



**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-2008-0432-39**

Date  
**AUG 06 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:** Egg Harbor Yacht Club

**AGENT:** Arthur W. Ponzio Company and Associates, Incorporated  
400 North Dover Avenue  
Atlantic City, NJ 08401

**WATERWAY:** Ship Channel

**LOCATION:** Block 1810, Lots 20 and 21, in the City of Somers Point, Atlantic County, New Jersey.

**ACTIVITY:** The applicant is requesting reauthorization for the reconfiguration of a previously existing marina at the project site. This office issued a Department of the Army permit on September 26, 2003 to Dr. Ira Trocki to reconfigure an existing marina and perform dredging at the project site (file number CENAP-OP-R-200300441-39). To date the work performed at the site has been the removal of the previously existing dock structures and dredging to three and one half (3.5) feet below mean low water. This permit expired on December 31, 2007.

The applicant now wants to complete the work at the site. The work would include the following:

The existing breakwater, located along the northern portion of the waterway would be removed from the site. A new breakwater, made from non-polluting materials and extending approximately two hundred twenty five (225) feet waterward from the bulkhead, would be placed along the property boundary, just south of its' present location. The bottom of the breakwater would be located approximately eighteen (18) inches above the existing substrate.

Along the southern side of the marina, a one hundred sixty five (165) foot long, six (6) foot wide dock would be attached to the existing bulkhead by a three (3) foot by twenty four (24) foot

ramp. Seven (7) finger piers would be attached to the southern dock, six (6) of the docks would be three (3) foot by ten (10) foot in size and the waterward most finger pier would be four (4) foot by twenty (20) foot in size. Along the bulkhead, located in the western portion of the site, a eighty (80) foot long, six (6) foot wide pier would be attached to the southern dock.

Perpendicular to this structure, a seventeen (17) foot long, six (6) foot wide dock would extend in a easterly direction. From this structure, a sixty four (64) foot long, six (6) foot wide dock would be located parallel to the bulkhead. At the end of this structure six (6) foot by seven (7) foot structure would be perpendicular to this dock, and would be connected to a thirty two (32) foot long by six (6) foot wide dock. Attached to the structures adjacent to the bulkhead, six (6) finger piers could be constructed. Four (4) finger piers would be three (3) foot by ten (10) foot in size, and the other two (2) structures would be three (3) foot by fifteen (15) foot in size.

At the northern end of the site an one hundred seventy (170) foot long, six (6) foot wide structure would be constructed. Two (2) additional structures would be constructed perpendicular to the northern most structure. The structure that would be located in the center of the marina basin would be "T" shaped, and would be one hundred twenty (120) feet long and six (6) feet wide. At the southern most end, a fifty eight (58) foot long, four (4) foot wide structure would be attached. Nine (9) finger piers would be attached to this structure. Four (4) of the finger piers would be three (3) feet by ten (10) feet and the remaining five (5) finger piers would be three (3) feet by sixteen (16) feet in size. At the waterward end of the northern structure, an "L" shaped structure one hundred twenty five (125) foot long by six (6) foot wide structure would be constructed. At the southern end of this structure, a four (4) foot by fifty five (55) foot structure would extend in a waterward (eastern) direction. Three (3) three (3) foot by twenty four (24) foot finger piers would be attached to this structure.

All structures at the site would be constructed using barge mounted equipment, with non polluting materials. The vessels at the site would be a maximum of fifty five (55) in length, with a maximum of three and one half (3.5) in draft. The waterward most structure would be located approximately two hundred (200) feet from the centerline of the adjoining waterway. No fill activities, within areas of Federal jurisdiction, would be performed at the site.

The dredging was performed at the site in 2007. The excavated material was dewatered on-site, and disposed of at Block 702, Lots 1 through 3, in Egg Harbor Township, Atlantic County, New Jersey. Future dredging would be performed using a hydraulic dredging barge. Approximately 1.32 acres of the waterway would be impacted by the dredging. Approximately ten thousand (10,000) cubic yards of material, composed primarily of sand, would be removed from the waterway. The site would be dredged to a depth of three and one half feet (3.5) feet below mean low water. The material would be transported to a site located on an upland portion of the project site. The dredged material would be contained using a perimeter structural berm using standard construction materials and excess water would be returned to the waterway via a pipeline. Once dewatered, the material would be transported via truck to the final disposal site referenced above. The applicant has requested that this office issue a ten (10) maintenance provision to allow for additional dredging at the project site. The applicant expects dredging to occur again in approximately two (2) years.

