



**US Army Corps
of Engineers**
Philadelphia District
1650 Arch Street
Philadelphia, PA 19103-2004
Attn: CENAP-OPR

Public Notice

Comment Period Begins: April 4, 2024
Comment Period Ends: May 5, 2024
File Number: NAP-2023-00963-45
File Name: Thomas and Beverly Gill-Marina, 110 10th St
Contact: Mr. Bryan P. Bellacima, (215) 656-6732
Email: bryan.p.bellacima@usace.army.mil

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).

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: Thomas and Beverly Gill

AGENT: Mr. David Hayes
Environmental Technician
The Hyland Group
701 West Avenue, Suite 301
Ocean City, NJ 08226

LOCATION: The project is located in the waterways known as Beach Thorofare (Federal Navigation Channel) and Glenn Cove (man-made lagoon), at 110 West 10th Street, on the property known as block 1009.02, lots 2, 2.01, 2.02, and 2.03, in Ocean City, Cape May County, New Jersey. Center coordinates: 39.28096345°, -74. 58215421991525°

PURPOSE: The purpose of the project is to install/construct a public marina for the mooring of 10 recreational vessels.

PROJECT DESCRIPTION:

The project involves the removal, replacement, and the construction and/or installation of new fixed piers, floating docks, and piling associated with the reconfiguration and expansion of the existing 5 slip mooring facility, to provide for a 10 slip public marina. Recreational vessels mooring at the marina would be no more than 20 to 30 feet in length and draft no more than 4 feet. The proposed marina would include installing a 6' X 6' landing/pier, a 3' X 18' access ramp, a 178' X 8' floating dock system, three 38' X 4' floating docks, one 28' X 4' floating dock, and 32 twelve-inch timber pilings. In addition, the project would involve the replacement and/or reconstruction of the existing fixed pier. The reconstruction would provide for a reduction in the size of the fixed pier to 32.56' X 13.14'. At this time, the applicant proposes no changes and/or work on the uplands of residential property.

Prior to the installation and reconstruction of the marina structures (docks, piers, piling), a turbidity curtain would be placed around all proposed in-water work areas. As indicated by the applicant, a temporary barge would be used for staging and as a work platform to install the in-water marina structures. In addition, the barge would support a vibratory hammer to install the 32 pilings. Furthermore, the project area and/or the Glenn Cove waterway is included as part of Ocean City's overall maintenance dredging of various waterways authorized by the issuance of Department of the Army (DE) permit CENAP-OPR-2010-00311-24, dated July 24, 2018. As indicated by the applicant, the project area/Glenn Cove would be dredged, in accordance with the above stated DE permit, prior to the installation of the proposed marina structures.

As specified, all in-water marina structures would be comprised of alternative and/or non-polluting construction materials, which include untreated lumber, composite/plastic materials, and 21 poly coated piling. At this time, the proposed marina would impact and/or occupy an area of approximately **0.051 acres** within waters of the United States. Impacts to wetlands are not proposed due to the construction of the marina facility. Furthermore, the marina would be subject to any United States Coast Guard requirements for navigational safety associated with marina operations.

For additional project details, see the attached plans identified as: "Gill Residence...", sheets GE201 and GE301, dated July 27, 2023, and January 1, 2024, last revised March 14, 2024. All plans were prepared by The Hyland Group.

MITIGATION

The applicant has stated that the proposed project has been designed to avoid and minimize adverse effects on the aquatic environment to the maximum extent practicable. To avoid and minimize adverse effects/impacts on the aquatic environment, the project would include the use of alternative/non-polluting construction materials, turbidity curtains, a vibratory hammer to construct the marina facility, and the installation of chocks/stops to prevent the floating docks from resting on the bottom of the waterway at any stage of the tide. In addition, the marina/dock structures were designed to match the current design/length of the adjacent properties' waterfront structures (docks) and mooring areas in Glen Cove, as to not impede navigation. Information provided in the application and on plans indicates that there will be no discharge of dredged or fill material in waters of the United States and as such, compensatory mitigation for the proposed structure(s) and/or work is not proposed

CORPS EVALUATION FACTORS

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 these factors 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.

