

# 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-2019-01133-EMI**  
Issue Date: **July 14, 2020**  
Expiration Date: **August 13, 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):

APPLICANT: 192 Doremus, LLC  
Attn: Sam Hahn  
P.O. Box 817  
Farmingdale, New Jersey 07727

ACTIVITY: Installation of a Concrete Pier

WATERWAY: Passaic River

LOCATION: 192-212 Doremus Avenue, City of Newark, Essex 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 VIA EMAIL TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

**CENAN-OP-RE  
PUBLIC NOTICE NO. NAN-2019-01133-EMI**

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 via email, 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 email 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 lifestages 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.

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 occur. 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.

**CENAN-OP-RE  
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The applicant has received a Waterfront Development Individual Permit and Water Quality Certificate, permit number 0714-09-0009.1 – LUP190001, approved on March 30, 2020 from the 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. All comments and questions concerning this application, should be sent via email to [Christopher.W.Minck@usace.army.mil](mailto:Christopher.W.Minck@usace.army.mil).

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-2019-01133-EMI**

**WORK DESCRIPTION**

The applicant, 192 Doremus, LLC, has requested Department of the Army authorization to install a concrete pier. The project is located in the Passaic River at 192-212 Doremus Avenue, City of Newark, Essex County, New Jersey.

The regulated work includes the removal of an approximately 3,123 square foot existing timber pier and the installation of a new approximately 17,629 square foot concrete pier to accommodate a 60-foot-wide by 180-foot-long barge (Type A) and a 100-foot-wide by 100-foot-long barge (Type B). The proposed concrete pier will be installed on approximately ninety seven (97) 24-inch hollow steel pipe piles installed via impact hammer. The pier will be elevated approximately 3.5-feet above Mean High Water. The proposed fixed structures will not encroach any further into the waterway than previously existing. Activities not regulated by the Corps of Engineers include the installation of an approximately 350-linear foot steel sheet upland retaining wall on the landward side of the pier above the plane of Spring High Water.

The northern portion of the pier will be approximately 172-linear feet from the top of the slope of the Kearny Point Reach of the Newark Bay, Hackensack and Passaic Rivers, N.J. Federal Navigation Project and the southern portion of the pier will be approximately 230-linear feet from the top of the slope of the Kearny Point Reach of the Newark Bay, Hackensack and Passaic Rivers, N.J. Federal Navigation Project.

The applicant has stated that they have avoided, minimized, and mitigated for proposed impacts to the maximum extent practicable by utilizing a cushioned impact hammer and bubble curtain during pile installation and by utilizing a turbidity plume.

The stated purpose of this project is to improve loading and offloading of materials and equipment at the port facility.

## PRELIMINARY & FINAL MAJOR SITE PLAN

### 192 DOREMUS, LLC

PORTIONS OF TAX LOTS 1, 1.03, 1.04; BLOCK 5014  
CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY

#### GENERAL NOTES:

- 1) KNOWN AND DESIGNATED AS BLOCK 5014, LOTS 1, 1.03, & 1.04 AS SHOWN ON THE CURRENT TAX MAP OF THE CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY, DATED JANUARY 1, 2001, SHEET 123.
- 2) LOT AND BLOCK NUMBERS, ALONG WITH WATERWAY AND ROAD NAMES SHOWN HEREON ARE AS SHOWN ON THE CURRENT TAX MAP OF THE CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY, DATED JANUARY 1, 2001, SHEET 123.
- 3) BOUNDARY INFORMATION SHOWN HEREON WAS BASED ON MAP REFERENCE NUMBER 1 BELOW.
- 4) HYDROGRAPHIC INFORMATION SHOWN HEREON IS AS SHOWN ON MAP REFERENCE NUMBER 3 BELOW.
- 5) THIS PLAN IS A GRAPHICAL REPRESENTATION OF EXISTING LOT LINES AND IS NOT INTENDED TO BE USED AS A BOUNDARY SURVEY.
- 6) THE PROPERTY LIES WITHIN THE AE FLOOD HAZARD ZONE (SUBJECT TO 100-YEAR FLOOD) PER FEMA FLOOD MAPPING.
- 7) PROJECT DESCRIPTION:  
IT IS PROPOSED TO REMOVE THE EXISTING PIER, REGRADE THE SITE, REPLACE FENCING, ADD SITE LIGHTING, AN ASPHALT APRON IN THE FRONT OF THE PROPERTY, ELECTRIC SERVICE, GAS SERVICE, AND 2" WATER SERVICE FROM THE EXISTING BUILDING. CONSTRUCTION OF A BULKHEAD AND PIER IN THE SITE'S REAR IS ALSO PROPOSED FOR USE IN THE TRANSPORTATION OF CONSTRUCTION EQUIPMENT AND MATERIALS VIA BARGE ALONG THE PASSAIC RIVER.

