



**US Army Corps
of Engineers**
Philadelphia District

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

Public Notice

Public Notice No. **CENAP-OP-R-2007-1091-39** Date **September 20, 2018**

Application No. File No.

In Reply Refer to:
REGULATORY BRANCH

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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

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: Lighthouse Pointe Condominiums

AGENT: S.T. Hudson Engineering, Incorporated

WATERWAY: Grassy Sound Channel

LOCATION: Dredging would occur at Block 806, Lot 4.02 in the City of Wildwood, Cape May County, New Jersey/Disposal of the dredge material would occur at Shaw Island, located at Block 819, Lots 1.01 and 1.02, in City of Wildwood, Cape May County, New Jersey

ACTIVITY: The applicant proposes to perform hydraulic maintenance dredging on a portion of the waters located within the marina and perform new dredging waterward of the previous dredging, where a shoal has formed. Approximately 0.75 acres of maintenance dredging would be performed and approximately 0.6 acres of dredging associated with the shoal removal would be performed at the site. The area would be dredged to a depth of -4' mean low water. The excavated material, composed primarily of silt and sand would be transported via pipeline to the Shaw Island disposal site. The 8" diameter pipeline would be placed on the substrate and marked as required by the US Coast Guard. The pipeline will cross the Intracoastal Waterway at 2 locations as shown on the attached drawing. No placement of fill material waterward of the high tide line is proposed at the project site. The applicant has requested a 10 year maintenance provision to any permit issued by this office.

PURPOSE: The applicant's stated purpose is to provide for safe navigation within the waterway surrounding the marina.

A preliminary review of this application indicates that species listed under the Endangered Species Act or their critical habitat pursuant to Section 7 of the ESA as amended, maybe present in the action area. The ACOE will forward this PN to the US Fish and Wildlife Service or National Marine Fisheries Service with a request for technical assistance on whether any ESA

listed species or their critical habitat maybe present in the area which would be affected by the proposed activity. The Philadelphia District will evaluate the potential effects of the proposed actions on ESA listed species or their critical habitat and will consult with NOAA Fisheries as appropriate. ESA Section 7 consultation will be concluded prior to the final decision on this permit application.

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 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.

The USACE Cultural Resource Specialist has reviewed the proposed permit action for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places and made the following statement “both the previously permitted dredged area and existing upland placement facility will have No Effect on historic properties. The additional acreage to be dredged is of such limited nature and scope that little likelihood exists for the proposed action to impact a historic property eligible for or listed on the National Register of Historic Places.”

The Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with the NOAA Fisheries all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). A preliminary review of this application indicates that EFH is present within the project area. The Philadelphia District will evaluate the potential effects of the proposed actions on EFH and will consult with NOAA Fisheries as appropriate. Consultation will be concluded prior to the final decision on this permit application.

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 calling Lawrence Slavitter at 215-656-6734, via email at lawrence.m.slavitter@usace.army.mil, or writing this office at the above address.



