



**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-2015-00332

Date
JUN 04 2015

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: Lighthouse Pointe Marina

AGENT: Joseph H. Maffei
Engineering Design Associates
5 Cambridge Drive
Ocean View, NJ 08230

WATERWAY: Grassy Sound Channel

LOCATION: Decimal Latitude: 38.989346° North; Longitude: -74.836298° West
Lighthouse Pointe Marina
5101 Shawcrest Road
Wildwood, NJ 08260

Additional information on project location is shown on attached location maps identified as E-1 through E-4.

ACTIVITY: The applicant proposes to perform maintenance dredging by hydraulic (pipeline method) in Ludlam Thorofare. It is proposed to dredge to a maximum depth of 6 feet below MLW. The dredged material would be transported by floating pipe, anchored to the waterway bottom, to an existing confined disposal facility (CDF) located to the southwest at Shaw Island.

The applicant proposes to dredge 17,500 cubic yards from an area 231,444 square feet (5.31 acres) in size. The dredged material would be transported from the dredge site along Grassy Sound Channel for approximately 1,500 feet and into the CDF. The pipe would be anchored to the bottom where required to ensure only the minimum impact to navigation of the channel.

The State of New Jersey, Department of Environmental Protection, issued a Waterfront Development Permit for the hydraulic dredging on March 11, 2015 (NJDEP # 0505-06-0015.1) including a Water Quality Certificate and Acceptable Use Determination.

The applicant has stated the following as their position with regard to (a) avoidance and minimization of impacts to aquatic resources, and (b) compensatory mitigation for such impacts:

- a) The applicant has not made any statement with regard to avoidance and minimization. However, the proposed project limits are confined to the boundary of the existing marina where it connects with the adjacent federal channel. The proposed depth is limited to the depth maintained for Grassy Sound Channel.
- b) The applicant has not made any statement with regard to compensatory mitigation. Compensatory mitigation is typically not required as there will be no loss of waters or wetlands of the United States as a result of the proposed minor dredging and any impacts will be temporary.

The proposed work described above is shown on the enclosed plans labeled E-5 through E-7.

PURPOSE: To remove existing sediment to provide safer boat access, safer mooring and better access for the enjoyment of adjacent waterways.

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 30 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" website at <http://www.greateratlantic.fisheries.noaa.gov/hcd/index2a.htm> indicates that there is designated Essential Fish Habitat at or near the project location.

Analysis of the Effects: The proposed project is along Grassy Sound Channel. Shellfish beds and submerged aquatic vegetation exist nearby. However, it has been determined that observance of a seasonal restriction will ensure that there is no more than minimal adverse effect to EFH. The marina and the adjacent channel are subject to disturbance and a high volume of traffic. The specific dates may be implemented following coordination with the National Marine Fisheries Service (NMFS). Further consultation with NMFS is being conducted and will conclude prior to the issuance of a permit decision.

Corps of Engineers View: Based upon the above analysis, the Corps of Engineers has determined that the proposed project would not have a direct, indirect, site-specific, or habitat-wide impact on EFH, or upon the managed species and their life stages listed in the above referenced EFH guide, either individually, cumulatively or synergistically. The proposed project would not eliminate, diminish, nor disrupt the functions of EFH. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Compensatory mitigation : The applicant has not proposed any compensatory mitigation. There would be only minimal disturbance to aquatic habitat.

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.

