

Participating Organizations

- Alliance for a Living Ocean*
- American Littoral Society
- Arthur Kill Coalition
- Asbury Park Fishing Club
- Bayberry Garden Club
- Bayshore Saltwater Flyrodders
- 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
- Coalition Against Toxics
- Coalition for Peace & Justice
- Coastal Jersey Parrot Head Club
- Coast Alliance
- Communication Workers of America, Local 1034
- Concerned Businesses of COA
- Concerned Citizens of Bensonhurst
- Concerned Citizens of COA
- Concerned Citizens of Montauk
- Dosil's Sea Roamers
- Eastern Monmouth Chamber of Commerce
- Environmental Response Network
- Explorers Dive Club
- Fisheries Defense Fund
- Fishermen's Dock Cooperative
- Fisher's Island Conservancy
- Friends of Island Beach State Park
- Friends of Liberty State Park
- Friends of Long Island Sound
- Friends of the Boardwalk
- Garden Club of Englewood
- Garden Club of Fair Haven
- Garden Club of Long Beach Island
- 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
- Interact Clubs of Rotary International
- Jersey Coast Shark Anglers
- Jersey Shore Audubon Society
- Jersey Shore Captains Association
- Jersey Shore Running Club
- Junior League of Monmouth County
- Junior League of Summit
- Kiwanis Club of Manasquan
- Kiwanis 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
- Navesink River Municipalities Committee
- Newcomers Club of Monmouth County
- NJ Beach Buggy Association
- NJ Commercial Fishermen's Association
- NJ Council of Dive Clubs
- NJ Environmental Federation
- NJ Environmental Lobby
- NJ Marine Educators Association
- NJ PIRG Citizen Lobby
- NJ Sierra Club
- NJ Windsurfing Association
- Nottingham Hunting & Fishing Club
- NYC Sea Gypsies
- NY/NJ Baykeeper
- NY Marine Educators Association
- Ocean Advocates
- Ocean Conservancy
- Ocean County Citizens for Clean Water
- Ocean Divas
- Ocean Wreck Divers
- Outreach/First Presbyterian Church of Rumson
- Picatinny Saltwater Sportsmen Club
- Raritan Riverkeeper
- Riverside Drive Association
- Rotary Club of Long Branch
- Saint George's by the River Church, Rumson
- Saltwater Anglers of Bergen County
- Sandy Hook Bay Catamaran Club
- Save Barnegat Bay
- Save the Bay
- SEAS Monmouth
- Seaweeders Garden Club
- Shark River Cleanup Coalition
- Shark River Surf Anglers
- Sheepshead Bay Fishing Fleet Association
- Shore Adventure Club
- Shore Surf Club
- Sicera Club, Shore Chapter
- Soroptimist Club of Cape May County
- South Monmouth Board of Realtors
- Staten Island Friends of Clearwater
- Strathmore Fishing & Environmental Club
- Surfers' Environmental Alliance
- Surfrider Foundation, Jersey Shore Chapter
- TACK I
- Terra Nova Garden Club
- Unitarian Universalist Congregation of Mon. County
- United Boatmen of NY/NJ
- United Bowhunters of NJ
- Volunteer Friends of Boaters
- 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

Clean Ocean Action



*Ocean Advocacy
Since 1984*

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August 16, 2005

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VIA FACSIMILE

RE: 1) PN # FP64-SNB1-2005; New York and New Jersey Harbor Deepening Project, Newark Bay Channel, Contract Area S-NB-1

2) Draft Environmental Assessment (EA) for the Newark Bay Study Area of the New York and New Jersey Harbor Deepening Project (50 Ft.)

Dear Mr. Pinzon;

Clean Ocean Action submits joint comments on 1) the New York and New Jersey Harbor Deepening Project, Newark Bay Channel, Contract Area S-NB-1 (PN # FP64-SNB1-2005) and 2) the draft Environmental Assessment (EA) on the Newark Bay Area of the New York and New Jersey Harbor Deepening Project (June 2005). These two Public Notices are intrinsically related and address similar issues, making it appropriate to incorporate our comments into one letter.

