



**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-2007-0536

Date  
**JAN 10 2008**

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:** Jonathan Korein

**AGENT:** Ms. Deborah Ash  
Nelke-Tyszka Land Surveyors, Inc.  
382 West 9<sup>th</sup> Street, Suite 4  
Ship Bottom, New Jersey 08008

**WATERWAY:** Little Egg Harbor Bay

**LOCATION:** Located between Lavenia and Culver Avenues, identified as Lots 1.01, 1.02, 10, and 10.01, Block 14.19, Long Beach Township, Ocean County, New Jersey.

**ACTIVITY:** to construct a 4' wide "F"-shaped dock, 307 feet long, with two 4' x 30' finger piers, two 15' x 15' boat lifts, and an attached breakwater in Little Egg Harbor Bay.

The entire structure would extend 307 feet waterward of the mean high water line and would include a 72' length of timber breakwater and would require the placement of approximately 110 timber support pilings. The structure would also be made of non-polluting materials with the boat mooring structures raised a minimum of 4 feet above mean high water. The pier itself would be raised between 1.85 and 10.35 feet above the waterway bottom. Additionally, two existing piers, 2 boat lifts, and jet ski floats would be removed.

The applicant has stated that the 2 vessels to be moored at the site would have maximum lengths of 30 feet, maximum draft of 32", and maximum width of 13'.

It should be noted that the subject site is located in areas mapped for submerged aquatic vegetation and shellfish.

**PURPOSE:** the applicant's stated purpose is to allow for the mooring for two private boats on a single family residential lot for recreational use only.

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 33. This office has made a preliminary determination that due to the nature of the project, there should be little to no effect on species of concern and so no mitigative measures are proposed at this time. Upon further resource agency coordination, this determination may be modified.

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

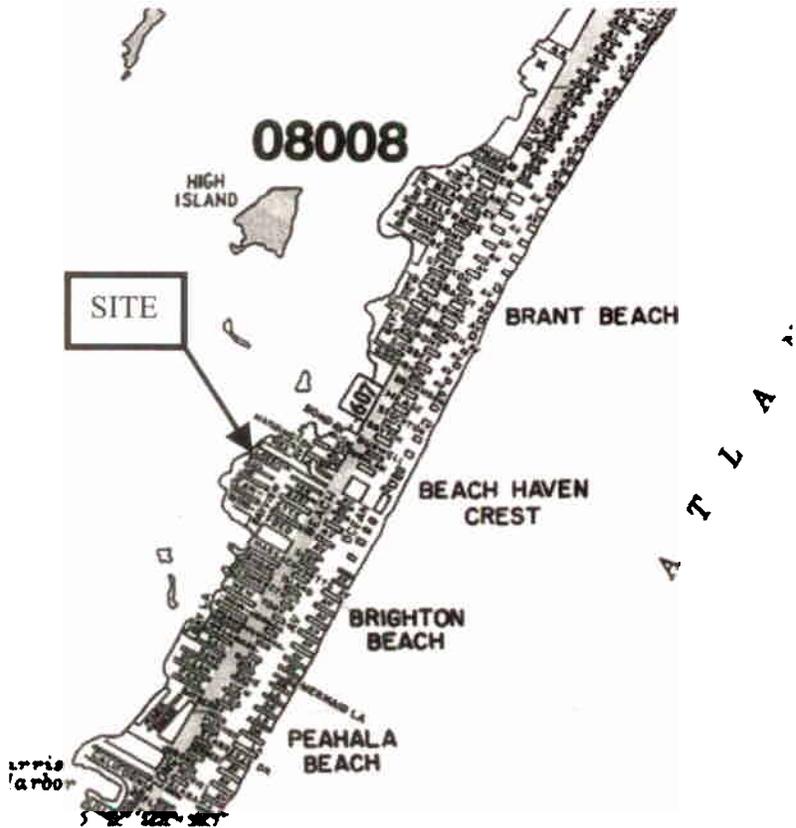
coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. It should be noted that such concurrence was issued by the state of New Jersey on August 3, 2007. 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 at 215-656-6731 or writing this office at the above address.



