



**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-200601186-24

Date  
**OCT 26 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: Thomas Kelly

AGENT: Robert J. Catalano and Associates  
1020 Atlantic Avenue  
Atlantic City, NJ 08401

WATERWAY: Beach Thorofare

LOCATION: The project site is located at 1950 West Riverside Drive, Block 703, Lot 1.03, in the City of Atlantic City, Atlantic County, New Jersey.

ACTIVITY: The applicant proposes to construct a fixed pier, with a ramp to a floating dock and two (2) boat lifts for mooring two (2) vessels. The fixed pier would be 4 feet wide and 229 feet long, with a 4 X 18' ramp leading to a 6 X 20' floating dock. Each of the two boat lifts, one on either side of the float, would be 10 X 13'. All construction materials are proposed to be non-polluting. The fixed pier would be a minimum of 4.5 feet above wetlands along the shore. The total structure, including the float and boat lifts, would extend approximately 231 feet waterward of the mean high water line, and would be 98 feet from the edge of the Federal navigation channel (New Jersey Intracoastal Waterway). The applicants propose to construct a house on the upland lot, outside the area of the Corps' jurisdiction. The applicants' lot is within "Osprey Estates," a 26-lot subdivision. Owners of the two neighboring lots immediately on either side (Lots 2 and 1.02) are also proposing to construct docks (see current applications CENAP-OP-R-200601185-24 and CENAP-OP-R-200601187-24). Furthermore, permits were recently issued for docks on two other lots in this development (Lots 2 and 9 in Block 714) farther to the northwest (see permits CENAP-OP-R-200600724-24 and CENAP-OP-R-200600791-24).

PURPOSE: The applicant's stated purpose is to store recreational boats and allow access to the navigational channel.

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.

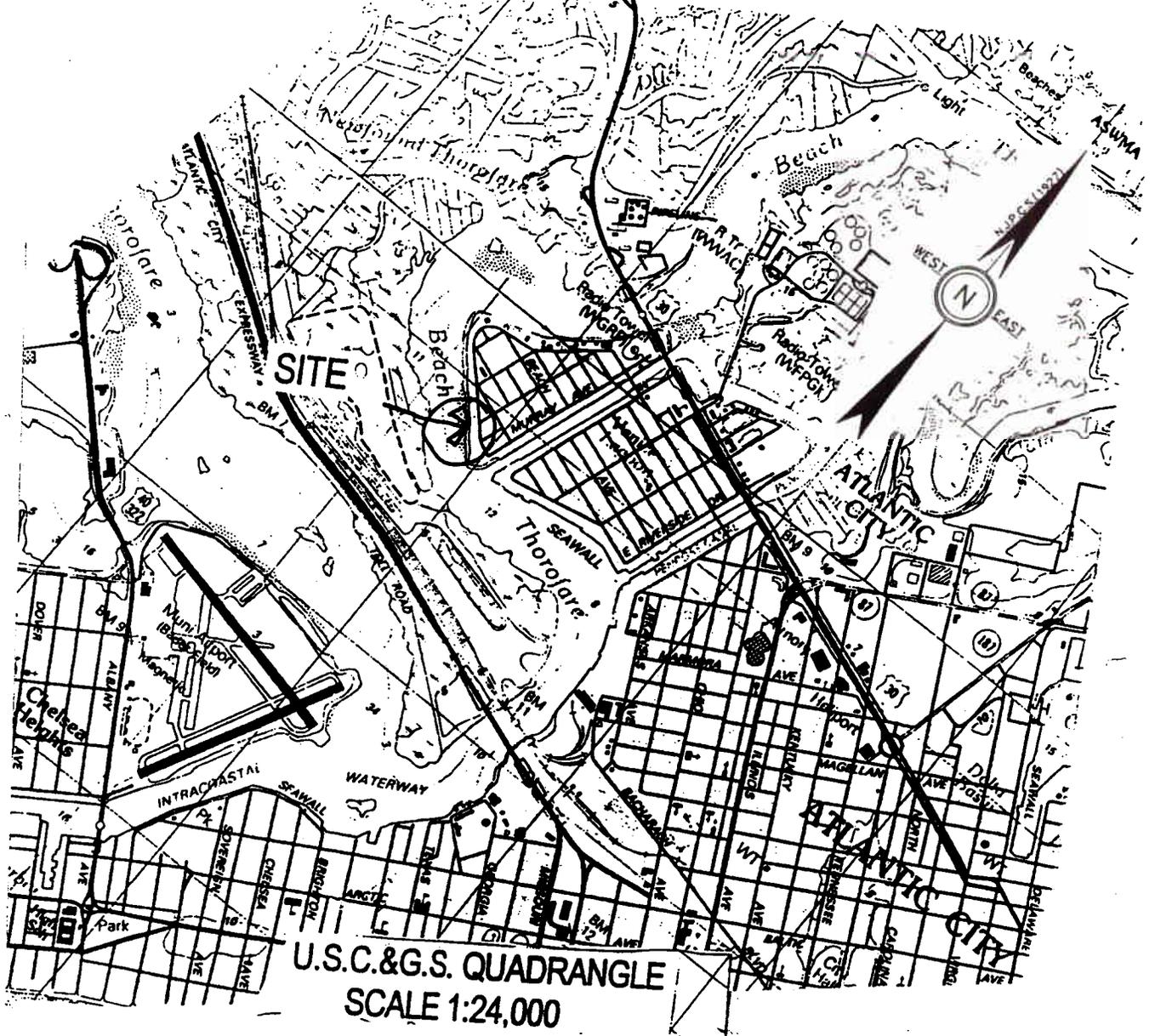
The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency 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 42, indicates that the proposed project would not have more than minimal adverse effect on any managed species, including winter flounder. This determination is based, in part, on the minimal disturbance to the waterway bottom and the use of non-polluting materials. 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.

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 James N. Boyer at (215) 656-5826 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.

  
for Frank J. Cianfrani  
Chief, Regulatory Branch



U.S.C.&G.S. QUADRANGLE  
SCALE 1:24,000

PLANS TO ACCOMPANY WATERFRONT  
DEVELOPMENT PERMIT APPLICATION  
AT 1950 WEST RIVERSIDE DRIVE  
BLOCK 703 LOT 1.03  
ATLANTIC CITY, ATLANTIC COUNTY, NEW JERSEY  
ROBERT J. CATALANO AND ASSOCIATES P.A.  
PROFESSIONAL LAND SURVEYORS AND PLANNERS  
1020 Atlantic Avenue, Atlantic City, N.J. 08401  
(609) 345-1887 Fax (609) 345-3511

