



**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-2015-483-35

Date

OCT 13 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: Ocean County Department of Parks and Recreation
1198 Bandon Road
Toms River, New Jersey 08753

AGENT: Ms. Ericka Naklicki
Senior Environmental Scientist
T&M Associates
11 Tindal Road
Middletown, New Jersey 07748

WATERWAY: Barnegat Bay.

LOCATION: Berkeley Island County Park, Brennan Concourse, Block 1669, Lots 1 & 1.01, Berkeley Township, Ocean County, New Jersey (enclosure 1 and 2).

ACTIVITY: The applicant proposes to discharge fill material into waters of the U.S. to perform shoreline protection and for creation of a living shoreline bank stabilization at Berkeley Island County Park (enclosures 3 through 8). The project involves work on the north and south sides of the main access roadway (Brennan Concourse).

Proposed work on the south side of the park includes construction of 5 stone/wood breakwaters, occupying 0.409 acres of sub-tidal shallows, off-shore of the park to maintain approximately 0.50 acres of sand discharged/placed below the High Tide Line to create a stable living shoreline and wetland system. The breakwaters are separated to allow tidal flow into the created wetland area. The area behind the stone/wood breakwater would then be planted with native salt marsh vegetation. Additionally, an existing stone jetty, would be extended and would occupy 0.046 acres of sub-tidal habitat, in order to protect 0.270 acres of restored beach habitat. The beach has eroded due to recent storm activity.

Proposed regulated work on the north side of the park involves the discharge of rock rip rap, mostly on top of existing stone, to protect the north shoreline from erosion. Maintenance of the existing revetment would involve the discharge of fill material into 0.26 acres of intertidal habitat. Extension of the revetment as breakwater would result in the discharge of stone into 0.096 acres of sub-tidal habitat. The breakwater is proposed to protect the shoreline immediately adjacent to the park access road which has suffered significant erosion.

The applicant has also proposed to replace, within 24" of the existing structure, 575' linear feet of vinyl bulkhead to protect the northern portion of the park.

PURPOSE: The applicant's stated purpose is to restore damaged shorelines through living shoreline techniques and protect the shore from further erosion.

A preliminary review of this application indicates that the proposed work will not effect threatened and endangered species. While Atlantic Sturgeon (Acipenser oxyrinchus), Kemp's ridley sea turtle (Lepidochelys kempii), loggerhead sea turtle (Caretta caretta), green sea turtle (Chelonia mydas), leatherback sea turtle (Dermochelys coriacea) and hawksbill sea turtle (Eretmochelys imbricate) are in the vicinity, due to the water depths of the work area (i.e., very shallow) and limited disturbance nature of the restoration activities, these species are not likely present or effected by the project.

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.

Coordination under Section 106 of the National Historic Preservation Act is currently ongoing.

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, indicates that the project may adversely affect EFH. In order to avoid or minimize impacts to EFH species, specifically Winter Flounder (*Pseudopleuronectes americanus*), from the discharge of sand and rock on the north and south shoreline, no in-water work will be authorized between January 1st and May 31st of any given year.

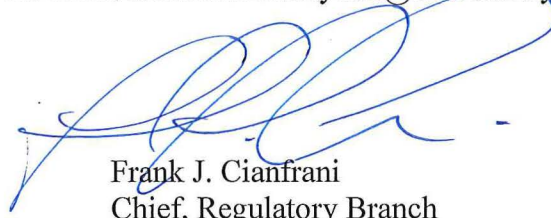
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. 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 Mr. Michael H. Hayduk at 215-656-5822, via email at michael.h.hayduk@usace.army.mil, or writing this office at the above address.



Frank J. Cianfrani
Chief, Regulatory Branch



11 Tindall Road
Middletown, NJ 07748-2792
Phone: 732-671-6400
Fax: 732-671-7365



0 1,000 2,000 4,000
Feet

Prepared by: EJN, 11/14/14
Source: USGS Topographic Map
File Path: H:\OCTY00530\Permits\NJDEP\CAFRA\USGS Map.mxd

USGS Topographic Map Berkeley Island County Park Berkeley Township Ocean County, New Jersey

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.

