

Alliance for a Living Ocean  
American Littoral Society  
Arthur Kill Coalition  
Asbury Park Fishing Club  
Bayberry Garden Club  
Bayshore Regional Watershed Council  
Bayside Saltwater Flyfishers  
Belford Seafood Co-op  
Belmar Fishing Club  
Beneath The Sea  
Bergen Save the Watershed Action Network  
Berkeley Shores Homeowners Civic Association  
Cape May Environmental Commission  
Central Jersey Anglers  
Citizens Conservation Council of Ocean County  
Clean Air Campaign, NY  
Coalition Against Toxics  
Coalition for Peace & Justice/Unplug Salem  
Coast Alliance



*Ocean Advocacy  
Since 1984*

# Clean Ocean Action

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## □ Institute of Coastal Education

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May 31, 2006

Edward Bonner  
US Army Corps of Engineers  
Philadelphia District  
Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3390

**RE: PN # CENAP-OP-R-200401135 Modification to New Jersey Department of Environmental Protection, Division of Fish and Wildlife's October 27, 2005 (Permit # CENAP-OP-R-200401135-1) to conduct reef deployment activities at 15 Artificial Reef Sites in the Atlantic Ocean along the Coast of New Jersey.**

Dear Mr. Bonner:

Clean Ocean Action (COA) supports the New Jersey Artificial Reef Program as we submit comments on the modification to the permit referenced above. New Jersey Department of Environmental Protection (NJ DEP), Division of Fish and Wildlife (DFW) requests a raising of the minimum required clearance above the reef structure by 10 feet at four of the authorized reef sites, # 1 – Sandy Hook Reef, # 4 – Axel Carlson Reef, # 5 – Barnegat Light Reef and # 10 – Great Egg Reef. We are particularly concerned with the proposed reduction of the minimum vertical clearance at the Sandy Hook Reef to 30 feet below mean low water (BMLW).

The Sandy Hook Reef is close enough in proximity to federal navigation channels at the entrance to the New York/New Jersey Harbor to warrant concerns over safe navigation posed by a minimum clearance of only 30 feet BMLW. The Port of New York/New Jersey is the busiest port on the east coast and the third busiest in the nation. Many ships and chemical tankers coming in and out of the port draw drafts in excess of 25 feet, raising concerns over running aground during high wind or wave conditions, loss of power, or other situations that cause a ship to leave the channel. An oil or chemical spill in New York/New Jersey's nearshore ocean waters would result in significant environmental and economic harm.

Therefore, COA is requesting concurrence of approval for this elevation change with the agencies that are charged with safe navigation and environmental protection of these federal channels, including but not limited to, the following:

- Captain of the Port of New York/New Jersey – U.S. Coast Guard
- Naval Weapons Station Earle – Department of the Navy
- Supervisor of the New York Harbor – Army Corps of Engineers/New York District

Coastal Jersey Parrot Head Club  
Communication Workers of America, Local 1034  
Concerned Businesses of COA  
Concerned Citizens of Bensenville  
Concerned Citizens of COA  
Concerned Citizens of Montauk  
Eastern Monmouth Chamber of Commerce  
Fisher's Island Conservancy  
Fisheries Defense Fund  
Fishermen's Dock Cooperative, Pt. Pleasant  
Friends of Island Beach State Park  
Friends of Liberty State Park, NJ  
Friends of the Boardwalk, NY  
Garden Club of Englewood  
Garden Club of Fair Haven  
Garden Club of Long Beach Island  
Garden Club of Middletown  
Garden Club of Morristown  
Garden Club of Navesink  
Garden Club of New Jersey  
Garden Club of New Vernon  
Garden Club of Oceanport  
Garden Club of Princeton  
Garden Club of Ridgewood  
Garden Club of Rumson  
Garden Club of Short Hills  
Garden Club of Shrewsbury  
Garden Club of Spring Lake  
Garden Club of Washington Valley  
Great Egg Harbor Watershed Association  
Highlands Business Partnership  
Highlands Chamber of Commerce  
Hudson River Fishermen's Association/NJ  
Jersey Coast Shark Anglers  
Jersey Shore Captains Association  
Jersey Shore Running Club  
Junior League of Monmouth County  
Keyport Environmental Commission  
Kiwans Club of Manasquan  
Kiwans Club of Shadow Lake Village  
Leonardo Party & Pleasure Boat Association  
Leonardo Tax Payers Association  
Main Street Wildwood  
Marine Trades Association of NJ  
Monmouth Conservation Foundation  
Monmouth County Association of Realtors  
Monmouth County Audubon Society  
Monmouth County Friends of Clearwater  
Montauk Fisherman's Emergency Fund  
National Coalition for Marine Conservation  
Natural Resources Protective Association, NY  
NJ Beach Buggy Association  
NJ Commercial Fishermen's Association  
NJ Environmental Federation  
NJ Environmental Lobby  
NJ Main Ship Owners Group  
NJ Marine Educators Association  
NJ PIRG Citizen Lobby  
Nottingham Hunting & Fishing Club, NJ  
NYC Sea Gypsies  
NY Marine Educators Association  
NY/NJ Baykeeper  
Ocean Wreck Divers, NJ  
PaddleOut.org  
Piscataway Saltwater Sportsmen Club  
Raritan Riverkeeper  
Religious On Water  
Riverside Drive Association  
Rotary Club of Long Branch  
Rotary District #7510 - Interact  
Saint George's by the River Church, NJ  
Saltwater Anglers of Bergen County  
Sandy Hook Bay Anglers  
Save Barnegat Bay  
Save the Bay, NJ  
SEAS Monmouth  
Seaweeders Garden Club  
Shark Research Institute  
Shark River Cleanup Coalition  
Shark River Surf Anglers  
Shore Adventure Club  
Shore Surf Club  
Sierra Club, Shore Chapter  
Soroptimist Club of Cape May County  
South Jersey Dive Club  
South Monmouth Board of Realtors  
Staten Island Friends of Clearwater  
Staten Island Tuna Club  
Strathmere Fishing & Environmental Club  
Surfers' Environmental Alliance  
Surfrider Foundation, Jersey Shore Chapter  
TACK I, MA  
Terra Nova Garden Club  
Unitarian Universalist Congregation / Monm. Cnty.  
United Boatmen of NY/NJ  
United Bowhunters of NJ  
Volunteer Friends of Boaters, NJ  
WATERSPIRIT  
Women's Club of Brick Township  
Women's Club of Keyport  
Women's Club of Long Branch  
Women's Club of Merchantville  
Zen Society, NJ

- Port Authority of New York and New Jersey
- Sandy Hook Pilots Association
- New York/New Jersey Harbor Safety, Navigation and Operations Committee – Maritime Association of the Port of New York/New Jersey
- U.S. Environmental Protection Agency – Region 2

COA requests a copy of any comments submitted by these agencies, as they should be made available to the public.

Furthermore, the rationale for the proposed modification of the four sites is not contained in the PN. Please provide a detailed written response describing the rationale.

Importantly, the 15-day comment period is insufficient to allow for thorough review and comment, and key groups were not informed or aware of the proposed modification. It is likely that there are many interested parties that would like an opportunity to comment.

Therefore, Clean Ocean Action respectfully requests that the Army Corps of Engineers, Philadelphia District keep the public comment period open until the above listed issues are addressed.

Sincerely,



Cindy Zipf  
Executive Director



Jennifer Samson, Ph.D.  
Principal Scientist

cc: Open Letter  
Jersey Coast Anglers  
New Jersey Council of Diving Clubs  
Federal and Harbor Agencies listed herein