ENDANGERED SPECIES

A preliminary review of this application indicates that species and/or their critical habitat pursuant to Section 7 of the Endangered Species Act (ESA) may be present in the action area. This office will forward this Public Notice to the U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS) with a request for technical assistance on whether any ESA-listed species or their critical habitat may be present in the area which would be affected by the proposed activity. This office will evaluate the potential effects of the proposed actions on ESA-listed species or their critical habitat and will consult with the USFWS and/or NMFS, as appropriate. ESA Section 7 consultation would be concluded prior to the final decision on this permit application.

CULTURAL RESOURCES AND TRIBAL TRUST

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

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires all federal agencies to consult with the NMFS for 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. This office will evaluate the potential effects of the proposed actions on EFH and will consult with NMFS, as appropriate. Consultation would be concluded prior to the final decision on this permit application.

WATER QUALITY CERTIFICATE

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate (WQC) is required from the State government in which the work is located. The project as proposed does not involve a discharge of dredged or fill material and therefore a water quality certificate is not required by this office.

COASTAL ZONE MANAGEMENT ACT

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 (CZM) Program. The applicant has received a CZM consistency concurrence from the State for the subject project.

SUBMISSION OF COMMENTS AND PUBLIC HEARING REQUEST

Any comments received will be considered by this office to determine whether to issue, modify, condition, or deny a permit for this proposed project. To make this decision, comments are used to assess the probable impact on the public interest. 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 must be submitted, in writing, within the comment period indicated in the header above. Any person may request, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing must be in writing and state the reasons for holding a public hearing.

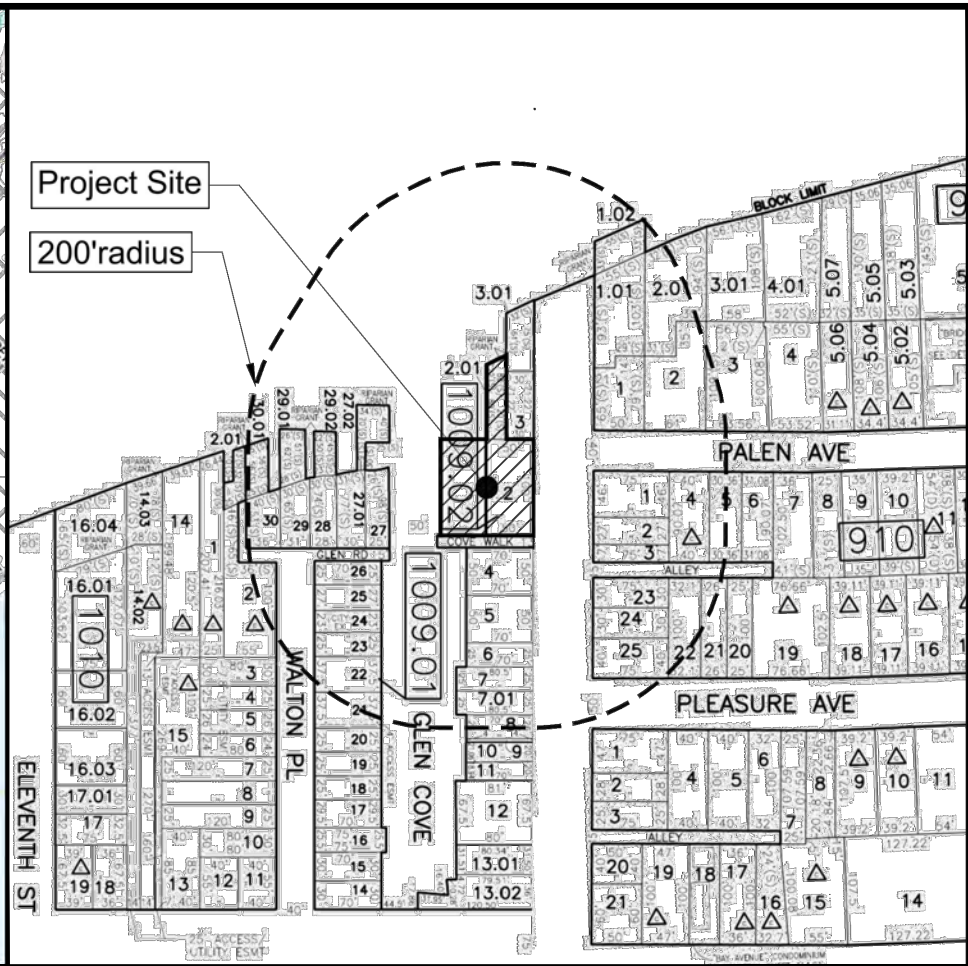
Please provide any comments, request for a public hearing, or requests for additional information to the Regulatory Project Manager indicated above. All Public Notices are posted on our website at:

