

# **PUBLIC NOTICE**

## **REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408**

**TITLE:** Jersey Central Power and Light Company (JCP&L) – X50 Submarine Electric Line Replacement Project – Removal of Existing Deenergized Submarine Electric Utility Lines and Installation of Replacement Electric Utility Lines beneath the New Jersey Intracoastal Waterway Federal Navigation Channel in Barnegat Bay, Ocean County, New Jersey

**PUBLIC NOTICE IDENTIFICATION NUMBER:** NAP-2022-00920-95

### **PUBLIC NOTICE COMMENT PERIOD:**

Begins: **13 September 2022**

Expires: **13 October 2022**

Interested parties are hereby notified that an application has been received for a Department of the Army Section 408 permission for certain work at or near a federal project of the United States, as described below and shown on attached figures. Written comments are being solicited from anyone having an interest in the requested alteration. Comments will become part of the U.S. Army Corps of Engineers' (USACE's) administrative record and will be considered in determining whether to approve the request. Comments supporting, opposing, or identifying concerns that should be considered by the USACE in its decision process are all welcome.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply USACE endorsement of the project as described.

**1. REQUESTER:** In compliance with 33 USC 408 (Section 14 of the Rivers and Harbors Act of 1899; hereinafter Section 408), Jersey Central Power and Light Company (JCP&L) has requested permission to undertake the X50 submarine electric line replacement project beneath the New Jersey Intracoastal Waterway Federal Navigation Channel (NJ ICWW FNC) in Barnegat Bay, Ocean County, New Jersey.

**2. LOCATION:** The proposed project is located in Barnegat Bay between upland exit and entry pits in Berkeley Township and the Borough of Seaside Park, both located in Ocean County, New Jersey. The electric lines cross the NJ ICWW FNC at approximate coordinates 39.916905, -74.097584.

**3. LOCATION MAP(S)/DRAWING(S):** Please see attached Project Plans (Sheets 1 through 4).

**4. REQUESTER'S PROPOSED ACTION:** The proposed project entails the permanent removal, via crane barge, of two (2) deenergized submarine electric lines; with reinstallation of both electric lines within the existing utility easement area via jet plow trenching and diver hand-jetting. The new submarine electric lines will be buried a minimum of 12.0-feet beneath the existing floor of the NJ ICWW FNC. The X50 line is comprised of two (2) deenergized electric lines; the southern line, 8,000.0-linear feet in length, was originally installed in 1949 and deenergized in December of 2002. The northern line, 7,950.0-linear feet in length, was installed in 1968 and deenergized in 1994. The utility line route was previously approved under NJDEP permits and plans dated 21 March 1949 and 30 August 1968, Tidelands Licenses #68-135 dated 21 April 1949 and 03 September 1968, and Department of the Army Permits (800.6 NAPKP) dated 01 April 1949 and 03 September 1968.

**5. REGULATORY AUTHORITY:** This request will be reviewed according to the provisions of Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408). A requestor has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 404 of the Clean Water Act (33 USC Section 1344) and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413). Any Section 10/404/103 permit decision associated with the proposed alteration is separate from and will not be included in the Section 408 permission decision. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

**6. ENVIRONMENTAL COMPLIANCE:** A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While ensuring compliance is the responsibility of USACE, the requester is providing all information that the Philadelphia District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and ordinances. Based on information provided by the applicant to date, current Corps regulations governing NEPA implementation, and/or the contents of existing NEPA documentation if available, it is likely that the proposed action will be determined to be categorically excluded from the need to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). This determination will be finalized following completion of agency coordination and prior to issuance of the Section 408 Permission Decision.

**7. EVALUATION:** As part of its evaluation, USACE will first make a determination that the submittal from the requestor is complete. The Philadelphia District is working closely with the requestor to ensure that all required technical plans, maps, drawings, and specifications are provided and are complete. Once the package is complete, a District-led review will be conducted to determine, in accordance with Engineering Circular (EC) 1165-2-216, whether the proposed alteration will impair the usefulness of the USACE Project or be injurious to the public interest, as follows:

- A. *Impair the Usefulness of the Project Determination.* The Philadelphia District's Section 408 review team will determine if the proposed alteration will limit the ability

of the federally authorized project to function as authorized, or will compromise or change any authorized project conditions, purposes or outputs.

