



**US Army Corps
of Engineers**
Philadelphia District
Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OPR

Public Notice

Public Notice No. **CENAP-OPR-2010-00750-45** Date **October 7, 2020**
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: Mr. Brian Tersaga
All Seasons Marina
551 Roosevelt Boulevard
Marmora, NJ 08223

AGENT: Ms. Marianne G. Risley
ARH Associates, Incorporated
215 Bellevue Avenue
P.O. Box 579
Hammonton, New Jersey 08037

WATERWAY: Peck Bay and Crook Horn Creek.

LOCATION: The project is located at 551 Roosevelt Boulevard, on the property known as Lots 61, 62.01, 62.02, 64 and 65, Block 735, in Marmora, Upper Township, Cape May County, New Jersey. (Latitude 39.254797 and Longitude -74.629937).

ACTIVITY: The applicant proposes to perform hydraulic maintenance dredging to provide for the safe mooring and navigation of private vessels (**< or = to 24' to 50' maximum in length**) drafting **1.5** to **4** feet of water, within the All Seasons Marina. As shown on the attached project plans **E-1 through E-4**, dredging would occur within the marina to a depth of **3** feet below Mean Low Water (**-3' MLW**) producing approximately **3,039** cubic yards of dredged material. The applicant is requesting to renew the ten (**10**) year maintenance dredging permit initially authorized by the Department of the Army on December 10, 2010. At this time, maintenance dredging is anticipated every **3** years producing approximately **9,117** cubic yards of dredged material over a **10** year period.

The dredged material (sediment) would be transported/pumped via a dredge pipeline to the confined disposal facility (CDF) located at 523 Roosevelt Boulevard, on Lots 58 and 59, Block 735, in Marmora, New Jersey, adjacent to the marina and/or the project site. It is anticipated that the dredge pipeline would be clearly marked in accordance with U.S. Coast Guard regulations/specifications. The CDF has a total capacity of **±17,150 cubic yards**. Dewatering of the CDF will discharge to the marina area and will take several weeks to drain completely. Based on the recent sediment sampling, no contaminants of concern were identified. Therefore, the dewatering does not appear to pose a risk to groundwater quality or ingestion/inhalation.

Dredging activities would temporarily impact approximately **129,610 square feet (2.98 acres)** of Waters of the United States (U.S.). In addition, approximately **1,880 square feet (0.04 acres)** of **estuarine emergent wetlands** would be temporarily impacted by the placement of the dredge pipeline as it enters the CDF. The dredging operations would occur within **72 to 87 +/- linear feet** from the Federal Navigational Channel (Intracoastal Waterway). At this time, impacts to navigation were not identified. Furthermore, a review of shellfish mapped locations on the "U.S. DEPARTMENT OF THE INTERIOR...JANUARY, 1963...DISTRIBUTION OF SHELLFISH RESOURCES" maps indicate that high value commercial hard clams are present in the project area. However, the proposed dredging area has been maintenance dredged for at least forty five (45) years. A preliminary assessment indicates that the project would have little to no effect on shellfish due to the nature of the project. However, this determination may be modified upon further coordination with Federal resource agencies. The proposed dredging and/or overall project will not impact submerged aquatic vegetation (**SAV**).

At this time, impacts within Waters of the U.S. have been **avoided and minimized** by proposing no new dredging, dredging to the minimum depth necessary to satisfy the project purpose, and by continuing the practice of mooring boats drafting 4 feet in areas that have sufficient water depths, and therefore minimizing the dredging to -3' MLW.

PURPOSE: The purpose of the project is to continue providing sufficient water depths for safe navigation and mooring of private pleasure crafts associated with the marina.

A preliminary review of this application indicates that species listed under the Endangered Species Act or their critical habitat pursuant to Section 7 of the ESA as amended, may be present in the action area. The ACOE will forward this PN to the US Fish and Wildlife Service and/or National Marine Fisheries Service with a request for technical assistance on whether any ESA listed species or their critical habitat maybe present in the area which would be affected by the proposed activity. The Philadelphia District will evaluate the potential effects of the proposed actions on ESA listed species or their critical habitat and will consult with the US Fish and Wildlife Service and/or NOAA Fisheries as appropriate. ESA Section 7 consultation will be concluded prior to the final decision on this permit application.

