



**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 A8: Coordination & Correspondence



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 7, 2019

Planning Division

Captain Jason Tama
Commander
Sector New York
212 Coast Guard Drive
Staten Island, NY 10305

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study

Dear Captain Tama:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the Port Authority of New York and New Jersey (PANYNJ), is undertaking a feasibility study to examine measures to improve navigation within the constructed 50-foot New York and New Jersey Harbor. The study area is the constructed 50 foot New York and New Jersey Harbor that is located south of Manhattan, New York City, along the northern portion of Atlantic Seaboard, approximately 200 miles south of Boston, Massachusetts. The study area is located in New York's 7th, 8th, 10th, and 11th congressional districts. It consists of a network of federally improved channels and anchorages.

The feasibility study will analyze alternatives for navigation improvements related to potential channel modification. As part of the feasibility study, the District will prepare environmental compliance documents pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The NEPA documents will evaluate environmental impacts from reasonable project alternatives, including the No Action Alternative, and determine the potential for significant impacts related to potential features being considered for this study, including, but not limited to, widening, bend-easing, and/or deepening the existing navigation channel's dimensions.

Construction of the 50 foot New York and New Jersey Harbor Deepening Project (HDP) was completed in 2016. In March 2018, an Initial Appraisal Report, compliance with Section 216 of WRDA 1970 was completed to determine if there is potential Federal interest to undertake modifications to the existing HDP. The Initial Appraisal Report found "the accelerating expansion of the volume of trade that has taken place over the recent past has led to the design vessel [the Regina Maersk] in the New York and New Jersey Harbor Navigation Study being superseded in use in the [Port of New York and New Jersey] much sooner than anticipated in the 1999 Study." The Initial Appraisal Report made the recommendation to "investigate and determine if there is a Federal interest in continuing the project with the preparation of cost-shared feasibility

report for analyzing alternatives to address the identified problems though possible modifications of the [HDP].”

The primary problem is that existing constructed project is insufficient in meeting the variety of functions (requires containerships to light-load and face tide delays) that they are used for as part of normal harbor operations, which reduces vessel safety and cargo transportation efficiency. The purpose of channel improvements within NYNJ Harbor is to achieve transportation cost savings for vessels transiting study area channel segments. As containerships with greater capacity and deeper sailing drafts replace the fleet currently calling NYNJ Harbor, depth-related transportation costs will increase. Without improvements, ships at NYNJ Harbor will not realize economies of scale afforded by the larger container ships currently calling and projected to call in the future. Tide restrictions, light loading, or other operational inefficiencies will be compounded by the future fleet. The Kill Van Kull Channel only allows one direction traffic movement, which frequently necessitates that vessels wait to enter the channel in an anchorage, or, if they are larger than 11,000 TEU, in the Ambrose Channel or ocean. Vessels that are lightering at Gravesend and Red Hook Flats are light-loading due to anchorage depth.

The team is in the preliminary stages of the feasibility study and environmental impact analysis, and does not yet have a detailed timeline. As part of the environmental review process for this project, the District is required by law¹ to identify, as early as practicable, any federal and non-federal agencies that may have an interest in the project, and invite such agencies to become participating agencies in the environmental review process². This letter is a formal invitation to participate as a cooperating agency for the Study.

Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Attendance at and input during agency coordination meetings
- Comment and feedback on the schedule, overall scope of the NEPA document(s), significant issues to be evaluated, environmental impacts, study and assessment methodologies, range of alternatives and proposed compensatory mitigation, if applicable

¹ Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), as amended

² Designation as a "participation agency" or "cooperating agency" does not imply that the participating agency supports the proposed project or has any jurisdiction over, or special expertise concerning the proposed project or its potential impacts. A "participating agency" differs from a "cooperating agency," which is defined in regulations implementing the National Environmental Policy Act as "any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment" 40 CFR 4 - 1508.5.

- Guidance on relevant technical studies required as part of the NEPA analysis
- Identification of issues related to your agency's jurisdiction by law and special expertise
- Participation, as appropriate, at public meetings and hearings
- Timely review of the administrative and public drafts of the Draft Integrated Feasibility Report (IFR)/NEPA document and Final IFR/NEPA document;
- Providing staff support at the lead agency's request to enhance the latter's interdisciplinary capability.

As a cooperating agency, you have the right to expect that the NEPA document will enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the NEPA document(s) will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation.

If your agency does not wish to be a cooperating agency, your agency still has the opportunity to become a participating agency in the environmental review process. As a participating agency, you will be afforded the opportunity, together with the public, to be involved in defining the purpose of and need for the project, as well as in determining the range of alternatives to be considered for the project. These opportunities will build on the early participation opportunities that were provided during the Alternatives Analysis process. In addition, you will be asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate;
- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

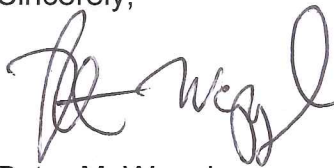
Your agency does not have to accept this invitation to be a cooperating agency or a participating agency. If, however, you elect not to become a cooperating agency, you must decline this invitation in writing, indicating that your agency has no jurisdiction or authority with respect to the project, no expertise or information relevant to the project, or does not intend to submit comments on the project³. The declination may be transmitted electronically to Mr. Jesse Miller, Project Biologist at Jesse.L.Miller@usace.army.mil.

³ Per Section 1005 of WRRDA 2017, which amends Section 2045 of WRDA 2007

In order to give your agency adequate opportunity to weigh the relevance of your participation as either a cooperating agency or a participating agency or both in this environmental review process, written response to this invitation is not due until thirty days upon receipt of this letter. Details will follow regarding further coordination on this project. An interagency meeting/conference call will be scheduled in the coming weeks.