- B. Injurious to the Public Interest Determination.* Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Evaluation of the probable impacts that the proposed alteration to the USACE project may have on the public interest requires a careful weighing of all those factors that are relevant in each particular case. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

**8. SOLICITATION OF COMMENTS:** The USACE 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 the proposed activity. Any comments received will be considered by USACE to determine whether to issue, modify, condition, or deny a permission for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are considered in making a final determination whether the proposed action will be categorically excluded from the need to prepare further NEPA documentation. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

- A. It should be noted that materials submitted as part of the Section 408 request become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to the Philadelphia District Corps of Engineers, Office of Counsel to obtain copies of said materials under the FOIA.
- B. It is presumed that all parties viewing this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

- 9. COMMENT SUBMISSION AND ADDITIONAL INFORMATION:** Written comments on the described work should reference the USACE Public Notice Identification Number found on the first page of this notice. Comments must reach this office no later than the stated expiration date of the Public Notice to become part of the record and be considered in the decision. Comments or requests for additional information should be mailed or emailed to the following address:

Email: [JuanCarlos.Corona@usace.army.mil](mailto:JuanCarlos.Corona@usace.army.mil)

Mailing Address:

U.S. Army Corps of Engineers

Philadelphia District

ATTN: Juan Carlos Corona

7<sup>th</sup> Floor

100 Penn Square East

Philadelphia, PA 19107-3390

# UTILITY REPLACEMENT PLAN

FOR

## JERSEY CENTRAL POWER & LIGHT (JCP&L)

### PROPOSED X50 SUBMARINE POWER CABLE REPLACEMENT

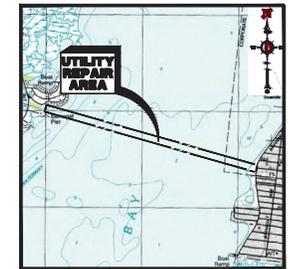
BARNEGAT BAY CROSSING

TOWNSHIP OF BERKELEY TO BOROUGH OF SEASIDE PARK

OCEAN COUNTY, NEW JERSEY



**AREA MAP**  
1" = 780'



**KEY MAP**  
1" = 2000'

DRAWING INDEX	
COVER SHEET	1 of 4
GENERAL UTILITY REPLACEMENT PLAN AND DETAILS	2 of 4
UTILITY REPLACEMENT PLAN A	3 of 4
UTILITY REPLACEMENT PLAN B	4 of 4

PREPARED BY  
**DYNAMIC ENGINEERING CONSULTANTS, P.C.**  
 1904 MAIN STREET  
 LAKE COMO, NJ 07719  
 WWW.DYNAMICCEC.COM

**DYNAMIC ENGINEERING**  
 LAND DEVELOPMENT CONSULTING • PERMITTING • GEOTECHNICAL • ENVIRONMENTAL • SURVEY • PLANNING & ZONING

1904 Main Street  
 Lake Como, NJ 07719  
 P: 201-294-5100  
 F: 201-294-5101  
 www.dynamiccec.com

DATE: 08/08/2022  
 SCALE: AS SHOWN  
 SHEET NO: 1 OF 4

PROJECT: JERSEY CENTRAL POWER & LIGHT (JCP&L)  
 PROPOSED X50 SUBMARINE POWER CABLE REPLACEMENT  
 BARNEGAT BAY CROSSING  
 TOWNSHIP OF BERKELEY TO BOROUGH OF SEASIDE PARK  
 OCEAN COUNTY, NEW JERSEY