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 within **30 days** via email to PhiladelphiaDistrictRegulatory@usace.army.mil, or in writing to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

The USACE Cultural Resource Specialist is currently reviewing the proposed permit action for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places. A determination of effects will be coordinated with the State Historic Preservation Office, the Tribes and other consulting parties.

The Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with the NOAA Fisheries all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). A preliminary review of this application indicates that EFH is present within the project area. The Philadelphia District will evaluate the potential effects of the proposed actions on EFH and will consult with NOAA Fisheries as appropriate. Consultation will be concluded prior to the final decision on this permit application.

Compensatory mitigation: At this time, Compensatory mitigation for project impacts within Waters of the U.S. has not been proposed.

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. At this time, the State of New Jersey Department of Environmental Protection (NJDEP) has authorized the project (**NJDEP Permit# 0511-03-0001.2, LUP190001**) and has determined that the project is in compliance with State's Coastal Zone Management Program (CZM).

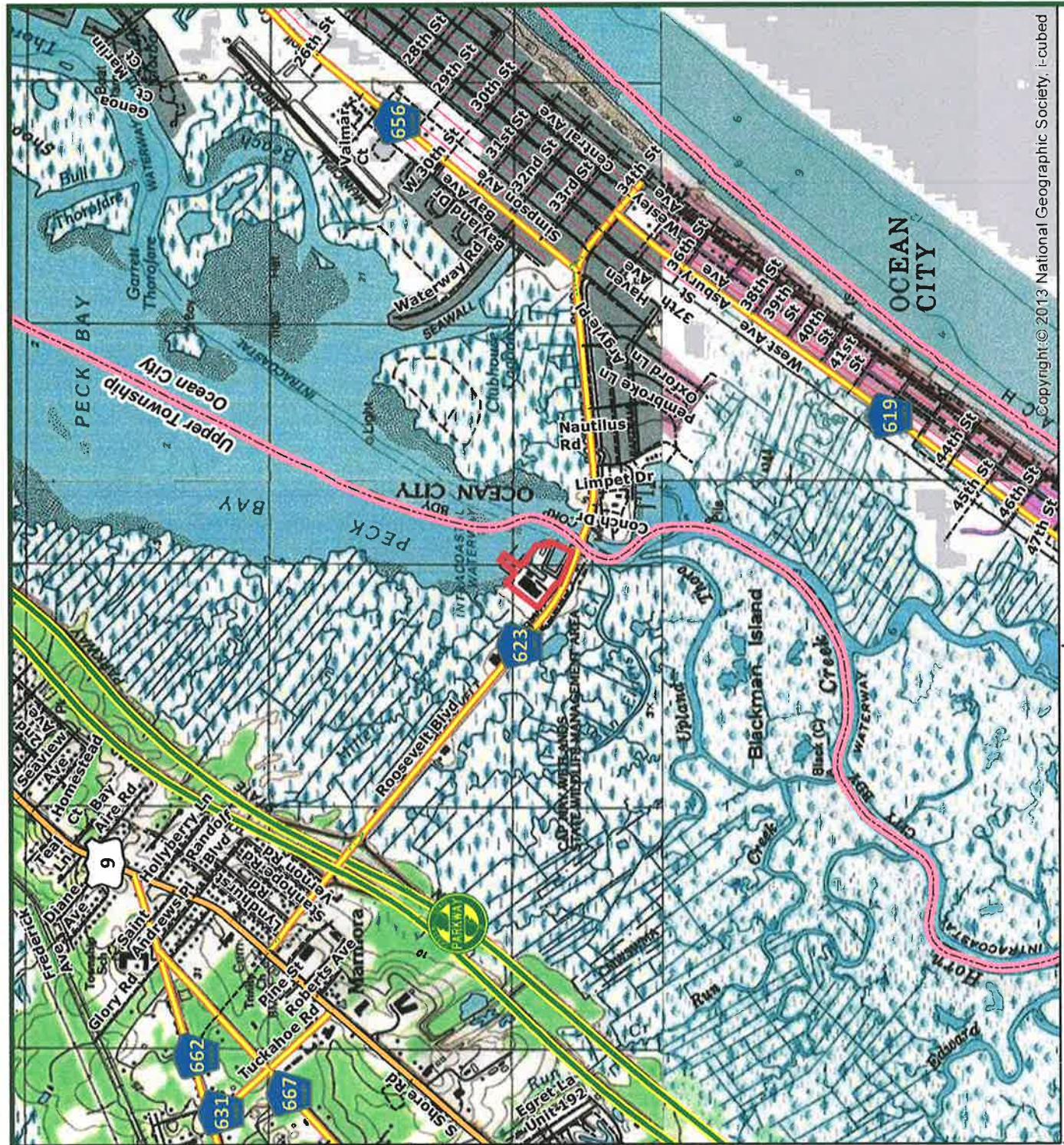
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. At this time, the State of New Jersey Department of Environmental Protection (NJDEP) has authorized the project (**NJDEP Permit#0511-03-0001.2, LUP190001**) and/or issued a 401 Water Quality Certificate.

