



**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-2007-1091-39

Date

JAN 14 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) 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: Lighthouse Pointe Condominiums

AGENT: Mr. Bruce W. Pringle
S.T. Hudson Engineering, Incorporated
840 Cooper Street
P.O. Box 9108
Camden, New Jersey 08101

WATERWAY: Grassey Sound Channel

LOCATION: Adjacent to Shawcrest Road, in the City of Wildwood, Cape May County, New Jersey.

ACTIVITY: The applicant proposes to perform hydraulic dredging at the project site. It is unknown when the area was last dredged and there is no record of a Department of the Army permit being issued for dredging at the project site. A total of approximately thirty nine thousand (39,000) cubic yards of material, composed primarily of sand and fines, would be removed from approximately 65000 (Sixty five thousand) square feet of the waterway. The area would be dredged to a depth of six (6) feet below mean low water, with a maximum of two (2) foot over-dredge. The material would be pumped through a pipeline; that would be floated on the surface of the waterway except where it crosses Grassy Sound Channel. The dredged material would be disposed at the Shaw Island Disposal Site. Work would be required at the disposal site to allow for the containment of the dredged material. The proposed work at the disposal site will be discussed with Public Notice Number CENAP-OP-R-2007-1271. Dredging equipment would be located no closer than two hundred (200) feet from the center of Grassy Sound Channel. Vessels secured at the site would be a maximum of forty (40) feet in length, with a maximum five (5) foot draft. The area has been designated Hard Clam – High Value Commercial on the map entitled “Plate – V Distribution of Shellfish Resources in Relation to the New Jersey Intracoastal Waterway Longport to Cape May”, prepared by the US Department

of the Interior, Fish and Wildlife Service, dated January 1963. No work is proposed on the structures present at the project site.

PURPOSE: The applicant's stated purpose is to allow for safe boating and marina operations.

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 72 has determined that the project will have an adverse effect on Winter

Flounder (Pseudopleuronectes americanus). Eggs and larvae from this species may be impacted by the hydraulic dredging equipment. To mitigate for the potential impacts, a seasonal restriction would be placed in any Department of the Army permit issued by this office that would prohibit dredging from 1 January through 31 May of any year. This office will coordinate with the National Marine Fisheries Service to ensure that impacts associated with the project will be minimal.

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.