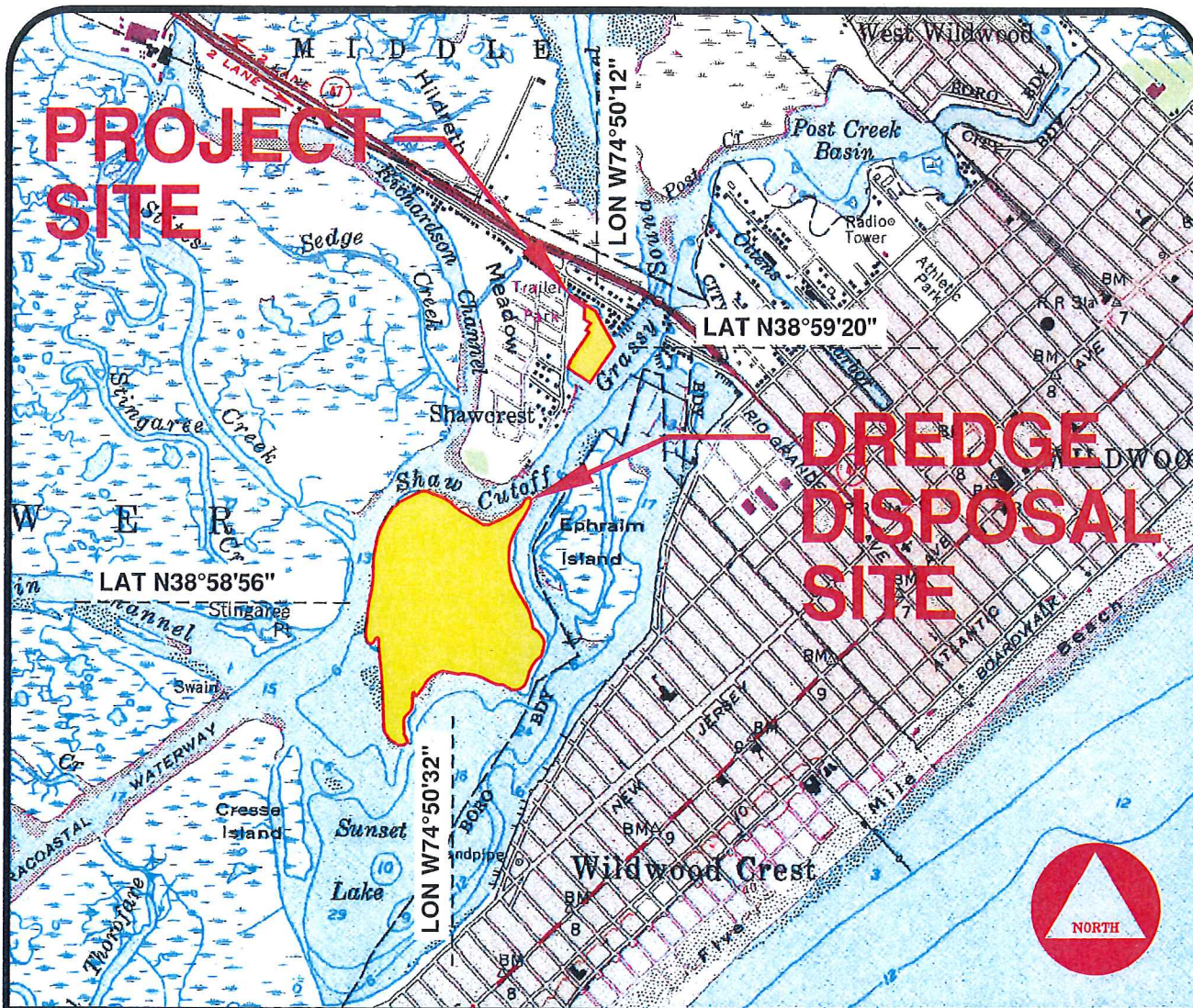
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

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 Brian Anthony at 215-656-0542, via email at brian.r.anthony@usace.army.mil, or writing this office at the above address.



Frank J. Cianfrani
Chief, Regulatory Branch



USGS MAP

(WILDWOOD QUADRANGLE #178)

1" = 2000'



**Engineering
Design
Associates, P.A.**

Engineers Environmental Planners Landscape Architects

**U.S.G.S. MAP
BLOCK 806 LOT 4.01
LOWER TOWNSHIP
CAPE MAY COUNTY, NEW JERSEY**

DATE: 4/25/14

DRAWN BY: PTJ

SCALE: AS NOTED

PROJECT #: 6749

CHECKED BY: PMM

SHEET: 1 OF 1

E1



DREDGING PROJECT SITE

1" = 300'

LIGHTHOUSE POINTE MARINA, GRASSY SOUND CHANNEL



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GENERAL LOCATION MAP
BLOCK 806 LOT 4.01
LOWER TOWNSHIP
CAPE MAY COUNTY, NEW JERSEY

DATE: 4/25/14

DRAWN BY: PTJ

SCALE: AS NOTED

PROJECT #: 6749

CHECKED BY: PMM

SHEET: 1 OF 1

E2

**PROJECT
SITE**



DELINEATED DISPOSAL AREA
SHAW ISLAND

1" = 700'



**Engineering
Design
Associates, P.A.**

Engineers Environmental Planners Landscape Architects

**GENERAL LOCATION MAP
BLOCK 819 LOTS 1.01 & 1.02
LOWER TOWNSHIP
CAPE MAY COUNTY, NEW JERSEY**

DATE: 4/25/14

DRAWN BY: PTJ

SCALE: AS NOTED

PROJECT #: 6749

CHECKED BY: PMM

SHEET: 1 OF 1

E3



FLOATING PIPELINE LOCATION PLAN

1" = 1000'



Engineering
Design
Associates, P.A.

