

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 reply to:

Public Notice Number: NAN-2019-00190-EBR
Issue Date: February 28, 2020
Expiration Date: March 29, 2020

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: Triton Terminaling, LLC
111 State Street
Sewaren, NJ 07077

ACTIVITY: Dredge with ten years maintenance with upland placement. Barge overflow at the dredging site is not proposed. Decanting of barges at the dredging site is proposed.

WATERWAY: Arthur Kill

LOCATION: Sewaren, Township of Woodbridge, Middlesex County, New Jersey

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

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The 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.

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 adversely 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 as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. 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.

Review 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. The applicant has obtained a water quality certificate on October 31, 2018 from the New Jersey Department of Environmental Protection in accordance with Section 401 of the Clean Water Act.

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. The applicant has obtained concurrence to their coastal zone management consistency determination on October 31, 2018 from the New Jersey Department of Environmental Protection. 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

CENAN-OP-RE

PUBLIC NOTICE NO. NAN-2019-00190-EBR

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.

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

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 8516 and ask for William Bruno.

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 and In behalf of

Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

**CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2019-00190-EBR**

WORK DESCRIPTION

The applicant, Triton Terminaling, LLC, has requested Department of the Army authorization to conduct dredging with ten-years maintenance with upland placement. The project is located in the Arthur Kill at 111 State Street, Sewaren, Township of Woodbridge, Middlesex County, New Jersey.

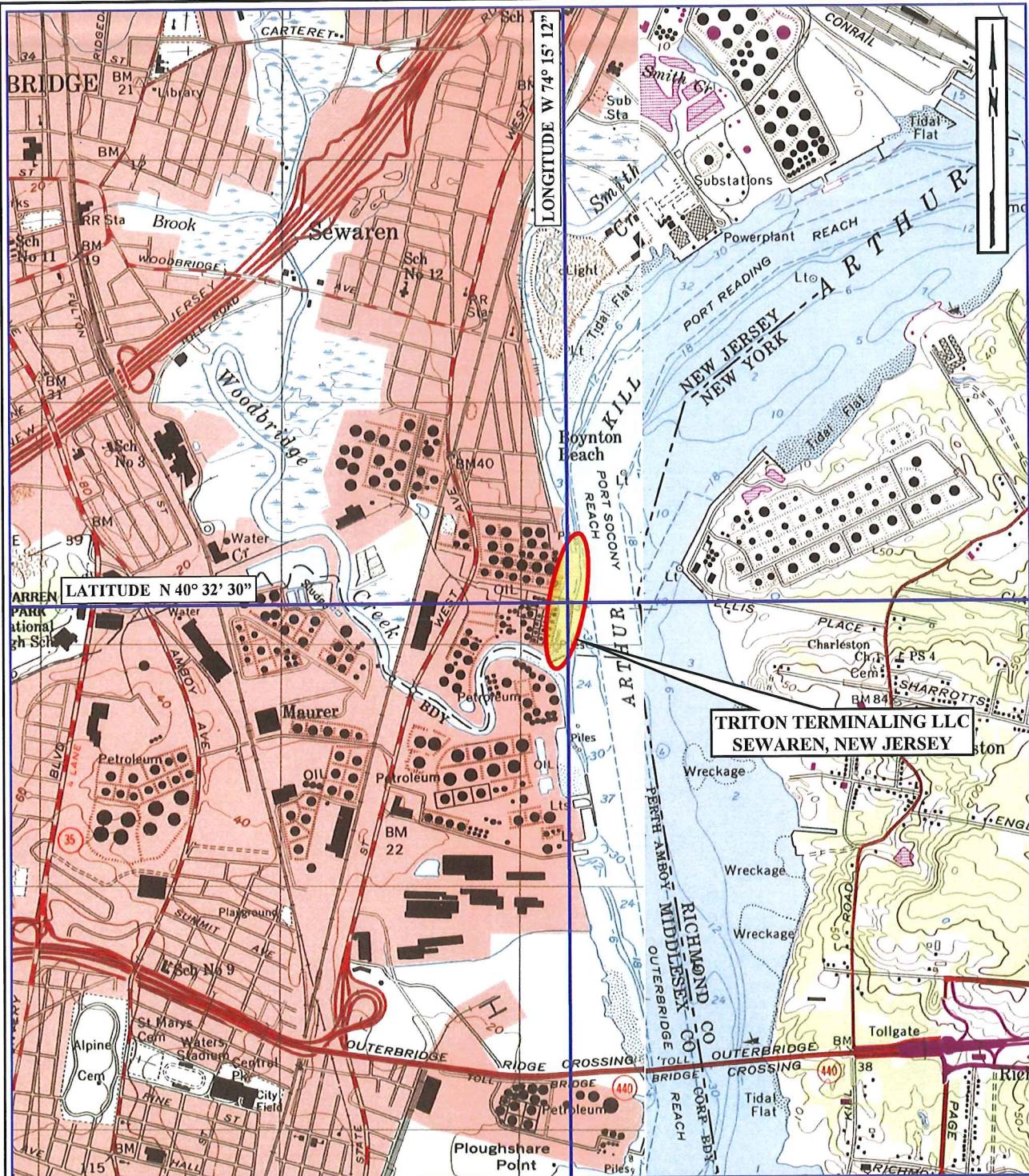
Dredge with ten-years maintenance, by mechanical closed clamshell bucket dredge, a total of approximately 12,014-cubic yards (CY) of material from four (4) areas in the Arthur Kill within an existing port. Approximately 4,738 CY will be dredged from an approximately 2,097 square foot area (South Barge Dock), to a maximum depth of 38-feet below the plane of Mean Low Water (MLW), plus two feet of allowable overdepth. Approximately 5,918 CY will be dredged from an approximately 5,121 square foot area (South Ship Dock), to a maximum depth of 17-feet below the plane of MLW, plus two feet of allowable overdepth. Barge overflow at the dredging site is not proposed. Approximately 1,259 CY will be dredged from an approximately 978 square foot area (North Barge Dock), to a maximum depth of 14-feet below the plane of MLW, plus two feet of allowable overdepth. Approximately 99 CY will be dredged from an approximately 100 square foot area (North Ship Dock), to a maximum depth of 32-feet below the plane of MLW, plus two feet of allowable overdepth.

