



**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. ^{Date}
CENAP-OP-R- 200600558-61

JUN 09 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).

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: Martin J. Reese

AGENT: Thomas, Amey and Shaw, Incorporated
2900 Dune Drive Suite 3
Avalon, NJ 08202-1993

WATERWAY: Gravens Thorofare

LOCATION: The proposed project is located at 694 22nd Street, Lots 108.02, 110, 112, 117.02, 119, and 121, Block 22.08, in the Borough of Avalon, Cape May County, New Jersey.

ACTIVITY: The proposed project is shown on the enclosed plans E1-E6. The applicant proposes to remove all existing pilings, docks, piers, ramps, and floats. The applicant proposes to construct the following:

--Replace approximately 60 linear feet of existing bulkhead with vinyl bulkhead, within 24 inches of the existing bulkhead.

--Two ramps (3' by 15'), two floats (6' x 20'), and four boat lifts, all constructed using non-polluting materials.

PURPOSE: The purpose of the project is to provide recreational fishing and boating access for the duplex proposed to be constructed on the property.

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 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, indicates that the proposed project area is designated as EFH for the following managed species: Atlantic cod, whiting, winter flounder, windowpane flounder, Atlantic sea herring, monkfish, bluefish, Atlantic butterfish, summer flounder, scup, black sea bass, king mackerel, Spanish mackerel, cobia, sand tiger shark, Atlantic angel shark, Atlantic sharpnose shark, dusky shark, sandbar shark, and tiger shark. It is expected that the juvenile and adult stages of the listed species would be sufficiently mobile as to be capable of avoiding direct impacts from the proposed construction and boat utilization. The proposed project could have a temporary construction-related effect on winter flounder. This effect could be mitigated, if necessary, through the inclusion of a seasonal restriction on in-water activities from January 1 to May 31 in any permit issued by the Corps of Engineers.

The proposed project area is also designated as "Hard Clam: High Value Commercial" on Plate V of the "Distribution of Shellfish Resources in Relation to the New Jersey Intracoastal Waterway" map. All in-water structures associated with the proposed structures using non-polluting materials to mitigate any potential impacts to shellfish resources.

As the evaluation of this application continues, additional information may become available that could modify this preliminary determination. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be completed prior to the final permit decision. The Corps of Engineers will coordinate with the applicant regarding implementation of any conservation recommendations.

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.

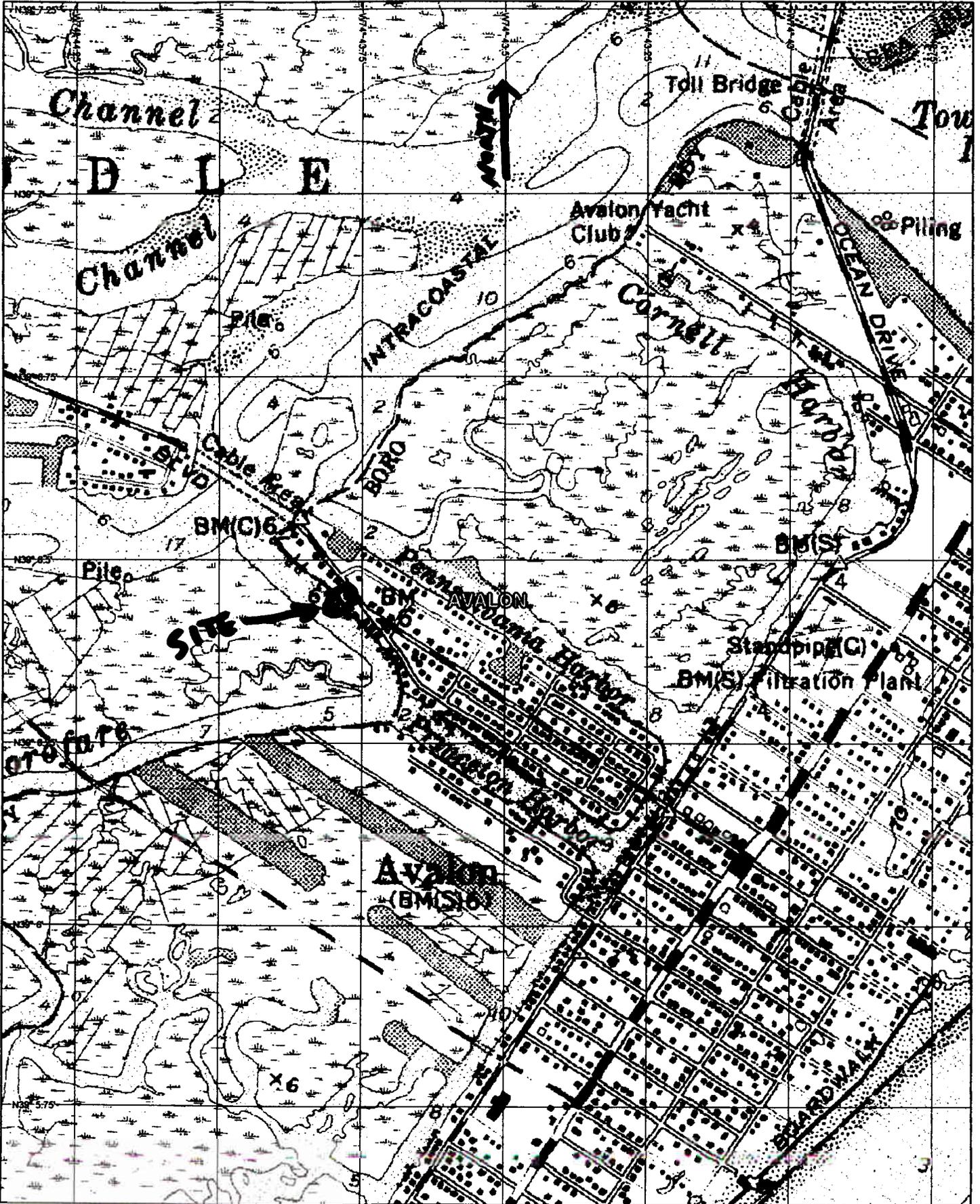
Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a