Review of Plate-V, Distribution of Shellfish Resources, January 1963, shows the project site is mapped as Hard Clam-High Value Commercial.

PURPOSE: The applicant's stated purpose is to provide dockage for recreational 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 53 indicates that the project will have an adverse impact on eggs and larvae of

Winder Flounder (*Pseudopleuronectes americanus*) and the prey species of this species. In order to minimize adverse impacts on this species, a seasonal restriction on any in water work between January 1 and May 31 of any year to minimize impacts to these species of concern. This determination may be changed as new information becomes available.

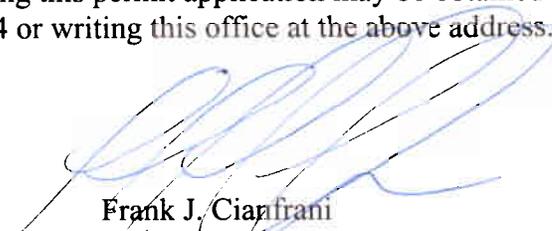
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. 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.

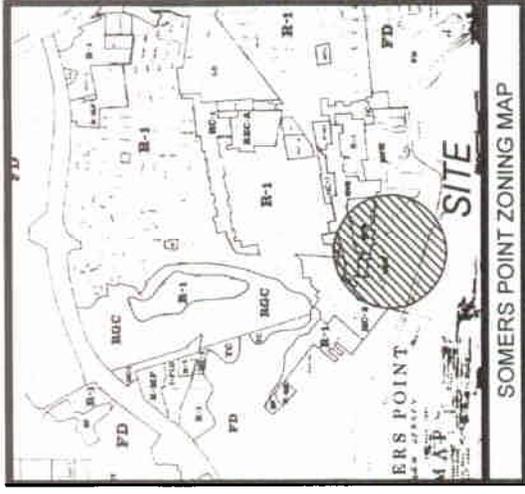
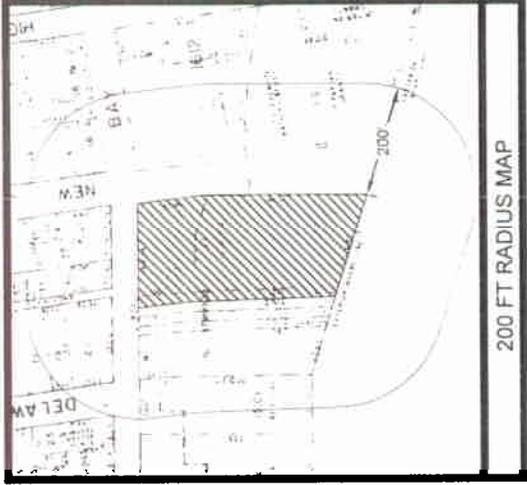
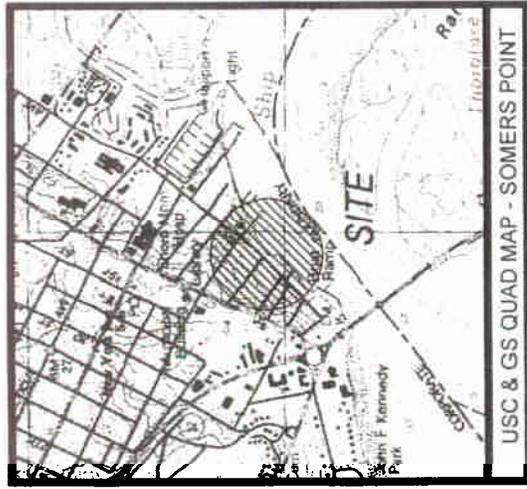
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

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.

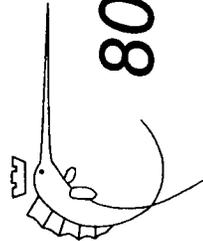
Additional information concerning this permit application may be obtained by calling Lawrence M. Slavitter at 215-656-6734 or writing this office at the above address.



