety, efficiency and capacity of the navigational channels 2. allowing vessels to maximize their load factor while allowing adequate clearance and 3. aligning channel depths with the draft of the largest vessels capable of passing under the Verrazano Narrows and Bayonne Bridges.	
	Response	Comment Noted.	
228	Comment	Cecilia Kushner	NYCEDC
	Response	Will USACE update the environmental assessment in accordance with any changed regulations? Regarding NEPA 2020 updates The FR/EA follows the Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act, published in the Federal Register on July 16, 2020, and affects all documents, including this one, published on or after September 14, 2020 (85 FR 43304).	
229	Comment	Cecilia Kushner	NYCEDC
	Response	Will USACE seek to understand sediment composition in specific channels, particularly those near residential environmental justice communities, along the project area instead of the harbor as a whole? Comment Noted. See revised EA.	
230	Comment	Cecilia Kushner	NYCEDC
	Response	How will USEPA study findings intersect with NYNJ HDCINS DI FR/EA and ensure the project does not exacerbate any existing environmental injustices? Comment Noted. See revised EA and Appendix A6.	
231	Comment	Cecilia Kushner	NYCEDC
	Response	Chapter 6: Table 33, Summary of Impacts Comment Noted.	
232	Comment	Cecilia Kushner	NYCEDC
	Response	Conclusions that EJ communities will not be disproportionately impacted merits further analysis. Comment Noted. See revised EA.	
233	Comment	Cecilia Kushner	NYCEDC
	Response	Plan to monitor vibration in historic structures around site but what about other bulings in blast area? Comment Noted. See revised EA.	
234	Comment	Cecilia Kushner	NYCEDC
	Response	USACE should consider monitoring of vibrations in EJ Communities in the buffer zone in figure 6-1 and set aside a compensation fund for damages to homes of people living in EJ Areas due to blasting from the project. Comment Noted. See revised FR/EA.	
235	Comment	Cecilia Kushner	NYCEDC
	Response	The City of New York strongly urges USACE to pursue technical approaches that directly reduce NOx emissions in these communities or within the industry itself such as the programs described in 6.15.2 Comment Noted. See revised EA and Appendix A5.	
236	Comment	Cecilia Kushner	NYCEDC
	Response	Further analysis is warranted on impact of vibration on surrounding communities. And impact measures applied Comment Noted. See revised EA.	
237	Comment	Cecilia Kushner	NYCEDC
	Response	City requests USACE re-examine the plan to include Howland Hook Marine Terminal. Comment Noted. See revised IR/EA.	
238	Comment	Beryl Thurman	NSWCSI
	Response	We would like to begin by stating that we have no idea how the writers of the above-mentioned document can possibly think that they are able to Gaslight us. How can you draft a document of this size and not once mention that the waterfront communities that are adjacent to what will be by its completion a 34-year-old harbor deepening and widening project, are in fact Environmental Justice Communities? Low-income communities and communities of color. How can you omit this fact from this document? Comment Noted. See revised EA.	
239	Comment	Beryl Thurman	NSWCSI
	Response	There are so many omissions in this document that we have no choice but to demand that the ACOE abandon this FONSI, FR and EA and do a complete Environmental Impact Statement Comemnt Noted. See revised EA.	
240	Comment	Beryl Thurman	NSWCSI
	Response	We find using the terminology of "Finding of No Significant Impact" in relationship to the Environmental Justice Communities and People of Staten Island's North Shore extremely subjective on the parts of the ACOE and highly offensive. Comment Noted. See revised EA.	
241	Comment	Beryl Thurman	NSWCSI
	Response	there are so many omissions in this document that anyone reading it, who had never set foot on Staten Island's North Shore would never have an inkling of the many environmental hazards and environmental issues that our communities and people face each day. This FONSI, RF/EA even omits your own proposed remediation of the (ADM) Archer Daniels Midland Company (Richmond Terrace Radioactive Warehouse) Manhattan Project Site. Comment Notes. See revised EA.	
242	Comment	Beryl Thurman	NSWCSI
	Response	Anyone reading the EA would never know of the financial burdens from property damages that your previous harbor deepening and widening projects left behind for residents, churches, schools, and businesses to deal with. Leaving us with no means in terms of resources to rebound with. Because once again these are Environmental Justice Communities which means we are low income and people of color. Comment Noted. See revised IR/EA.	
243	Comment	Beryl Thurman	NSWCSI
	Response	Resources are not something that we have access to! And as we have stated before insurance companies to do not pay out on damage claims that are caused by harbor blasting, dredging, deepening, and widening projects from nearby navigational waterways. Comment Noted. See revised IR/EA.	
