



**US Army Corps  
of Engineers**  
Philadelphia District

Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3390  
ATTN: CENAP-OP-R

# Public Notice

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Public Notice No.	Date
CENAP - OP - R - 2012 - 0749	JAN 18 2013
Application No.	File No.

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In Reply Refer to:  
REGULATORY BRANCH

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This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

**APPLICANT:** South Jersey Marina  
1231 US Highway 109  
Cape May, New Jersey 08204

**AGENT:** K2 Consulting Engineers Inc.  
36 South Black Horse Pike  
Blackwood, New Jersey 08012

**WATERWAY:** Cape Island Creek

**LOCATION:** The proposed project site, South Jersey Marina, is located on Cape Island Creek, approximately 0.2 miles from the confluence with the Cape May Harbor. The property is identified as Block 842.02, Lot 19 within the Township of Lower, Cape May County, New Jersey. See attached location map.

**ACTIVITY:** The applicant proposes to perform maintenance dredging, by hydraulic method, within their existing marina basin as shown on the proposed plan to restore adequate water depth for mooring and navigation within the marina. The applicant is applying for a 10-year maintenance permit. The proposed dredging area is located in eastern portion of the existing marina, not the entire marina area, but constitutes the majority of the marina basin (see attached project plans). The total area proposed to be authorized for dredging is 2.61 acres. The total amount of sediment to be removed is approximately 18,000 CY per dredging event. The dredged sediment will be piped into an existing approved confined disposal facility (CDF) where it will be dewatered for beneficial use. The decant water generated from the dredging event will be held within the CDF for appropriate detention time then deposited back into the harbor area. The discharge weir will be monitored to ensure water quality and retention times meet permit conditions. The CDF is located at the Bree Zee Lee Marina property at Block 824.02, Lots 2-16 in Lower Township, Cape May County, New Jersey.

Dredging would be conducted to a maximum of -9.0 feet below mean low water (MLW) with a limit of -11 feet MLW for over dredge occurrences for a period of 10-years at 5-year

intervals. All dredge limits are to remain as previously approved in a prior 10-year maintenance USACE permit, USACE permit # 2001- 0264. Appropriate turbidity control measures, such as silt curtains or equivalent, will be utilized to reduce the impact from turbidity during the dredging project. If needed, dredging will abide by a seasonal restriction to protect water quality as a conservation measure. The applicant has received a State permit from the New Jersey Department of Environmental Protection for the proposed dredging project (NJDEP 0502-05-0007.1)

**PURPOSE:** The applicant's stated purpose for the project is to restore adequate water depths for navigability in the marina for the boats that moor at the marina.

A preliminary review of this application indicates that the proposed work will not have a substantial affect on listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit (or modification) will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware," dated March 1999, and the "National Estuarine Inventory Data Atlas, Volume 1: Physical and Hydrologic Characteristics," dated November 1985, indicates that the proposed work would not have a substantial adverse effect on any managed species. However, to help minimize potential impacts to protect listed species, it will be recommended that dredging may not occur between January 1st and May 31<sup>st</sup> of any given year as a conservation measure.

In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by contacting Peter Romano at (215) 656-6729, or email at [peter.t.romano@usace.army.mil](mailto:peter.t.romano@usace.army.mil), or writing to this office at the above address.



