



**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-200600813-57

Date
AUG 02 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: Vicki Sukoneck

AGENT: Horn, Tyson and Yoder, Incorporated
8510 Long Beach Boulevard
Long Beach Township, NJ 08008-3424

WATERWAY: Barnegat Bay

LOCATION: Lots 2 and 2.01, Block 20.162, Long Beach Township, Ocean County, New Jersey. Street Address: 166E Long Beach Boulevard, Loveladies, NJ 08008

ACTIVITY: To construct a docking facility for private pleasure vessels consisting of: 1) a 4 by 69.9 foot treated wood deck of which a 15 foot section is channelward of the Mean High Water (MHW) line; 2) a 4 by 268 foot "F" shaped fixed treated wood pier with two 4 by 24 foot finger piers; 3) a boat lift located between the two finger piers; four mooring piles; and 4) 62 linear feet (LF) of timber breakwater placed along the terminal end and northern side of the pier. The work also includes the removal of three existing piles and the temporary disturbance during construction of not more than 180 square feet (SF) of emergent wetlands along the shoreline. All work will be done as shown on the attached drawings E-1 through E-5.

PURPOSE: To provide moorage for not more than two (2) private pleasure vessels and to allow water access for a private residential landowner.

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.

The proposed work was authorized by the New Jersey Department of Environmental Protection on April 19, 2006 through the issuance of Waterfront Development Permit 1517-04-0065.1 which includes Section 401 Water Quality Certification and Coastal Zone Management Program consistency.

Review of the National Register of Historic Places (NR) indicates that no registered properties or properties listed as

eligible for inclusion therein are located within the permit area of the work. By letter dated June 19, 2006, the New Jersey State Historic Preservation Office (SHPO) found that there were no National Register listed or eligible structures or sites within the permit area and concluded that the proposed work would have no effect upon such resources. This office concurs with the SHPO and finds that the proposed work will have no effect upon sites or structures listed on, or eligible for listing on, the National Register of Historic Places.

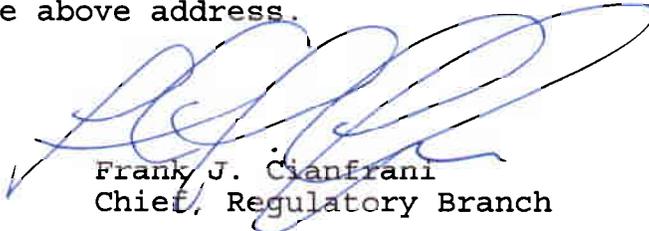
The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency 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 26 finds that the proposed work may have an adverse impact upon the EFH for eggs of the winter flounder (*Pseudopleuronectes americanus*). To mitigate for this potential adverse effect, this office is recommending that no in-water work be permitted during the interval from January 1 through May 31, inclusive, of any year. Use of this seasonal restriction as a conservation recommendation will mitigate against any adverse impacts to the EFH of listed species within the permit area.

The proposed work area is not located within shellfish habitat nor are there beds of submerged aquatic vegetation (SAV), specifically eel grass, within the permit area.