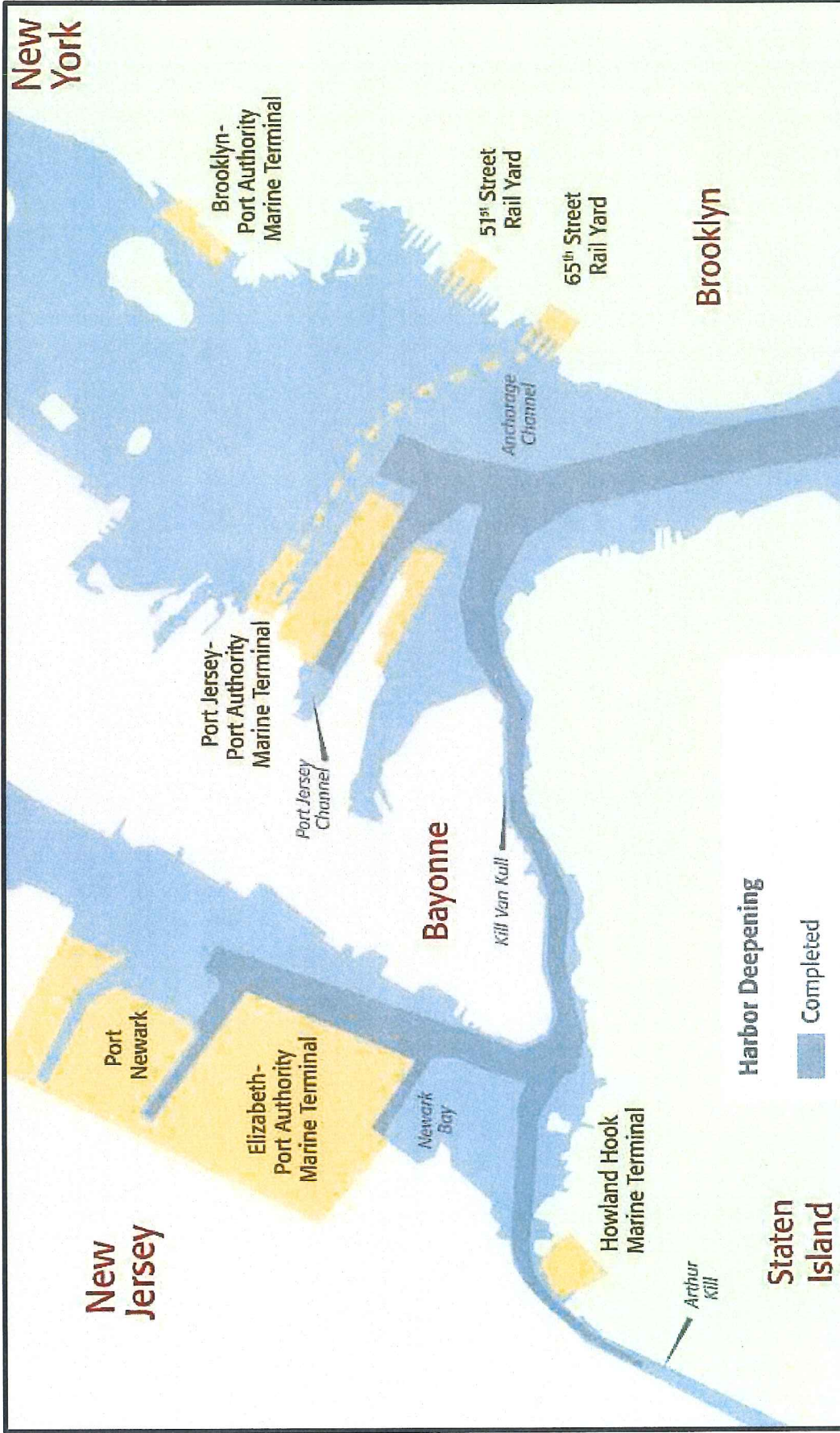
The District looks forward to your response to this request and your role as a cooperating or participating agency on this study. If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study process, please contact Mr. Miller at (917) 790-8604 or email above.

Sincerely,

A handwritten signature in dark ink, appearing to read "P. Weppeler", written in a cursive style.

Peter M. Weppeler
Chief, Environmental Analysis Branch

Enclosure Study Area Map



New York-New Jersey Harbor Deepening Channel Improvements

October 2019



**U.S. Department of
Homeland Security**

**United States
Coast Guard**



Commander
United States Coast Guard
Sector New York

212 Coast Guard Drive
Staten Island, NY 10305
Staff Symbol : (s)
Phone: (718) 354-2353
Email: Joshua.W.Buck@uscg.mil

16591
December 2, 2019

Department of the Army
U.S. Army Corps of Engineers, New York District
Attn: P. M. Weppler
Jacob K. Javits Federal Building
26 Federal Plaza
New York, NY 10278-0090

Dear Mr. Weppler,

This is in response to your October 7, 2019 letter inviting the U.S. Coast Guard to serve as a cooperating agency for the New York and New Jersey Harbor Deepening Channel Improvement Feasibility Study. I am pleased to accept your agency's invitation. U.S. Coast Guard Sector New York personnel will make every effort to attend project meetings, and if unable to attend in person, will participate via teleconference or webinar as practicable.

We expect to assess the safety of navigation in and adjacent to the proposed deepening and channel improvement area, and provide analysis and recommendations to address potential interference with navigation or U.S. Coast Guard missions.

Additionally, as a cooperating agency, we are prepared to work with you on executing and satisfying our responsibilities under the National Environmental Policy Act. We expect that all navigational and other concerns will be addressed under appropriate sections of the Environmental Assessment.

If you have any questions or concerns, Mr. Jeff Yunker of my Waterways Management staff will be the primary point of contact. Mr. Yunker can be reached at (718) 354-4195, or at jeffrey.m.yunker@uscg.mil.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. P. Tama".

J. P. TAMA
Commander, Sector New York
U.S. Coast Guard



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 7, 2019

Planning Division

Pete Lopez
Regional Administrator
U.S. Environmental Protection Agency
Region 2
290 Broadway
New York, New York 10007-1866

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study

Dear Mr. Lopez:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the Port Authority of New York and New Jersey (PANYNJ), is undertaking a feasibility study to examine measures to improve navigation within the constructed 50-foot New York and New Jersey Harbor. The study area is the constructed 50 foot New York and New Jersey Harbor that is located south of Manhattan, New York City, along the northern portion of Atlantic Seaboard, approximately 200 miles south of Boston, Massachusetts. The study area is located in New York's 7th, 8th, 10th, and 11th congressional districts. It consists of a network of federally improved channels and anchorages.

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Federal interest in continuing the project with the preparation of cost-shared feasibility report for analyzing alternatives to address the identified problems though possible modifications of the [HDP].”

The primary problem is that existing constructed project is insufficient in meeting the variety of functions (requires containerships to light-load and face tide delays) that they are used for as part of normal harbor operations, which reduces vessel safety and cargo transportation efficiency. The purpose of channel improvements within NYNJ Harbor is to achieve transportation cost savings for vessels transiting study area channel segments. As containerships with greater capacity and deeper sailing drafts replace the fleet currently calling NYNJ Harbor, depth-related transportation costs will increase. Without improvements, ships at NYNJ Harbor will not realize economies of scale afforded by the larger container ships currently calling and projected to call in the future. Tide restrictions, light loading, or other operational inefficiencies will be compounded by the future fleet. The Kill Van Kull Channel only allows one direction traffic movement, which frequently necessitates that vessels wait to enter the channel in an anchorage, or, if they are larger than 11,000 TEU, in the Ambrose Channel or ocean. Vessels that are lightering at Gravesend and Red Hook Flats are light-loading due to anchorage depth.