Decanting of excess water would occur at the dredging site when performed in accordance with a water quality certificate issued by the New Jersey Department of Environmental Protection. The resultant approximately 12,014 CY of dredged material will be transported via barge no return flow to a dredged material processing facility and then to a state-approved upland disposal site.

Up to nine (9) additional dredging events are authorized during the 10-year life of this permit for up to a total of approximately 15,000 CY and with the same dredging and placement areas.

The applicant has stated that they have avoided, minimized, and mitigated for proposed impacts to the maximum extent practicable by conducting the minimum dredging necessary for safe mooring and navigation.

The stated purpose of this project is to provide the applicant safe navigation and mooring.



PROJECT SITE LOCATION MAP
UNITED STATES GEOLOGIC SURVEY QUADRANGLE
ARTHUR KILL, N.Y. - N.J. & PERTH AMBOY, N.J. - N.Y.
SCALE 1:24000

ADJACENT PROPERTY OWNERS:

① DOWNRIVER: 1250 STATE ST. HOLDINGS, LLC

② UPRIVER: TOWNSHIP OF WOODBRIDGE

DATUM CHART

HIGH TIDE LINE ELEV. +5.7

MEAN HIGH WATER ELEV. +5.1

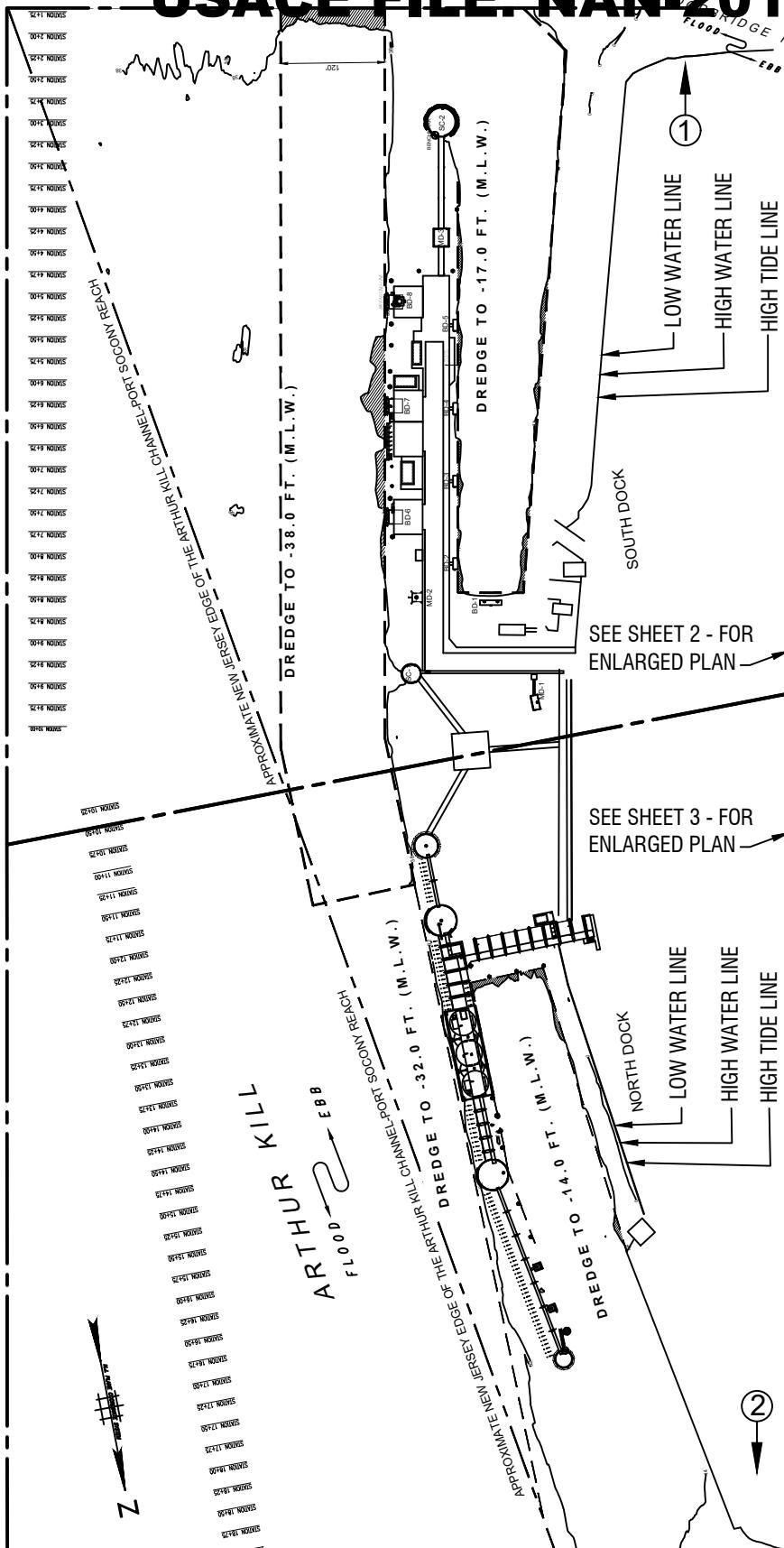
MEAN LOW WATER ELEV. 0.0

DREDGE QUANTITY

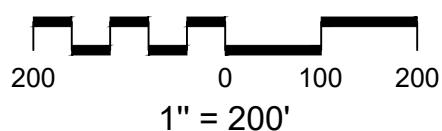
(DREDGE DEPTH PLUS 2 Ft. OVER-DREDGE)

SOUTH SHIP DOCK -38.0 Ft. (MLW) 5,918 Cu.Yds. \pm

NORTH SHIP DOCK N/A

SOUTH BARGE DOCK -17.0 Ft. (MLW) 4,738 Cu.Yds. \pm NORTH BARGE DOCK- 14.0 Ft. (MLW) 1,259 Cu.Yds. \pm OVERALL SITE PLAN

SCALE 1" = 200'