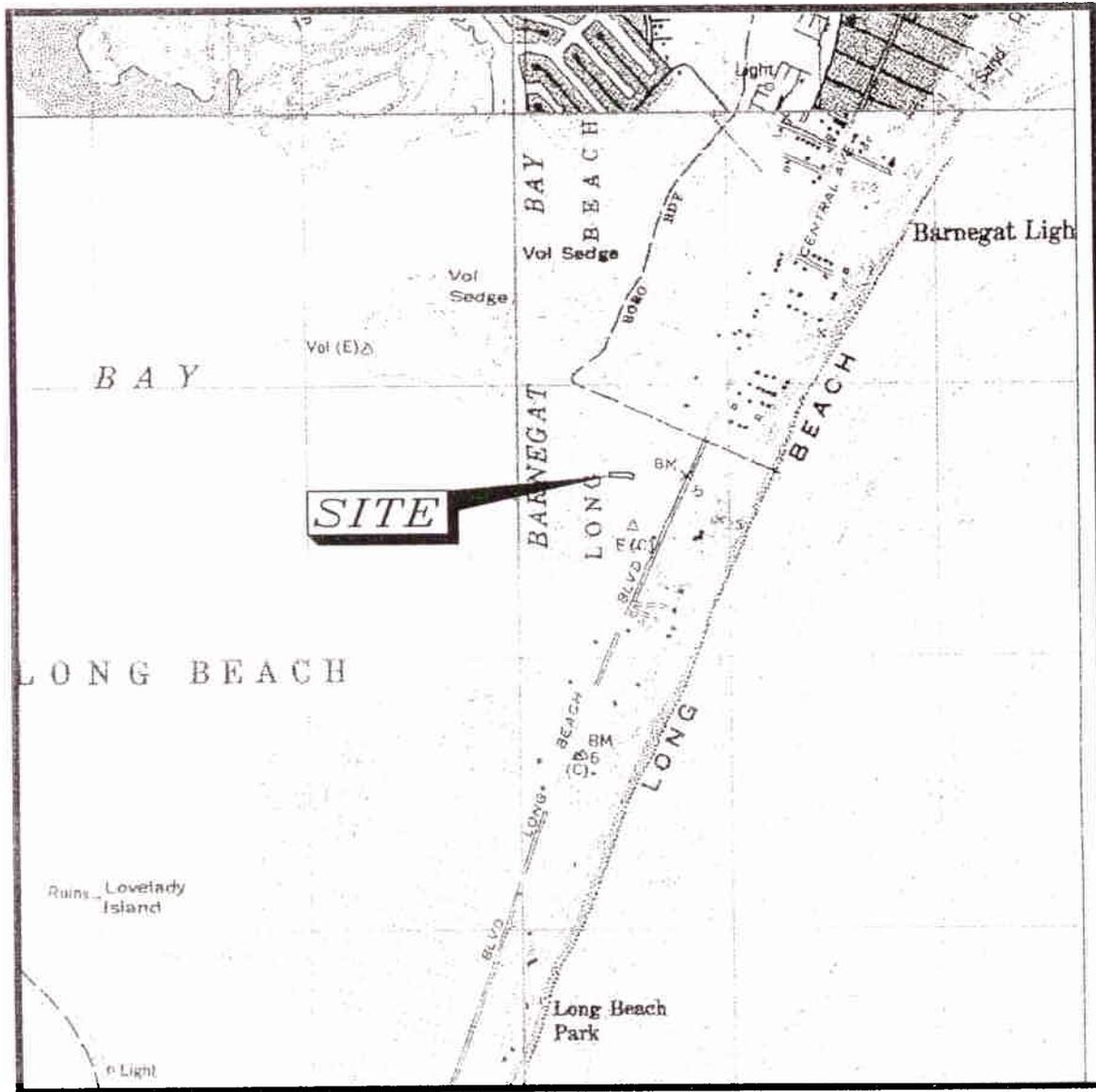
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. 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. On April 19, 2006 through the issuance of Waterfront Development Permit 1517-04-0065.1 the State of New Jersey concurred with the applicant's certification that project conforms with the approved CZM program. 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 Kevin W. Dougherty at (215) 656-5733 or writing this office at the above address.



Frank J. Cianfrani
Chief, Regulatory Branch



LATITUDE:
N 39° 44' 19"
LONGITUDE:
W 74° 7' 16"