<https://www.nap.usace.army.mil/Missions/Regulatory/Public-Notices/>

FOR: Todd A. Schaible
Chief, Regulatory Branch

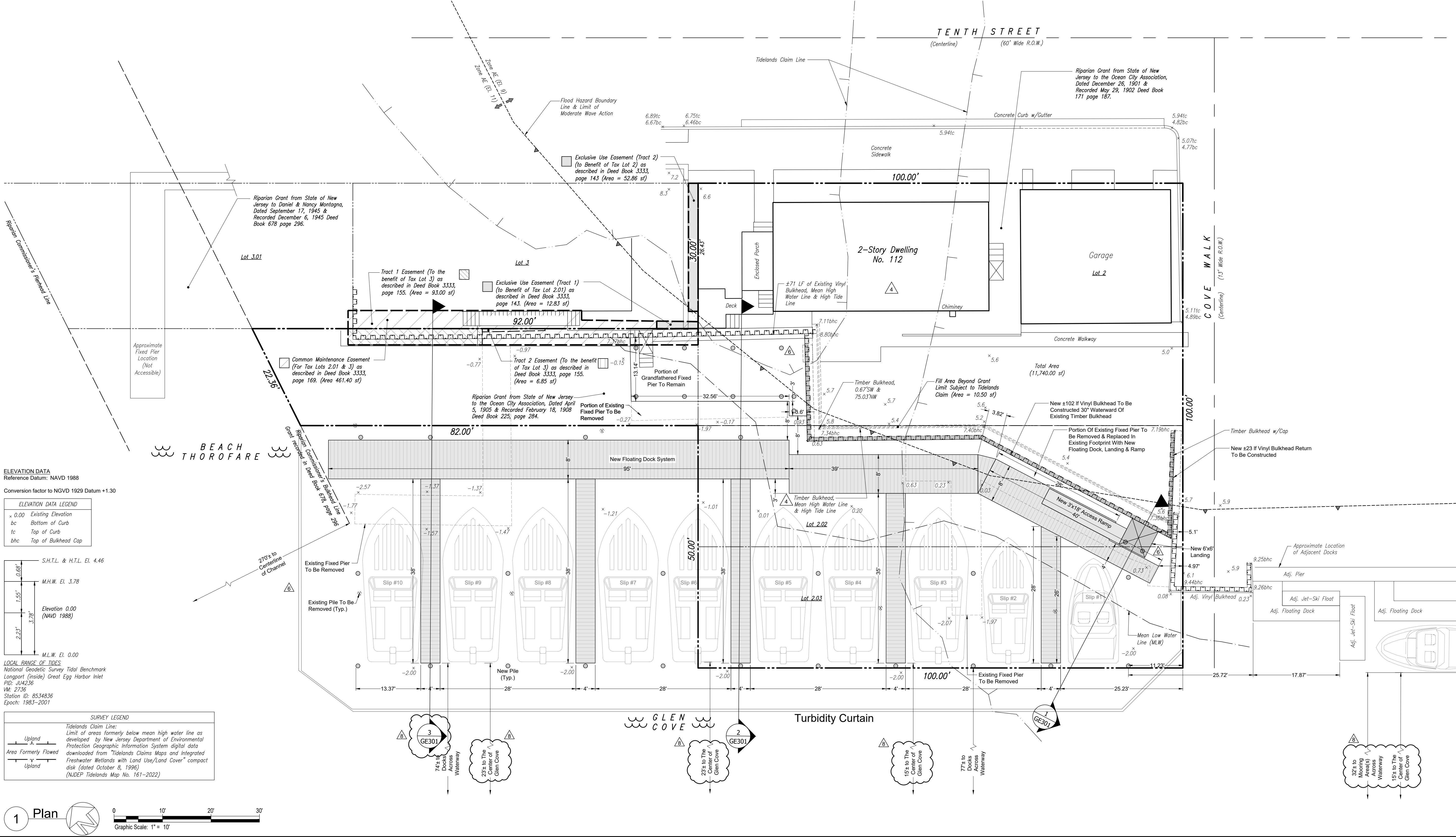


U.S.G.S Map
"Ocean City, NJ" Quadrangle
Map Date: 2019 (Map No. USGSX24K32863)
Scale: 1" = 2,000'



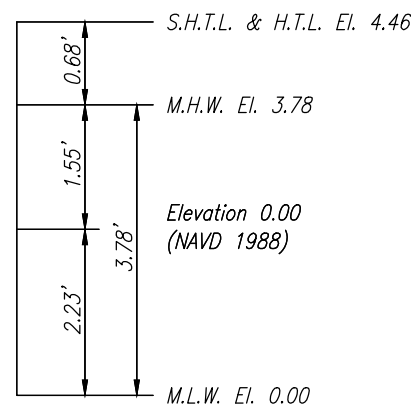
Tax Map
"City of Ocean City" Tax Map Sheet No. 14 & 17
Map Date: January, 2015
Scale: 1" = 200'

- GENERAL NOTES
1. Plan Reference: Existing conditions shown hereon per plan prepared by The Hyland Group entitled "Survey of Premises" bearing drawing number V101 (sheet 1 of 1) dated March 30, 2022 (last revised 05.18.2022).
 2. Clean fill from an upland source shall be used for backfill.
 3. Proposed bulkhead must 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. Creosote and pressure-treated lumber (i.e. preservative treatment such as CCA-C, ACZA, CC ACQ, etc.) (volcanized) which is susceptible to leaching are considered polluting materials and are not acceptable.
