



**US Army Corps
of Engineers®**

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

Public Notice

In reply refer to:
Public Notice No. NEWARK BAY, NJ FY22
Published: 06-Jan-2022 Expires: 05-Feb-2022

NEWARK BAY, NEW JERSEY FEDERAL NAVIGATION PROJECT MAINTENANCE DREDGING

TO WHOM IT MAY CONCERN:

The New York District, U.S. Army Corps of Engineers (the Corps), 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 Newark Bay Federal Navigation Project with subsequent placement of the dredged material at a suitable, state-permitted upland site(s).

ACTIVITY: Maintenance dredging of approximately 600,000 cubic yards (CY) of silt, clay, and sand from the Main and Port Newark Channels of Newark Bay and adjacent areas, with placement upland at a state permitted site(s). Annual maintenance dredging will be required to remove this volume.

WATERWAY: Newark Bay, NJ – 50-foot and 40-foot reaches.

LOCATION: Hudson County and Essex County, New Jersey.

The Newark Bay Federal Navigation Project was authorized by the Rivers and Harbors Acts of 1922, subsequently modified in 1943, 1954, 1964, 1966, 1975, 1985, 1986, and 2000. As well as the, the Harbor Deepening Project authorized under Section 101(a)(2), Water Resources Development Act of 2000 (P.L. 106-541).

Newark Bay Federal Navigation Project includes the following channels:

- a. South Main Channel, from the southern widenings and maneuvering areas to the end of the 50 ft deepening area just north of Port Elizabeth Channel, 800 ft to 2,360 ft wide, 50 ft authorized depth. Length is approximately 2.46 miles.
- b. Middle Main Channel, from the end of the deepening area just north of Port Elizabeth Channel, to the branch channel at Port Newark, 565 ft to 800 ft wide, 40 ft authorized depth. Length is approximately 0.61 miles.

- c. North Main Channel, from the branch channel at Port Newark to a turning basin at the junction of the Hackensack and Passaic River channels, 500 ft to 1,030 ft wide, 35 ft authorized depth. Length is approximately 1.57 miles.
- d. A branch channel at Port Newark (Port Newark Branch Channel), 400 ft to 1,785 ft wide, leading to a 400 ft wide inshore channel. The channel is authorized at 40 ft depth throughout the entire channel except the western 1,000 ft of channel which is authorized at 35 ft depth. Length is approximately 1.65 miles.
- e. A pierhead channel (Port Newark Pierhead Channel) between Port Newark and Elizabeth Channels, 300 ft to 750 ft wide, 40 ft authorized depth. Length is approximately 0.75 miles.
- f. A branch channel (Elizabeth Channel), 500 ft to 760 ft wide and 50 ft authorized depth. Length is approximately 1.5 miles.
- g. A branch channel (South Elizabeth Channel), 500 ft wide and tapering to 100 ft wide at the end of the channel. The channel is authorized at 50 ft depth throughout the entire channel except the western 1,000 ft of channel which is authorized at 45 ft depth. Length is approximately 0.50 miles.

The proposed activity is to maintenance dredge the critical shoals of the Newark Bay, NJ Federal Navigation Project and adjacent areas, with a mechanical bucket dredge.

This maintenance activity is being evaluated to determine that the proposed maintenance dredging with upland placement of the dredged material at a permitted, suitable, upland placement 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 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 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 EDWARD.WROCENSKI@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 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, 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 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 Federal Consistency Determination (FCD) program, the Corps submits a determination that the proposed project is consistent with the State FCD program to the maximum extent practicable. This activity is subject to review by the New Jersey Department of Environmental Protection for its consistency with the enforceable policies of the New Jersey State Coastal Management Program. The Corps, has determined that the proposed activities are consistent to the maximum extent practicable and within the applicable policies of the New Jersey State Coastal Management Program. A copy of this determination will be 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 Services 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 and Sector New York
- New Jersey Department of Environmental Protection

If you have any questions concerning this notice, please contact Mr. Edward Wrocenski, Project Manager at (917) 790-8636, or edward.wrocenski@usace.army.mil.

DESCRIPTION OF PLANNED ACTION:

The U.S. Army Corps of Engineers (the Corps) proposes to perform maintenance dredging of portions of the Newark Bay, NJ Federal Navigation Channel, and adjacent areas. Dredging of Newark Bay is currently ongoing and is scheduled to be completed during the early months (winter) of 2022, with approximately 390,000 CY of material having been removed from the Main, Port Elizabeth, South Elizabeth, and Port Newark Pierhead Channels. The material currently being dredged is being placed at suitable, state-permitted upland sites. The last dredging cycle completed by the Corps occurred during the summer of 2020, where approximately 227,070 CY of material was removed from the Main Channel and placed at suitable, state-permitted upland sites.

The proposed annual maintenance dredging would involve the removal of material from the Main and Port Newark Channels of the Newark Bay Federal Navigation Project and adjacent areas. A total of approximately 600,000 CY will be required to be removed. Maintenance dredging of the Newark Bay channels, and adjacent areas will be accomplished by a mechanical dredge with an environmental bucket. The entire channels will generally not require maintenance dredging, only areas where shoaling has reduced the depth of the channels will require dredging.

The purpose of the proposed maintenance work is to alleviate the effects of the shoaling and restore the authorized navigation channel project dimensions, thereby assuring safe and economical use of Newark Bay by shipping interests, while providing upland beneficial use of the dredged material. The dredged material would be placed at a suitable, state-permitted upland site(s).

The maintenance dredging and upland placement is anticipated to occur from June through January.

ENVIRONMENTAL IMPACT STATEMENT:

An Environmental Impact Statement (EIS) was prepared in 1973 for the maintenance dredging of the Newark Bay Federal Navigation Channel. An EIS was prepared in 2000 for the New York New Jersey (NYNJ) Harbor Deepening entitled "Final Environmental Impact Statement on the New York and New Jersey Harbor Navigation Study". This EIS covered the NYNJ Harbor – Newark Bay channels deepened to the authorized depth of -50 ft.

An Environmental Assessment (EA) updating the EIS was prepared by the New York District for a similar Newark Bay maintenance dredging project in 2021. The EA concluded that the proposed dredging, with placement at an approved upland facility, would have no significant impact on the quality of the human environment.

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

PLACEMENT SITE:

The material will be dredged and subsequently prepared for transportation 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 prior to the start of dredging.

MATERIAL DESCRIPTION:

Results of grain size analyses previously performed on samples taken from the shoals in Newark Bay, in as recently as 2020, indicated that the proposed dredge material is likely to be mostly silt and clay. Additional grain size analyses on samples to be taken from the shoals in Newark Bay will be performed in 2022 prior to the start of dredging.

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



Area to be Dredged

**Fiscal Year 2022 Maintenance Dredging
New York and New Jersey Harbor -
Newark Bay Federal Navigation Project**