Frank J. Cianfrani  
Chief, Regulatory Branch



E 1

**VICINITY MAP**  
 1.02, 1.01,  
**TAX MAP LOT(s) 10 & 10.01 BLOCK 14.19**  
**LONG BEACH TOWNSHIP**  
**OCEAN COUNTY, NEW JERSEY**

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OWNER/APPLICANT  
**108 W. Lavenia, LLC / Jonathan Korein**

**NELKE / TYSZKA**  
 LAND SURVEYORS, INC.  
 382 W. 9TH STREET-SUITE 4 SHIP BOTTOM, NJ 08008  
 (609) 494-3474 \* FAX (609) 361-9231

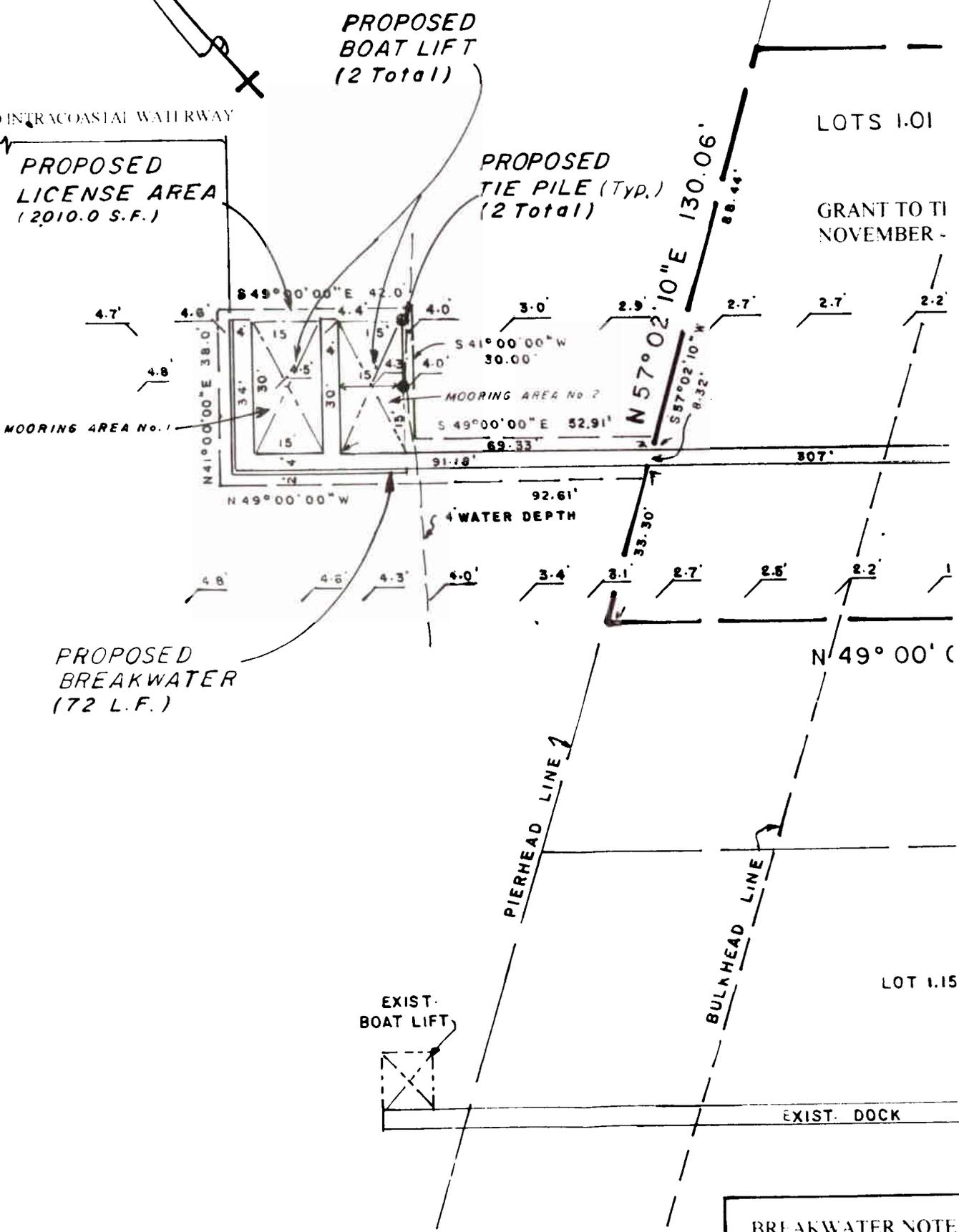
*[Signature]*  
**LEON J. TYSZKA**  
 P.L.S. # 35888

