



# 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

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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

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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](mailto: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

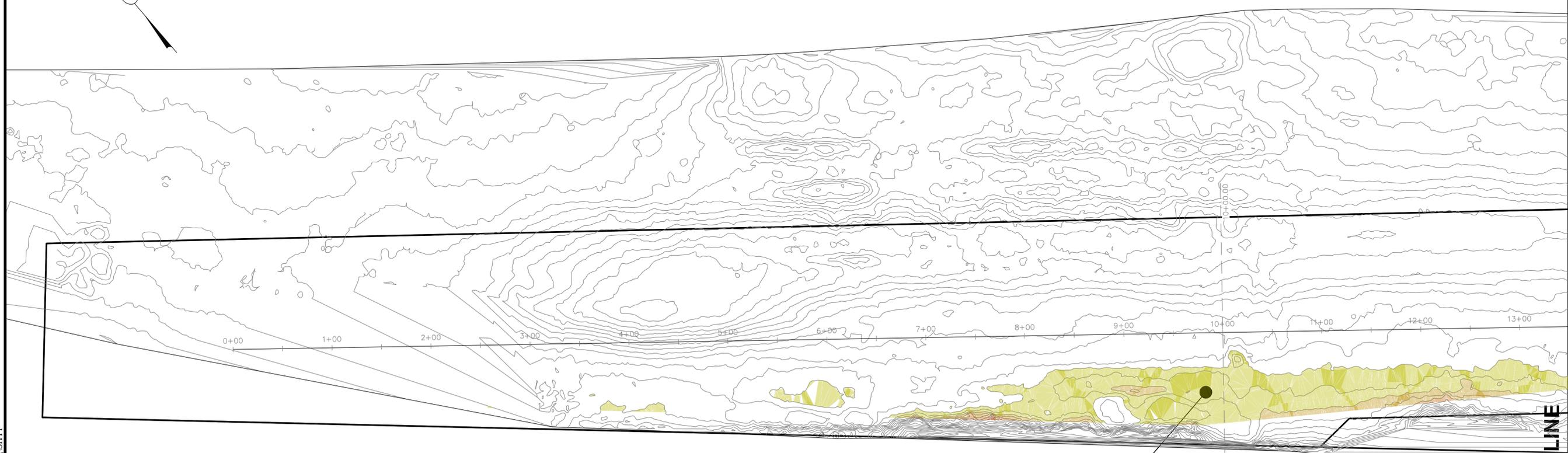
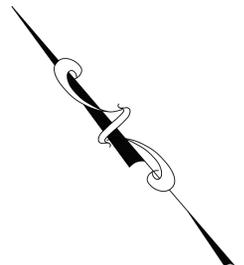
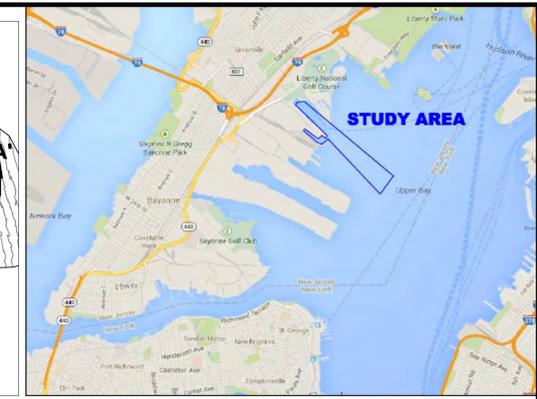
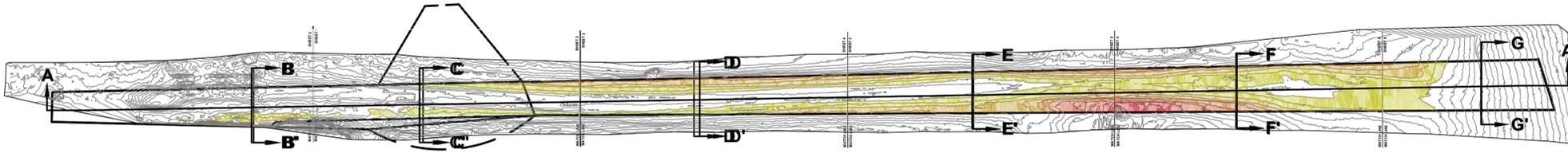
The work would involve the dredging of the Claremont Channel, with ten-years maintenance, by mechanical dredge approximately 200,000 cubic yards (CY) of material over an approximately 44.0197-acre area to a depth of 23 feet below the plane of Mean Low Water (MLW) with two-feet of over dredge depth.

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.



SHOALING AREA : ~200,000 CY TOTAL

SHEET 2

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



GRAPHIC SCALE  
1 inch=50 feet

NO.	DATE	DES.	REV.	REL.

