



**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-200600120-1** Date

JUN 15 2006

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: Egg Harbor Township
3515 Bargaintown Road
Egg Harbor Township, NJ 08234-8317

WATERWAY: Lakes Bay

LOCATION: The project is located along the right-of-way of Bay Drive in an area known as West Atlantic City. The project extends from the intersection of Lyons Court and Bay Drive on the west end of the project to the intersection of Fox Place and Bay Drive on the east end of the project.

ACTIVITY: The project would include the activities described below. (1) the removal of 17 existing stormwater outfall structures within the overall project site, which would include the pipe structures and any associated rip-rap scour protection; (2) the installation of 5 new outfall structures with tideflex structures, which would reduce or eliminate backflooding through the structures during periods of extremely high tides; (3) the construction of approximately 3100 linear feet of steel sheetpile bulkhead landward of the mean high water line and in the vicinity of the high tide line; and (4) the construction of approximately 1300 linear feet of sand dune in the vicinity of the high tide line.

The sand dune and bulkhead installation would disturb approximately 4,992 square feet of tidal *Spartina alterniflora* marsh. However, the applicant is proposing to replace this loss of wetland at a ratio of 2 to 1. In addition, the project site is identified as high value for shellfish, and as such, the applicant is proposing to utilize non-polluting materials for all of the proposed work. Additional details of the proposed work are shown on the attached plans.

PURPOSE: The purpose of the project is to prevent flooding of the local neighborhood caused by storm tides and the associated backflooding through the existing stormwater system. The proposed bulkhead would also stabilize an eroding shoreline and protect an existing sanitary sewer line.

Our review of this application to date 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 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 30 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). We have prepared an assessment of the species listed, and additional species not 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 41. We have determined that the proposed project would have a minor adverse effect on one or more life stages of the following species: winter flounder, windowpane flounder, bluefish, summer flounder, scup, black sea bass, and sandbar shark. It is further noted that the National Marine Fisheries Service has identified tidal marshes as a habitat of potential concern (HAPC) for summer flounder. The project would have a minor adverse effect on this important habitat. However, the applicant has proposed a wetland compensation plan to address this impact. As such, the adverse effect on this HAPC would 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 already received a CAFRA Individual Permit, Waterfront Development Permit, Coastal Wetlands Permit, and Water Quality Certificate from the New Jersey Department of Environmental Protection. It is assumed therefore that the proposed project is consistent with the State's Coastal Zone Management Program. Comments concerning the impact of the proposed 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. As noted above, the applicant has already received a Water Quality Certification from the New Jersey Department of Environmental Protection.

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 Mr. Edward Bonner at (215) 656-5932 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.



Frank J. Cianfrani
Chief, Regulatory Branch

074° 33' 0.08"

074° 32' 0.08"

074° 31' 0.08"

074° 30' 0.08"

039° 25' 0.08"