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Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Attendance at and input during agency coordination meetings
- Comment and feedback on the schedule, overall scope of the NEPA document(s), significant issues to be evaluated, environmental impacts, study and assessment methodologies, range of alternatives and proposed

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- compensatory mitigation, if applicable
- Guidance on relevant technical studies required as part of the NEPA analysis
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- Participation, as appropriate, at public meetings and hearings
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As a cooperating agency, you have the right to expect that the NEPA document will enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the NEPA document(s) will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation.

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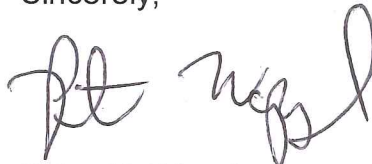
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Jesse.L.Miller@usace.army.mil.

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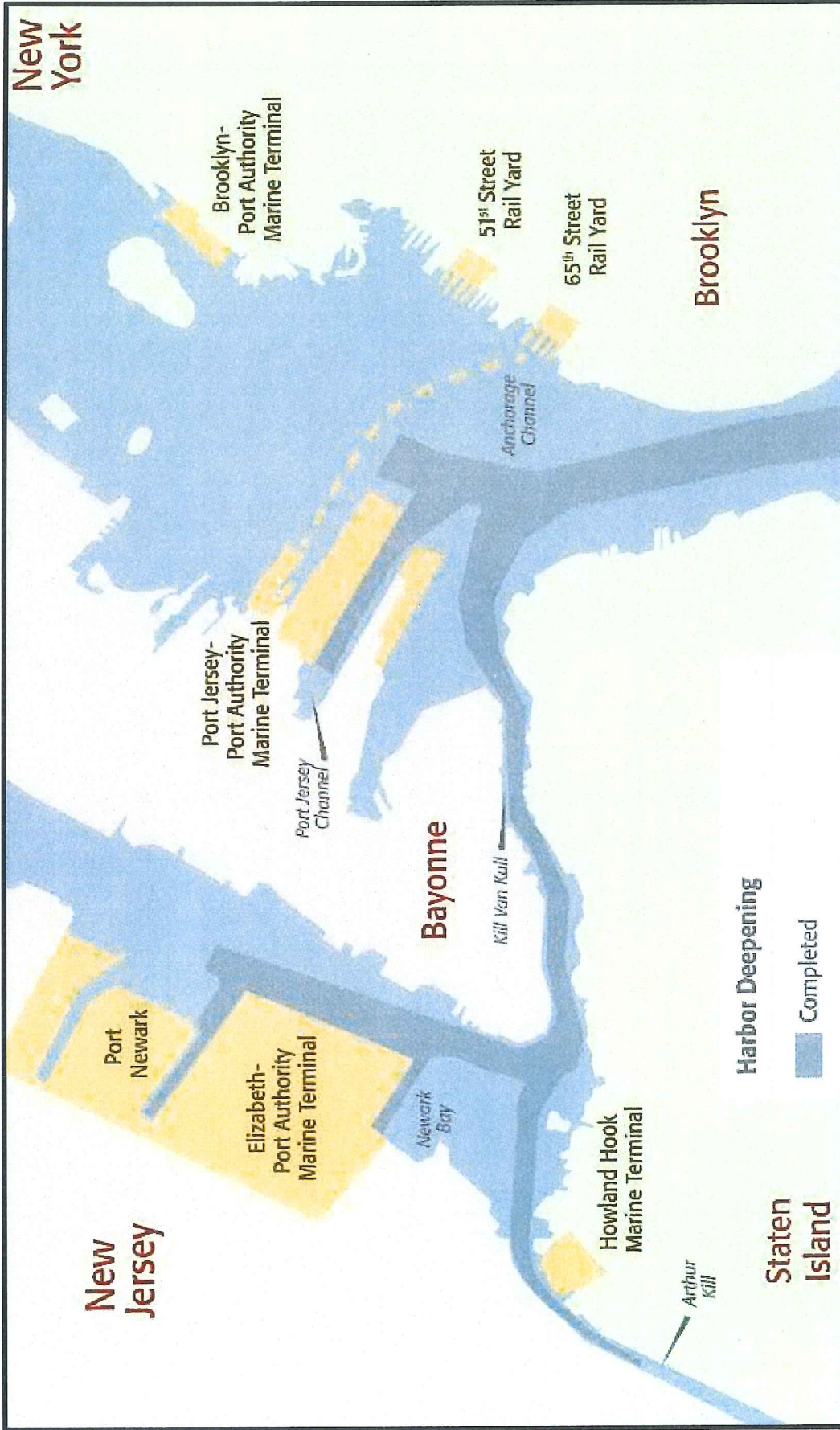
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Peter M. Weppeler
Chief, Environmental Analysis Branch

Enclosure Study Area Map

cc:

Kluesner – Acting Regional NEPA Coordinator



New York-New Jersey Harbor Deepening Channel Improvements

October 2019



US Army Corps
of Engineers
New York District



THE PORT AUTHORITY OF NY & NJ



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

October 16, 2019

Peter M. Wepler, Chief
Environmental Analysis Branch
U.S. Army Corps of Engineers
New York District
26 Federal Plaza, 17th floor
New York, NY 10278-0090

Re: New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study

Dear Mr. Wepler:

This is in response to your October 7, 2019 letter inviting the U.S. Environmental Protection Agency (EPA) to serve as a cooperating agency for the New York and New Jersey Harbor Deepening Channel Improvement Feasibility Study. EPA is pleased to accept your agency's invitation. EPA will make every effort to attend all project meetings. However, in those instances where we cannot physically attend, if conference lines are made available, we would be happy to participate by telephone or webinar.

We would like to remind you that our participation does not preclude our review under the National Environmental Policy Act and comment authority under Section 309 of the Clean Air Act. We look forward to working with you on this project, and to reviewing the preliminary environmental documents that you will prepare.

If you have any questions, please contact Lingard Knutson of my staff at (212) 637-3747. Ms. Knutson will be the main point of contact for this project.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "D. W. Kluesner", is written over the typed name.

David Kluesner, Acting Director
Strategic Programs Office



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 7, 2019

Planning Division

Michael Pentony
Regional Administrator
Greater Atlantic Region Fisheries Office
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study

Dear Mr. Pentony:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the Port Authority of New York and New Jersey (PANYNJ), is undertaking a feasibility study to examine measures to improve navigation within the constructed 50-foot New York and New Jersey Harbor. The study area is the constructed 50 foot New York and New Jersey Harbor that is located south of Manhattan, New York City, along the northern portion of Atlantic Seaboard, approximately 200 miles south of Boston, Massachusetts. The study area is located in New York's 7th, 8th, 10th, and 11th congressional districts. It consists of a network of federally improved channels and anchorages.