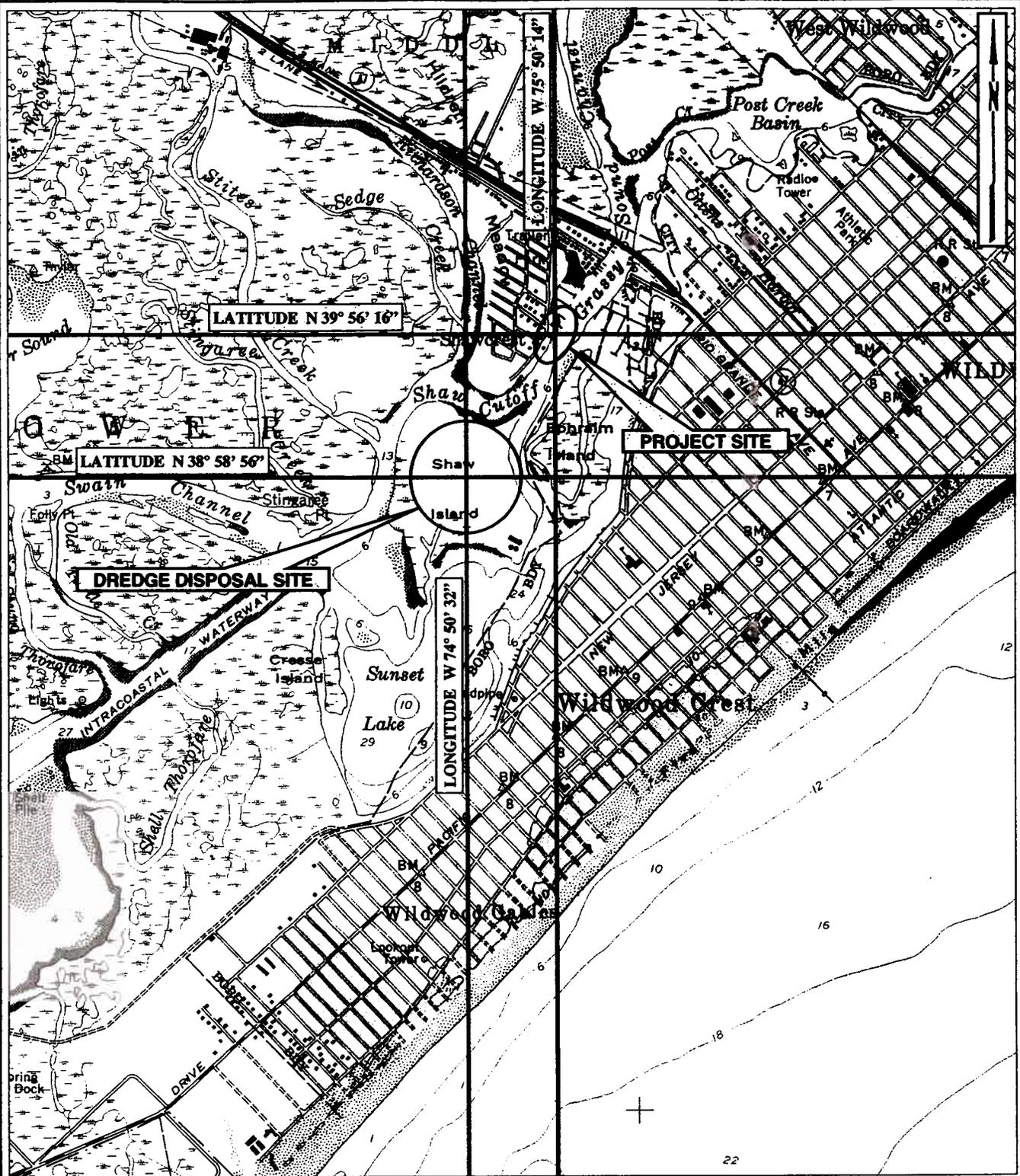
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

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 Lawrence M. Slavitter at 215-656-6734 or writing this office at the above address.