 4. All proposed structures, including piers and docks (piers, stringers, walers and decking), boat lifts, mooring piles, breakwaters, and replacement bulkheads must 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. Creosote and pressure-treated lumber (i.e. preservative treatment such as CCA-C, ACZA, CC ACQ, etc.) (volcanized) which is susceptible to leaching are considered polluting materials and are not acceptable.



ELEVATION DATA
Reference Datum: NAVD 1988
Conversion factor to NGVD 1929 Datum +1.30

ELEVATION DATA LEGEND	
x	0.00 Existing Elevation
bc	Bottom at Curb
tc	Top of Curb
bhc	Top of Bulkhead Cap

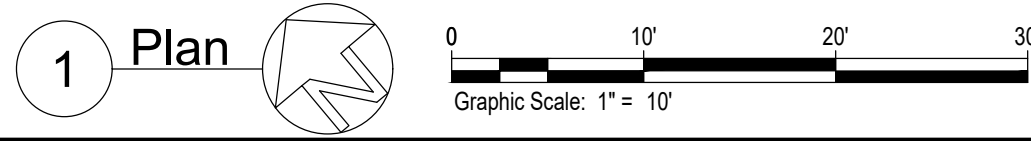


LOCAL RANGE OF TIDES
National Geodetic Survey Tidal Benchmark
Longport (inside) Great Egg Harbor Inlet
PID: J04236
WM: 2736
Station ID: 85348.36
Epoch: 1983-2001

