



**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-2007-0970 (57)	Date DEC 04 2007
Application No. CENAP-OP-R-2007-0970 (57)	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: Gilford Park Yacht Club
700 Riverside Drive
Toms River, New Jersey 08753

AGENT: Kyle Weise
Trident Environmental Consultants
1856 Route 9
Toms River, New Jersey 08755

WATERWAY: Toms River

LOCATION: On, and in waters of the Toms River adjacent to, Lot 2, Block 855, Toms River Township, Ocean County, New Jersey. Street Address: 700 Riverside Drive, Toms River, New Jersey. (See drawings E-1 through E-3)

ACTIVITY: To replenish and stabilize an existing eroded beach by placing approximately 2, 244 cubic yards (CY) of clean sand obtained from an upland source into an area starting at the High Tide Line (HTL) and extending waterward below the Mean High Water (MHW) line of the Toms River. The sand will be placed in an area approximately 400 by 65 feet (0.561 acre) located between an existing bulkhead to the north and a bulkhead-breakwater to the south. The sand will be delivered by truck and distributed by bulldozer over the project area. During sand placement, a floating curtain will be placed waterward of the work area to limit turbidity and sediment discharge into the Toms River. All work will be done in accordance with the attached drawings E-4 through E-8.

PURPOSE: To restore eroded portions of an existing recreational beach and to stabilize the shoreline in order to minimize future erosion.

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. As such, this office has determined that the proposed work will have no effect upon structures or sites within the permit area that are listed on, or are 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 20 finds that the proposed work may have a potential to adversely impact habitat utilized by eggs of the winter flounder (*Pseudopleuronectes americanus*) during the placement of the fill. In order to minimize this potential adverse impact, this office is recommending that no in water work be permitted during the period from January 1 through May 31, inclusive, of any year.

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.

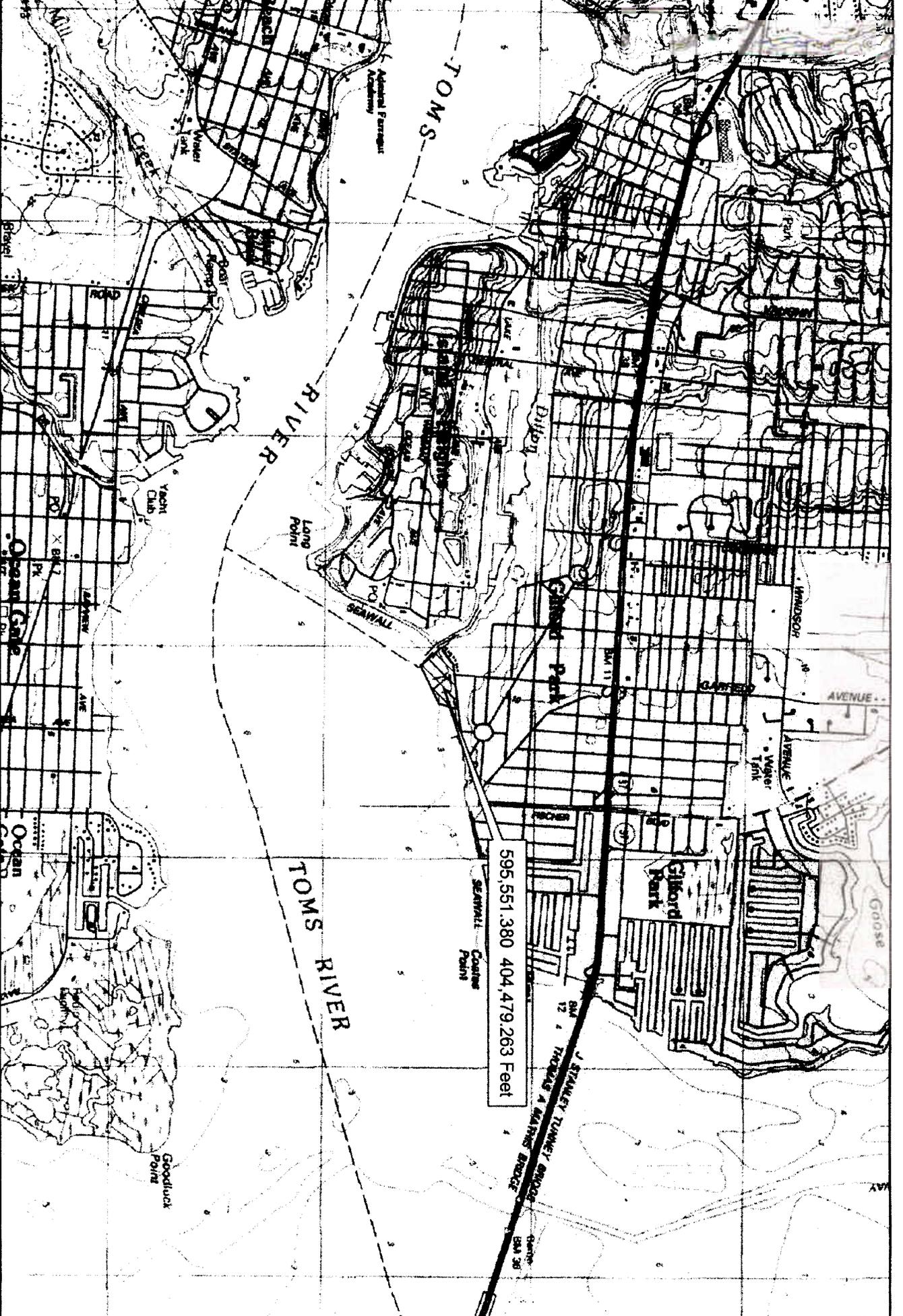
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

