



# 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-2020-01044-M2**

Issue Date: July 28, 2022

Expiration Date: August 27, 2022

The New York District, of the U.S. Army 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:** Port Authority of New York and New Jersey  
4 World Trade Center  
150 Greenwich Street, 20th Floor  
New York, New York 10007

**ACTIVITY:** Installation of new fairlead structures

**WATERWAY:** Upper Bay, a tributary of New York Harbor

**LOCATION:** Bayonne Dry Dock, City of Bayonne, Hudson 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 EMAILED TO [William.Bruno@usace.army.mil](mailto:William.Bruno@usace.army.mil) 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 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.

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 applied for a water quality certificate 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 not obtained concurrence to their coastal zone management consistency determination 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 418, 401 E. State Street, Trenton, NJ, 08625, Telephone (609) 633-2201. Comments regarding the applicant's

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THIS OFFICE\*\*\***

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 T. 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>.

 Date: 2022.07.28  
12:38:42 -04'00'

**FOR AND IN BEHALF OF**  
Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

**\*\*\*PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH  
THIS OFFICE\*\*\***

### DESCRIPTION OF PROPOSED WORK

On March 10, 2021, this office issued Department of the Army (DA) permit NAN-2020-01044 to authorize maintenance activities of the existing relieving platforms and maintenance dredging at the Bayonne Dry Dock the former Military Ocean Terminal at Bayonne (MOTBY) site located in Upper Bay, a tributary of New York Harbor, in the City of Bayonne, Hudson County, New Jersey.

On January 14, 2022, this office issued DA permit modification NAN-2020-01044-M1 to authorize the extension of ongoing in-water work into the environmental no-work window.

The permittee, Port Authority of New York and New Jersey, has requested DA authorization to perform regulated construction work in waters of the United States to facilitate the installation of new fairlead structures at the Bayonne Dry Dock. The proposed regulated activities within waters of the United States would include the following:

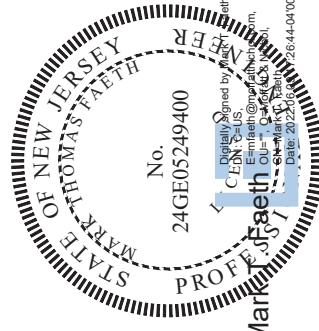
The installation of two (2) pile-supported fixed concrete fairlead decks extending approximately 30 feet waterward of the Berth E1 and E2 relieving platforms each with "L"-shaped walkways to provide access from berth relieving platforms to the fairlead decks.

Each concrete fairlead deck would be 16-foot-wide by 16-foot-long and located approximately equidistant from the dry dock entrance. To access the fairlead decks 5-foot wide by 30-foot-long aluminum walkways would extend from the reconstructed Berth E1 and E2 relieving platforms to 7-foot-wide by 7-foot-long walkway pile caps. A 5-foot-wide by 4-foot-long aluminum walkway would extend from the Berth E1 walkway pile cap to the Berth E1 fairlead deck and a 5-foot-wide by 10-foot-long aluminum walkway would extend from the Berth E2 walkway pile cap to the Berth E2 fairlead deck.

To support the fixed concrete fairlead decks walkway pile caps a total of sixteen (16) 24-inch-diameter steel pipe piles would be installed. The sixteen (16) new steel piles would be filled with flowable concrete and result in a total discharge of approximately 59 CY of fill below the plane of Spring High Water (SHW) over an approximately 50 square foot area.

The project would result in the increase of a total of approximately 796 square feet of overwater coverage. The applicant proposes to utilize a temporary turbidity curtain, to the extent practicable, to minimize turbidity in the water column during all in-water work activities.