244	Comment	Beryl Thurman	NSWCSI
	Response	Clearly this project which was designed and written for the benefit of the NY /NJ Port Authority and for Regional Planning and has never had any intentions of being fair in its treatment to the adjacent Environmental Justice Communities. From the beginning the NY/NJ Port Authority, (your partners) objective was getting our officials to sign onto this project with false promises of jobs for Staten Islanders. This trickery was nothing more than steps in pushing this project through. As those good paying, skilled labor, union jobs never materialized for the people that live in the Environmental Justice Communities where these projects are taking place. Comment Noted. See revised IR/EA.	
		Beryl Thurman	NSWCSI

245	Comment	As for the Public Comment Period that you are trying to rush through it is just another sham because based on past Public Comments where we stated our Environmental Justice issues and concerns. And to which you ignored by saying they were not relevant to these projects.		
	Response	Comment Noted. See revised IR/EA.		
246		Beryl Thurman	NSWCSI	
	Comment	It is a matter of common sense that in order for there to be environmental improvements and benefits, then all mitigations need to take place in the Environmental Justice Communities where these projects are taking place and not elsewhere. The ACOE has had 20 years to do mitigations for our Environmental Justice Communities and our environment. There were a thousand and one things that you could have done that would have provided direct benefits to us during this project. But instead, you have chosen to do nothing.		
	Response	Comment Noted. See revised IR/EA.		
247		Beryl Thurman	NSWCSI	
	Comment	We would say that in your actions towards Staten Island's North Shore Environmental Justice Communities and people, that you have missed your mark in terms of your Mission.		
	Response	Comment Noted. See revised IR/EA.		
248		Beryl Thurman	NSWCSI	
	Comment	An Environmental Assessment does not have to be extremely wordy, but it does need to be accurate and forthcoming in the information that is in it. Once again, an Environmental Impact Statement is necessary for this project.		
	Response	Comment Noted. See revised EA.		
249		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com
	Comment	Be advised we have strong concerns regarding the study and we disagree with your finding of no significant impact. The proposed project will have significant impacts to people, fisheries, structures, waterfront parks, air quality, health and general welfare of NY NJ regional communities. We were at Public meeting on December 3, 2020, we were participants, we thank you and your team for your efforts and presentation. We note that the project sponsor rep did not address why the 'deep water' port of South Brooklyn was eliminated from previous deepening, and had no legitimate answer as to why it did not occur, because now all the focus is on widening and deepening the narrowest waterway, the Kill Van Kull. Short sighted, to say the least. We have a copy of your fact sheet, from August 1999 wherein you had a phase 2 deepening to 44 feet below mean low water.		
	Response	Comment Noted. See revised EA.		
250		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com
	Comment	ACOE is charged with protecting whales, but as you stated, in many cases, whales are maimed or killed by ship propellers. Also, why now mention of harbor seals which transverse these same channels that you are seeking to widen, blast dredge and harm the marine environment? ACOE makes the assumption that the sturgeon will be able to quickly move away when it senses pending blasting. The sturgeon is a large languishing fish carrying heavy plates, it cannot swim fast! And their gills are not protected from the excessive turbidity caused by sediment disturbance. Significant impacts. ACOE goes on to state ' level of impacts cannot be projected', cause for grave concern.		
	Response	Comment Noted. See revised EA.		
251		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com
	Comment	I've witnessed the blasting firsthand, about 15 years ago. There was a series of bells and flashing lights, then the earth shake. Earth trembled beneath my feet for over 5 seconds. Gulls moved in to feast on dozens of stunned disorientated fish. We are deeply dismayed in in these days of jangled nerves you are considering blasting, and still considering blasting at night. People pets and wildlife will be harmed by the blasting, and structural and mechanical damage to homes and businesses will result We respectfully request, if this project goes forward, that the sponsor set up a Natural Resource Damage account ', wherein NGO's and USFWS, and NOAA, can draw down funds for projects of NY NJ Baykeeper and Hackensack Riverkeeper to fund restorations.		
	Response	Comment Noted. See revised EA.		
252		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com
	Comment	When the sponsors went to 50 depth we were told that there would be no further Blasting in the Kill Van Kull, and that South Brooklyn marine terminals would be considered for shipping the channel for South and west Brooklyn would require less destructive means for deepening). Now 10 years later, ACOE and sponsor are seeking to blast, excavate and remove bedrock at the bottom of the Kull and other areas. Using these destructive methods disrupts lives, we think your ' Finding of No Significant Impact' (FONSI) is not accurate. ACOE is changed (mandated) by law to protect Marine Mammals, and there are pygmy dolphins, humpback whales, seals and bottle nose dolphins that use the marine waters in question. How is ACOE prepared to ' step up your game' when the action you propose will harm marine mammals? Will you warn them sonically and visually to stay away from the ' work zones'?		
	Response	Comment Noted. See revised EA.		
253		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com
	Comment	Why is there no mention of Environmental Justice for the North Shore of Staten island? The communities of Mariners Harbor, Elm Park , West Brighton, Port Richmond , New Brighton will bear the burnt of noise , air pollution, disruptions, but ACOE makes no reference to helping these communities. To top it off, Howland Hook of Staten Island is not being considered for inclusion in your project		
	Response	Comment Noted. See revised EA.		
