



**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-2007-868-39

Date

DEC 19 2007

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: Avalon Anchorage Marina, LLC

AGENT: Mr. Peter L. Lomax
The Lomax Consulting Group
P.O. Box 9
1435 Route 9 North
Cape May Court House, New Jersey 08210

WATERWAY: Gravens Thorofare and Pennsylvania Harbor

LOCATION: Block 19.09, Lots 1, 3, 5, 7, 8.01, 9, 10.01, 10.02, 11, 12.01, 12.02, 13-24, 26, 28, 30, 32, and 34, in the Borough of Avalon, Cape May County, New Jersey

ACTIVITY: The applicant proposes to replace existing bulkheads, legalize existing mooring structures, and performed maintenance work at the property. Along the northern and western portions of the site, approximately three hundred sixty five (365) linear feet of bulkhead would be replaced. The work would be performed approximately twenty four (24) inches waterward of the existing structure. Approximately seven hundred thirty (730) square feet of open water habitat, waterward of the high tide line, would be filled between the existing and proposed bulkhead. Along the eastern side of the site, an additional one hundred fifteen (115) linear feet of bulkhead would be replaced, in place. Adjacent to the eastern bulkhead, approximately forty on (41) linear feet of an existing concrete wall, waterward of the proposed bulkhead, would be removed from the site. All proposed bulkheading would be made of vinyl coated materials secured using piles made from non-polluting materials.

An existing gazebo, currently located waterward of mean high water would be relocated landward of mean high water. An existing boat lift would be refitted to be a boat ramp. The base of the ramp would be re-enforced concrete with additional fill extending approximately twenty five (25) feet waterward of the high tide line. Retaining walls would be installed on both

sides of the proposed boat ramp. The walls would be constructed using concrete block and would not extend past the based of the proposed bulkhead. Approximately eighty seven (87) square feet of the waterway, waterward of the high tide line would be fill for the installation of the retaining walls.

The existing structures to be legalized, that were constructed using treated timbers are as follows:

East of the proposed boat ramp, parallel to the Pennsylvania Harbor, an approximately one hundred eighty five (185) feet long, six (6) feet wide linear floating dock, with six (6) twenty (20) foot long, three (3) foot wide finger piers attached to the bulkhead by two (2) aluminum access ramps; one ramp twenty one (21) feet by four (4) feet and the other twenty four (24) feet by four (4) feet. Additionally, a fueling dock, twenty five (25) feet long, eight (8) feet wide is located at this structure.

West of the proposed boat ramp, parallel to Pennsylvania Harbor, approximately eighty five (85) feet long by six (6) foot wide, with three (3) twenty four (24) foot long, three (3) feet wide finger piers, eight (8) foot wide finger piers attached to the bulkhead by one (1) twenty four (24) feet long by four (4) feet wide aluminum access ramps.

Float dock west of the project site parallel to Graven's Thorofare, approximately one hundred sixty one (161) feet long, six (6) feet wide dock, with six (6) ten (10) foot long, three (3) foot wide finger piers and a twenty (20) foot long, five (5) foot wide finger piers.

Twenty two (22) piles installed to secure the docks in the waterways.

It should be noted that the structures as currently configured have been in place at the site since 1977 per New Jersey Tidelands Map-Areas Now or Formerly Below Mean High Water, Townsends Inlet West, Avalon, Sheet 098-1980

All work at the site would be performed using (land/water) based equipment. Thirty (30) boat slips are present at the site, with the size of vessels being a maximum of twenty six (26) feet long, with a maximum draft of two and one half (2.5) feet. The waterward most structure would be located approximately fifty two (52) feet from the centerline of Gravens Thorofare and approximately forty two (42) feet from the centerline of Pennsylvania Harbor. No dredging is proposed at the project site.

PURPOSE: The applicant's stated purpose is to alleviate the existing bulkhead failure, legalize existing structures and allow for launching of vessels.

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 63 indicates that the proposed activity would have no effect on EFH, or the species of concern. Minimal impacts within the aquatic environment will occur as a result of the project. As such, no further action, with regard to the Magnuson-Stevens Fishery Conservation and Management Act is required by this office.

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.