public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

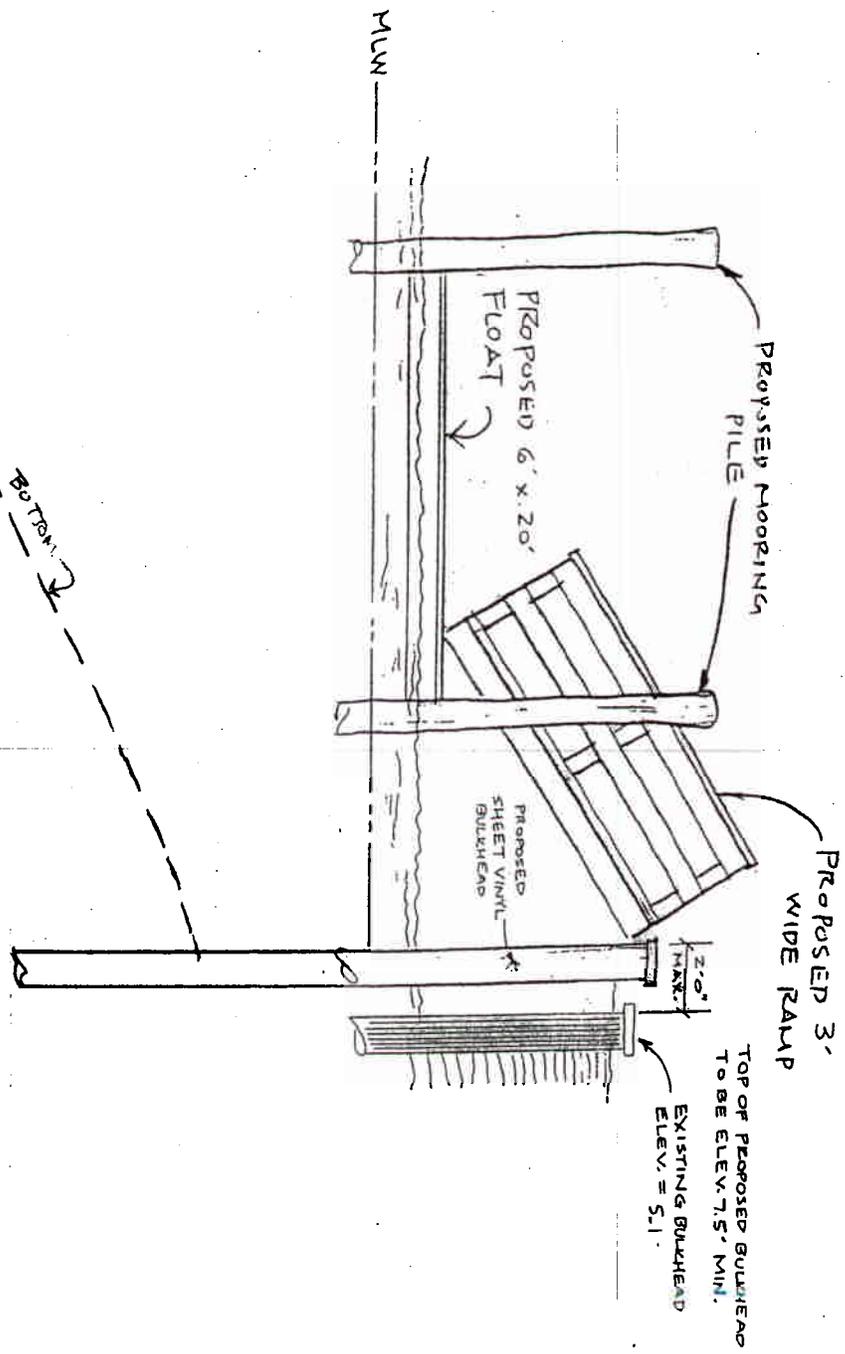
Additional information concerning this permit application may be obtained by calling Brenda R. Schrecengost at (215) 656-5866 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.



