

17. Navigable Waterways and Coastal Zones

17.1. Chapter Overview

17.1.1. Introduction

This chapter discusses the changes to the potential for project improvements to result in adverse impacts to navigable waterways and coastal zones resulting from the modification of the Preferred Alternative. Navigable waterways are confined to two creeks that cross under the Northern Branch alignment. In both instances, the Northern Branch is supported by a bridge over the waterway. The SDEIS does not propose any changes to the alignment of the Northern Branch in the vicinity of the crossings. The work proposed and associated impacts and mitigation are the same as proposed in the DEIS.

No comments were submitted during the DEIS public comment period regarding navigable waterways.

17.1.2. Summary of Findings of the DEIS and the SDEIS

Two navigable waters would be affected by project improvements, an unnamed tributary to Wolf Creek and Wolf Creek. Improvements include re-construction of the existing bridges over these waterways in Fairview. Construction activities are anticipated to include widening and excavation, as well as the placement of materials in and around the structure over the waterways. Applicable permitting, including a Section 10 Permit from the US Army Corps of Engineers (USACE) and a Section 9 Permit from the US Coast Guard (USCG), would be required prior to the commencement of construction. The construction of the bridges over a Wolf Creek unnamed tributary and Wolf Creek are not expected to result in impacts to the navigability of the waterways.

17.2. Methodology

A review of navigable waterways, as defined by the USCG and USACE, was conducted to determine the presence of existing navigable waterways that may be found within the Northern Branch study area. Additionally, the 2014 NJDEP's Head of Tides GIS data was utilized to identify any changes to the Head of Tide (HOT) point that would result in new navigable crossings of the Northern Branch. The data confirmed no changes in the limits of navigable waterways within the study area in terms of their effect on the project.

17.3. Environmental Review

17.3.1. Existing Conditions

Existing conditions as described in the DEIS are the same as in the SDEIS. An unnamed tributary to Wolf Creek and Wolf Creek, both major tributaries of the Hackensack River, are the two navigable waterways within the study area that cross the Northern Branch. The unnamed tributary to Wolf Creek, as well as Wolf Creek, diverge from Bellmans Creek just west of the Northern Branch Corridor. The HOT points for the two creeks are represented by existing bridges over the two crossings, located just north of 91st Street in North Bergen.

17.3.2. Potential Impacts and Mitigation

17.3.2.1. No Build Alternative

There are no changes to the impacts associated with the No Build Alternative as compared with the DEIS.

17.3.2.2. Preferred Alternative

The proposed re-construction of the existing bridges over an unnamed tributary to Wolf Creek and Wolf Creek in Fairview would involve widening, excavation, and the placement of materials in and around the structure over the waterways (Refer to Table 17-1).

Table 17-1: Bridges Over Navigable Waters Proposed for Modification

Waterway	County	Location	Proposed Modifications
Tributary to Wolf Creek	Bergen	Border of North Bergen and Fairview	Add adjacent span
Wolf Creek	Bergen	Border of Fairview and Ridgefield	Minor rehabilitation

Source: Jacobs, 2014.

A Section 10 Permit from the USACE and a Section 9 Permit from the USCG would be required prior to the commencement of construction. A Section 10 Permit is required if any work is to be performed in, over, or under a navigable waterway. A Section 9 Permit is required if any bridge work is intended over a waterway that is considered navigable by the USCG. It is likely that construction activities would temporarily disrupt portions of the unnamed tributary to Wolf Creek and Wolf Creek; however, long-term impacts associated with these structures are not anticipated.

Mitigation

The re-construction of the bridges over an unnamed tributary to Wolf Creek and Wolf Creek are not expected to result in impacts to the navigability of the waterways as the bridges would be re-constructed in accordance with USCG parameters and as stipulated by the Section 10 Permit from the USACE. The navigability of the waterways is expected to remain to the same extent as prior to construction.

17.4. Summary of Potential Environmental Effects of the DEIS and the SDEIS

Wolf Creek and one of its unnamed tributaries in Fairview are the two navigable waterways potentially affected by the Northern Branch project. The re-construction of the existing bridges proposed for these waterways would involve widening, excavation, and placement of materials in and around the structure over the waterways. The re-construction effort is not anticipated to result in impacts to the navigability of the waterways as the bridges would be constructed in accordance with applicable USCG and USACE regulations. The navigability of the waterways is expected to remain similar to existing conditions.