



**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-200600482-45

Date
JUL 10 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: New Jersey Department of Environmental Protection

AGENT: Debbie Voelbel
New Jersey Department of Environmental Protection
Office of Engineering and Construction
1510 Hooper Avenue; Suite 140
Toms River, NJ 08753-2228

WATERWAY: Saint Georges Thorofare

LOCATION: The project is located south of the Brigantine Boulevard Bridge, within Saint George's Thorofare and at the Absecon Inlet Beach area (block 8429, lot 1), in the City of Brigantine, Atlantic County, New Jersey.

ACTIVITY: The applicant proposes to perform hydraulic dredging within Saint George's Thorofare, a state maintained navigation channel, and beach nourishment and/or restoration at the Absecon Inlet Beach area (block 8429, lot 1) utilizing the sixty thousand five hundred (60,500) cubic yards of dredged material, as shown on the enclosed plans E-1 through E-10. The applicant is requesting a ten (10) year maintenance dredging permit to maintain the existing one thousand nine hundred sixty six (1,966) linear feet by one hundred (100) feet wide state navigation channel within Saint (St.) George's Thorofare. Previously, this office authorized (CENAP-OP-R-199802169-45) the maintenance dredging of the channel to a maximum depth of negative eight (-8.0) feet below mean low water (MLW.) The channel was dredged in 1999 to the authorized depth stated above. At this time, the applicant is proposing to dredge, at a three to one (3:1) slope, to a maximum depth of negative eleven (-11.0) feet below MLW. The proposed dredging would impact one hundred ninety six thousand four hundred fifty five (196,455) square feet (4.51 acres) of tidal waters of the United States (U.S.)

Dredging would occur a minimum of twenty five (25) feet from the lower limits of the surrounding tidal wetlands.

The dredged material would be pumped, via a pipeline, to the proposed disposal site located five thousand (5,000) feet south of the dredging area. The pipeline would be placed within waters of the U.S. only where it connects to the hydraulic dredge cutterhead. The rest of the pipeline would be placed along the Absecon Inlet Beach area and above the high tide line (HTL) until it terminates at the proposed disposal and/or beach nourishment/restoration location. The placement of the pipeline would not impact any tidal wetlands.

As shown on the enclosed plans E-4 and E-5, the applicant proposes to dispose and/or deposit the sandy (89%) dredged material, for restoration and/or nourishment, on an one thousand eight hundred fifty five (1,855) feet eroded section of the Absecon Inlet Beach area. The dredged material would be placed below the HTL to allow the ocean current to naturally stabilize the beach areas to contour. A bulldozer would be used sparingly to move the dredged material. The bulldozer would be used mostly to move the dredge pipeline. No machinery would be used to grade the dredged material within the mean high water line. Approximately eight point seven one (8.71) acres of tidal waters of the U.S. would be impacted due to beach restoration/nourishment activities. No wetlands would be impacted.

PURPOSE: The purpose of the project is to provide and maintain safe navigation for commercial and recreational vessels using Saint George's Thorofare, and provide continued access to the Public Absecon Inlet Beach areas for recreational activities. The beach nourishment/restoration would also provide continued protection of the north jetty.

A preliminary review of this application indicates that the proposed work may adversely affect the **Piping Plover (Charadrius melodus)** and 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 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). 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 42, indicates that the proposed project, as described in this Public Notice, may adversely effect Winter and Summer Flounder. At this time, this office recommends that a Seasonal Restriction from January 1 to May 31, for any given year, be implemented to avoid and/or minimize impacts to the life stages and EFH of the above stated species. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

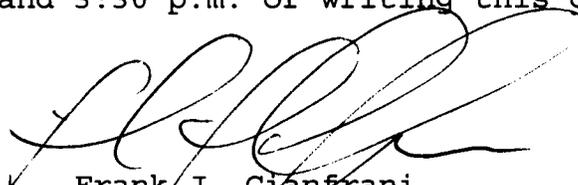
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. 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.