FILE No. T-2304

CONTRACT No. H-7597

DATE 02/08/2019

SHEET No. 1 of 8

REV. 2 09/19/2019
REV. 1 08/06/2019

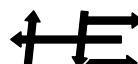
PROPOSED: MAINTENANCE DREDGING

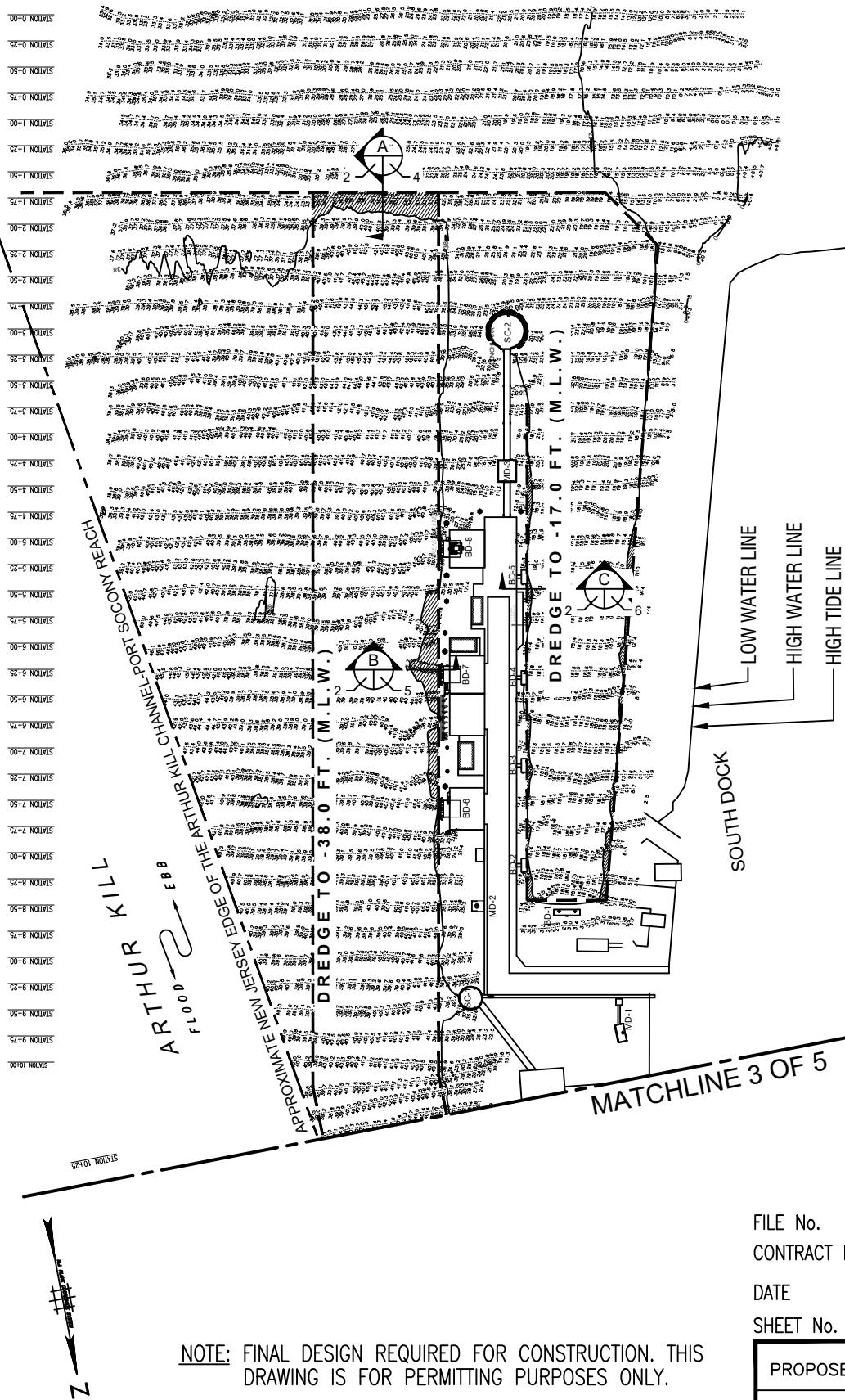
AT: ARTHUR KILL, SEWAREN, NEW JERSEY

COUNTY OF: MIDDLESEX COUNTY

APPLICATION BY: TRITON TERMINALING CO.

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION. THIS DRAWING IS FOR PERMITTING PURPOSES ONLY.

S.T. HUDSON ENGINEERS, INC.
PROFESSIONAL ENGINEERS & CONSULTANTS900 Dudley Avenue
Cherry Hill, New Jersey
Phone 856-342-6600
Fax No. 856-342-8323



