



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-2022-00126-MBR
Issue Date: Mar 10, 2025
Expiration Date: Mar 30, 2025

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) and Section 404 of the Clean Water Act (33 U.S.C. 1344) .

APPLICANT: Sims Metal Management, Inc.
Attn: Kevin Northrup
1 Linden Avenue East
Jersey City, NJ 07305

ACTIVITY: Dredging with Upland Disposal

WATERWAY: Upper New York Bay

LOCATION: Jersey City, Hudson County, New York

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 MAILED 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

CENAN-OP-R
PUBLIC NOTICE NO. NAN-2025-00126-MBR

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 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 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.

Reviews 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 and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision. This public notice serves as notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act. If EPA determines that the proposed discharge may affect the quality of the waters of any state other than New Jersey, it will so notify such other state, the district engineer, and the applicant. If such notice or a request for supplemental information is not received within 30 days of issuance of this public notice, the district engineer will assume EPA has made a negative determination with respect to section 401(a)(2).

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

CENAN-OP-R
PUBLIC NOTICE NO. NAN-2025-00126-MBR

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.

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 Jeffrey Branham at (917) 384-6958, or at Jeffrey.J.Branham@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/business/buslinks/regulat/index.php?survey>.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

 Digitally signed by
Rosita Miranda

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

Enclosures

WORK DESCRIPTION

The applicant, Sims Metal Management, Inc, has requested Department of the Army authorization to perform maintenance dredging with upland disposal in the Upper New York Harbor, Jersey City, Hudson County, New Jersey

The work would involve the dredging of the Claremont Channel, with ten-years maintenance, by mechanical dredge approximately 200,000 cubic yards (CY) of material over an approximately 44.0197-acre area to a depth of 23 feet below the plane of Mean Low Water (MLW) with two-feet of over dredge depth.

Dredged material will be placed on a barge and dewatered, and then processed off-site at the approved Clean Earth Dredging Technologies (CEDT) Claremont/Bayshore Dredged Material Processing Facility (DMPF), after which it will be disposed of at the Clean Earth Bethlehem (CEB) disposal site.

The applicant plans to conduct 5 additional dredging events within the ten-year maintenance dredging period removing a maximum of approximately 100,000 CY per event from within the same dredging area with the same disposal area.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredged area to the minimum area required for safe and reasonable navigation. Any potential impacts would be temporary nature.

The stated purpose of this project is to perform continued maintenance of historically maintained navigable water depths in navigational channels providing access to and from the existing terminal.



SHEET 2

MATCH LINE


DESIGNED BY:

NICHOLAS R. DeCOTIIS, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE NO. 24GE04785900

REVIEWED BY:

RELEASED BY:

DATE _____



3107 ATLANTIC AVENUE
PO BOX 309
LITTLE ROCK, AR 72202
NJ Certificate of Authorization #24GA28226900

MAINTENANCE DREDGING PLAN

**SIMS METAL MANAGEMENT
CLAREMONT TERMINAL DREDGING PLAN**

SITUATED IN
JERSEY CITY, HUDSON COUNTY, NEW JERSEY

PROJECT NUMBER

DATE: 10

SCALE: AS

SHEET **1** OF **8**

1 of 8

Plotted: 10/29/2024 9:55 AM, By: Nicholas DeCotiis
W:\Family Room\Projects\SIMS\dredge\Dredging Permit-R1.dwg\SHT1

COORDINATE SYSTEM

HORIZONTAL DATUM: NAD 1983
VERTICAL DATUM: MLW

SURVEY NOTES

1. HYDROGRAPHIC SURVEY REFERENCE: HYDROGRAPHIC SURVEY CLAREMONT TERMINAL JERSEY CITY NEW JERSEY" PREPARED BY ROGERS SURVEYING, PLLC DATED JUNE 2021.

2. ELEVATIONS REFERENCED TO FEET BELOW MEAN LOW WATER.

TIDAL ELEVATION

REFERS TO MLW AS FOLLOWS

SPRING HIGH WATER ELEVATION	4.90'
MEAN HIGH WATER	4.57'
NAVD 88	2.54'
MEAN LOW WATER	0.00'

DREDGING NOTES:

1. DREDGING IS TO BE CONDUCTED VIA MECHANICAL MEANS, USING AN ENVIRONMENTAL BUCKET. TO THE DEPTHS SHOWN HEREON (REFERENCED TO THE CORPS OF ENGINEERS MEAN LOW WATER DATUM).

2. THE APPROXIMATE TOTAL QUANTITY OF PROPOSED DREDGING, INCLUDING 2 FEET OF OVERDREDGE, IS 200,000 CUBIC YARDS.

3. DREGE MATERIAL SHALL BE DEWATERED ON BARGE AND TRANSPORTED TO AN NJDEP-APPROVED DREDGE PROCESSING FACILITY FOR AMENDMENT AND UPLAND DISPOSAL IN ACCORDANCE WITH AN NJDEP ACCEPTABLE USE DETERMINATION.