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 Bryan Bellacima at (215) 656-6732 or via email at bryan.p.bellacima@usace.army.mil.

Todd A. Schaible
Chief, Regulatory Branch



Civil Solutions
a division of *earth*

County - Cape May
Township - Upper Twp
Block - 735
Lots - 61, 62, 01, 62, 02,
Street - Roosevelt Blvd
(County Route 623)
Drawn by: CHD
Dated: 02/17/2016

Legend

NJDOT Roads

- The diagram illustrates six types of roads, each shown as a horizontal line with distinct features:

 - US Highway**: Represented by a thick black line with three yellow stripes.
 - Highway Authority Route**: Represented by a thick black line with two green stripes.
 - County Route**: Represented by a thick black line with one red stripe.
 - Ramp**: Represented by a thick black line with a dashed center line.
 - Local Road**: Represented by a thin black dashed line.
 - Alley**: Represented by a thin black solid line.

All Seasons Marina

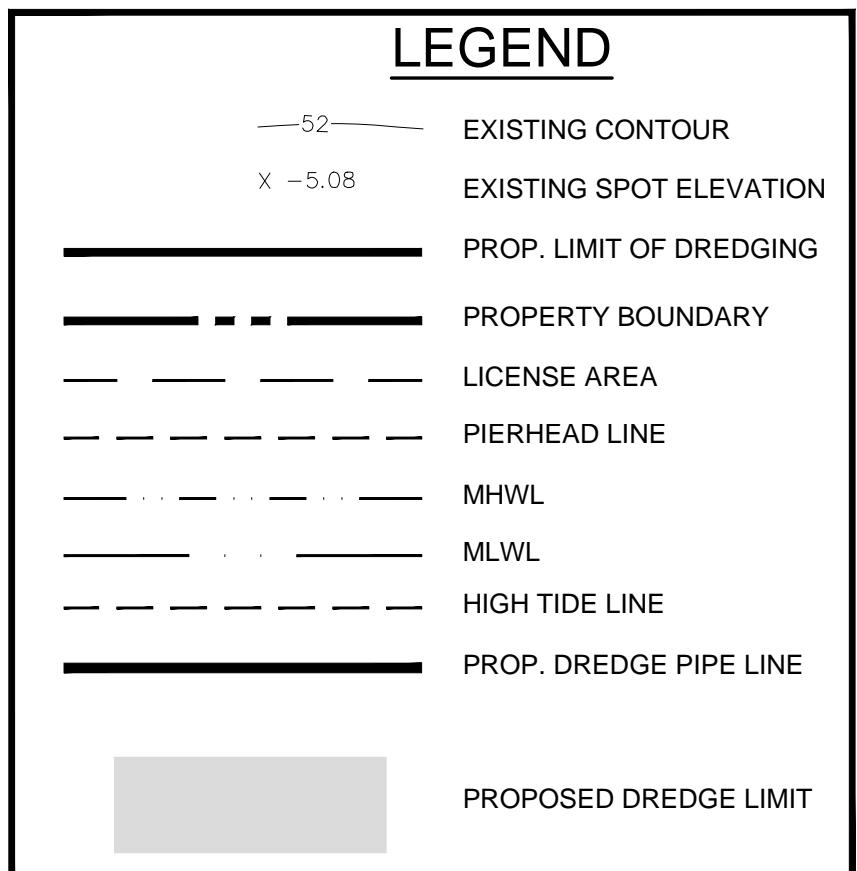
1 inch = 2,000 feet

USGS

Note:
This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authorized.