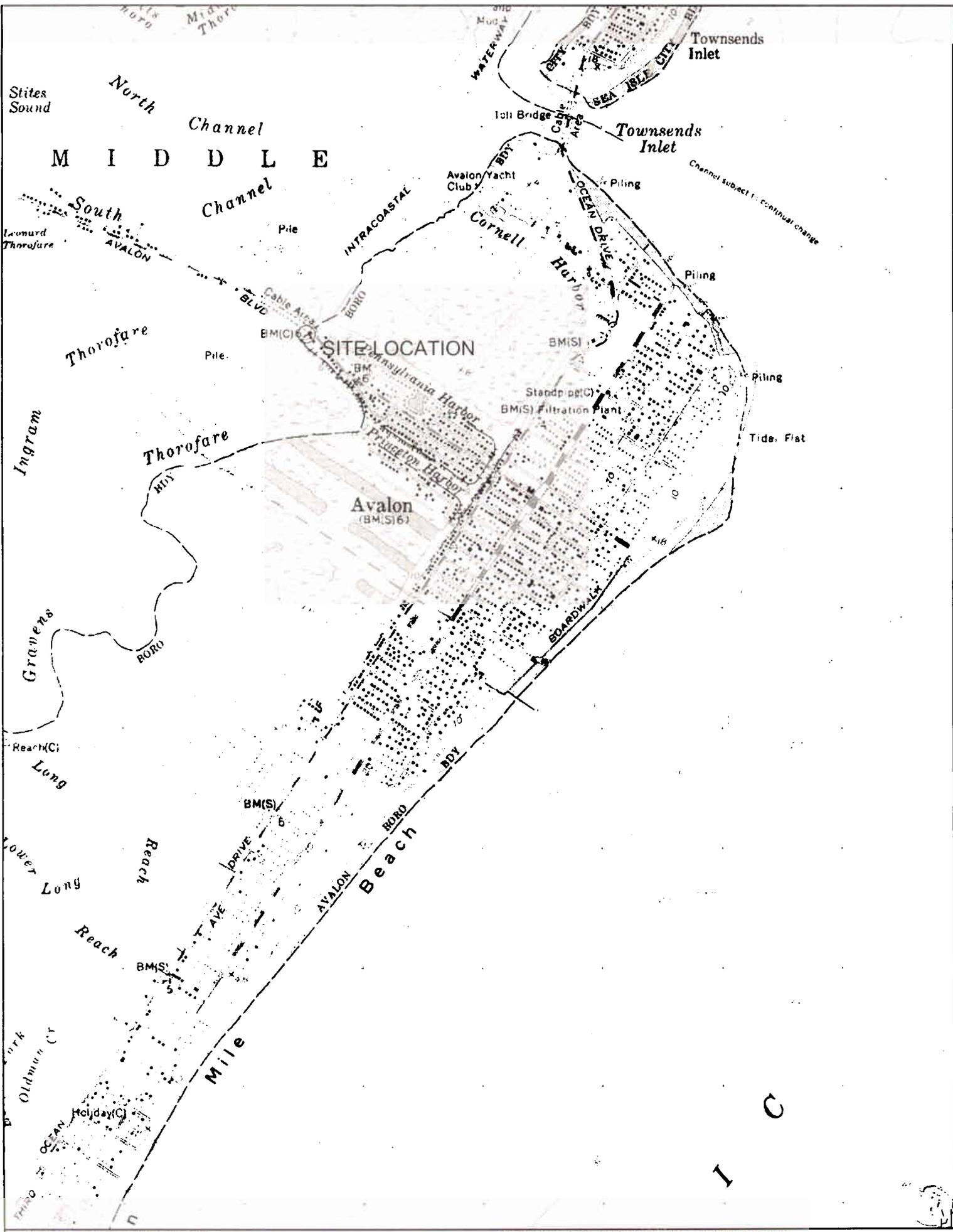
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

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.



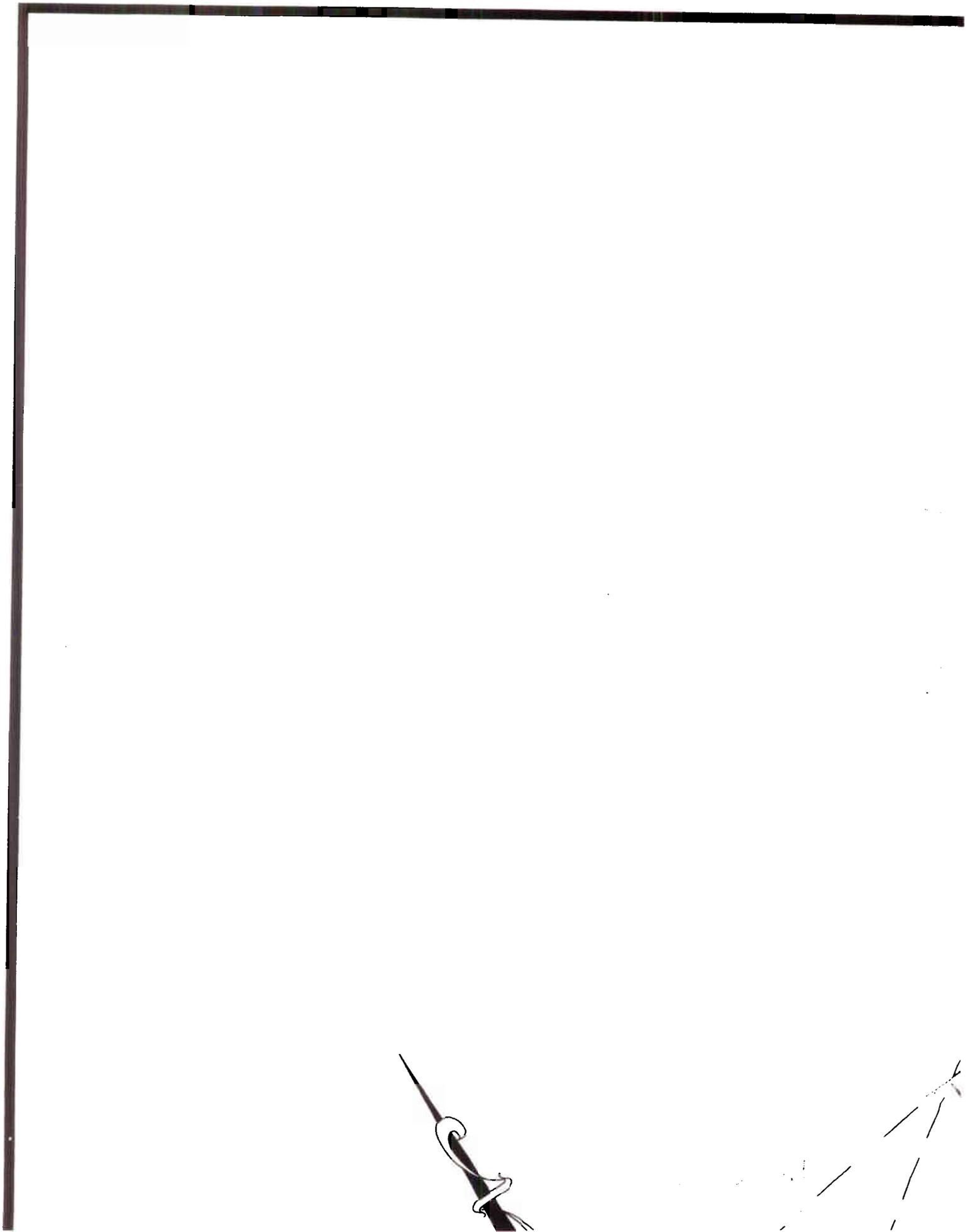
Frank J. Cianfrani
Chief, Regulatory Branch