KEY MAP
LOTS 2 & 2.01, BLOCK 20.162
TAX MAP SHEET # 32
LONG BEACH TOWNSHIP
OCEAN COUNTY, NEW JERSEY

E-1

JOHN L. YODER, P.E. 18058, P.P. 1086
ROBERT B. deBLOIS, P.L.S. 35337
JAMES D. BRZDOWSKI, P.E. GE 44223

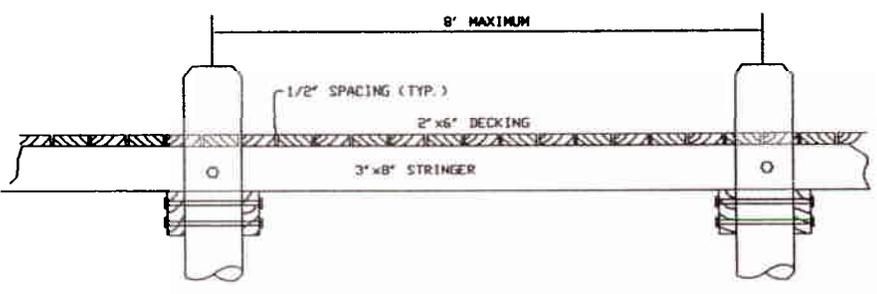
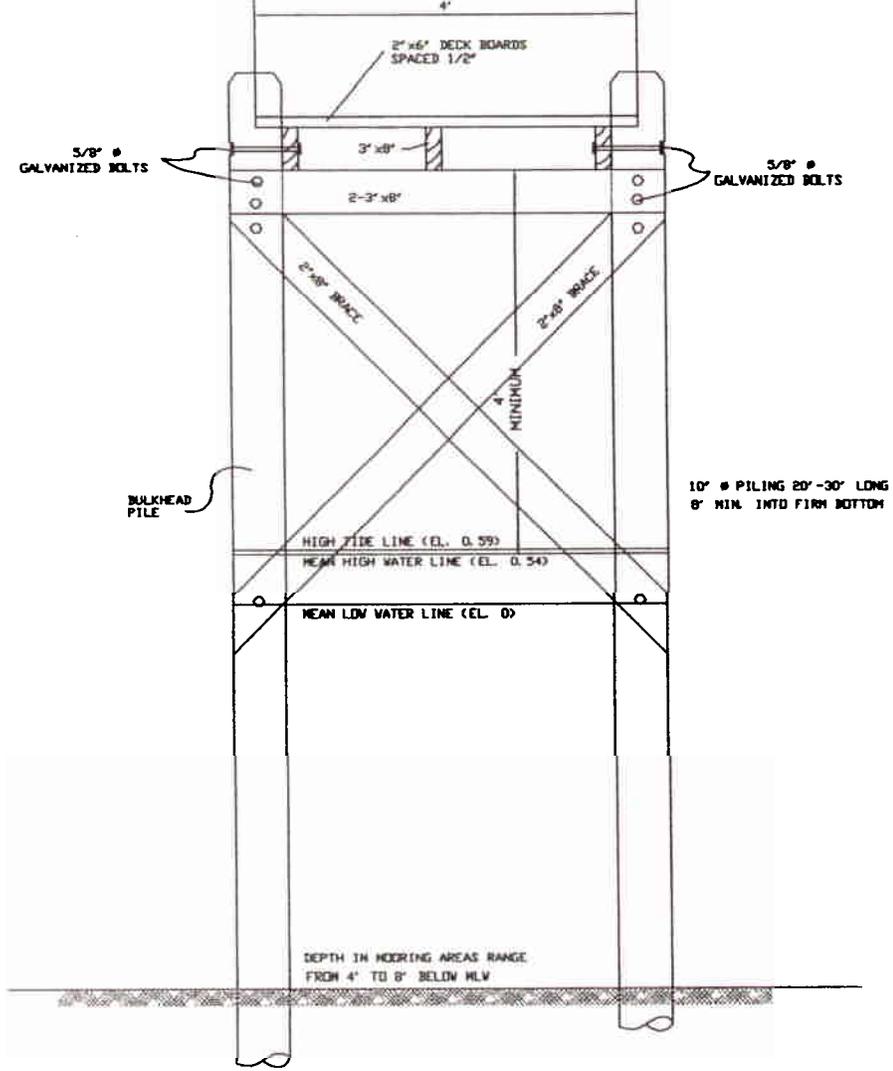
HORN, TYSON & YODER, INC.
CONSULTING ENGINEERS, SURVEYORS-PLANNERS
CERTIFICATE 24GA27951700 - ISSUED JULY 1, 2002
8510 LONG BEACH BOULEVARD
BEACH HAVEN CREST, NEW JERSEY 08008
PHONE (609) 492-5050
FAX (609) 492-4163

SCALE: 1" = 2000'

DATE: 5/22/2006

DRAWN BY: AC

JN: 81-464



DETAIL OF DOCK WATERWARD OF THE MHW
(NOT TO SCALE)

E-3

- NOTES-**
1. ALL TIMBER IN CONTACT WITH SALT WATER TO BE TREATED TO 2.5 PCF C. C. A.
 2. ALL TIMBER NOT IN CONTACT WITH SALT WATER TO BE TREATED TO 1.0 PCF C. C. A.
 3. ALL FASTENERS TO BE HOT DIPPED GALVANIZED.
 4. SOUNDINGS TAKEN WITH RESPECT MEAN LOW WATER REFERENCED TO TIDAL BENCHMARK 3631C. MEAN TIDAL RANGE 0.54'