#### MAP REFERENCES:

- 1) "LOCATION SURVEY LOTS 1, 1.03 & 1.04 BLOCK 5014 CITY OF NEWARK ESSEX COUNTY NEW JERSEY" PREPARED BY HEDGES & ASSOCIATES INC., DATED NOV. 18, 2008.
- 2) FIRM - FLOOD INSURANCE RATE MAP, CITY OF NEWARK, NEW JERSEY, ESSEX COUNTY, PANEL 8 OF 12, COMMUNITY PANEL NO. 340189 0008 B, MAP REVISED MARCH 28, 1980.
- 3) "HYDROGRAPHIC SURVEY PORTION OF TAX MAP LOTS 1, 1.03 & 1.04, BLOCK 5014 DOREMUS AVENUE DEVELOPMENT SITUATED IN CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY", PREPARED BY LGA ENGINEERING, INC., DATED APRIL 7, 2009 AND REVISED JULY 15, 2009.

#### COORDINATE SYSTEM:

HORIZONTAL DATUM - NAD 1983, BASED ON GPS OBSERVATIONS BY LGA ENGINEERING, INC., APRIL 7, 2009 AND REFER TO NATIONAL GEODETIC MONUMENT "NJ12" (PID-AJ3348).

VERTICAL DATUM - NAVD 1988, BASED ON GPS OBSERVATIONS BY LGA ENGINEERING, INC., ON APRIL 7, 2009 AND REFER TO NATIONAL GEODETIC MONUMENT "NJ12" (PID-AJ3348).

#### TIDAL ELEVATION:

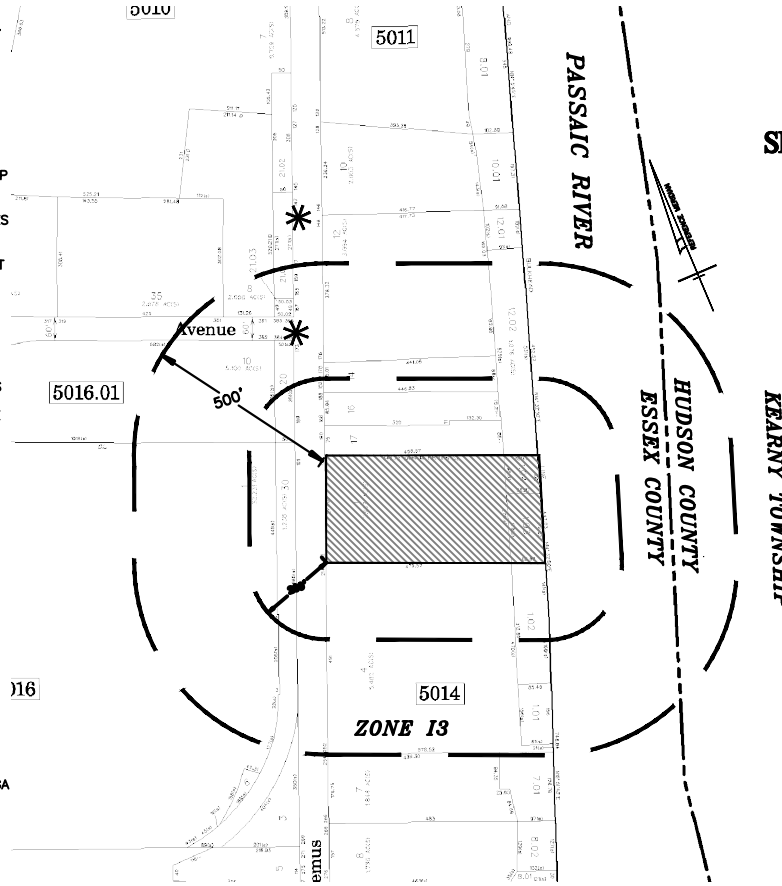
REFER TO NAVD 1988

SHT = 2.70 FEET  
MHW = 2.38 FEET  
NAVD 88 = 0.00 FEET  
MSL = -0.12 FEET  
MLW = -2.84 FEET  
MLLW = -3.08 FEET

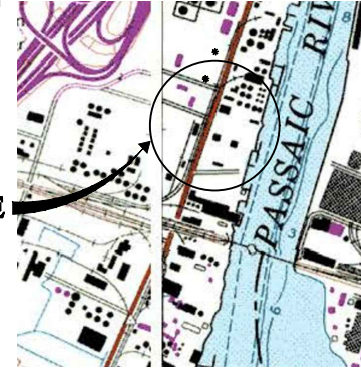
TIDAL ELEVATIONS BASED ON TIDAL BENCHMARK STATION NO. 8530743 LOCATED AT POINT NO POINT, PASSAIC RIVER, NEW JERSEY.  
POINT IDENTIFICATION NUMBER: KV0265.