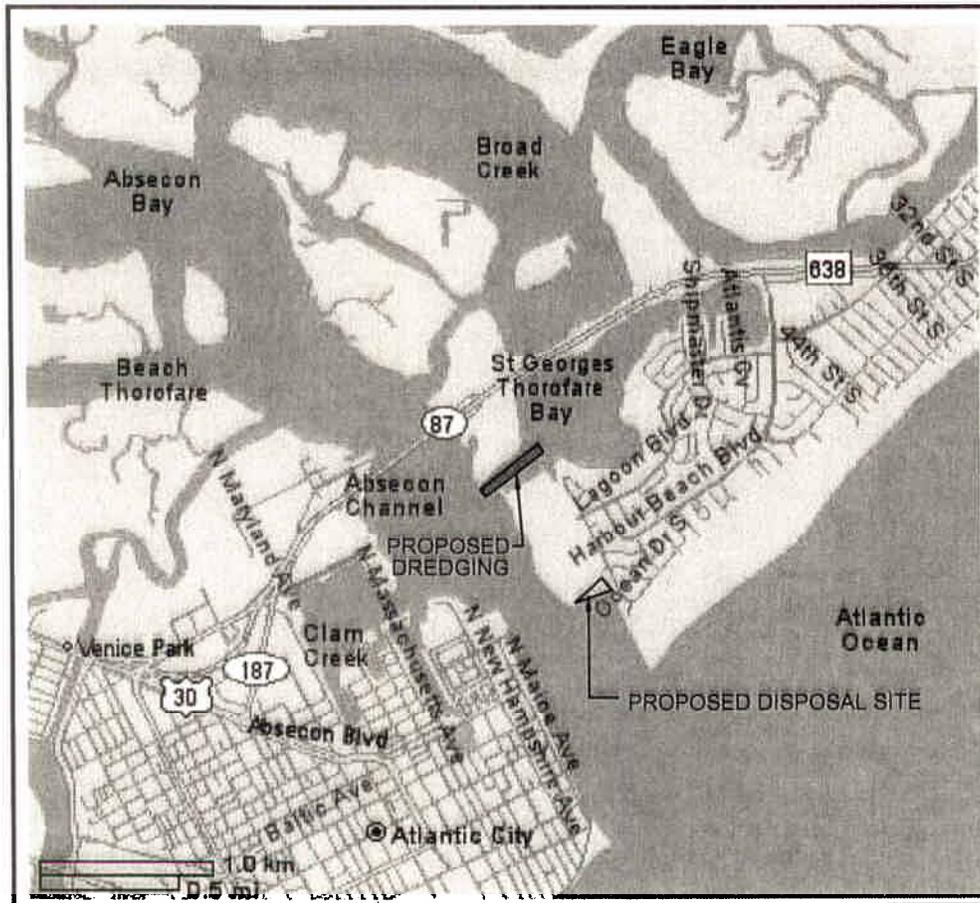
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

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 Bryan P. Bellacima at (215) 656-6732 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



LOCATION PLAN

NTS

E-1

REVISED - JUNE 2, 2006

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF ENGINEERING & CONSTRUCTION
BUREAU OF COASTAL ENGINEERING
PROJECT NO. 2143

PROPOSED DREDGING OF ST. GEORGE'S THOROFARE
CITY OF BRIGANTINE
COUNTY OF ATLANTIC

DWN. BY : M.A.D.

APPROVED BY

SCALE : AS SHOWN

Benjamin Heiser
Supervising Engineer

DATE: MAR. 30, 2006

SHEET 1 OF 10



CITY OF BRIGANTINE

MATCH LINE, SEE SHEET 3

PROPOSED DREDGING -10.0' MIN. TO -11.0' MAX.