The project will generate a total of 1,816,000 cubic yards (CY) of dredged material including 1,345,000 CY to be disposed of at HARS (Table 1).

Newark Bay Contract SNB- 1	Proposed for HARS		For upland management		
	Glacial Till (CY)	Red Clay (CY)	Black Silt/Mud (CY)	Rock (CY)	Total Volume (CY)
	288,000	1,057,000	362,000	109,000	1,816,000

Table I. Areas to be dredged, proposed volumes, types of dredged material, and proposed management options. From the Army Corps of Engineers Public Notice #FP64-SNB1-2005.

In addition to the information provided in the Public Notice and the EA, COA also requested and received a core map and core data from the project area.

COA's comments are as follows:

1. Newark Bay Study Area Designation:

Considering the recent designation of the Newark Bay as a Study Area, the specific level of collaboration between all of the different state and federal agencies involved in the Harbor Deepening Project is not clear.

- a. What does the Newark Bay Study Area (NBSA) designation mean for the Harbor Deepening Project?
- b. Does the Army Corp anticipate any changes to their dredging or disposal methods because of the new designation?
- c. Will New Jersey Department of Environmental Protection (NJ DEP) require any additional permit modifications and/or monitoring to accommodate the RI/FS or the new NBSA designation?
- d. What specific steps have the Environmental Protection Agency (EPA) required of the Army Corps to advance the Remedial Investigation/Feasibility Study (RI/FS) of the NBSA?
- e. Has the EPA thoroughly evaluated the Harbor Deepening Project to determine the effect of the dredging on the RI/FS?
- f. To what level have NJ DEP and New York Department of Environmental Conservation (NY DEC) been included in the discussions on the RI/FS of the NBSA?
- g. Are there opportunities for the Army Corps (possibly through funding available via the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) program) to advance the investigation of current and new dredging techniques to reduce resuspension and impacts on water quality during dredging operations?

2. HARS Suitable Materials:

The PN states that the Standard Operating Procedures set forth in a July 17, 2004 joint EPA and Army Corps memo were used to classify 288,000 CY of proposed dredging material as Pleistocene glacial till and a resulting list of sediment characteristics were provided. A few discrepancies need to be addressed including:

- a. The statement that Glacial Till material contained "low organic carbon content," is not supported by the core data and it is unclear what methods were used to make this determination.
- b. There is a lack of consistency between the core logs and subcrop map:
 - i. Cores (DH 75-30, 33, and 34) contain "Brown Silt" or "Brown Sand" above "Black, Oily, Organic Silt". These cores should not be characterized as Pleistocene age

material as there are no Red or even Reddish-Brown sediments in the entire core. The joint SOP specifically states that “...sediments that are gray, light gray or reddish-gray, OR clearly not reddish or red-brown are NOT likely to be glacial till.” These areas should be re-characterized as Holocene age materials and will require additional testing before approval for placement at HARS.

- ii. The Army Corps needs to reanalyze these cores and make changes to the subcrop map and proposed volumes listed in Table 1 as necessary. If these locations are found to be rock, COA encourages the Army Corps to dispose of these materials at a designated Artificial Reef site, as rock is a preferred material for enhancing artificial reefs in this region. In previous discussions, the Army Corps also suggested the possible use of rock at HARS might occur as a final habitat enhancement material in location where the remediation was complete and no additional dredged materials would be allowed to be placed over the rock. Therefore, rock placement at this time would be premature.

In conclusion, Clean Ocean Action has presented numerous issues regarding the Newark Bay SNB-1 Contract Area 50 foot deepening project. A written response to these comments is requested.

Sincerely,



Cindy Zipf
Executive Director



Jennifer Samson, PhD
Principal Scientist

cc: Ronald Pinzon, Environmental Coordinator - NY District, USACE Environmental Assessment Branch
Suzanne Dietrick, Chief, NJDEP Office of Sediment and Dredging Technologies