<Default> - 1 Markers, Length = 0 feet

SITE LOCATION - 039° 06' 32.1" N, 074° 43' 54.3" W

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PROPOSED RELOCATED
GAZEBO

PROPOSED CANTILEVER
TYPE BULKHEAD

(HTL) HIGH TIDE LINE ELEVATION (3.5 +/-)
(MHW) MEAN HIGH WATER ELEVATION (2.8 +/-)
(MTL) MEAN TIDE LEVEL ELEVATION (0.8 +/-)
(MLW) MEAN LOW WATER ELEVATION (-1.1 +/-)

TIDELANDS LICENSE
AREA LIMIT OF GRANT 97-0223-T

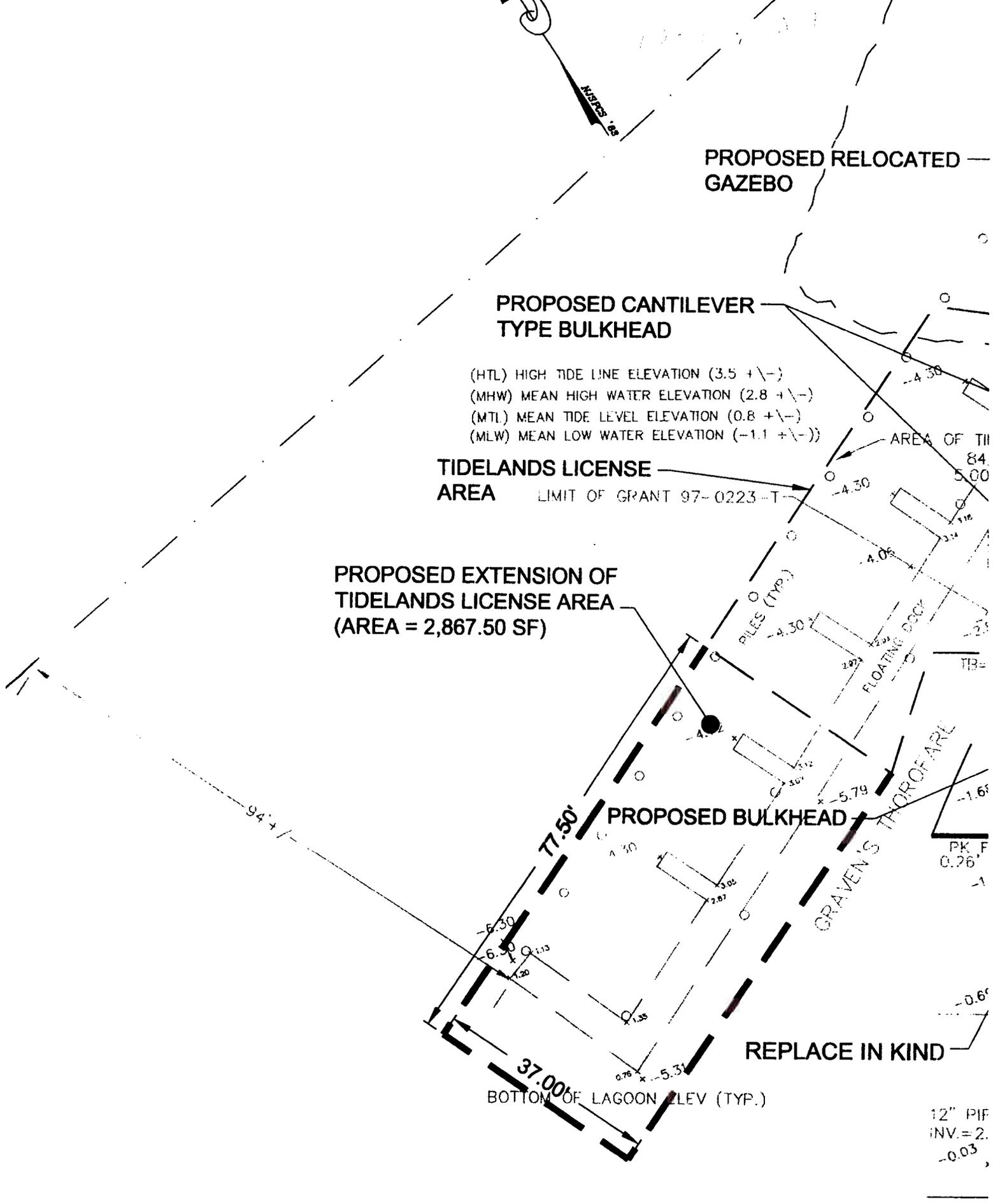
PROPOSED EXTENSION OF
TIDELANDS LICENSE AREA
(AREA = 2,867.50 SF)