254		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com
	Comment	ACOE/ Sponsor state that the economic impact of shipping for the region is billions of dollars, necessitating the work. We are not sure of the modeling and formulas used to arrive at 50 billion dollars. Why are rail transport of goods and supplies being excluded from the regional distribution? ACOE already acknowledges the proposed action will release 50 tons of poisonous particulate per year that residents of Staten Island will inhale. It's too dangerous with our region fully stressed out from a pandemic, Covid 19.		
	Response	Comment Noted. See revised EA.		
255		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com
	Comment	We note ACOE directs us to a 2013 EFH summary report please note, there were numerous deficiencies and omissions in the 2013 report, we disagree with your assumption that an 8 year old report is valid today. Why are only winter flounder eggs /larvae considered valuable? There is value, and food-fish value in all fish and shellfish, and mollusks also. Why is there no listing for striped bass ? Or kingfish, puffers, weakfish, menhaden, mullet , shad ? Your proposed mitigation has seasonal restrictions ending May 31 for some species, where is info on the autumn migrations? Why no mention of blue crab and the threatened horseshoe crab? Fishermen are allowed to harvest blue crab from the Arthur Kill. No mention of lobster?		
	Response	Comment Noted. See revised EA and Appendix A4.		
256		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com
	Comment	The turbidity and sediment suspension from channel deepening and widening is NOT compatible with CWA guidelines. The most complex toxic substances will be resuspended into the marine waters, causing physiological damage to invertebrates and finfish alike. 4- ' Factual' Determination, ' table of compliance', please note that self determination of full compliance with CWA standards is questionable. Table 2, Potential Impacts, suspended particulate, turbidity' not significant' is a mistruth. We have photos and sketched ACOE images of the plumes caused by dredging, and the fish kills that follow.		
	Response	Comment Noted. See revised EA and Appendix A2.		
		James Scarcella	Natural Resources Protective Association	nrpa2@aol.com

257	Comment	2.2 Hydrology Paragraph 2 ‘ ‘ The Hudson River flows south.....’. Please note the Hudson River is inter-tidal! It flows both ways! Further, Diamond Alaki contaminants did not stay in one place, they are fully dispersed through Newark bay, the KVK, and the Arthur Kill. It’s dangerous for ACOE to re-suspend nerve damaging sediment. Significant Impacts!	
	Response	Comment Noted. See revised EA	
258	Comment	James Scarcella	Natural Resources Protective Association nrpa2@aol.com
	Response	Fish n Wildlife Act: Good letter to USFWS of NJ and NY, is there any acknowledgment back to ACOE from NY (Mr Stilwell)? Please advise. Comment Noted. See revised EA and Appendix A7.	
259	Comment	James Scarcella	Natural Resources Protective Association nrpa2@aol.com
	Response	Environmental Coordination: Please attach letters of correspondence with DEC Region 2. At present, your documents show no correspondence with DEC NY State, which seems unlikely. Comment Noted. See revised EA and Appendices A8, A9.	
260	Comment	James Scarcella	Natural Resources Protective Association nrpa2@aol.com
	Response	Cultural Resources: 8- Summary 4 ‘ deepening mentions Faber Park in Port Richmond within the 500 foot blast zone, be advised Faber park bulkhead is already severely damaged from ship wakes, storms, scour. A portion of the park is unusable due to ACOE actions. Please explain how ACOE and sponsor will fix the damage. We request Sponsor pay to have the bulkhead replaced, funds available in Resource damage trust fund that is needed for your project. Why does your list not include Arlington Marsh, Bowman’s Brooks, and Richmond Terrace Waterfront park? We request inclusion of these sites. Comment Noted. See revised FR/EA.	
261	Comment	James Scarcella	Natural Resources Protective Association nrpa2@aol.com
	Response	Coastal Zone Management Item 13 ‘ Construction of erosion protection structures shall be undertakenonly when attempting to control erosion for 30 years.....’ ACOE states this is not applicable because ‘ there are no erosion controls in the project area’. This is totally false! There are erosion control bulkheads along the KVK, especially at Snug Harbor, that have been severely damaged by channel activity! It’s time ACOE recognized that the channel depth allows for greater wave height and larger wakes, that smash, scour and obliterate bulkheads and erosion control. If ACOE and sponsor do not recognize this scientific fact, the project should not move forward. We request 3000 ‘ of bulkhead replacement at Snug Harbor. Comment Noted. See revised EA and Appendix A3	
262	Comment	James Scarcella	Natural Resources Protective Association nrpa2@aol.com
	Response	Air Quality We thank you for acknowledging the 50 tons of NOx to be released. Be advised this constitutes a Significant Impact. The project equipment, machinery, and tools discharge particulates that the people of Staten Island North Shore breathe every day, many have asthma and bronchitis. The proposed project will make air quality worse. Will your contractors stop work on air quality ‘ Non Attainment’ days? Or limit noxious activity on the ‘dog days’ of summer? It doesn’t seem likely. Therefore instead of Mitigation of an air quality issue, the project actions will make air quality worse, a Significant Impact. Comment Noted. See revised EA and Appendix A5.	