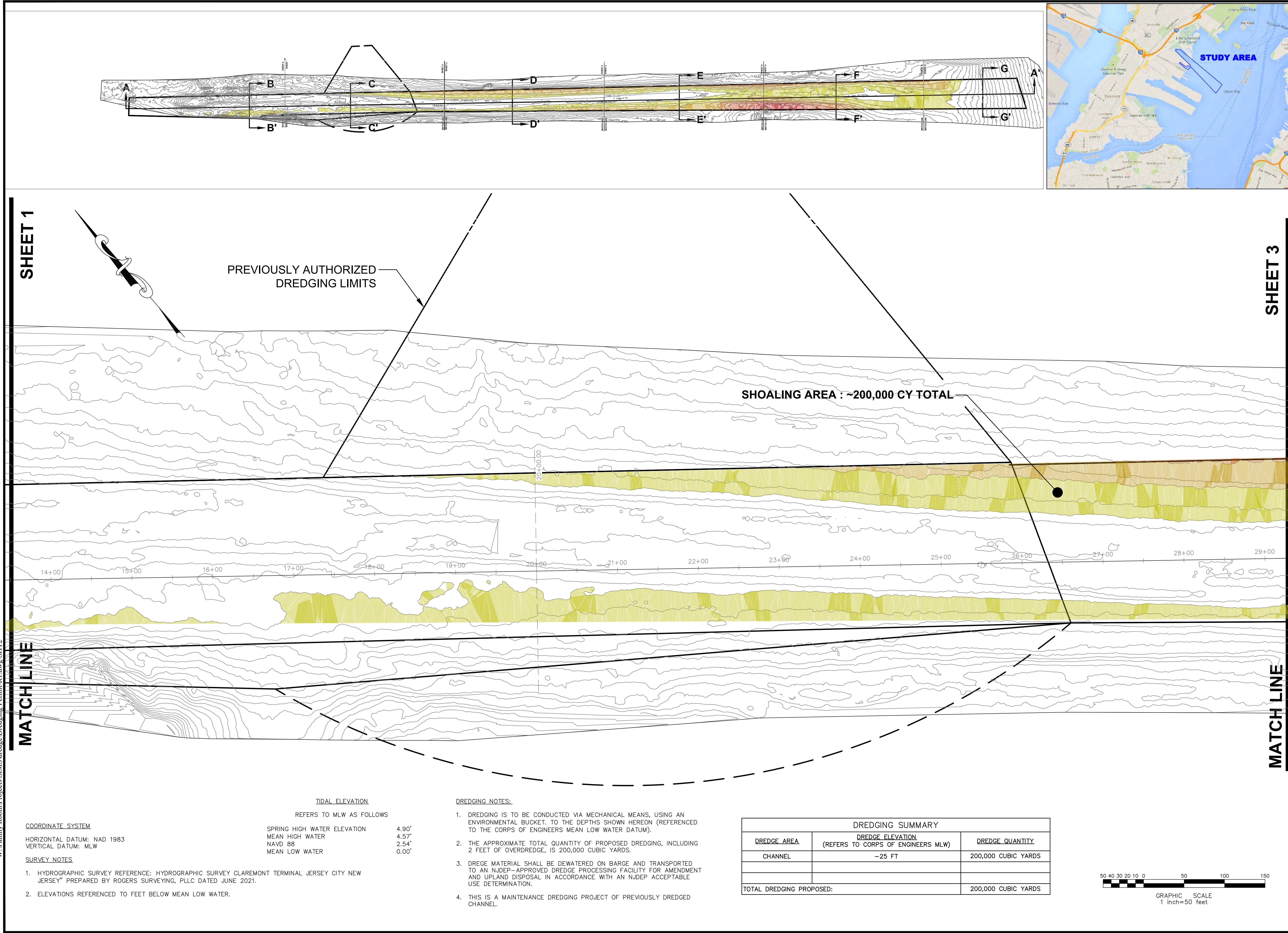
4. THIS IS A MAINTENANCE DREDGING PROJECT OF PREVIOUSLY DREDGED CHANNEL.

DREDGING SUMMARY		
<u>DREDGE AREA</u>	<u>DREDGE ELEVATION</u> (REFERS TO CORPS OF ENGINEERS MLW)	<u>DREDGE QUANTITY</u>
CHANNEL	-25 FT	200,000 CUBIC YARDS
TOTAL DREDGING PROPOSED:		200,000 CUBIC YARDS



GRAPHIC SCALE
1 inch=50 feet

Plotted: 10/29/2024 9:55 AM, By: Nicholas DeCotis
W:\Family Room\Projects\SIMS\dredge\Permit-R1.dwg SHIT2



SHEET 1

SHEET 3

MATCH LINE

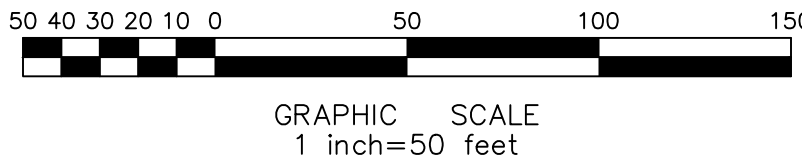
MATCH LINE

COORDINATE SYSTEM	
HORIZONTAL DATUM: NAD 1983	
VERTICAL DATUM: MLW	
SURVEY NOTES	
1. HYDROGRAPHIC SURVEY REFERENCE: HYDROGRAPHIC SURVEY CLAREMONT TERMINAL JERSEY CITY NEW JERSEY" PREPARED BY ROGERS SURVEYING, PLLC DATED JUNE 2021.	
2. ELEVATIONS REFERENCED TO FEET BELOW MEAN LOW WATER.	