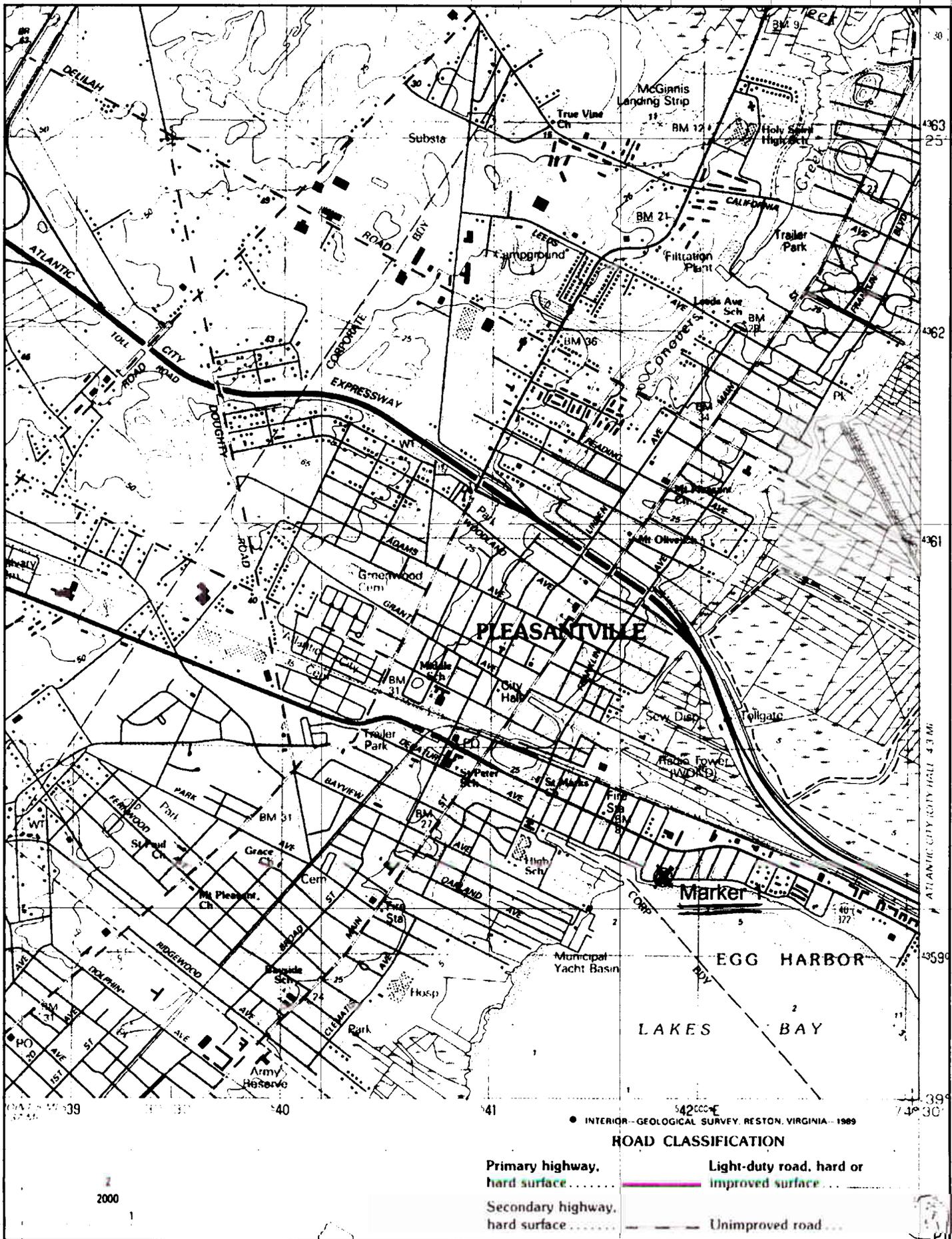
039° 25' 0.08"

039° 24' 0.08"

039° 24' 0.08"

039° 23' 0.09"

039° 23' 0.09"



5420000-E
● INTERIOR- GEOLOGICAL SURVEY, RESTON, VIRGINIA - 1989

ROAD CLASSIFICATION

- | | |
|------------------------------------|--|
| Primary highway,
hard surface | Light-duty road, hard or
improved surface |
| Secondary highway,
hard surface | Unimproved road |

074° 33' 0.08"

074° 32' 0.08"

074° 31' 0.08"

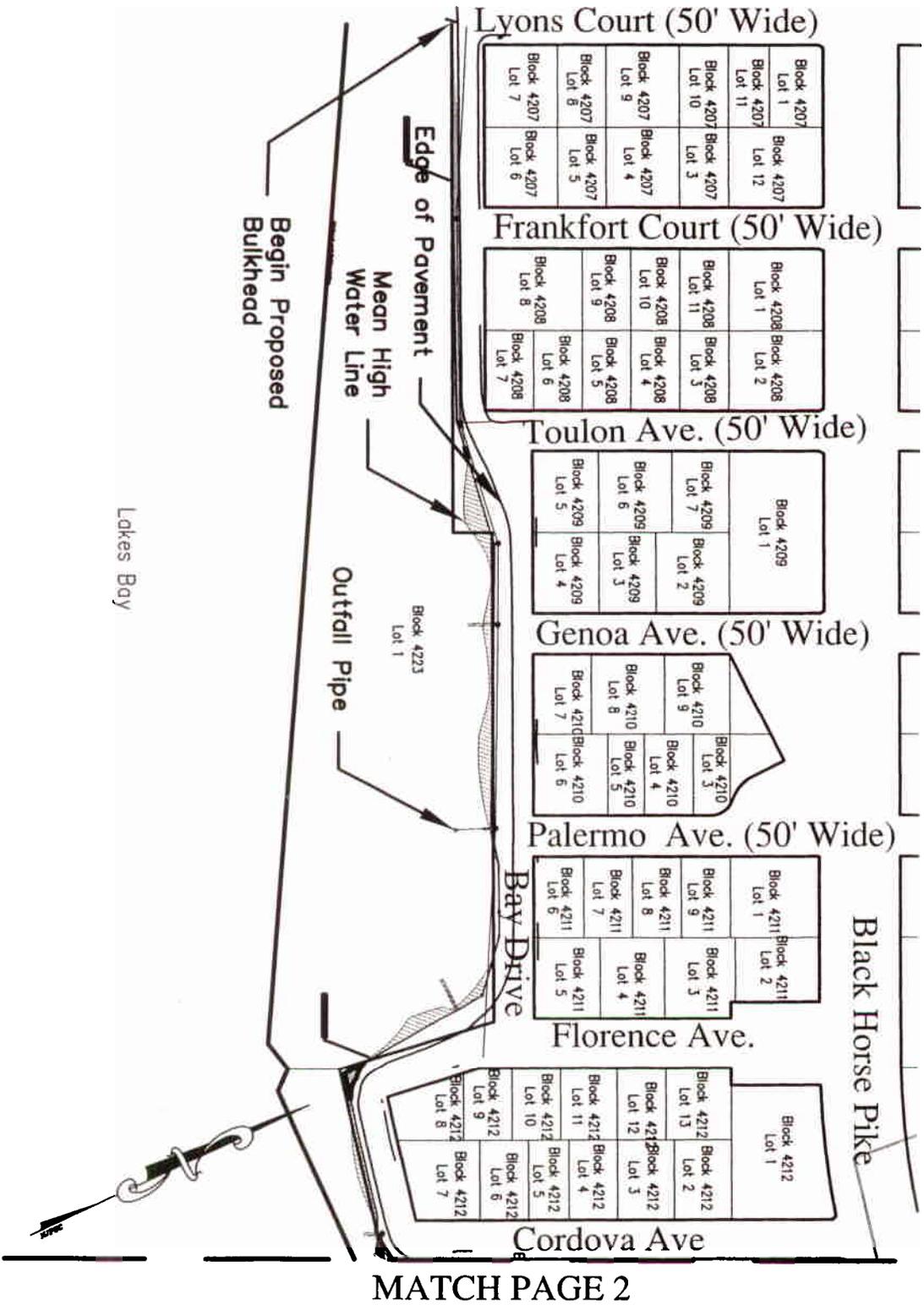
074° 30' 0.08"