Frank J. Cianfrani  
Chief, Regulatory Branch



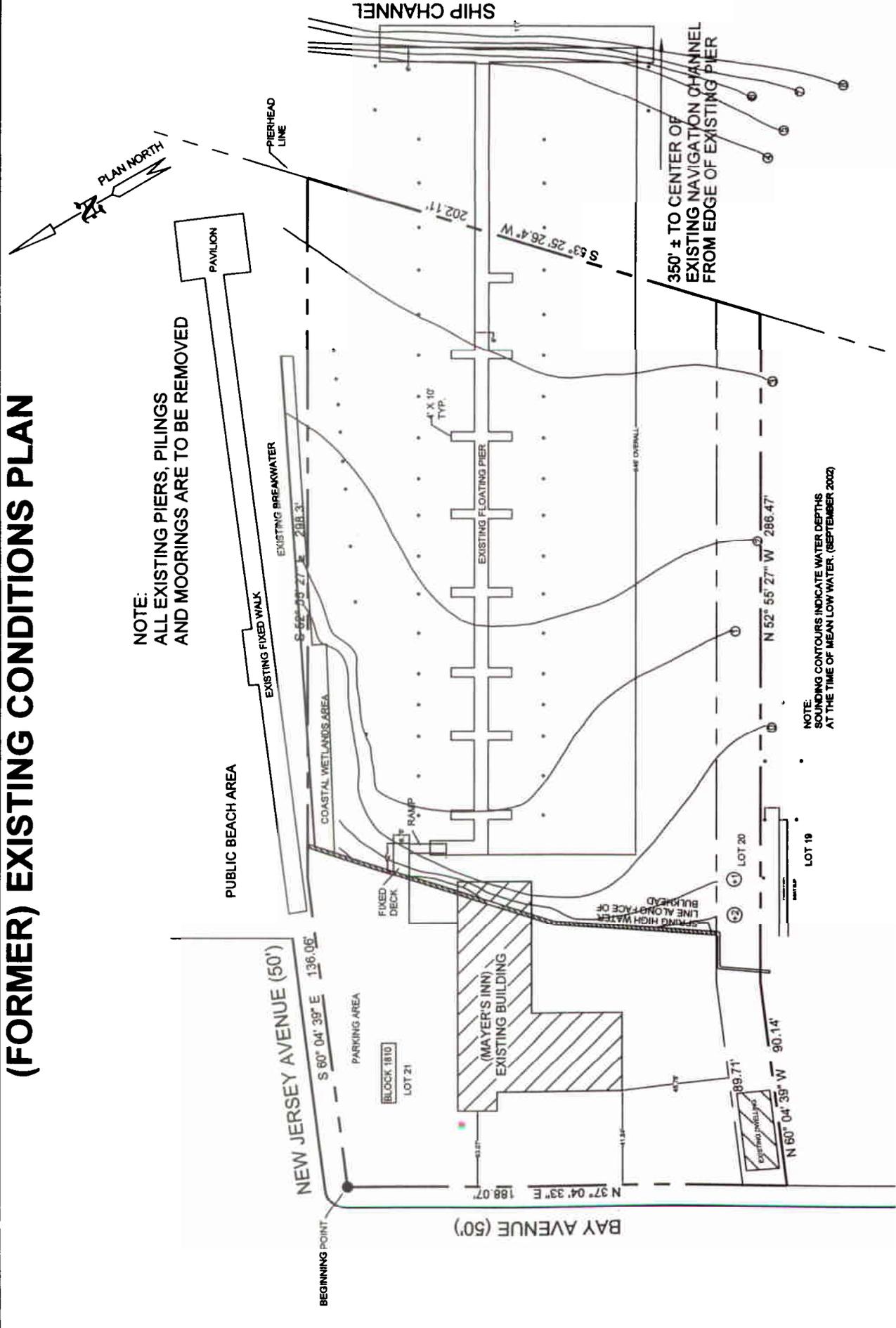
**PROPOSED MARINA RECONSTRUCTION**  
**EGG HARBOR YACHT CLUB**  
**800 BAY AVENUE, SOMERS POINT, NJ**  
**BLOCK 1810 LOTS 20, 21**



PLAN SET REVISED TO 7-15-08

**ARTHUR W. PONZIO CO. & ASSOCIATES, INC.**  
**SURVEYORS, PLANNERS, ENGINEERS**  
**400 NORTH DOVER AVENUE, ATLANTIC CITY, N. J. 08401**  
**PHONE: 609-344-8194 FAX: 609-344-1594**