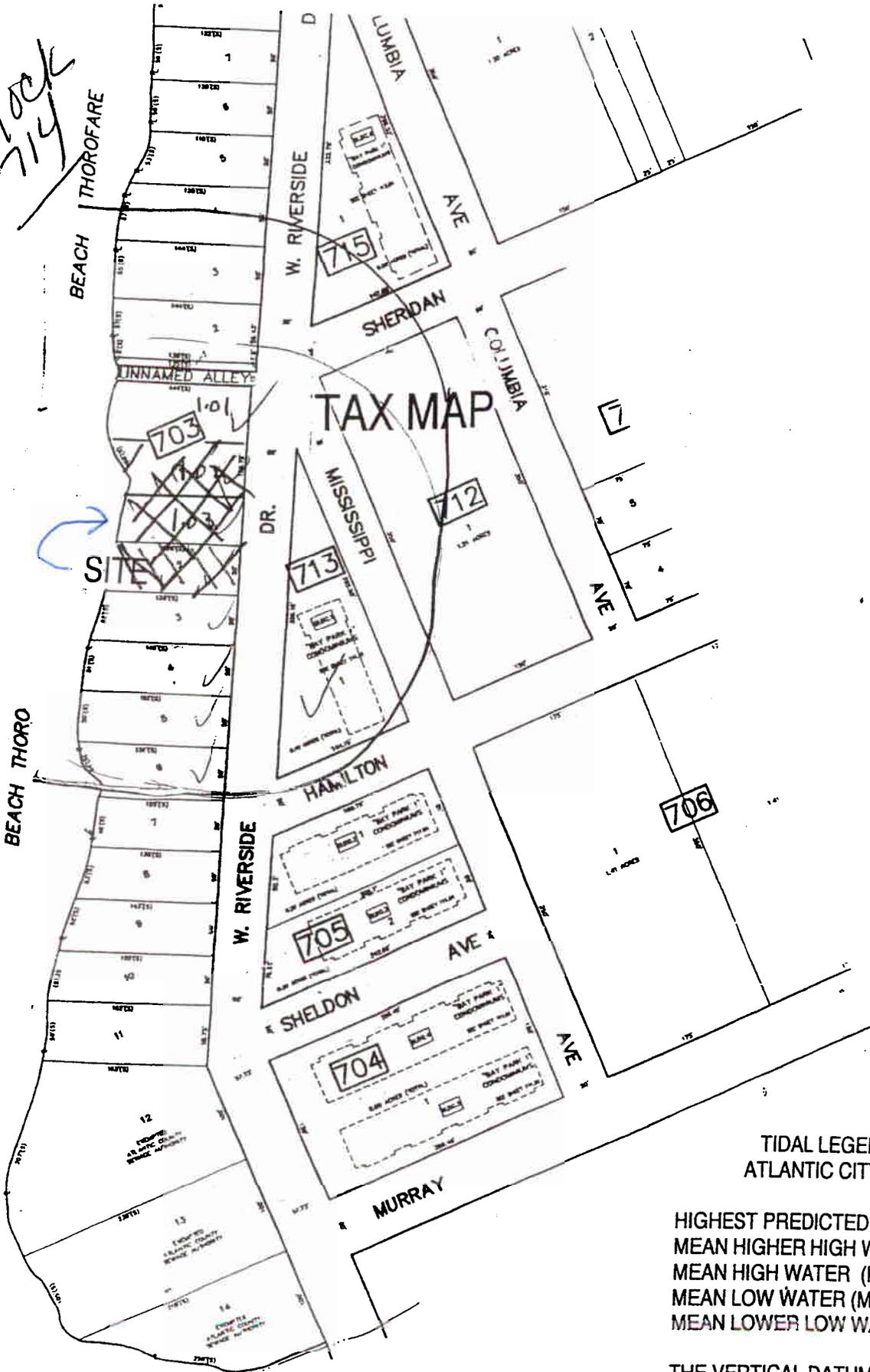
Date August 13, 2006 W.O. 2005616 SHEET 1 OF 13

TIDAL LEGEND 1929 DATUM  
ATLANTIC CITY PID JU2455-2005

HIGHEST PREDICTED TIDE 10/18/2005	4.00'
MEAN HIGHER HIGH WATER (MHHW)	3.26'
MEAN HIGH WATER (MHW)	2.89'
MEAN LOW WATER (MLW)	-0.97'
MEAN LOWER LOW WATER (MLLW)	-1.13'

THE VERTICAL DATUM FOR NAVD 1988 IS 1.29 FEET  
BELOW THE VERTICAL DATUM OF 1929 FOR THIS SITE.

Block 714

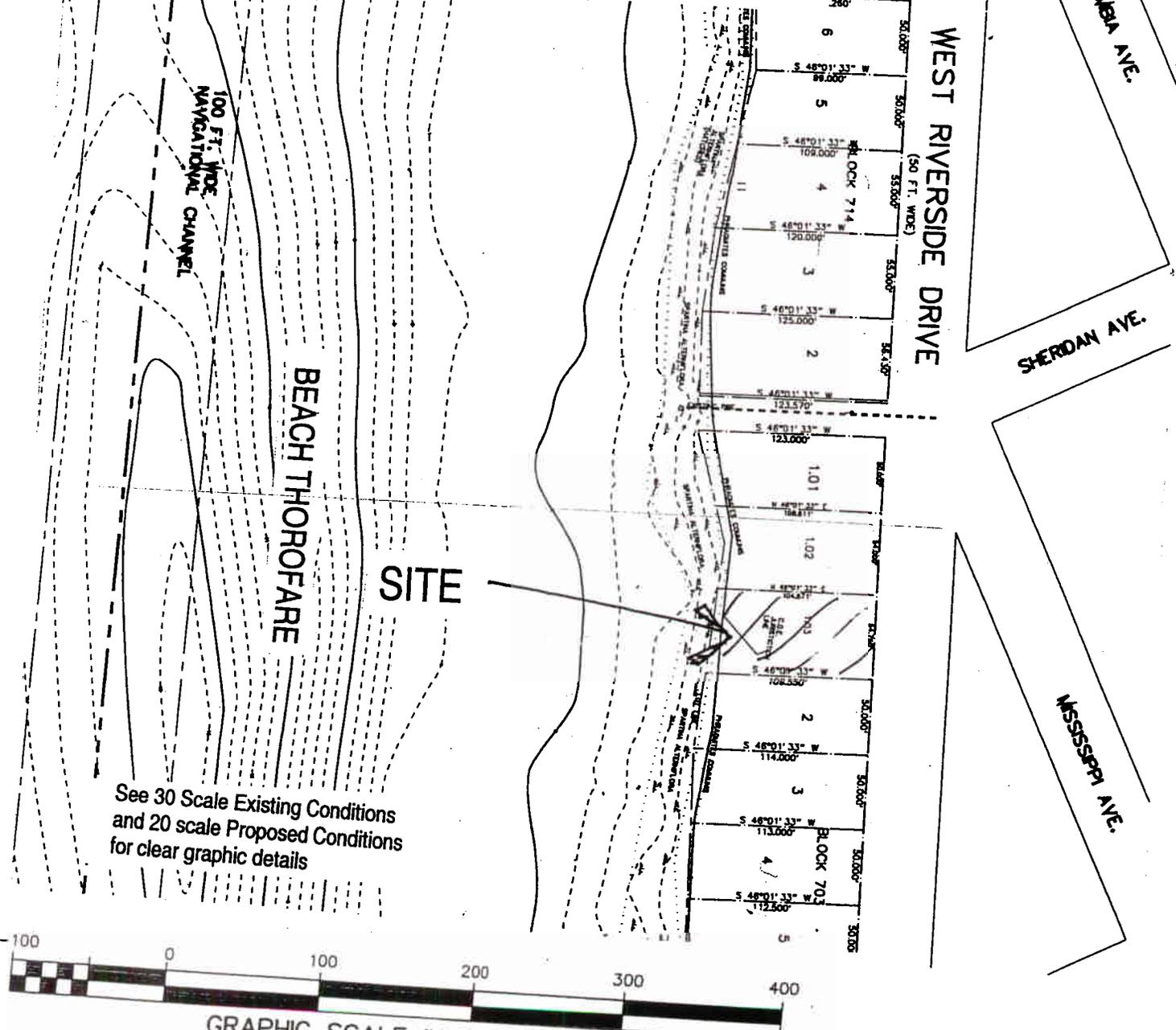


TIDAL LEGEND 1929 DATUM  
ATLANTIC CITY PID JU2455-2005

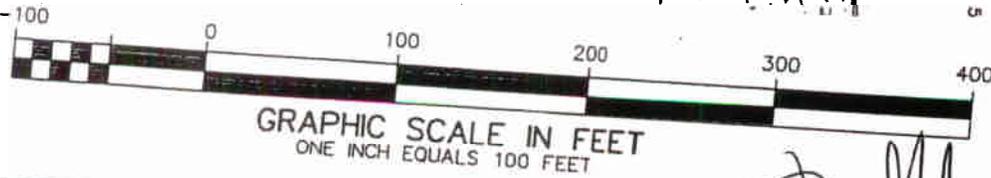
HIGHEST PREDICTED TIDE 10/18/2005  
MEAN HIGHER HIGH WATER (MHHW)  
MEAN HIGH WATER (MHW)  
MEAN LOW WATER (MLW)  
MEAN LOWER LOW WATER (MLLW)