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 Kevin W. Dougherty at (215) 656-5733 or writing this office at the above address.


Frank J. Cianfrani
Chief, Regulatory Branch



Trident Environmental Consultants

Main Office:
1266 Route 9
Toms River, NJ 08726
732.818.8600
FAX 732.818.3741

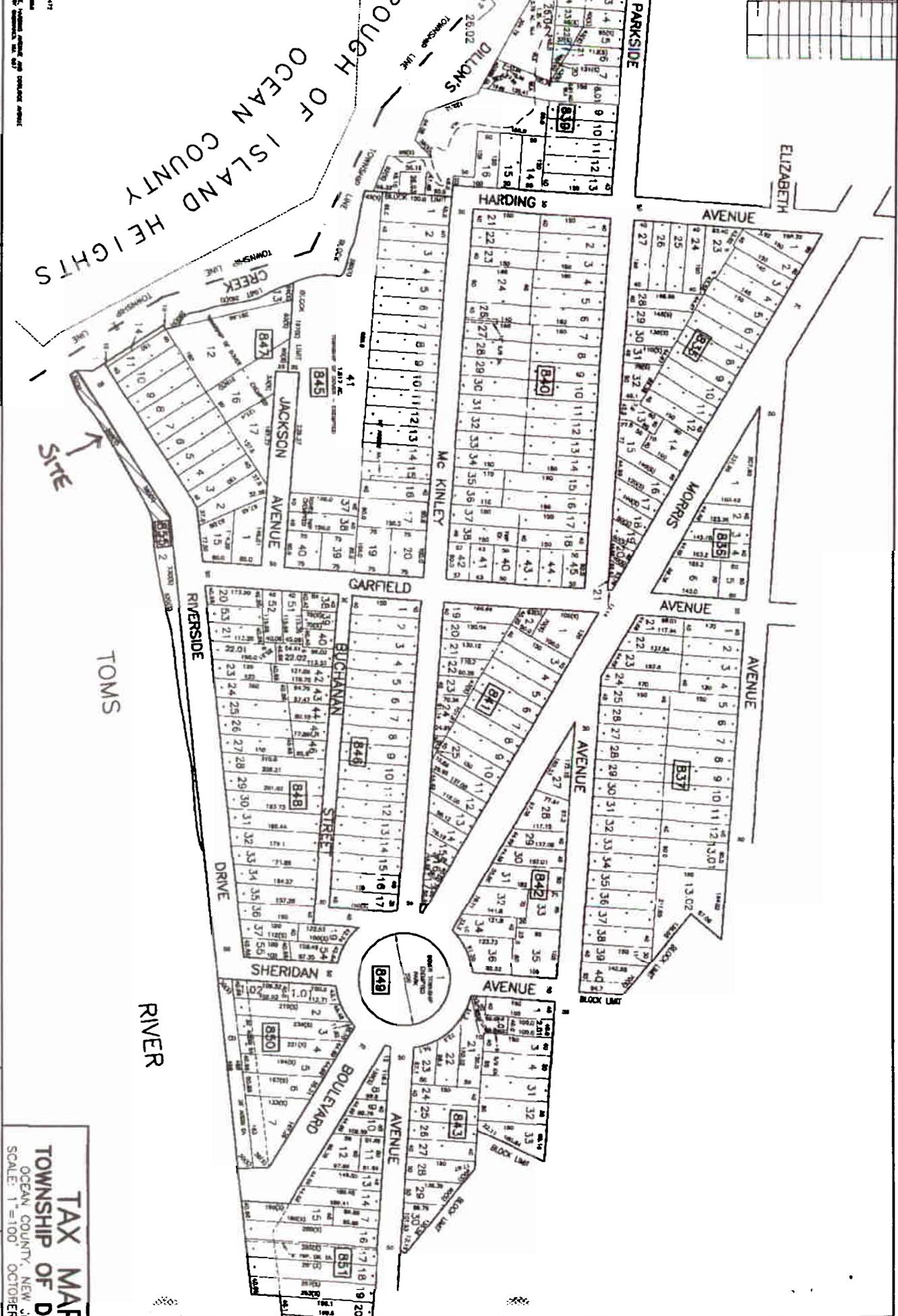
South Office:
134 S. New York Road
Chilmark, NJ 08215
609.652.2402
FAX 609.652.2449