UNLESS NOTED WITH A REVISION CLOUD, WORK SHOWN ON THESE PLANS HAVE BEEN PREVIOUSLY REVIEWED AND APPROVED BY THE USACE. THIS DRAWING IS THE PROPERTY OF THE U.S. ARMY CORPS OF ENGINEERS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE U.S. ARMY CORPS OF ENGINEERS. DATE: 2022-03-04 17:26:44-04'00"



# PORT JERSEY RECONSTRUCTION OF BERTHS E-1 AND E-2

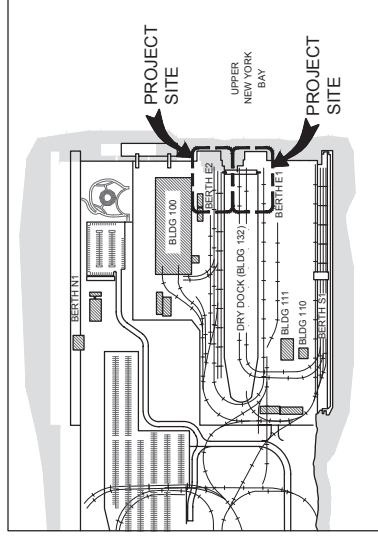
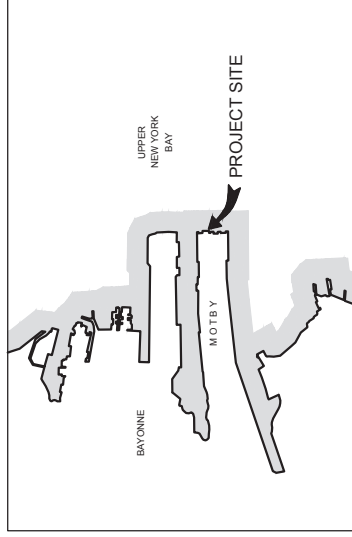
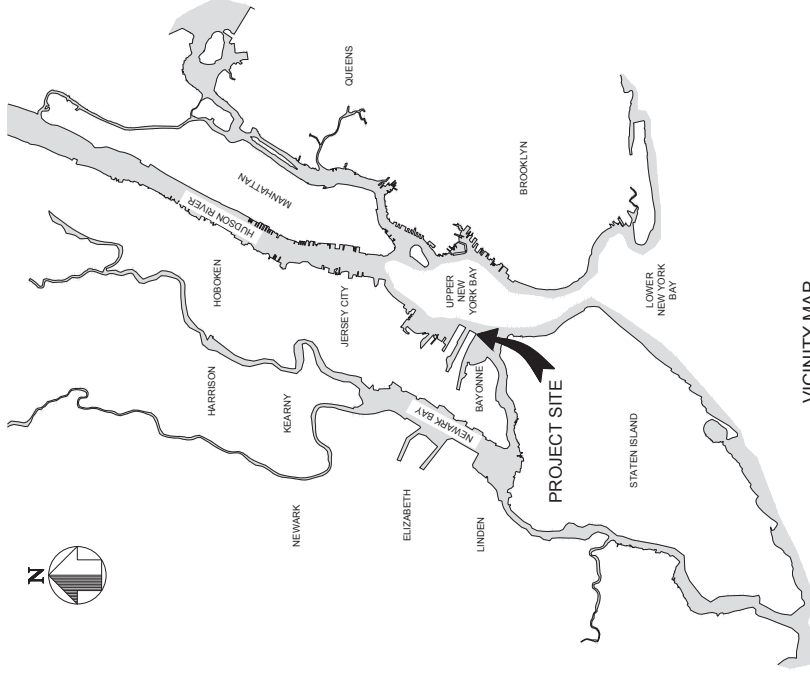
INDEX OF DRAWINGS	
SHEET NO.	SHEET TITLE
P001	VICINITY MAP, LOCATION PLAN, AND SITE PLAN
P002	EXISTING CONDITIONS SITE PLAN
P003	DEMOLITION PLAN
P004	TYPICAL DEMOLITION SECTIONS
P005A	RECONSTRUCTION PLAN
P005B	RECONSTRUCTION PLAN
P006	PILE PLAN (SHEET 1 OF 2)
P007	PILE PLAN (SHEET 2 OF 2)
P008	TYPICAL RECONSTRUCTION SECTION
P009	EXCAVATION, BACKFILLING AND FILLING NOTES
P010	TAPERTUBE PIPE PILE NOTES AND SPLICE DETAILS
P011	CYLINDRICAL STEEL PIPE PILE NOTES AND DETAILS
P012	OUTBOARD DREDGING PLAN
P013	BERTHS E1 AND E2 OUTBOARD DREDGING SECTIONS
P014	OUTBOARD DEBRIS REMOVAL SECTION AND NOTES
P015	SHEET PILE AND PILE ENCASEMENT DETAILS
P016	TYPICAL FAIRLEAD AND WALKWAY SECTION