TIDAL ELEVATION	
REFERS TO MLW AS FOLLOWS	
SPRING HIGH WATER ELEVATION	4.90'
MEAN HIGH WATER	4.57'
NAVD 88	2.54'
MEAN LOW WATER	0.00'

- DREDGING NOTES:**
- DREDGING IS TO BE CONDUCTED VIA MECHANICAL MEANS, USING AN ENVIRONMENTAL BUCKET, TO THE DEPTHS SHOWN HEREON (REFERENCED TO THE CORPS OF ENGINEERS MEAN LOW WATER DATUM).
 - THE APPROXIMATE TOTAL QUANTITY OF PROPOSED DREDGING, INCLUDING 2 FEET OF OVERDREDGE, IS 200,000 CUBIC YARDS.
 - DREGE MATERIAL SHALL BE DEWATERED ON BARGE AND TRANSPORTED TO AN NJDEP-APPROVED DREDGE PROCESSING FACILITY FOR AMENDMENT AND UPLAND DISPOSAL IN ACCORDANCE WITH AN NJDEP ACCEPTABLE USE DETERMINATION.
 - THIS IS A MAINTENANCE DREDGING PROJECT OF PREVIOUSLY DREDGED CHANNEL.

DREDGING SUMMARY		
DREDGE AREA	DREDGE ELEVATION (REFERS TO CORPS OF ENGINEERS MLW)	DREDGE QUANTITY
CHANNEL	-25 FT	200,000 CUBIC YARDS
TOTAL DREDGING PROPOSED:		200,000 CUBIC YARDS



DESIGNED BY:	AR	REVIEWED BY:	PC	RELEASED BY:	AWR
NICHOLAS R. DeCOTIIS, P.E. NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 2460478590					
DATE					
NO.					
DESCRIPTION					
DATE					
REV.					
REL.					

3107 ATLANTIC AVENUE
ALLENWOOD, NJ 07020
NJ Certificate of Authorization #246A28230600
Tel: 908.228.4300

MAINTENANCE DREDGING PLAN	SIMS METAL MANAGEMENT CLAREMONT TERMINAL DREDGING PLAN	SITUATED IN JERSEY CITY, HUDSON COUNTY, NEW JERSEY

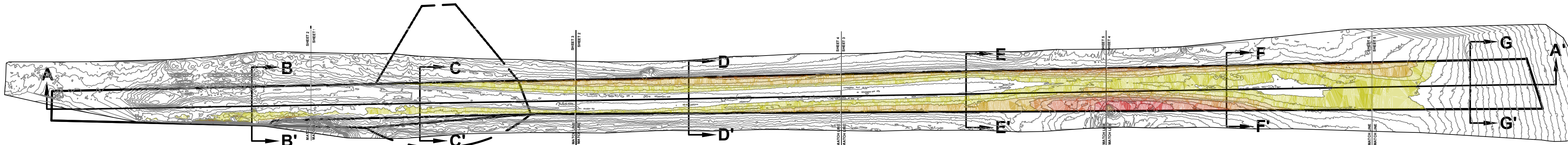
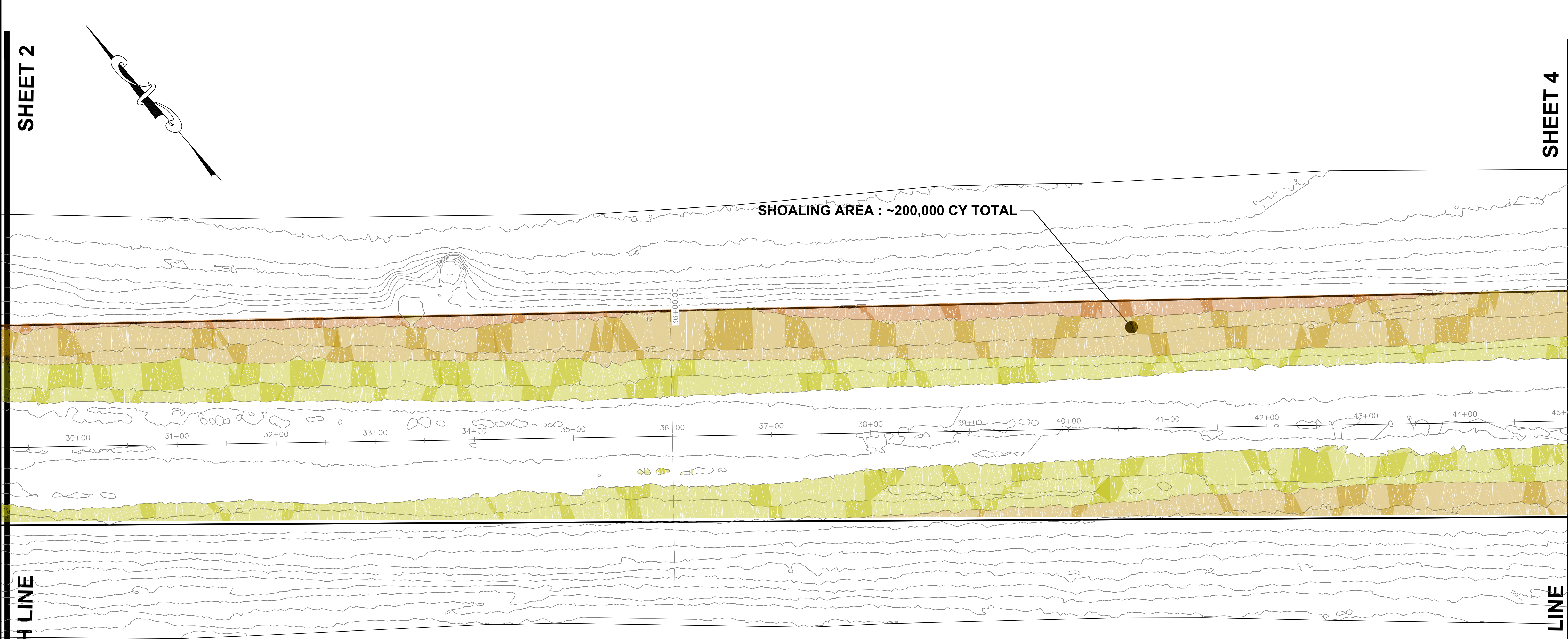
PROJECT NUMBER:
DATE: 10-29-2024
SCALE: AS NOTED

