



**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-2006-6399

Date

JAN 22 2007

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).

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: 5906 Park LLC

AGENT: Mr. John Kornick  
J. Timothy Kernan  
Kingsway Commons; Suite 100  
935 Kings Highway  
Thorofare, New Jersey 08086

WATERWAY: Sunset Lake

LOCATION: Block 29, Lots 3, 4 and 5, in the Borough of Wildwood Crest, Cape May County, New Jersey

ACTIVITY: The applicant proposes to remove existing in-water structures, replace the existing bulkhead and install two new structures and a breakwater. A house would be constructed on the upland portions of the site, outside areas of Federal jurisdiction. The two structures, as shown on the attached drawing would be removed using barge mounted equipment. The bulkhead, seventy nine (79) feet in length, would be replaced at its current location, using non-polluting materials. No fill within areas of Federal jurisdiction would required to install the replacement bulkhead. At the northern end of the site, a forty (40) foot long breakwater would be installed. The breakwater would be constructed of non-polluting material and in a manner such that the bottom of the structure would be located a minimum of eighteen (18) inches above the existing substrate.

Two dock structures would be installed at the site. Both structures would be installed using barge mounted equipment. All of the structures would be constructed using non-polluting materials. The northern most structure would be attached to the bulkhead by a six (6) foot long, eight (8) foot wide fixed structure. A ramp, ten (10) foot long, three (3) foot wide would attached the fixed dock to a floating dock. The floating dock would be thirty (30) foot long and eight (8) feet wide. The southern dock would commence at the bulkhead with a fifteen (15) foot long, three (3) foot wide ramp. The ramp would attach to a thirty five (35) foot long, eight (8)

foot wide floating dock. Both dock structures would have water and utility lines with the dock structure above the waterline. The waterward end of the structures would be approximately fifty three (53) feet from the edge of the existing navigation channel. Four (4) boats would be located at the project site, with the largest vessel have a length of forty two (42) feet and a draft of four (4) feet. The applicant has stated that no dredging or fill operations would be required to complete the work at the project site. The site is noted as "Hard Clam – High Value Commercial on Plate V of the plan entitled "Distribution of Shellfish Resources in Relation to the New Jersey Intracoastal Waterway Longport to Cape May", prepared by the US Fish and Wildlife Service, January 1963.

**PURPOSE:** The applicant's stated purpose is provide access to the waterway for private recreation.

A preliminary review of this application indicates that the proposed work would not affect 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 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 effect 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, specifically page 72, the project will have no effect on EFH or the species of concern at the project site. Non-polluting materials will be used during the construction of the structures. Additionally, minimal impacts to the existing substrate will occur as a result of the project. This office will coordinate with the National Marine Fisheries Service to ensure impacts resulting from the project will be minimal.

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.

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 M. Slavitter at 215-656-6734 or writing this office at the above address.



