



**US Army Corps
of Engineers®**

New York District
26 Federal Plaza
New York, N.Y. 10278
ATTN: CENAN-OP-ST

Public Notice

In replying refer to:
Public Notice No. SHOAL HARBOR/COMPTON CREEK FY13
Published: July 22, 2013 Expires: August 22, 2013

SHOAL HARBOR & COMPTON CREEK, NEW JERSEY FEDERAL NAVIGATION PROJECT MAINTENANCE DREDGING

TO WHOM IT MAY CONCERN:

The New York District, U.S. Army Corps of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 (33 U.S.C. 1344) of the Federal Water Pollution Control Act (amended in 1977 and commonly referred to as the Clean Water Act), proposes to perform maintenance dredging of the Shoal Harbor & Compton Creek Federal navigation channel with subsequent placement of the dredged material at a State approved upland placement site.

WATERWAY: SHOAL HARBOR & COMPTON CREEK Federal Navigation Project

LOCATION: Off Middlesex and Monmouth Counties, West of Sandy Hook and East of Belford, New Jersey.

The Federal Navigation project for Shoal Harbor and Compton Creek was authorized by the Rivers and Harbors Act of 1937. The authorization was modified by the Rivers and Harbors Acts of 1949 and 1954.

The authorization provided for a channel 2 miles long, extending from deep water in Sandy Hook Bay to the first bend in Compton Creek. The channel is presently constructed to a depth of 12 feet with widths varying from 150 feet in the bay to a width of 75 feet inside the mouth of the creek. From the first bend in Compton Creek to the Main Street Bridge the channel shallows to 8 feet. The work remaining to be done consists of extending the 8 foot channel 1,000 feet upstream from the Main Street Bridge. The remaining work is inactive. (See attachment 1).

This activity is being evaluated to determine if the proposed dredging with placement of dredged material at a State approved upland placement site will not unreasonably degrade or endanger human health, welfare, economic potential, recreation and aesthetics, water quality, marine resources, ecological systems and/or flood protection.

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. Comments are used to assess impacts on navigation, water quality, endangered species, historic resources, wetlands, scenic and recreational values, and other public interest factors. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act and to determine the need for a public hearing.

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

Any person who has an interest which may be affected by the placement of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by the activity. It should be noted that information submitted by mail is considered just as carefully in the process and bears the same weight as that furnished at a public hearing.

No known archaeological, scientific, prehistorical or historical data are expected to be lost by work accomplished under the required dredging.

Reviews of the activity pursuant to Section 404 of the Clean Water Act will include application of the guidelines announced by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. The Corps will obtain a water quality certificate (WQC) from the State of New Jersey Department of Environmental Protection in accordance with Section 401 of the Clean Water Act prior to the beginning of the proposed action.

Pursuant to Section 307 of the Coastal Zone Management Act of 1972 as amended [16 USC 1456(c)], for activities conducted or supported by a federal agency in a state which has a federally approved Coastal Zone Management (CZM) program, the Corps must submit a determination that the proposed project is consistent with the State CZM program to the maximum extent practicable. This activity is subject to review by the State of New Jersey Department of Environmental Protection for its consistency with the enforceable policies of the New Jersey State Coastal Management Program. The U.S. Army Corps of Engineers New York District has determined that the proposed activities are consistent to the maximum extent practicable within the applicable policies of the New Jersey State Coastal Management Program. A copy of this determination has been provided to the State of New Jersey Department of Environmental Protection. Additional information regarding the Corps of Engineers' consistency determination may be obtained by contacting the State of New Jersey Department of Environmental Protection, Bureau of Coastal Regulation, CN 401, 501 East State Street, Second Floor, Trenton, New Jersey 08625-0401, Attention: Consistency Review

In compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (1996 amendments), an Essential Fish Habitat Assessment will be prepared and submitted to the National Marine Fisheries Service for review and comment.

The proposed work is being coordinated with the following Federal, State and local agencies:

- U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Coast Guard, Third District
- State of New Jersey Department of Environmental Protection

If you have any questions concerning this notice, please contact Mr. Joseph Olha, Project Manager, at (917) 790-8404. Comments or questions may be FAXED to (917) 264-4260 ATTN: Mr. Joseph Olha or emailed to Joseph.Olha@usace.army.mil.

DESCRIPTION OF PLANNED ACTION:

The U.S. Army Corps of Engineers, New York District (the Corps) proposes to perform maintenance dredging of the Federal navigation channel of Shoal Harbor & Compton Creek, New Jersey. The channel was last dredged in 1999 with the removal of approximately 81,710 cubic yards (CY) of material, which was placed at a State approved upland location. The proposed maintenance dredging would involve the removal of approximately 150,000 CY of material, which would be placed at a State approved upland placement site. The channel will be dredged to a depth of 12 and 8 feet plus 2 feet allowable overdepth.

The purpose of the proposed work is to alleviate the affects of shoaling and maintain the authorized project dimensions, thereby assuring safe and economical use of the Shoal Harbor & Compton Creek channel by commercial and recreational boating interests while providing beneficial use of the dredged material.

Maintenance dredging of the Shoal Harbor & Compton Creek channel will be accomplished by pipeline dredge or similar plant. The entire channel will generally not require maintenance dredging; only areas where shoaling has reduced the depth of the channel will require dredging.

ENVIRONMENTAL IMPACT STATEMENT:

An Environmental Assessment (EA) was prepared by the U.S. Army Corps of Engineers, New York District in 1996, which updated the Environmental Impact Statement (EIS) prepared in April 1977 for maintenance dredging of the Shoal harbor and Compton Creek, New Jersey. The EIS and EA concluded at that time that the maintenance dredging of Shoal Harbor & Compton Creek channel with placement of the dredge material at the designated Ocean Dumping Site (Mud Dump Site) , would have no significant adverse environmental impact on water quality, marine resources, fish, wildlife, endangered species, recreation, aesthetics and flood protection of the area. The current proposed maintenance activity is consistent with the action described in the EIS except for a change in disposal location. Dredge Material will no longer be placed in the ocean but will be located at a state approved upland disposal facility. The dredge spoils will be amended and beneficially re-used as fill for reclamation sites.

An update of the EA and a 404 (b) evaluation reflecting changes in federal, state and local testing procedures, will be will be prepared prior to the implementation of the proposed work.

PLACEMENT SITE:

The dredged material from this project is proposed to be placed at a State approved upland placement site in New Jersey. The dredged material will be transported by pipeline dredge to a suitable upland placement site. The dredged material will be required to meet all federal, state and local criteria required by the government agencies having jurisdiction where the site is located.

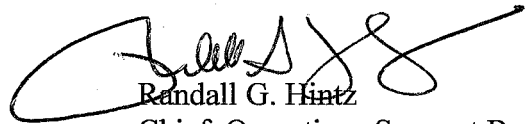
MATERIAL DESCRIPTION:

Based upon an analysis of sediment samples from the Federal channel, the grain size characteristics of the proposed dredged material are:

54% SAND, 27% SILT AND 19% CLAY

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and who did not receive a copy of this notice.

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



Randall G. Hintz
Chief, Operations Support Branch