Frank J. Cianfrani
Chief, Regulatory Branch



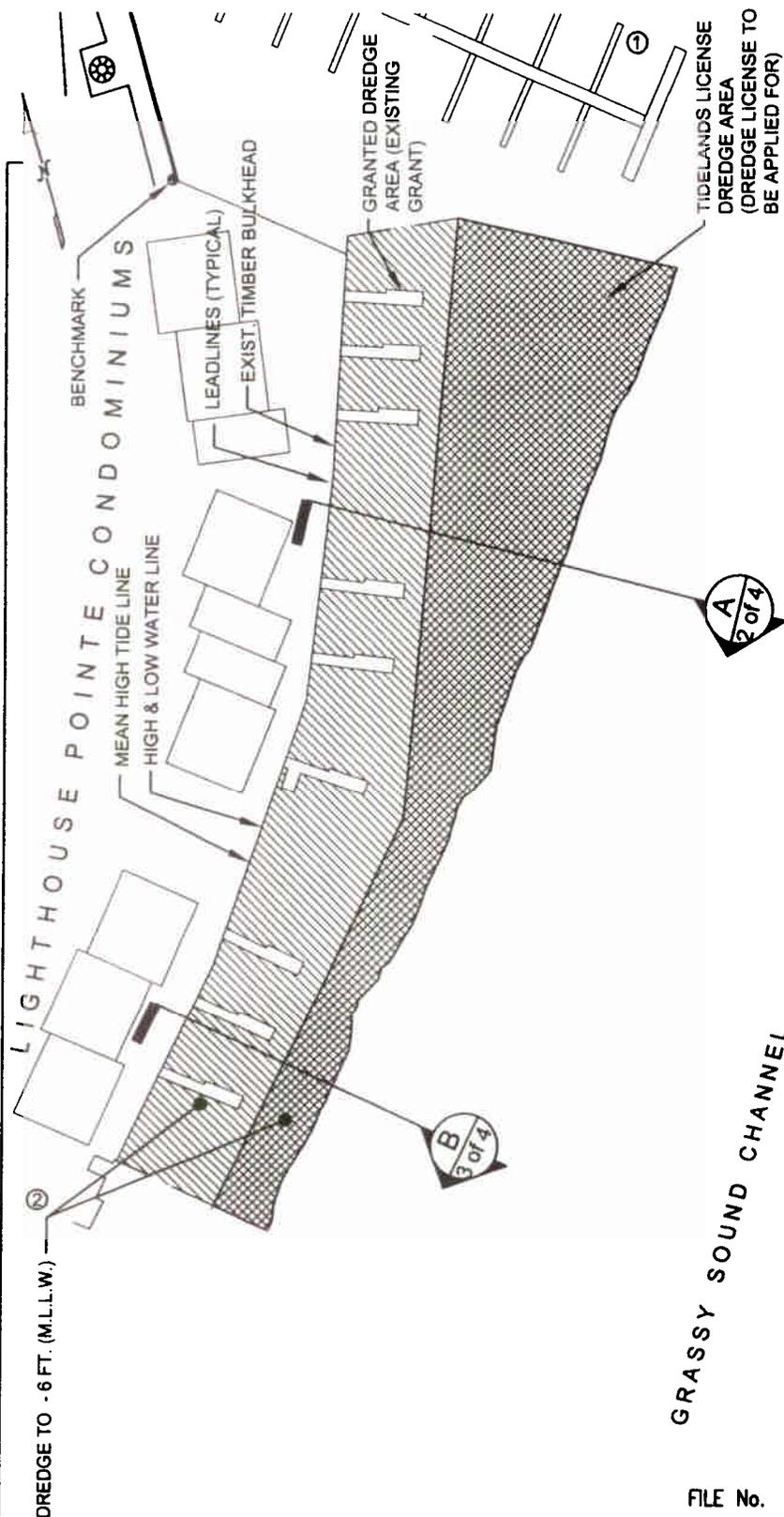
PROJECT SITE & DREDGE DISPOSAL LOCATION MAP

UNITED STATES GEOLOGIC SURVEY QUADRANGLE

WILDWOOD, NEW JERSEY

SCALE 1:24000 (1"=2000')





ADJACENT PROPERTY OWNERS

- ① Lighthouse Pointe Marina
- ② Paul Merrick

DREDGE QUANTITY

	GRANT AREA	7,327 CUBIC YARDS
	TIDELANDS LICENSE AREA	5,673 CUBIC YARDS
TOTAL		13,000 CUBIC YARDS

NOTES:

1. ALL SOUNDINGS TAKEN USING A DIFFERENTIAL GLOBAL POSITIONING SYSTEM (DGPS), HYPACK SOFTWARE AND AN INERSPACE TECHNOLOGY, INC. 448 CONTINUOUS RECORDING, SURVEY FATHOMETER.
2. DECIMAL POINT (.) DENOTES SOUNDING LOCATION.
3. THE LOCATION OF LEADLINE READINGS IS DENOTED WITH AN 'X'.
4. SOUNDINGS WERE TAKEN ON WEDNESDAY, APRIL 19, 2006.
5. SOUNDINGS ARE REFERENCED TO MEAN LOWER LOW WATER (M.L.L.W.) & ARE EXPRESSED IN FEET AND TENTHS OF A FOOT.
6. HORIZONTAL CONTROL IS BASED ON NEW JERSEY STATE PLANE COORDINATES, NAD83, AS ESTABLISHED IN THE FIELD AND SOLELY FOR THE USE OF THIS HYDROGRAPHIC SURVEY.
7. VERTICAL CONTROL WAS ESTABLISHED VIA LOCAL U.S.G.S. DISK, FOUND NEAR THE SITE. THE ELEVATION USED WAS 10.20' ABOVE M.L.L.W. AT THE TOP OF THE TIMBER BULKHEAD.
8. CONTOURS INTERPOLATED WITH TRIMBLE NAVIGATION LIMITED SOFTWARE, TERRAMODEL VERSION 10.11.