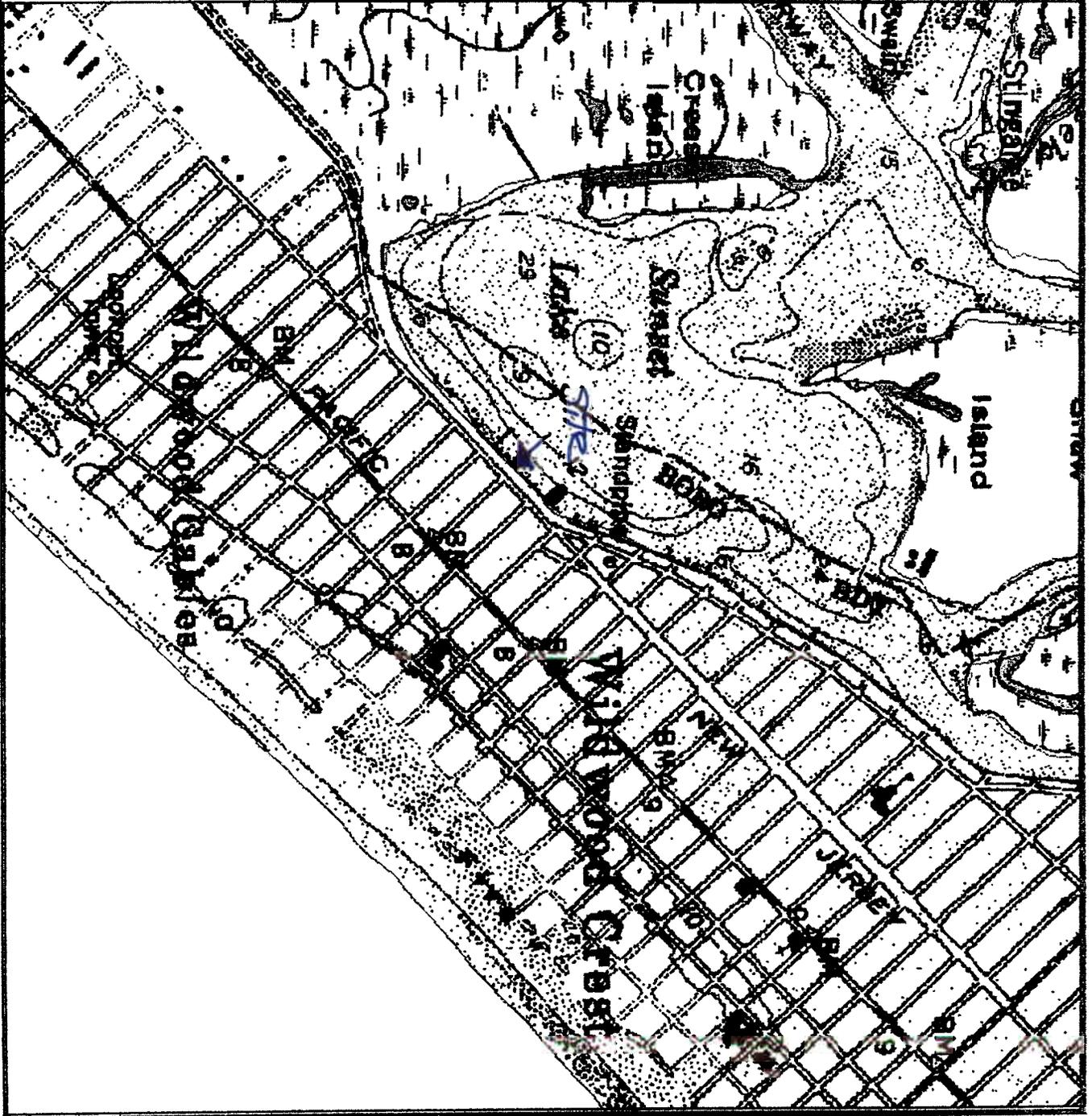
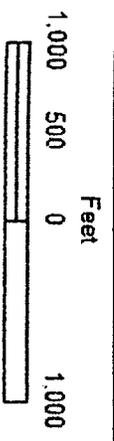
Frank J. Cianfrani  
Chief, Regulatory Branch



County - Cape May  
 Ownership - Wildwood Crest  
 Block - 29  
 Lot - 1&2  
 Street Frontage - Park Boulevard  
 Date - March 31, 2006  
 Preparer - SKR

**Legend**

-  Property in Question
-  Municipal Boundary
-  Cape May County Streams
-  Cape May County Lakes



**QUADRANGLE MAP**

Quadrangle #178 - Wildwood, NJ

FIGURE 1: USGS MAP  
 Project No.: KER0601  
 Date: MARCH 31, 2006  
 Drawn by: SKR

Note:  
 This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NODP and is not state-sponsored.