Engineers Environmental Planners Landscape Architects

FLOATING PIPELINE LOCATION PLAN BLOCK 819 LOTS 1.01 & 1.02 LOWER TOWNSHIP CAPE MAY COUNTY, NEW JERSEY

DATE: 5/19/15

DRAWN BY: PTJ

SCALE: AS NOTED

PROJECT #: 6749

CHECKED BY: PMM

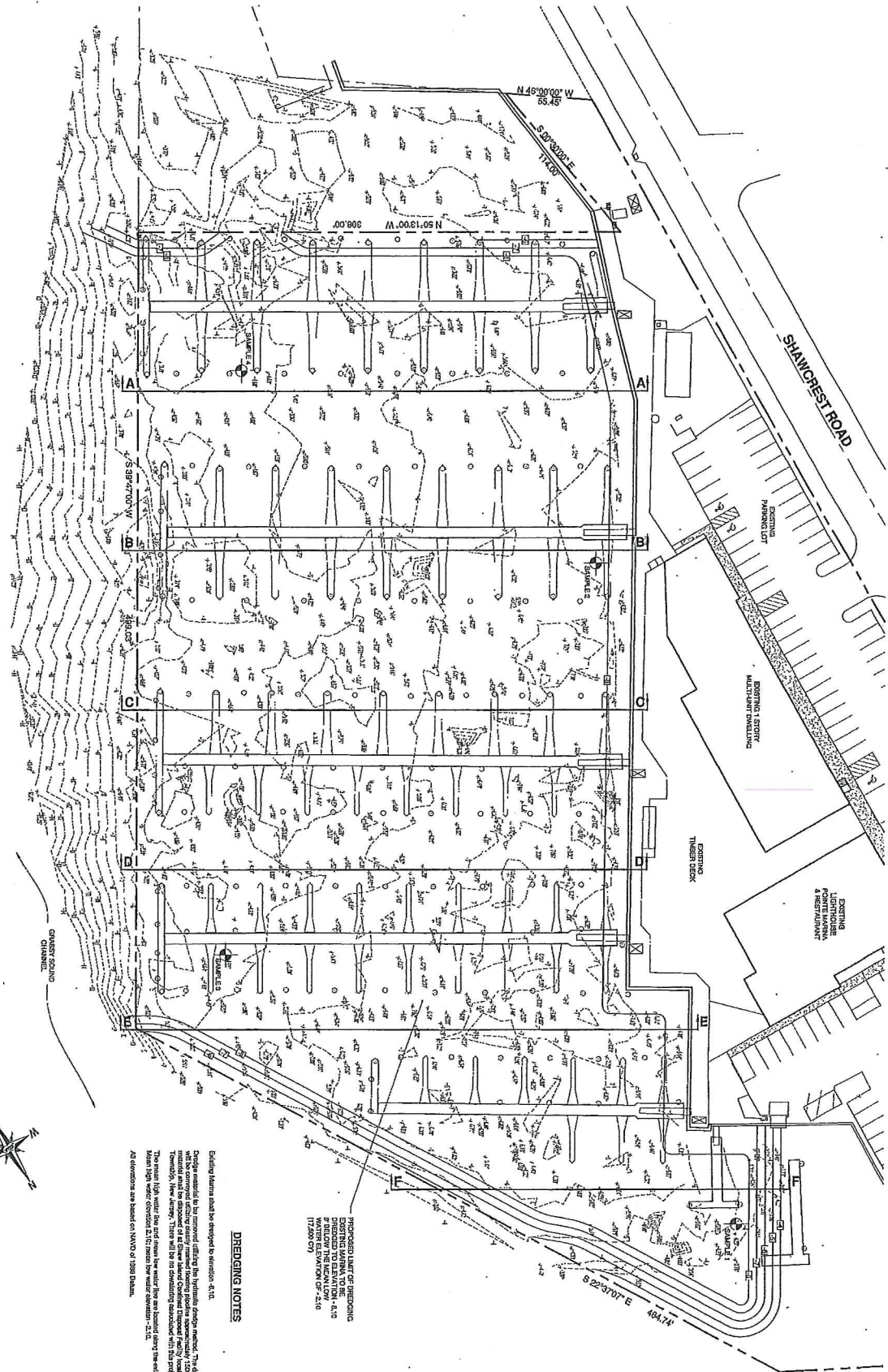
SHEET: 1 OF 1

E4

MAINTENANCE DREDGING PLAN

LIGHTHOUSE POINT MARINA

EDA Engineers - Landscape Architects - Planners



DREDGING NOTES

Existing marina shall be dredged to section -4.0. Dredging material to be removed utilizing the hydraulic dredge method. The dredged material will be conveyed to existing nearby paved parking areas approximately 7500 feet. The dredged material will be used for landscaping purposes. The dredging shall be completed within 180 days of the start of the project. The final high water line and lowest low water line are shown along the existing bulkhead. Mean high water elevation is 2.0. Mean low water elevation is -2.0. All elevations are based on MVD of 1985 Datum.

PROPOSED LIMIT OF DREDGING EXISTING MARINA TO BE DREDGED TO SECTION -4.0 BY DREDGING THE MARINA LAYERS TO ELEVATION OF -4.0 (TYPICAL)