Frank J. Cianfrani  
Chief, Regulatory Branch

WILSON DRIVE

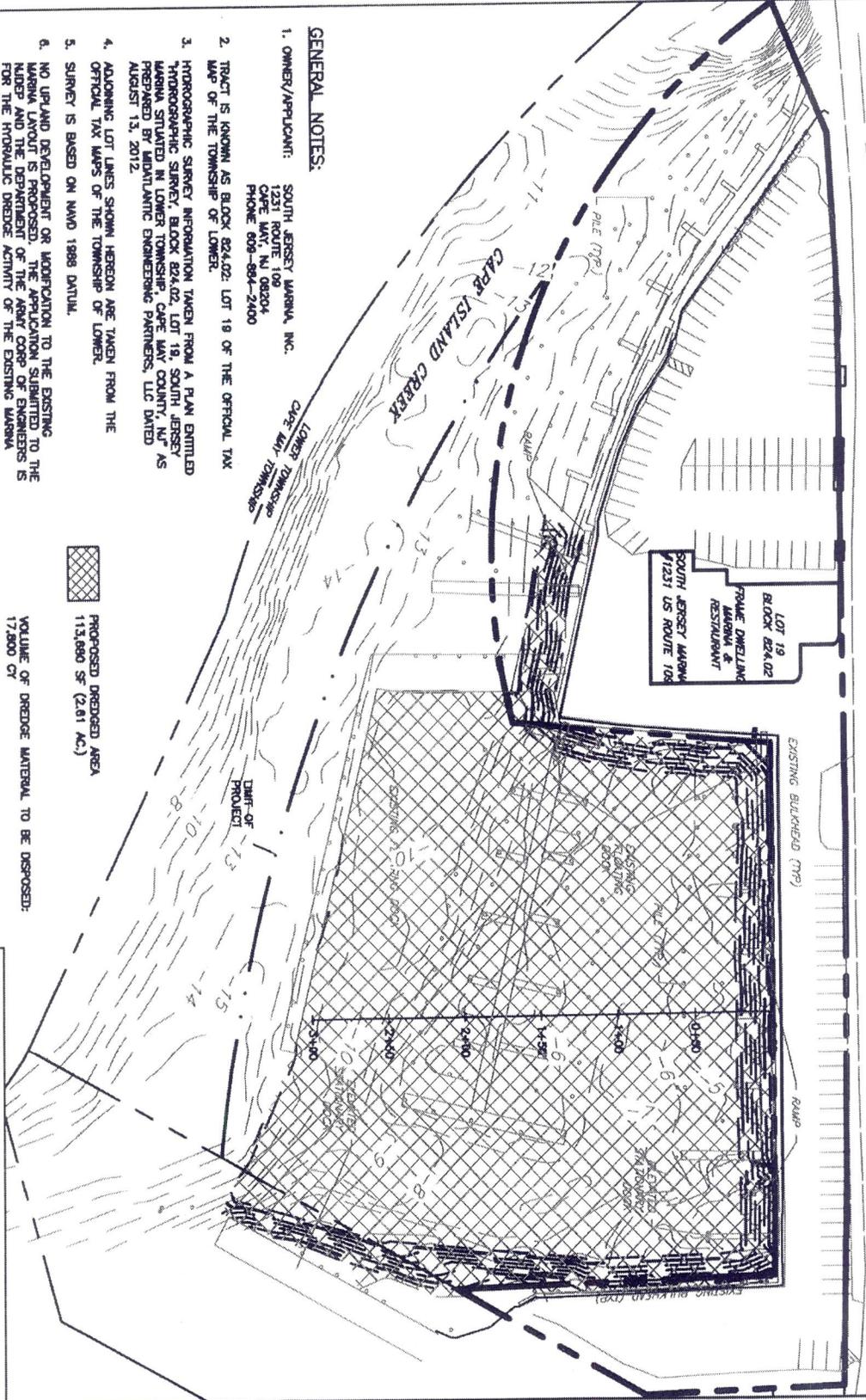
1ST AVENUE

US HIGHWAY ROUTE 109  
(50' ROW)

2ND AVENUE

3RD AVENUE

LOT 19  
BLOCK 824.02  
ROUTE 109  
SOUTH JERSEY MARINA  
MARINA &  
RESIDENTIAL



**GENERAL NOTES:**

1. OWNER/APPLICANT: SOUTH JERSEY MARINA, INC.  
251 ROUTE 109  
CAPE MAY, NJ 08204  
PHONE 609-894-2400
2. TRACT IS KNOWN AS BLOCK 824.02; LOT 19 OF THE OFFICIAL TAX MAP OF THE TOWNSHIP OF LOWER.
3. HYDROGRAPHIC SURVEY INFORMATION TAKEN FROM A PLAN ENTITLED "HYDROGRAPHIC SURVEY, BLOCK 824.02, LOT 19, SOUTH JERSEY MARINA SITUATED IN LOWER TOWNSHIP, CAPE MAY COUNTY, NJ" AS PREPARED BY MIDATLANTIC ENGINEERING PARTNERS, LLC DATED AUGUST 13, 2012.
4. ADDING LOT LINES SHOWN HEREON ARE TAKEN FROM THE OFFICIAL TAX MAPS OF THE TOWNSHIP OF LOWER.
5. SURVEY IS BASED ON NAD83 DATUM.
6. NO UP-AND DEVELOPMENT OR MODIFICATION TO THE EXISTING MARINA LAYOUT IS PROPOSED. THE APPLICATION SUBMITTED TO THE MAJOR AND THE DEPARTMENT OF THE ARMY CORP OF ENGINEERS IS FOR THE HYDRAULIC DREDGE ACTIVITY OF THE EXISTING MARINA BASIN.