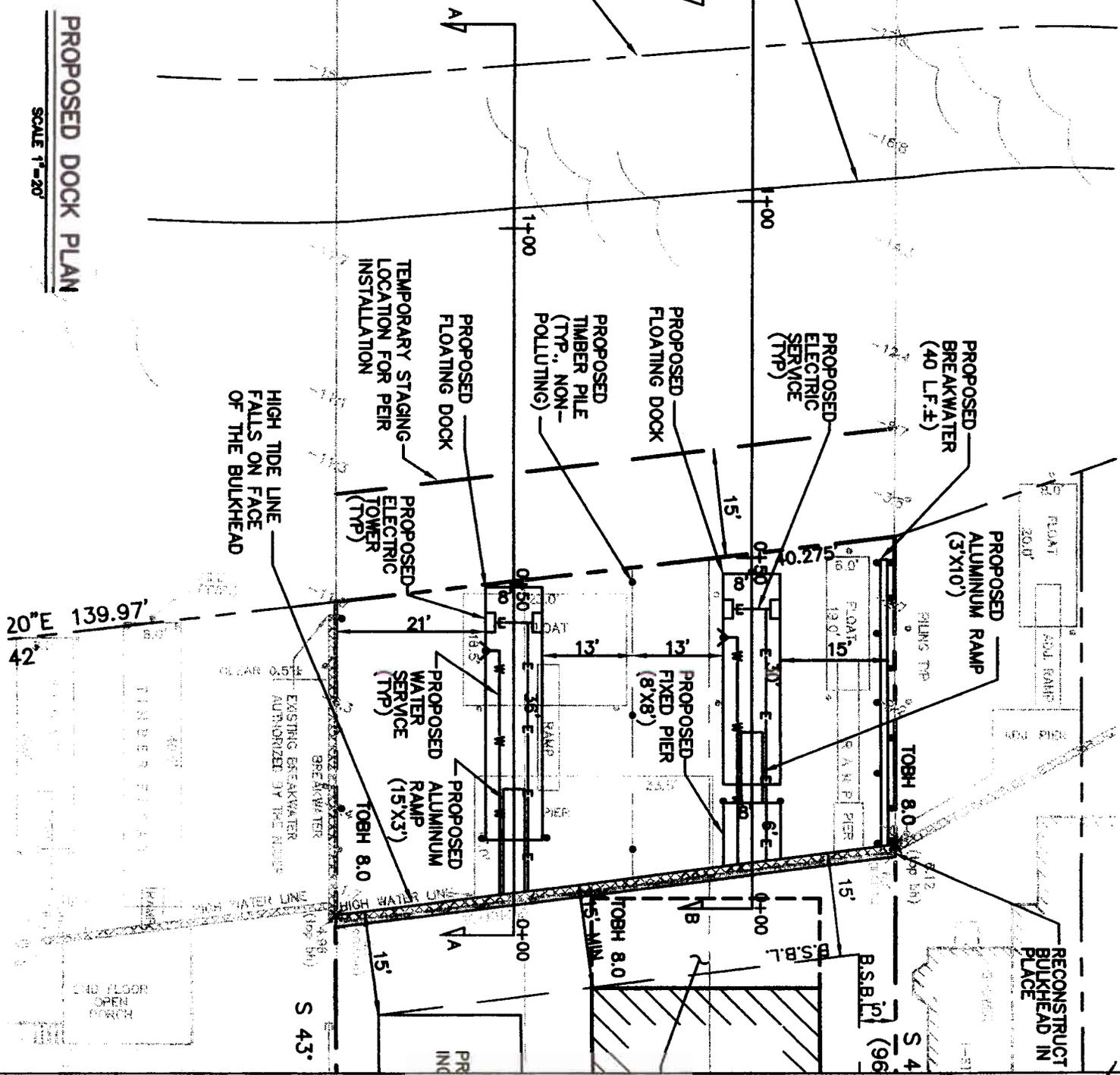
EXISTING EDGE OF NAVIGATION CHANNEL, 20' OFFSET FROM CENTERLINE OF EXISTING CHANNEL.

# SUNSET LAKE

EXISTING CENTERLINE OF NAVIGATION CHANNEL AS TAKEN FROM PLAN OF SURVEY REFERENCED IN NOTE 4.

## PROPOSED DOCK PLAN

SCALE 1"=20'