SITE PLAN

SCALE 1" = 100'

DATUM CHART

TOP OF TIMBER BULKHEAD @ P.K. NAIL	+10.20 (M.L.L.W.)	7.0'	10.2'
HIGH TIDE LINE	+4.77		
MEAN HIGH WATER	+4.27	3.2'	0.0'
NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88)	+3.2		
MEAN LOWER LOW WATER	0.0		

GRASSY SOUND CHANNEL

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION THIS DRAWING IS FOR PERMITTING PURPOSES ONLY

S.T. HUDSON ENGINEERS, INC.
PROFESSIONAL ENGINEERS & CONSULTANTS



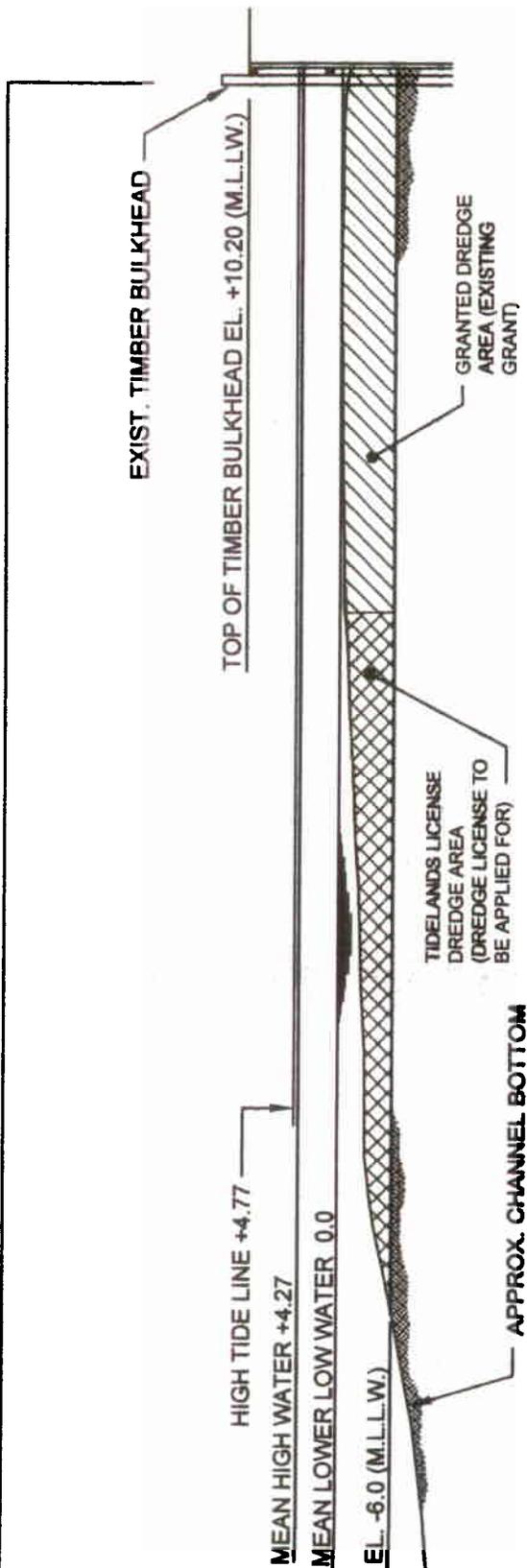
Fax No. 856-342-8323

840 Cooper Street
P.O. Box 9106
Camden, N.J. 08101
856-342-6600

FILE No. L-2038
CONTRACT No. H-6194-01
DATE 9-2007
SHEET No. 1 of 4

REV.-1 12-03-2007

PROPOSED: MAINTENANCE DREDGING
AT: SHAWCREST ROAD, WILDWOOD, NEW JERSEY
COUNTY OF: CAPE MAY
APPLICATION BY: LIGHTHOUSE POINTE CONDOMINIUMS