THE VERTICAL DATUM FOR NAVD 1988 IS  
BELOW THE VERTICAL DATUM OF 1929 F

# AND WATER SOUNDING PLAN



See 30 Scale Existing Conditions  
and 20 scale Proposed Conditions  
for clear graphic details



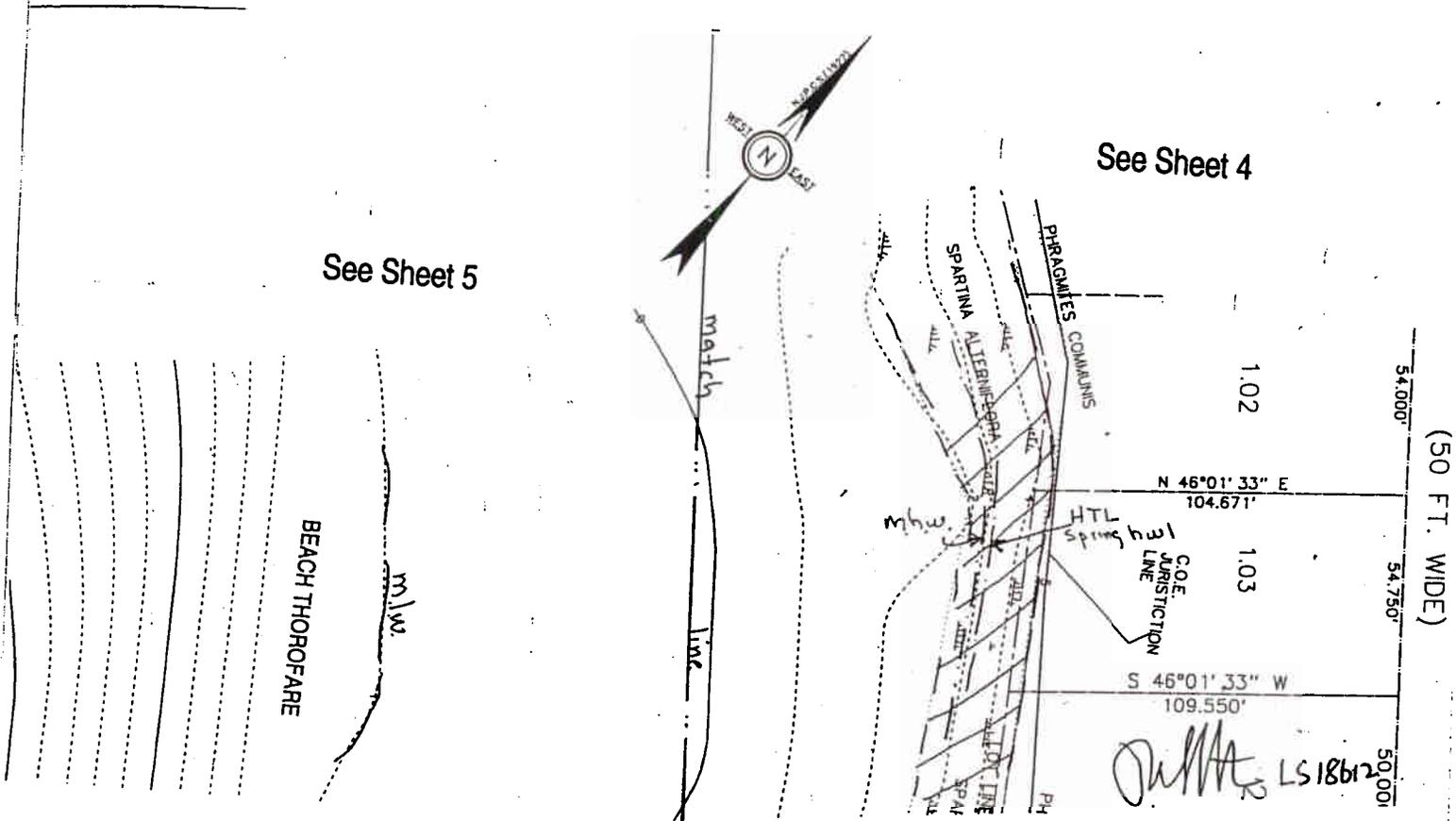
*Signature* LS 18612

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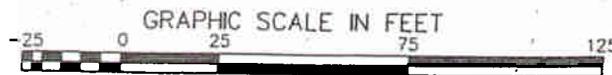
Date August 13, 2006 W.O. 2005616 SHEET 2 OF 3

I hereby certify that this plan has been prepared from a direct contour scheme. Data imported into this plan was from actual survey soundings taken by boat, float tube and wading. The location of the adjacent navigational daymarkers maybe interpreted to the nearest 0.5 Ft. The location of the navigation channel has been plotted from local knowledge and the thread of the actual channel. The wetlands shown hereon were also located by direct survey measurement. The upper limit of jurisdiction from previous Upland approval has been digitized and imported. All subsequent sheets showing this data to a larger scale is also true and accurate.