COASTAL GENERAL PERMIT PLAN

7777  
 8888  
 9999

COASTAL GENERAL PERMIT PLAN

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 8888  
 9999

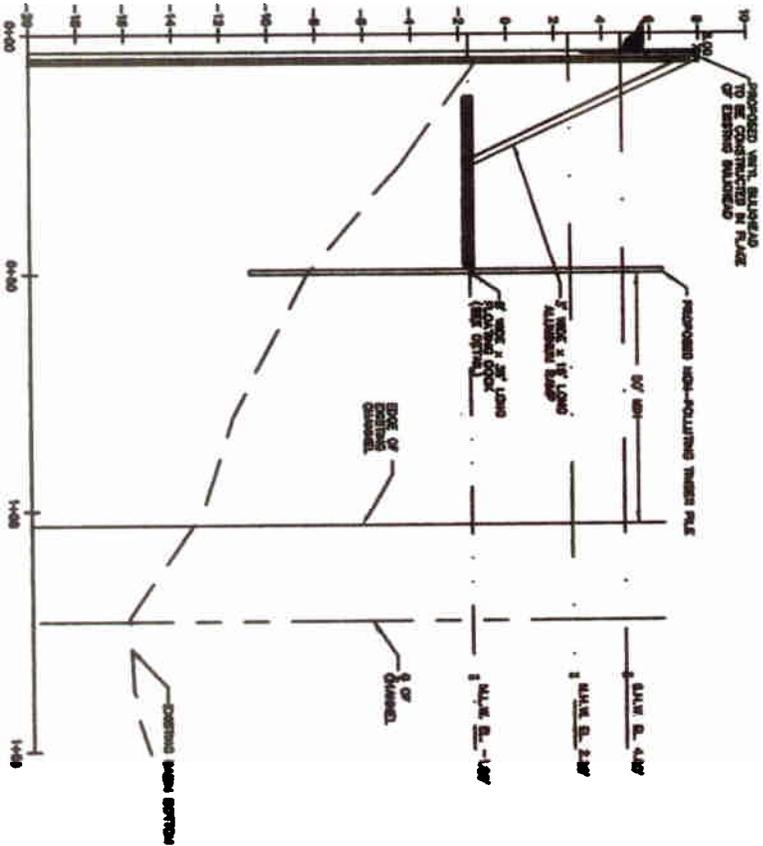
COASTAL GENERAL PERMIT PLAN

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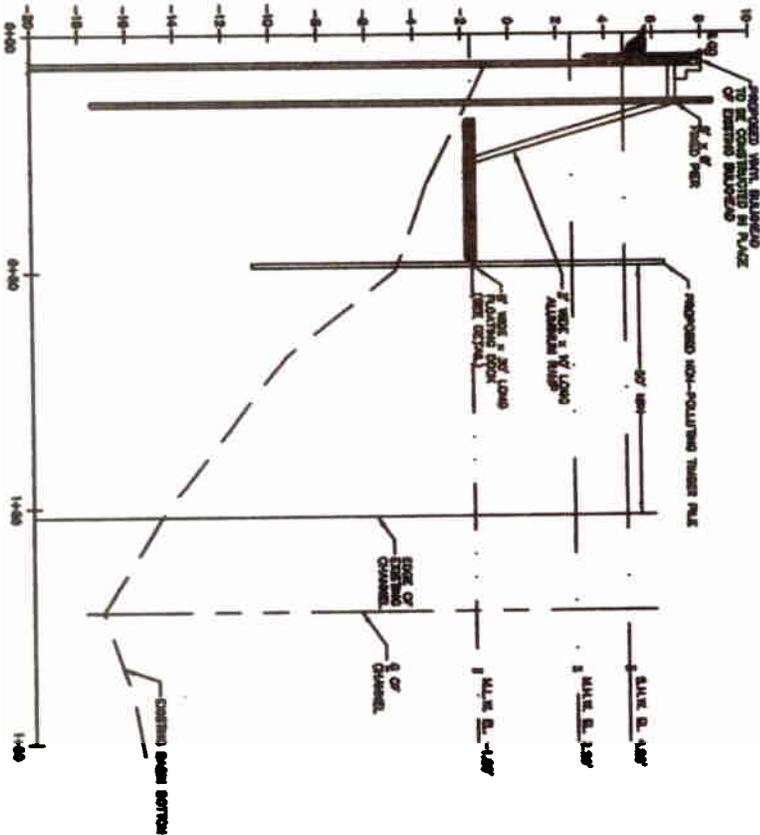
J. Timothy Kernan, Inc.  
 PROFESSIONAL ENGINEER  
 1000 ...

*Pamela J. Pellegrino*  
 PAMELA J. PELLEGRINO  
 PROFESSIONAL ENGINEER  
 1000 ...





