



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

# Public Notice

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Public Notice No.	Date
<b>NAP-2013-00286-46</b>	<b>June 24, 2022</b>
Application No.	File No.

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In Reply Refer to:  
**REGULATORY BRANCH**

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This District has received an application for a Department of the Army permit pursuant to 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:** John Blakeley and Amy Furlong

**AGENT:** Water's Edge Environmental, LLC

**WATERWAYS:** Atlantic Ocean and Strathmere Bay

**LOCATION:** 5 and 7 Putnam Avenue, identified as Lots 13.01 and 13.02, Block 829, community of Strathmere, Upper Township, Cape May County, New Jersey.

**ACTIVITY:** The applicant proposes to discharge fill within a *Phragmites*-dominated wetland to complete the grading of a single-family property where the home has largely been constructed. A total of 0.091 acre of wetland (0.0115 acre existing fill to be authorized and 0.079 acre proposed to be filled) would be filled for completion of the project. It should be noted that this office issued a Nationwide Permit 18 verification to the prior property owner on September 7, 2016, for the discharge of 0.1 acre of fill within wetlands for initial home, decking, driveway, and utility construction. As such, a cumulative impact of 0.191 acre of wetland fill is to be authorized herein including the 0.184 acre property and an additional 0.007 acre of road right-of-way associated with driveway and utility construction.

**PURPOSE:** The applicant's stated project purpose is to bring the grade to adjacent properties and for complete usage of the property by the residents as well as to eliminate the pooling of stagnant water after storm events that attracts mosquitos to minimize potential health hazards within the immediate vicinity of the site.

A preliminary review of this application indicates that species listed under the Endangered Species Act (ESA) or their critical habitat pursuant to Section 7 of the ESA as amended, may be present in the action area. This office will forward this public notice to the United States 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, 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 United

States Fish and Wildlife Service and/or National Marine Fisheries Service 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 or via email to [naregulatory@usace.army.mil](mailto:naregulatory@usace.army.mil) with "NAP-2013-00286-46" in the subject line.

The USACE Cultural Resource Specialist reviewed the site during the prior Nationwide Permit 18 application review and determined that there is no potential for the project to affect historic resources.

The Magnuson-Stevens Fishery Conservation and Management Act 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 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 the National Marine Fisheries Service as appropriate. Consultation will be concluded prior to the final decision on this permit application.

Compensatory Mitigation : The prior property owner purchased appropriate credits from an approved mitigation bank for the initial 0.1 acre of fill discharged in wetlands as approved under the 2016 Nationwide Permit 18 verification. The current property owner (applicant) has stated that they would purchase appropriate credit from an approved mitigation bank for the proposed wetland loss (0.091 acre).

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate (WQC) is necessary from the State government in which the work is located. An initial WQC for 0.1 acre of wetland fill was issued by the New Jersey Department of Environmental Protection (NJDEP) with their waterfront development permit 0511-013-0003.1 FWW 130001 on October 10, 2013. WQC for the remainder of the proposed fill is pending. No permit will be issued until the State has either issued its WQC for all Section 404 work proposed herein or waived its right to do so. 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.

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. An initial CZM consistency concurrence for 0.1 acre of wetland fill was issued by the New Jersey Department of Environmental Protection (NJDEP) with their waterfront development permit 0511-013-0003.1 FWW 130001 on October 10, 2013. CZM concurrence for the remainder of the proposed fill is pending. No permit will be issued until the State has either concurred with the applicant's certification or 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.

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.