LIMIT OF WETLANDS - HTL

ST. GEORGE'S THOROFARE

ABSECON INLET

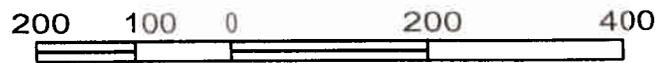
PROPOSED PIPELINE

EDGE OF VEGETATION

CITY OF BRIGANTINE
BLOCK 8429
LOT 1

E-2

DREDGING PLAN



SCALE IN FEET
REVISED - JUNE 2, 2006

SEE SHEET 4
MATCH CORNER

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF ENGINEERING & CONSTRUCTION BUREAU OF COASTAL ENGINEERING PROJECT NO. 2143	
PROPOSED DREDGING OF ST. GEORGE'S THOROFARE CITY OF BRIGANTINE COUNTY OF ATLANTIC	
DWN. BY : M.A.D.	APPROVED BY
SCALE : AS SHOWN	<i>Benjamin Keiser</i> Supervising Engineer
DATE: MAR. 30, 2006	
SHEET 2 OF 10	

SEE SHEET 2

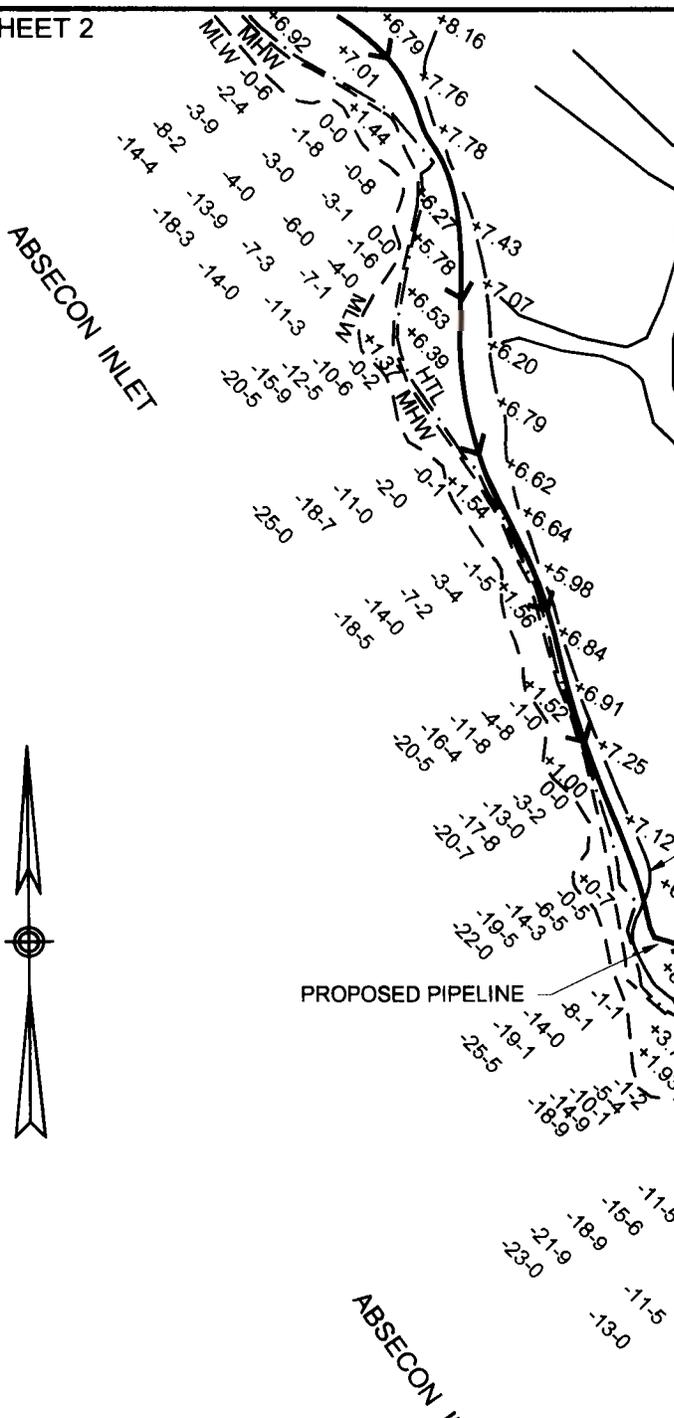
MATCH CORNER

ABSECON INLET

BLOCK 8429
LOT 1

CITY OF BRIGANTINE

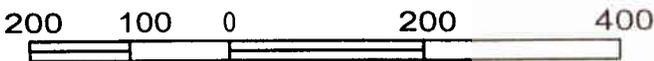
(DIRT ACCESS ROAD)