#### PERMITS

ESSEX COUNTY PLANNING BOARD - SITE PLAN (PENDING)  
NJDEP WATERFRONT DEVELOPMENT (PENDING)  
ARMY CORPS OF ENGINEERS (PENDING)



**AREA MAP**  
SCALE: 1" = 500'



**LOCATION MAP**  
USGS QUADRANGLE MAP:  
ELIZABETH AND JERSEY CITY  
SCALE: 1"=2000'

SITE

DATE	BY	REVISIONS

DESIGNED BY:	REVIEWED BY:	RELEASED BY:
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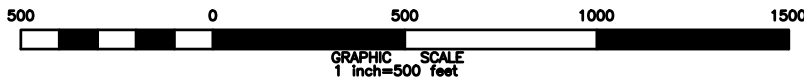
ANDREW W. RAICHELE, P.E.  
NEW JERSEY LICENSE NO. 246E0418800

*Allen*  
DATE: 6/5/20

**MATRIX NEW WORLD**  
Engineering Program

Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C.  
142 State Route 35, Second Floor  
Elizabeth, New Jersey 07241  
WWW/DBE  
NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 246A0706200

<b>TITLE SHEET</b>
<b>PRELIMINARY &amp; FINAL MAJOR SITE PLAN</b>
<b>PORTION OF TAX LOTS 1, 1.03, 1.04; BLOCK 5014 192 DOREMUS, LLC</b>
SITUATED IN CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY
PROJECT NUMBER: 19-151
DATE: 8/12/19
SCALE: AS NOTED
SHEET 1 OF 6