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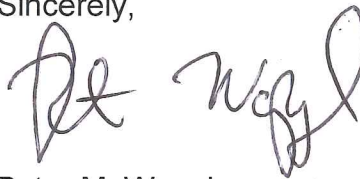
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Jesse.L.Miller@usace.army.mil.

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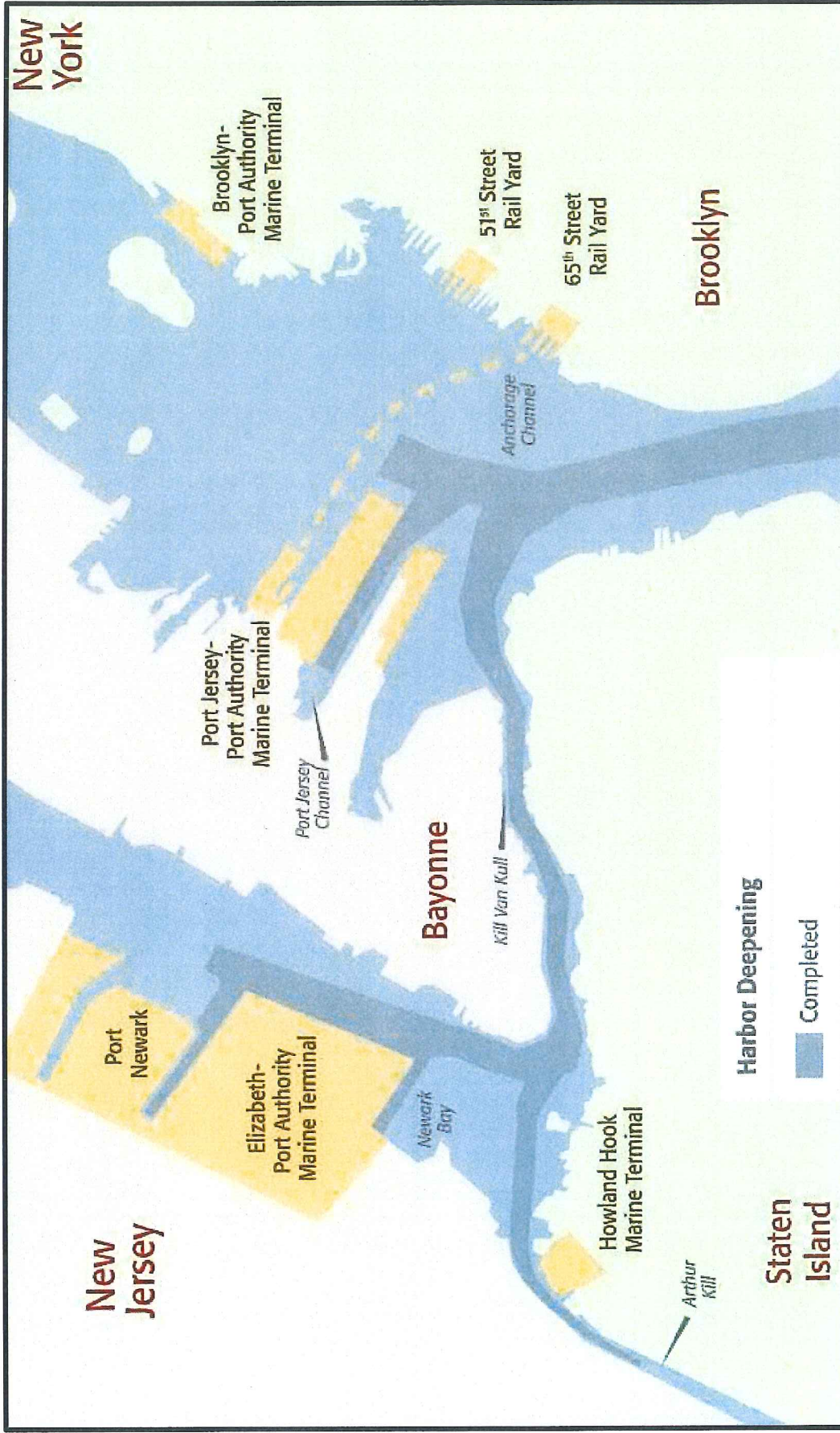
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Peter M. Wepler
Chief, Environmental Analysis Branch

Enclosure Study Area Map

cc:

Greene – Mid-Atlantic Field Office
Chiarella – Habitat Conservation
Murray-Brown – Section 7



New York-New Jersey Harbor Deepening Channel Improvements

October 2019



US Army Corps
of Engineers
New York District



THE PORT AUTHORITY OF NY & NJ



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

Peter Weppler, Chief
Environmental Analysis Branch
New York District
U.S. Army Corps of Engineers
26 Federal Plaza
New York, NY 10278-0900

OCT 21 2019

RE: New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study, Cooperating Agency Invitation

Dear Mr. Weppler:

Thank you for your October 7, 2019, letter inviting us to be a cooperating agency on the preparation of environmental documents pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, regarding the feasibility study to examine measures to improve navigation within the constructed 50-foot New York and New Jersey Harbor (NYNJ Harbor). The study area consisted of a network of federally improved channels and anchorages within the NYNJ Harbor including channels within the Arthur Kill, Kill van Kull, Newark Bay and Upper Bay. Because this project is covered under the provisions of Section 1005 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014), we accept your invitation to become a cooperating agency for this project.

Our role and degree of involvement is dependent on existing staff and fiscal resources, and our contribution to the process will be limited to participating in project meetings and providing written comments in response to your documents prepared as part of the National Environmental Policy Act (NEPA) process. We will provide technical information identifying aquatic species and habitats of concern, identification of issues to be considered and evaluated during the NEPA process and guidance on evaluating, avoiding, and minimizing project effects to our trust resources. At this time, we are unable to undertake any data collection, conduct analyses or to prepare any sections of the NEPA document as our staff and resources are fully committed to other obligatory programs of NOAA Fisheries.

Please note that our involvement as a cooperating agency does not constitute an endorsement of this project, nor does it obviate the need for consultations required under the Magnuson-Stevens Fishery Conservation and Management Act, Fish and Wildlife Coordination Act, and the Endangered Species Act.

We look forward to working with you and your staff as the project moves forward. If you have any questions regarding this matter, please contact Karen Greene in our Highlands, NJ field office at 320 872-3023 or karen.greene@noaa.gov for information regarding essential fish



habitat and other trust resources, or Edith Carson-Supino in our Protected Resources Division at (978) 282-8490 or edith.carson-supino@noaa.gov regarding threatened and endangered species listed by us under the ESA.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis A. Chiarella". The signature is fluid and cursive, with a long horizontal stroke at the end.

