



REPLY TO  
ATTENTION OF

CERTIFIED MAIL-RECEIPT REQUESTED

**DEPARTMENT OF THE ARMY**

PHILADELPHIA DISTRICT CORPS OF ENGINEERS  
WANAMAKER BUILDING, 100 PENN SQUARE EAST  
PHILADELPHIA, PENNSYLVANIA 19107-3390

SEP 22 2015

Regulatory Branch  
Application Section I

SUBJECT: CENAP-OP-R-2015-00593-64 (NWP 3)  
Project Name: Bridge PR-07 Old New York Road (CR610) over Nacote Creek  
Latitude and Longitude: 39.516736° North -74.484578° West

Mr. John A. Conover, P.E.  
Atlantic County Engineering Department  
P. O. Box 719 New Road and Dolphin Avenue  
Northfield, New Jersey 08225

Dear Mr. Conover:

This is in regard to your proposal to perform repairs to Bridge PR-07 (Structure No. 01PR007) over Nacote Creek. The project will address critical deterioration including three severely rusted swing span floorbeams and five sections of floorbeam cross bracing that are to be replaced; also, timber bracing on all pile bents will be replaced in-kind and existing stone masonry piers 12 and 14 will be jacketed in concrete to prevent the loss of additional stone masonry and pier 13 will be jacketed in concrete to remediate deteriorating concrete near the water line and scour countermeasures will be installed at piers 12, 13, and 14. The bridge is located in Port Republic, Atlantic County, New Jersey.

Under current Federal regulations, a Department of the Army permit is required for work or structures in navigable waters of the United States and/or the discharge of dredged or fill material into waters of the United States including adjacent and isolated wetlands. Based upon our review of the information you have provided, it has been determined that the proposed work is approved by the existing Department of the Army Nationwide Permit (NWP) described below.

NWP3. MAINTENANCE.

3. Maintenance. (a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project or within the boundaries of the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by

storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

(b) This NWP also authorizes the removal of accumulated sediments and debris in the vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) and/or the placement of new or additional riprap to protect the structure. The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization. The placement of new or additional riprap must be the minimum necessary to protect the structure or to ensure the safety of the structure. Any bank stabilization measures not directly associated with the structure will require a separate authorization from the district engineer.

(c) This NWP also authorizes temporary structures, fills, and work necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

(d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 31). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Sections 10 and 404)

Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act Section 404(f) exemption for maintenance.

You are advised that this verification of NWP authorization is valid until the Nationwide Permits expire on March 18, 2017, unless the NWP authorization is modified, suspended, or revoked prior to this date. In the event that the NWP authorization is modified during that time period, this expiration date will remain valid, provided the activity complies with any subsequent modification of the NWP authorization.

It is noted that CZM consistency from the State is only required for those activities in or affecting a State's coastal zone. Additionally, some of the NWPs do not involve a discharge of

dredged or fill material, and as such, do not require a 401 WQC. If the State has denied the required WQC and/or not concurred with the Corps' CZM consistency determination, the NWP authorization is considered denied without prejudice until an individual project specific WQC and/or CZM approval is obtained. This approval must be obtained in order for the activity to be authorized under the NWP and a copy provided to this office before work begins. Any project specific conditions required by the State for the WQC and/or CZM approval will automatically become part of the NWP authorization.

You should carefully note that this NWP authorization is based upon your agreement to comply with the terms and conditions of this NWP (Enclosure 1) including any and all attached project specific special conditions listed below. Initiation of any authorized work shall constitute your agreement to comply with all of the NWP's conditions. You should also note that the authorized work may be subject to periodic inspections by a representative of this office. The verification of a Nationwide Permit including all general and special conditions is not subject to appeal.

This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participating in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

#### PROJECT SPECIFIC SPECIAL CONDITIONS:

1. All work performed in waters of the US association with the above noted project shall be conducted in accordance with the set of project plan(s), prepared by Atlantic County Division of Engineering, Northfield, NJ, dated April 16, 2015, entitled or identified as follows: (a) "General Plan and Elevation – Proposed Superstructure Repairs at Nacote Creek Bridge (PR-7)", (b) "Pier 12 & 14 Repair Details; (c) Pier 13 Repair Detail; (d) Cross Bracing Replacement Details; (e) Floorbeam Replacement Details – 1, and; (f) Floorbeam Replacement Details – 1.