PROPOSED BULKHEAD

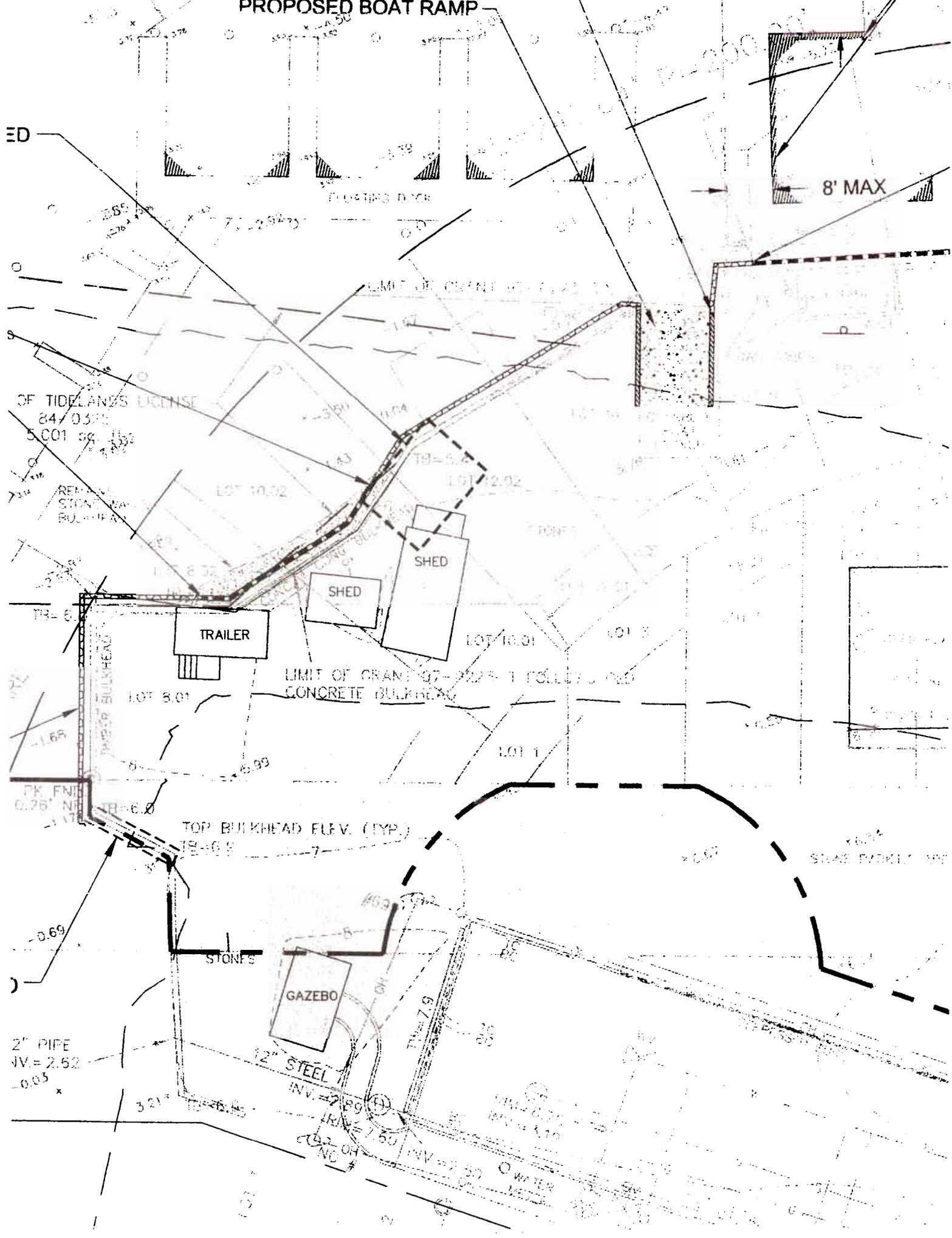
REPLACE IN KIND

BOTTOM OF LAGOON ELEV (TYP.)