DATE: 5/14/14	DRAWN BY: PTJ
SCALE: 1" = 30'	CHECKED BY: JAM
PROJECT #: 0746	SHEET: 2 OF 3

REVISION	DATE	BY
1. AS PER MVD	5/14/14	PTJ
2. AS PER MVD	7/24/14	PTJ

THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

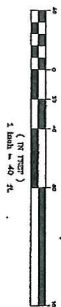
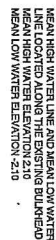
JOSEPH H. MAFFEI
PROFESSIONAL ENGINEER
N.J.P.E. LIC. #37894

EDA Engineering Design Associates, P.A.
Engineers, Environmental Planners, Landscape Architects
CAMBRIDGE PROFESSIONAL OFFICES
8 Cambridge Drive Ocean View New Jersey 08208
(609) 384-0333 • Fax (609) 384-8204
CERTIFICATE OF JUNE 2008/2012/2015/2018/2020

MAINTENANCE DREDGING PLAN
LIGHTHOUSE POINT MARINA
BLOCK 806 LOT 5
LOWER TOWNSHIP
CAPE MAY COUNTY, NEW JERSEY

E5

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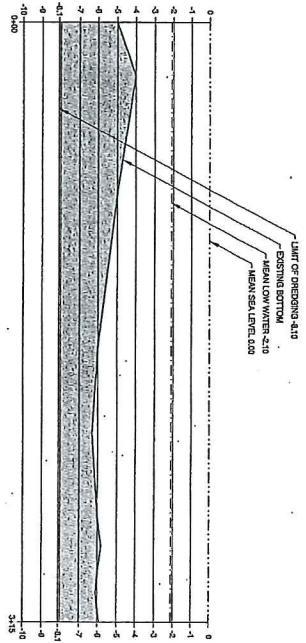
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ENGINEERING DESIGN ASSOCIATES, P.A.

.....
[Signature]

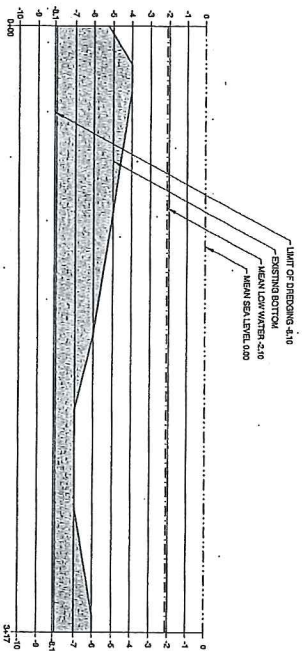
**MAINTENANCE DREDGING PLAN
LIGHTHOUSE POINT MARINA
BLOCK 806 LOT 5
LOWER TOWNSHIP
CAPE MAY COUNTY, NEW JERSEY**