JOB NO: 65-185	DATE: 05/03/07	SC: 2 1/2" = 1 mile
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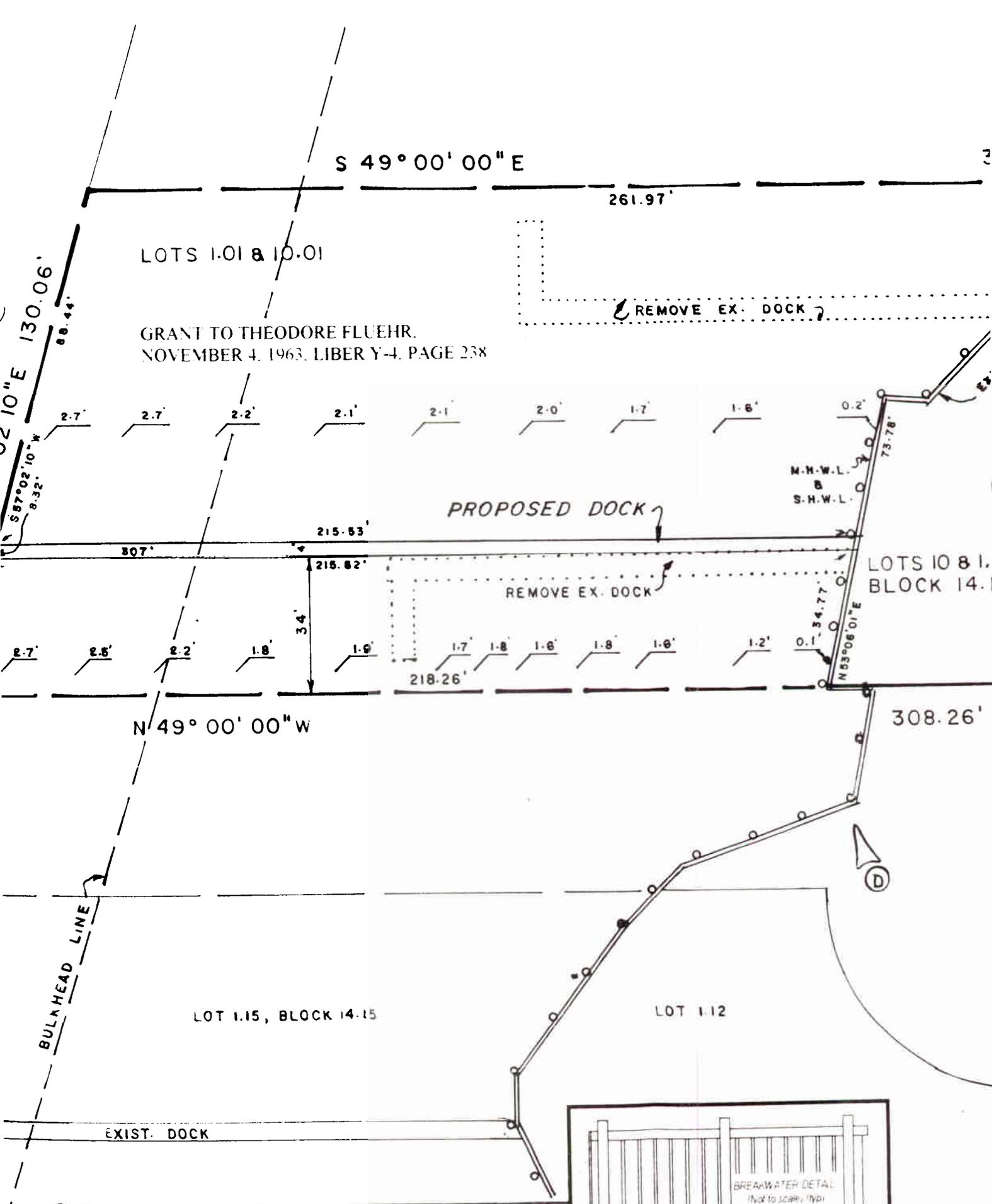