*Signature*  
Robert J. Catalano  
Professional Land Surveyor No 18612



EXISTING CONDITIONS

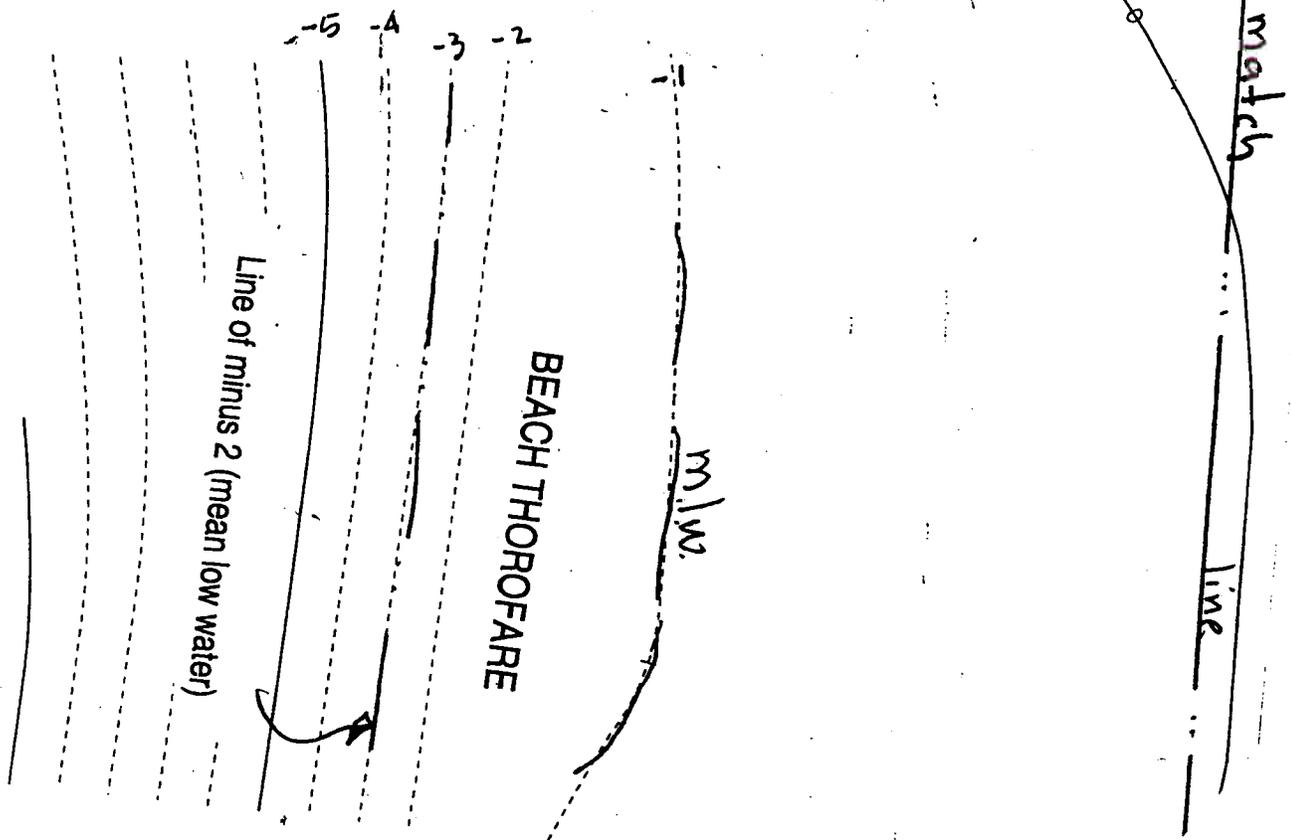


KEY SHEET OF EXISTING CONDITIONS

PLANS TO ACCOMPANY WATERFRONT  
 DEVELOPMENT PERMIT APPLICATION  
 AT 1950 WEST RIVERSIDE DRIVE  
 BLOCK 703 LOT 1.03  
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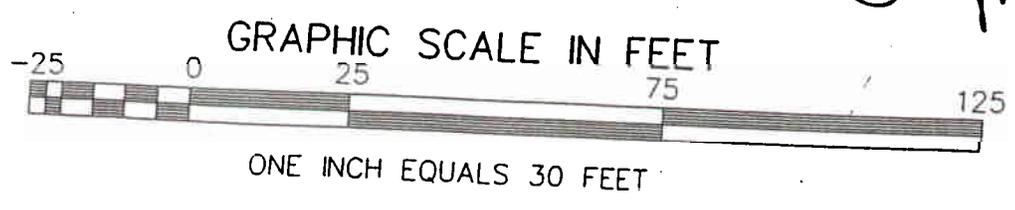
Date August 13, 2006 W.O. 2005616 SHEET 3 OF 3





**EXISTING CONDITIONS**

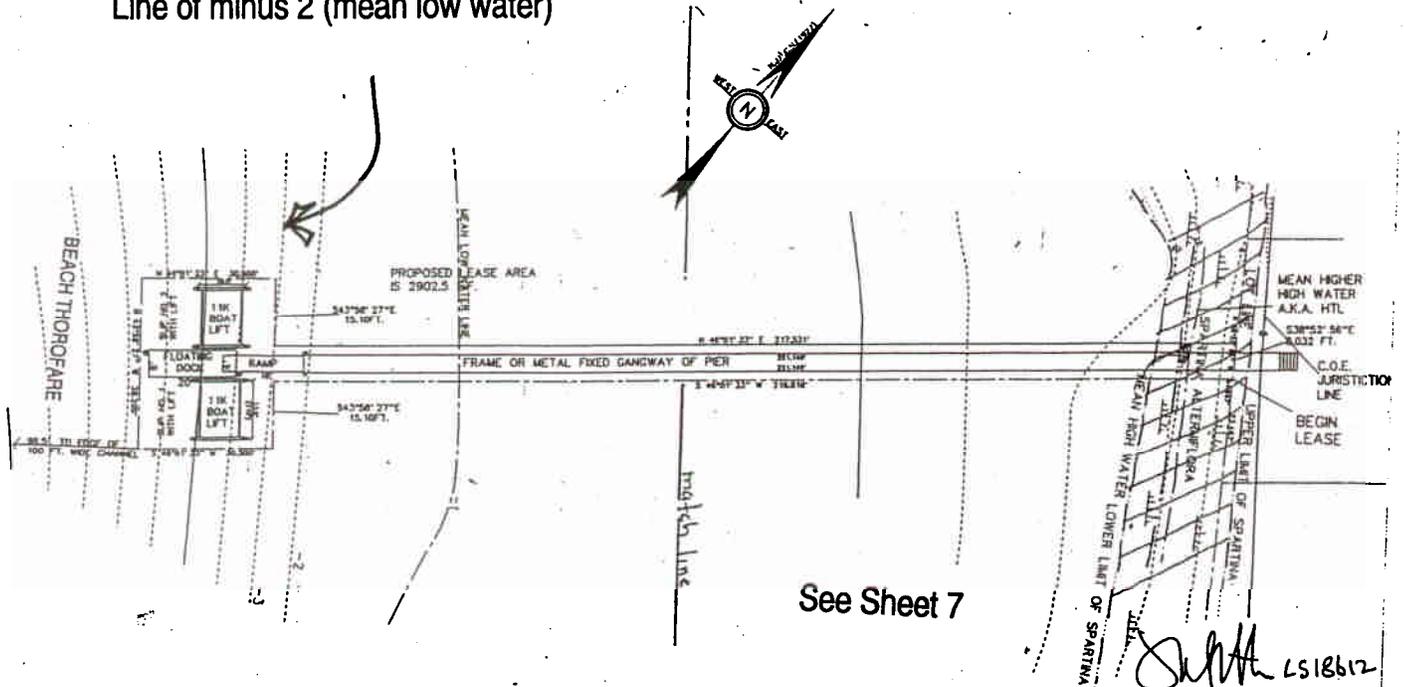
*[Signature]* LS18612



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Date August 13, 2006 W.O. 2005616 SHEET 5 OF 13

Line of minus 2 (mean low water)