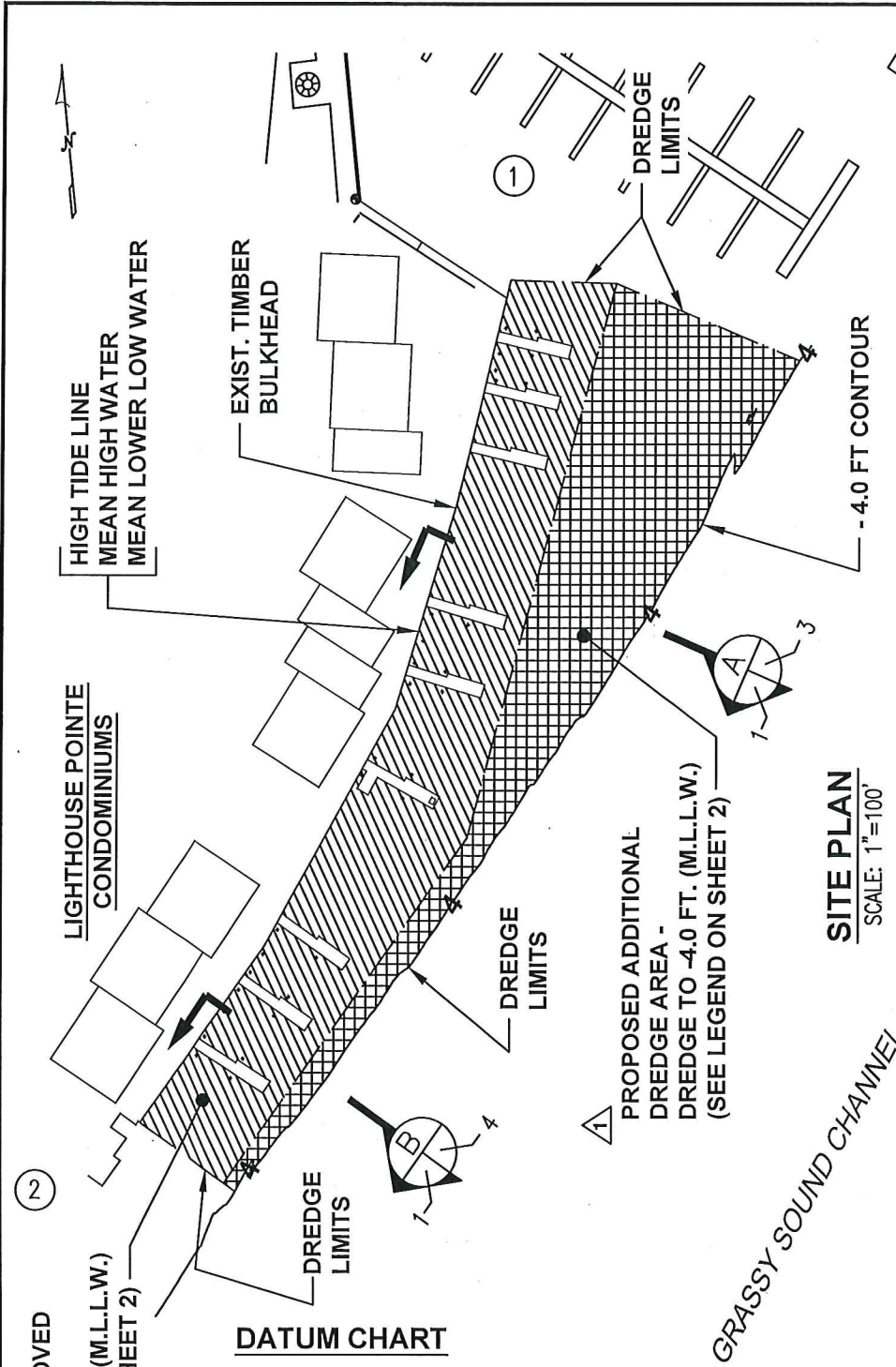
Edward E. Bonner
Chief, Regulatory Branch

ADJACENT PROPERTY OWNERS:

- ① LIGHTHOUSE POINTE MARINA
- ② PAUL MERRICK

HYDROGRAPHIC SURVEY NOTES:

1. ALL SOUNDINGS WERE TAKEN USING A R330 HEMISPHERE WIRELESS DIFFERENTIAL GLOBAL POSITIONING SYSTEM (DGPS), HYPACK MAX SOFTWARE AND A TELEDYNE ODOM HYDROTRAC CONTINUOUS RECORDING SURVEY FATHOMETER.
2. SOUNDINGS WERE TAKEN ON FRIDAY, SEPTEMBER 8, 2017.
3. DECIMAL POINT (.) DENOTES SOUNDING LOCATION.
4. THE LOCATION OF THE LEADLINE READINGS IS DENOTED WITH AN +.
5. SOUNDINGS ARE REFERENCED TO MEAN LOWER LOW WATER (M.L.L.W.) AND ARE EXPRESSED IN FEET AND TENTHS OF A FOOT.
6. HORIZONTAL CONTROL IS BASED ON NEW JERSEY STATE PLANE COORDINATES, NAD 83.
7. VERTICAL CONTROL WAS ESTABLISHED VIA LOCAL U.S.G.S. DISK, FOUND NEAR THE SITE, THE ELEVATION USED WAS 9.2' ABOVE M.L.L.W. AT THE TOP OF THE TIMBER BULKHEAD.
8. CONTOURS WERE INTERPOLATED WITH TRIMBLE NAVIGATION LIMITED, TERRAMODEL VERSION 10.11.
9. CROSS-HATCHING INDICATES THE AREA ABOVE THE SPECIFIED DREDGE DEPTH, WHICH WAS PROVIDED BY THE CLIENT.
10. THE INFORMATION DEPICTED ON THIS DRAWING REPRESENTS THE RESULTS OF SURVEYS CONDUCTED ON THE DATES INDICATED, AND CAN ONLY BE CONSIDERED AS INDICATING GENERAL CONDITIONS AT THAT TIME.