12" PIF
INV. = 2.
-0.03



PROPOSED BOAT RAMP



ED

FLOATING DOCK

8' MAX

LIMIT OF GRANT

OF TIDELANDS LICENSE
847.0315
5.001 sq. ft.

LOT 10.02

LOT 2.02

SHED

SHED

TRAILER

LOT 10.01

LOT 3

LIMIT OF GRANT 07-9225-1 FOLLOWS AND
CONCRETE BULKHEAD

LOT 1

TOP BULKHEAD ELEV. (TYP.)
TR=6.9

STONES

GAZEBO

12" STEEL

INV. = 7.50

INV. = 8.10

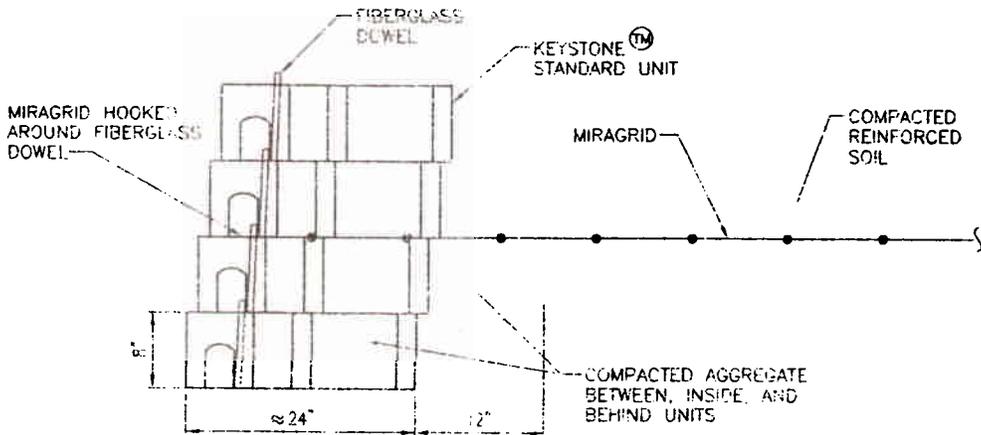
INV. = 7.50

WATER METER

2" PIPE
V.V. = 2.52
-0.03

3.21'