SE MARMORA NJ Quadrangle #1664
ARH Project #50-52487.01

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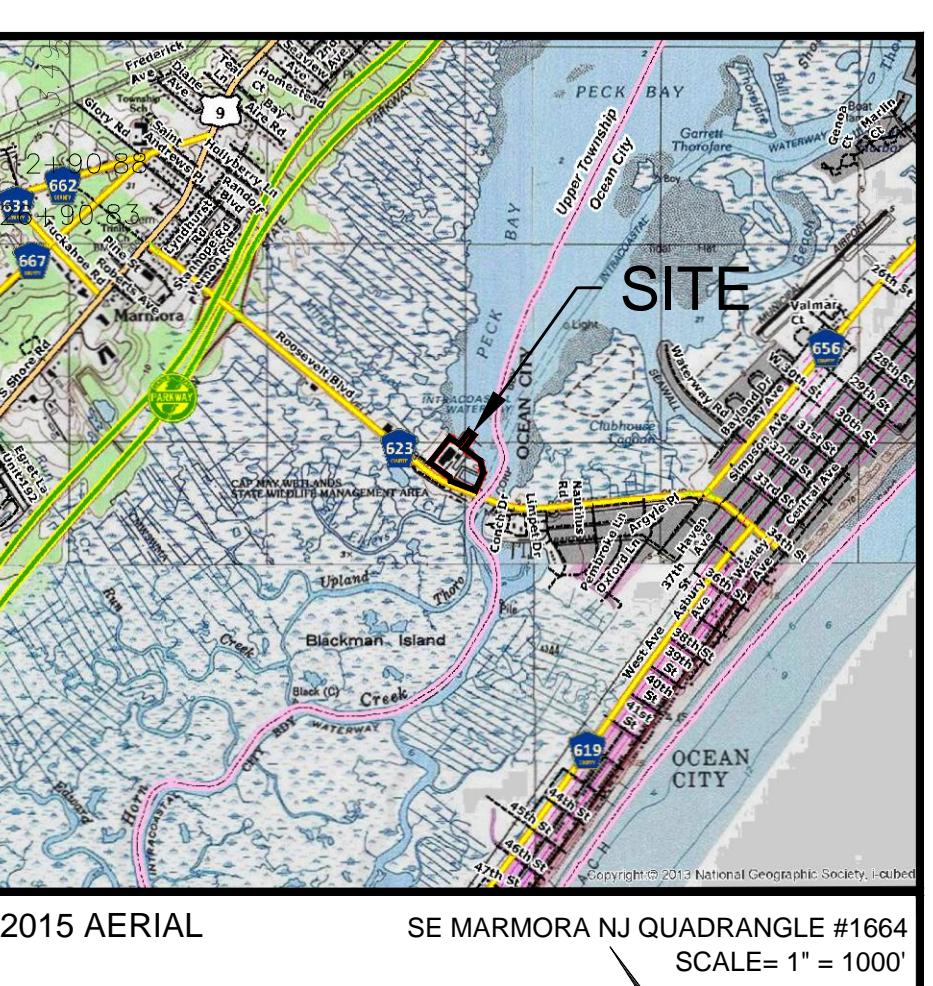
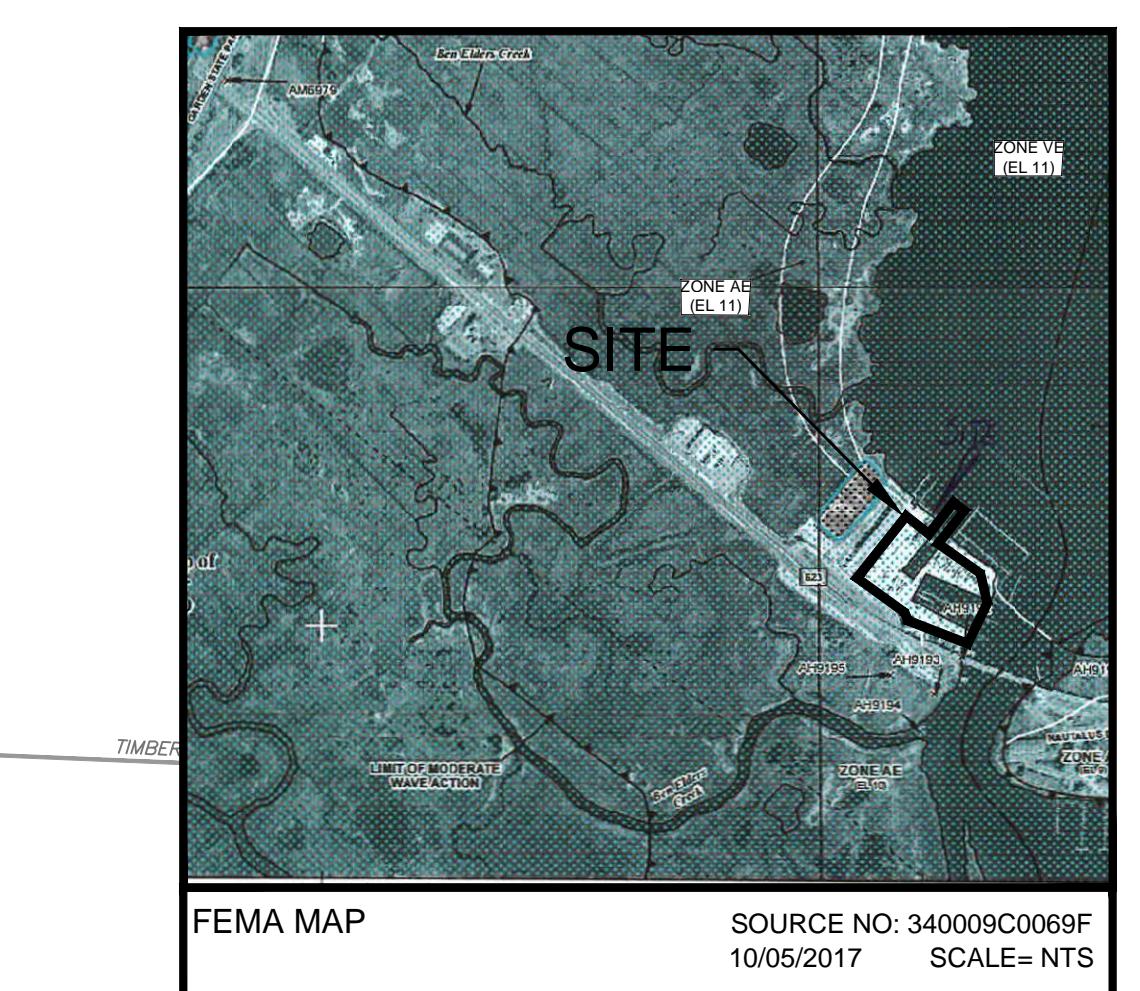