ENCLOSURE 1



11 Tindall Road
Middletown, NJ 07748-2792
Phone: 732-671-6400
Fax: 732-671-7365



0 200 400 800
Feet

Prepared by: EJV, 11/14/14
Source: Bing Aerial Maps, Ocean County GIS Data
File Path: H:\OCTY\00530\Permits\NJDEP\CAFRA\Site Location Map.mxd

Site Location Map Berkeley Island County Park Berkeley Township Ocean County, New Jersey

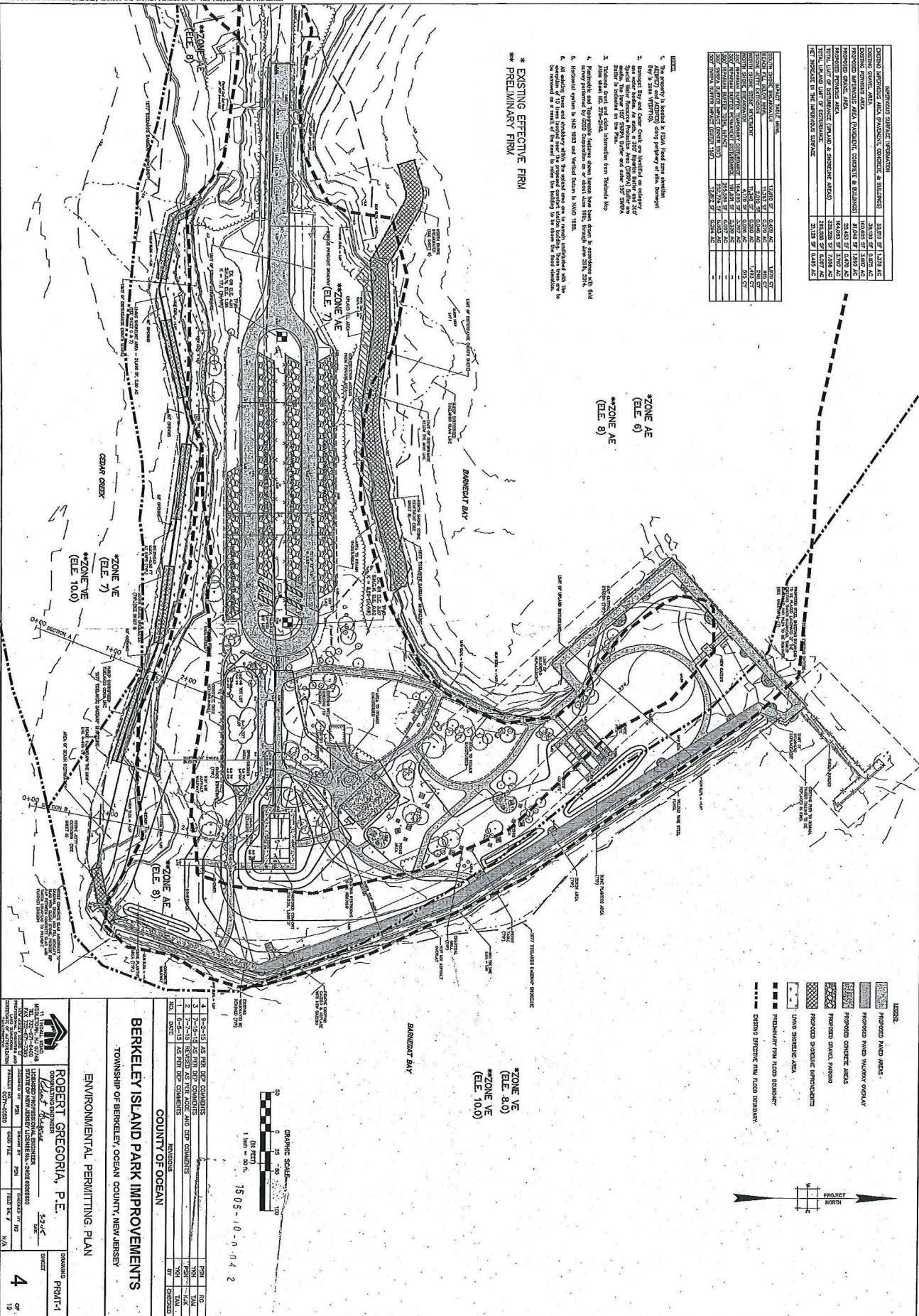
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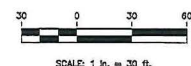
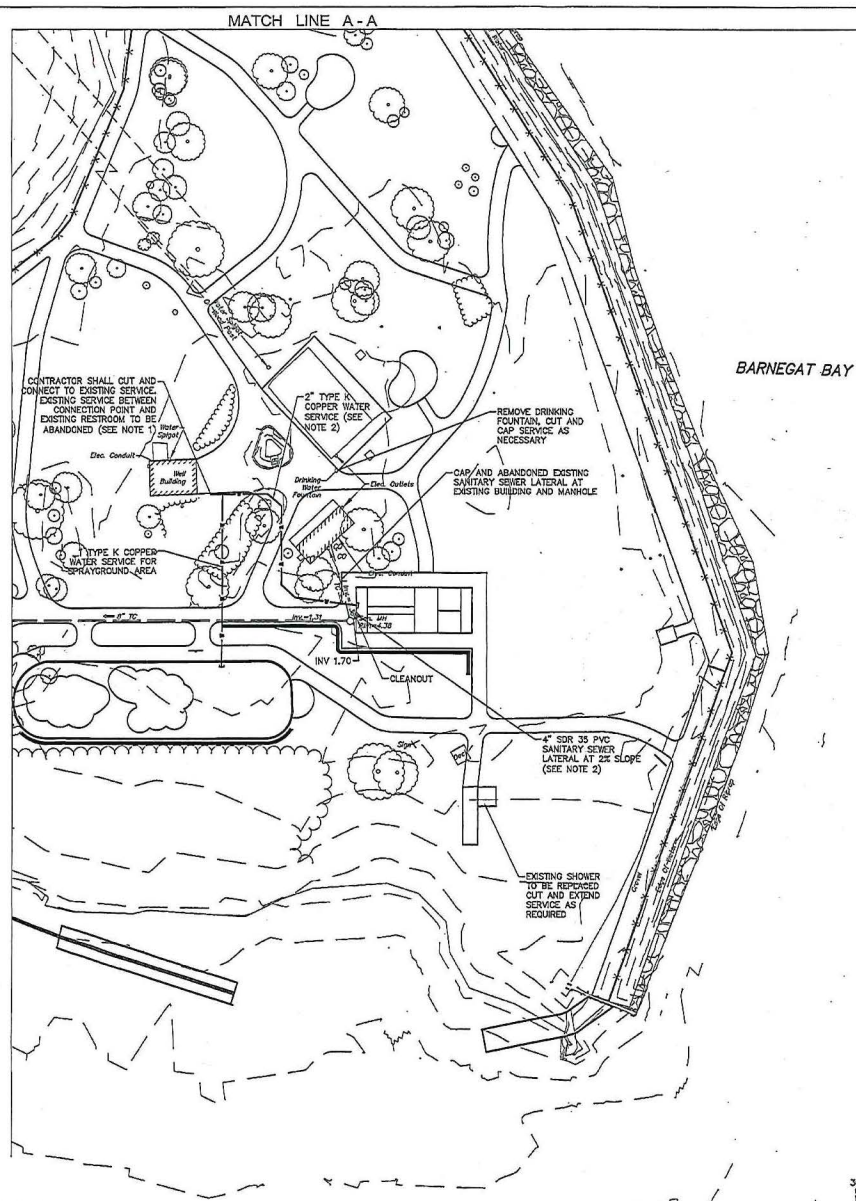
ENCLOSURE 2

