



**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.	Date
<b>CENAP-OP-R-2012-0049</b>	<b>February 28, 2019</b>

Application No.	File No.
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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:** Borough of Beachwood, Ocean County, New Jersey

**AGENT:** Remington and Vernick Engineers, 9 Allen Street, Toms River, NJ 08753

**WATERWAY:** Toms River

**LOCATION:** Eastern shoreline of Toms River, along Bayside Avenue, Lot 6, Block 4.58, Borough of Beachwood, Ocean County, New Jersey.

**ACTIVITY:** The applicant has proposed to construct a 40 linear foot vinyl and timber bulkhead and pile extension immediately adjacent to the existing "T"-shaped dock (16 timber pile segments to be driven), construct rock toe stabilization (220 cubic yards of crushed stone and rock) over 1,980 square feet (0.045 acre) of waterway below the high tide line along the proposed and existing bulkhead area (including extension), and to re-grade the existing beach with 1,040 cubic yards of sand to be placed over 0.64 acre of waterway below the high tide line. The sand will be trucked in from an upland source and placed on the beach with earthmoving equipment. The applicant has also requested, after-the-fact, approval of the emergency placement of 55 cubic yards of stone stabilization over 0.030 acre of waterway below the high tide line for temporary emergency protection prior to and during proposed bulkhead construction along with 0.015 acre of fill discharged below the ordinary high water mark for bulkhead extension. The 55 cubic yards of fill will be removed when the proposed work is completed or if the proposed work is not approved.

The applicant has stated the following items:

- Alternative materials (non Creosote or CCA-treated materials) shall be used in association with the bulkhead construction, including the support piles.
- Timing restrictions shall be observed in order to protect fish species.
  - winter flounder (1/1 to 5/31)
  - various anadromous species (3/1 to 6/30)

- Turbidity barriers shall be installed to minimize turbidity and the suspension of sediments during construction.
- Distribution and re-grading of sand shall start in the uplands and move waterward and shall take place during low tide, to the extent practicable.
- Temporary stone stabilization to be removed prior to the installation of the vinyl bulkhead sheeting.

**PURPOSE:** The applicant's stated purpose of the project is to reduce erosion along the eastern shoreline of Beachwood Beach along Toms River.

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, maybe present in the action area. The ACOE will forward this PN to the US Fish and Wildlife Service 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 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, 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.

In accordance with Section 106 of the National Historic Preservation Act, the USACE cultural resource specialist has determined that the proposed work and structures are of such limited nature and scope that little likelihood exists for the proposed project to impact historic properties.

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," indicates that the area is EFH. 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.

Under 33 CFR 332, the applicant has considered the need for compensatory mitigation for losses to aquatic resources associated with the proposed project. The applicant has stated that the majority of the proposed disturbance is associated with restoration of the existing public beach to its pre-existing condition, prior to erosion (sand replacement and regrading activities). Permanent disturbance associated with the stone stabilization and bulkhead installation (0.03 of an acre), including the emergency bulkhead extension (0.015 of an acre), would be minimal (0.045 of an acre). Based on the aforementioned, mitigation is not proposed for this project.

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. The state has concurred with the applicant's certification in a waterfront development permit issued on May 17, 2018. 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. Such certification was received from the state in a waterfront development permit issued on May 17, 2018. 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.