Louis A. Chiarella
Assistant Regional Administrator
for Habitat Conservation

cc: ACOE – J. Miller
J. Gallo
NMFS– M. Murray-Brown
E. Carson-Supino
K. Greene
D. Younkens



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
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October 7, 2019

Planning Division

Wendi Weber
Regional Director
U.S. Fish and Wildlife Service
Northeast Regional Office
300 Westgate Center Drive
Hadley, MA 01035-9587

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study

Dear Ms. Weber:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the Port Authority of New York and New Jersey (PANYNJ), is undertaking a feasibility study to examine measures to improve navigation within the constructed 50-foot New York and New Jersey Harbor. The study area is the constructed 50 foot New York and New Jersey Harbor that is located south of Manhattan, New York City, along the northern portion of Atlantic Seaboard, approximately 200 miles south of Boston, Massachusetts. The study area is located in New York's 7th, 8th, 10th, and 11th congressional districts. It consists of a network of federally improved channels and anchorages.

The feasibility study will analyze alternatives for navigation improvements related to potential channel modification. As part of the feasibility study, the District will prepare environmental compliance documents pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The NEPA documents will evaluate environmental impacts from reasonable project alternatives, including the No Action Alternative, and determine the potential for significant impacts related to potential features being considered for this study, including, but not limited to, widening, bend-easing, and/or deepening the existing navigation channel's dimensions.

Construction of the 50 foot New York and New Jersey Harbor Deepening Project (HDP) was completed in 2016. In March 2018, an Initial Appraisal Report, compliance with Section 216 of WRDA 1970 was completed to determine if there is potential Federal interest to undertake modifications to the existing HDP. The Initial Appraisal Report found "the accelerating expansion of the volume of trade that has taken place over the recent past has led to the design vessel [the Regina Maersk] in the New York and New Jersey Harbor Navigation Study being superseded in use in the [Port of New York and New Jersey] much sooner than anticipated in the 1999 Study." The Initial Appraisal Report made the recommendation to "investigate and determine if there is a

Federal interest in continuing the project with the preparation of cost-shared feasibility report for analyzing alternatives to address the identified problems though possible modifications of the [HDP].”

The primary problem is that existing constructed project is insufficient in meeting the variety of functions (requires containerships to light-load and face tide delays) that they are used for as part of normal harbor operations, which reduces vessel safety and cargo transportation efficiency. The purpose of channel improvements within NYNJ Harbor is to achieve transportation cost savings for vessels transiting study area channel segments. As containerships with greater capacity and deeper sailing drafts replace the fleet currently calling NYNJ Harbor, depth-related transportation costs will increase. Without improvements, ships at NYNJ Harbor will not realize economies of scale afforded by the larger container ships currently calling and projected to call in the future. Tide restrictions, light loading, or other operational inefficiencies will be compounded by the future fleet. The Kill Van Kull Channel only allows one direction traffic movement, which frequently necessitates that vessels wait to enter the channel in an anchorage, or, if they are larger than 11,000 TEU, in the Ambrose Channel or ocean. Vessels that are lightering at Gravesend and Red Hook Flats are light-loading due to anchorage depth.

The team is in the preliminary stages of the feasibility study and environmental impact analysis, and does not yet have a detailed timeline. As part of the environmental review process for this project, the District is required by law¹ to identify, as early as practicable, any federal and non-federal agencies that may have an interest in the project, and invite such agencies to become participating agencies in the environmental review process². This letter is a formal invitation to participate as a cooperating agency for the Study.

Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Attendance at and input during agency coordination meetings
- Comment and feedback on the schedule, overall scope of the NEPA document(s), significant issues to be evaluated, environmental impacts, study and assessment methodologies, range of alternatives and proposed

¹ Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), as amended

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- compensatory mitigation, if applicable
- Guidance on relevant technical studies required as part of the NEPA analysis
- Identification of issues related to your agency's jurisdiction by law and special expertise
- Participation, as appropriate, at public meetings and hearings
- Timely review of the administrative and public drafts of the Draft Integrated Feasibility Report (IFR)/NEPA document and Final IFR/NEPA document;
- Providing staff support at the lead agency's request to enhance the latter's interdisciplinary capability.

As a cooperating agency, you have the right to expect that the NEPA document will enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the NEPA document(s) will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation.

If your agency does not wish to be a cooperating agency, your agency still has the opportunity to become a participating agency in the environmental review process. As a participating agency, you will be afforded the opportunity, together with the public, to be involved in defining the purpose of and need for the project, as well as in determining the range of alternatives to be considered for the project. These opportunities will build on the early participation opportunities that were provided during the Alternatives Analysis process. In addition, you will be asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate;
- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

Your agency does not have to accept this invitation to be a cooperating agency or a participating agency. If, however, you elect not to become a cooperating agency, you must decline this invitation in writing, indicating that your agency has no jurisdiction or authority with respect to the project, no expertise or information relevant to the project, or does not intend to submit comments on the project³. The declination may be transmitted electronically to Mr. Jesse Miller, Project Biologist at

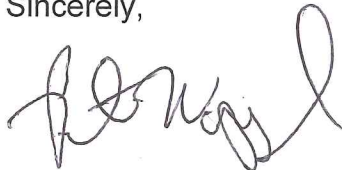
³ Per Section 1005 of WRRDA 2017, which amends Section 2045 of WRDA 2007

Jesse.L.Miller@usace.army.mil.

In order to give your agency adequate opportunity to weigh the relevance of your participation as either a cooperating agency or a participating agency or both in this environmental review process, written response to this invitation is not due until thirty days upon receipt of this letter. Details will follow regarding further coordination on this project. An interagency meeting/conference call will be scheduled in the coming weeks.

The District looks forward to your response to this request and your role as a cooperating or participating agency on this study. If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study process, please contact Mr. Miller at (917) 790-8604 or email above.