MATCH LINE, SEE SHEET 5



DISPOSAL PLAN

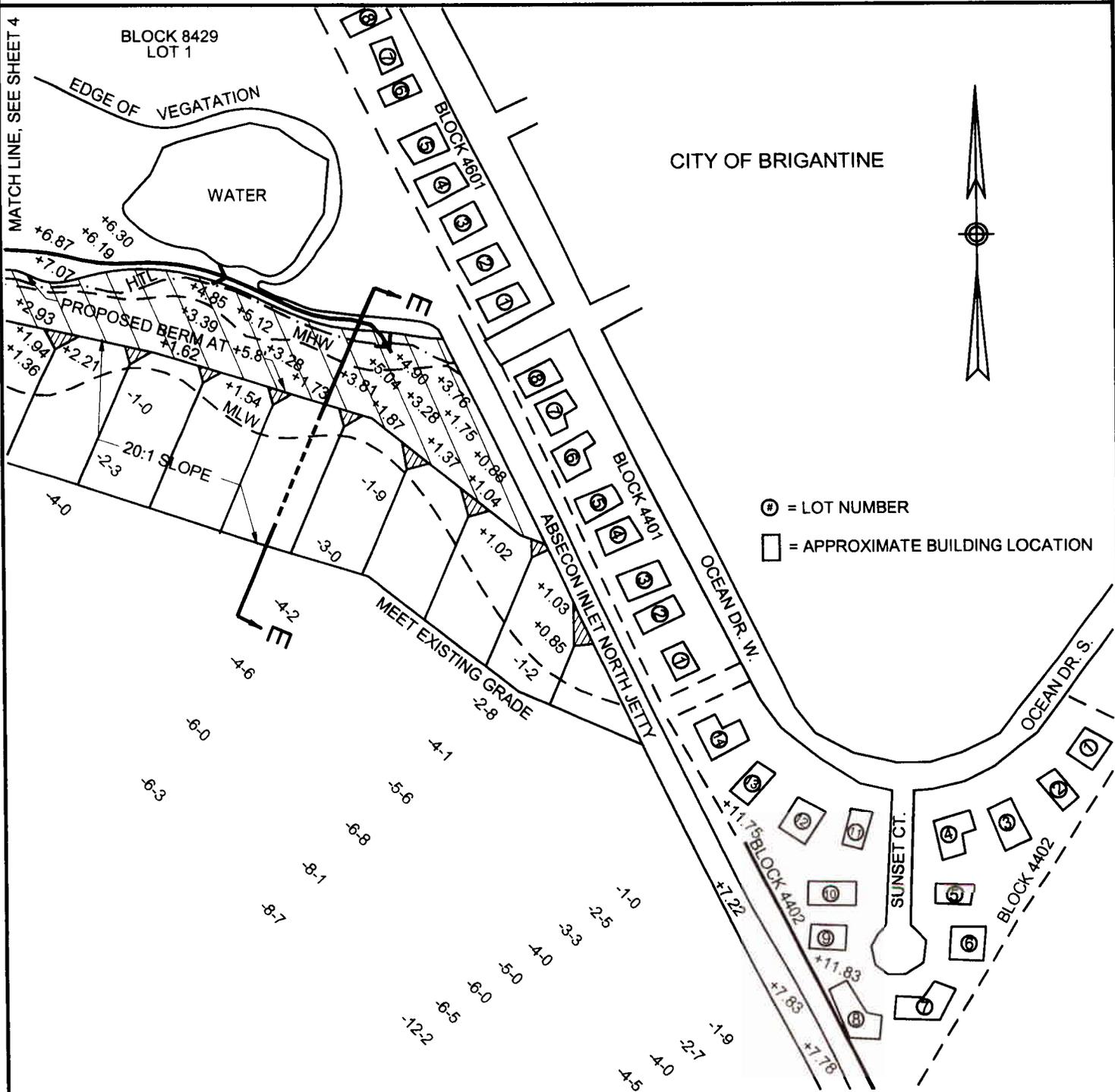


SCALE IN FEET

REVISED - JUNE 2, 2006

E-4

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF ENGINEERING & CONSTRUCTION BUREAU OF COASTAL ENGINEERING PROJECT NO. 2143	
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DWN. BY : M.A.D.	APPROVED BY
SCALE : AS SHOWN	<i>Benjamin Kuser</i>
DATE : MAR. 30, 2006	<i>Supervising Engineer</i>