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

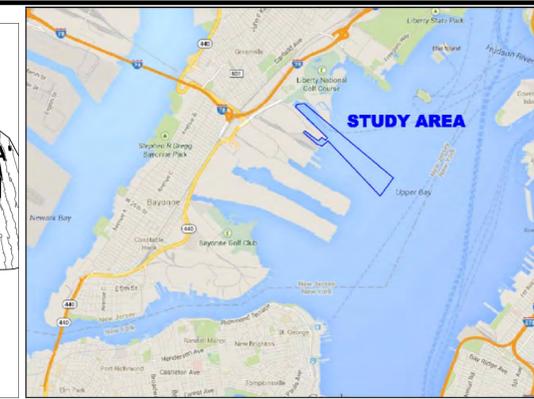
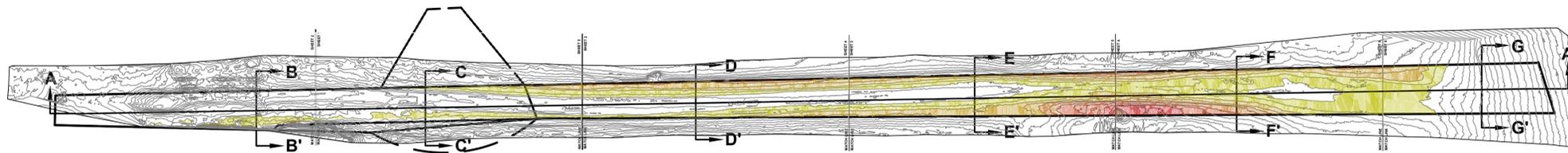
**NICHOLAS R. DECOTIIS, P.E.**  
NEW JERSEY PROFESSIONAL ENGINEER  
LICENSE NO. 246104785900

3107 ATLANTIC AVENUE  
PO BOX 399  
ALLEN WOOD, NJ 08020  
NJ Certificate of Authorization #246A28220000  
Tel: 908.228.4303

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

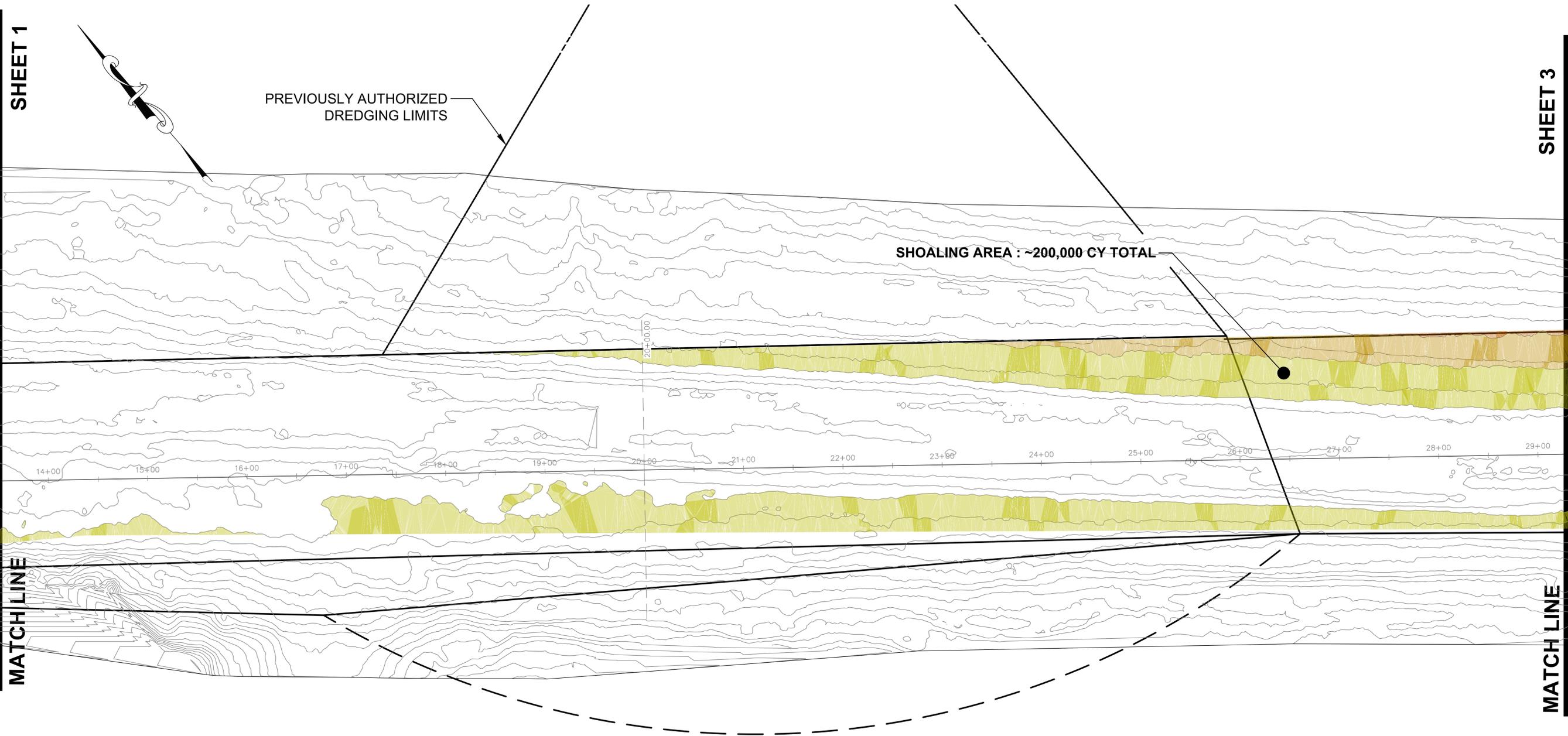
PROJECT NUMBER:	
DATE:	10-29-2024
SCALE:	AS NOTED
SHEET	1 OF 8

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SHEET 1

SHEET 3



NO.	DESCRIPTION	DATE	DES.	REV.	REL.