PROPOSED CONDITIONS



TIDAL LEGEND 1929 DATUM  
ATLANTIC CITY PID J12455-2005

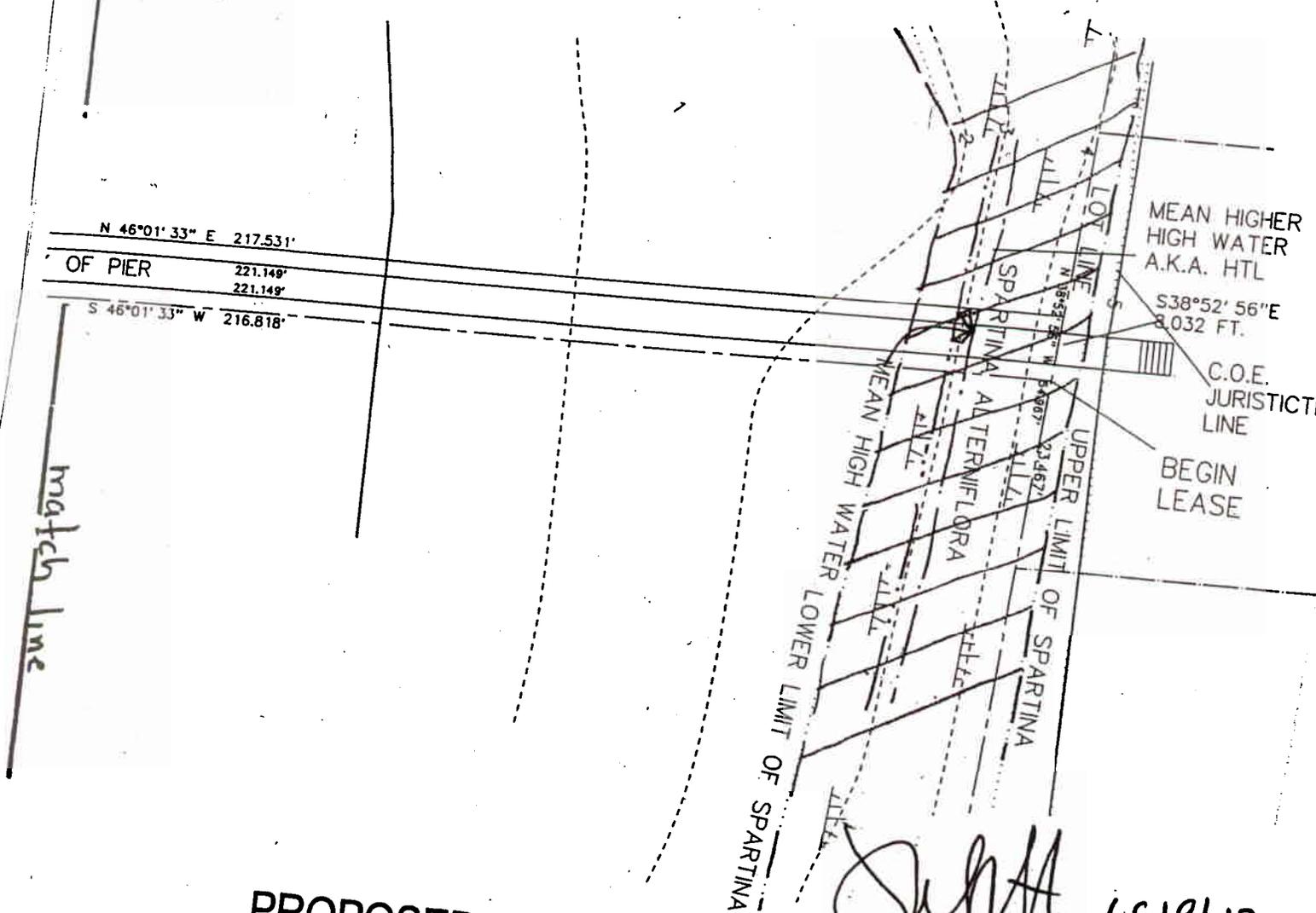
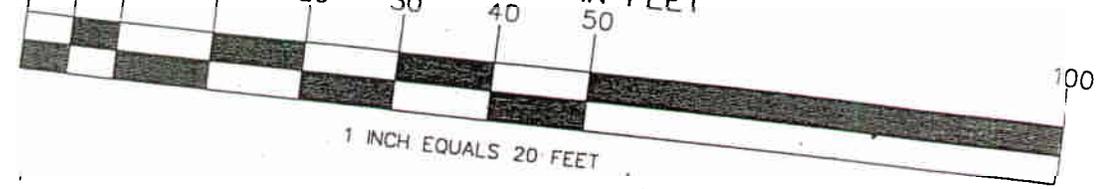
HIGHEST PREDICTED TIDE 10/18/2005	4.00'
MEAN HIGHER HIGH WATER (MHHW)	3.25'
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BELOW THE VERTICAL DATUM OF 1929 FOR THIS SITE.

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DEVELOPMENT PERMIT APPLICATION  
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Date August 13, 2006 W.O. 2005616 SHEET 6 OF 13



N 46°01' 33" E 217.531'  
 OF PIER 221.149'  
 221.149'  
 S 46°01' 33" W 216.818'