<Default> - 1 Markers, Length = 0 feet

Marker 1 - 039° 23' 04.9" N, 074° 30' 51.4" W

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WEST ATLANTIC CITY STORMWATER IMPROVEMENTS



MATCH PAGE 2

SCALE 1" = 200'

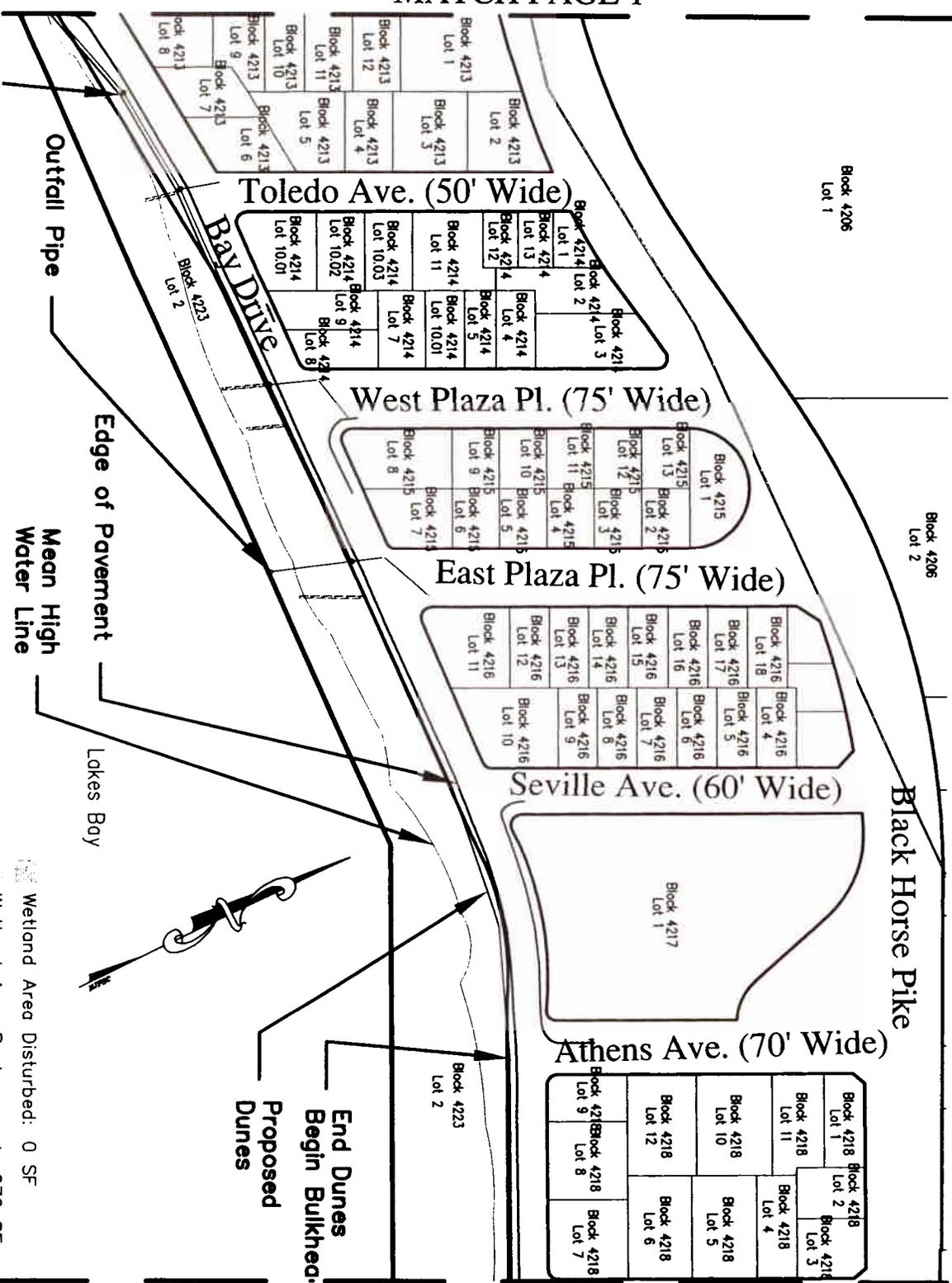
Wetland Area Disturbed: 3,014 SF
 Wetland Area Replacement: 8,890 SF