Frank J. Cianfrani
Chief, Regulatory Branch



FOUR BOATLIFTS ARE PROPOSED - TWO ADJACENT TO EACH PROPOSED FLOAT

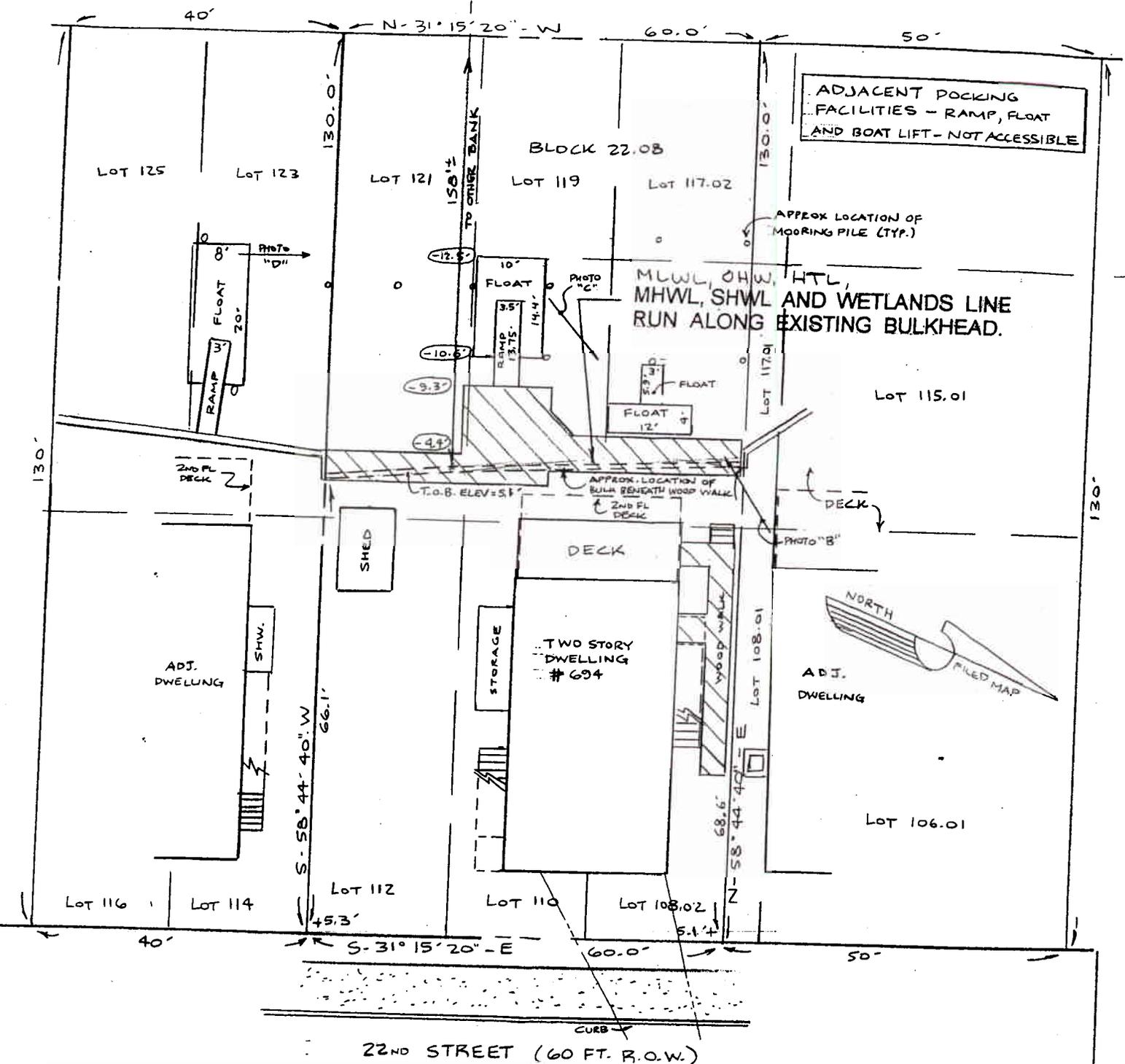


SCHEMATIC SECTION

VERT. SCALE 1" = 5'