SITE PLAN
SCALE: 1"=100'

DATUM CHART

① TOP OF TIMBER BULKHEAD @ P.K.NAIL +9.2 (M.L.L.W.)

HIGH TIDE LINE	+4.77
MEAN HIGH WATER	+4.27
MEAN LOWER LOW WATER	0.0

FILE No. L-2042
 CONTRACT No. H-7501-02
 DATE 8/28/2018
 SHEET No. 1 of 6 Rev-1 9/11/18

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION. THIS DRAWING IS FOR PERMITTING PURPOSES ONLY.

S.T. HUDSON ENGINEERS, INC.
 PROFESSIONAL ENGINEERS & CONSULTANTS
 900 Dudley Avenue
 Cherry Hill, NJ 08002
 Phone 856-342-6600
 Fax No. 856-342-8323



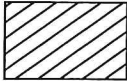

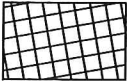

PROPOSED:	DREDGING
AT:	SHAWCREST RD. WILDWOOD, NEW JERSEY
COUNTY OF:	CAPE MAY COUNTY
APPLICATION BY:	LIGHTHOUSE POINTE CONDOMINIUMS

PREVIOUSLY APPROVED DREDGE AREA - DREDGE TO -4.0 FT. (M.L.L.W.) (SEE LEGEND ON SHEET 2)

②

①

LEGEND:

<u>DESIGNATION</u>	<u>AREA TO BE DREDGED</u>	<u>DREDGE QUANTITY</u>
  PREVIOUSLY APPROVED DREDGE AREA	30,981 SQUARE FEET	2,682 CUBIC YARDS
  PROPOSED ADDITIONAL DREDGE AREA	25,586 SQUARE FEET	2,081 CUBIC YARDS
TOTAL	56,567 SQUARE FEET	4,763 CUBIC YARDS

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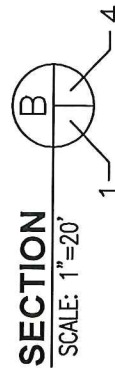
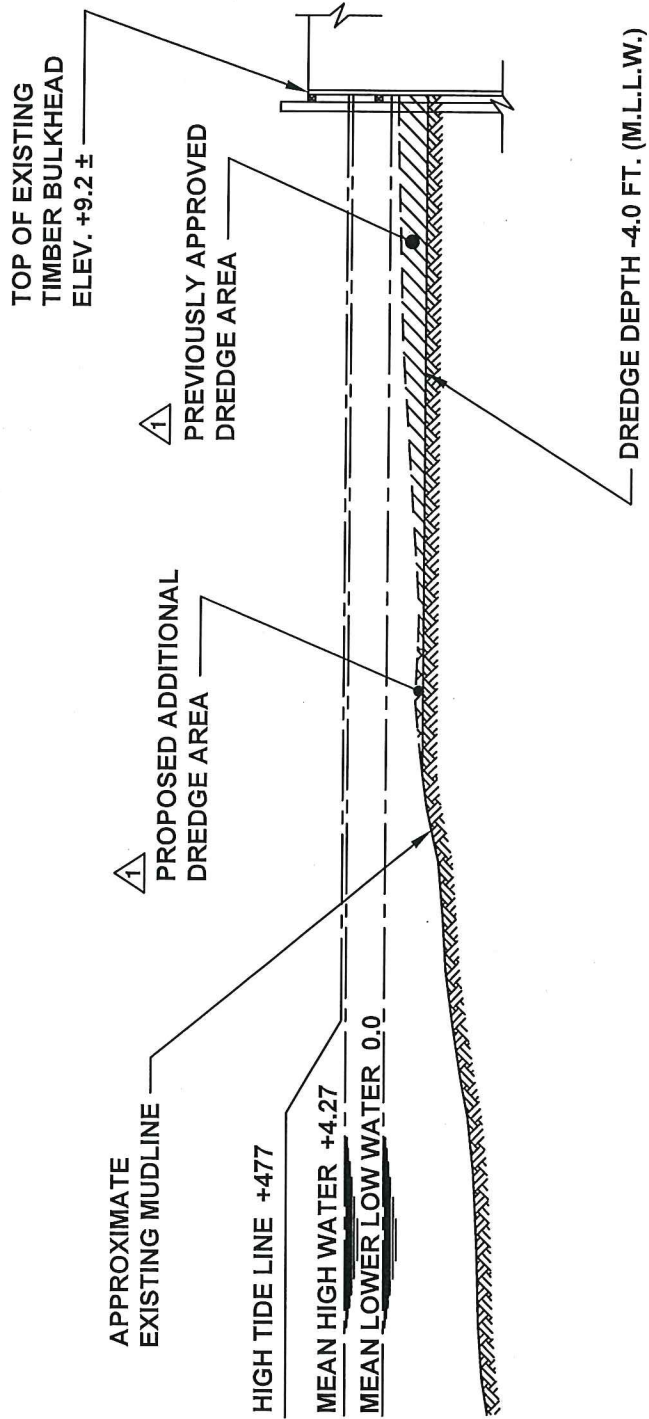
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FILE No. L-2042
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SHEET No. 2 of 6 Rev-1 9/11/18