MEAN HIGHER  
 HIGH WATER  
 A.K.A. HTL  
 S38°52' 56"E  
 8.032 FT.  
 C.O.E.  
 JURISTICTK  
 LINE  
 BEGIN  
 LEASE

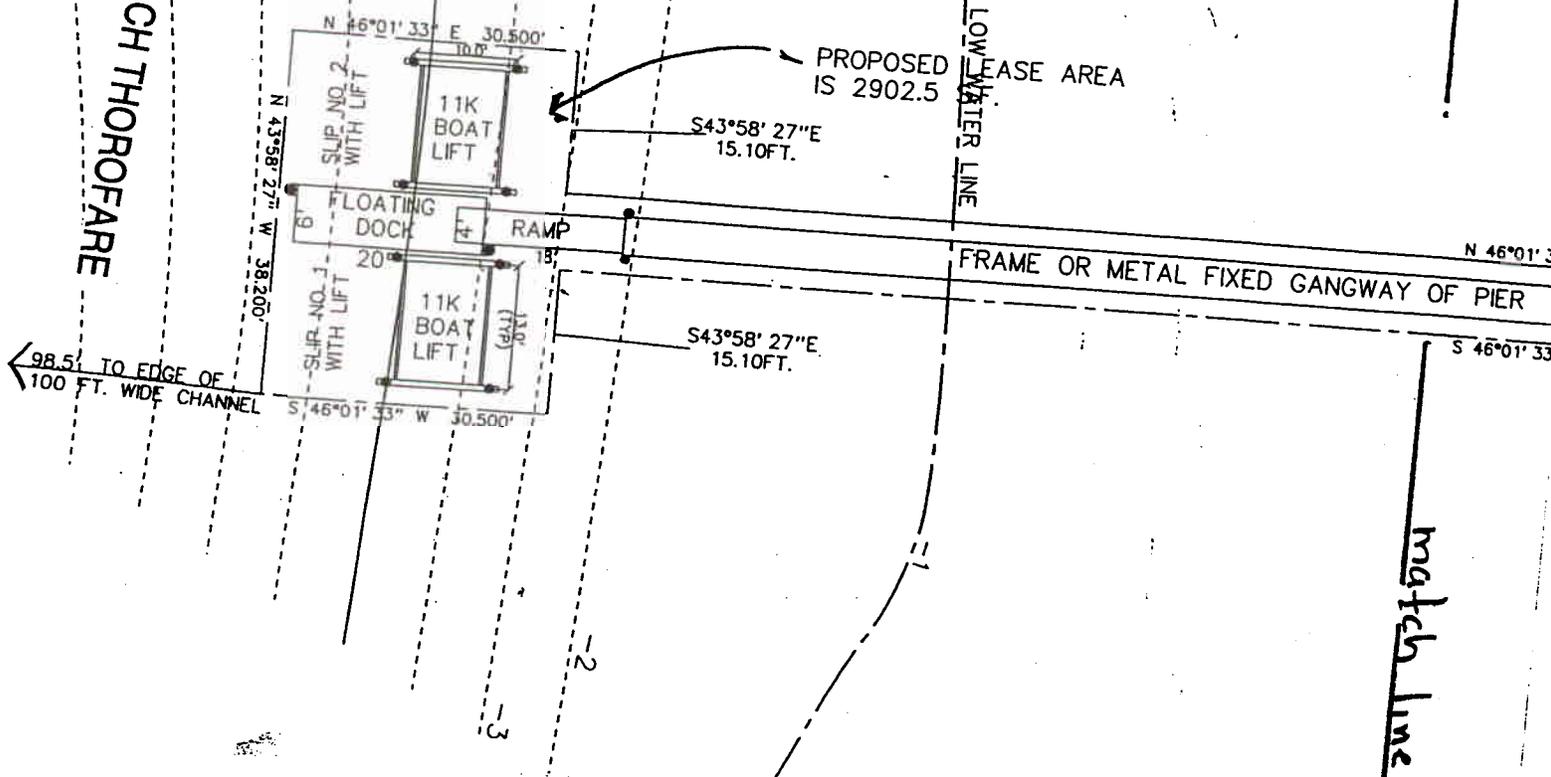
**PROPOSED CONDITIONS**

*JPH* LS18612

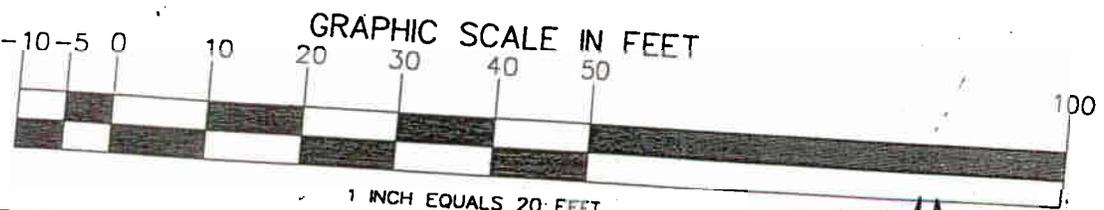
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BEACH THOROFARE

MEAN LOW WATER LINE



# PROPOSED CONDITIONS



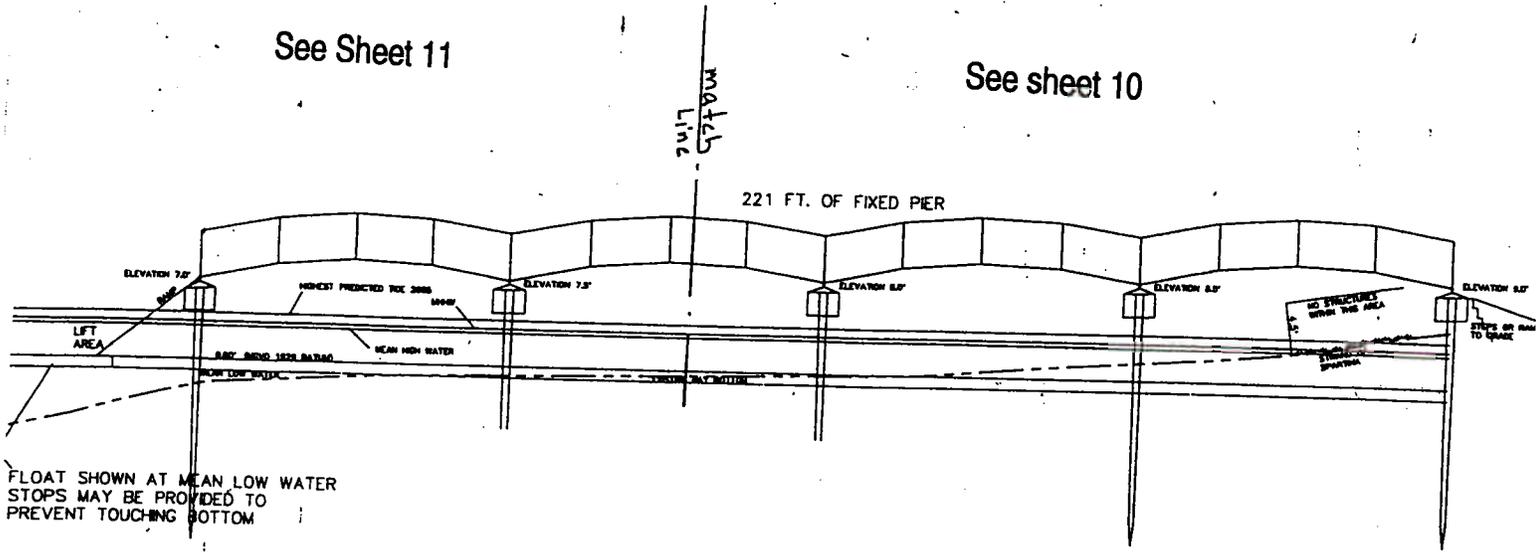
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PLANS TO ACCOMPANY WATERFRONT  
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Date August 13, 2006 W.O. 2005616 SHEET 8 OF 13