PECK'S BAY (INTRACOASTAL WATERWAY)

MODIFIED N.J. PIERHEAD LINE
PLAN (SEE NOTE 3D)

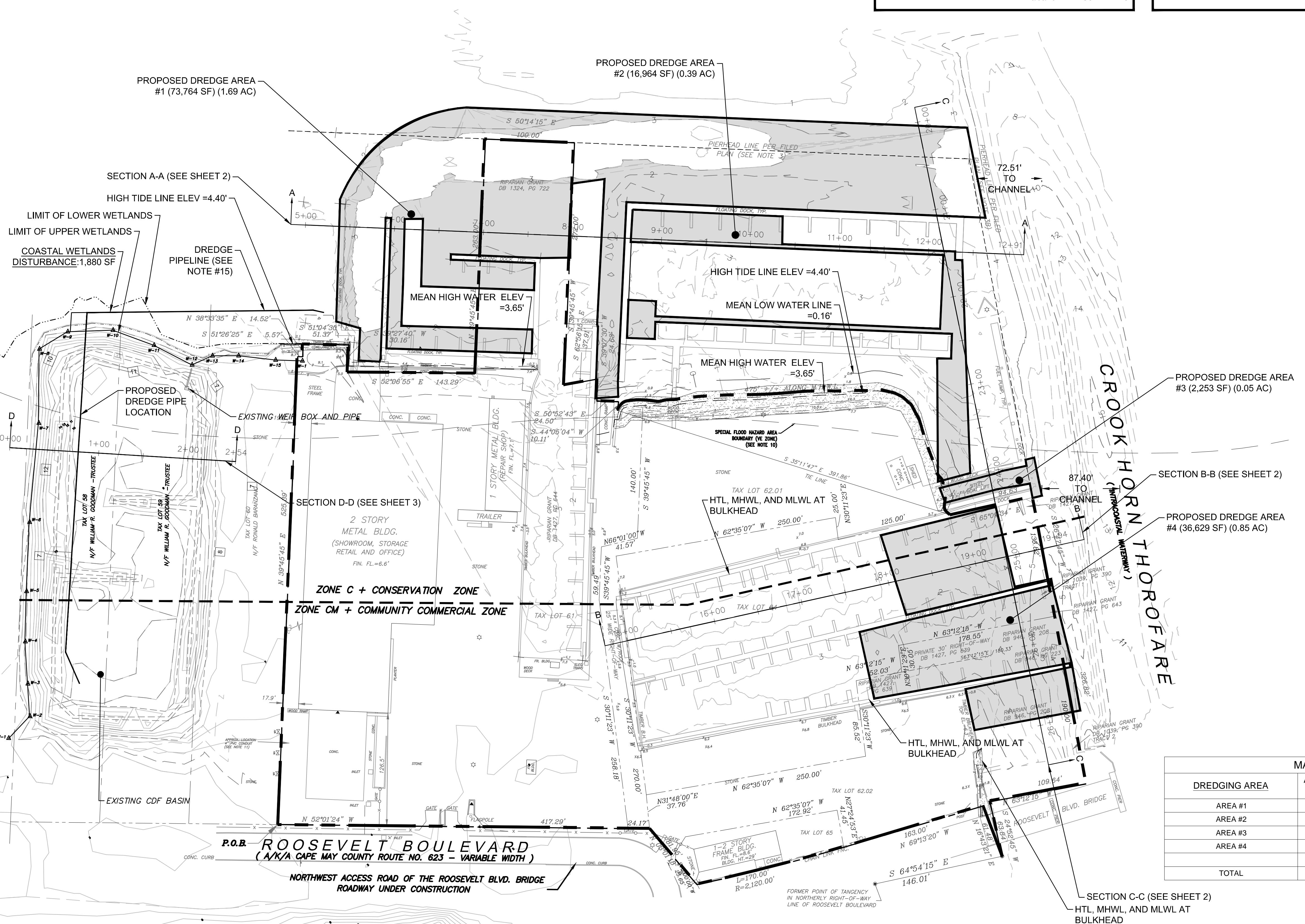
TIMBER PILE SEA WALL

100'