263	Comment	James Scarcella	Natural Resources Protective Association nrpa2@aol.com
	Response	To summarize: The proposed project is an expensive, high impact undertaking with limited economic benefits to our region. The sponsor needs to tell the operations manager of shipping facilities that our port is at capacity. We support the deepwater port of South Brooklyn, and the army terminal. We support shipping and the jobs it provides. We do not support destroying our marine environment, damage to homes and businesses, damages to people’s lungs and nerves. We fully disagree with your tables on page 4, FONSI, wherein ‘Flood Levels’ and ‘Coastal Zone Management’ are included as ‘ Resource unaffected by action’. We request a Full Draft Environmental Impact Statement, not this clearly inadequate ‘ Environmental Assessment ’ that’s been provided, thus far. As our analysis shows, there are too many damaging actions planned to have the current proposal move forward. Comment Noted. See revised IR/EA.	
264	Comment	Division of Land Resource Protection	NJDEP Suzanne.Biggin@dep.nj.gov
	Response	DLRP does not foresee any problems that would preclude issuance of a Federal Consistency determination/WQC for the NYNJHDCI, provided that the USACE submits a Federal Consistency/WQC request for the final selected project design and the Division can confirm that the proposed project is consistent with its Coastal Zone Management rules. Comment Noted.	
265	Comment	Division of Land Resource Protection	NJDEP Suzanne.Biggin@dep.nj.gov
	Response	As the project design moves forward, DLRP recommends that the USACE consider the beneficial use of dredged material for use in engineering with nature projects and artificial reef sites in New Jersey, as well as the potential use of the material in beach nourishment projects along the Raritan Bayshore region. Proposed placement of dredged material may also require authorization through a federal consistency determination or permit as applicable. Concur.	
266	Comment	Division of Land Resource Protection	NJDEP Suzanne.Biggin@dep.nj.gov
	Response	DLRP recommends that the NY/NJ Regional Dredging Team be reconvened in the early stages of the project development. This will ensure that there will be adequate placement capacity for non-HARS suitable dredged material at upland sites in New Jersey and New York, and to maximize beneficial use of the remaining dredged material at the HARS, artificial reef sites, habitat restoration projects, and beach nourishment projects. Concur.	
267	Comment	Division of Land Resource Protection	NJDEP Suzanne.Biggin@dep.nj.gov
	Response	The Draft FR/EA should be revised to reflect the New Jersey and New York sampling protocols that exist for the NY/NJ Harbor Complex. The FR/EA will be revised prior to final release to include the State sampling protocols.	
268	Comment	Division of Land Resource Protection	NJDEP Suzanne.Biggin@dep.nj.gov
	Response	It is recommended that the USACE work with the NJDEP Division of Fish and Wildlife to develop a comprehensive, mutually agreed upon, fisheries and avian species environmental windows for the entire project. Concur.	
		Division of Land Resource Protection	NJDEP Suzanne.Biggin@dep.nj.gov

269	Comment	Appendix A3, Coastal Zone Management Act – It is noted that New Jersey Coastal Zone Management Regulations are now contained within N.J.A.C. 7:7 et. seq. and not N.J.A.C. 7:7E et seq. The Coastal Zone Management Act document within the Feasibility Study/Environmental Assessment should be updated to reflect the nomenclature and rule text accordingly		
	Response	The FR/EA will be revised prior to final release to reflect the appropriate citation.		
270		Division of Land Resource Protection	NJDEP	Suzanne.Biggins@dep.nj.gov
	Comment	It is requested that the USACE quantify the impacts to intertidal/subtidal shallows that will occur from -4 feet below MLLW and shallower as well as -6 feet below MLLW impacts from the		
	Response	USACE will quantify the impacts to -4 feet below MLLW, and include these results in the Final FR/EA.		
271		Division of Coastal Engineering	NJDEP	William.Dixon@dep.nj.gov
	Comment	The DCE recommends that all dredged material that is suitable for beach nourishment be prioritized for beneficial reuse along New Jersey's Raritan & Sandy Hook Bayshore and/or Atlantic coast (list follows).		
	Response	Comment Noted.		
272		Division of Coastal Engineering	NJDEP	William.Dixon@dep.nj.gov
	Comment	If direct placement of suitable sand is found to be cost prohibitive, sand should be deposited at the Sea Bright borrow area in lieu of HARS. The Sea Bright borrow area would require less transit time than HARS, which would result in a cost savings to the government and non-federal sponsor(s). Furthermore, USACE anticipates that there is currently an insufficient quantity of suitable sand available in the Sea Bright borrow area to sustain the 50-year authorization of the Sea Bright to Manasquan Project. End dumping/Depositing material at the Sea Bright borrow area for future utilization would be especially beneficial to the Sea Bright to Manasquan project for this reason.		