200' TO INTRACOASTAL WATERWAY

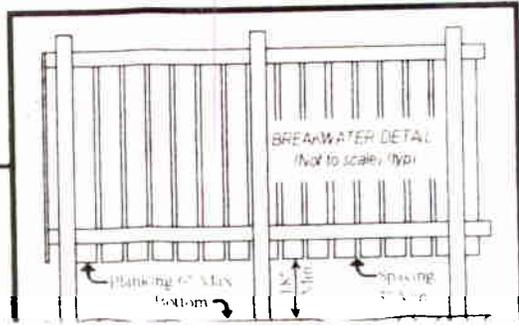
LITTLE EGG HARBOR BAY



**BREAKWATER NOTE**

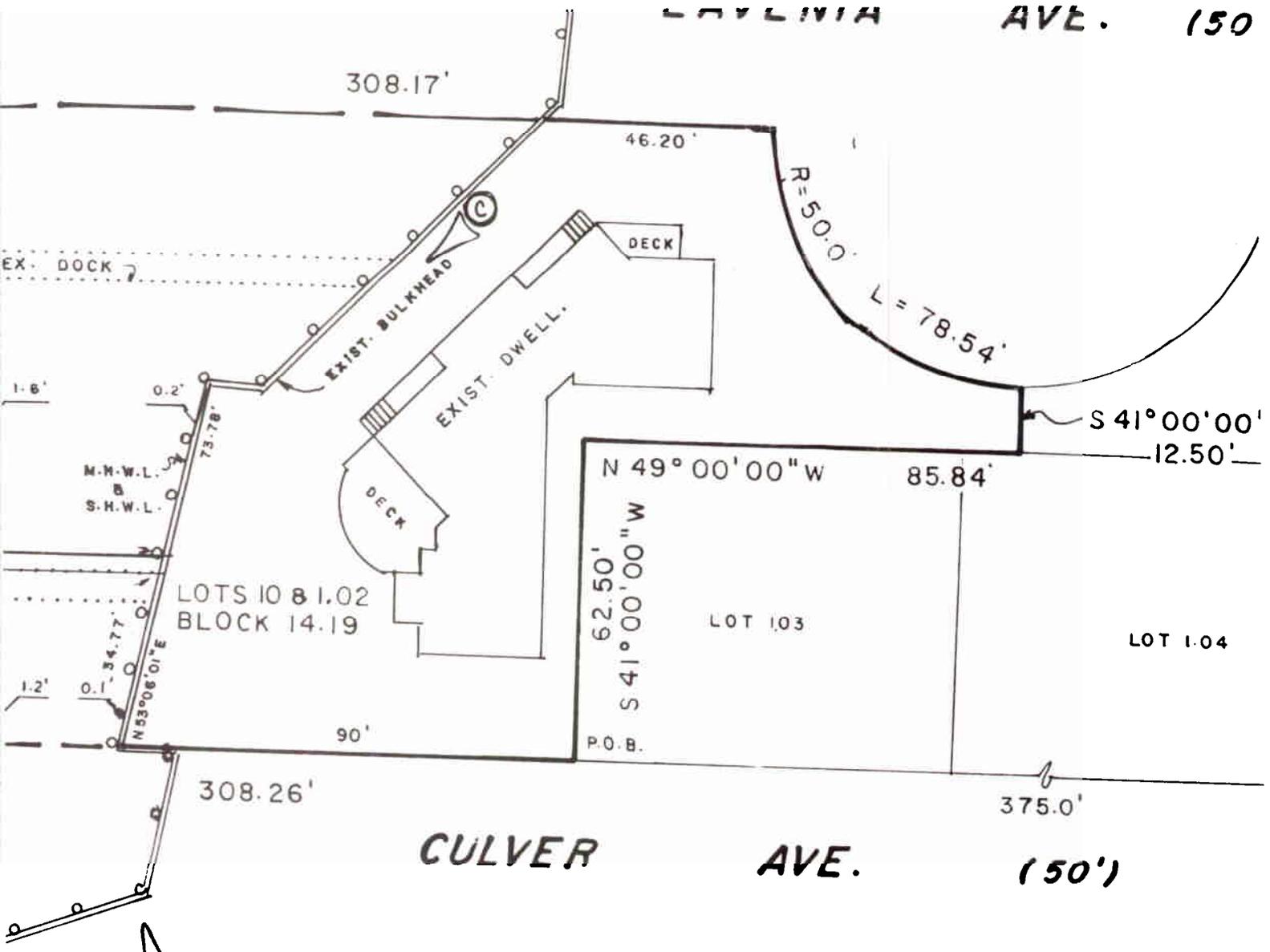


**BREAKWATER NOTE:** The (timber) breakwater shall be at least 18" above the bottom of the waterway and shall provide a minimum of 3 inch spacing between planks. The individual plank width shall not exceed 6 inches. All materials to be



LOVELL AVE.