SURVEY LEGEND

Tidelands Claim Line:
Limit of area formerly below mean high water line as developed by New Jersey Department of Environmental Protection Geographic Information System digital data downloaded from Tidelands Claims Maps and integrated Freshwater Wetlands with Land Use/Land Cover compact disk (dated October 8, 1996) (NJDEP Tidelands Map No. 161-2022)

Updland
Area Formerly Flowed
Updland



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ai⁵ hdg
Architectural Division Engineering Division
Architectural & Interior Surveying & Environmental
Arch. Cert. of Auth. No. 21AC00040300
Eng. & Surv. Cert. of Auth. No. 24GA280887300

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Project Team:

John E. Halbruner
NJ Professional Engineer No. 42918

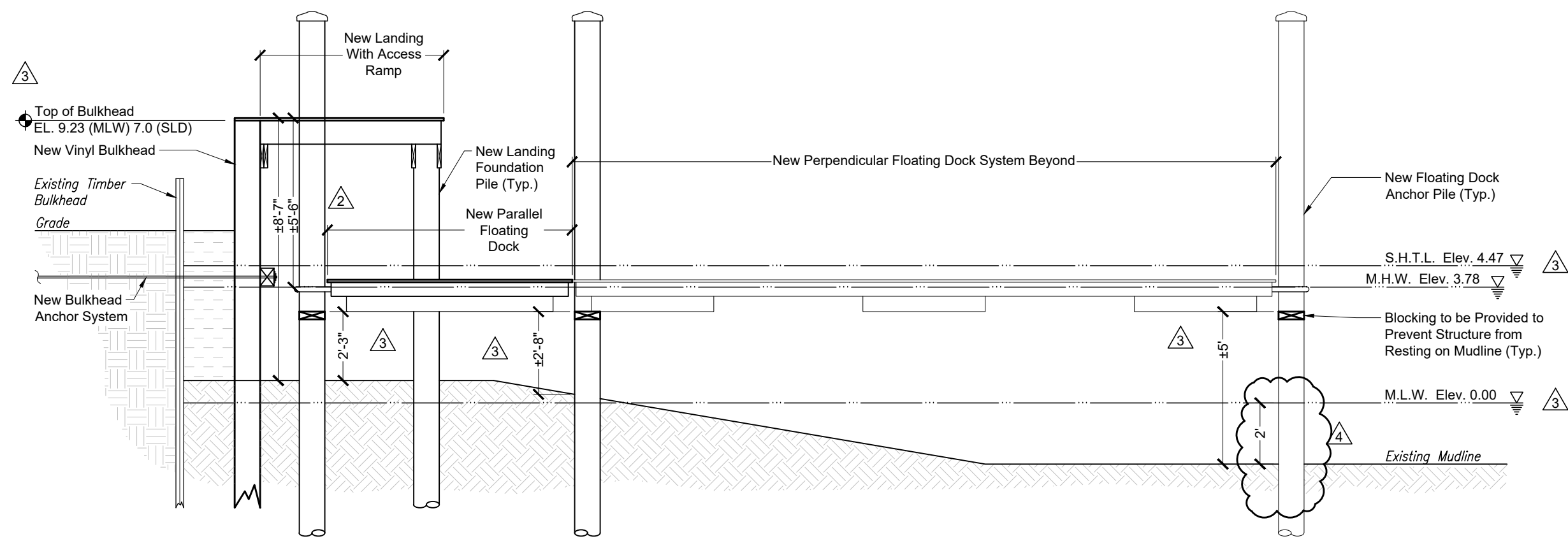
Gill Residence
New Bulkhead & Waterfront
Structures

Location:
110 Tenth Street
Block: 1009.02
Lots: 2, 2.01, 2.02 & 2.03
City of Ocean City
Cape May County
New Jersey