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

**NICHOLAS R. DECOTIIS, P.E.**  
 NEW JERSEY PROFESSIONAL ENGINEER  
 LICENSE NO. 246104785900



3107 ATLANTIC AVENUE  
 PO BOX 399  
 ALLENWOOD, NJ 08020  
 NJ Certificate of Authorization #26A28226000  
 Tel: 908.226.4303

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 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

**COORDINATE SYSTEM**  
 HORIZONTAL DATUM: NAD 1983  
 VERTICAL DATUM: MLW

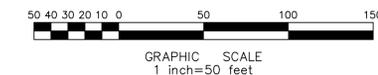
**TIDAL ELEVATION**  
 REFERS TO MLW AS FOLLOWS

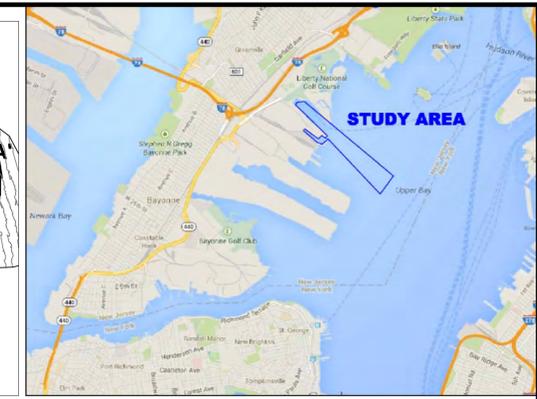
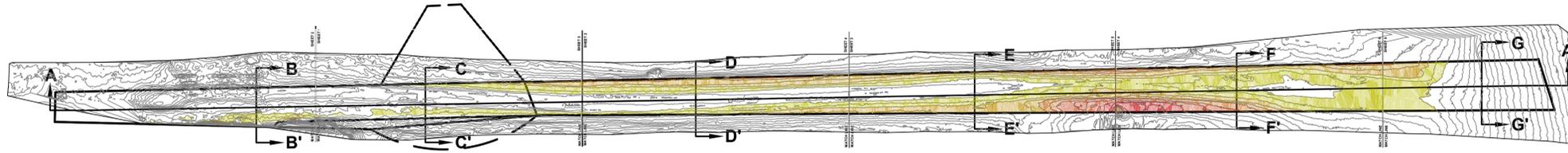
SPRING HIGH WATER ELEVATION	4.90'
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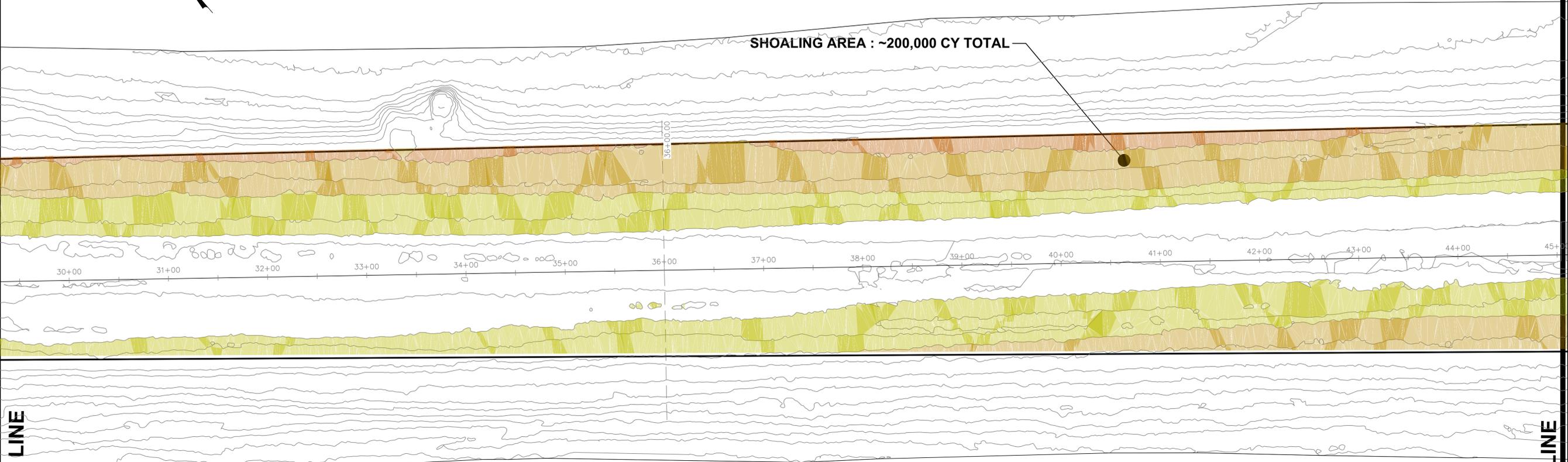
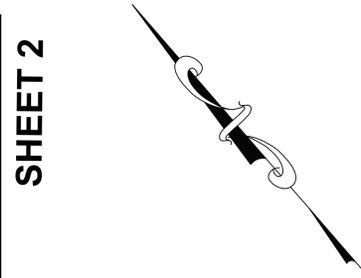
DREDGING SUMMARY		
DREDGE AREA	DREDGE ELEVATION (REFERS TO CORPS OF ENGINEERS MLW)	DREDGE QUANTITY
CHANNEL	-25 FT	200,000 CUBIC YARDS
TOTAL DREDGING PROPOSED:		200,000 CUBIC YARDS