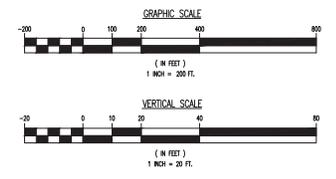
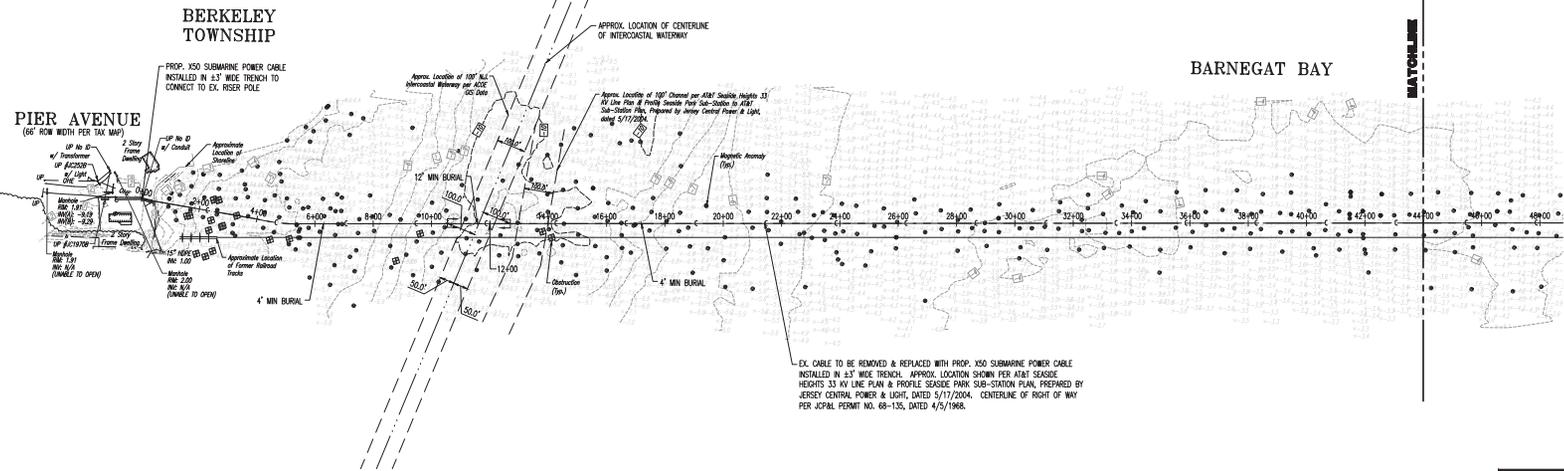
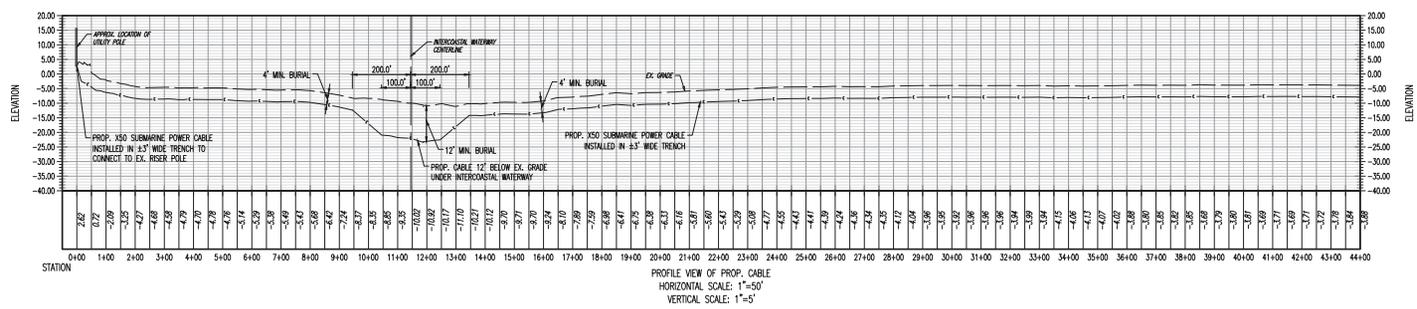
DESIGNED BY: CMC  
 CHECKED BY: TAZ  
 DRAWN BY: J.M.  
 DATE: 08/08/2022

JOHN A. PALUS  
 PROFESSIONAL ENGINEER  
 NEW JERSEY LICENSE NO. 41919

PROTECT YOURSELF  
 ALL STATE LICENSED PROFESSIONALS  
 MUST BE REGISTERED WITH THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF NEW JERSEY