SHEET 4 OF 10	



DISPOSAL PLAN

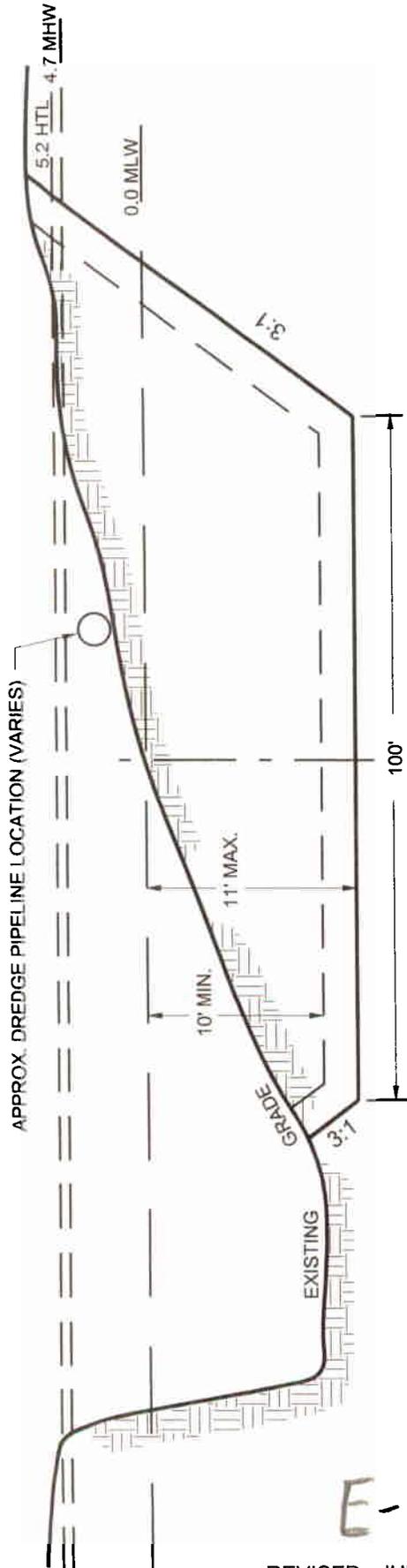


SCALE IN FEET

REVISED - JUNE 2, 2006

E-5

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF ENGINEERING & CONSTRUCTION BUREAU OF COASTAL ENGINEERING PROJECT NO. 2143	
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DWN. BY : M.A.D.	APPROVED BY
SCALE : AS SHOWN	<i>Benjamin Keiser</i> Supervising Engineer
DATE: MAR. 30, 2006	
SHEET 5 OF 10	