Toms River U.S.G.S. Quadrangle

Block 855 * Lot 2
Toms River Twp., Ocean Co., NJ

E-1

Job No.: T1377.001	
Scale: 1" = 2000'	
Date: 7/18/07	No. ___ of ___
Drawn By: KW	



Tax Map

Block 855 * Lot 2

Toms River Twp., Ocean Co., NJ

E-2

TAX MAP
TOWNSHIP OF D
 OCEAN COUNTY, NEW J
 SCALE: 1" = 100'
 OCTOBER

Job No.: T1377.001

Scale: NTS

Date: 7/18/07

Drawn By: KW



No. ___ of ___

Trident Environmental Consultants
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Head Office:
 1845 Route 9
 Toms River, NJ 08725
 732-815-8699
 Fax 732-815-3744



2007-0970 GILFORD PARK YC

39.943291 N

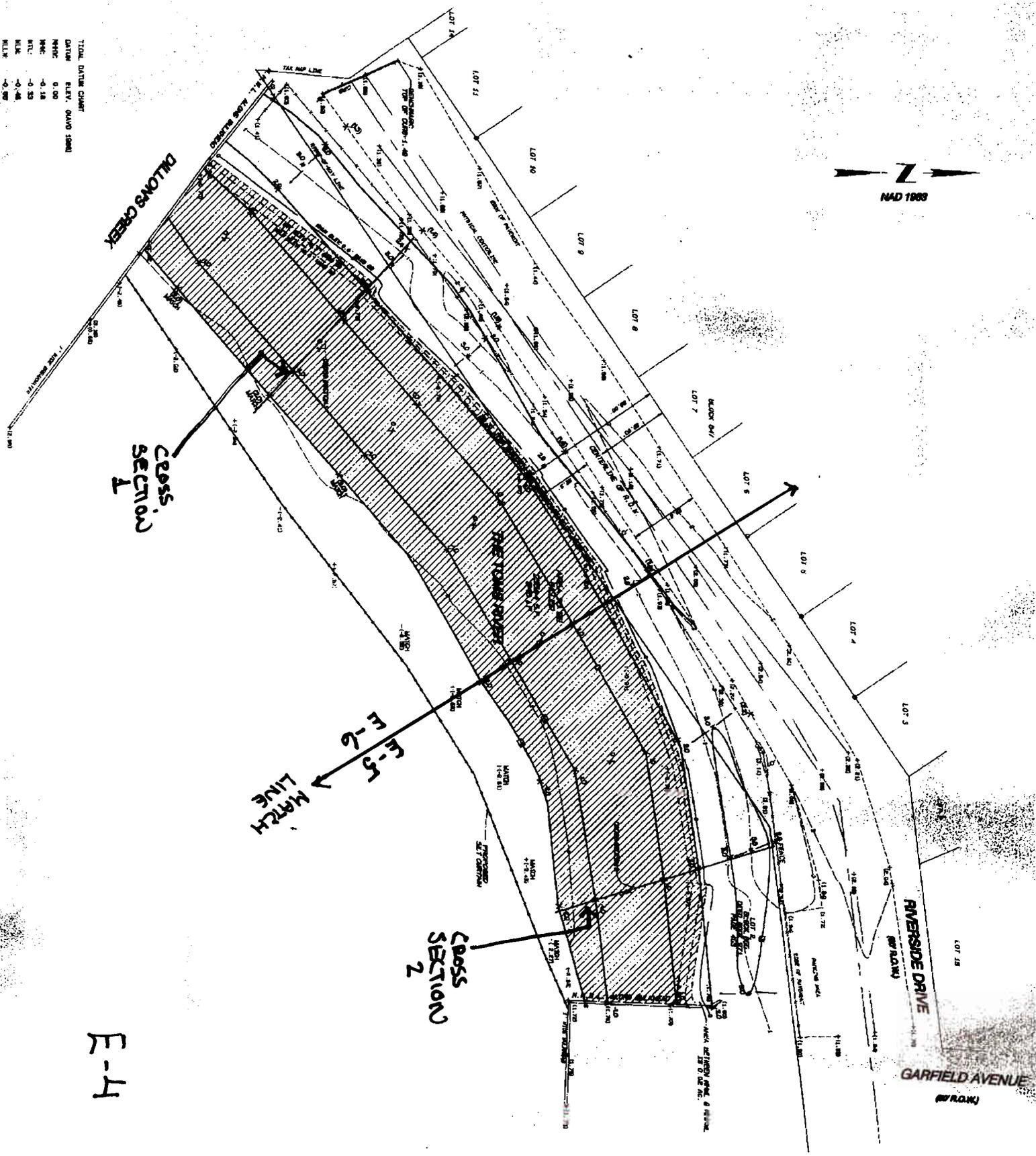
-74.131966 W SE CORNER COORDINATE

0.54 ACRE

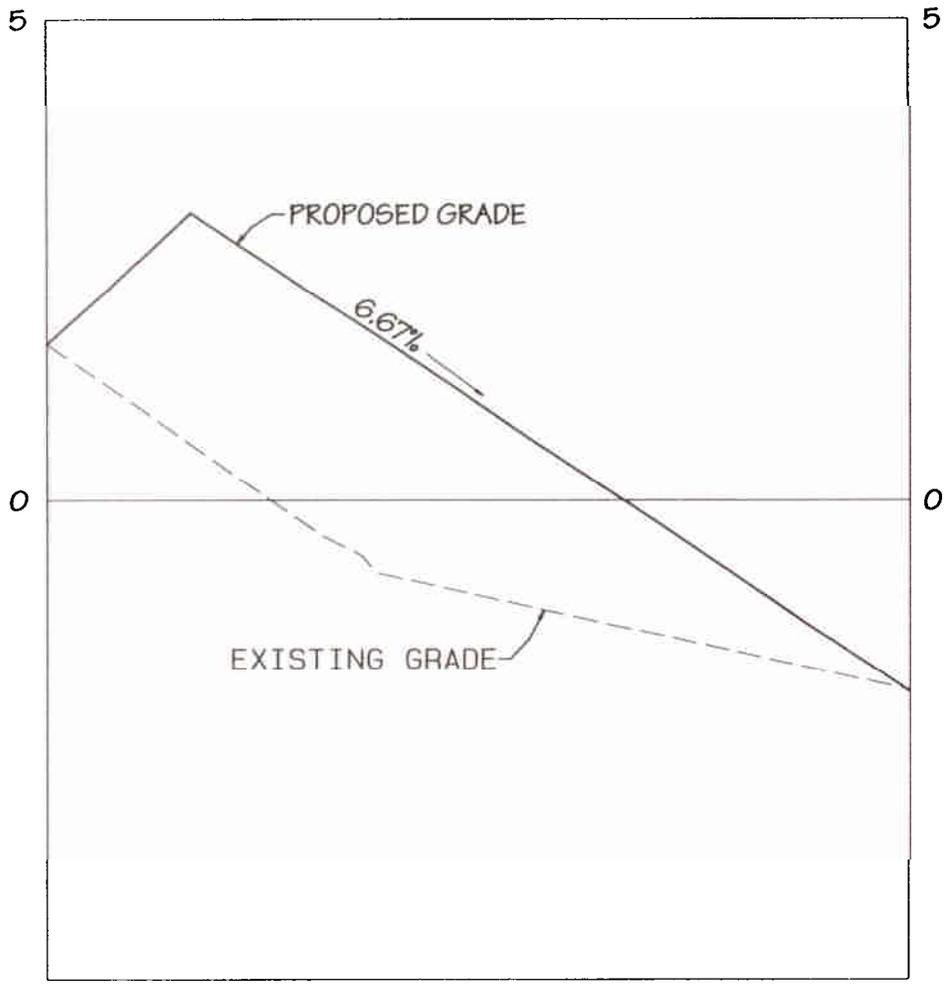
E-3

TOTAL DATUM CHART

DATE	ELEV	DAVID	1981
POINT	9.00		
MARK	-0.18		
STL	-0.33		
WLM	-0.48		