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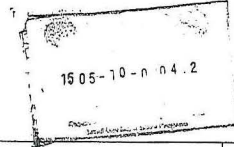
* EXISTING EFFECTIVE FIRM
** PRELIMINARY FIRM





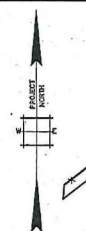
- NOTES:
1. LOCATION OF EXISTING WATER SERVICE IS APPROXIMATE. SIZE AND LOCATION SHALL BE CONFIRMED BY CONTRACTOR PRIOR TO CONNECTION.
 2. WATER AND SEWER SERVICES SHALL BE CAPPED 5' FROM BUILDING. CONTRACTOR TO COORDINATE CONNECTION OF WATER AND SEWER SERVICES TO RESTROOM BUILDING WITH BUILDING CONTRACTOR.

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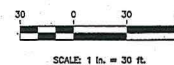
NO.	DATE	REVISIONS	BY	CHECKED
COUNTY OF OCEAN				
BERKELEY ISLAND PARK IMPROVEMENTS				
TOWNSHIP OF BERKELEY, OCEAN COUNTY, NEW JERSEY				
UTILITY PLAN				
 11 THICAL ROAD MIDDLETOWN, NJ 07748 TEL: 732-671-6500 FAX: 732-671-7555 PROFESSIONAL ENGINEER LAND SURVEYOR COUNCIL OF ADMINISTRATIVE PROFESSIONALS		ROBERT GREGORIA, P.E. CONSULTING ENGINEER <i>Robert Gregoria</i> LICENSED PROFESSIONAL ENGINEER STATE OF NEW JERSEY LICENSE No. - 0406000000 C-1-15		DRAWING UP-1
		DESIGNED BY: APP DRAWN BY: APP CHECKED BY: JAL PROJECT NO.: 007-0030 CARD FILE: APP FIELD SK: N/A		SHEET 5 OF 20