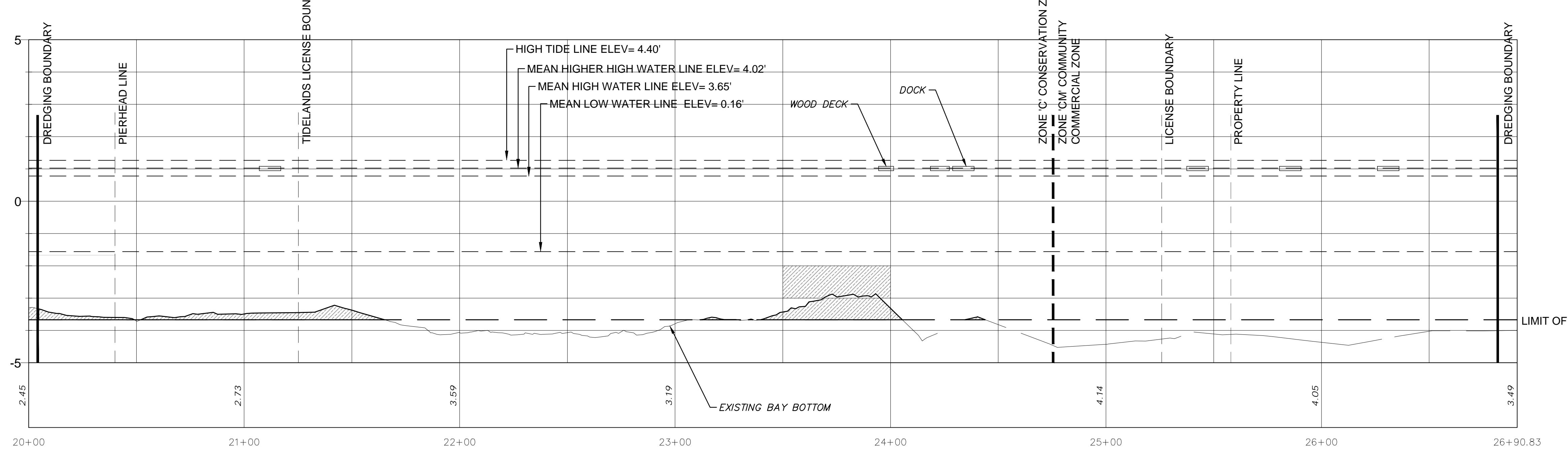
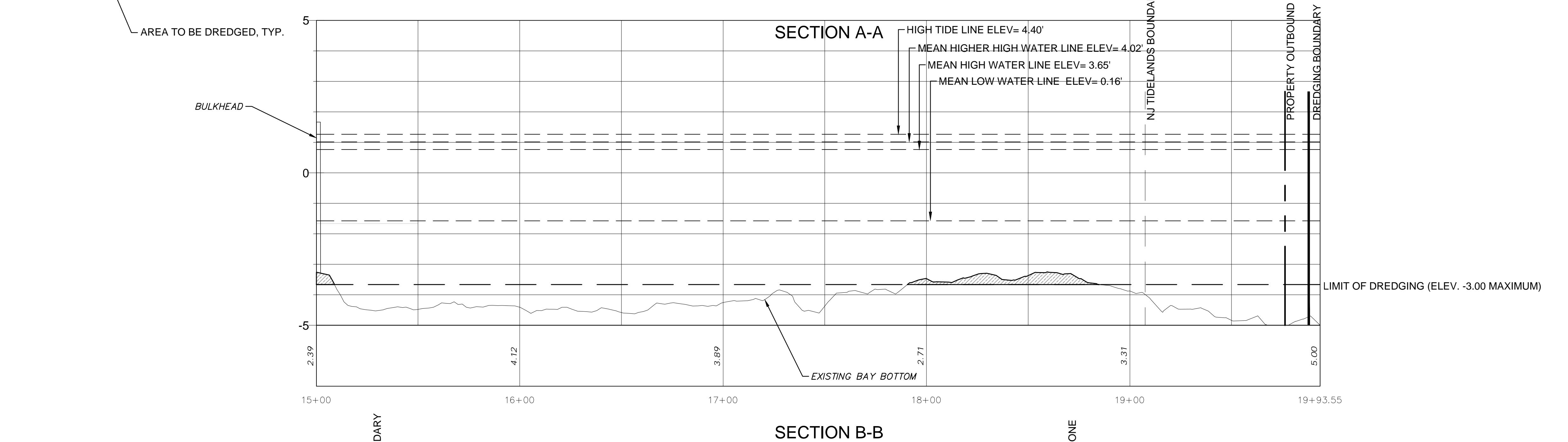
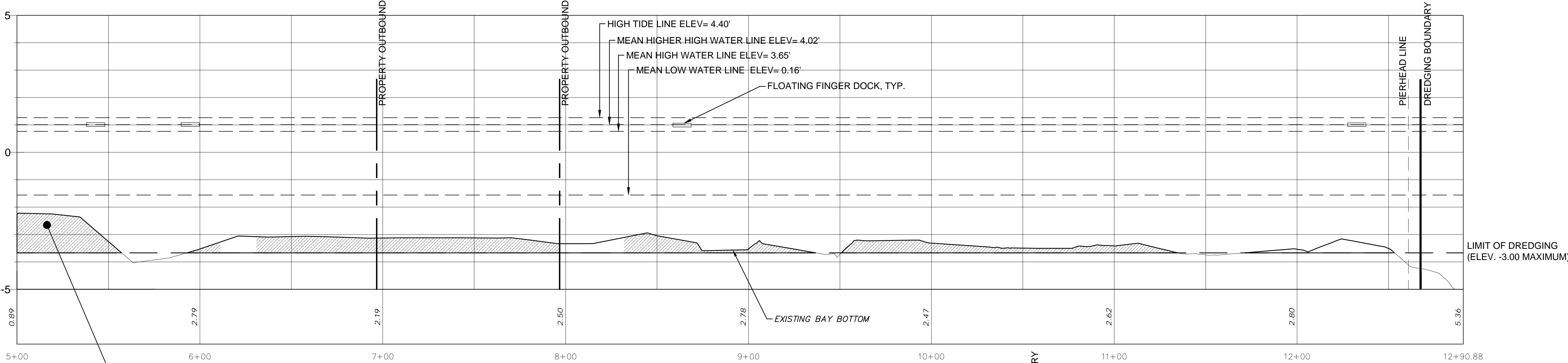
ADAMS, REHANN & HEGGAN
ASSOCIATES, INC.
215 BELLEVUE AVENUE
HAMMONTON, NJ 08037-2019
TEL (609) 467-0402
FAX (609) 467-8909