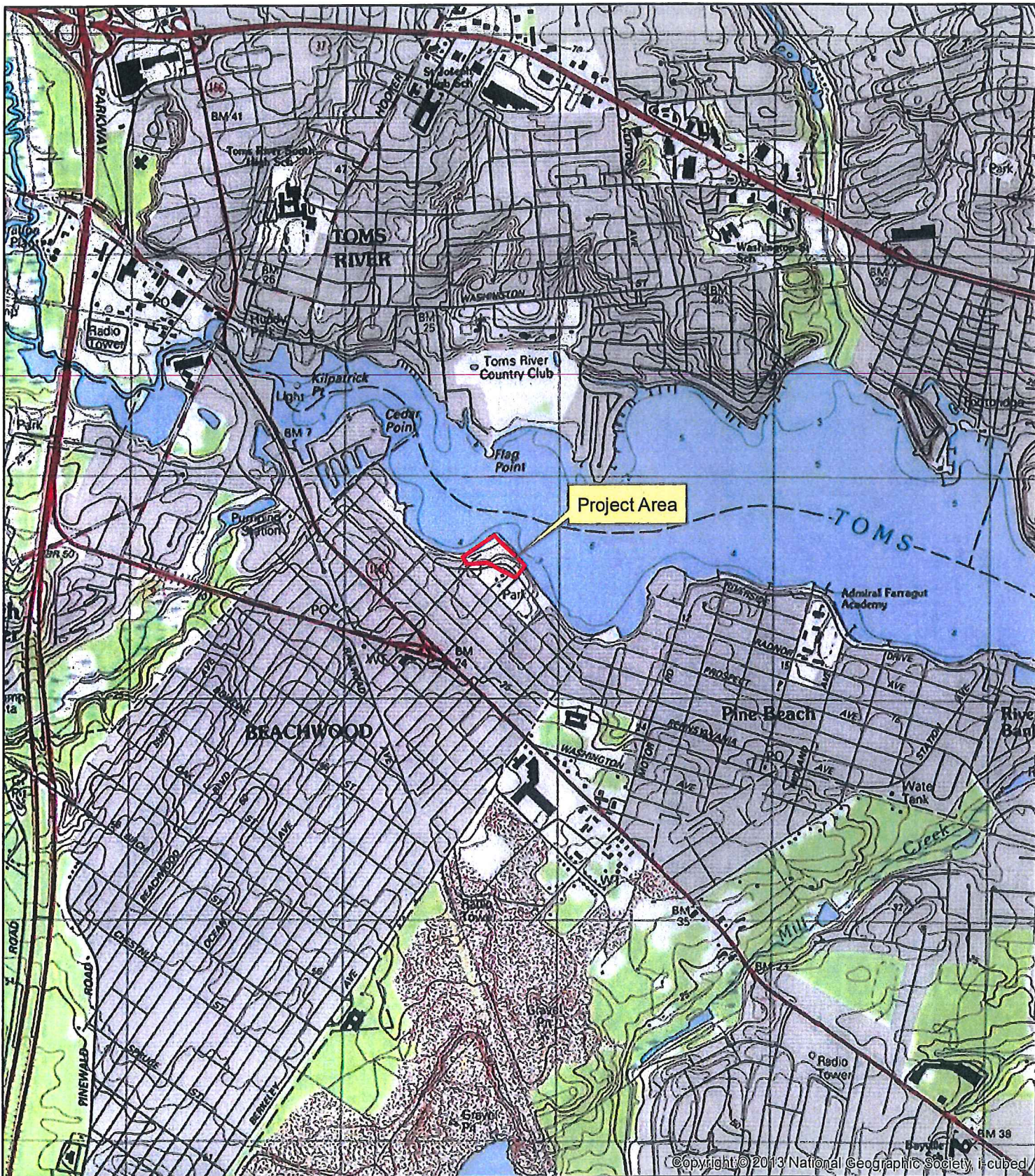
Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling David J. Caplan at (215) 656-6731, via email at David.J.Caplan@usace.army.mil, or writing this office at the above address.



Edward E. Bonner  
Chief, Regulatory Branch





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



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## **USGS Topographic Map Beachwood Beach Beachwood Borough 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.

Prepared by: EJV 12/11/17  
 Source: GIS ESRI Aerial Map  
 File Path: M:\BEWO\00677\Permits\NJDEP\SiteLocationMap.mxd





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NJ Pierhead L

FORM 92

© 2001

## EXISTING CONDITIONS

BEACHWOOD BEACH SHORE PROTECTION

### DATUM INFORMATION

TIDAL DATUM BASED ON 853-3051 TOMS RIVER  
NJ BENCHMARK CONTROL STATION 855-7380  
LEWES, FORT MILES, DE

TIDAL BENCHMARK REFERENCED TO NCS PID#

ALL PLAN ELEVATIONS ARE IN NAVD 88.