	Response	Comment Noted.		
273		Division of Coastal Engineering	NJDEP	William.Dixon@dep.nj.gov
	Comment	All stone-type dredge material that is suitable for structural purposes, including revetments, jetties, groins, seawalls, living shorelines, etc. should be prioritized for beneficial reuse along New Jersey's Raritan & Sandy Hook Bayshore and/or Atlantic coast (list follows).		
	Response	Comment Noted.		
274		Division of Fish and Wildlife	NJDEP	Kelly.Davis@dep.nj.gov
	Comment	Finfish migratory pathways- recommended February 1 – May 31 timing restriction		
	Response	USACE will Coordinate with NJDEP DFGW to determine BMPS using best available information.		
275		Division of Fish and Wildlife	NJDEP	Kelly.Davis@dep.nj.gov
	Comment	Endangered or threatened wildlife or plant species habitats- Shortnose and Atlantic sturgeon recommended February 1 – May 31 timing restriction		
	Response	USACE will coordinate with NJDEP DFGW to determine BMPS using best available information.		
276		Division of Fish and Wildlife	NJDEP	Kelly.Davis@dep.nj.gov
	Comment	The MFA recommends a timing restriction of February 1 – May 31 to protect anadromous species spawning activities. Important finfish species may be impacted such as striped bass, American Shad, alewife and blueback herring, Atlantic sturgeon, and Short-nose sturgeon, the stocks of all of these anadromous species have been determined to be imperiled to varying degrees.		
	Response	USACE will Coordinate with NJDEP DFGW to determine BMPS using best available information.		
277		Division of Fish and Wildlife	NJDEP	Kelly.Davis@dep.nj.gov
	Comment	The MFA recommends that all best management practices are used to reduce the resuspension of contaminated sediments. The Final EA would benefit from the USACE providing more recent data on resuspension of harmful chemicals from dredging contaminated sediments and details from the mitigation plan for intertidal and subtidal shallows.		
	Response	Concur. Additionally, more information on sediments will be available during the PED and CO phases of the project.		
278		Division of Fish and Wildlife	NJDEP	Kelly.Davis@dep.nj.gov
	Comment	Potential impacts need to be determined using the latest whale/sea turtle sightings for the area, it looks as though they have New York data as late as 2019. ENSP would agree that the NMFS provided recommendations in their Biological Assessment will help mitigate impacts. Every effort will be made to ensure that no marine mammals or sea turtles are in the vicinity prior to blasting along with adherence to the NMFS North Atlantic Right Whale seasonal timing restrictions in appropriate areas.		
	Response	Concur.		
279		Historic and Cultural Resources	NJDEP	Jesse.West-Rosenthal@dep.nj.gov
	Comment	As indicated in the documentation submitted, the proposed project will require consultation with the New Jersey Historic Preservation Office (HPO), pursuant to Section 106 of the National Historic Preservation Act, for the identification, evaluation and treatment of historic properties within the project's area of potential effects. The USACE has already initiated consultation with the HPO pursuant to the USACE's obligations under Section 106 of the National Historic Preservation Act of 1966, as amended, and it's implementing regulations, 36 CFR §800. If additional consultation with the HPO is needed for this undertaking, please reference the HPO project number 20-0127 in any future calls, emails, submissions or written correspondence to help expedite your review and response.		
	Response	Concur.		
280		Air Quality	NJDEP	Angela.Skowronek@dep.nj.gov
	Comment	If changes to the project and selected plan are made after additional analysis is completed, please revise the Overall Project Emission Estimates (22 September 2020) and the General Conformity-Related Emission Estimates Draft in Attachment A of Appendix A5 Clean Air Act/Draft Conformity Determination (Appendix A5) to reflect these changes. The emissions estimates for this project are above the de minimis levels in 40 CFR 93.153(b)(1) (Applicability) of the Federal General Conformity regulation and the air emissions must be fully offset. At this time, the de minimis levels are based on the Serious Classification for Ozone in the Northern New Jersey-New York-Connecticut nonattainment area. Mitigation is the preferred method to offset the air emissions generated from this project.		
	Response	Concur.		
281		Air Quality	NJDEP	Angela.Skowronek@dep.nj.gov
	Comment	Please clarify if the air emissions associated with the dredged material transportation and placement at an upland site, or at the HARS, or on a reef, are accounted for in the Overall Project Emission Estimates (22 September 2020 Draft) and in the General Conformity – Related Emission Estimates Draft in Attachment A of Appendix A5. If these air emissions are not accounted for, please revise the emission estimates in Appendix A5 to include them.		
	Response	Emission estimates will be revised throughout the life of the construction of the projects. All revisions and updates etc will be coordinated with and through the RAT.		