# (FORMER) EXISTING CONDITIONS PLAN



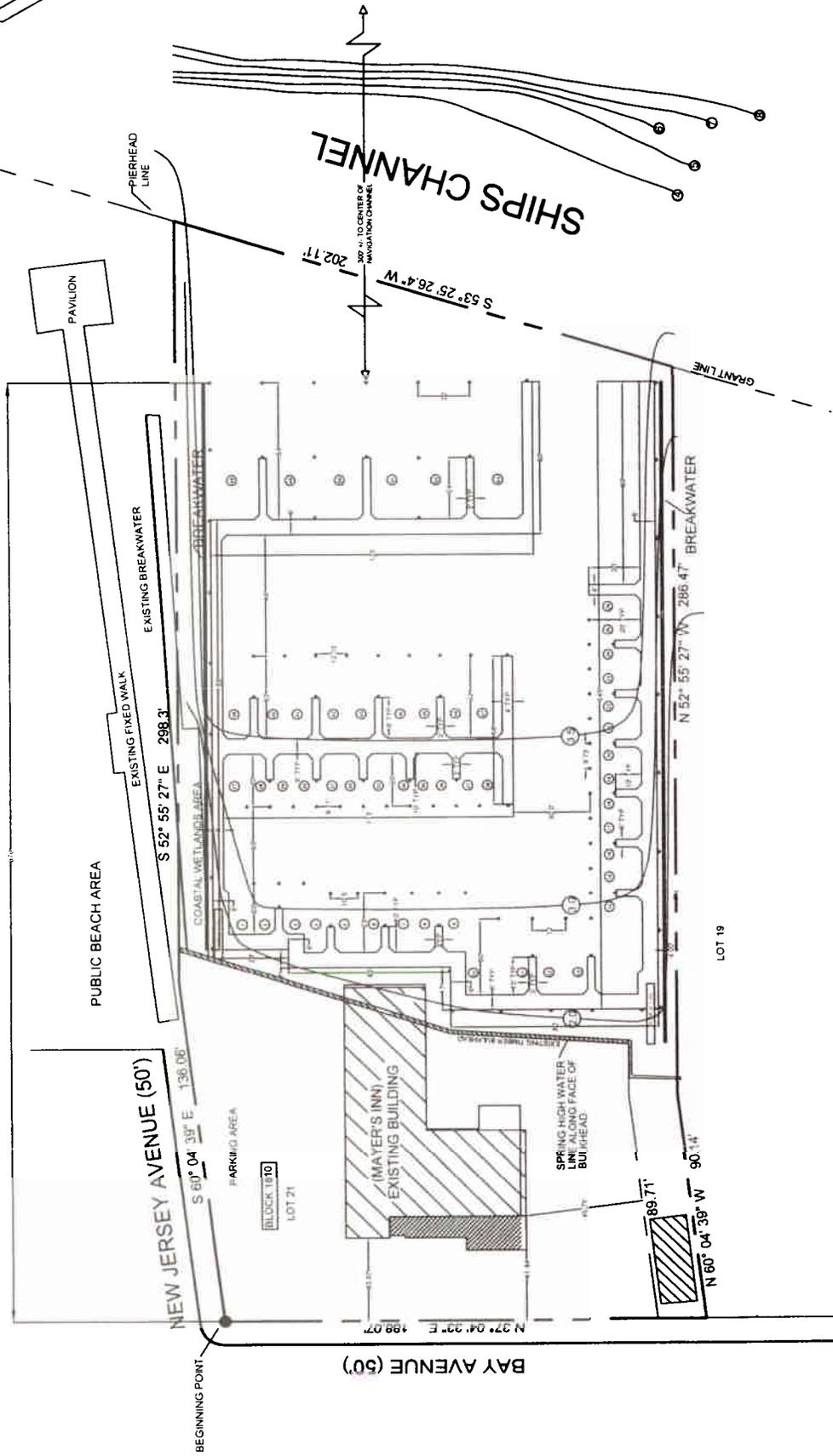
**ARTHUR W. PONZIO CO. & ASSOCIATES, INC.**  
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# SITE DEVELOPMENT PLAN