PROPOSED AREA TO BE DREDGED

SOUTH BARGE DOCK	2,097 SQ.FT.
SOUTH SHIP DOCK	5,121 SQ.FT.
TOTAL	7,218 SQ.FT.

PROPOSED VOLUME OF DREDGE AREA

SOUTH BARGE DOCK	4,738 C.Y.
SOUTH SHIP DOCK	5,918 C.Y.
TOTAL	10,656 C.Y.

ENLARGED PLAN 1
2

SCALE 1" = 150'



FILE No. T-2304
CONTRACT No. H-7597

DATE 02/08/2019 REV. 2 09/19/2019
SHEET No. 2 of 8 REV. 1 08/06/2019

PROPOSED: MAINTENANCE DREDGING

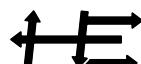
AT: ARTHUR KILL, SEWAREN, NEW JERSEY

COUNTY OF: MIDDLESEX COUNTY

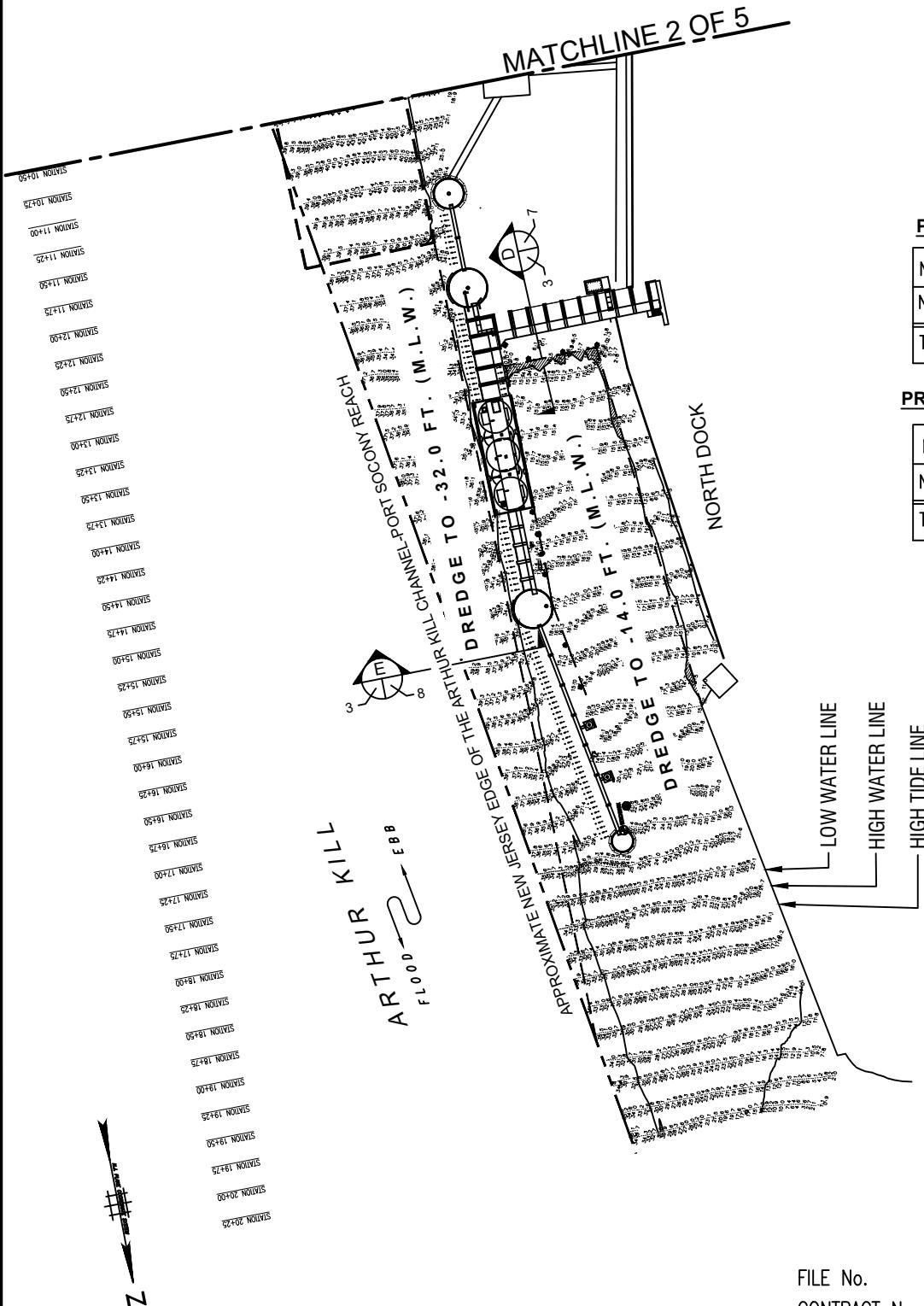
APPLICATION BY: TRITON TERMINALING CO.