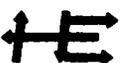
A
2 of 4

DREDGING SECTION

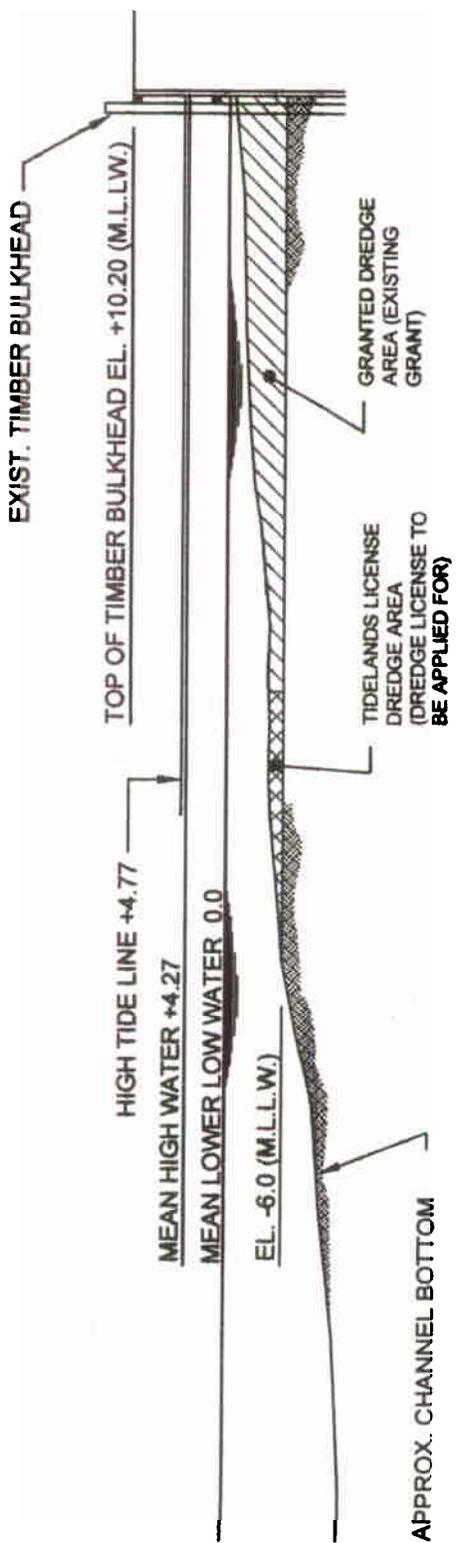
SCALE 1" = 20'

FILE No. L-2038
 CONTRACT No. H-6194-01
 DATE 9-2007
 SHEET No. 2 of 4

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION THIS DRAWING IS FOR PERMITTING PURPOSES ONLY

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 PROFESSIONAL ENGINEERS & CONSULTANTS

 540 Cooper Street
 P.O. Box 9108
 Camden, N.J. 08101
 Fax No. 856-342-8323 856-342-8800

PROPOSED: MAINTENANCE DREDGING	
AT:	SHAWCREST ROAD, WILDWOOD, NEW JERSEY
COUNTY OF: CAPE MAY	
APPLICATION BY: LIGHTHOUSE POINTE CONDOMINIUMS	



B
3 of 4

DREDGING SECTION

SCALE 1" = 20'