THEODORE WILKINSON, PE
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE NO. G-3607
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DREDGING MAINTENANCE PLAN
FOR
ALL SEASONS MARINA
BLOCK 735, LOT 61, 62.01, 62.02, 64 & 65
SITUATED IN
CAPE MAY COUNTY
-
NEW JERSEY

date: JULY 31 2019
scale: 1" = 60'
drawn by:
checked:
proj.no.: 50-32703
LAST DATE SAVED: 9/1/2020
LAST SAVE BY: tewtb
DRAWING LOCATION: W:\FILE ROOM\HOUSING\5052708\ENDV\5052703.E DESIGN.ACE0.dwg



HORIZONTAL
SCALE: 1"=30'
30' 15' 0' 30'
VERTICAL
SCALE: 1"=3'
3' 1.5' 0' 3'

THEODORE WILKINSON, PE
PROFESSIONAL ENGINEER
NEW JERSEY LICENSED IN NEW JERSEY
REGISTRATION NO. 010-00000
IF THIS IS AN OFFICIAL DOCUMENT, THE ORIGINAL, SIGNED, AND SEALED COPY IS THE AUTHENTIC DOCUMENT AND MAY HAVE BEEN ALTERED.

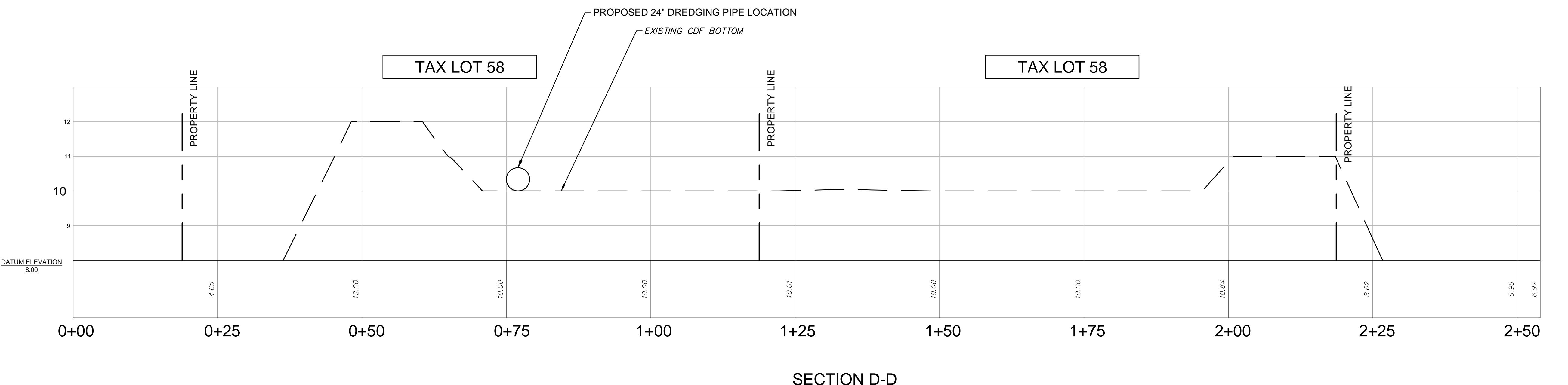
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DREDGING CROSS SECTIONS FOR ALL SEASONS MARINA
BLOCK 735, LOT 61, 62, 01, 62, 02, 64 & 65
SITUATED IN CAPE MAY COUNTY - NEW JERSEY
UPPER TOWNSHIP

date: JULY 31 2019
scale: 1" = 30'
drawn by: AW
checked: TW
proj.no.: 50-52703
15' 0' 30'



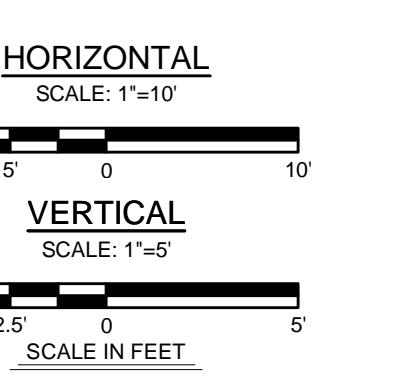
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|------------------|--|
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| LAST DATE SAVED | 9/1/2020 |
| LAST SAVE BY | awebt |

DREDGING CROSS SECTIONS
FOR
ALL SEASONS MARINA
BLOCK 735, LOT 61, 62, 01, 62, 02, 64 & 65
SITUATED IN
UPPER TOWNSHIP - CAPE MAY COUNTY
NEW JERSEY

revisions

ADAMS, REHANNAN & HEGGAN
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FAX: (609) 467-8899

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NEW JERSEY LICENSE NO. GE 39607
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