282		Air Quality	NJDEP	Angela.Skowronek@dep.nj.gov
	Comment	Please clarify if the air emissions associated with the additional 2 feet of dredging required for rock-bottomed or hard-bottomed areas are accounted for in the Overall Project Emission Estimates (22 September 2020) and in the General Conformity-Related Emission Estimates Draft in Attachment A of Appendix A5. If these emissions are not accounted for, please revise the estimates in Appendix A5 to include them.		
	Response	Emission estimates are based upon the Recommended Plan, as identified in the draft (TSP) and final report.		
		Air Quality	NJDEP	Angela.Skowronek@dep.nj.gov

283	Comment	Section 5.4 - Uncertainty and Additional Analysis - The Draft FR/EA states, "Additional analysis will be completed after the draft integrated report is released to refine assumptions and confirm the national economic development plan." See comment 17: If changes to the project and selected plan are made after additional analysis is completed, please revise the Overall Project Emission Estimates (22 September 2020) and the General Conformity-Related Emission Estimates Draft in Attachment A of Appendix A5 Clean Air Act/Draft Conformity Determination (Appendix A5) to reflect these changes.	
	Response	Noted. See above responses.	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
284	Comment	Section 5.4 - Uncertainty and Additional Analyses - The Draft FR/EA states, "It is not anticipated that any single refinement will affect the identification of the national economic development plan. However, refinements to multiple assumptions may jointly have an impact. Assumptions that will be reconsidered relate to...blasting, disposal and berth deepening." See comment 17: If changes to the project and selected plan are made after additional analysis is completed, please revise the Overall Project Emission Estimates (22 September 2020) and the General Conformity-Related Emission Estimates Draft in Attachment A of Appendix A5 Clean Air Act/Draft Conformity Determination (Appendix A5) to reflect these changes.	
	Response	Noted. See above responses.	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
285	Comment	If modifications to the selected plan are prescribed by the Chief of Engineers, please revise the Overall Emission Estimates (22 September 2020) and the General Conformity-Related in Attachment A of Appendix A5 to reflect these changes.	
	Response	Noted. See above responses.	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
286	Comment	Appendix A5 in the Draft FR/EA states, "USACE has coordinated this determination with the New Jersey Department of Environmental Protection (NJDEP), the New York State Department of Environmental Conservation (NYSDEC), and Region 2 of the U.S. Environmental Protection Agency (EPA)." Coordination meetings with NJDEP, NYSDCE and EPA (Regional Air Team) resumed on December 15, 2020. Please revise this statement to indicate that coordination has been initiated by the USACE and that discussions on meeting the Federal General Conformity requirements for this project have begun.	
	Response	Noted. See above responses. Additionally, the imminent status of the HDCI study was pre-coordinated with the RAT prior to the initiation of the study, as well as with both affected states and	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
287	Comment	nonattainment for the 2008 ozone National Ambient Air Quality Standard. Since the New York-Northern New Jersey-Long Island (NY-NJ-CT) nonattainment area has been reclassified to serious nonattainment, NJDEP strongly recommends mitigation measures that provide "real reductions" should be implemented to meet the requirements of the Federal General Conformity regulation. Based on experience with the 50-foot New York/New Jersey Harbor Deepening Project, NJDEP recognizes that technical delays can occur and that purchasing credits to meet the requirements of the Federal General Conformity regulation may be an option to address these delays.	
	Response	Noted.	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
288	Comment	Appendix 5 in the Draft FR/EA states, "USACE will demonstrate conformity with the New York and New Jersey State Implementation Plans by utilizing the emission offset options listed below. The demonstration can consist of any combination of options and is not required to include all options or any single option to meet conformity. The options (which are abbreviated here) for meeting general conformity requirements include the following: a. Emission reductions from project and/or non-project related sources in an appropriately close vicinity to the project location. b. Use of Surplus NOx Emission Offsets (SNEOs) generated under the Harbor Deepening Project (HDP) and/or subsequent projects for which SNEOs have been produced. c. Development of a Marine Vessel Engine Repower Program (MVERP) which replaces older, higher emitting marine engines with cleaner engines, the delta in emissions being used to offset project emissions. d. Use of Cross-State Air Pollution Rule (CSAPR) ozone season NOx Allowances with a distance ratio applied to allowances, similar to the one used by stationary sources. e. Rescheduling the project by elongating the construction schedule so as not to exceed the 100 tons per year threshold for NOx in any one calendar year. This option is least likely to be exercised." Comment 25 (above) also applies to this portion of the project. The generation and use of SNEOs should be in accordance with the Final Surplus NOx Emission Offset Protocol Program (May 2014). This project is not scheduled to begin construction until approximately 2024, which affords an opportunity to develop mitigation measures that will provide "real reductions" which will benefit the surrounding communities. NJDEP supports the Corps commitment to develop an MVERP program to meet the requirements of the Federal General Conformity regulation.	