SHEET 2

SHEET 4



MATCH LINE

MATCH LINE

**COORDINATE SYSTEM**

HORIZONTAL DATUM: NAD 1983  
VERTICAL DATUM: MLW

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REFERS TO MLW AS FOLLOWS

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

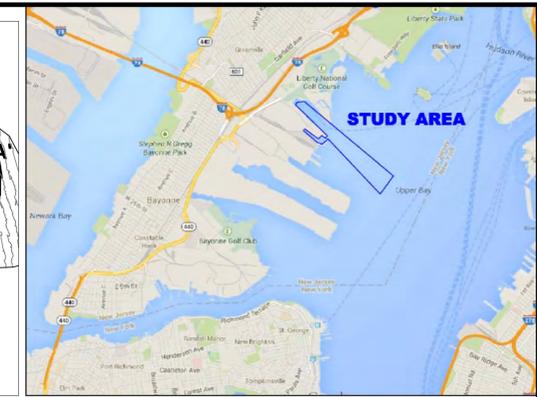
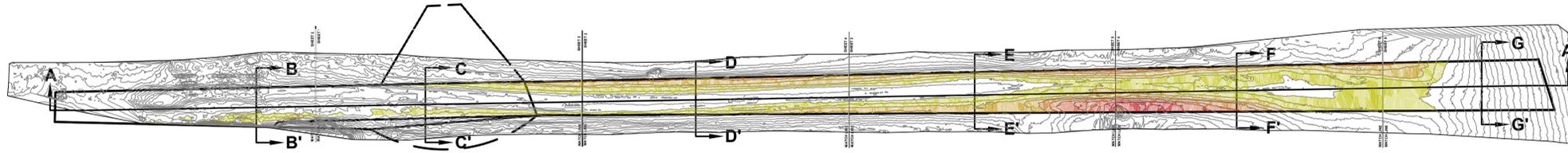
**NICHOLAS R. DECOTIIS, P.E.**  
NEW JERSEY PROFESSIONAL ENGINEER  
LICENSE NO. 24G004785900

**WATERMEN LLC**  
3107 ATLANTIC AVENUE  
PO BOX 399  
ALLENWOOD, NJ 08020  
NJ Certificate of Authorization #24CA28220000  
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

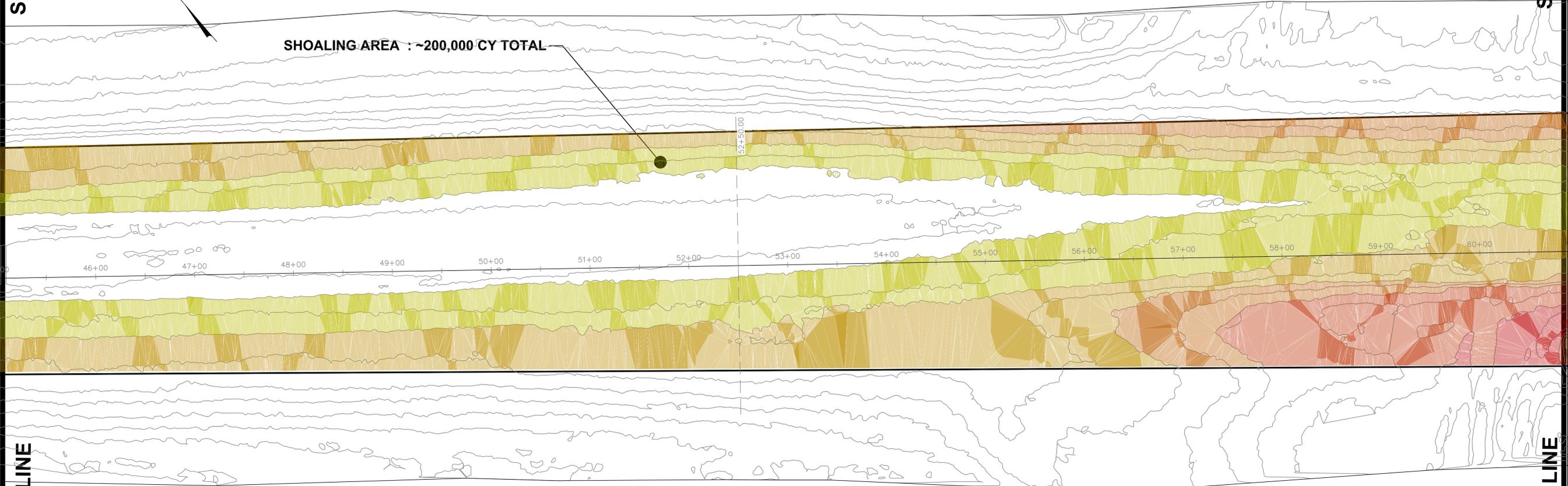
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SHEET 3