The plans provide for repairs to Bridge PR-07 over Nacote Creek which includes placement of rip rap, a concrete jacket and replacement of timber cross bracing and other work as shown. The installation of the scour countermeasures and concrete will result in impacts to open water including approximately 1,655.28 sq.ft. (0.038 acre) of rip-rap (Coarse aggregate No.57 Stone and D50 rip-rap = 12") and 200 cu yds of Class A Concrete and concrete seal to fill 392.04 sq. ft. (0.009 acre). Total fill area: 0.047 acre.

The purpose of the project is to repair/rehabilitate Bridge PR-07, Old New York Road (CR610) over Nacote Creek.

2. Construction activities are expected to result in the loss, disturbance or alteration of approximately 0.05 acre of open waters of the United States, with no impact to wetlands.

3. Any deviation in construction methodology or project design from that shown on the above noted drawings or repair plan must be approved by this office, in writing, prior to performance of

the work. All modifications to the above noted project plans shall be approved, in writing, by this office. No work shall be performed prior to written approval of this office.

4. This office shall be notified prior to the commencement of authorized work by completing and signing the enclosed Notification/ Certification of Work Commencement Form (Enclosure 2). This office shall also be notified within 10 days of the completion of the authorized work by completing and signing the enclosed Notification/Certification of Work Completion/Compliance Form (Enclosure 3). All notifications required by this condition shall be in writing. The Notification of Commencement of work may be sent to this office by facsimile or other electronic means; all other notification shall be transmitted to this office by registered mail. Oral notifications are not acceptable. Similar notification is required each time maintenance work is to be done under the terms of this Corps of Engineers permit.

5. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

6. There shall be no in water work during the period of March 1 to June 30 of any year.

7. Rehabilitation work will be limited to the underside of the bridge and all replacement work will be done in-kind.

8. Ground disturbance within the construction access area is to be avoided. Temporary cribbing matting shall be placed as needed under bearing points of heavy equipment to minimize the impact of construction materials on the soil and eliminate potential rutting.

9. Shielding/catch systems should be constructed to prevent deteriorated concrete pieces from falling into the water. Contact between the water and any uncured concrete should be avoided and no construction or demolition debris should be allowed to fall into the waterways

10. Barges or work floats that are used in the waterways during the project must be marked in accordance with Title 33 Code of Federal Regulations, Section 84.15 that outlines temporary marking and lighting requirements. The noted regulation regarding lights on the barges or work floats, was provided by Fifth District Coast Guard with their letter dated March 26, 2015. If there are any questions regarding lights on the barges or work floats please contact Fifth District Coast Guard Waterways Management Section (757) 398-6230.

11. During the progress of work, while the channel is in operation, should any material, machinery or equipment be lost, dumped, thrown overboard, sunk or misplaced which may be dangerous to or obstruct navigation, immediate notice shall be given to the Coast Guard and the object removed with the utmost dispatch. Until removal can be effected, the objects shall be properly marked in order to protect navigation. Notice to the Coast Guard shall give a

description and location of any such object and the action taken or being taken to protect navigation.

Also enclosed is a pre-addressed postal card (Enclosure 4) soliciting your comments on the processing of your application. Any comments, positive or otherwise, on the procedures, timeliness, fairness, etc., may be made on this card. If you should have any questions regarding this matter, please contact Michael F. Green at 215-656-6836 or write to the above address.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank J. Cianfrani". The signature is fluid and cursive, with a prominent initial "F" and "C".

Frank J. Cianfrani  
Chief, Regulatory Branch

Enclosures

Copies Furnished:

NJDEP, LURP (Trenton, NJ)

NMFS (Sandy Hook, NJ)

USFWS (Pleasantville, NJ)

USEPA, Region II (New York, NY)

U.S. COAST GUARD (Bridge Program Manager, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004)

NJHPO: Department of Environmental Protection  
Historic Preservation Office  
P.O. Box 420 Trenton, NJ 08625-0420

Agent: Joseph Romano  
Michael Baker Jr., Incorporated  
300 American Metro Blvd., Suite 154  
Hamilton, NJ 08619