PROPOSED:	DREDGING
AT:	SHAWCREST RD. WILDWOOD, NEW JERSEY
COUNTY OF:	CAPE MAY COUNTY
APPLICATION BY:	LIGHTHOUSE POINTE CONDOMINIUMS



SECTION
SCALE: 1"=20'

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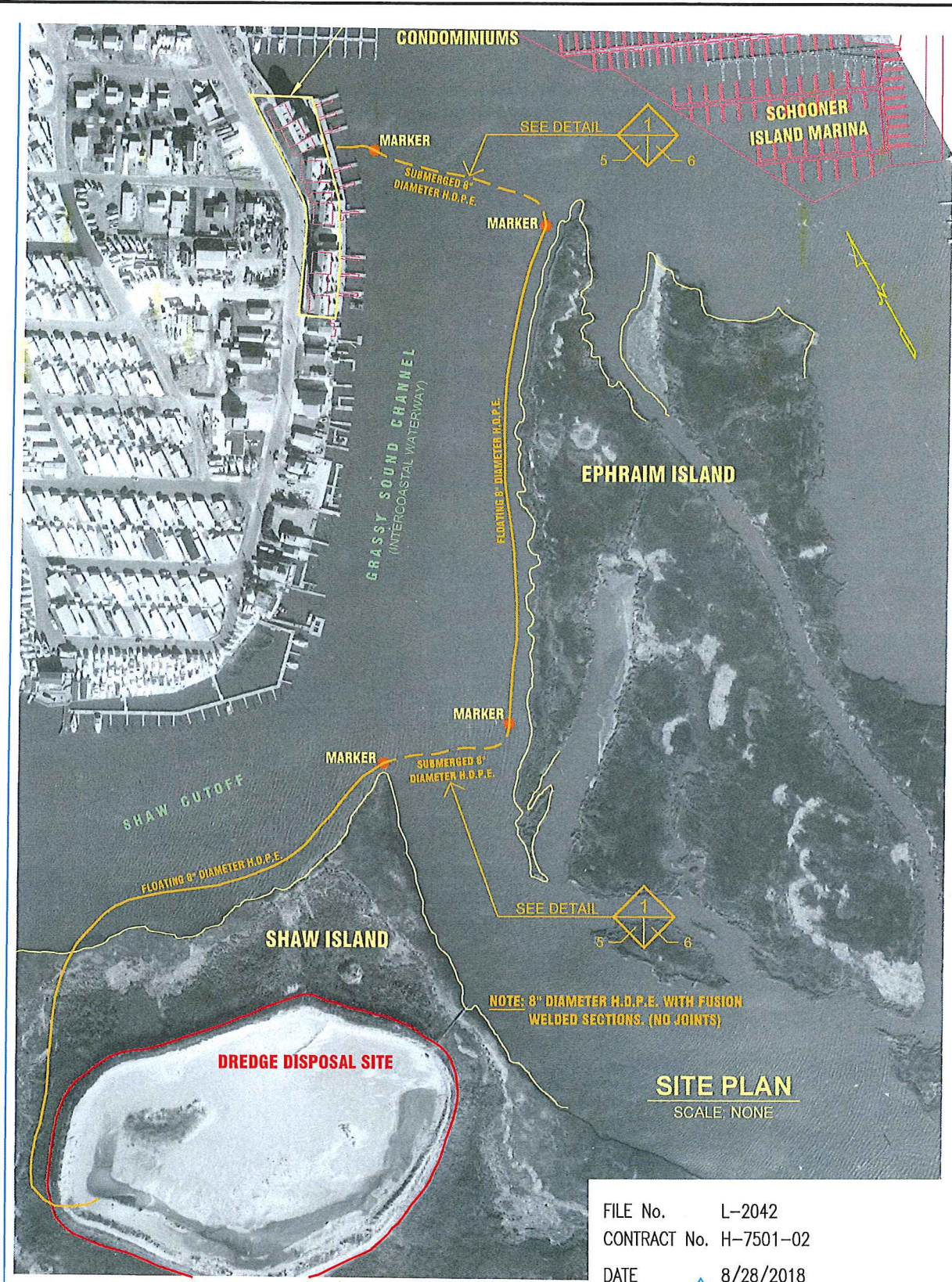
FILE No. L-2042