PROPOSED DREDGED AREA  
113,680 SF (2.61 AC.)

VOLUME OF DREDGE MATERIAL TO BE DEPOSED:  
17,800 CY

LOCAL RANGE OF TIDES (DEC. 2001)

2.42'	MEAN HIGHER HIGH WATER (HIGH TIDE)
1.97'	MEAN HIGH WATER
-2.86'	MEAN LOW WATER
-3.02'	MEAN LOWER LOW WATER

DREDGE TO -9.00 MEAN LOW WATER = -11.88

JOHN W. KORNICK P.E.  
Professional Engineer New Jersey Lic. No. GE049285

REVISION:

INDEX PLAN FOR DREDGE AREA  
**SOUTH JERSEY MARINA**

BLOCK 824.02: LOT #19  
TOWNSHIP OF LOWER CAPE MAY COUNTY NJ



Professional Civil Engineers  
Certificate of Authorization  
#2A0428 181/400

36 S. Birch Home Pike  
Suite 100  
Blackwood, NJ 08012  
Phone: 856.401.2121  
Fax: 856.401.2199  
www.K&CE.com

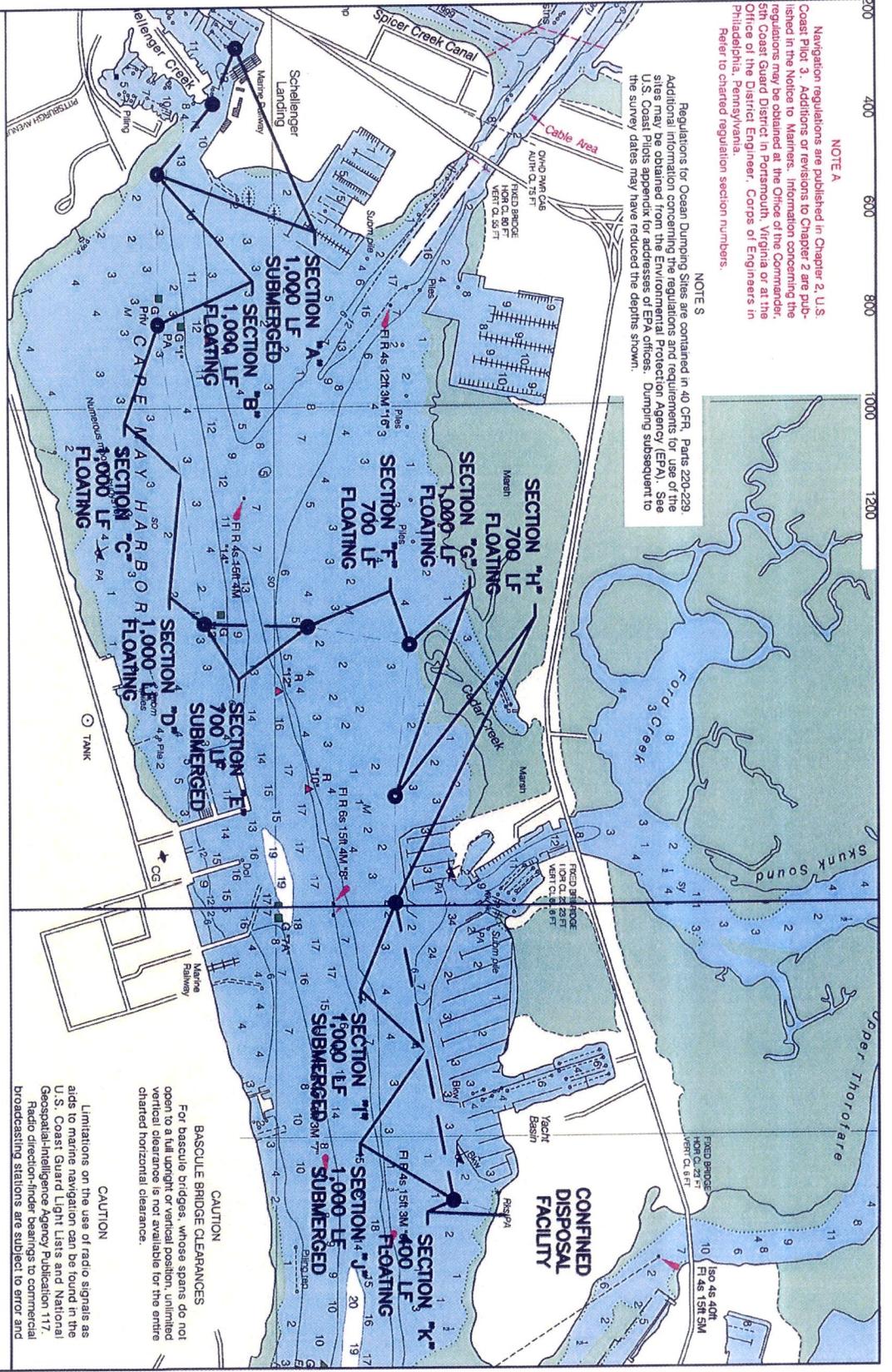
DATE: 9/20/12  
DESIGN BY: JK  
DRAWN BY: SW  
SCALE: 1" = 100'  
PLAN NO.:  
JOB NO.: PD12-048  
SHEET