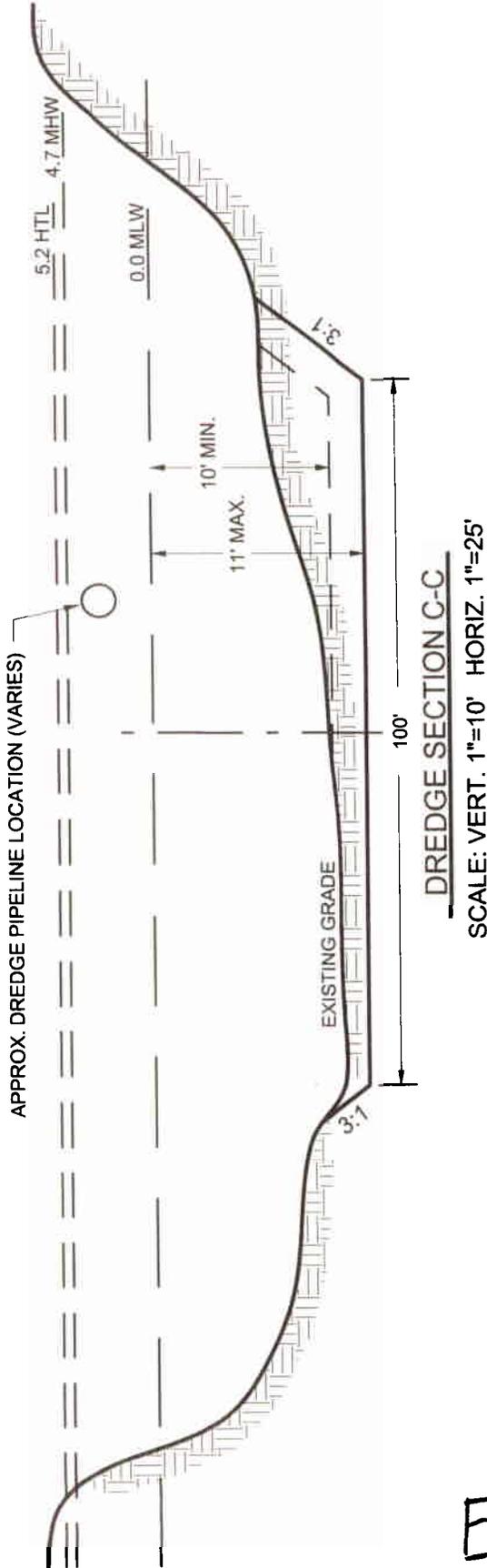
DREDGE SECTION A-A

SCALE: VERT. 1"=10' HORIZ. 1"=25'

E-6
 REVISED - JUNE 2, 2006

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF ENGINEERING & CONSTRUCTION BUREAU OF COASTAL ENGINEERING PROJECT NO. 2143	
PROPOSED DREDGING OF ST. GEORGE'S THOROFARE CITY OF BRIGANTINE COUNTY OF ATLANTIC	
DWN. BY : M.A.D. SCALE : AS SHOWN DATE: MAR. 30, 2006 SHEET 6 OF 10	APPROVED BY <i>Benjamin Keiser</i> Supervising Engineer

NOTE: ALL SOUNDINGS AND ELEVATIONS ARE IN FEET AND TENTHS OF FEET AND REFER TO MEAN LOW WATER (MLW).



E-8

REVISED - JUNE 2, 2006

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 COUNTY OF ATLANTIC

DWN. BY : M.A.D.