See Sheet 11

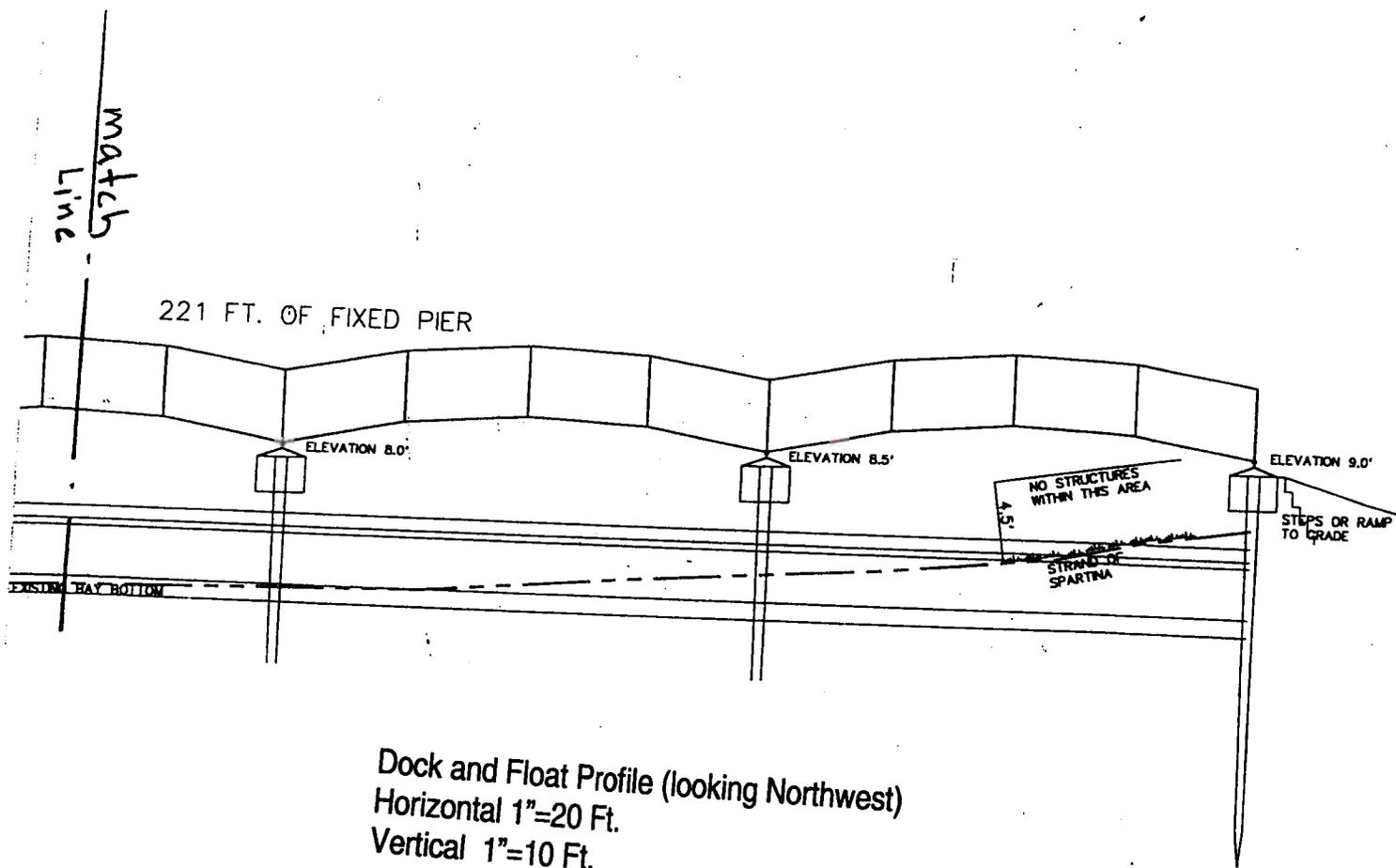
See sheet 10



KEY SHEET OF DOCK PROFILE

PLANS TO ACCOMPANY WATERFRONT  
DEVELOPMENT PERMIT APPLICATION  
AT 1950 WEST RIVERSIDE DRIVE  
BLOCK 703 LOT 1.03  
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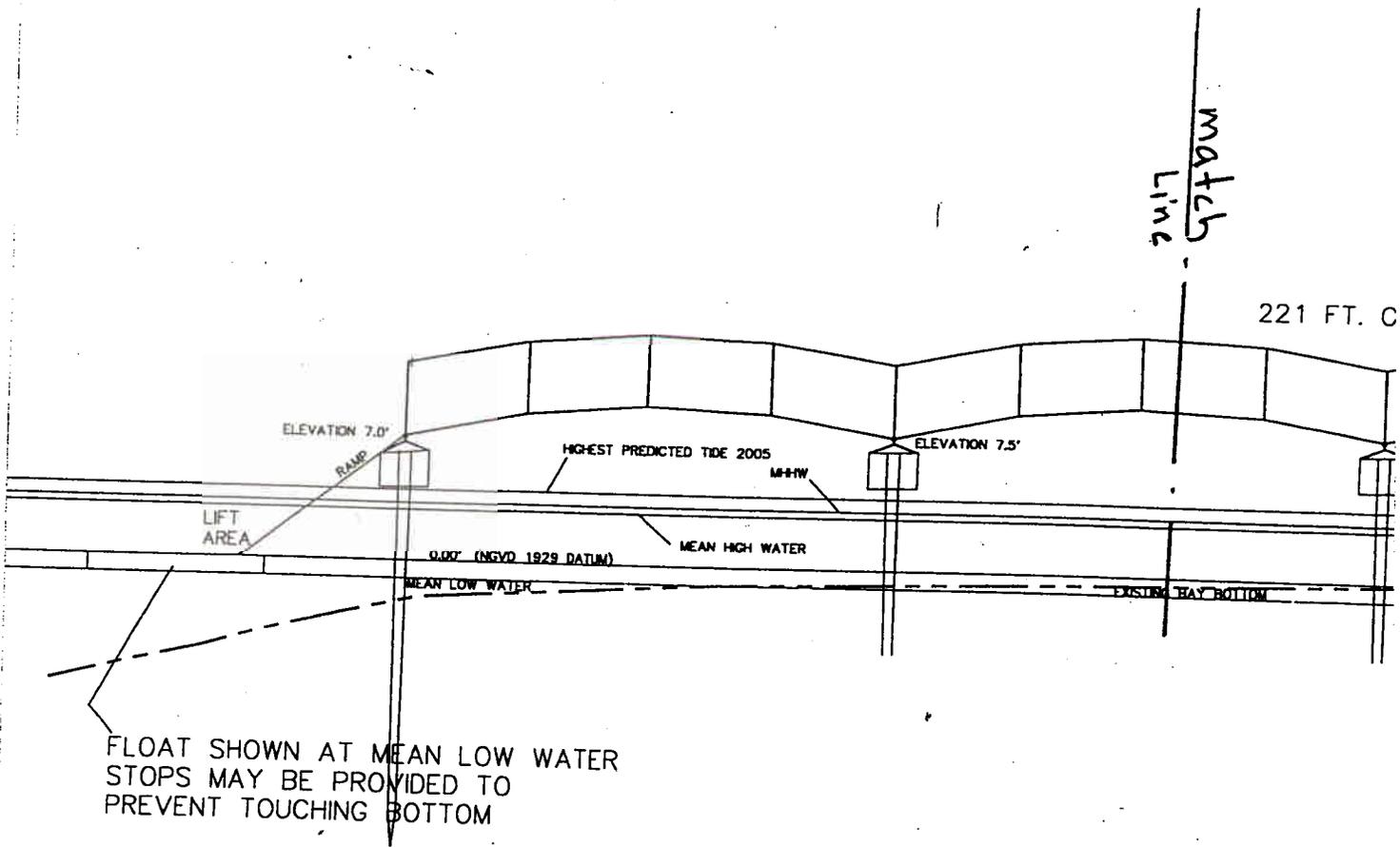
Date August 13, 2006 W.O. 2005616 SHEET 9 OF 13



Dock and Float Profile (looking Northwest)  
 Horizontal 1"=20 Ft.  
 Vertical 1"=10 Ft.

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Date August 13, 2006 W.O. 2005616 SHEET 10 OF 13



Dock and Float Profile (looking Northwest)  
 Horizontal 1"=20 Ft.  
 Vertical 1"=10 Ft.

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Date August 13, 2006 W.O. 2005616 SHEET 11 OF 17

PILING

1. All piling shall be in compliance with the above docket and must be constructed of non-polluting material, such as, untreated natural lumber (such as cedar or other woods), concrete or other relatively inert products, such as plastic, vinyl or steel.

FIXED PIERS

2. All decking, joists, etc., shall be in compliance with the above docket and must be constructed of non-polluting material, such as, untreated natural lumber (such as cedar or other woods), concrete or other relatively inert products, such as plastic, vinyl or steel. Fasteners are to be galvanized, or equal. Spacing of decking shall comply with adopted standards.

FLOATING DOCKS

3. All materials used for the construction of the floats shall be in compliance with the above docket and must be constructed of non-polluting material, such as, untreated natural lumber (such as cedar or other woods), concrete or other relatively inert products, such as plastic, vinyl or steel. Fasteners are to be galvanized, or equal. Spacing of decking shall comply with adopted standards.

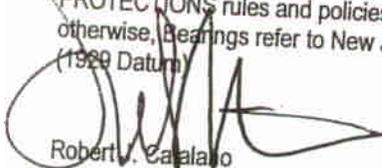
RAMPS

4. All ramps are to be constructed of inert materials.

GENERAL NOTES. All construction shall be made using the manufacturers recommendations. Due to the enormous selection and the continual updating of products available, **actual detail sheets are not provided**. However, like wood the methods of installation are very similar. Contractors are urged to use sound environmental judgment during all phases of the project, including but not limited to:

1. Jetting or driving of pilings during slack water if reasonably possible.
2. All cutting and fitting of pre-fabricated sections should be made on the upland.
3. Prevention of any materials from falling into the water area.
4. Complete clean-up of all trash or other un-used materials.