Notes: All dimensions, including plans and elevations, shall be in feet and inches, unless otherwise indicated. All materials shall be of standard quality and shall be of the best grade obtainable. All materials shall be of standard quality and shall be of the best grade obtainable. All materials shall be of standard quality and shall be of the best grade obtainable.

THOMAS*AMEY*SHAW, INC. SURVEYING * PLANNING * DESIGN 2860 BURNE DRIVE, SUITE 2, AVALON, N.J. 08202 PHONE 609-667-3999 FAX 609-667-4544 EMAIL: tom@thomashaw.com CERTIFICATE OF AUTHORIZATION NUMBER GA 37788		PLAN TO ACCOMPANY CAPRA TERRACE ATTILICATION MARIN RECRE BLOCK: 22.08 LOTS: 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.	
DRAWN BY: <i>Gary Lee Thomas</i> DATE: 5-17-05 SCALE: AS NOTED SHEET: 3 OF 5	CHECKED: _____ DATE: _____ SCALE: _____ SHEET: _____	APPROVED: _____ DATE: _____ SCALE: _____ SHEET: _____	



PLAN OF EXISTING CONDITIONS

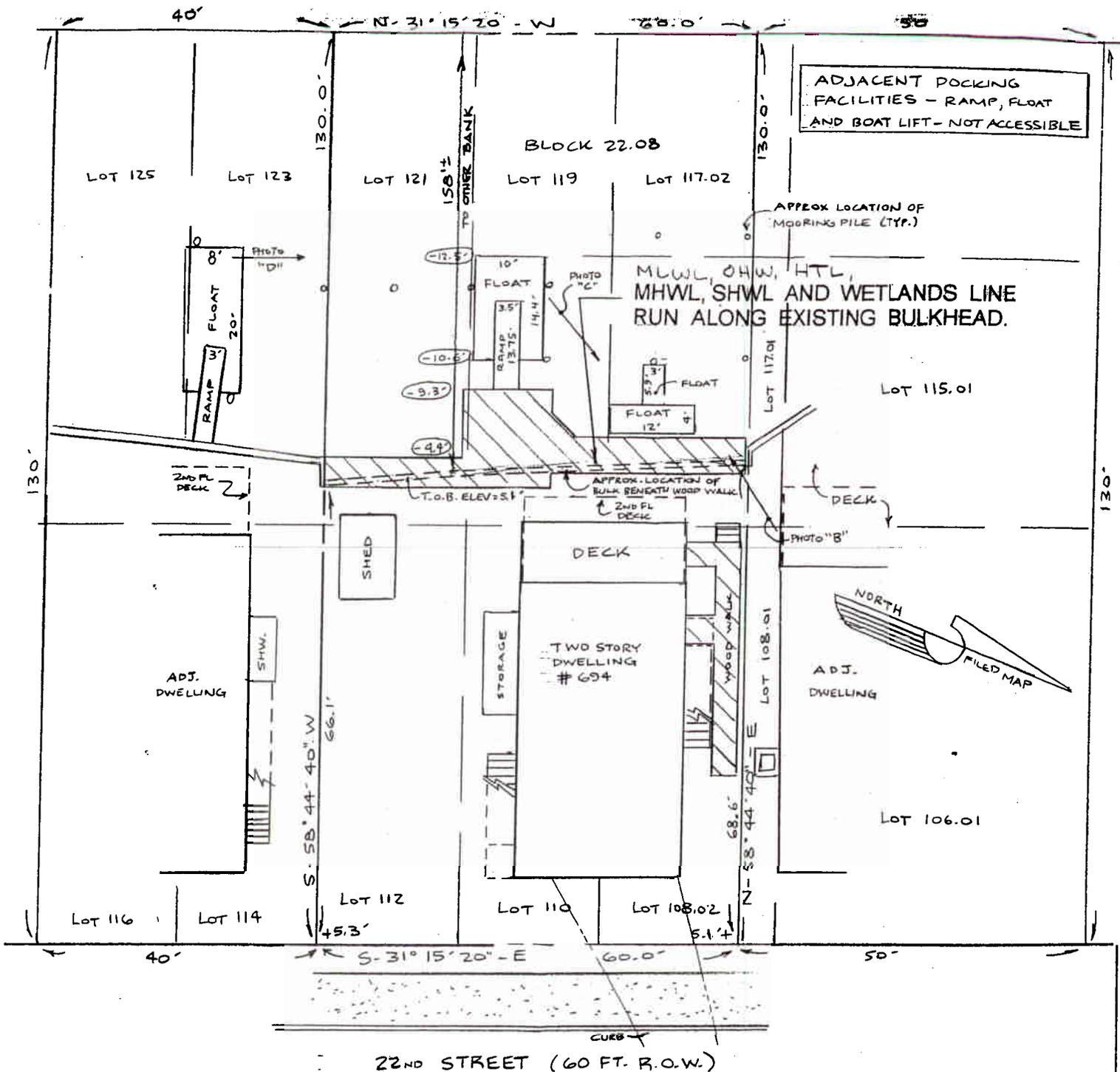
GRAPHIC SCALE : 1" = 20'