Job No. 1041		Township of Egg Harbor Atlantic County, New Jersey		MOTT ASSOCIATES, LLC CONSULTING ENGINEERS & PLANNERS 3122 Fire Road Egg Harbor Township, New Jersey 08234 Phone: (609) 569-1551 Fax: (609) 569-1521		James A. Mott Professional Engineer & Land Surveyor New Jersey License No. 29918 Date 11/9/05	
Stormwater Improvements		West Atlantic City		State Board of Professional Engineers & Land Surveyors Certificate of Authorization No. GA 279020		Date 11/9/05	
Sheet 1		Total 4		Drawn TNT	Checked JAM	Approved JAM	Date 11/8/05
Job No. 1041		Stormwater Improvements		Designed RAW	Checked JAM	Approved JAM	Date 11/8/05

WEST ATLANTIC CITY STORMWATER IMPROVEMENTS

MATCH PAGE 1

MATCH PAGE 3



Edge of Pavement
Mean High Water Line

Wetland Area Disturbed: 0 SF
Wetland Area Replacement: 676 SF

SCALE 1" = 200'

Township of Egg Harbor
Atlantic County, New Jersey

Stormwater Improvements

West Atlantic City

MOTT ASSOCIATES, LLC
CONSULTING ENGINEERS & PLANNERS
3122 Fire Road
Egg Harbor Township, New Jersey 08234
Phone: (609) 569-1551
Fax: (609) 569-1521

State Board of Professional Engineers & Land Surveyors
Certificate of Authorization No. GA 279020