SHEET 2 OF 8

Plotted: 10/29/2024 9:55 AM, By: Nicholas DeCotris
W:\Family Room\Projects\SIMS\dredge\Permit-R1.dwg\$HTT3

SHEET 2

SHEET 4



COORDINATE SYSTEM

HORIZONTAL DATUM: NAD 1983
VERTICAL DATUM: MLW

SURVEY NOTES

- HYDROGRAPHIC SURVEY REFERENCE: HYDROGRAPHIC SURVEY CLAREMONT TERMINAL JERSEY CITY NEW JERSEY" PREPARED BY ROGERS SURVEYING, PLLC DATED JUNE 2021.
- ELEVATIONS REFERENCED TO FEET BELOW MEAN LOW WATER.

TIDAL ELEVATION

REFERS TO MLW AS FOLLOWS

SPRING HIGH WATER ELEVATION	4.90'
MEAN HIGH WATER	4.57'
NAVD 88	2.54'
MEAN LOW WATER	0.00'

DREDGING NOTES:

- DREDGING IS TO BE CONDUCTED VIA MECHANICAL MEANS, USING AN ENVIRONMENTAL BUCKET. TO THE DEPTHS SHOWN HEREON (REFERENCED TO THE CORPS OF ENGINEERS MEAN LOW WATER DATUM).
- THE APPROXIMATE TOTAL QUANTITY OF PROPOSED DREDGING, INCLUDING 2 FEET OF OVERDREDGE, IS 200,000 CUBIC YARDS.
- DREGE MATERIAL SHALL BE DEWATERED ON BARGE AND TRANSPORTED TO AN NJDEP-APPROVED DREDGE PROCESSING FACILITY FOR AMENDMENT AND UPLAND DISPOSAL IN ACCORDANCE WITH AN NJDEP ACCEPTABLE USE DETERMINATION.
- THIS IS A MAINTENANCE DREDGING PROJECT OF PREVIOUSLY DREDGED CHANNEL.


DREDGING SUMMARY		
DREDGE AREA	DREDGE ELEVATION (REFERS TO CORPS OF ENGINEERS MLW)	DREDGE QUANTITY
CHANNEL	-25 FT	200,000 CUBIC YARDS
TOTAL DREDGING PROPOSED:		200,000 CUBIC YARDS



GRAPHIC SCALE
1 inch=50 feet

DESIGNED BY:	AR
REVIEWED BY:	PC
RELEASED BY:	AWR

NICHOLAS R. DeCOTRIS, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE NO. 24G0478590



WATERMEN
LLC

3107 ATLANTIC AVENUE
PO BOX 309
ALLENWATER, NJ 07020

NJ Certificate of Authorization #24GA28230600
TEL: 908.228.4303

MAINTENANCE DREDGING PLAN	SIMS METAL MANAGEMENT CLAREMONT TERMINAL DREDGING PLAN
SITUATED IN JERSEY CITY, HUDSON COUNTY, NEW JERSEY	

PROJECT NUMBER:	
DATE:	10-29-2024
SCALE:	AS NOTED



Plotted: 10/29/2024 9:55 AM, By: Nicholas DeCotlis
W:\Family Room\Projects\SIMS\dredge\Permit-R1.dwg\$HITS

SHEET 4

MATCH LINE

COORDINATE SYSTEM

HORIZONTAL DATUM: NAD 1983
VERTICAL DATUM: MLW

SURVEY NOTES

1. HYDROGRAPHIC SURVEY REFERENCE: HYDROGRAPHIC SURVEY CLAREMONT TERMINAL JERSEY CITY NEW JERSEY* PREPARED BY ROGERS SURVEYING, PLLC DATED JUNE 2021.

2. ELEVATIONS REFERENCED TO FEET BELOW MEAN LOW WATER.

TIDAL ELEVATION

REFERS TO MLW AS FOLLOWS

SPRING HIGH WATER ELEVATION	4.90'
MEAN HIGH WATER	4.57'
NAVD 88	2.54'
MEAN LOW WATER	0.00'

DREDGING NOTES:

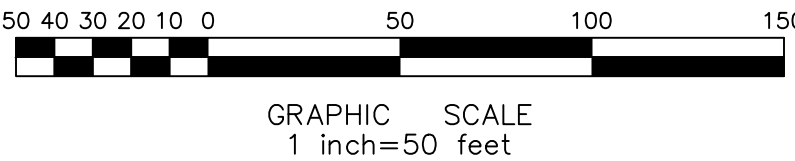
1. DREDGING IS TO BE CONDUCTED VIA MECHANICAL MEANS, USING AN ENVIRONMENTAL BUCKET. TO THE DEPTHS SHOWN HEREON (REFERENCED TO THE CORPS OF ENGINEERS MEAN LOW WATER DATUM).