Project: 08/11/22 - 10:43 AM, By: gromnicki, Product: Ver: 24.1s (LMS Tech)  
 File: P:\DYNAMIC PROJECTS\317 Dabco Environmental Consultants - LCV\0-000 Iteration - X50 Marine Cable/Map/Utility Replacement Plan\31719050500.dwg, ----- COVER SHEET  
 COPYRIGHT © 2022 - DYNAMIC ENGINEERING CONSULTANTS, P.C. - ALL RIGHTS RESERVED





EX. CABLE TO BE REMOVED & REPLACED WITH PROP. X50 SUBMARINE POWER CABLE INSTALLED IN 8.5' WIDE TRENCH. APPROX. LOCATION SHOWN PER AT&T SEASIDE HEIGHTS 33 KV LINE PLAN & PROFILE SEASIDE PARK SUB-STATION PLAN, PREPARED BY JERSEY CENTRAL POWER & LIGHT, DATED 5/17/2004. CENTERLINE OF RIGHT OF WAY PER JCP&L PERMIT NO. 68-135, DATED 4/5/1988.

Project: 06/11/22 - 10:44 AM By: gromacki File: P:\DYNAMIC PROJECTS\3317 Dulles Environmental Constraints\_LICVW-006 Issuance - X50 Marine Cable Utility Replacement Plan\3317990505.dwg -> UTILITY REPLACEMENT PLAN A

**THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION**

**DYNAMIC ENGINEERING**

LAND DEVELOPMENT CONSULTING • PERMITTING • GEOTECHNICAL • ENVIRONMENTAL • SURVEY • PLANNING & ZONING

100 River Street, Suite 200, Newark, NJ 07102-2118 | Phone: 973-261-1111 | Fax: 973-261-1112 | Email: info@dynamiceng.com | www.dynamiceng.com

---

**UTILITY REPLACEMENT PLAN A**

PROJECT: **JERSEY CENTRAL POWER & LIGHT (JCP&L) PROPOSED X50 SUBMARINE POWER CABLE REPLACEMENT**

TOWNSHIP OF BERKELEY TO BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NEW JERSEY

DATE: 08/08/2022

DRAWN BY: GMC

DESIGNED BY: TAZ

CHECKED BY: TJM

DATE: 08/08/2022

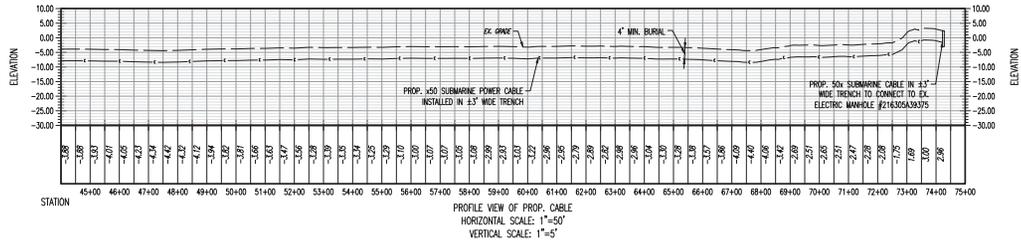
SCALE: 1"=200'

SHEET NO: 3 OF 4

Digitally signed by **JOHN A. PALUS**

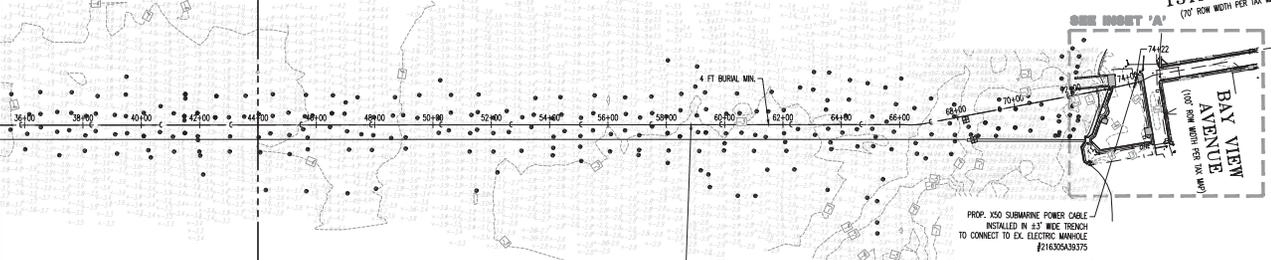
PROFESSIONAL ENGINEER  
NEW JERSEY LICENSE NO. 41919