James A. Mott
Professional Engineer & Land Surveyor
New Jersey License No. 29918

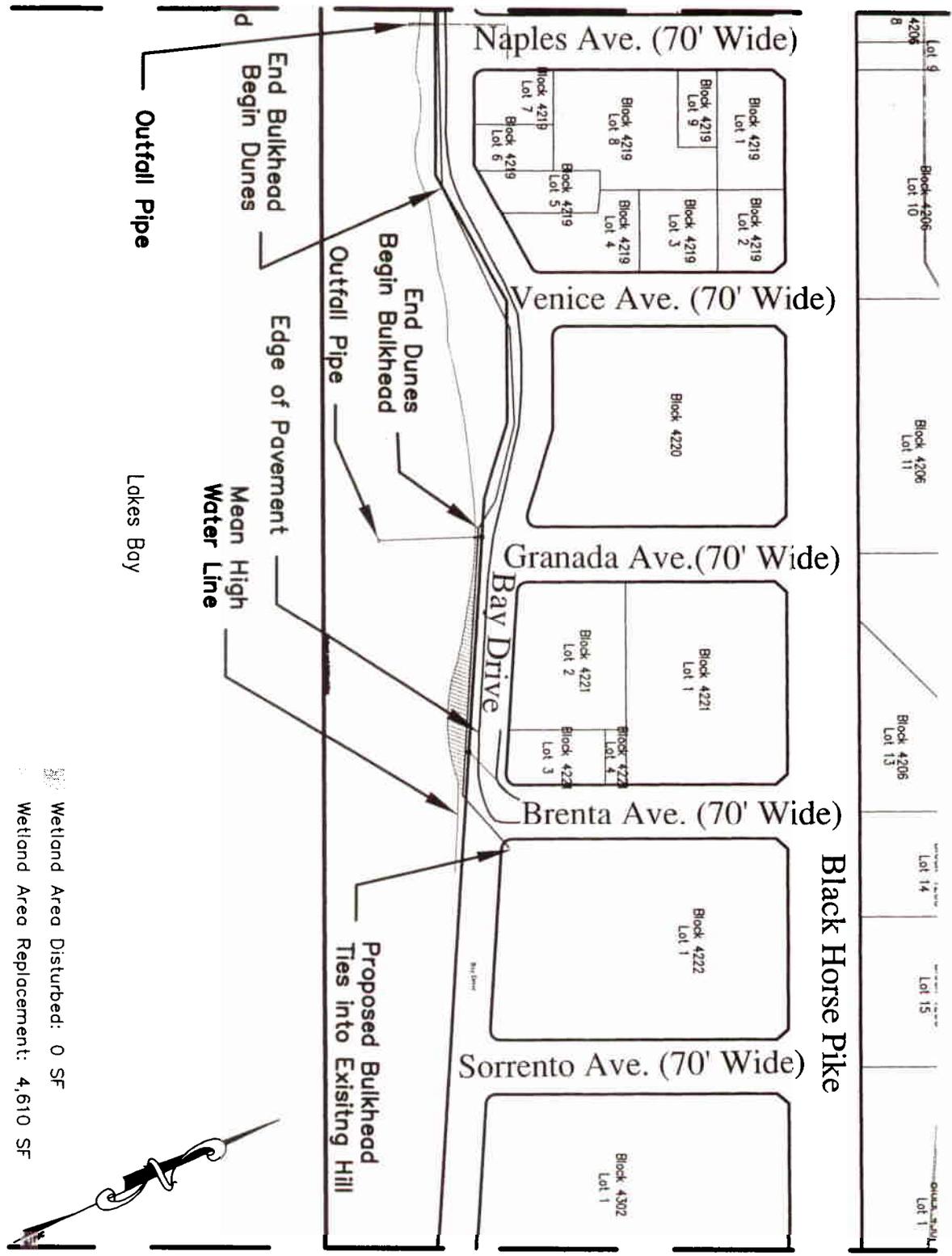
James A. Mott Date 11/9/05

Designed RAW	Drawn TNT	Checked JAM	Approved JAM	Date 11/8/05
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Job No. 1041	Sheet 2
B/O 2	Total 4

WEST ATLANTIC CITY STORMWATER IMPROVEMENTS

MATCH PAGE 3



MATCH PAGE 4

Wetland Area Disturbed: 0 SF
 Wetland Area Replacement: 4,610 SF

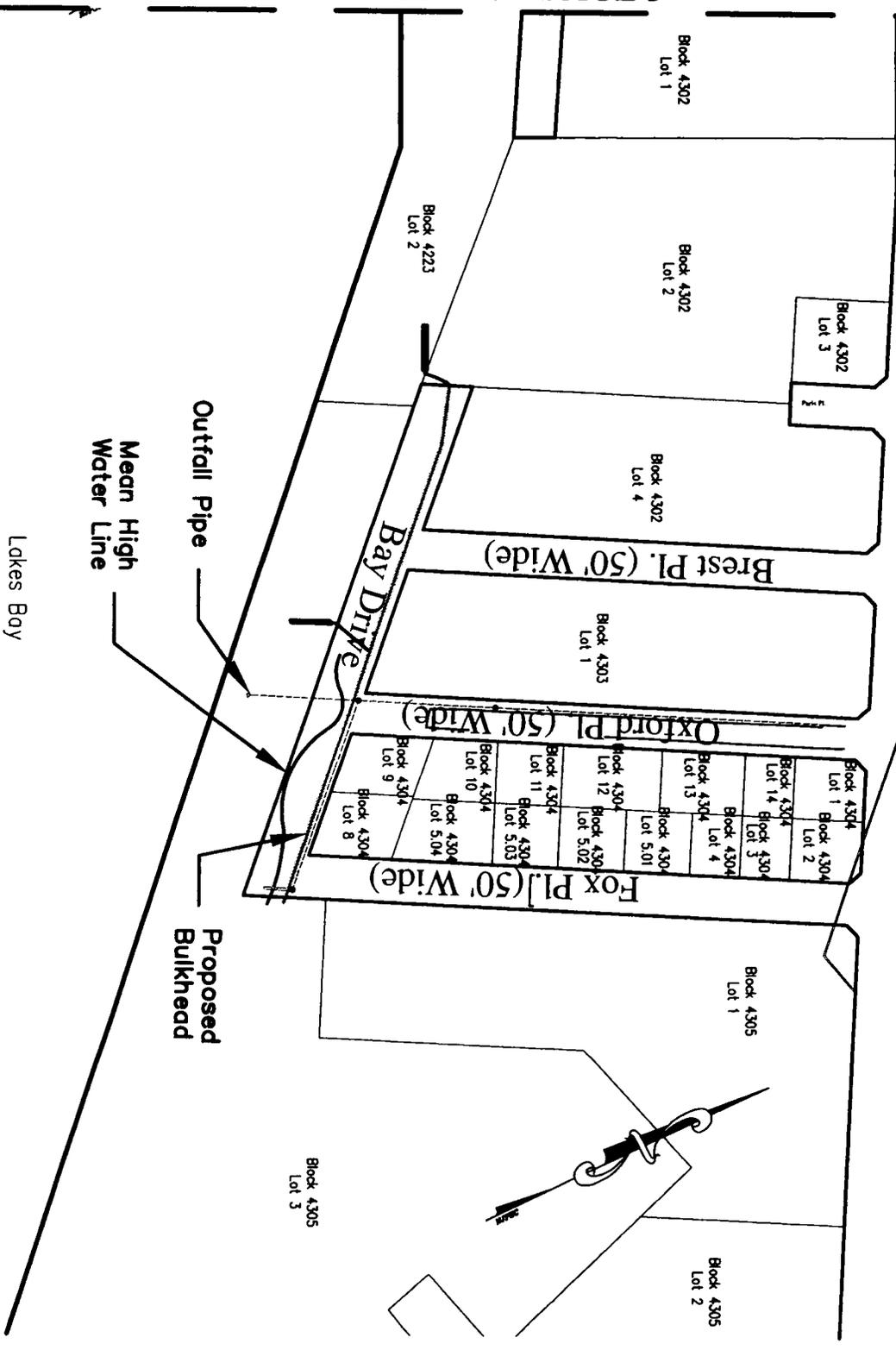
SCALE 1" = 200'