DATUM	MLW	NAVD 83
HTL	2.81	2.25
MHW	1.04	0.48
MWL	0.87	0.31
NAVD 83	0.56	0.00
MTL	0.48	-0.08
MLW	0.09	-0.47

### LEGEND

— . . . —	MMWL (NAVO 1988)	EXISTING GRADING
— . . . —	MMHLL (NAVO 1988)	EXISTING GRADING
— . . . —	MLWL (NAVO 1988)	EXISTING GRADING
— . . . —	MLLWL (NAVO 1988)	EXISTING GRADING
— . . . —	HTL (NAVO 1988)	EXISTING GRADING

## EXISTING CONDITIONS BEACHWOOD BEACH

SCALE: 1"=20'

2 of 7

**DATE**  
**5-10-10**

40°

20'

10°

1







PROJECT EARTHWORK TABLE FOR NHPF PERMITS (UNQUALIFIED)

STATION	CUT	FILL	NET	METHOD
TOTAL PROPOSED EARTHWORK FROM EXISTING SURFACE TO PROPOSED SURFACE	±10 C.Y.	±1040 C.Y. (7)	GRD	
PROPOSED EARTHWORK BELOW THE M.U.L.	±0 C.Y.	±595 C.Y.	GRD	
PROPOSED EARTHWORK ABOVE THE M.U.L.	±10 C.Y.	±147 C.Y.	GRD	
PROPOSED EARTHWORK BETWEEN M.U.L. AND M.U.L.	±0 C.Y.	±308 C.Y. (7)	GRD	

PROJECT EARTHWORK TABLE FOR NHPF PERMITS (UNQUALIFIED)

STATION	CUT	FILL	NET	METHOD
PROPOSED EARTHWORK BELOW THE M.U.L.	±3 C.Y.	±1047 C.Y.	GRD	
PROPOSED EARTHWORK ABOVE THE M.U.L.	±7 C.Y.	±3 C.Y. (2)	GRD	

# LEGEND

-0.05 CUT (FEET BELOW EXISTING GRADE)

1.25 FILL (FEET ABOVE EXISTING GRADE)

OUT ZONE (0.50' MAXIMUM CUT)

FILL ZONE (2.50' MAXIMUM FILL)

TEMPORARY STONE STABILIZATION

PROPOSED VINYL BULKHEAD SHEETING

PROPOSED TIMBER PILE (REMOVED)