2. THE APPROXIMATE TOTAL QUANTITY OF PROPOSED DREDGING, INCLUDING 2 FEET OF OVERDREDGE, IS 200,000 CUBIC YARDS.

3. DREGE MATERIAL SHALL BE DEWATERED ON BARGE AND TRANSPORTED TO AN NJDEP-APPROVED DREDGE PROCESSING FACILITY FOR AMENDMENT AND UPLAND DISPOSAL IN ACCORDANCE WITH AN NJDEP ACCEPTABLE USE DETERMINATION.

4. THIS IS A MAINTENANCE DREDGING PROJECT OF PREVIOUSLY DREDGED CHANNEL.

DREDGING SUMMARY		
DREDGE AREA	DREDGE ELEVATION (REFERS TO CORPS OF ENGINEERS MLW)	DREDGE QUANTITY
CHANNEL	-25 FT	200,000 CUBIC YARDS
TOTAL DREDGING PROPOSED:		200,000 CUBIC YARDS

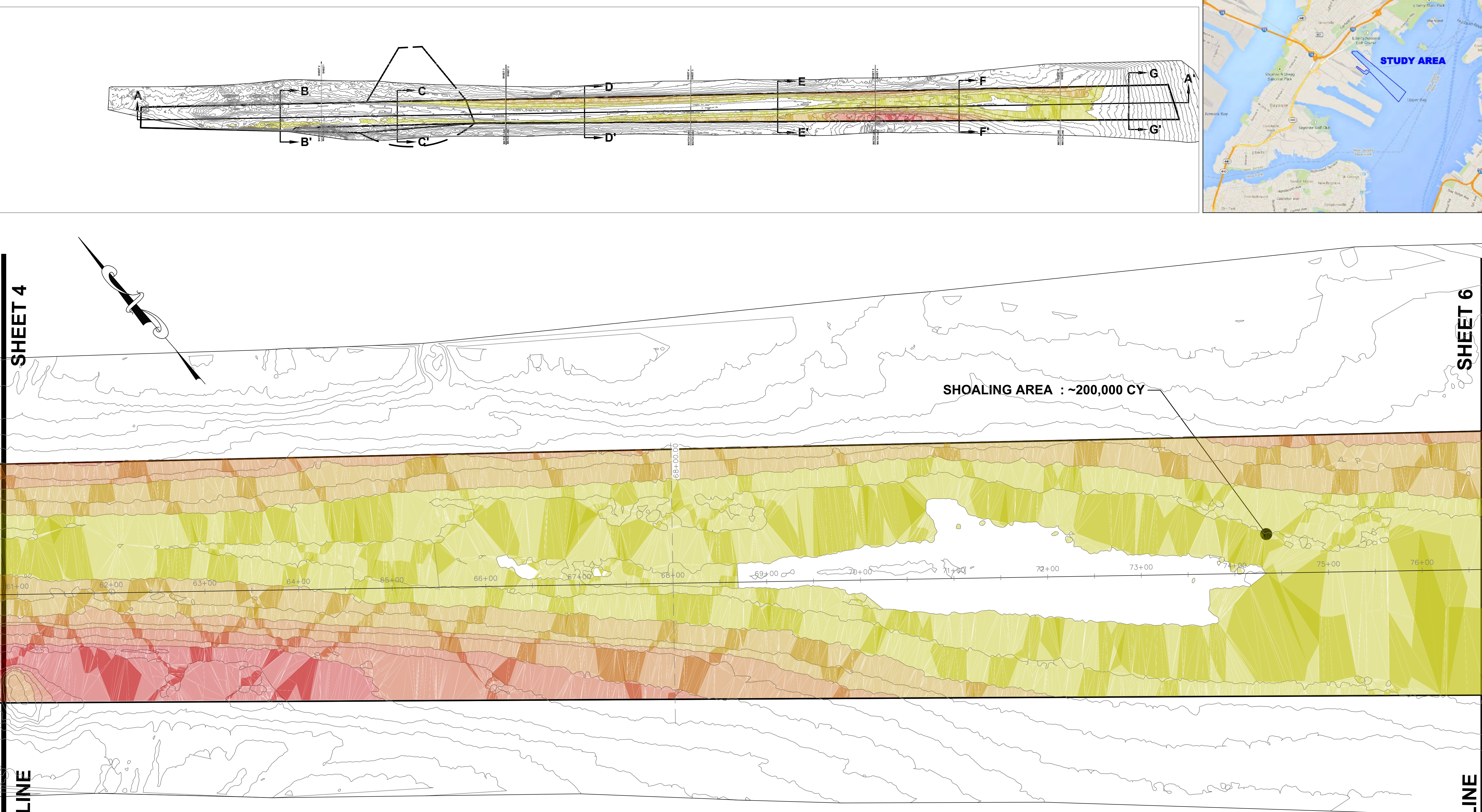
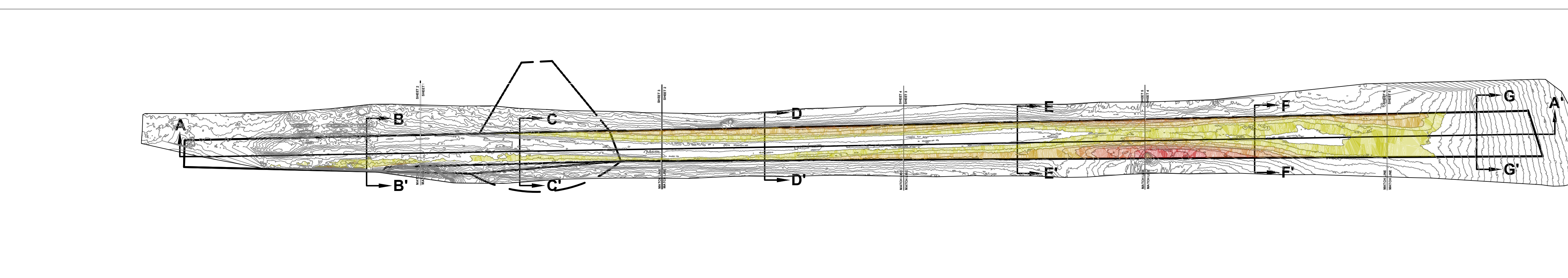