150

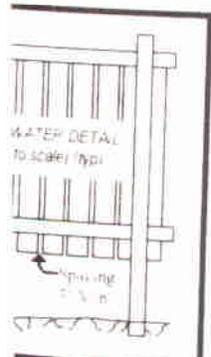


LOTS 10 & 1.02  
BLOCK 14.19

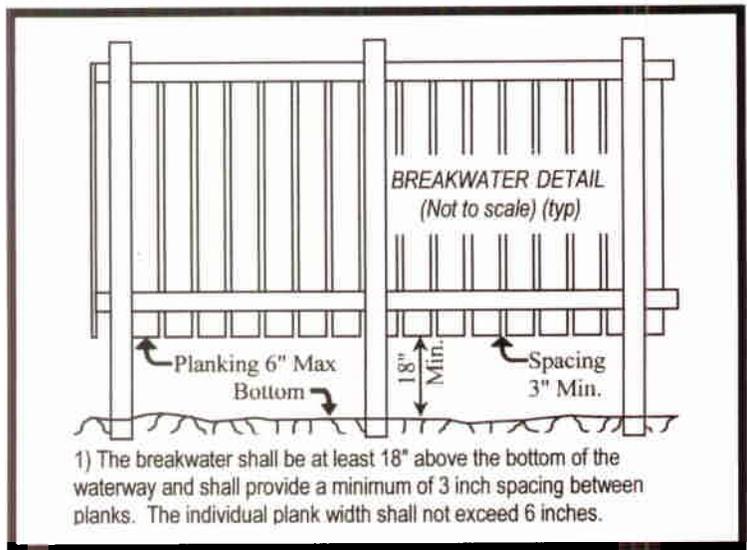
N 49° 00' 00" W 85.84'  
S 41° 00' 00" W 62.50'  
P.O.B.

LOT 1.04

CULVER AVE. (50')



PLAN N.J.
TAX MAP LOT(S) 1 LONG 1 OCEAN CO
<u>OB</u> 108 W 240 CENT NEW YOR
NEL LAND 382 W 9TH STREET (609) 494-34
 LEON P
JOB NO 65-185   D.