M.U.L. (NAVD 1983) EXISTING GRADING

M.U.L. (NAVD 1983) EXISTING GRADING

M.U.L. (NAVD 1983) EXISTING GRADING

M.U.L. (NAVD 1983) EXISTING GRADING

HIGHEST OBSERVED TIDE LINE DURING 2017

# DATUM INFORMATION

TOTAL DATUM BASED ON 853-2001 TIDE RIVER

STATION 853-2001 TIDE RIVER

STATION 853-2001 TIDE RIVER

STATION 853-2001 TIDE RIVER

STATION 853-2001 TIDE RIVER

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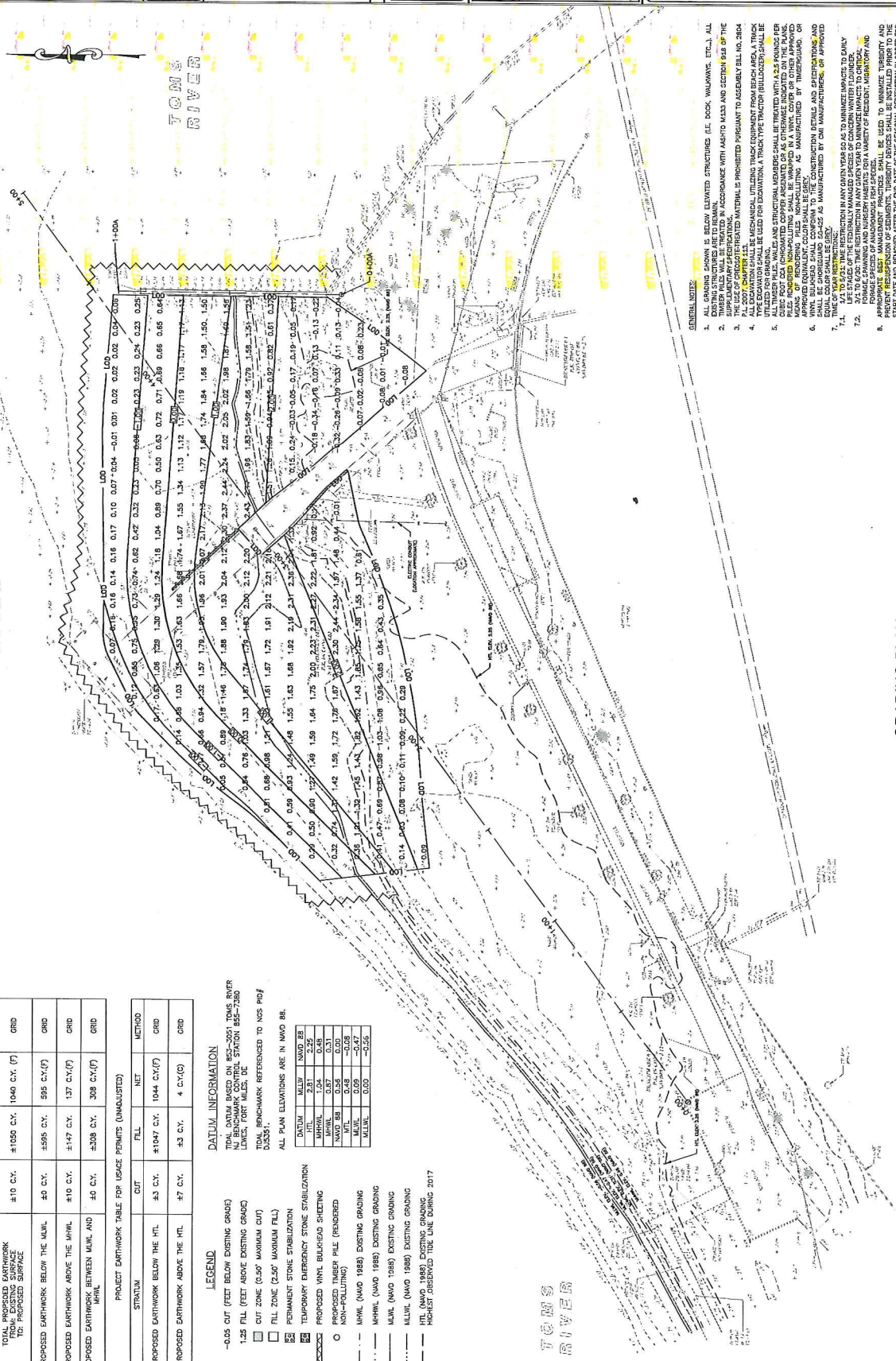
STATION 853-2001 TIDE RIVER

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STATION 853-2001 TIDE RIVER

STATION 853-2001 TIDE RIVER

TOMES RIVER



GRADING PLAN  
BEACHWOOD BEACH  
SCALE 1"=20'

# GENERAL NOTES:

1. THE BEACHWOOD BEACH ELEVATED STRUCTURE (E.L. DOCK, WALKWAY, ETC.), ALL EXISTING STRUCTURES ARE TO REMAIN.
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1901  
REWMING  
& VERNICK  
ENGINEERS

9 ALLEN STREET  
TOMES RIVER, NJ 08753  
TEL: 908-261-1111  
WWW.RVE-INC.COM  
A PROFESSIONAL ENGINEERING FIRM

ALAN B. OTTENHOFER  
PROFESSIONAL ENGINEER IN NJ No. 2892

NO.	REVISION	DATE	BY	CHKD.
1	AS PER CITY OF ROBERTS	1-1-17	AK	AK
2	AS PER CITY OF ROBERTS	1-1-17	AK	AK
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10	AS PER CITY OF ROBERTS	1-1-17	AK	AK