Sincerely,

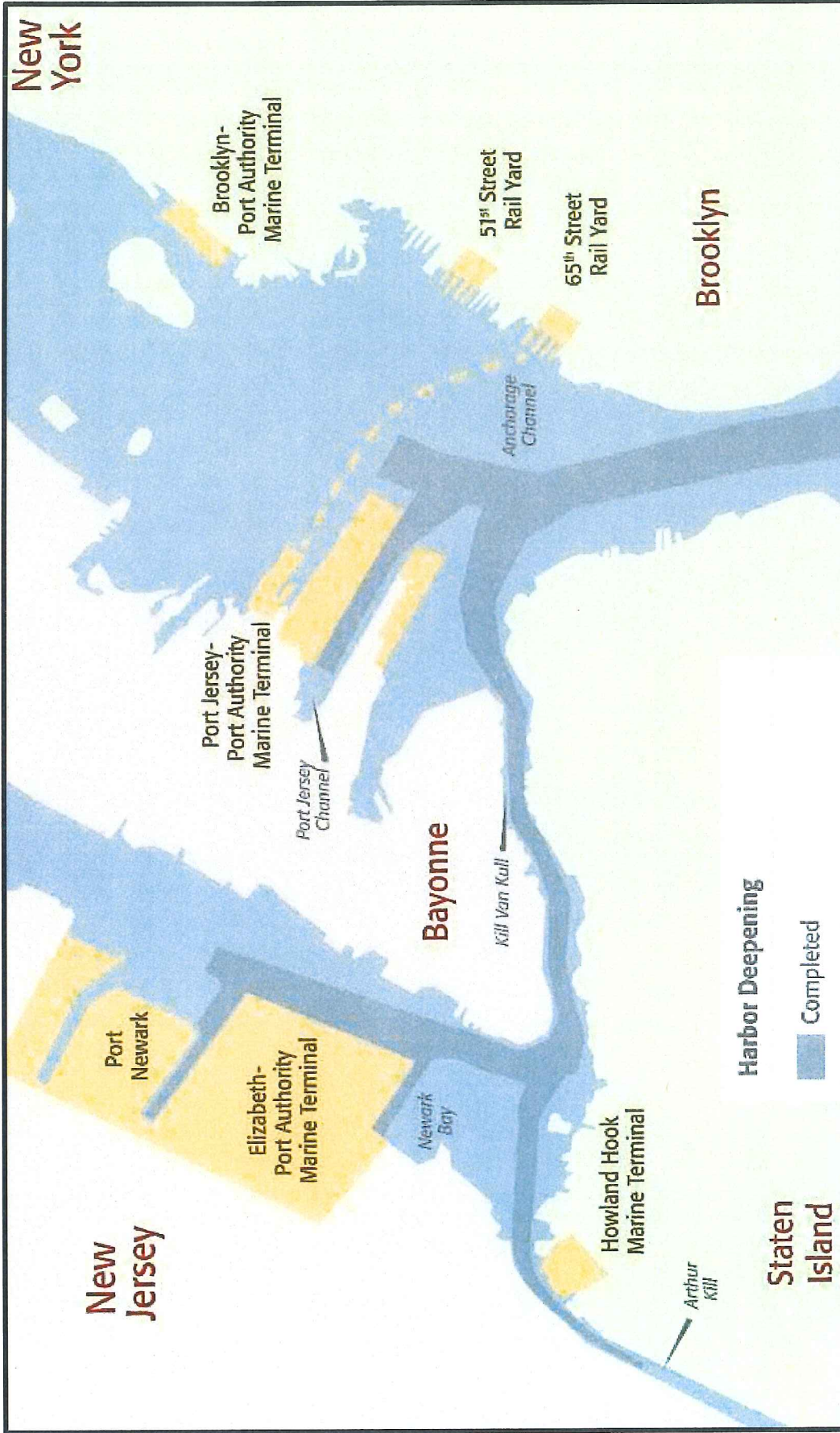
A handwritten signature in dark ink, appearing to read 'P. Wepler', with a large, stylized loop at the end.

Peter M. Wepler
Chief, Environmental Analysis Branch

Enclosure Study Area Map

cc:

Stilwell – NYFO
Schrading - NJFO



New York-New Jersey Harbor Deepening Channel Improvements

October 2019



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New Jersey Field Office

4 E. Jimmie Leeds Road, Suite 4

Galloway, New Jersey 08205 Tel: 609/646 9310

www.fws.gov/northeast/njfieldoffice/

Peter Wepler
Chief, Environmental Analysis Branch
New York District, U.S. Army Corps of Engineers
Jacob K. Javits Federal Building
New York, New York 10278-0090

NOV 7 2019

Subject: Environmental Review for the New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study.

Dear Mr. Wepler,

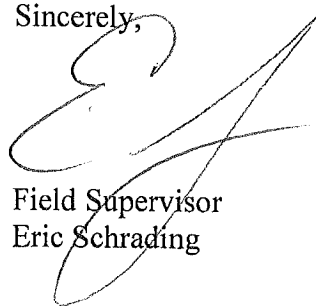
Reference is made to the U.S. Army Corps of Engineers, New York District's (Corps) letter dated October 7, 2019 regarding an invitation to become a cooperating or participating agency pursuant to the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321 *et seq.*) (NEPA) for the Subject Feasibility Study. The proposed Feasibility Study will analyze alternatives for navigation improvements related to potential channels modifications for the New York and New Jersey Harbor Deepening Channel Improvement (HDCI). The Feasibility Study encompasses the Area of Operation of two field offices of the U.S. Fish and Wildlife Service's (Service) Northeast Region (the New Jersey Field Office (NJFO) and the New York/Long Island Field Office). The Service has reviewed your request to be a cooperating or participating agency, and submits the following comments in accordance with the provisions of NEPA.

The Service agrees to serve as a participating agency in the preparation of the necessary NEPA documents for the proposed feasibility project. At this time and until further notice, the NJFO will be the lead Service office responsible for reviewing and consolidating comments on the subject project. This determination may change as more information becomes available on the geographic scope of the action area. For coordination purposes, the Service's role as a participating agency will be limited to: 1) participating in meetings, conference calls, site visits to obtain baseline information on the project area fish and wildlife resources; 2) evaluating the proposed projects impacts on fish and wildlife resources and their respective habitats; 3) assist the Corps in the development of measures to avoid, minimize, and compensate for any of those impacts; and 4) providing the necessary assistance in the assessment and documentation of potential effects of the feasibility study on federally listed species under the jurisdiction of the Service pursuant to the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA).

At this time, and until additional information is provided on the purpose/need and scoping process (40 CFR Part 1502.13 and 1501.7 respectively) of the project and whether this coordination status will involve a major commitment of resources, the Service may request a transfer of funds to meet our statutory obligations pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401; 16 U.S.C. 661 *et seq.*).

The Service appreciates the opportunity to be a participating agency and to make comments in the planning stages of this feasibility report. Should you have any question regarding our commitment in our coordination status please contact Steve Mars of this office at 609-382-5267.

Sincerely,

A handwritten signature in black ink, appearing to be 'ES' with a large, sweeping flourish extending from the bottom right.