NO #



EXISTING FLOATING

HTL ELEV. = 3

MHWL ELEV. = 2

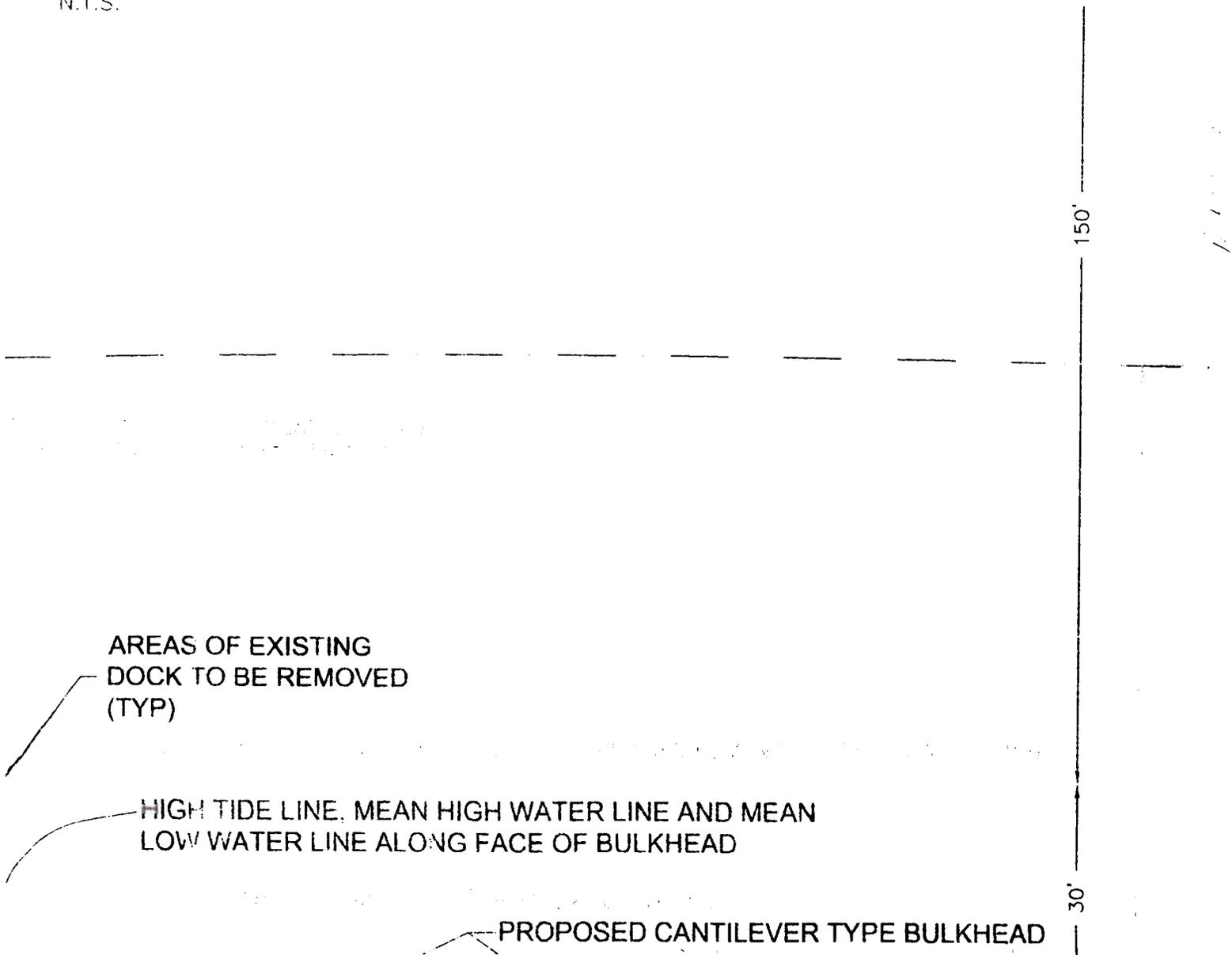
MTL ELEV. = 0

MLWL ELEV. = -1

BOTTOM OF BAY = -7.

BLOCK RETAINING WALL SYSTEM DETAIL

N.T.S.



AREAS OF EXISTING DOCK TO BE REMOVED (TYP)

HIGH TIDE LINE, MEAN HIGH WATER LINE AND MEAN LOW WATER LINE ALONG FACE OF BULKHEAD

PROPOSED CANTILEVER TYPE BULKHEAD

A

1st FLOOR COVERED DECK

2nd FLOOR DECK

STEP

2 STORY FRAME BUILDING
F.F.=8.17

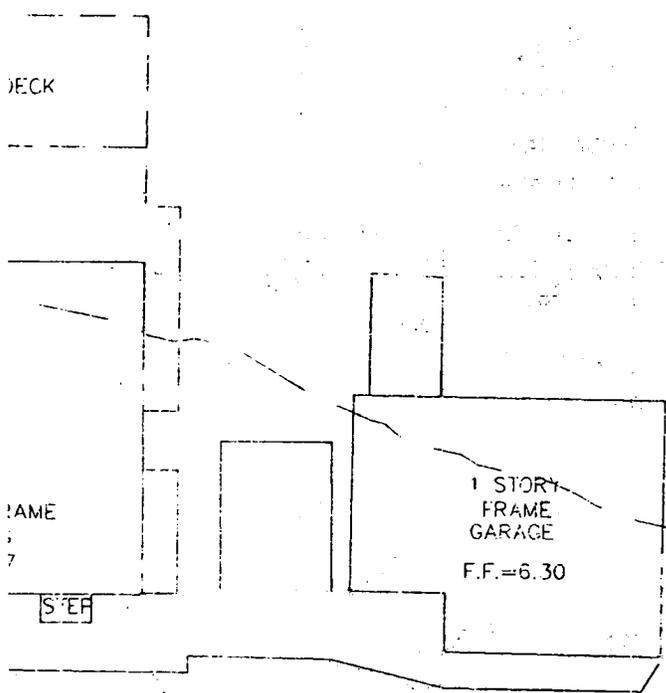
STEP

STEP

1 STORY FRAME GARAGE
F.F.=6.30



21st STREET (60' WIDE)



BLOCK 19.11
LOT 1

LACONN

20'