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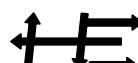


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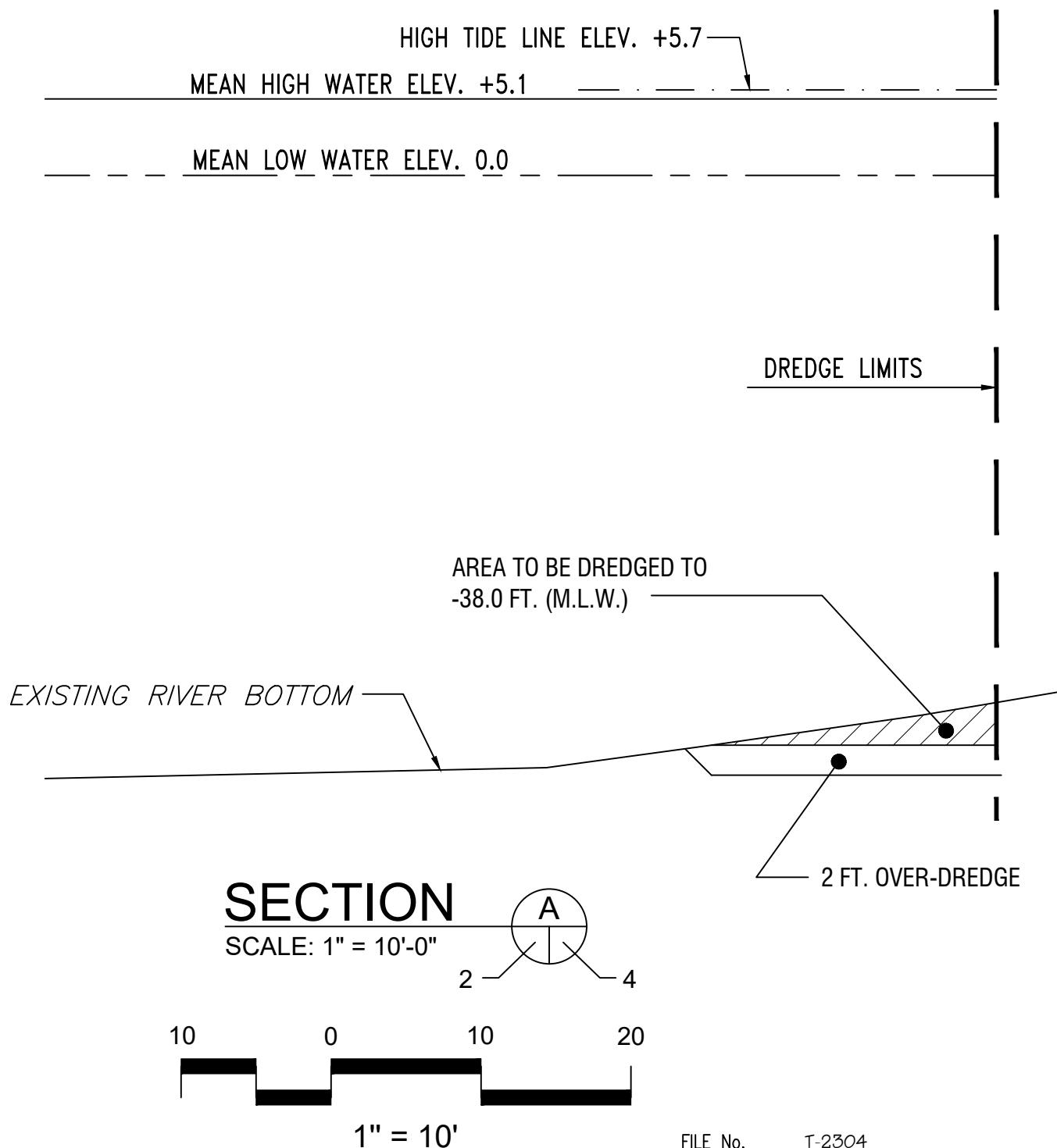
DATE 02/08/2019
SHEET No. 3 of 8 REV. 2 09/19/2019
REV. 1 08/06/2019