Field Supervisor
Eric Schrading

Cc:
USFWS (Region 5 ARD ES, NYFO/LIFO)
NJDEP, Division of Fish and Wildlife
NYSDEC, Region II



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 7, 2019

Planning Division

Michael Moriarty
Director
FEMA Region II - Mitigation Division
One World Trade Center
New York, NY 10007

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study

Dear Mr. Moriarty:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the Port Authority of New York and New Jersey (PANYNJ), is undertaking a feasibility study to examine measures to improve navigation within the constructed 50-foot New York and New Jersey Harbor. The study area is the constructed 50 foot New York and New Jersey Harbor that is located south of Manhattan, New York City, along the northern portion of Atlantic Seaboard, approximately 200 miles south of Boston, Massachusetts. The study area is located in New York's 7th, 8th, 10th, and 11th congressional districts. It consists of a network of federally improved channels and anchorages.

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report for analyzing alternatives to address the identified problems though possible modifications of the [HDP].”

The primary problem is that existing constructed project is insufficient in meeting the variety of functions (requires containerships to light-load and face tide delays) that they are used for as part of normal harbor operations, which reduces vessel safety and cargo transportation efficiency. The purpose of channel improvements within NYNJ Harbor is to achieve transportation cost savings for vessels transiting study area channel segments. As containerships with greater capacity and deeper sailing drafts replace the fleet currently calling NYNJ Harbor, depth-related transportation costs will increase. Without improvements, ships at NYNJ Harbor will not realize economies of scale afforded by the larger container ships currently calling and projected to call in the future. Tide restrictions, light loading, or other operational inefficiencies will be compounded by the future fleet. The Kill Van Kull Channel only allows one direction traffic movement, which frequently necessitates that vessels wait to enter the channel in an anchorage, or, if they are larger than 11,000 TEU, in the Ambrose Channel or ocean. Vessels that are lightering at Gravesend and Red Hook Flats are light-loading due to anchorage depth.

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- Comment and feedback on the schedule, overall scope of the NEPA document(s), significant issues to be evaluated, environmental impacts, study and assessment methodologies, range of alternatives and proposed compensatory mitigation, if applicable

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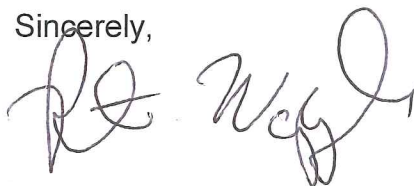
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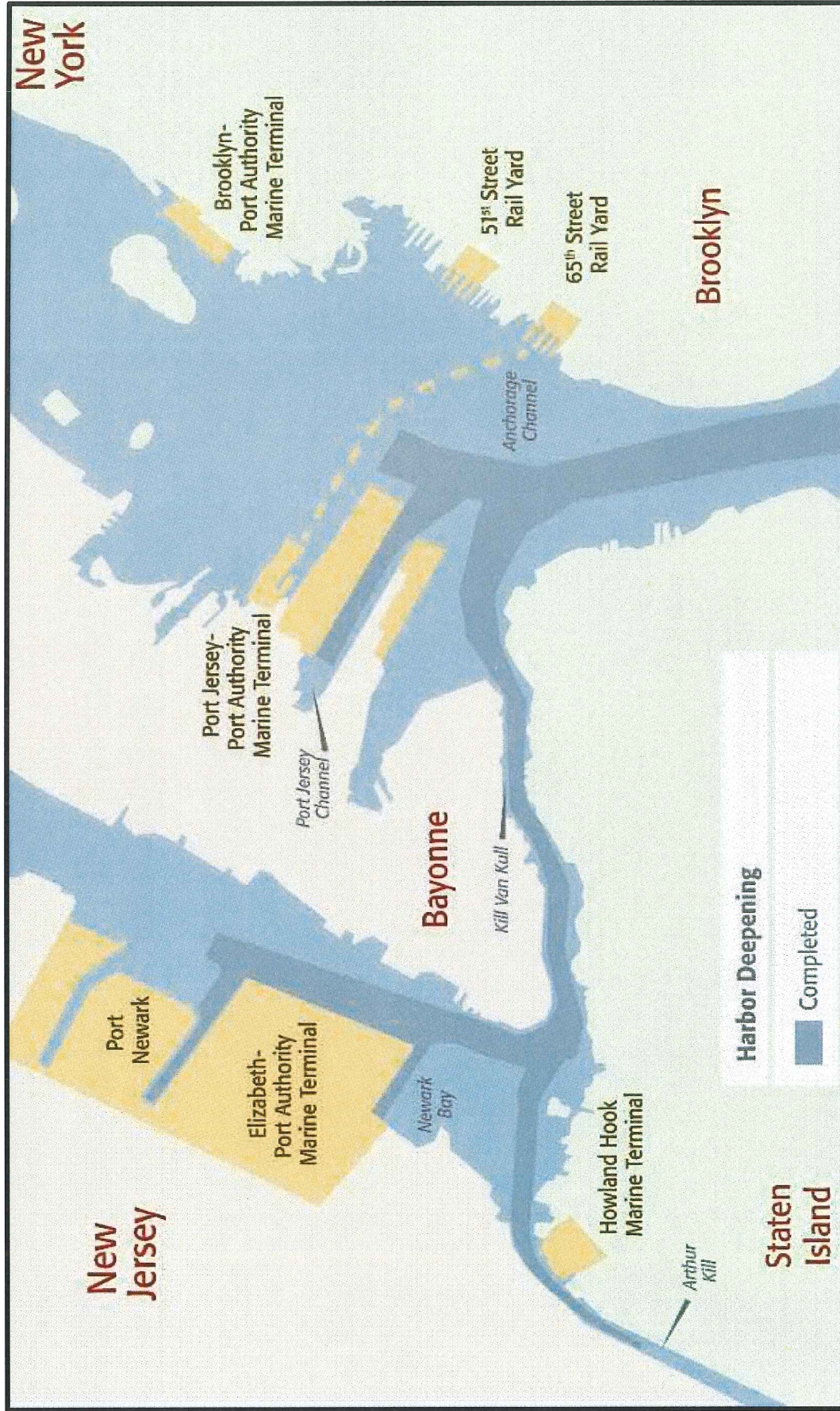
A handwritten signature in dark ink, appearing to read 'P. Weppler', written in a cursive style.

Peter M. Weppler
Chief, Environmental Analysis Branch

Enclosure Study Area Map

cc:

McKee – EPHP



New York-New Jersey Harbor Deepening Channel Improvements

October 2019



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 7, 2019

Planning Division

Jennifer T. Nersesian
Superintendent
Gateway National Recreation Area
National Park Service
210 New York Avenue
Staten Island, NY 10305

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York and New Jersey Harbor Deepening Channel Improvement (HDCI) Feasibility Study

Dear Ms. Nersesian:

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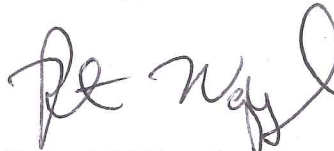
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Jesse.L.Miller@usace.army.mil.