Job No. 1041	Township of Egg Harbor Atlantic County, New Jersey Stormwater Improvements West Atlantic City	MOTT ASSOCIATES, LLC CONSULTING ENGINEERS & PLANNERS 3122 Fire Road Egg Harbor Township, New Jersey 08234 Phone: (609) 569-1551 Fax: (609) 569-1521 <small>State Board of Professional Engineers & Land Surveyors Certificate of Authorization No. CA 279020</small>	James A. Mott Professional Engineer & Land Surveyor New Jersey License No. 29918 Date 11/9/05					
Sheet 3	B/O 3	Total 4	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Assigned RAW</td> <td style="width: 15%;">Drawn TNT</td> <td style="width: 15%;">Checked JAM</td> <td style="width: 15%;">Approved JAM</td> <td style="width: 15%;">Date 11/8/05</td> </tr> </table>	Assigned RAW	Drawn TNT	Checked JAM	Approved JAM	Date 11/8/05
Assigned RAW	Drawn TNT	Checked JAM	Approved JAM	Date 11/8/05				

WEST ATLANTIC CITY STORMWATER IMPROVEMENTS

Black Horse Pike

MATCH PAGE 3



Wetland Area Disturbed: 1,978 SF
 Wetland Area Replacement: 104 SF

Lakes Bay

Outfall Pipe
 Mean High Water Line

Proposed Bulkhead

SCALE 1" = 200'

Township of Egg Harbor
 Atlantic County, New Jersey

Stormwater Improvements

West Atlantic City

MOTT ASSOCIATES, LLC
 CONSULTING ENGINEERS & PLANNERS
 3122 Fire Road
 Egg Harbor Township, New Jersey 08234
 Phone: (609) 569-1551
 Fax: (609) 569-1521
State Board of Professional Engineers & Land Surveyors
 Certificate of Authorization No. GA 279020

James A. Mott
 Professional Engineer & Land Surveyor
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James A. Mott