Note: All Structures, including piers and docks (piles, stringers, whalers and decking), boat lifts, mooring piles, breakwaters, and replacement bulkheads must be constructed with non-polluting material, such as plastic, natural cedar or other untreated wood, polymer coated pressure-treated wood, concrete or other inert products. Crotone and pressure-treated lumber (i.e. preservative treatment such as CCA-C, ACZA, CC, ACQ, etc. (volcanized)) which is susceptible to leaching are considered polluting materials and are not acceptable for the purpose of this permit.

E-5 of 6

<p>THOMAS*AMEY*SHAW, INC. SURVEYING * PLANNING * DESIGN 1900 DUNE DRIVE, SUITE 3, AVALON, N. J. 08202 PHONE 609-967-3999 FAX 609-967-4544 EMAIL: tsainc@bellatlantic.net CERTIFICATE OF AUTHORIZATION NUMBER GA 277488</p>			<p>PLAN TO ACCOMPANY CAFRA PERMIT APPLICATION MARTIN REESE BLOCK: 22.08 LOTS: 108.02, 110, 112, 117.02, 119 and 121 BOROUGH OF AVALON CAPE MAY COUNTY, N.J.</p>			
<p><i>Gary Lee Thomas</i> GARY LEE THOMAS PROFESSIONAL LAND SURVEYOR, N.J. # 2400 PROFESSIONAL PLANNER, N.J.P.P. NO. 2400</p>		<p>5-17-05</p>		<p>DRAWN NA</p>	<p>CHECKED GUT</p>	<p>APPROVED GUT</p>
<p>DATE 3/17/05</p>		<p>SCALE AS NOTED</p>		<p>SHEET 4 of 5</p>		



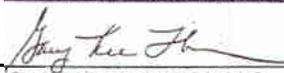
PLAN OF EXISTING CONDITIONS

GRAPHIC SCALE : 1" = 20'



Note: All Structures, including piers and docks (piles, stringers, whalers and decking), boat lifts, mooring piles, breakwaters, and replacement bulkheads must be constructed with non-polluting material, such as plastic, natural cedar or other untreated wood, polymer coated pressure-treated wood, concrete or other inert products. Composite and pressure-treated lumber (i.e. preservative treatment such as CCA-C, ACZA, CC, ACQ, etc.) which is susceptible to leaching are considered polluting materials and are not acceptable for the purpose of this permit.

E-6 of 6

THOMAS*AMEY*SHAW, INC. SURVEYING * PLANNING * DESIGN 2900 DUNE DRIVE, SUITE 3, AVALON, N. J. 08202 PHONE 609-967-3999 FAX 609-967-4544 EMAIL: tasinc@bellatlantic.net CERTIFICATE OF AUTHORIZATION NUMBER GA 277488		PLAN TO ACCOMPANY CAPRA PERMIT APPLICATION MARTIN REESE BLOCK: 22.08 LOTS: 108.02, 110, 112, 117.02, 119 and 121 BOROUGH OF AVALON CAPE MAY COUNTY, N.J.	
 GARY LEE THOMAS PROFESSIONAL LAND SURVEYOR, N.J.P.L.S. No. 23921 PROFESSIONAL PLANNER, N.L.P.P. No. 2461		DATE: 5/17/03 SCALE: AS NOTED SHEET: 4 of 5	