	Response	Noted. See above responses.	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
289	Comment	Based on prior experience with the 50-foot NY/NJ Harbor Deepening Project and due to the unpredictable nature of the dredge-related construction, NJDEP recommends that monthly updates on the air emissions estimates should be provided to the Regional Air Team to ensure that the project meets the requirements of the Federal General Conformity regulation.	
	Response	Noted.	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
290	Comment	Attachment A: Documentation of General Conformity Related Emission Estimates - Please cite the sources that were used to obtain the emission factors for the marine equipment (dredges, tugs and marine vessels).	
	Response	Noted.	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
291	Comment	The 50-foot New York/New Jersey Harbor Deepening Project added 10% to the annual estimated emissions estimates as a contingency measure to prevent shortfalls and to ensure that the project would meet the requirements of the Federal General Regulation. Please clarify if 10% will be added to the annual estimated emissions estimates as a contingency measure. NJDEP recommends that 10% should be added to the annual estimated emissions to ensure compliance with the Federal General Conformity regulation. What other contingency measures will be put in place to ensure compliance if 10% is not added to the annual estimated emissions?	
	Response	Noted. See above responses.	
		Air Quality	NJDEP Angela.Skowronek@dep.nj.gov
292	Comment	Appendix B1: Channel Design - 6.3.2 - HARS Suitable and Non-HARS Suitable Material Appendix B states, "Non-HARS suitable material will be disposed of at an upland disposal site; HARS suitable sediments will be disposed of at the HARS." Comment 19 above also applies to this portion of the project: Please clarify if the air emissions associated with the dredged material transportation and placement at an upland site, or at the HARS, or on a reef, are accounted for in the Overall Project Emission Estimates (22 September 2020 Draft) and in the General Conformity - Related Emission Estimates Draft in Attachment A of Appendix A5. If these air emissions are not accounted for, please revise the emission estimates in Appendix A5 to include them.	
	Response	The Recommended Plan, which includes placement site assumptions, accounts for placement activity emissions, as required.	
		Air Quality	NJDEP Kris.Dahl@dep.nj.gov
293	Comment	All on-road vehicles and non-road construction equipment operating at, or visiting, the construction site shall comply with the three-minute idling limit, pursuant to N.J.A.C. 7:27-14 and N.J.A.C. 7:27-15. Consider purchasing "No Idling" signs to post at the site to remind contractors to comply with the idling limits (purchase location provided).	
	Response	Noted.	
		Air Quality	NJDEP Kris.Dahl@dep.nj.gov
294	Comment	All non-road diesel construction equipment greater than 100 horsepower used on the project for more than ten days should have engines that meet the USEPA Tier 4 non-road emission standards, or the best available emission control technology that is technologically feasible for that application and is verified by the USEPA or the CARB as a diesel emission control strategy for reducing particulate matter and/or NOx emissions.	
	Response	Noted.	
		Air Quality	NJDEP Kris.Dahl@dep.nj.gov

295	Comment	All on-road diesel vehicles used to haul materials or traveling to and from the construction site should use designated truck routes that are designed to minimize impacts on residential areas and sensitive receptors such as hospitals, schools, daycare facilities, senior citizen housing, and convalescent facilities.		
	Response	Noted.		
296		Air Quality	NJDEP	Kris.Dahl@dep.nj.gov
	Comment	While entering and leaving the project area, trucks should avoid neighborhoods as much as possible.		
297		Air Quality	NJDEP	Jeffrey.Meyer@dep.nj.gov
	Comment	Stationary construction equipment may require air pollution permits. The applicant should review the requirements of N.J.A.C. 7:27-8.2(c) 1-21 for stationary permitting requirements.		
298		Air Quality	NJDEP	Jeffrey.Meyer@dep.nj.gov
	Comment	Dust emissions either windblown or generated from construction equipment should be controlled to prevent offsite impacts. The applicant should also be aware of potential offsite impacts of odors pursuant to N.J.A.C. 7:27-5.		
299		Division of Water Quality	NJDEP	Dwayne.Kobesky@dep.nj.gov
	Comment	If a surface water discharge becomes necessary during construction (i.e., dewatering), a NJPDES Discharge to Surface Water permit will be needed (see letter for specific permit determination).		
300		Mark Austin	U.S. Environmental Protection Agency	
	Comment	The EA does not fully discuss the impacts of port improvements at the Port Authority Elizabeth Marine Terminal to meet the new proposed depths. This impact assessment is required by the new CEQ NEPA regulations.		
301		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	The EA requires a more detailed environmental justice analysis and should incorporate thoughtful dialogue with the environmental justice community prior to the release of the EA.		
302		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	EPA is aware of several sites on the north shore of Staten Island with environmental considerations that require discussion and evaluation regarding any sediment removal outside of the existing channel footprint, and consideration of hydrological changes that may be caused by the deepening project.		
303		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	Page 8 and Page 89. Please note that EPA was not included in any interagency meetings after the November 19, 2019 initial interagency meeting.		