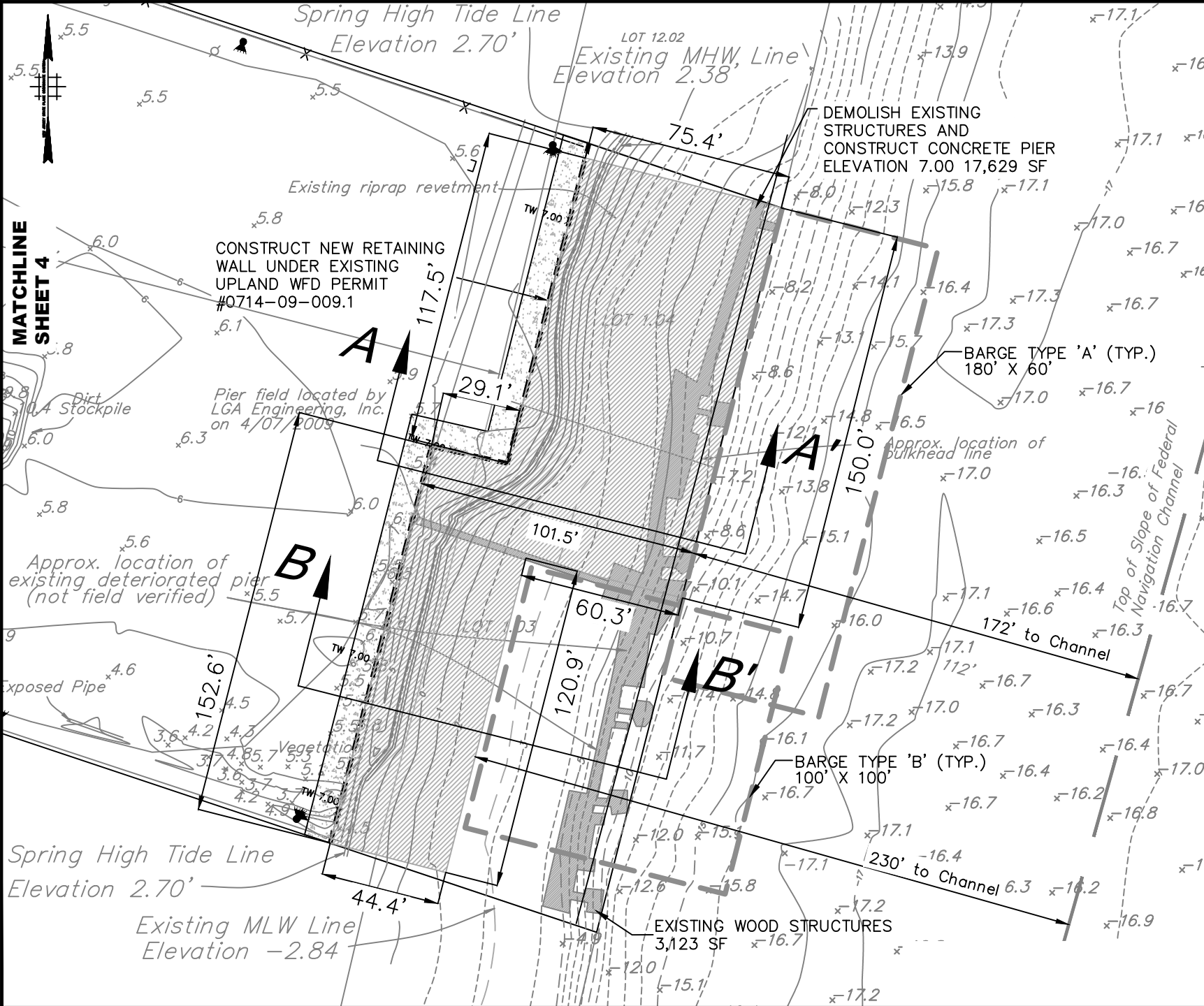


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 © MATRIXNEWORLD\DWG\201919-151\192 Doremus Avenue - Newark\Drawings\Plot\_Sheet8.5x11\_sef\Title Sheet.dwg\8.5x11 (2)