TIMBER BULKHEAD

PROPOS

1 STORY
FRAME
GARAGE
F.F.=6.30

P.O.B.
810.00' NORTHWESTERLY
THE NORTHWESTERLY
1/4 SECTION
1/4 SECTION

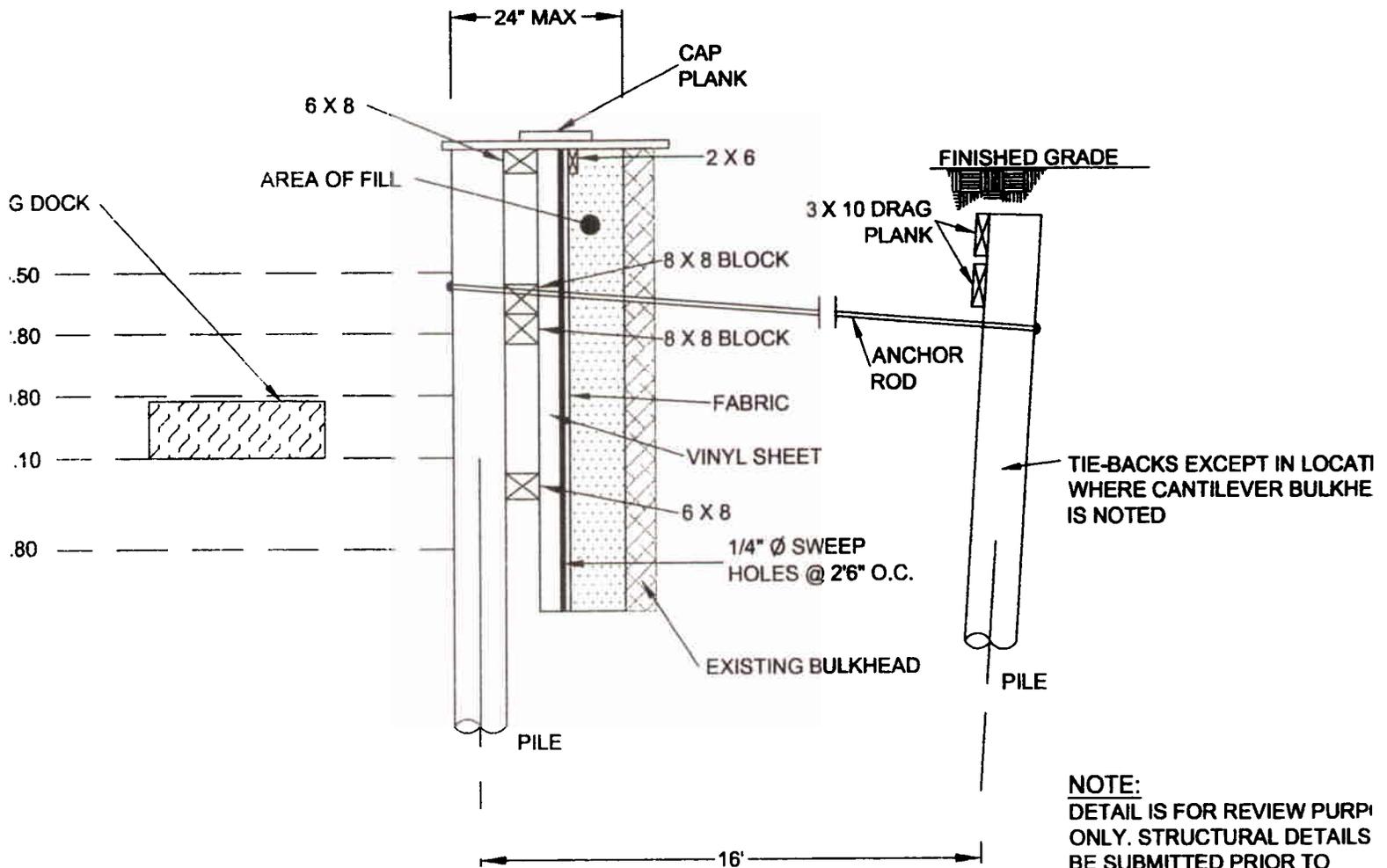
REPLACE EXISTING
STACKED STONE WALL

TIDELAND

AREA OF DISTURBANCE
148 SF TO BE RESTORED

50' FRESHWATER
AREA

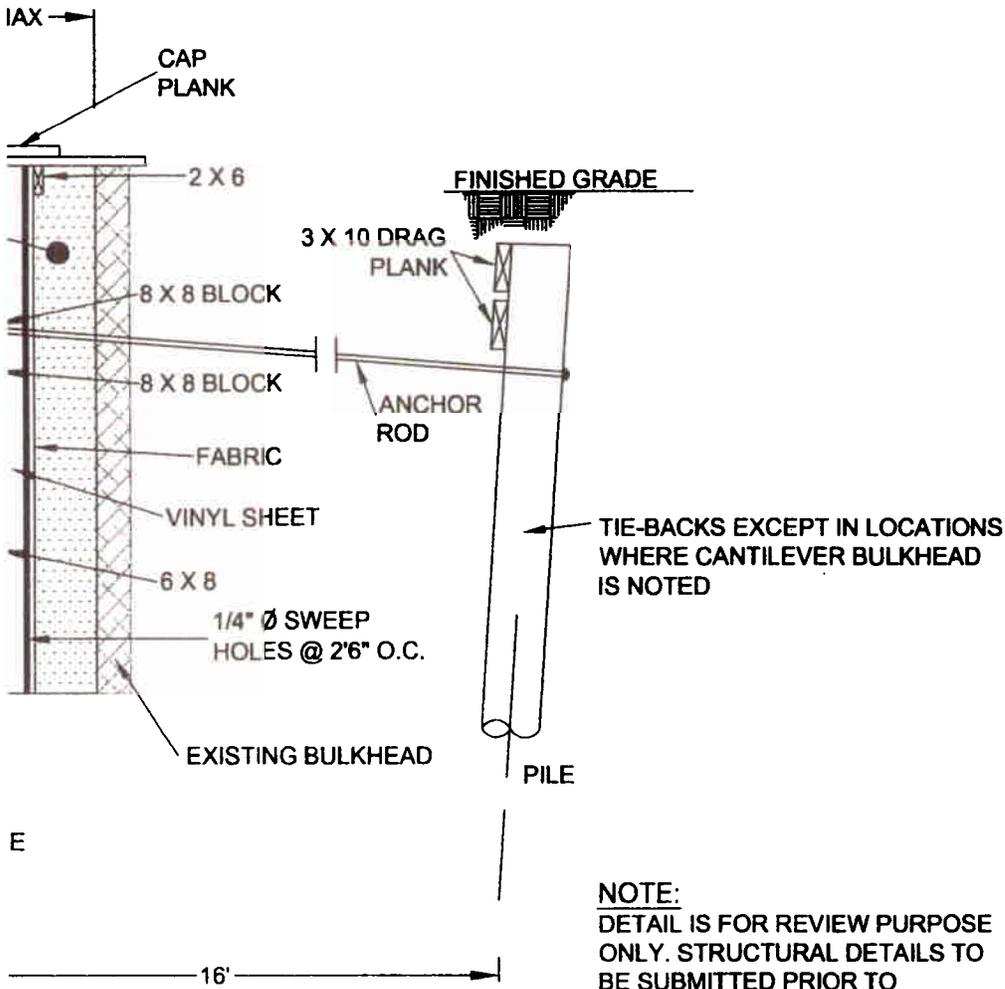
21st STREET (60' WIDE)