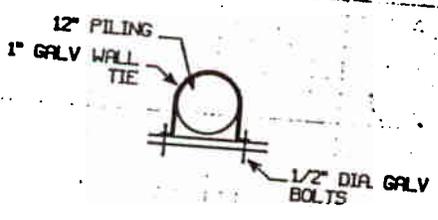
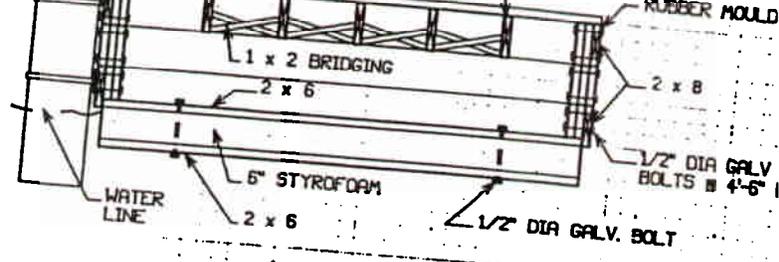
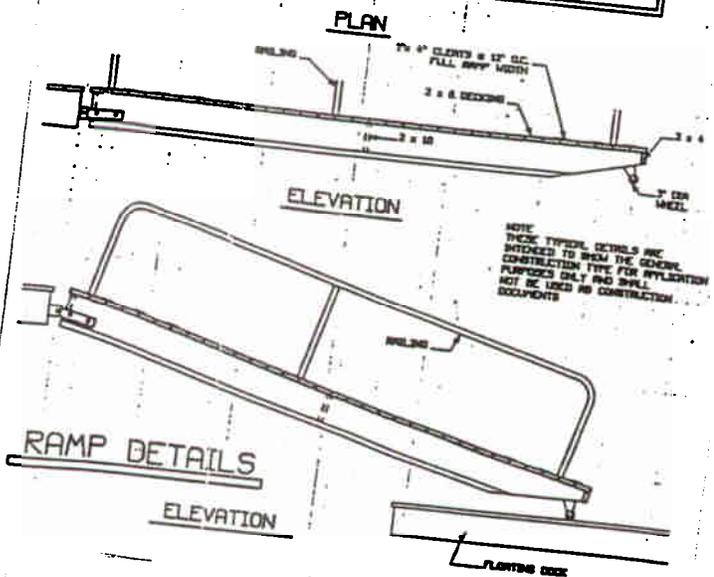
I hereby certify that this plan and graphic representations of the existing conditions are accurate. The proposed conditions are for review for compliance with the existing NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTIONS rules and policies. No Engineering design is proposed or intended by this office. Unless specified otherwise, Bearings refer to New Jersey's Plane Coordinate Ssystem (1927 Datum), and Elevations refer to NAD (1929 Datum)



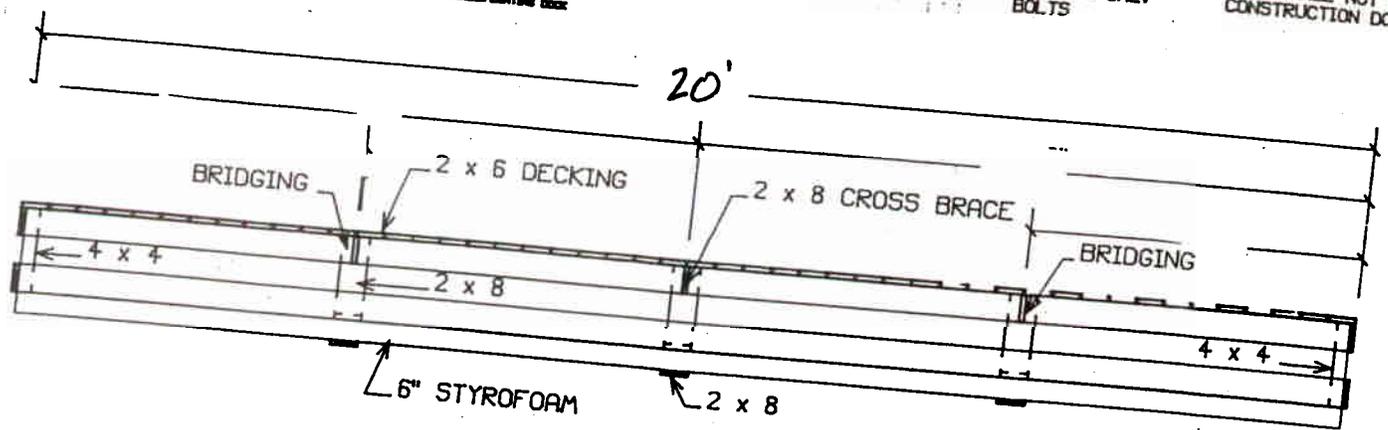
Robert J. Catalano  
Professional Land Surveyor No 18612  
Professional Planner No 1600

PLANS TO ACCOMPANY WATERFRONT  
DEVELOPMENT PERMIT APPLICATION  
AT 1950 WEST RIVERSIDE DRIVE  
BLOCK 703 LOT 1.03  
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Date August 13, 2006 W.O. 2005616 SHEET 12 OF 13



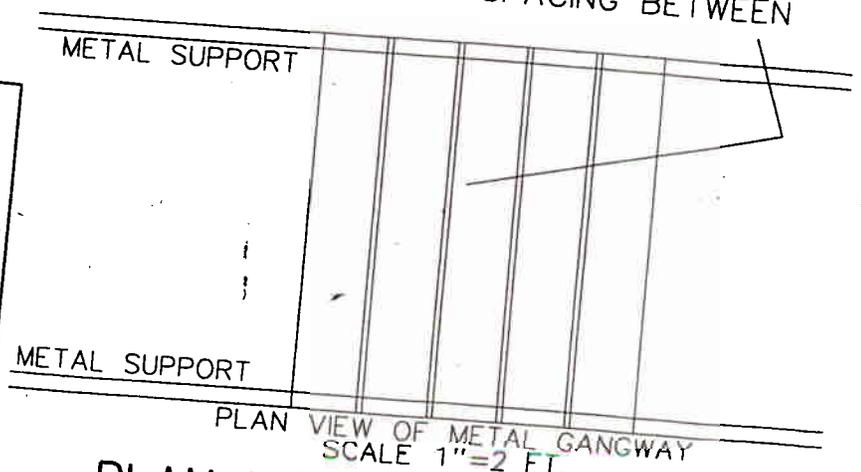
THESE TYPICAL DETAILS ARE INTENDED TO SHOW THE GENERAL CONSTRUCTION TYPE FOR APPLICATION PURPOSES ONLY AND SHALL NOT BE USED AS CONSTRUCTION DOCUMENTS.



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Robert J. Catalano  
 Professional Land Surveyor No 18612  
 Professional Planner No 1600

2" X 6" DECKING WITH  
 1/2" SPACING BETWEEN



**PLAN VIEW METAL GANGWAY**

PLANS TO ACCOMPANY WATERFRONT DEVELOPMENT PERMIT APPLICATION AT 1950 WEST RIVERSIDE DRIVE BLOCK 703 LOT 1.03 ATLANTIC CITY, ATLANTIC COUNTY, NEW JERSEY ROBERT J. CATALANO AND ASSOCIATES P.A. PROFESSIONAL LAND SURVEYORS AND PLANNERS 1020 Atlantic Avenue, Atlantic City, N.J. 08401 (609) 345-1887 Fax (609) 345-3511