PROJECT NUMBER:

DATE: 10-29-2024

SCALE: AS NOTED

SHEET 5 OF 8



DESIGNED BY: AR

REVIEWED BY: PC

RELEASED BY: AWR

NICHOLAS R. DeCOTLIS, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE NO. 24G0478590

DATE

NO.	DESCRIPTION	DATE	DES.	REV.	REL.

WATERMEN LLC

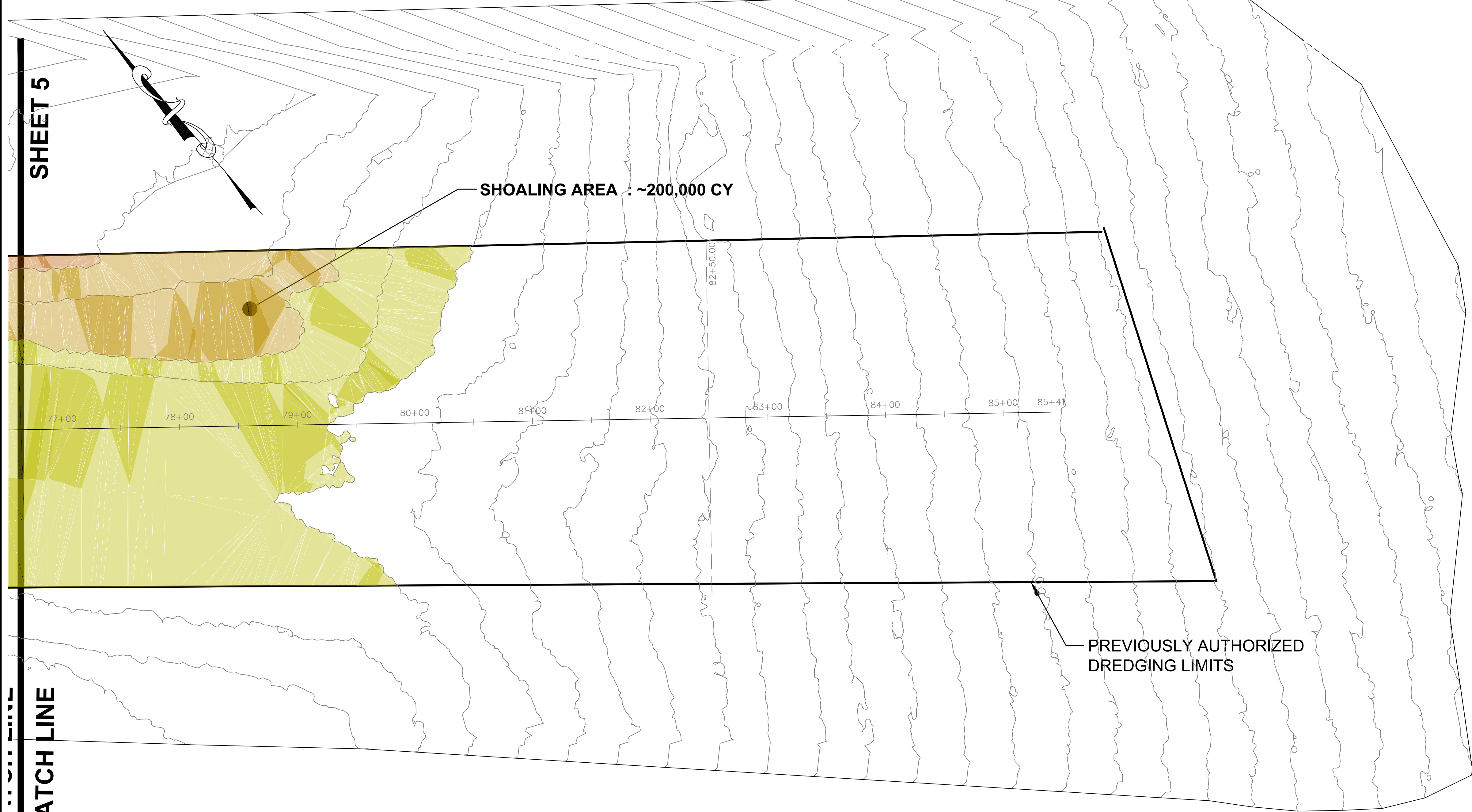
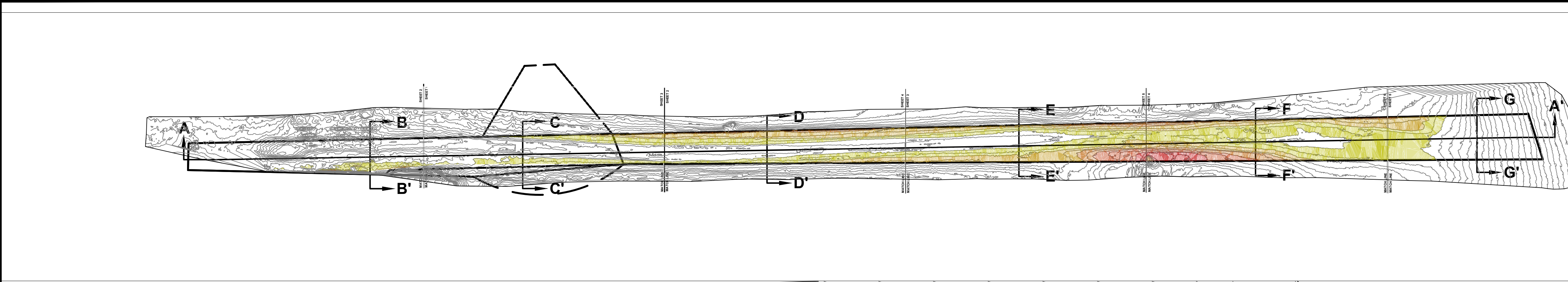
3107 ATLANTIC AVENUE
PO BOX 309
ALLEN WOOD, NJ 07020