SHEET 5

SHOALING AREA : ~200,000 CY TOTAL



MATCH LINE

MATCH LINE

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**COORDINATE SYSTEM**  
 HORIZONTAL DATUM: NAD 1983  
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 REFERS TO MLW AS FOLLOWS

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

**NICHOLAS R. DeCOTIS, P.E.**  
 NEW JERSEY PROFESSIONAL ENGINEER  
 LICENSE NO. 246104785900

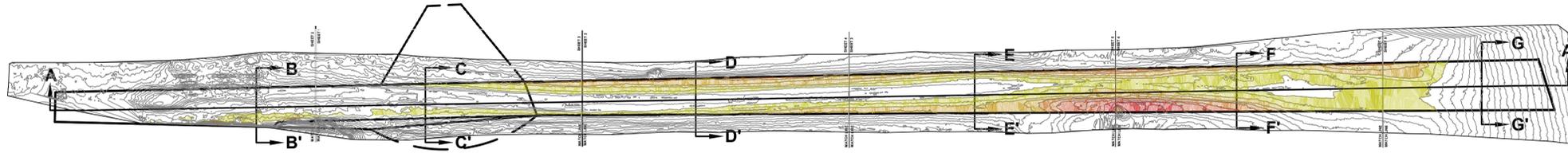
DATE

3107 ATLANTIC AVENUE  
 PO BOX 399  
 ALLENWOOD, NJ 08029

NJ Certificate of Authorization #246A28220000  
 Tel: 908.228.4300

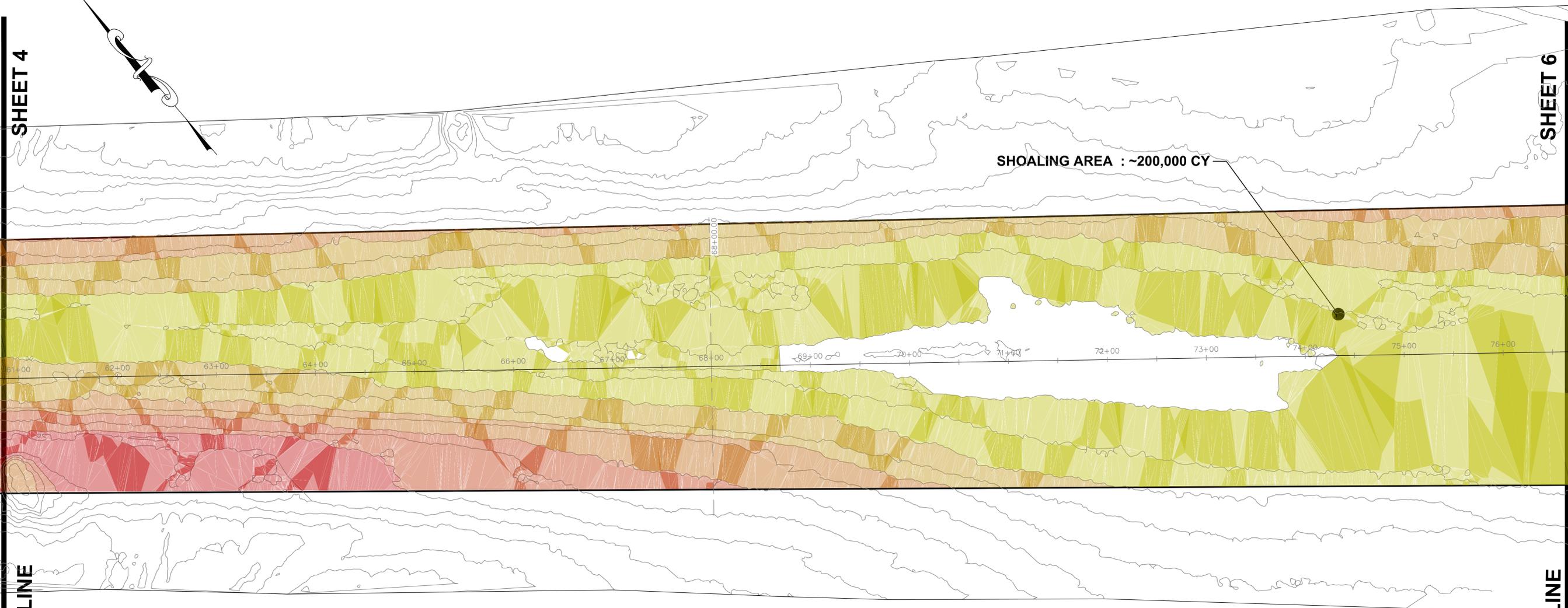
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 JERSEY CITY, HUDSON COUNTY, NEW JERSEY

