



**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. CHEESEQUAKE CREEK, NJ FY20
Published: 25 February 2020 Expires: 19 March 2020

CHEESEQUAKE CREEK, 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 Cheesequake Creek Federal Navigation Channel with subsequent placement of the dredged material at a suitable, state-permitted upland site(s).

ACTIVITY: Maintenance Dredging of up to 9,000 cubic yards (CY) of sand and gravel from the Cheesequake Creek entrance channel with placement upland at a state permitted site.

WATERWAY: Cheesequake Creek, NJ seaward of the Route 35 Bridge.

The Cheesequake Creek, NJ Federal Navigation Project was adopted in 1880 and has an authorized project depth of -5 feet Mean Lower Low Water (MLLW), 100 feet wide from a 5 foot depth contour in Raritan Bay to mouth of the creek. The channel is about 0.3 miles long.

The proposed activity is to maintenance dredge with a mechanical bucket dredge the critical shoal areas located in the Cheesequake Creek, NJ Federal Navigation Project.

This maintenance activity is being evaluated to determine that the proposed maintenance dredging placement of dredged material 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.

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, pre-historical or historical data are expected to be lost by work accomplished under the required dredging.

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 the Cheesequake Creek, NJ Federal Navigation Channel. The channel was last dredged by the Corps in 1948, where approximately 10,400 CY of material was removed. The proposed

maintenance dredging would involve the removal of approximately 10,000 CY of material within the Cheesequake Creek Federal Navigation Project. Maintenance dredging of the channel at Cheesequake Creek will be accomplished by a mechanical 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.

The purpose of the proposed maintenance work is to alleviate the effects of the sand shoaling and restore the authorized navigation channel project dimensions, thereby assuring safe and economical use of the Cheesequake Creek by commercial and recreational boating interests while providing upland beneficial use of the dredged material. The sand and gravel Dredged material would be placed at a state approved upland site(s).

The maintenance dredging and upland placement is anticipated to occur during July, August, September, or October of 2020.

ENVIRONMENTAL IMPACT STATEMENT:

It has been determined that maintenance dredging of Cheesequake Creek Federal channel, NJ with subsequent upland placement of dredged material is not likely to have a significant adverse environmental impact on water quality, marine resources, fish, wildlife, endangered species, recreation, aesthetics and flood protection of the area.

An update of the Environmental Assessment will be prepared prior to the implementation of the proposed maintenance dredging work.

PLACEMENT SITE:

The dredged 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 a grain size analyses performed on samples taken from the shoals in the creek in 2018 indicate that the proposed dredge material is greater than 98% sand and gravel.

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>.


FR Randall G. Hintz
Chief, Operations Support Branch



Cheesquake Creek, approximate locations of dredging areas shown (Google Earth Image Date: October 2018).