BEACHWOOD BEACH SHORE PROTECTION

GRADING PLAN

BOROUGH OF BEACHWOOD  
OCEAN COUNTY  
NEW JERSEY

4 of 7

10/27/2017 10:08



1991

REMINGTON & VERNICK ENGINEERS

9 ALLEN STREET

TONG RIVER, NJ 08053

(732) 786-9275 FAX (732) 756-4416

Professional Engineer No. 24260009

— ENGINEERING EXCELLENCE —

ALAN B. DITTENHOFFER

PROFESSIONAL ENGINEER NO. 24260009

CROSS SECTIONS

BOROUGH OF BEACHWOOD

BEACHWOOD BEACH SHORE PROTECTION

OCEAN COUNTY

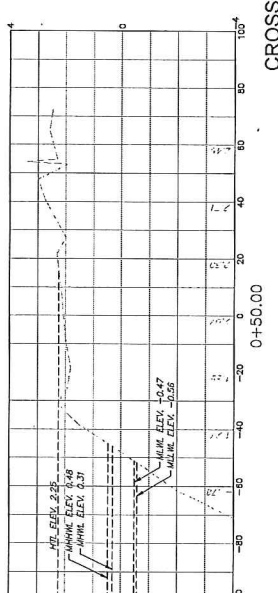