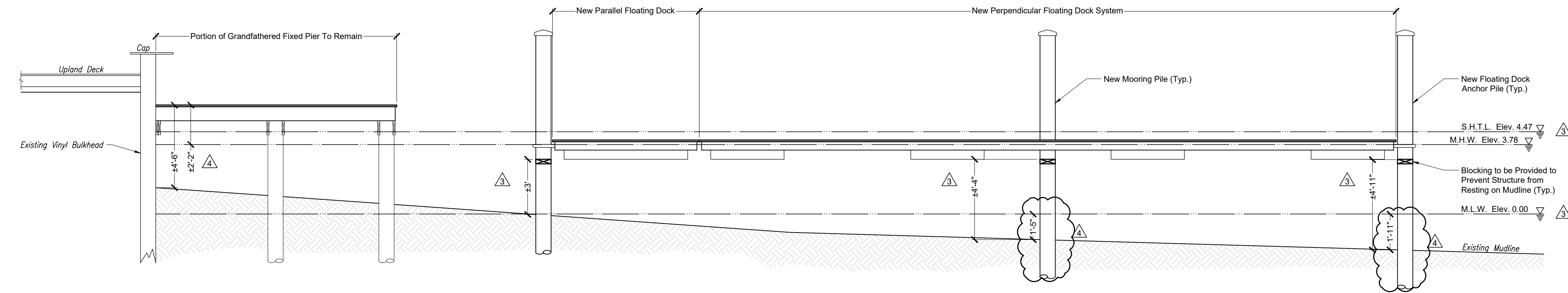
Client:
Thomas & Beverly Gill

No.	Description	Date
1.	Initial Issuance	07.27.23
2.	Removed NJDEP Approved Docks	09.26.23
3.	Note Updates Per ACOE Req	10.27.23
4.	Add High Tide Line	11.06.23
5.	Waterfront Structures Added	01.01.24
6.	Piling & Adj. Structures Added	01.25.24
7.	Notes Added	02.21.24
8.	Section Note Added	03.14.24
Drawn By: RDS		Checked By: JEH
Project No.		5321.03

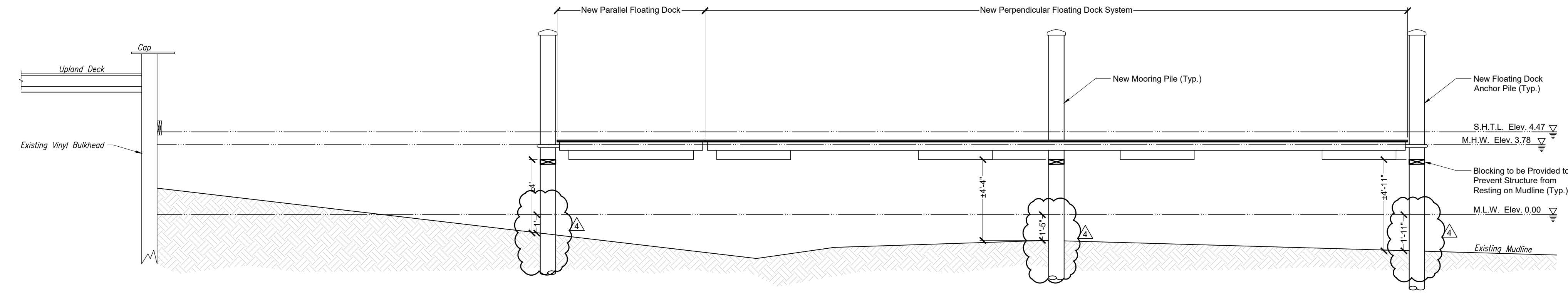
ACOE Permit Plan
GE201
Sheet 01 of 01



1 Section
Scale: 1/4" = 1'-0"



2 Section
Scale: 1/4" = 1'-0"



3 Section
Scale: 1/4" = 1'-0"



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Gill Residence
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110 Tenth Street
Block: 1009.02
Lots: 2, 2.01, 2.02 & 2.03
City of Ocean City
Cape May County
New Jersey

Client:

Thomas & Beverly Gill

No.	Description	Date
1.	Initial Issuance	01.01.24
2.	Section Revisions Per ACOE Comments	01.25.24
3.	Elevations Changed & Blocking Revised	02.21.24
4.	Section Revisions Per ACOE Comments	03.14.24

Drawn By: JM
Checked By: JEH
Project No. 5321.03