CONTRACT No. H-7501-02

DATE 8/28/2018

SHEET No. 4 of 6 Rev-1 9/11/18

PROPOSED:	DREDGING
AT:	SHAWCREST RD. WILDWOOD, NEW JERSEY
COUNTY OF:	CAPE MAY COUNTY
APPLICATION BY:	LIGHTHOUSE POINTE CONDOMINIUMS



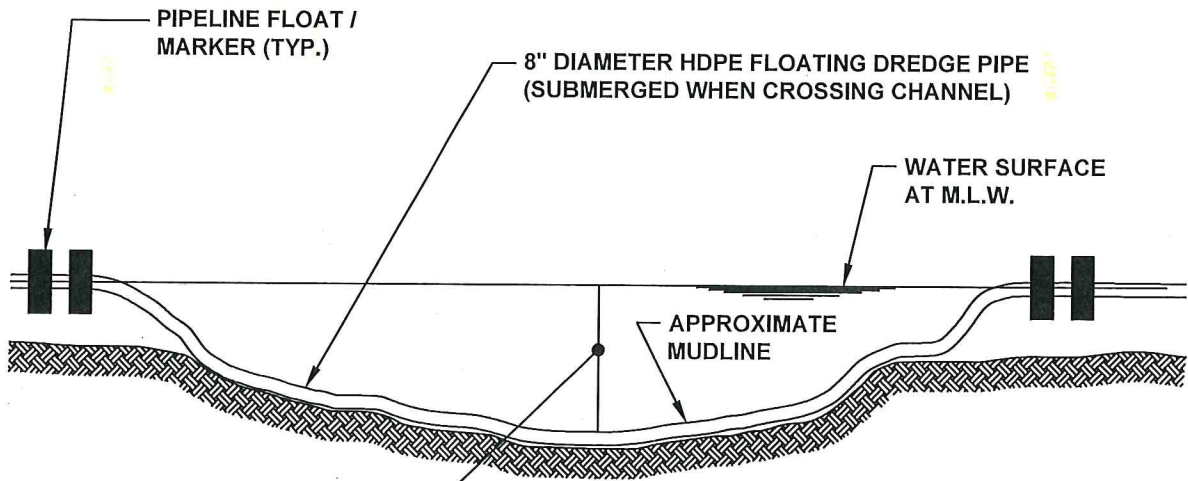
FILE No. L-2042
 CONTRACT No. H-7501-02
 DATE 8/28/2018
 SHEET No. 1 5 of 6 Rev-1 9/11/18

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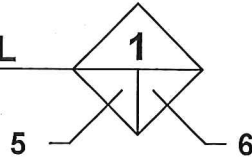
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AVERAGE WATER DEPTH AT THE CENTERLINE OF CHANNEL IS 10 FT. ± (INTERCOASTAL WATERWAY, 3 FT. ± SIDE CHANNELS)

TYPICAL SUBMERGED DREDGE PIPE DETAIL

SCALE : NONE



FILE No. L-2042
 CONTRACT No. H-7501-02
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 SHEET No. 6 of 6

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