304		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	Figure 2 defines a Very Large Container Carrier as holding 11,000 to 15,000 TEUs, and Ultra Large Container Carriers as holding 18,000 TEUs and above. Page 39 also states that "The Port and industry tend to use the terms "very large container vessel (VLCV)" to describe vessels with TEU capacity between 11,000 and 15,000 TEU and "ultra large container vessel (ULCV)" to describe vessels with TEU capacity of 18,000 to 21,000 TEU." At the same time, page 39 states that ULCV are calling at the Port of New York and New Jersey, using the CMA CGM Theodore Roosevelt, which has a capacity of 14,400 TEUs as an example of a ULCV. Please clarify whether ULCV's are using the Port of New York and New Jersey and clarify vessel size definitions.		
305		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	While the USACE has determined that hydrologic, salinity, and ecological modeling can be deferred to the Preconstruction Engineering and Design phase, EPA has several concerns. After the original 50' channel deepening, it is EPA's understanding that the Atlantic Salt facility on the Kill Van Kull suffered instability to its wharf. Without modeling of the removal of the shallow sediment in areas of the Kill Van Kull, there may be other facility wharves that may also fail, possibly releasing contaminated industrial soil into the water. This should be discussed and analyzed for public review during the environmental review process.		
306		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	...while the USACE states that erosion of the shoreline will not be increased by the use of ULCVs, the document does not discuss whether the ULCV's will require more tugs to assist, and whether an increase in tugs will cause more shoreline erosion.		
307		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	Tables 18, 19 and 21 state that "investment costs include the cost of mobilization, demobilization, the berth deepening associated cost..." The Port Authority of New York and New Jersey's Port Master Plan 2050 also describes the enhancement of berths and wharves to meet capacity needs. If the Port Authority of New York and New Jersey is going to reconstruct berths at the Port Authority Elizabeth Marine Terminal to meet the channel deepening requirements, these actions are part of the impacts of the NYNJHDCI project and must be analyzed as part of Environmental Justice. These would be "close and causal" relationship, as per the Council of Environmental Quality National Environmental Policy Act implementing regulations, Section 1508, (g) (2).		
308		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	Noise and vibration effects on communities with EJ concerns (see Sheet 2 for more details) - ...It is suggested that mitigation measures be instituted to assure that those at-risk populations, as well as all others, are protected from potential impacts. Additionally, there should be robust outreach and communication with the communities and populations in proximity to the project...		
309		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	EPA recommends expanding this analysis to include consideration of linguistically isolated populations. EPA recommends that major project documents be translated into the appropriate languages, and public information sessions have translation capabilities, as needed.		
310		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
	Comment	EPA can work with the USACE to provide a more detailed EJ analysis for the NYNJHDCI project.		

		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
311	Comment	The EA does not include a discussion of, and potential impacts to, several contaminated sites nearby (See Sheet 3 for more details).		
	Response	These sites will be added to the appendix and EA.		
		Mark Austin	U.S. Environmental Protection Agency	
312	Comment	While the document does present a general conformity applicability analysis and draft general conformity determination, please note that the final determination will need to be presented to the public for comment separately. EPA also notes that should dredged material need to be placed out of the region (e.g. Pennsylvania), all transportation emissions within the New York-Northern New Jersey-Long Island, NY-NJ-CT nonattainment area will need to be included in the general conformity determination.		
	Response	The District will continue to coordinate all CAA compliance activities with the Regional Air Team (RAT), and in accordance with the GCR mandates		
		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
313	Comment	The volume of material to be removed as a result of the proposed plan is between 27 MCY and 33 MCY, yet the discussion of placement of dredged materials is limited to the following statement: "Dredged material will be beneficially used and placed either upland, at the Historic Area Remediation Site (HARS) or on a reef." EPA will reserve more specific comments until such a time as USACE has identified more detailed placement options for the quantities and types of material to be removed. EPA urges the USACE to contact the New York and New Jersey artificial reef managers to discuss the availability of these options. Concerning the potential placement of 22 MCY of materials at the HARS, USACE should coordinate as soon as possible with EPA Region 2 regarding this option. EPA is also concerned that upland disposal sites for non-HARS suitable material in the region may not be available in the near future. Upland placement costs may affect the project economics. In addition, EPA suggests that estimated volumes of hard clay be estimated, and any possible beneficial use of the clay be explored.		
	Response	The DMMP will be updated during PED, and we are looking into estimating the volume of clay.		
		Mark Austin	U.S. Environmental Protection Agency	(212) 637-3954
314	Comment	The USACE should discuss the NYNJHDCI project with EPA Region 2 regarding the Newark Bay Study Area of the Diamond Alkali Superfund Site. EPA is requesting that the USACE meet with the project manager of the study as soon as possible to determine what, if any, information should be included in the EA.		
	Response	We are coordinating with the NBSA team bi-monthly.		