WLM	-0.63		



E-4



CROSS SECTION 1

SCALE: 1"=20' H
1"=2' V

E-7

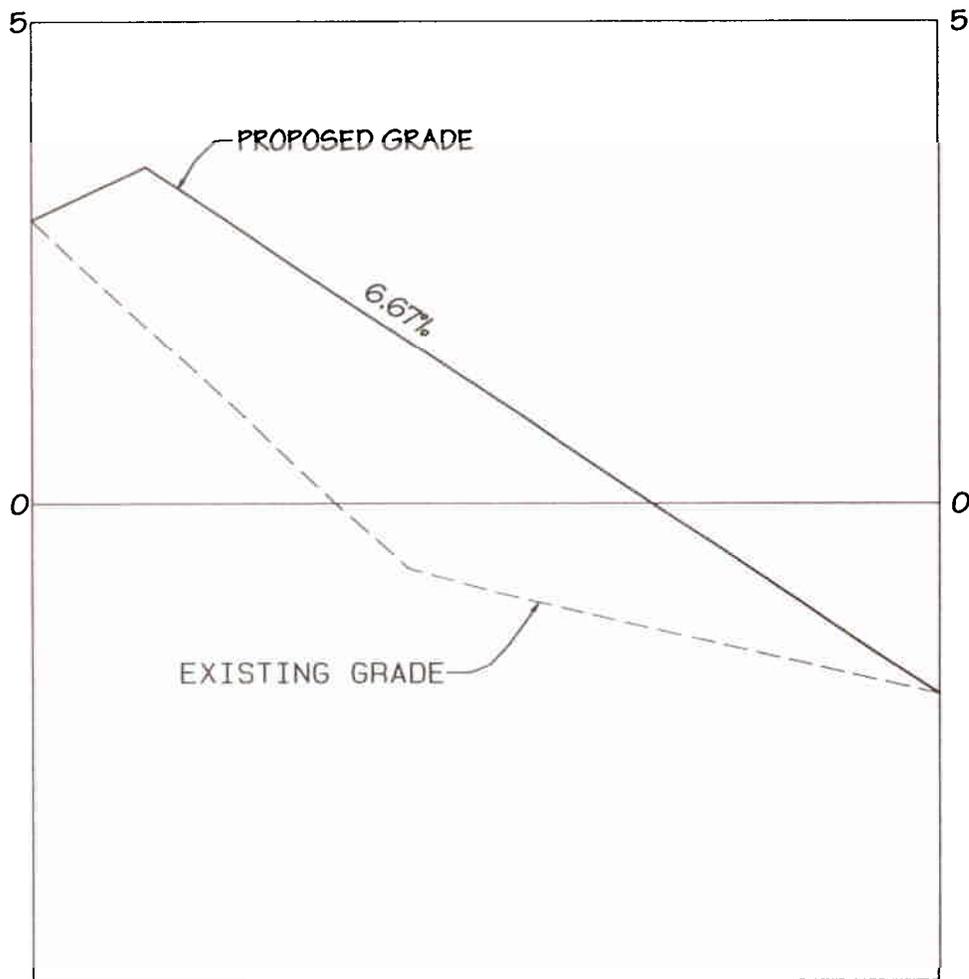


FWH
ASSOCIATES, P.A.

CIVIL ENGINEERS
LAND SURVEYORS
SITE PLANNERS
LANDSCAPE ARCHITECTS

1856 ROUTE 9
TOMS RIVER, NEW JERSEY 08755

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CROSS SECTION 2

SCALE: 1"=20' H
1"=2' V

E-8



CIVIL ENGINEERS
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