1 OF 7

200 400 600 800 1000 1200

**NOTE A**  
 Navigational regulations are published in Chapter 2, U.S. Coast Pilot 3. Additions or revisions to Chapter 2 are published in the Notice to Mariners. Information concerning the regulations may be obtained at the Office of the Commander, 5th Coast Guard District in Portsmouth, Virginia or at the Office of the District Engineer, Corps of Engineers in Philadelphia, Pennsylvania.  
 Refer to charted regulation section numbers.

**NOTES**  
 Regulations for Ocean Dumping Sites are contained in 40 CFR, Parts 220-229. Additional information concerning the regulations and requirements for use of the sites may be obtained from the Environmental Protection Agency (EPA). See U.S. Coast Pilot's appendix for addresses of EPA offices. Dumping subsequent to the survey dates may have reduced the depths shown.



**TIDE INFORMATION**

Place	Mean Higher High Water	Mean High Water	Mean Lower Low Water	Extreme Low Water
(LAT/LONG)	Feet	Feet	Feet	Feet
Case No. Number	4.9	4.6	0.2	3.0
(38° 57' N / 74° 53' W)				

[Dec 2001] Latest available information.

**CAUTION**  
**BASCULE BRIDGE CLEARANCES**  
 For bascule bridges, whose spans do not open to a full upright or vertical position, unlimited vertical clearance is not available for the entire charted horizontal clearance.

**CAUTION**  
 Limitations on the use of radio signals as aids to marine navigation can be found in the U.S. Coast Guard Light Lists and National Geospatial-Intelligence Agency Publication 117. Radio direction-finder bearings to commercial broadcasting stations are subject to error and

*[Signature]*

**JOHN W. KORNIC P.E.**  
 Professional Engineer New Jersey Lic. No. GE049285

<p>Professional Civil Engineers          Certificate of Authorization          #240A28187400</p> <p>36 S. Black Horse Pike          Blackwood, NJ 08012          Phone - 856.401.2121          Fax - 856.401.2199          www.k2ce.com</p>	<p><b>K2</b>          Consulting Engineers, Inc.</p>	<p><b>INDEX PLAN FOR DREDGING PIPELINE</b>  <b>SOUTH JERSEY MARINA</b>          BLOCK 824.02: LOT #19          TOWNSHIP OF LOWER CAPE MAY COUNTY NJ</p>	<p>REVISION:</p> <table border="1"> <tr> <td> </td> <td> </td> </tr> </table>		
<p><b>DATE:</b> 9/20/2012  <b>DESIGN BY:</b> JK  <b>DRAWN BY:</b> SW</p>	<p><b>SCALE:</b> 1"=X  <b>PLAN NO.:</b> ---</p>	<p><b>JOB NO.:</b> PD12-048  <b>SHEET:</b> 1 OF 12</p>			

To see all the details that are visible on the screen, use the "Print" link next to the map.



### 2012-0749 South Jersey Marina Project