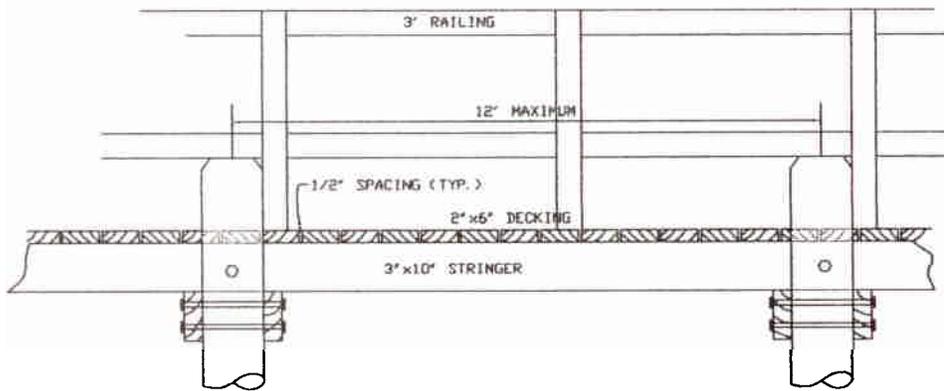
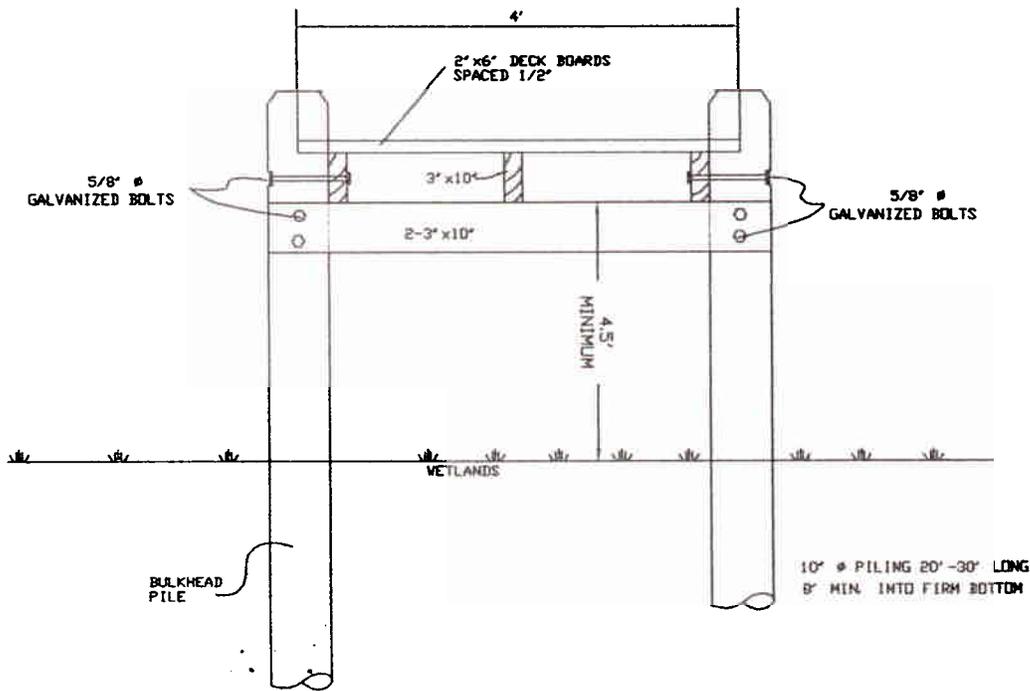
DOCK DETAIL
 LOTS 2 & 2.01, BLOCK 20.162
 TAX MAP SHEET # 32
 LONG BEACH TOWNSHIP
 OCEAN COUNTY, NEW JERSEY

JOHN L. YODER, P.E. 1805B, P.F. 1086
 ROBERT G. deBLOIS, P.L.S. 05357
 JAMES D. BRZQZQWSKI, P.E. 0544223



HORN, TYSON & YODER, INC.
 CONSULTING ENGINEERS, SURVEYORS-PLANNERS
 CERTIFICATE B4GAG7951700 - ISSUED JULY 1, 2002
 8510 LONG BEACH BOULEVARD
 LONG BEACH TOWNSHIP, NEW JERSEY 08008-3424
 PHONE (609) 492-5050
 FAX (609) 492-4163

SCALE: 1"=2'
 DATE: 5/22/2006
 REV. 7/19/2006 NOTE #4
 DRAWN BY: AC | JN: 81-464



DETAIL OF CATWALK OVER TIDAL WETLANDS
(NOT TO SCALE)

E-4

DOCK DETAIL
 LOTS 2 & 2.01, BLOCK 20.162
 TAX MAP SHEET # 32
 LONG BEACH TOWNSHIP
 OCEAN COUNTY, NEW JERSEY

- NOTES-
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 2. ALL TIMBER NOT IN CONTACT WITH SALT WATER TO BE TREATED TO 1.0 PCF C. C. A.
 3. ALL FASTENERS TO BE HOT DIPPED GALVANIZED.