DATUM CONVERSION	
WATER LEVEL	EL (NAVD88, FT)
MEAN HIGH WATER SPRING (SHW)	2.98
MEAN HIGH WATER (MHW)	2.04
NAVD88	0.00
MEAN LOW WATER (MLW)	-2.54

TIDAL DATA IS BASED ON NOAA STA. NO. 8518750, THE BATTERY, NY.

## NOTES:

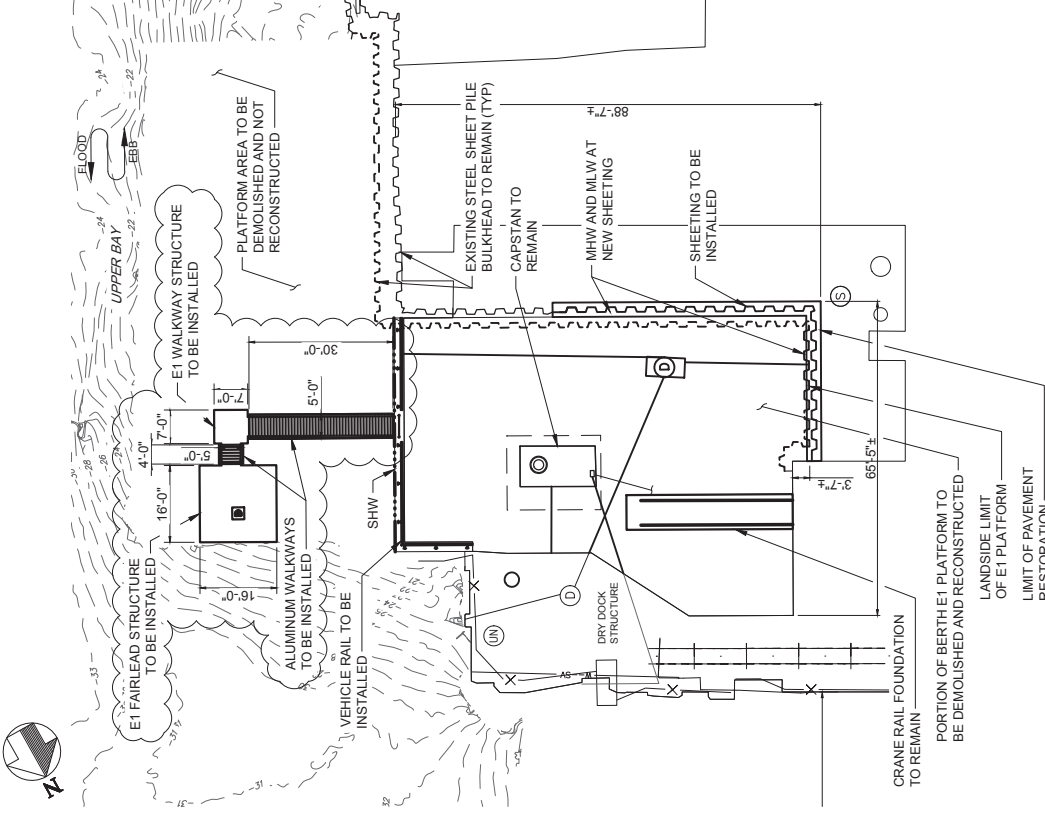
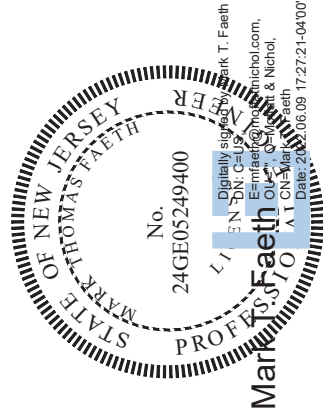
1. LATITUDE N 40 39.715' LONGITUDE W 74 04.186'.
2. PROJECT SITE IS LOCATED ON UPPER NEW YORK BAY IN THE CITY OF BAYONNE.
3. USACE #NAN-2020-01044 (3/10/21)
4. DEP #0901-07-0003.5 LUP200001 (12/18/20) DATUM: NAVD88