PROPOSED: MAINTENANCE DREDGING

AT: ARTHUR KILL, SEWAREN, NEW JERSEY

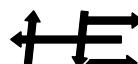
COUNTY OF: MIDDLESEX COUNTY

APPLICATION BY: TRITON TERMINALING C



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FILE No. T-2304

CONTRACT No. H-7597

DATE 02/08/2019

SHEET No. 4 of 8

REV. 2 09/19/2019
REV. 1 08/06/2019

PROPOSED: MAINTENANCE DREDGING

AT: ARTHUR KILL, SEWAREN, NEW JERSEY

COUNTY OF: MIDDLESEX COUNTY

APPLICATION BY: TRITON TERMINALING C

HIGH TIDE LINE ELEV. +5.7
MEAN HIGH WATER ELEV. +5.1

MEAN LOW WATER ELEV. 0.0

DREDGE LIMITS
FENDER LINE

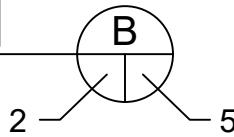
AREA TO BE DREDGED TO
-38.0 FT. (M.L.W.)

EXISTING RIVER
BOTTOM

2 FT. OVERDREDGE

SECTION

SCALE: 1" = 10'-0"



1" = 10'

FILE No. T-2304
CONTRACT No. H-7597

DATE 02/08/2019
SHEET No. 5 of 8

REV. 2 09/19/2019
REV. 1 08/06/2019

PROPOSED: MAINTENANCE DREDGING

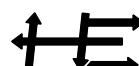
AT: ARTHUR KILL, SEWAREN, NEW JERSEY

COUNTY OF: MIDDLESEX COUNTY

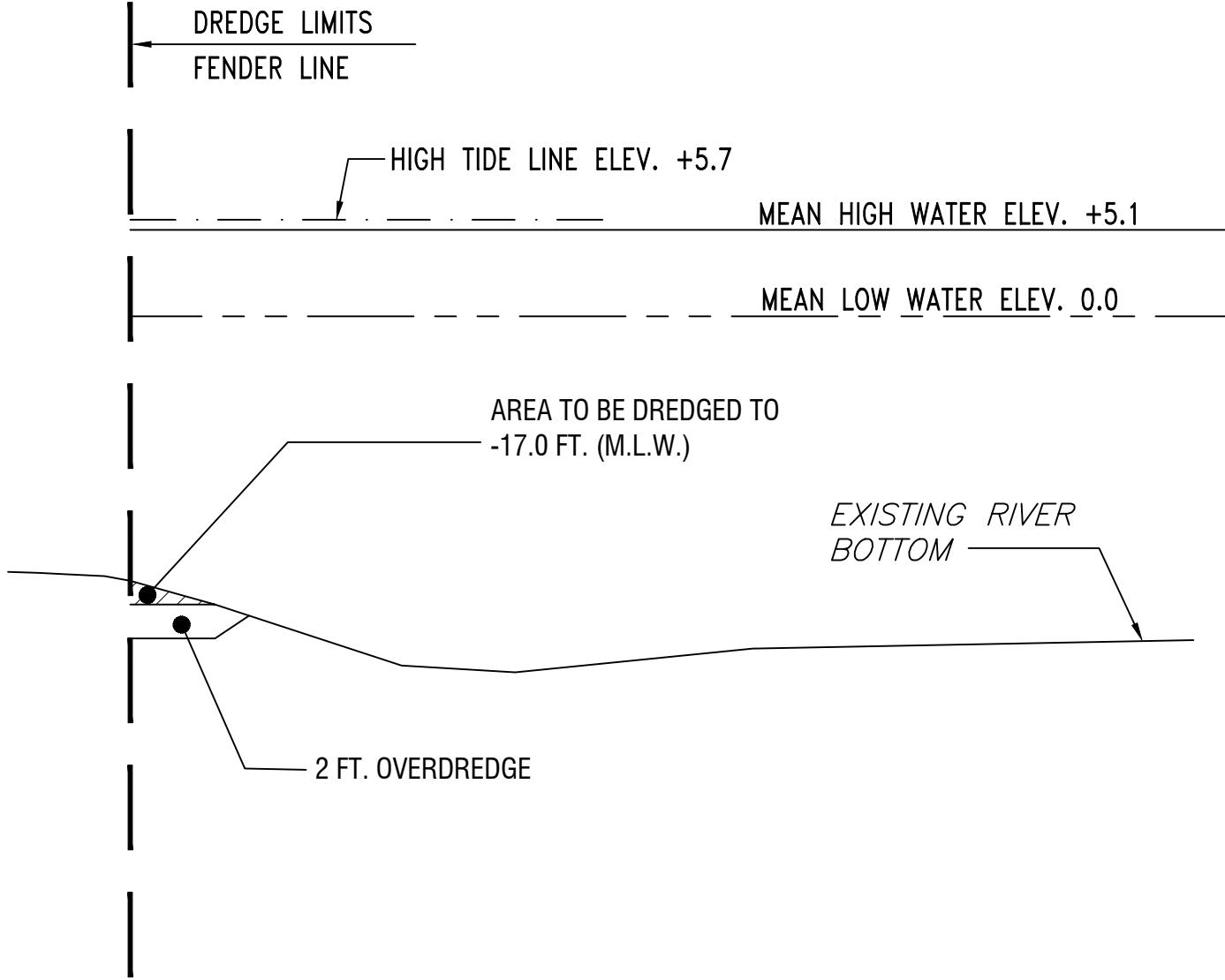
APPLICATION BY: TRITON TERMINAL INC.