# USACE FILE: NAN-2019-01133-EMI

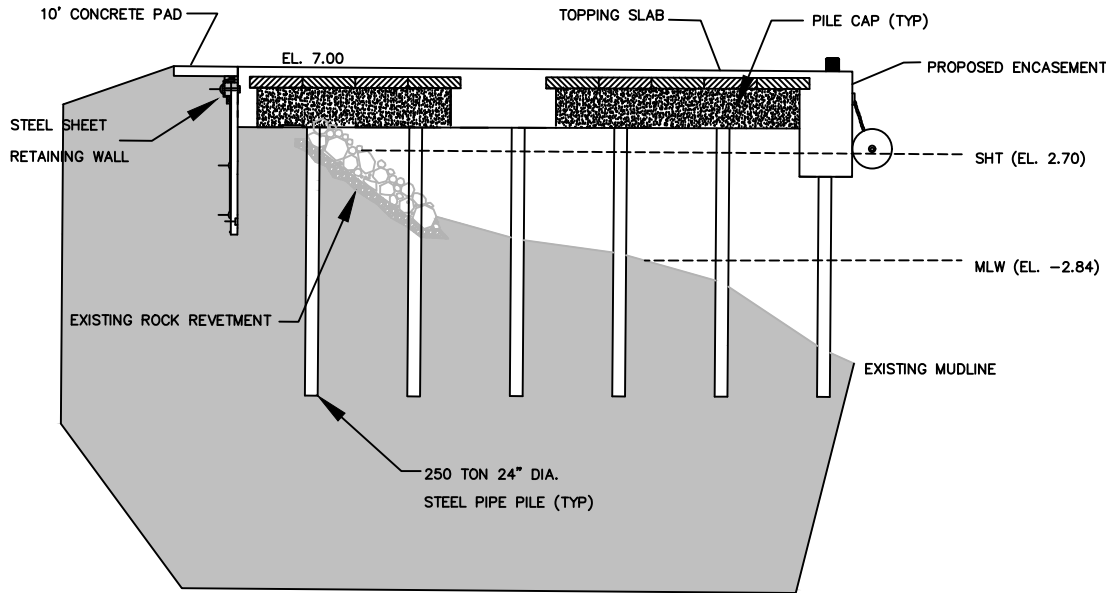


**MATCHLINE SHEET 4**

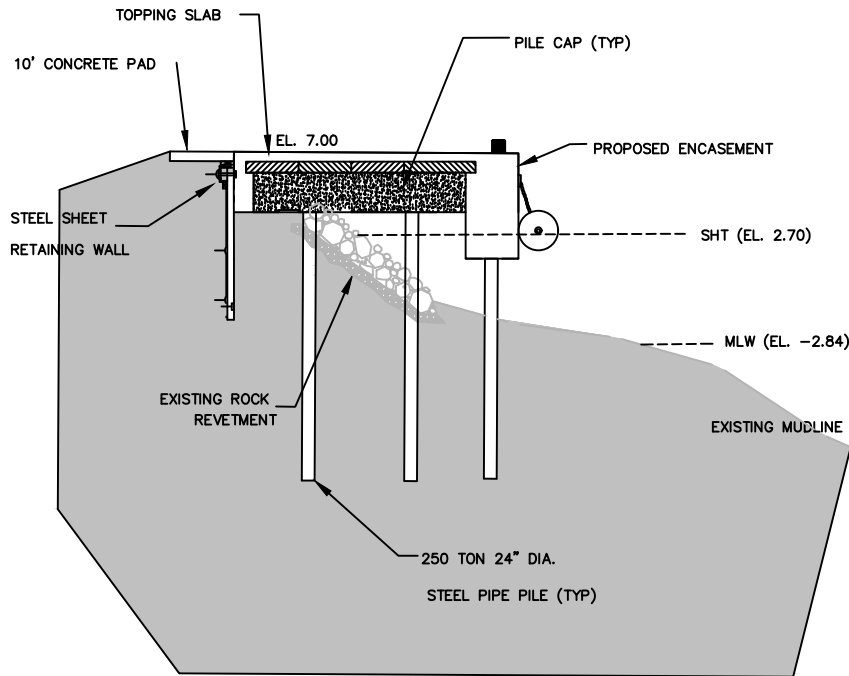
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 © MATRIXNEWORLD INC. 151192 Dorchester Avenue - Newark Drawings/Plot Sheet 8.5x11 set 02-Site Plan ACOE.dwg/04-GRADING & UTILITY acce 2

DESIGNED BY: <b>ANDREW W. RAICHELE, P.E.</b> NEW JERSEY LICENSE NO. 246E0418800		REVIEWED BY:		RELEASED BY:		DATE: 6/15/20	
<b>MATRIXNEWORLD</b> Engineering Programs Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C. 147 S. State Route 35, Second Floor Edison, New Jersey 07124 W/E / D/E NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 246A0706200		PROJECT NUMBER: 19-151 DATE: 8/12/19 SCALE: AS NOTED		SHEET 5 OF 6		REVISIONS 1. PER ACCE COMMENTS 2. PER ACCE COMMENTS	

# USACE FILE: NAN-2019-01133-EMI



PIER DETAIL  
SECTION A-A'  
SCALE: 1"=30'



PIER DETAIL  
SECTION B-B'  
SCALE: 1"=30'

### GRADING AND UTILITY NOTES:

- ALL LOCATIONS OF EXISTING UTILITIES AT ALL POTENTIAL CROSSINGS ARE TO BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- LOCATIONS OF WATER SERVICES ARE APPROXIMATE. FINAL LOCATIONS ARE TO BE CONFIRMED WITH THE ARCHITECTURAL PLANS. EXISTING SEWER SERVICE IS IN PLACE SHALL REMAIN. THIS SEWER SERVICE IS TO BE TELEVIEWED TO ENSURE THAT IT IS OPERABLE.
- STREET LIGHTING IS NOT PROPOSED FOR THIS PROJECT. THE SITE IS BOUND BY EXISTING STREETS WITH LIGHTING ALREADY IN PLACE.

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EXISTING PIER TO BE REMOVED AND CONSTRUCT NEW BULKHEAD AND PIER FOR USE IN TRANSPORTATION OF CONSTRUCTION EQUIPMENT AND MATERIAL VIA BARGE ALONG PASSAIC RIVER.
- MAJORITY OF SITE IS DGA. ONLY PAVING IS THE ASPHALT APRON FOR SITE ACCESS FROM ROADWAY.

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NAVD 88 = 0.00 FEET  
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NO.	DATE	BY	REVISIONS

DESIGNED BY: ANDREW W. RAICHELE, P.E.  
NEW JERSEY LICENSE NO. 246E0418800

REVIEWED BY:

RELEASED BY:

DATE: 6/5/20

DATE: 6/5/20

**MATRIXNEWORLD**  
Engineering Programs

Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C.  
447 Stearns Road, 3rd, Second Floor  
Essex, New Jersey 07024  
WBE / DBE  
NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 246A0706200

PIER DETAILS

PRELIMINARY & FINAL MAJOR SITE PLAN

PORTION OF TAX LOTS 1, 1.03, 1.04; BLOCK 5014

192 DOREMUS, LLC

SITUATED IN  
CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY

PROJECT NUMBER: 19-151

DATE: 8/12/19

SCALE: AS NOTED

SHEET 6 OF 6