NJ Certificate of Authorization #24GA28230600
TEL: 908.228.4303

MAINTENANCE DREDGING PLAN

SIMS METAL MANAGEMENT
CLAREMONT TERMINAL DREDGING PLAN

SITUATED IN
JERSEY CITY, HUDSON COUNTY, NEW JERSEY



COORDINATE SYSTEM

HORIZONTAL DATUM: NAD 1983
VERTICAL DATUM: MLW

SURVEY NOTES

- HYDROGRAPHIC SURVEY REFERENCE: HYDROGRAPHIC SURVEY CLAREMONT TERMINAL JERSEY CITY NEW JERSEY™ PREPARED BY ROGERS SURVEYING, PLLC DATED JUNE 2021.
- ELEVATIONS REFERENCED TO FEET BELOW MEAN LOW WATER.

TIDAL ELEVATION

REFERS TO MLW AS FOLLOWS

SPRING HIGH WATER ELEVATION	4.90'
MEAN HIGH WATER	4.57'
NAVD 88	2.54'
MEAN LOW WATER	0.00'

DREDGING NOTES:

- DREDGING IS TO BE CONDUCTED VIA MECHANICAL MEANS, USING AN ENVIRONMENTAL BUCKET. TO THE DEPTHS SHOWN HEREON (REFERENCED TO THE CORPS OF ENGINEERS MEAN LOW WATER DATUM).
- THE APPROXIMATE TOTAL QUANTITY OF PROPOSED DREDGING, INCLUDING 2 FEET OF OVERDREDGE, IS 200,000 CUBIC YARDS.
- DREGE MATERIAL SHALL BE DEWATERED ON BARGE AND TRANSPORTED TO AN NJDEP-APPROVED DREDGE PROCESSING FACILITY FOR AMENDMENT AND UPLAND DISPOSAL IN ACCORDANCE WITH AN NJDEP ACCEPTABLE USE DETERMINATION.
- THIS IS A MAINTENANCE DREDGING PROJECT OF PREVIOUSLY DREDGED CHANNEL.

DREDGING SUMMARY

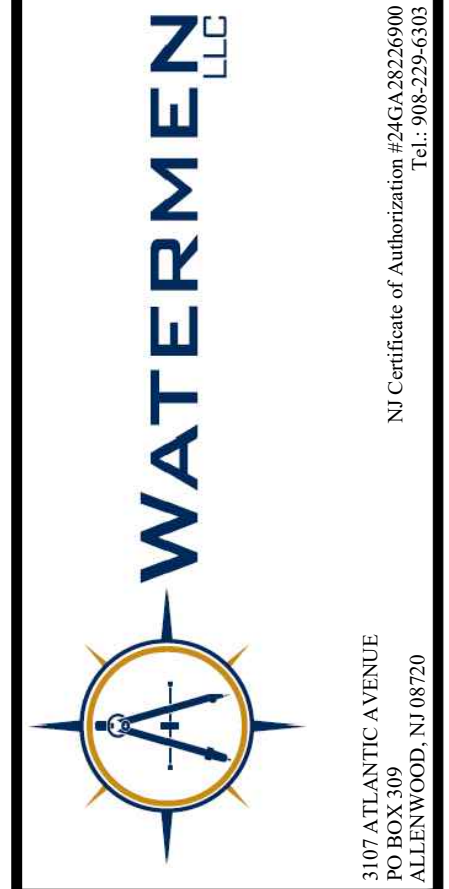
DREDGE AREA	DREDGE ELEVATION (REFERS TO CORPS OF ENGINEERS MLW)	DREDGE QUANTITY
CHANNEL	-25 FT	200,000 CUBIC YARDS
TOTAL DREDGING PROPOSED:		200,000 CUBIC YARDS



GRAPHIC SCALE
1 inch=50 feet

REVISIONS			
NO.	DESCRIPTION	DATE	REV.