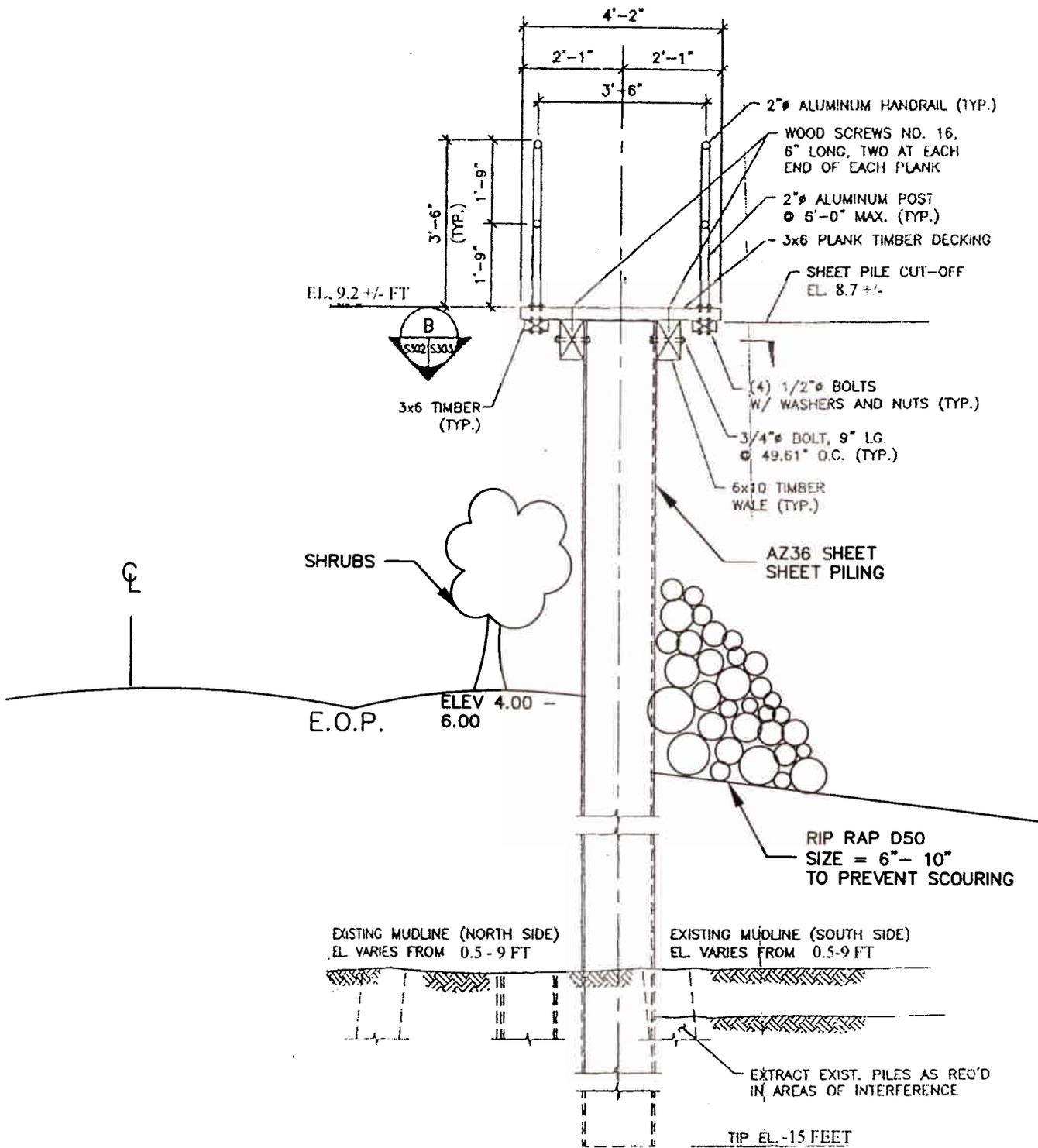
Date 11/9/05

Designed RAW	Drawn TNT	Checked JAM	Approved JAM	Date 11/8/05
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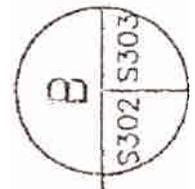
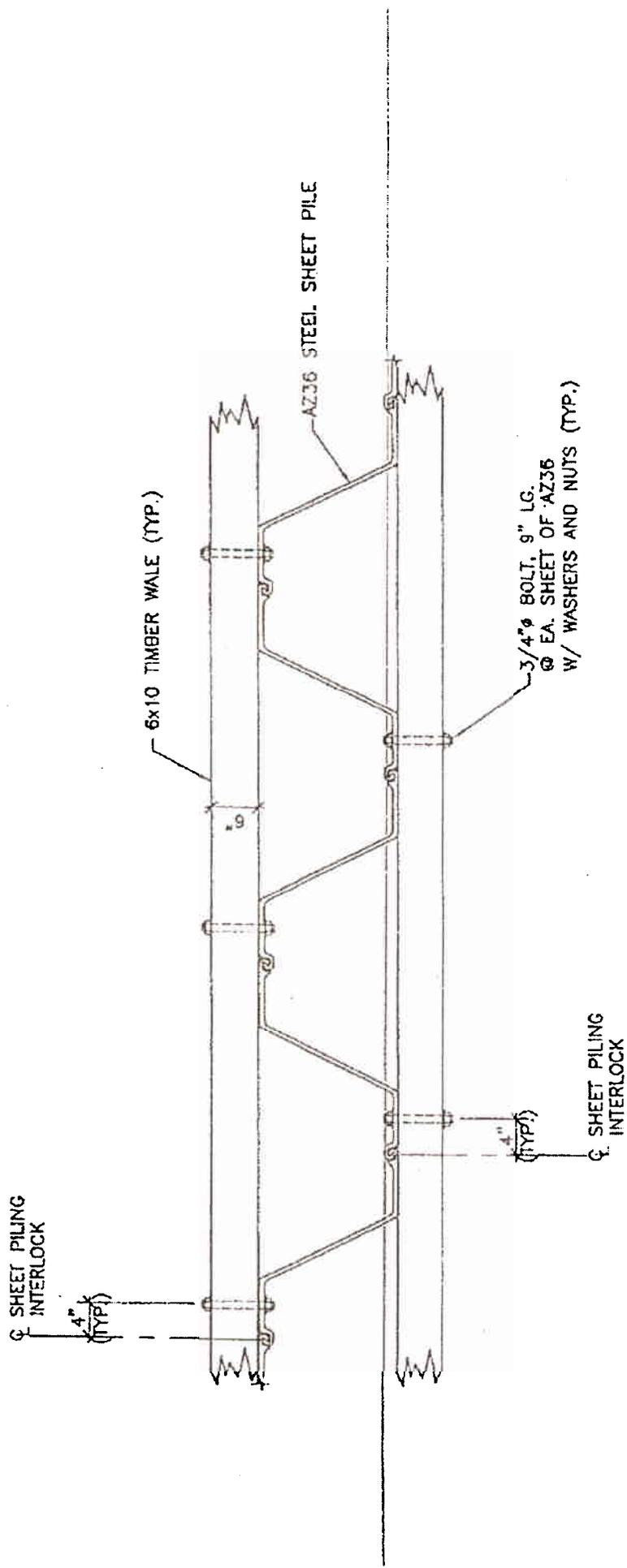
Job No. 1041

