



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: NAN-2018-01243-WCA
Issue Date: December 3, 2018
Expiration Date: January 3, 2019

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Weeks Marine, Inc.
4 Commerce Drive
Cranford, New Jersey 07016

ACTIVITY: Discharge fill into navigable waters of the United States to facilitate the rehabilitation of an existing Pier C, and the associated and existing eastern, southern, and hardstand marginal areas situated along the southern side of Pier C.

WATERWAY: Upper New York Harbor

LOCATION: Jersey City, Hudson County, New Jersey.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

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Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various life stages of some EFH-designated species. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New Jersey State, the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Coastal Management Program, P.O. Box 418, 401 E. State Street, Trenton, NJ, 08625, Telephone (609) 633-2201. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

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In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- (New Jersey Department of Environmental Protection Waterfront Development Permit)

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8412 and ask for Jim Cannon.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

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

For 
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Weeks Marine, Inc., has requested Department of the Army authorization to discharge fill into waters of the United States to facilitate the rehabilitation of an existing pile supported pier, known as Pier C, and associated waterfront areas known as the eastern and southern marginal wharfs, including the hardstand area located along the waterfront. The project site is located in the City of Jersey City, Hudson County, New Jersey.

The regulated work associated with the "Pier C" rehabilitation activities, and adjacent marginal wharf areas would include the following:

Pier C Rehabilitation Activities: The existing pile supported Pier C is approximately 1,022 linear foot long by 202-foot wide. The pier consists of an earthen filled concrete sided core, with an associated and approximately 35-foot wide relieving platform that extends around the perimeter of the pier. Rehabilitation activities would include the installation of steel sheeting along a portion of Pier C's north and south side. The proposed steeling sheeting would extend from the bulkhead east along the north and south side of the pier for approximately 519 linear feet (totaling approximately 1,038 linear feet). Once installed, approximately 4,394 cubic yards of flowable fill would be pumped beneath the pier core and within the pile field inside the newly installed steel sheeting. Approximately 0.78 acres of waters of the United States would be permanently impacted as a result of these activities.

Additional rehabilitation activities would include removing from the waterway with upland disposal, a portion (approximately 39,396 square feet/ 0.90 acres) of the concrete pile supported relieving platform along Pier C's north side (approximately 508 linear feet), east side (approximately 203 linear feet), and south side (approximately 508 linear feet). The relieving platform extends approximately 36 feet from the pier's concrete core water ward. Once the concrete relieving platform has been removed, eleven (11) 42-inch diameter mooring pipe piles would be installed along the north side of the pier as well as the south side of the pier (a total of 22 piles).

Eastern Marginal Wharf Rehabilitation Activities: The Eastern Marginal Wharf area extends along the waterfront south of Pier C for approximately 600 linear feet. Rock riprap revetment currently extends along this 600 linear foot portion of waterfront and shoreline, and extends out into the water way approximately 60 feet. Rehabilitation activities along this portion of the shoreline would include the removal of construction debris, the regrading of the shoreline area, the placement of geotextile fiber, and the discharge of 3,410 cubic yards of new rock riprap revetment overtop the existing rock riprap. Approximately 0.51 acres of waters of the United States would be temporarily disturbed as a result of the Eastern marginal Wharf rehabilitation activities.

Hardstand Marginal Wharf Rehabilitation Activities: The Hardstand Marginal Wharf is situated on the corner of the waterfront at the intersection of the Eastern and Southern Marginal Wharf. Rehabilitation activities in this area would include the installation of approximately 406 linear feet of steel combination wall immediately water ward of the existing concrete bulkhead.

Southern Marginal Wharf Rehabilitation Activities: Rehabilitation activities would include the replacement of seven (7) 36-inch diameter steel breasting dolphins.

The applicant's stated purpose of this project is to repair and stabilize Pier C, as well as the Eastern, Southern and Hardstand Wharfs to ensure the safety of the personnel working at the site, and to improve the overall operational efficiency of the site.