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



SHEET 4

SHEET 6



MATCH LINE

MATCH LINE

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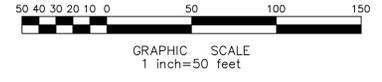
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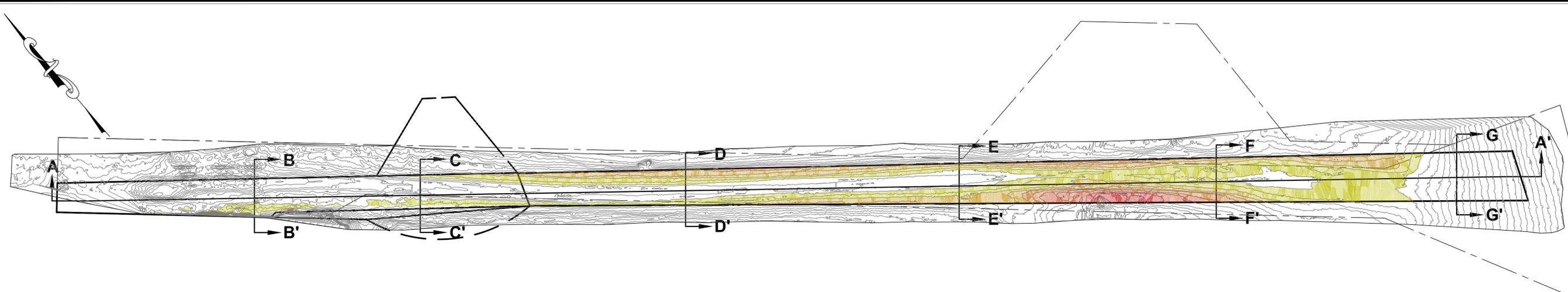
DATE: \_\_\_\_\_

**WATERMEN LLC**  
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 ALLENWOOD, NJ 08020  
 NJ Certificate of Authorization #26GA28220600  
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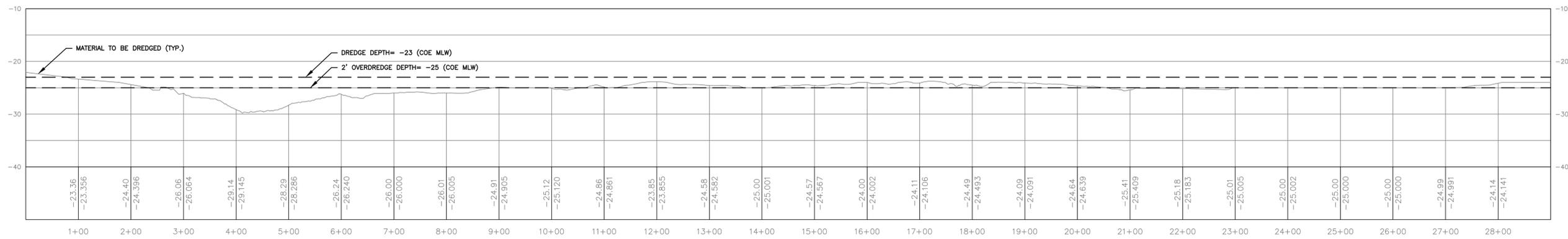
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 JERSEY CITY, HUDSON COUNTY, NEW JERSEY

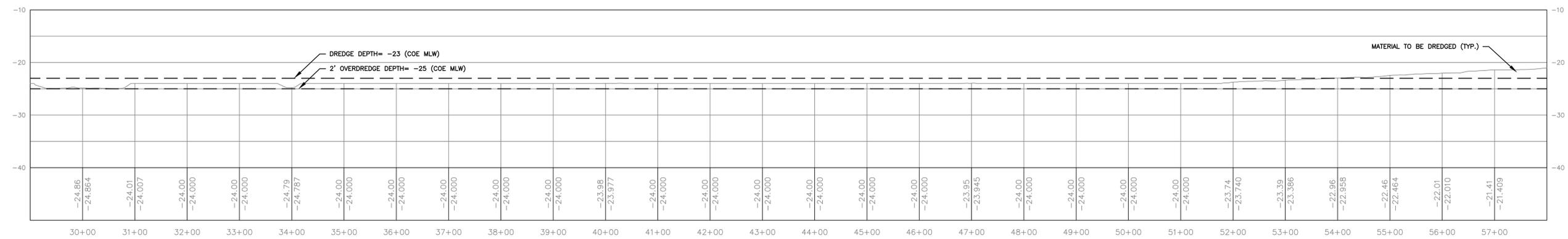




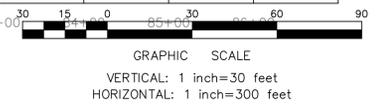
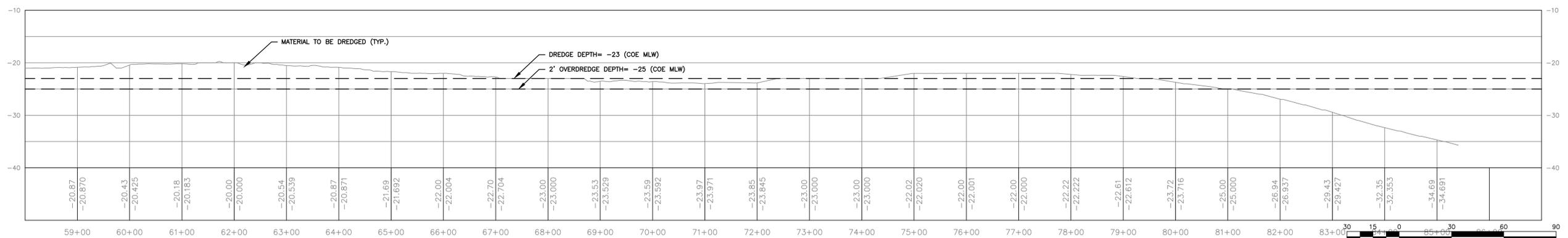
PROPOSED DREDGING PROFILE A-A STA. 0+00 TO STA. 29+00