Sheet 4

B/O	Total
4	4



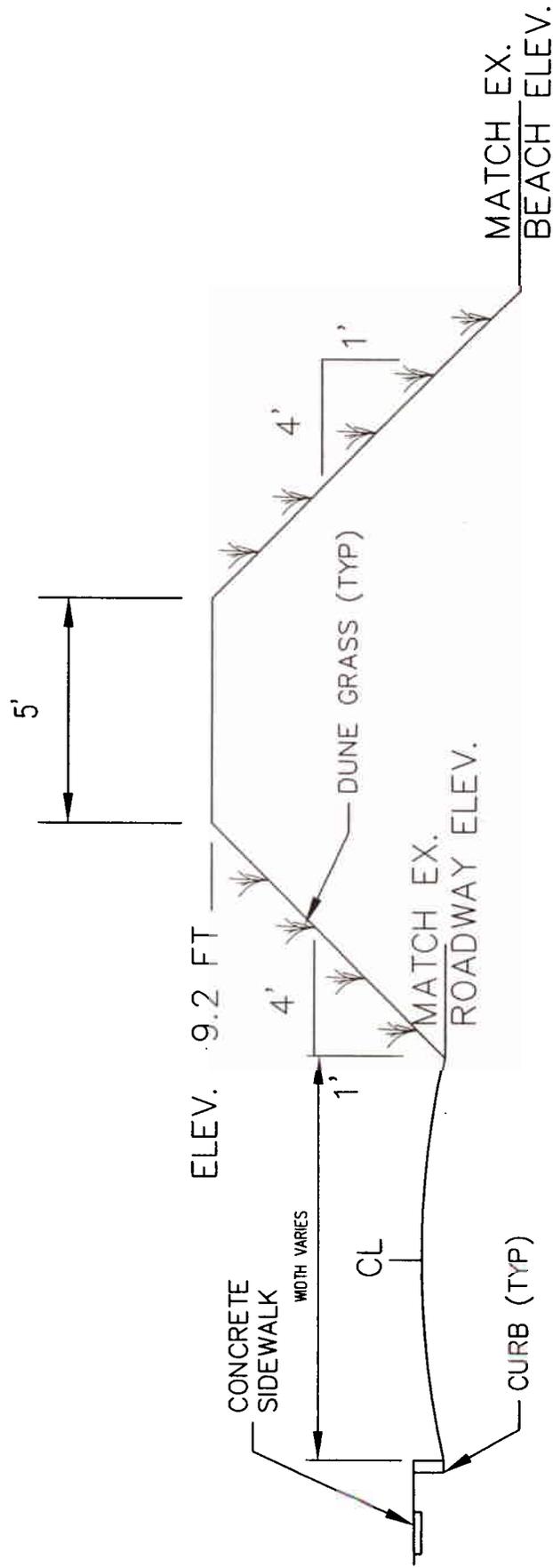
BULKHEAD



SECTION
 N.T.S.

BULKHEAD CROSS SECTION

N.T.S.



DUNE CROSS SECTION

N.T.S.