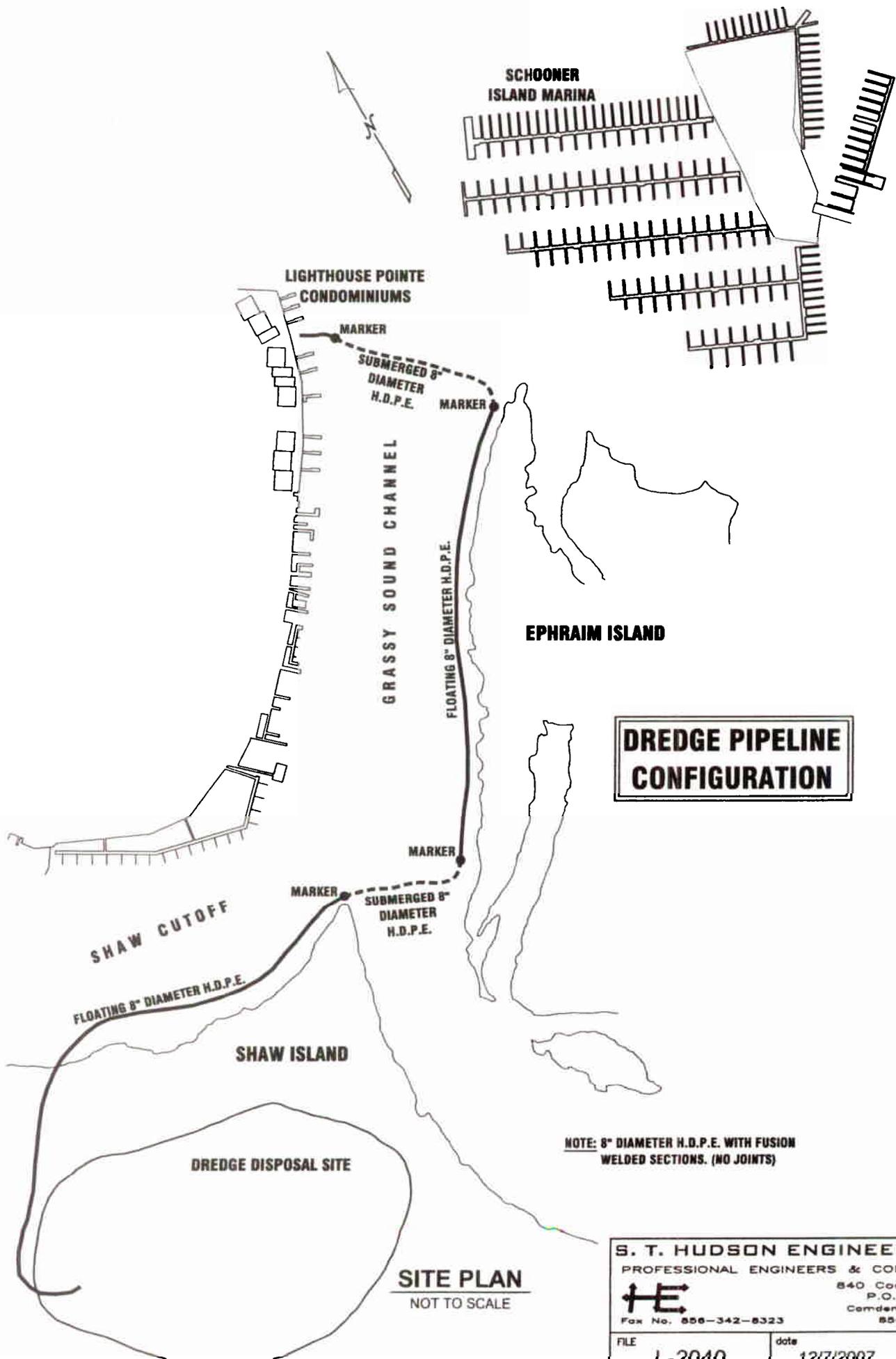
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S.T. HUDSON ENGINEERS, INC.
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 840 Cooper Street
 P.O. Box 9106
 Camden, N.J. 08101
 Fax No. 856-342-8323 856-342-8600

FILE No. L-2038
 CONTRACT No. H-6194-01
 DATE 9-2007
 SHEET No. 3 of 4

PROPOSED: MAINTENANCE DREDGING	
AT:	SHAWCREST ROAD, WILDWOOD, NEW JERSEY
COUNTY OF: CAPE MAY	
APPLICATION BY: LIGHTHOUSE POINTE CONDOMINIUMS	