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FILE NAME: 007-0030-007004.dwg

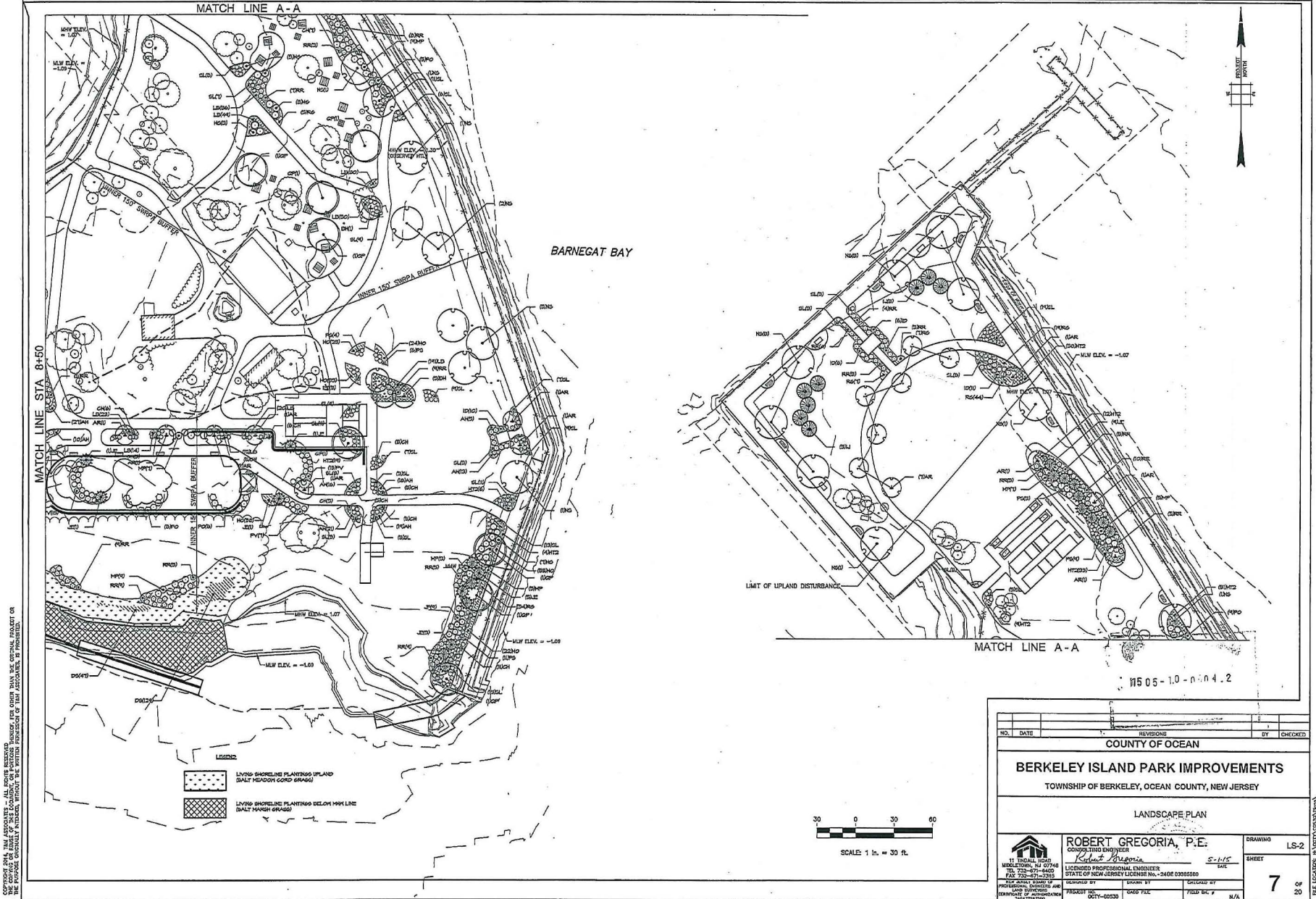


LEGEND

	LIVING SHORELINE PLANTINGS UPLAND (SALT MEADOW CORD GRASS)
	LIVING SHORELINE PLANTINGS BELOW HIGH LINE (SALT MARSH GRASS)