PROTECT YOURSELF  
GET THE VERIFIED DIGITAL SIGNATURE  
OF THE PROFESSIONAL ENGINEER  
FOR THE STATE OF NEW JERSEY  
WWW.CALLET.COM

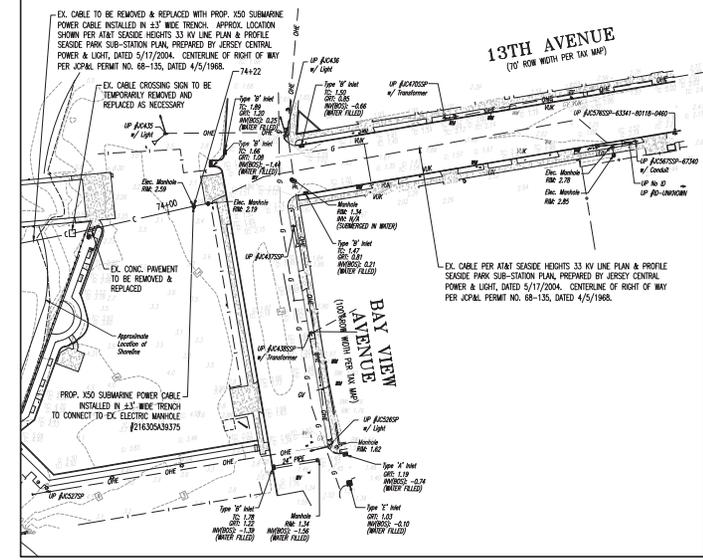


BARNEGAT BAY

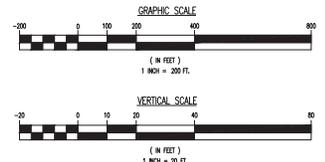
MATCHLINE



BOROUGH OF SEASIDE PARK



INSET 'A'  
SCALE 1"=50'



Project: 06/11/22 - 10:44 AM, By: gromicko, File: P:\DYNAMIC PROJECTS\3317 Dabbs Environmental Constraints\_LLC\3317-008 Utility - 350 Marine Cable\3317 Utility Replacement Plan\3317-008-000.dwg, Utility Replacement Plan B  
 Product: 06/11/22 - 10:44 AM, By: gromicko, File: P:\DYNAMIC PROJECTS\3317 Dabbs Environmental Constraints\_LLC\3317-008 Utility - 350 Marine Cable\3317 Utility Replacement Plan\3317-008-000.dwg, Utility Replacement Plan B

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

**DYNAMIC ENGINEERING**  
 LAND DEVELOPMENT CONSULTING • PERMITTING • GEOTECHNICAL • ENVIRONMENTAL • SURVEY • PLANNING & ZONING

1000 River Street  
 Lake Como, NJ 07748  
 P: 201-941-8100  
 F: 201-941-8101  
 www.dynamic-eng.com

TITLE: **UTILITY REPLACEMENT PLAN B**

PROJECT: **JERSEY CENTRAL POWER & LIGHT (JCP&L) PROPOSED 350 SUBMARINE POWER CABLE REPLACEMENT BARNEGAT BAY CROSSING TOWNSHIP OF BERKLEY TO BOROUGH OF SEASIDE PARK OCEAN COUNTY, NEW JERSEY**

DATE: 06/08/2022  
 DRAWN BY: GMC  
 DESIGNED BY: TAZ  
 CHECKED BY: TJM  
 DELETED BY: -

SCALE: 1"=200'  
 10/11/20

SHEET NO: **4**  
 OF 4

Digitally signed by **JOHN A. PALUS**  
 DN: cn=John A. Palus, o=Dynamic Engineering, ou=Dynamic Engineering, email=jpalus@dynamic-eng.com, c=US

PROFESSIONAL ENGINEER  
 NEW JERSEY LICENSE NO. 41919

PROTECT YOURSELF  
 ALWAYS WEAR YOUR SEATBELT  
 AND DRIVE SAFELY