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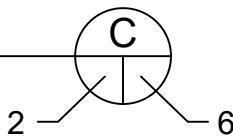


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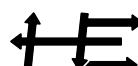
SECTION

SCALE: 1" = 10'-0"



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CONTRACT No. H-7597

DATE 09/19/2019

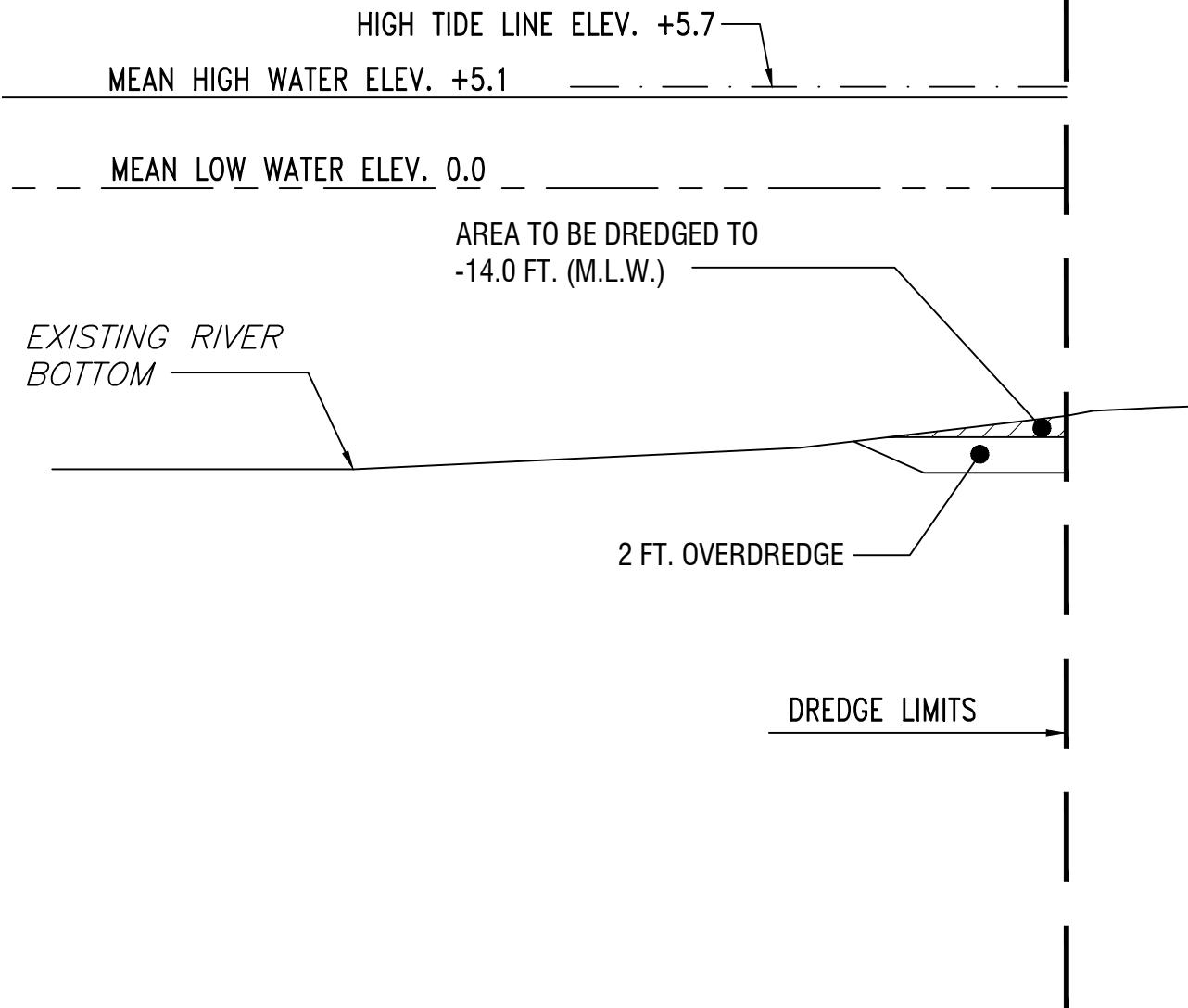
SHEET No. 6 of 8

PROPOSED: MAINTENANCE DREDGING

AT: ARTHUR KILL, SEWAREN, NEW JERSEY

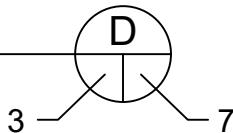
COUNTY OF: MIDDLESEX COUNTY

APPLICATION BY: TRITON TERMINALING CO.