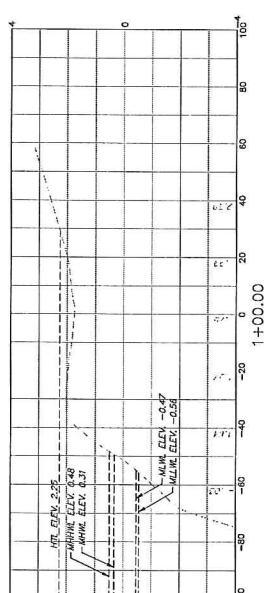
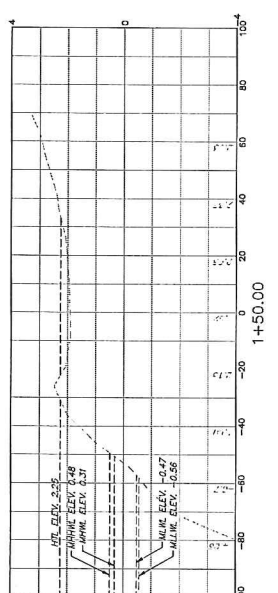
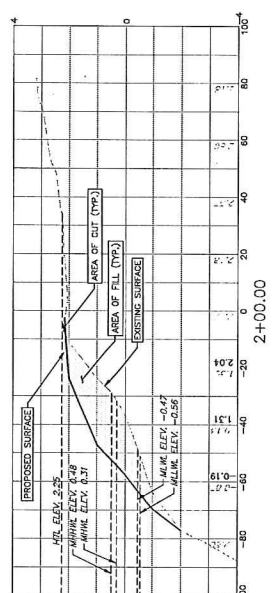
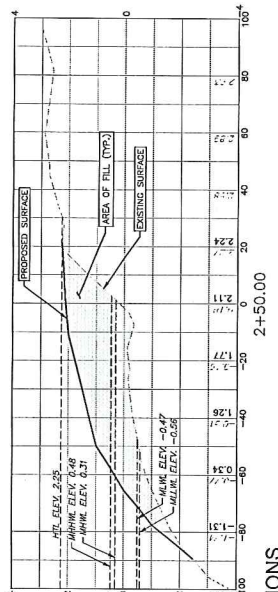
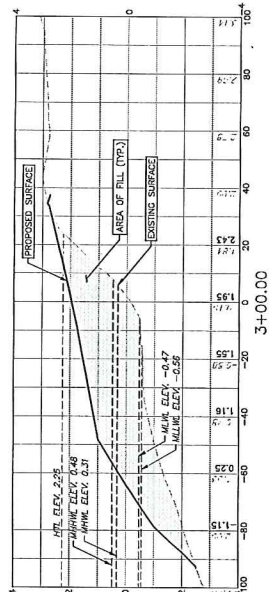
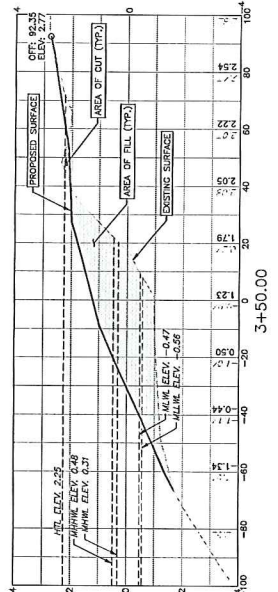
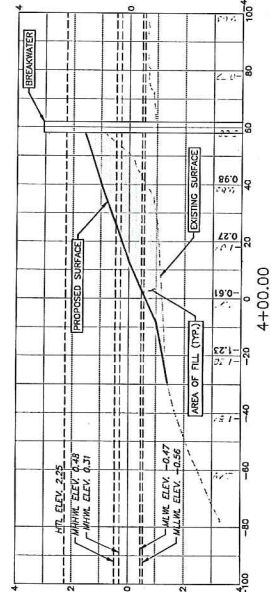
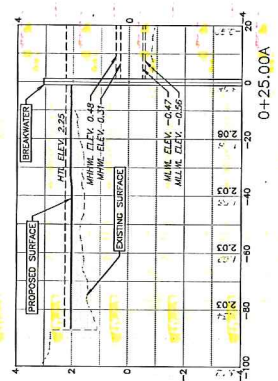
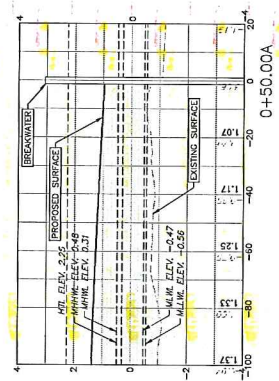
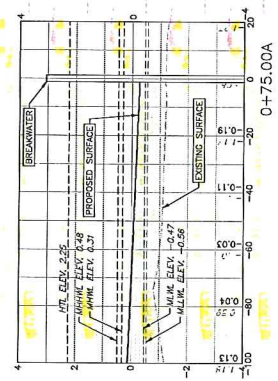
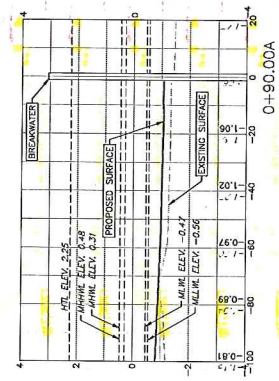
NEW JERSEY