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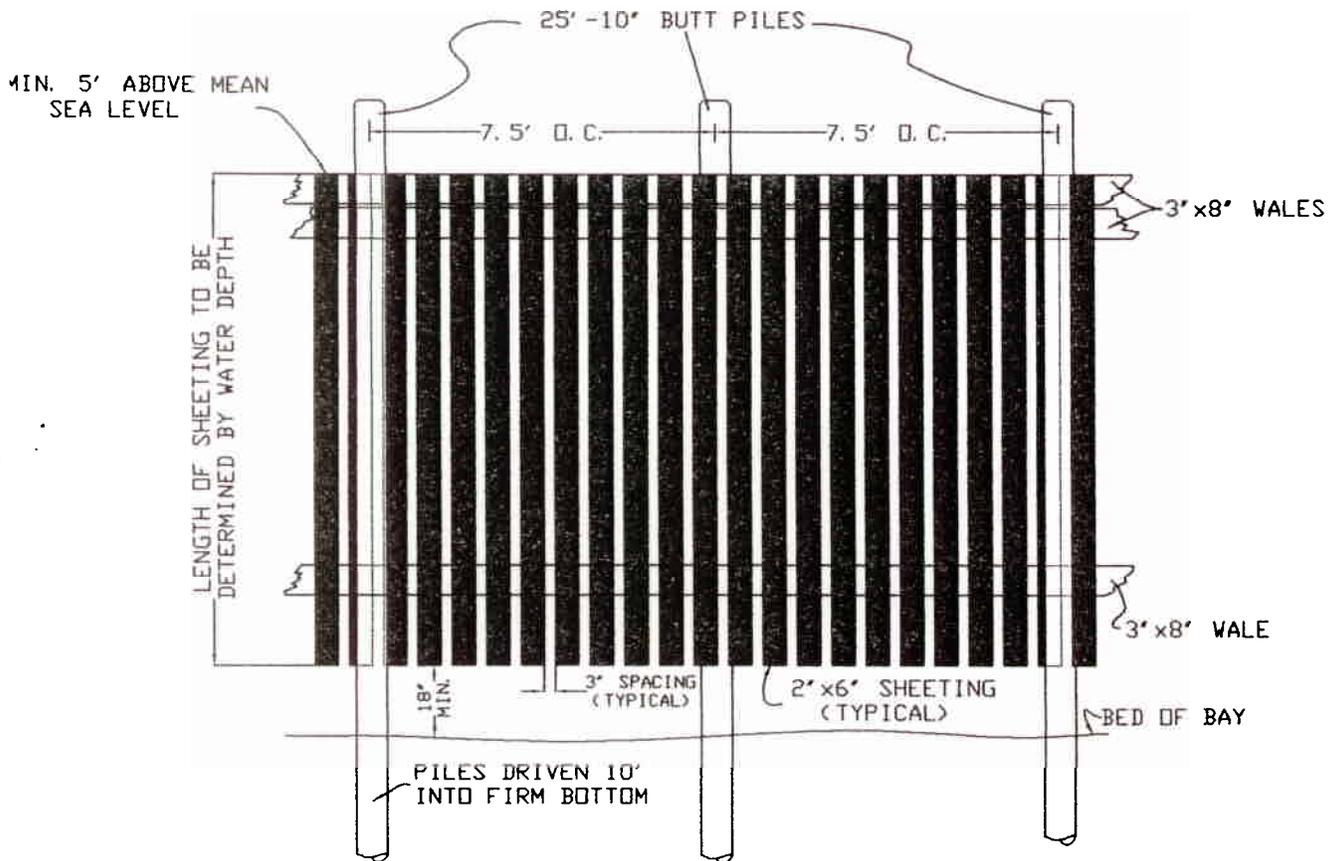
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SCALE: 1"=20'

DATE: 5/22/2006

DRAWN BY: AC

JN: 81-464



BREAKWATER DETAIL
(N. T. S.)

E-5

BREAKWATER DETAIL
 LOTS 2 & 2.01, BLOCK 20.162
 TAX MAP SHEET # 32
 LONG BEACH TOWNSHIP
 OCEAN COUNTY, NEW JERSEY

JHN L. YODER, P.E. 18058, P.P. 1086
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 AMES D. BRZDZOWSKI, P.E. GE44223

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