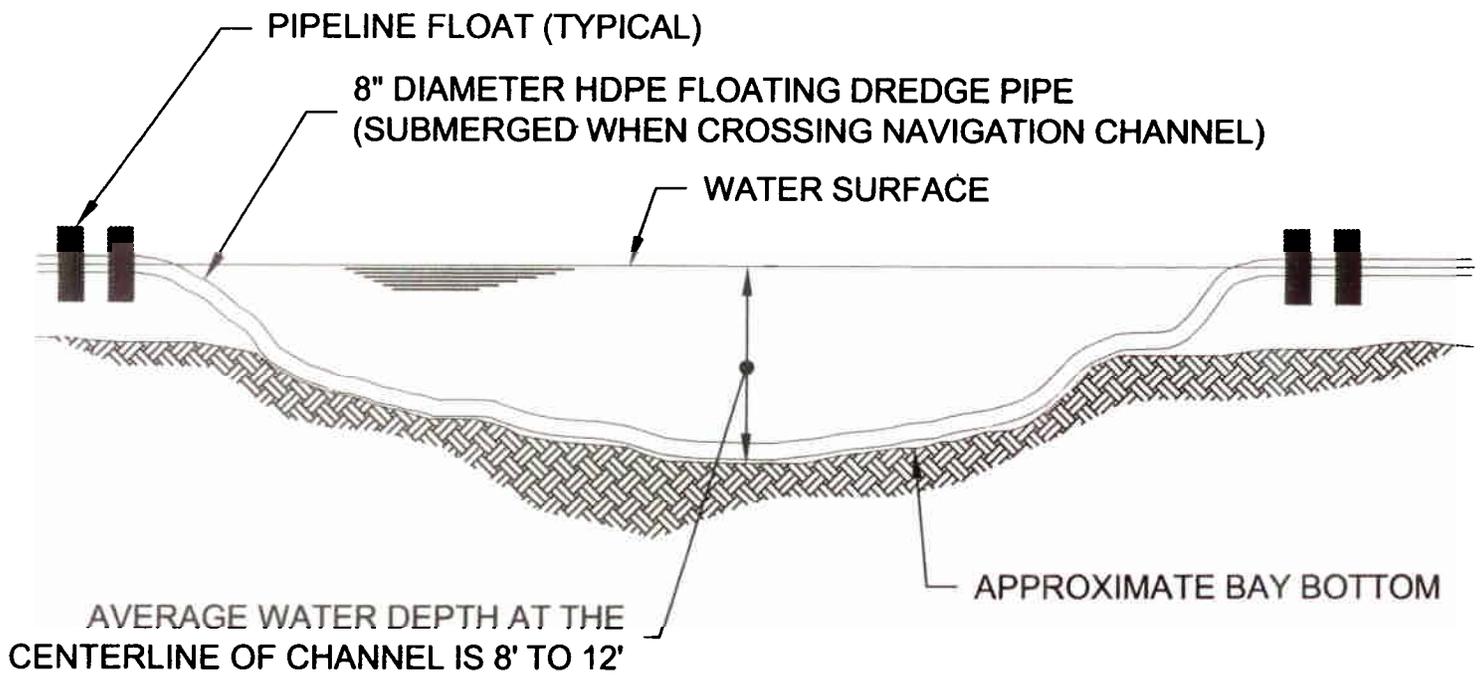
DREDGE PIPELINE CONFIGURATION

SITE PLAN
NOT TO SCALE

NOTE: 8" DIAMETER H.D.P.E. WITH FUSION WELDED SECTIONS. (NO JOINTS)

S. T. HUDSON ENGINEERS, INC.
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840 Cooper Street
P.O. Box 9106
Camden, N.J. 08101
Fax No. 856-342-8323 856-342-8800

FILE	date	contract
L-2040	12/7/2007	H-6194-01



TYPICAL CROSS-SECTION

NOT TO SCALE

S. T. HUDSON ENGINEERS, INC.		
PROFESSIONAL ENGINEERS & CONSULTANTS		
		
840 Cooper Street P.O. Box 9106 Camden, N.J. 08101 856-342-8600		
FILE	date	contract
L-2040	12/13/2007	H-6194-01