PROPOSED DREDGING PROFILE A-A STA. 29+00 TO STA. 58+00



PROPOSED DREDGING PROFILE A-A STA. 58+00 TO STA. 87+00



NO.	DESCRIPTION	DATE	DES.	REV.	REL.

DESIGNED BY:	AR
REVIEWED BY:	PC
RELEASED BY:	AMR
DATE:	

**NICHOLAS R. DECOTIIS, P.E.**  
 NEW JERSEY PROFESSIONAL ENGINEER  
 LICENSE NO. 24G0178900

**WATERMEN LLC**  
 3107 ATLANTIC AVENUE  
 PO BOX 309  
 ALLENWOOD, NJ 08029  
 NJ Certificate of Authorization #26GA23220600  
 Tel: 908.226.6400

**DREDGING CROSS SECTIONS PLAN**

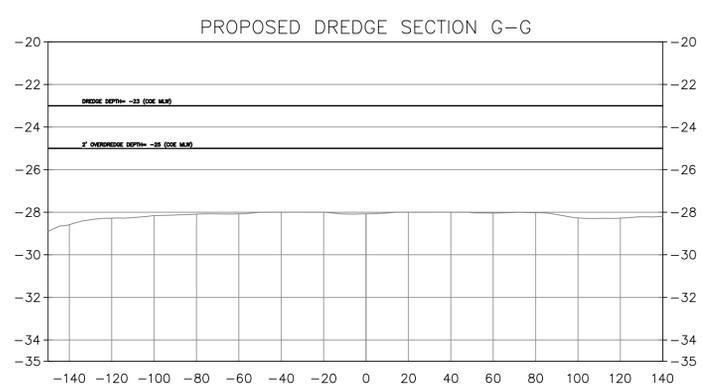
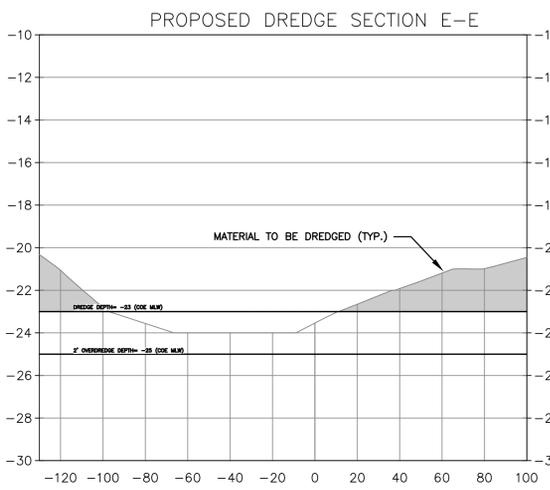
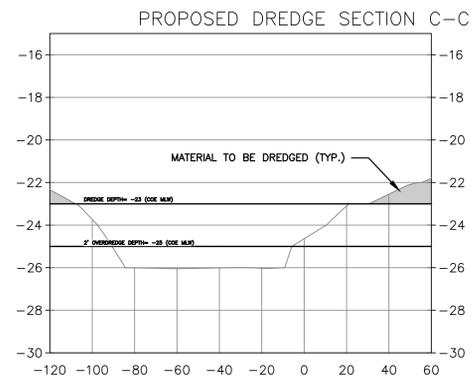
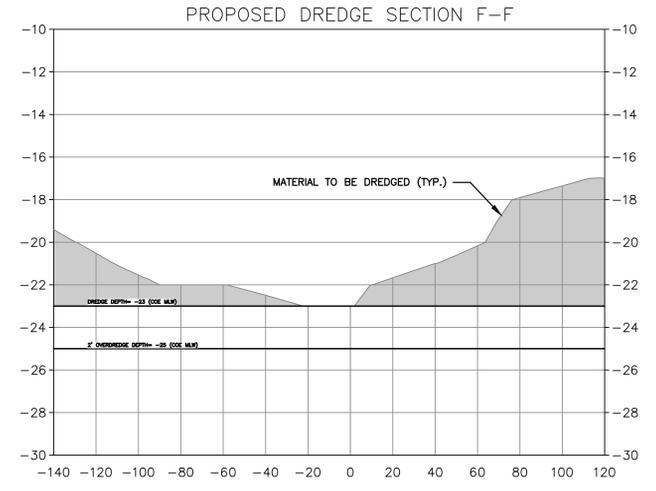
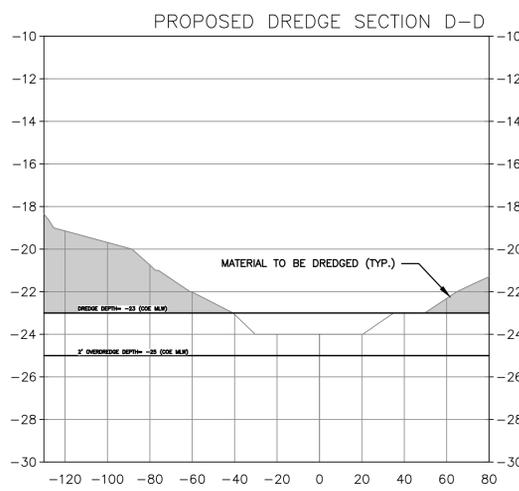
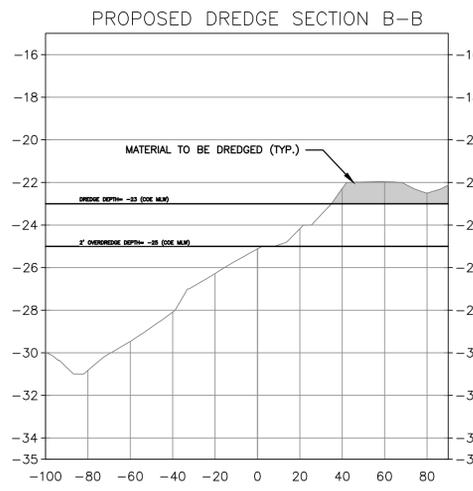
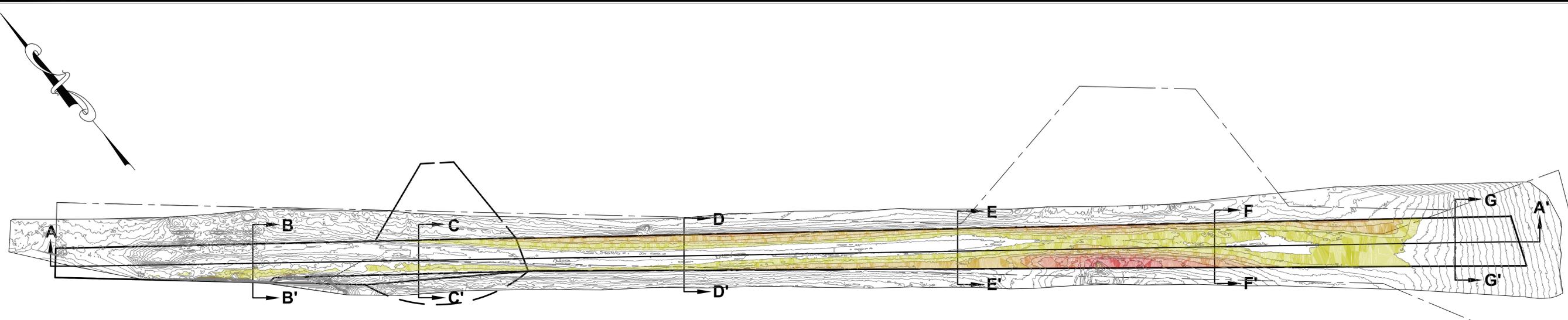
**SIMS METAL MANAGEMENT**