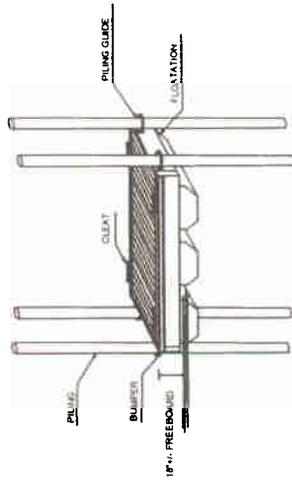
(LIMIT OF SLIPS)



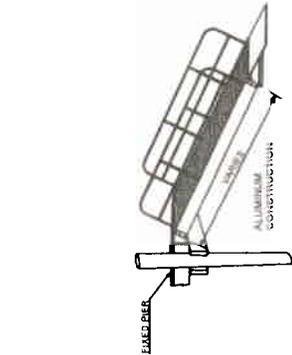
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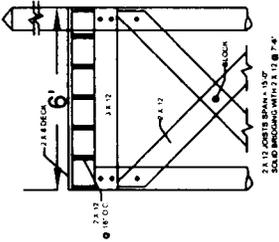
# SITE DETAILS PLAN



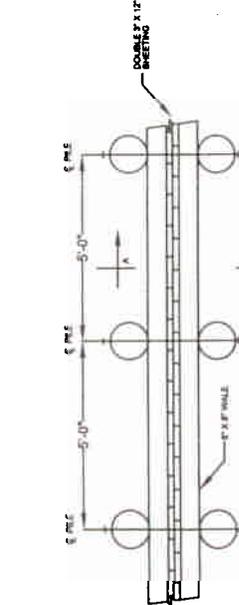
FLOATING DOCK SCHEMATIC  
N.T.S.



ACCESS RAMP SCHEMATIC  
N.T.S.

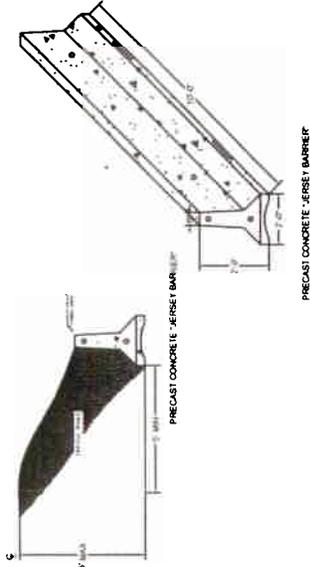


PRELIMINARY FIXED PIER CONSTRUCTION DETAILS  
N.T.S.

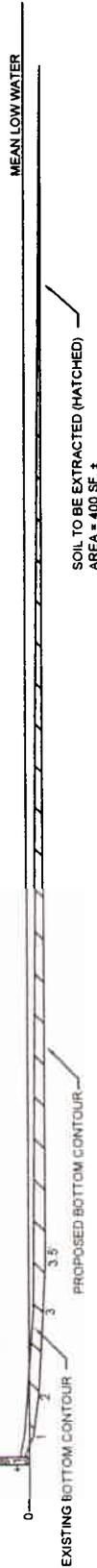


NOTE:  
BOTTOM OF GROUND SHEETING TO PROVIDE 18" CLEARANCE TO ONSHORE TIME

PLAN VIEW B - B  
TIMBER GROIN  
N.T.S.

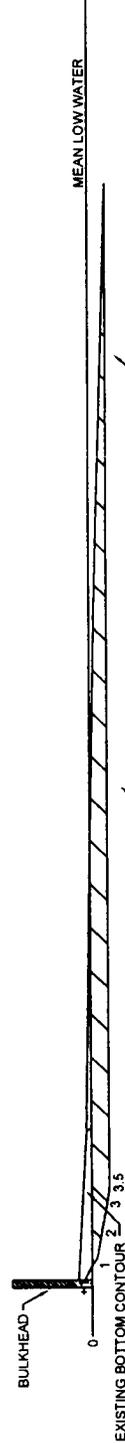


NOTE:  
ALL STRUCTURES TO BE CONSTRUCTED OF NON-POLLUTING MATERIALS



SECTION B-B

SOIL TO BE EXTRACTED (HATCHED)  
AREA = 400 SF. ±



SECTION A-A

SOIL TO BE EXTRACTED (HATCHED)  
AREA = 615 SF. ±

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