



**US Army Corps  
of Engineers®**

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

# Public Notice

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In replying refer to:  
Public Notice No. Arthur Kill 2020  
Published: December 4, 2020  
Expires: January 3, 2020

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**MAINTENANCE DREDGING OF THE  
NEW YORK AND NEW JERSEY CHANNELS – ARTHUR KILL REACHES,  
NY&NJ FEDERAL NAVIGATION PROJECT**

**TO WHOM IT MAY CONCERN:**

The U.S. Army Corps of Engineers, New York District, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and 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 shoals in the New York and New Jersey Channels – Arthur Kill Reaches, NY&NJ Federal Navigation Project. The dredged material will be placed at a suitable, state-permitted upland site(s).

**WATERWAY:** Arthur Kill Reaches of the New York and New Jersey Channels, Federal Navigation Project

**LOCATION:** Middlesex County and Union County, New Jersey. Richmond County, New York

The Arthur Kill Reaches of the New York and New Jersey Channels Federal Navigation Project was authorized by the River and Harbor Act of 1933 and subsequently modified in 1935, 1950, 1965 and 1985.

The existing project in the area proposed for maintenance dredging provides for a channel 37 ft. deep in rock and 35 ft. deep in soft material, generally 600 ft. wide through Lower New York Bay, Raritan Bay and Arthur Kill to a point 1000 ft. north of Smith Creek, except in the vicinities of Seguine Point and Ward Point where the width is to be 800 ft. The Seguine Point Bend Reach is located within Raritan Bay, between channel mile points 7.5 and 8.7, just south of Seguine Point, Staten Island, New York. The Ward Point Bend Reach is located within the Raritan Bay, between channel mile point 11.2 and 12.8, just off Ward Point, Staten Island, New York. The Arthur Kill Reach begins at a point north of the Raritan River from the Outerbridge Crossing to Goethals Bridge (channel mile points 14.0 to 23.5).

This activity is being evaluated to determine that the proposed dredging with placement of dredged material on a permitted, suitable, upland disposal site(s) 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 U.S. Army Corps of Engineers, New York District, 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.

DUE TO CURRENT LOCAL CONDITIONS, AND TO ENSURE ALL COMMENTS REGARDING THIS ACTIVITY ARE RECEIVED, ALL COMMENTS SHOULD BE EMAILED TO ALEXANDER.F.GREGORY@USACE.ARMY.MIL BEFORE THE EXPIRATION DATE OF THIS NOTICE. Otherwise, it will be presumed that there are no objections to the activity.

Any person who 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, pre-historical 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 water quality certificates (WQC) from the New Jersey Department of Environmental Protection and the New York State Department of Environmental Conservation, 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 or Federal Consistency Determination (FCD) program, the Corps must submit a determination that the proposed project is consistent with the State CZM program and/or State FCD program to the maximum extent practicable. This activity is subject to review by the New York State Department of State for CZM consistency and by State of New Jersey Department of Environmental Protect for FCD consistency. The U.S. Army Corps of Engineers, New York District, has determined that the proposed activities are consistent to the maximum extent

practicable and within the applicable policies of the CZM program and FCD program. A copy of the CZM determination will be provided to the New York State Department of State and a copy of the FCD determination will be forwarded 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 New York State Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Avenue, Suite 1010, Albany, NY 12231 and 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.

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, First District
- New York State Department of Environmental Conservation
- New York State Department of State
- New York City Department of Environmental Protection
- State of New Jersey, Department of Environmental Protection

If you have any questions concerning this notice, you may contact Mr. Alexander Gregory, the Project Manager at (917) 790-8427, or [alexander.f.gregory@usace.army.mil](mailto:alexander.f.gregory@usace.army.mil).

#### **DESCRIPTION OF PLANNED FEDERAL ACTION:**

The U.S. Army Engineer District, New York, proposes to perform maintenance dredging of portions of the Arthur Kill Reaches of the New York and New Jersey Channels, Federal Navigation Project. The Arthur Kill was last dredged in 2014 with 232,550 cubic yards (CY) of selected shoals removed from this section of the Federal Navigation Project. The material was placed at several contractor furnished, state permitted, upland placement sites.

The proposed maintenance dredging would involve the removal of approximately 250,000 CY of selected critical shoals from the Arthur Kill Reaches of the New York and New Jersey Channels Federal Navigation Project, subject to the availability of funds. Dredging would be to depths of -35 ft. mean lower low water (MLLW) plus 2 ft. allowable overdepth.

Placement of the dredged material is proposed to be at a suitable, contractor-furnished, state-permitted upland placement site. The proposed dredging cycle is anticipated to occur in Summer / Fall 2021.

The purpose of the proposed dredging is to maintain the authorized project dimensions,

thereby assuring safe and economical use of the New York and New Jersey Channels Federal Navigation Project by shipping interests. Maintenance dredging of a channel is generally accomplished by a clamshell dredge with an environmental bucket.

#### **ENVIRONMENTAL IMPACT STATEMENT:**

An Environmental Assessment (EA) updating the EIS was prepared by the New York District for a similar New York and New Jersey Channels - Arthur Kill Reaches maintenance dredging project in 2012. The EA concluded that the 2014 dredging, with disposal at an approved upland facility, would have no significant impact on the quality of the human environment.

An EA and Section 404(b), as required by the Clean Water Act 40 CFR230, evaluation will be prepared prior to implementation of the proposed work.

#### **PLACEMENT SITE:**

The dredged material will be transported to a suitable permitted upland beneficial re-use site(s); both permitted by the State, and approved by the Government. The dredged material will be required to meet all federal, state and local criteria required by the government agencies having jurisdiction where the placement site is located. All necessary permits required for the dredged material placement will be provided to the Government.

#### **MATERIAL DESCRIPTION:**

Results of a grain size analyses performed on samples taken from the shoals in the channel in 2020 indicate that the proposed dredge material is mostly sand and silt.

**Gravel 5.6% Sand 30.2% Silt 48.0% Clay 16.2%**

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 U.S. Army Corps of Engineers, New York District programs, please visit our web site at <http://www.nan.usace.army.mil>.



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Randall G. Hintz  
Chief, Operations Support Branch

Encls.  
2021 Maintenance Dredging Map





Area to be  
dredged

2021 Maintenance Dredging of the  
New York and New Jersey Channels -  
Arthur Kill Reaches