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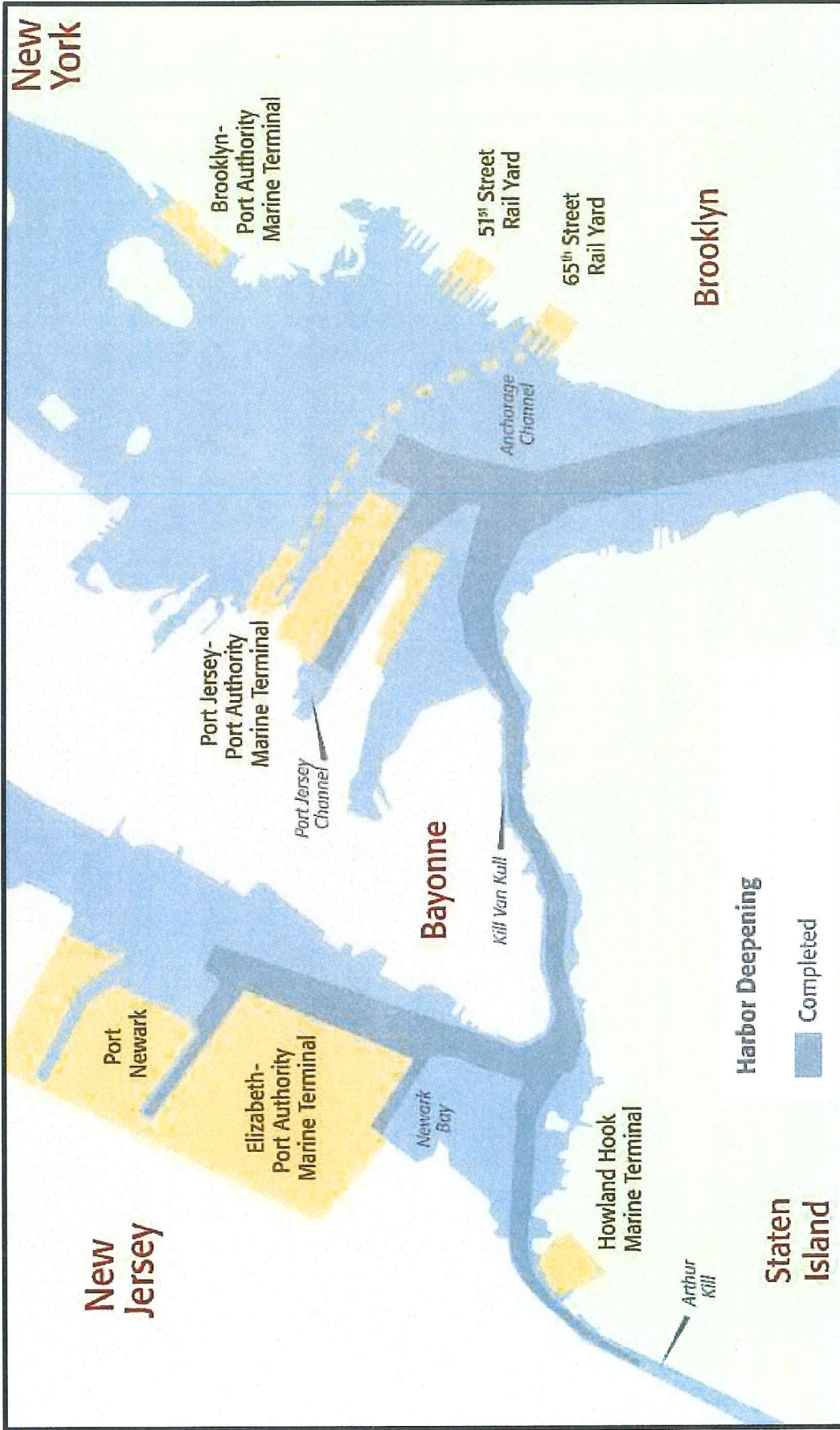
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Sincerely,

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Peter M. Wepler
Chief, Environmental Analysis Branch

Enclosure Study Area Map



New York-New Jersey Harbor Deepening Channel Improvements

October 2019



US Army Corps
of Engineers
New York District



THE PORT AUTHORITY OF NY & NJ



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

September 29, 2020

Environmental Analysis Branch

Mr. Eric Schrading
Field Supervisor
U.S. Fish and Wildlife Service
New Jersey Field Office
4 East Jimmie Leeds Road, Unit 4
Galloway, New Jersey 08205-4465

Mr. David Stilwell
Field Supervisor
U.S. Fish and Wildlife Service
New York Field Office
3817 Luker Road
Cortland, New York 13045

Dear Mr. Schrading and Mr. Stilwell:

The U.S. Army Corps of Engineers, New York District (District) is presently conducting the New York New Jersey Harbor Deepening Improvement (HDCI) Study. As part of the planning process, the District in partnership with the Port Authority of New York and New Jersey, will be completing an Integrated Feasibility Study/Environmental Assessment. The project is identifying and evaluating navigation improvements required in the existing federal navigation channels, including Ambrose and Anchorage Channels, and surrounding areas. These improvements are required to accommodate larger ships arriving in NYNJ Harbor, such as the *Malaccamax design vessel*. The tentatively selected plan consists of one (1) meeting/passing efficiency zone, eight (8) channel widening features, and channel deepening up to -55 feet MLLW to New Jersey port terminals (Port Jersey Port Authority Marine Terminal and Elizabeth Port Authority Marine Terminal, and Port Newark, NJ) .

As part of this coordination, the District is contacting the U.S. Fish and Wildlife Service (USFWS) to request a Planning Aid Letter (PAL) as an update to the original Fish and Wildlife Coordination Act Report (FWCAR) dated December 16, 1999 on the original New York New Jersey 50-foot Harbor Deepening Project (HDP) pursuant to the Fish and Wildlife Coordination Act (FWCA of 1958, as amended (87 Stat. 401, as amended; 16 U.S.C. 661 et seq.) to ensure that there is equal consideration for fish and wildlife resources during the planning of the Corps proposed project. The HDCI Study is taking place under the same authorization and within the same physical footprint of the HDP. Please find attached a draft Scope of Work for more information.

In the past, the New Jersey Field Office led the coordination for the HDP FWCAR as well as for the Hudson Raritan Ecosystem Restoration Feasibility Study coordination.

In addition, all potential impacts (i.e. littoral habitat) associated with the HDCI construction are located in the state of New Jersey. For these reasons, the District anticipates that the ESA and PAL coordination for HDCI would be led by the New Jersey Field Office with assistance, as needed, provided by the New York Field Office.

If you have any questions or require additional information please contact Jesse Miller, Project Biologist at (917) 790-8604. Thank you for your consideration.

Peter Weppeler
Chief, Environmental Analysis Branch

Attachments