E 3

**TYPICAL CROSS SECTION MAP**

TAX MAP LOT(s) 1.02, 1.01, BLOCK 14.19  
10 & 10.01

LONG BEACH TOWNSHIP  
OCEAN COUNTY, NEW JERSEY

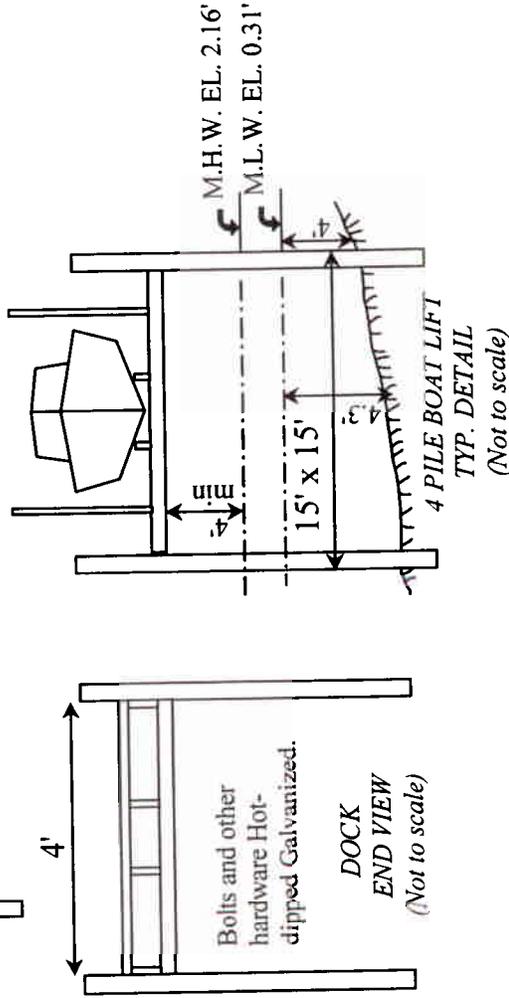
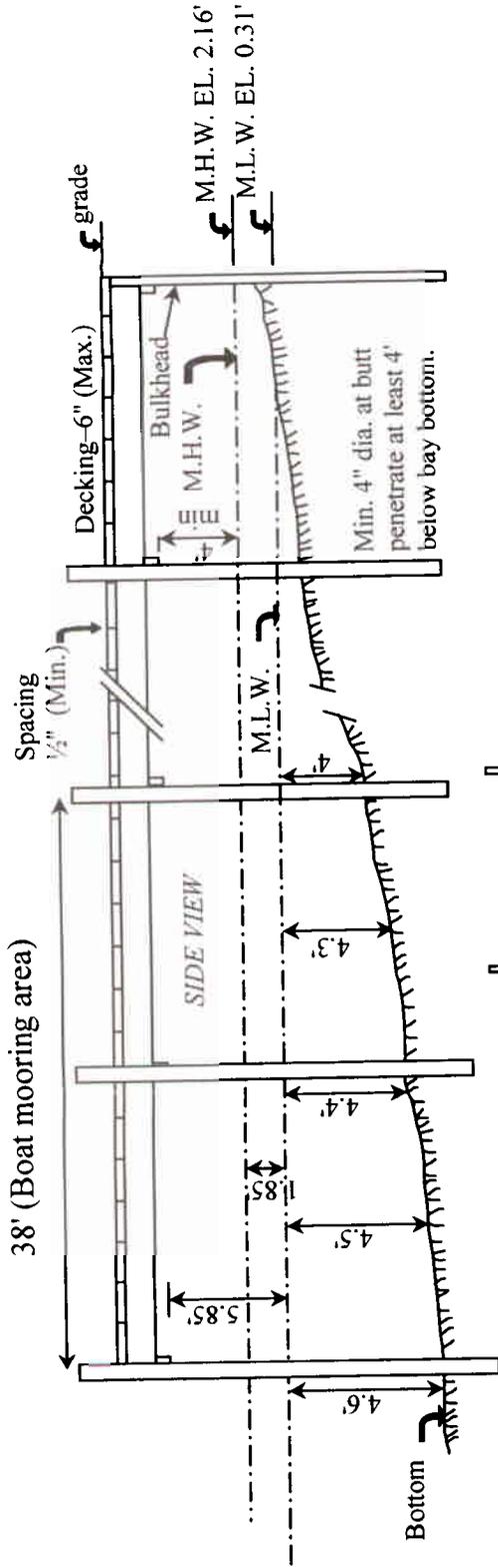
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*Leon J. Tyszka*  
LEON J. TYSZKA  
P.L.S. # 35888

JOB NO: 65-185	DATE: 05/03/07	SC: AS ABOVE
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**DOCK DETAIL (typ)**  
(Not to scale)



**NOTE:**  
All structures dock, piles, boatlift, subject to the Department of Army authorization, must be constructed with non-polluting materials such as plastic, untreated wood, concrete, or other inert products.

**NOTE:** 8' Max between support pilings.

E 4

**TYPICAL CROSS SECTION MAP**

TAX MAP LOT(s) 1.02, 1.01 BLOCK 14.19  
10, 10.01

Long Beach Township  
OCEAN COUNTY, NEW JERSEY

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*Leon J. Tyszka*  
**LEON J. TYSZKA**  
P.L.S. # 55888

JOB NO: 65-085 DATE: 12/14/07 SC: AS ABOVE