**CLAREMONT TERMINAL DREDGING PLAN**

SITUATED IN  
**JERSEY CITY, HUDSON COUNTY, NEW JERSEY**

PROJECT NUMBER:	
DATE:	10-29-2024
SCALE:	AS NOTED
SHEET	7 OF 8

Plotted: 10/29/2024 9:56 AM, By: Nicholas Decotis  
 W:\Family Room\Projects\SIMS\ dredge\ Dredging Permit-RI.dwg\SHIT7



Plotted: 10/29/2024 9:56 AM, By: Nicholas DeCotlis, W:\Family Room\Projects\SIMS\dredge\Permit-RI.dwg\SHITS

**COORDINATE SYSTEM**  
 HORIZONTAL DATUM: NAD 1983  
 VERTICAL DATUM: MLW

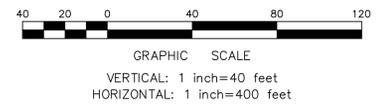
**SURVEY NOTES**  
 1. HYDROGRAPHIC SURVEY REFERENCE: HYDROGRAPHIC SURVEY CLAREMONT TERMINAL JERSEY CITY NEW JERSEY\* PREPARED BY ROGERS SURVEYING, PLLC DATED JUNE 2021.  
 2. ELEVATIONS REFERENCED TO FEET BELOW MEAN LOW WATER.

**TIDAL ELEVATION**  
 REFERS TO MLW AS FOLLOWS  
 SPRING HIGH WATER ELEVATION 4.90'  
 MEAN HIGH WATER 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



NO.	DESCRIPTION	DATE	DES.	REV.	REL.

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

**NICHOLAS R. DeCOTLIS, P.E.**  
 NEW JERSEY PROFESSIONAL ENGINEER  
 LICENSE NO. 24G004785900

DATE: \_\_\_\_\_

**WATERMEN LLC**

3107 ATLANTIC AVENUE  
 PO BOX 399  
 ALLENWOOD, NJ 08020  
 NJ Certificate of Authorization #24GCA28220000  
 Tel: 908.228.4300

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