APPROVED BY

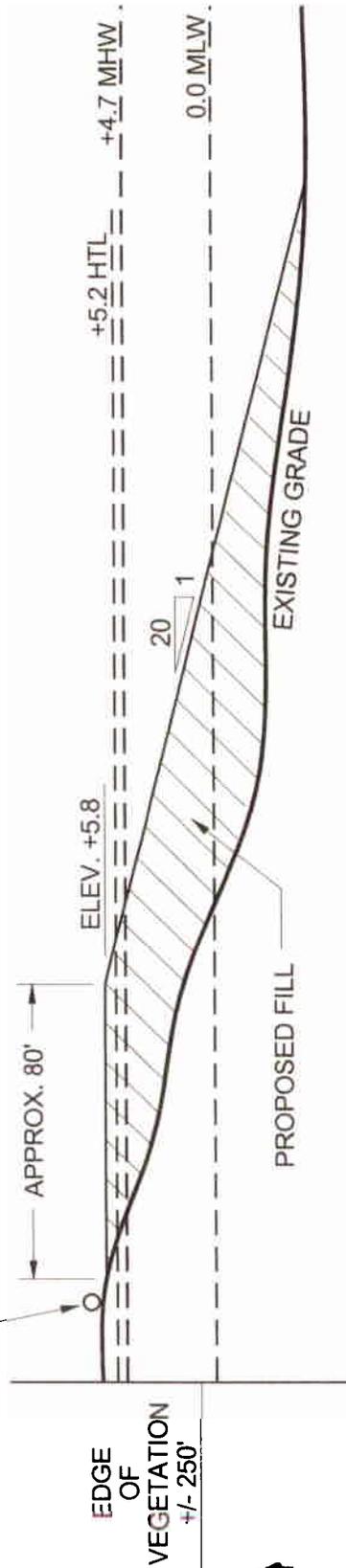
SCALE : AS SHOWN

DATE: MAR. 30, 2006

SHEET 8 OF 10

Benjamin Kleser
 Supervising Engineer

APPROX. DREDGE PIPELINE LOCATION (VARIES)



BEACH DISPOSAL SECTION D-D

SCALE: VERT. 1"=10' HORIZ. 1"=50'

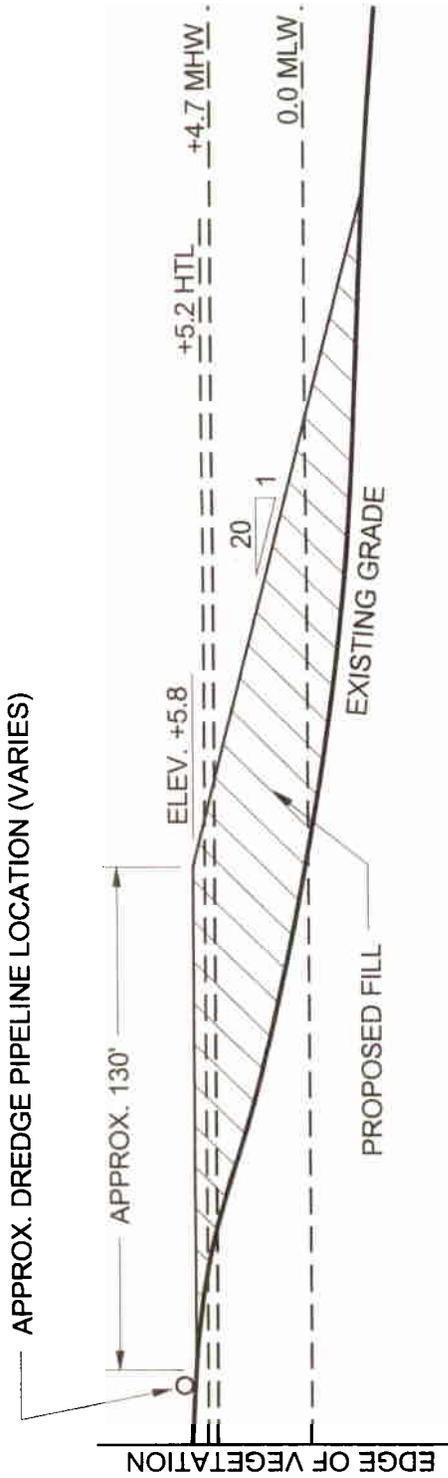
+4.68 FT. MHHW
+2.13 FT. MTL
0.00 FT. MLW

RANGE OF TIDE

NTS

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF ENGINEERING & CONSTRUCTION BUREAU OF COASTAL ENGINEERING PROJECT NO. 2143	
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SCALE : AS SHOWN	<i>Benjamin Keiser</i> Supervising Engineer
DATE: MAR. 30, 2006	
SHEET 9 OF 10	

REVISED - JUNE 2, 2006



BEACH DISPOSAL SECTION E-E

SCALE: VERT. 1"=10' HORIZ. 1"=50'

E-10

REVISED - JUNE 2, 2006

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SHEET 10 OF 10

Benjamin Keiser
 Supervising Engineer