DATE: 11-13-13

BY: K.A.

REVISION: 1

1. AS PER NEW CROSS SECTION



CROSS SECTIONS  
BEACHWOOD BEACH  
SCALE 1"=20' (HORIZ)  
SCALE 1"=2' (VERT)



RYE

1901

REMINGTON & VERNICK

ENGINEERS

TONS RIVER, NJ 08753

(732) 286-9220, FAX (732) 555-4416

WWW.RVE.COM

ALAN B. DITTENHOFF  
N.J. PROFESSIONAL ENGINEER, No. 12972

NO.	DATE	BY	CHK	REVISION
1	01-15-10	ALB		AS PER SET
2	01-15-10	ALB		AS PER SET
3	01-15-10	ALB		AS PER SET
4	01-15-10	ALB		AS PER SET
5	01-15-10	ALB		AS PER SET
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8	01-15-10	ALB		AS PER SET
9	01-15-10	ALB		AS PER SET
10	01-15-10	ALB		AS PER SET

CONSTRUCTION DETAILS

BEACHWOOD BEACH SHORE PROTECTION

BOROUGH OF BEACHWOOD

OCEAN COUNTY

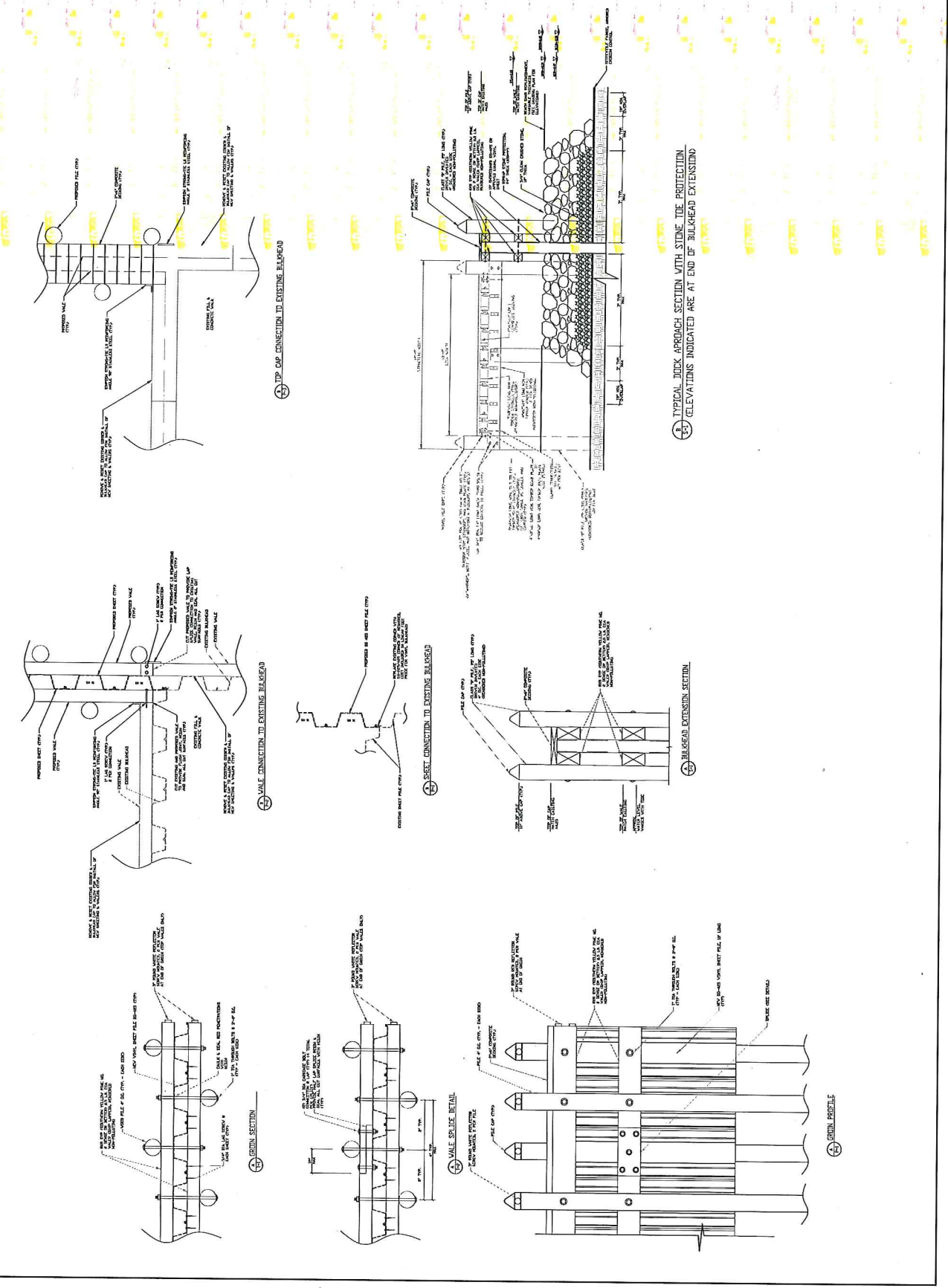
NEW JERSEY

6 of 7

DATE: 01-15-10

BY: ALB

CHK: [ ]



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NOTE: THE DETAILS PROVIDED ABOVE ARE FOR THE PROPOSED VINYL BULKHEAD SHEETING AND CAP. THE CONTRACTOR SHALL REVIEW THE DISPOSITION OF THE EXISTING CONCRETE FOUNDATION & REMNANTS OF THE EXISTING TUMBER BULKHEAD SHEETING. THE SUCCESS OF NEW #25LF OF VINYL BULKHEAD SHEETING HAS BEEN SUCCESSFUL IN NEW #25LF OF VINYL BULKHEAD SHEETING. ONCE THE VINYL SHEETING HAS BEEN SUCCESSFULLY INSTALLED TO THE REQUIRED DEPTHS, THE CONTRACTOR SHALL FILL THE VOID UNDER THE EXISTING CONCRETE WITH FLOWABLE FILL. THE CONTRACTOR SHALL NOT INSTALL THE BULKHEAD CAP UNTIL THE VOID HAS BEEN FILLED BY THE CONTRACTOR AND APPROVED BY THE ENGINEER. THE CONTRACTOR SHALL TAKE CARE TO ALLOW SUFFICIENT CLEARANCE BEHIND THE VINYL SHEETING TO ALLOW FOR INSTALLATION OF THE BULKHEAD CAP SYSTEM.