NOTE:
 DETAIL IS FOR REVIEW PURPOSE ONLY. STRUCTURAL DETAILS BE SUBMITTED PRIOR TO CONSTRUCTION.

TYPICAL BULKHEAD SECTION 'A-A'

N.T.S.



NOTE:
 DETAIL IS FOR REVIEW PURPOSE ONLY. STRUCTURAL DETAILS TO BE SUBMITTED PRIOR TO CONSTRUCTION.

AL BUKHEAD SECTION 'A-A'

PROPOSED BULKHEAD PLAN

LOTS 1, 3, 5, 7, 9, 10.01, 11, 12.01, 13, 15, 17-24,
 26, 28, 30, 32, 34 AND PORTIONS OF
 LOTS 8.01, 8.02, 10.02, 12.02, 14 AND 16

BLOCK 19.09
 BOROUGH OF AVALON
 CAPE MAY COUNTY, NEW JERSEY

AS A RAISED SEAL IS AFFIXED HERETO

STEPHEN EATON, P.E.

PROFESSIONAL ENGINEER

REG. NO. 42892



LEGEND

	PROPERTY LINE
	RIGHT-OF-WAY
	SETBACKS
	TIDELAND CLAIM AREA
	WETLANDS BOUNDARY
	RETAINING WALL

NOTE:

TRAILER AND SHEDS TO BE REMOVED OR RELOCATED 15' (MIN.) LANDWARD OF BULKHEAD.

NOTE:

ALL PROPOSED STRUCTURES BEYOND THE MEAN HIGH WATER LINE WILL BE CONSTRUCTED WITH NON-POLLUTING MATERIAL, SUCH AS PLASTIC, NATURAL CEDAR OR OTHER UNTREATED WOOD, POLYMER COATED PRESSURE TREATED WOOD, CONCRETE OR OTHER INERT PRODUCTS.

NOTE:

NET ADDITIONAL COVER ASSOCIATED WITH STRUCTURES EXTENDING BEYOND MHWL EQUALS 551.62 SF.

NOTE:

THIS PLAN IS BASED ON THE VACATION OF PORTIONS OF 20TH STREET AS SHOWN ON A PLAN TITLED, "VACATION PLAN, PORTION OF 20TH STREET", PREPARED BY SAMUEL S. PREVITERA, LS, NJ LIC. NO.

THIS PLAN IS NOT VALID UNLESS

ANTHONY CHRIS

PROFESSIONAL

N.J. LICENSE



CONSULTING ENGINEERS

609-652-7131
FAX 609-652-2613

GALLOWAY, NJ 08205

355 E. JIM LEEDS ROAD

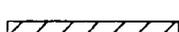
REVISIONS:

10/17/07 Rev. Per NJDEP Comments
TM

THIS P

AN

LEGEND

-  PROPERTY LINE
-  RIGHT-OF-WAY
-  SETBACKS
-  TIDELAND CLAIM AREA
-  WETLANDS BOUNDARY
-  RETAINING WALL

NOTE:

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TRANSITION

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



CONSULTING ENGINEERS

335 E. JIM LEEDS ROAD GALLOWAY, NJ 08205
609-652-7131 FAX 609-652-2613

REVISIONS:

10/17/07 Rev. Per NJDEP Comments TM

DATE: 6/29/07

SCALE: 1" = 20'

DRAWN BY: TM

CHK'D BY: C.E.

PROJECT No.
DA06007