DESIGNED BY:	AR
REVIEWED BY:	PC
RELEASED BY:	AWR
NICHOLAS R. DeCOTIIS, P.E. NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 24604785900	
DATE	

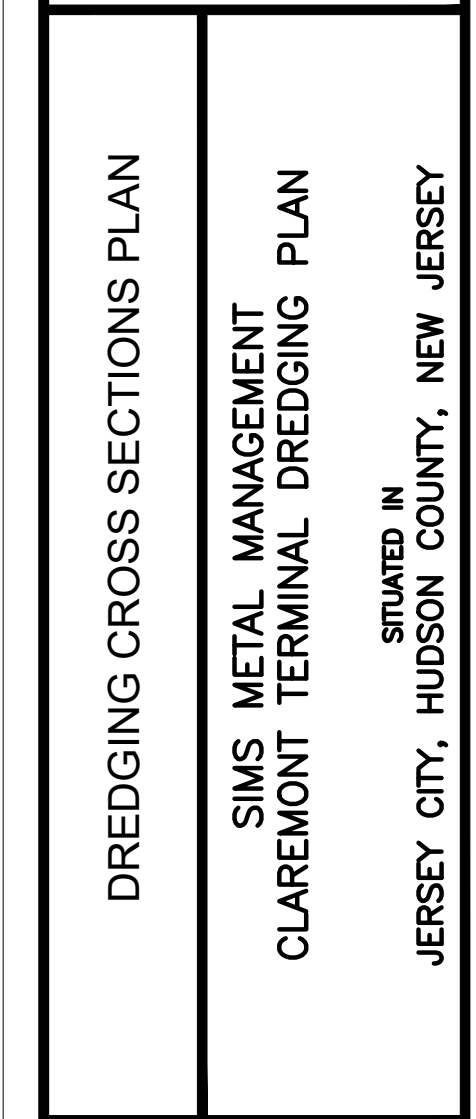
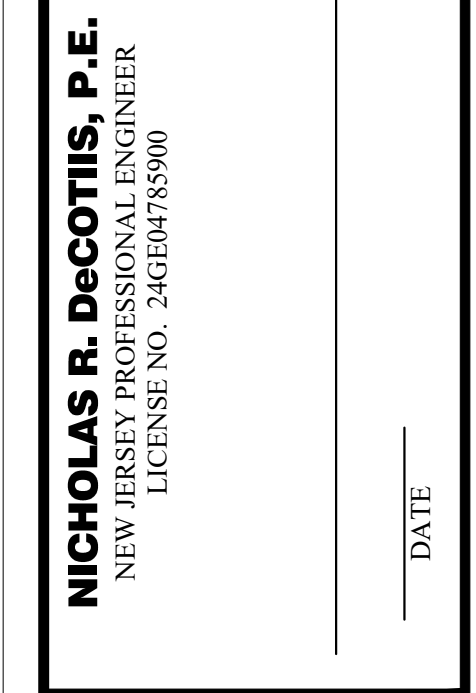
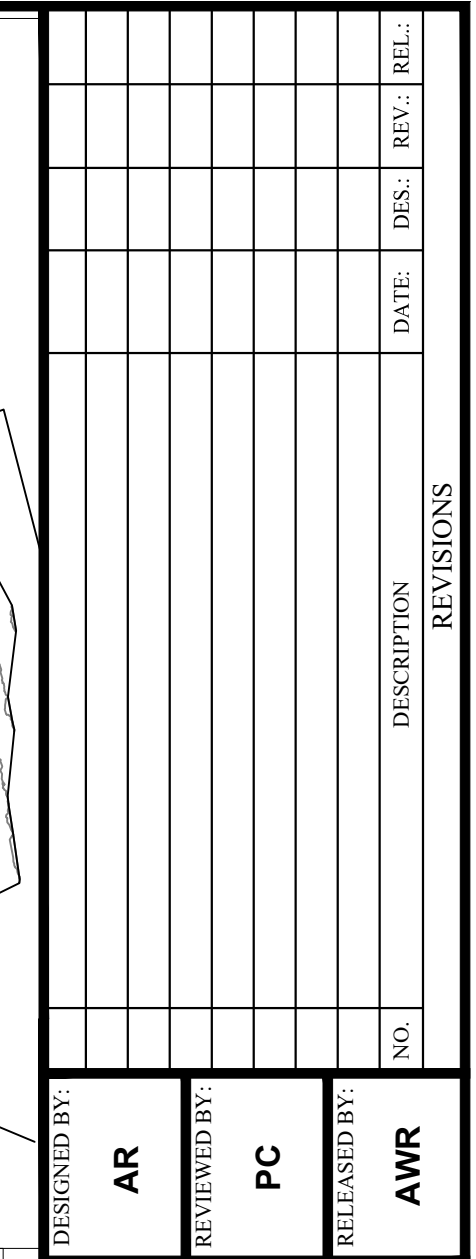


WATERMEN LLC

3107 ATLANTIC AVENUE
PO BOX 309
ALLENWOOD, NJ 08750

NJ Certificate of Authorization #24GA28230600
Tel: 908.228.4800

MAINTENANCE DREDGING PLAN	
SIMS METAL MANAGEMENT CLAREMONT TERMINAL DREDGING PLAN	
SITUATED IN JERSEY CITY, HUDSON COUNTY, NEW JERSEY	
PROJECT NUMBER:	
DATE: 10-29-2024	
SCALE: AS NOTED	
SHEET 6 OF 8	



SHEET **7** OF **8**