E6



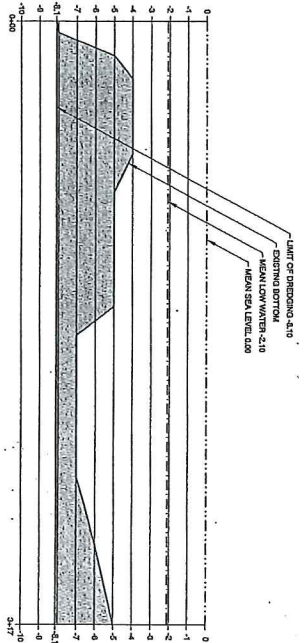
CROSS SECTION A-A

VERTICAL SCALE 1" = 3'
HORIZONTAL SCALE 1" = 30'



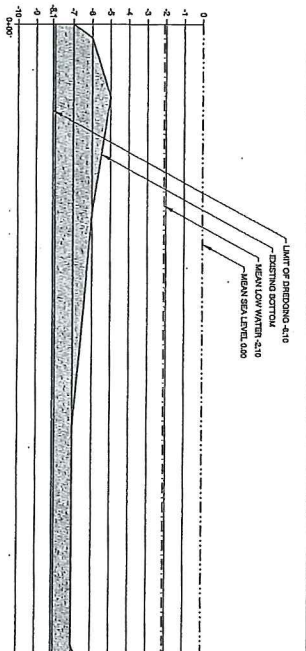
CROSS SECTION D-D

VERTICAL SCALE 1" = 3'
HORIZONTAL SCALE 1" = 30'



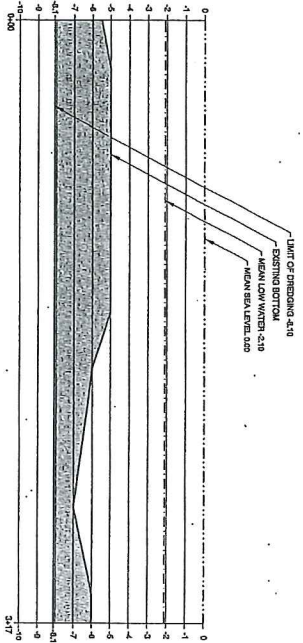
CROSS SECTION B-B

VERTICAL SCALE 1" = 3'
HORIZONTAL SCALE 1" = 30'



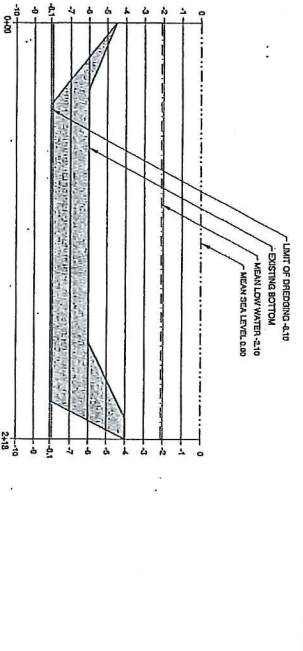
CROSS SECTION E-E

VERTICAL SCALE 1" = 3'
HORIZONTAL SCALE 1" = 30'



CROSS SECTION C-C

VERTICAL SCALE 1" = 3'
HORIZONTAL SCALE 1" = 30'



CROSS SECTION F-F

VERTICAL SCALE 1" = 3'
HORIZONTAL SCALE 1" = 30'

EDA Engineering Design Associates, P.A.
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CAMBRIDGE PROFESSIONAL OFFICES
6 Cambridge Drive Ocean View New Jersey 08250
TEL: 609.399.4000 FAX: 609.399.4004
CERTIFICATE OF AUTHORIZATION: 14A00070000

**MAINTENANCE DREDGING PLAN
CROSS SECTIONS
BLOCK 806 LOT 5
LOWER TOWNSHIP
CAPE MAY COUNTY, NEW JERSEY**

JOSEPH H. MAFFEI
PROFESSIONAL ENGINEER
N.J.P.E. LIO. #37894

7. THIS PLAN IS TO BE USED FOR THE PURPOSES OF THE MAINTENANCE DREDGING PLAN. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE USER OF THIS PLAN ASSUMES ALL LIABILITY FOR THE RESULTS OF ANY ACTION TAKEN BASED ON THIS PLAN. THE USER OF THIS PLAN SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES BEFORE ANY ACTION IS TAKEN BASED ON THIS PLAN.

EDA

DATE: 8/14/14
SCALE: AS NOTED
CHECKED BY: JHM
PROJECT #: 6793
SHEET: 3 OF 3

EDA

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E7