REVISED 6/9/2022

<div><div>PORT AUTHORITY</div><div>NY NJ</div></div>	PORT JERSEY		Discipline	MARCH 30, 2022		1 of 16
	RECONSTRUCTION OF BERTHS E-1 AND E-2		ENVIRONMENTAL	Date		Worker Number
			VICINITY MAP, LOCATION PLAN, AND SITE PLAN	PJ-664.531	Contract Number	
				17501000	Drawing Number	
					PID Number	
D. JACOBS	M. ESTIMABLE	K. WALSH				P001
Designed by	Drawn by	Checked by				

UNLESS NOTED WITH A REVISION CLOUD, WORK SHOWN ON THESE PLANS HAVE BEEN PREVIOUSLY REVIEWED AND APPROVED FOR CONSTRUCTION UNDER THE PERMIT NUMBER 0901-07-0003.5 LUP200001 ISSUED 12/18/2020 AND USACE PERMIT NUMBER NAN-2020-01044 ISSUED 3/10/2021.



BERTH E1 SITE PLAN

REVISED 6/9/2022

Description of Disturbance	Pile Material	Pile Size	Quantity of Piles	Structure Dimensions	Area of impact below SHW/MHW [SF]	Amount of Fill below SHW [CY]	Amount of Fill below MHW [CY]
Fairlead Facilities at Berth E1							
Walkway from E1 platform to pile cap	-	-	0	30.0' x 5.0'	-	-	-
Piles supporting concrete pile cap	Steel	24"	2	7.0' x 7.0' (pile cap)	6.3 SF	7.7 CY	7.5 CY
Walkway from pile cap to fairlead deck	-	-	0	4.0' x 5.0'	-	-	-
Fairlead deck at E1	Steel	24"	8	16.0' x 16.0' (deck)	25.1 SF	30.7 CY	29.8 CY
Fairlead at Berth E1 Totals	-	-	10	-	31.4 SF	38.4 CY	37.3 CY

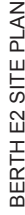
NOTES:

- NEW PLATFORM AREAS: BERTH E1 4,750 SF, BERTH E2 3,100 SF.
- NEW 18" PLATFORM PILES: BERTH E1 (25), BERTH E2 (17).
- NEW FAIRLEAD AND WALKWAY AREAS: BERTH E1 390 SF, BERTH E2 420 SF.
- NEW 24" FAIRLEAD AND WALKWAY PILES: BERTH E1 (10), BERTH E2 (6)

DATUM: NAVD88

<b>PORT AUTHORITY</b> NY NJ	PORT JERSEY	Discipline	ENVIRONMENTAL	MARCH 30, 2022 Date	5A of 16
	RECONSTRUCTION OF BERTHS E-1 AND E-2	RECONSTRUCTION PLAN	Contract Number PJ-664-531 PID Number 17501000	Workorder Number P005A	



NOTES:

- DATUM: NAVD88

D.JACOBS	M.ESTIMABLE	K.WALSH
Designed by	Drawn by	Checked by

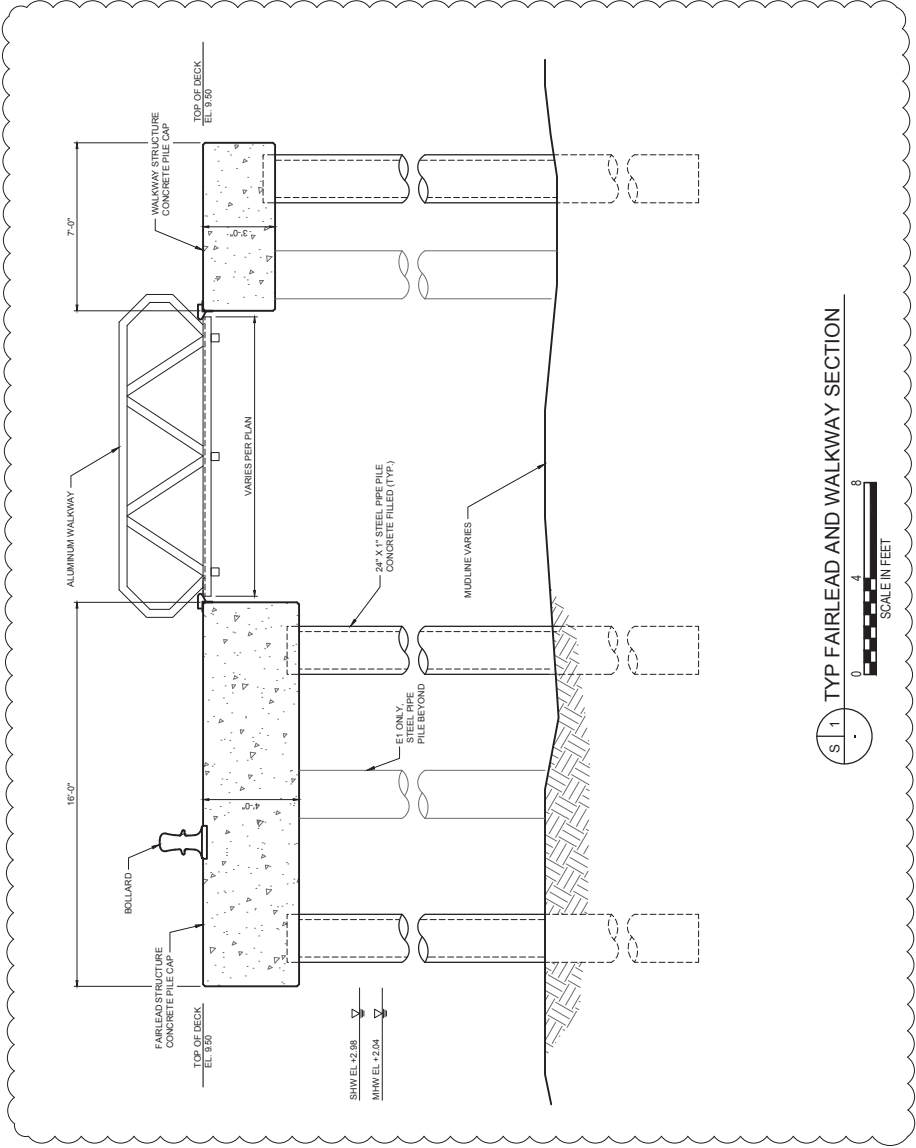
## RECONSTRUCTION OF BERTHS E-1 AND E-2

RECONSTRUCTION PLAN

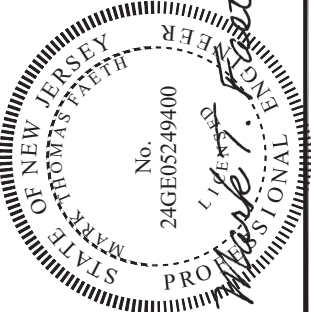
PJ-664.531
Contract Number
17501000
PIN Number

5B of 16

UNLESS NOTED WITH A REVISION CLOUD, WORK SHOWN ON THESE PLANS HAVE BEEN PREVIOUSLY REVIEWED AND APPROVED BY THE USACE. THESE PLANS WERE SUBMITTED FOR REVIEW UNDER THE USACE PERMIT NUMBER 0901-07-0003.5 LUP200001 ISSUED 12/18/2020 AND USACE PERMIT NUMBER NAN-2020-01044 ISSUED 3/10/2021.



1 TYP FAIRLEAD AND WALKWAY SECTION



DATUM: NAVD88

<div>PORT AUTHORITY NY NJ</div>	PORT JERSEY	Discipline ENVIRONMENTAL	MARCH 30, 2022 Date	16	of	16
	RECONSTRUCTION OF BERTHS E-1 AND E-2	TYPICAL FAIRLEAD AND WALKWAY SECTION	PJ-664.531 Contract Number	Drawing Number P016		
			17501000 PID Number			