**SECTION "A-A"**  
 HORIZONTAL 1"=40'  
 VERTICAL 1"=8'



**SECTION "B-B"**  
 HORIZONTAL 1"=40'  
 VERTICAL 1"=8'

**COASTAL GENERAL PERMIT PLAN**

PAVING AND CONCRETE WORK  
 PAVEMENT, CURBS, AND  
 SIDEWALKS

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20
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J. Timothy Kernan, Inc.  
 2000 N. W. 10th St.  
 Fort Lauderdale, FL 33304

*Pamela Pellegrini*  
**PAMELA A. PELLEGRINI**  
 PROFESSIONAL ENGINEER  
 P.E. NO. 12000  
 FL. LICENSE NO. 12000







# GENERAL NOTES

1. APPLICANT/OWNER: 5906 PARK, LLC  
P.O. BOX 1409  
WILDWOOD, NJ 08260
2. SUBJECT PARCEL IS KNOWN AND DESIGNATED AS BLOCK 29, LOTS 3, 4 & 5 AS SHOWN ON THE OFFICIAL BOROUGH OF WILDWOOD CREST TAX MAP, PLATE 28.
3. SUBJECT APPLICATION IS FOR THE CONSTRUCTION OF A SINGLE FAMILY DWELLING, POOL, GARAGE, FIXED PIER WITH FLOATING DOCKS AND BREAKWATER IN CONFORMANCE WITH N.J.A.C. 7:7 AND N.J.A.C. 7:7E. ALL EXISTING WATERFRONT STRUCTURES TO BE REMOVED WITHIN PROPERTY BOUNDARY.
4. OUTBOUND, TOPOGRAPHIC & SOUNDING INFORMATION TAKEN FROM A PLAN ENTITLED "PLAN OF SURVEY, BLOCK 29, LOTS 3, 4 AND 5, BOROUGH OF WILDWOOD CREST, CAPE MAY COUNTY, NEW JERSEY" AS PREPARED BY WILLIAM KEMP, P.L.S. NO. 19460, DATED 10/19/05.
5. SOUNDINGS TAKEN BY HAND ON OCTOBER 19, 2005 AND ARE SHOWN IN N.G.V.D. 1929 DATUM BY W. KEMP.
6. NO OTHER ACTIVITIES ARE PROPOSED AS A RESULT OF THIS APPLICATION.
7. NUDEP PREVIOUSLY AUTHORIZED THE CONSTRUCTION OF A SINGLE FAMILY DWELLING, FLOATING DOCK AND FIXED PIER ON MARCH 30, 2006 NUDEP FILE NO. 0515-03-0010.2. ALL APPROVED STRUCTURES AND IMPROVEMENTS PREVIOUSLY APPROVED SHALL BE NULL AND VOID AS A RESULT OF THIS APPLICATION.
8. PROPOSED GRADING TO BE ESTABLISHED UPON COMPLETION OF ARCHITECTURAL DESIGN. ALL IMPERVIOUS AREAS TO BE DRAINED TO PERVIOUS AREAS OF THE SITE. PROPOSED DRIVEWAY TO DRAIN TO STREET.
9. THE PROPOSED BULKHEAD WILL BE PLACED INKIND, THEREFORE THERE IS NO DREDGING OR FILL ACTIVITIES THAT WILL IMPACT THE STATES OPEN WATERS.
10. THE BREAKWATER, FLOATING DOCKS AND FIXED PIER HAVE BEEN DESIGNED SO THAT NO STRUCTURE WILL REST ON THE EXISTING SUBSTRATE DURING ANY PORTION OF THE TIDAL CYCLE.
11. TYPICAL INSTALLATION METHODS MAY INCLUDE A BARGE & CRANE TO INSTALL NON-POLLUTING TIMBER PILES ALL OTHER CONSTRUCTION ACTIVITIES WILL BE PERFORMED BY THE CONTRACTOR WITH METHODS COMMON TO DOCK CARPENTRY. THE TEMPORARY AREA FOR PIER INSTALLATION HAS BEEN SHOWN ON THE PLAN AND WILL NOT DISTURB THE NAVIGATION CHANNEL.

  
**PAMELA J. PELLEGRIN**  
 PROFESSIONAL ENGINEER  
 PROFESSIONAL PLANNER  
 N.J. LICENSE NO. 40275  
 N.J. LICENSE EX. 0008

  
**J. Timothy Kernon, Inc.**  
 1000 ROUTE 130  
 FREEHOLD, NJ 08020  
 PHONE: 732-841-1111  
 FAX: 732-841-1112  
 WWW: WWW.KERNONINC.COM

**COASTAL GENERAL PERMIT PLAN**  
 FOR  
**5906 PARK, LLC**  
 PLATE 28, BLOCK 29, LOTS 3, 4 AND 5  
 BOROUGH OF WILDWOOD CREST, CAPE MAY COUNTY, NEW JERSEY

SHEET NO.  
 8 OF 9

