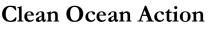
Participating Organizations Alliance for a Living Ocean American Littoral Society Arthur Kill Coalition Arthur Kill Coalition Asbury Park Fishing Club Bayberry Garden Club Bayshore Regional Watershed Council Bayshore Saltwater Flyrodders Belford Seafood Co-op Belmar Fishing Club Beneath The Sea Bergen 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, NY Coalition Against Toxics Coalition for Peace & Justice/Unplug Salem Coast Alliance Coastal Jersey Parrot Head Club Communication Workers of America, Local 1034 Concerned Businesses of COA Concerned Citizens of Bensonhurst Concerned Citizens of COA Concerned Gitizens of COA Concerned Gitizens of Montauk Eastern Monmouth Chamber of Commerce Fisher's Island Conservancy Fisheries Defense Fund Fishermen's Dock Cooperative, Pt. Pleasan Friends of Island Beach State Park Evideo of Under Stern Beh. VII Friends of Liberty State Park, NJ Friends of the Boardwalk, NY 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 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 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 Junite Jerse of Menemusch Courter Jersey Shore Running Club Junior League of Monmouth County Keyport Environmental Commission 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 NI Marine Trades Association of NJ Monmouth Conservation Foundation Monmouth County Association of Realtors Monmouth County Frankowski of Clearwater Monnouth County Friendo of Clearwater Montauk Fisherman's Emergency Fund National Coultion for Marine Conservation National Coultion for Marine Conservation National Resources Protective Association NJ Environmental Federation Association NJ Marine Educators Association NJ Marne 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 Disating: Educator Sciences Colo Picatinny 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 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 Statten Fander Fund Course 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, N WATERSPIRIT Women's Club of Brick Township 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 Printed on 100% post-consumer recycled paper.



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May 31, 2006

Ocean Advocacy

Since 1984

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

- 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 C. Samson

Jennifer Samson, Ph.D. Principal Scientist

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