SECTION

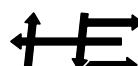
SCALE: 1" = 10'-0"



1" = 10'

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DATE 09/19/2019

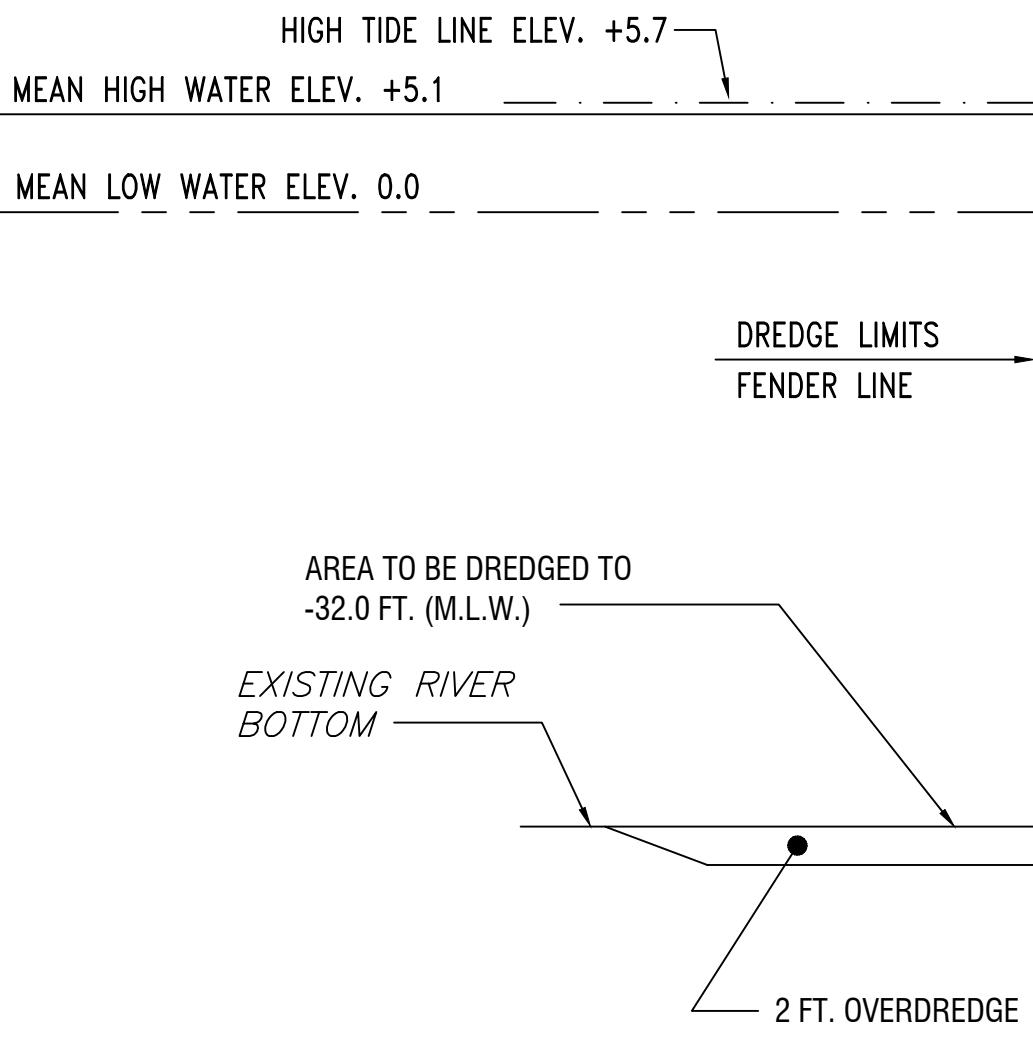
SHEET No. 7 of 8

PROPOSED: MAINTENANCE DREDGING

AT: ARTHUR KILL, SEWAREN, NEW JERSEY

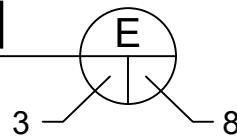
COUNTY OF: MIDDLESEX COUNTY

APPLICATION BY: TRITON TERMINALING CO.



SECTION

SCALE: 1" = 10'-0"



3 8



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CONTRACT No. H-7597

DATE 09/19/2019

SHEET No. 8 of 8

PROPOSED: MAINTENANCE DREDGING

AT: ARTHUR KILL, SEWAREN, NEW JERSEY

COUNTY OF: MIDDLESEX COUNTY

APPLICATION BY: TRITON CRIMINALING C