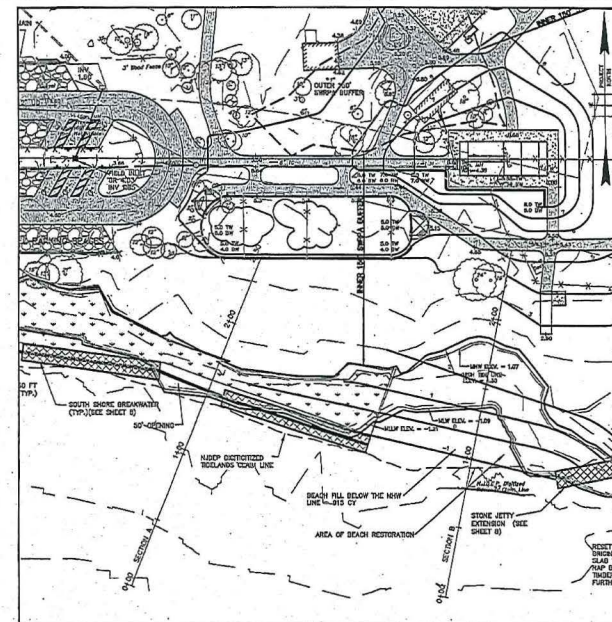
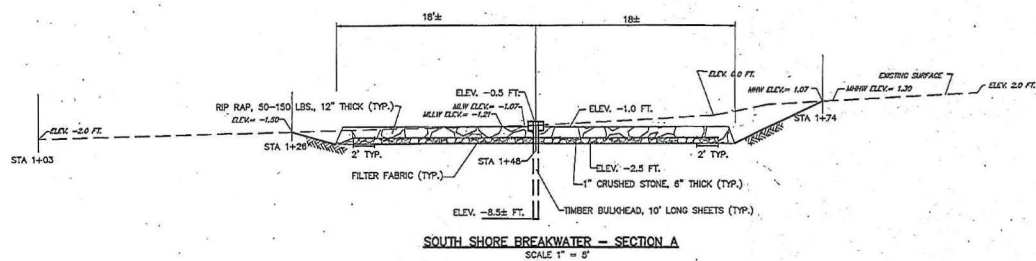
1	7-7-15	REVISED AS PER AGC AND DEP COMMENTS		PSN	KAC
NO.	DATE	REVISIONS		BY	CHECKED
COUNTY OF OCEAN					
BERKELEY ISLAND PARK IMPROVEMENTS					
TOWNSHIP OF BERKELEY, OCEAN COUNTY, NEW JERSEY					
LANDSCAPE PLAN					
 <p>THE MUNICIPAL ENGINEERING & PLANNING DEPARTMENT, INC. 111 BROADWAY FREEHOLD, NJ 07940 TEL: 732-461-7000 FAX: 732-461-7252 WWW.MUNICIPAL-ENGINEERING.COM</p>			DRAWING SHEET		
COLETTA REGORIA, P.E. <i>Coletta Regoria</i> LICENSED PROFESSIONAL ENGINEER STATE OF NEW JERSEY LICENSE NO. -5486 00000090 EXPIRING 07/01/2018			9-2-15 DATE		
PROJECT NO. _____		CLIENT NAME _____	DRAWN BY _____		
PROJECT SITE _____		CAD FILE # _____	FIELD SKETCH # _____		
			M/A _____		
			<div style="font-size: 2em;">6</div> <div style="text-align: right;">OF 19</div>		



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SECTION - LOCATIONS
SCALE 1" = 40'



SOUTH SHORE BEACH AREA - SECTION B
SCALE 1" = 5'

1	7-7-15	ADDED AS PER AOC AND DEP COMMENTS	PN	KK
NO.	DATE	REVISIONS	BY	CHECKED
COUNTY OF OCEAN				
BERKELEY ISLAND PARK IMPROVEMENTS				
TOWNSHIP OF BERKELEY, OCEAN COUNTY, NEW JERSEY				
SHORELINE IMPROVEMENT DETAILS				
		ROBERT GREGORIA, P.E. CONSULTING ENGINEER 9-2-15		
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11 HIGHL. RD. MIDDLETOWN, NJ 07748 TEL. 732-371-4600 FAX 732-371-7205 NEW JERSEY LICENSE NO. 2402039890 LICENSED PROFESSIONAL ENGINEER STATE OF NEW JERSEY		PROJECT NO. COTY-00530 DRAWN BY: [blank] CHECKED BY: [blank] DATE: [blank]		

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