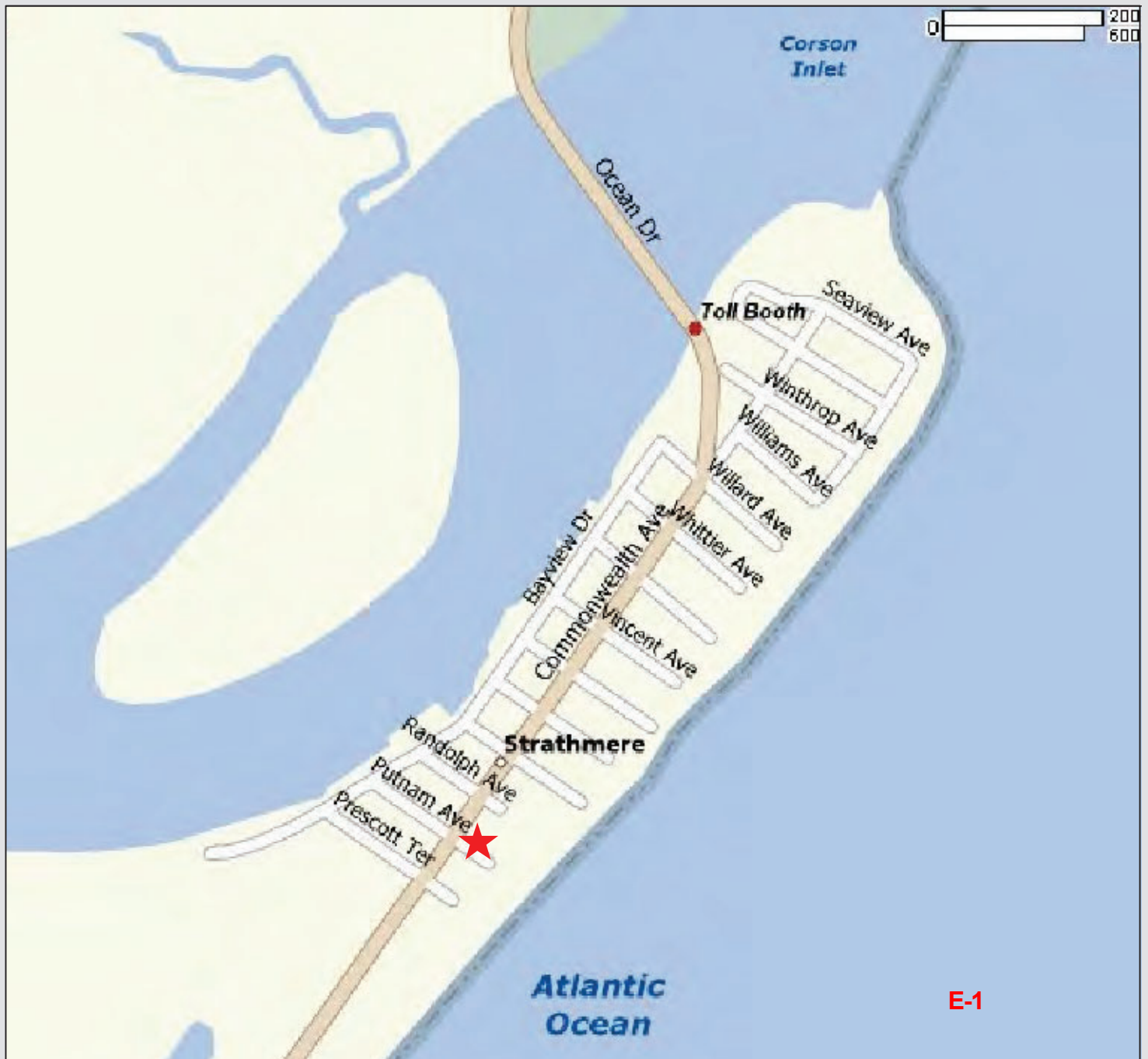
Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Mr. David J. Caplan at 215-656-6731 or 215-605-7029, via email at David.J.Caplan@usace.army.mil, or by writing to this office at the above address.


Todd A. Schaible  
Chief, Regulatory Branch

# FIGURE 3 - ROAD MAP

Block 829, Lot 13.01 & 13.02  
Upper Township, Cape May County



## LEGEND:

 PROPERTY LOCATION



Scale N/A

## SOURCE DATA:

PROPERTY LOCATION:  
Heads-up digitizing based on 2007 Orthophoto Digital  
Imagery downloaded from the NJDEP,  
[www.STATE.NJ.US/DEP/GIS](http://www.STATE.NJ.US/DEP/GIS)

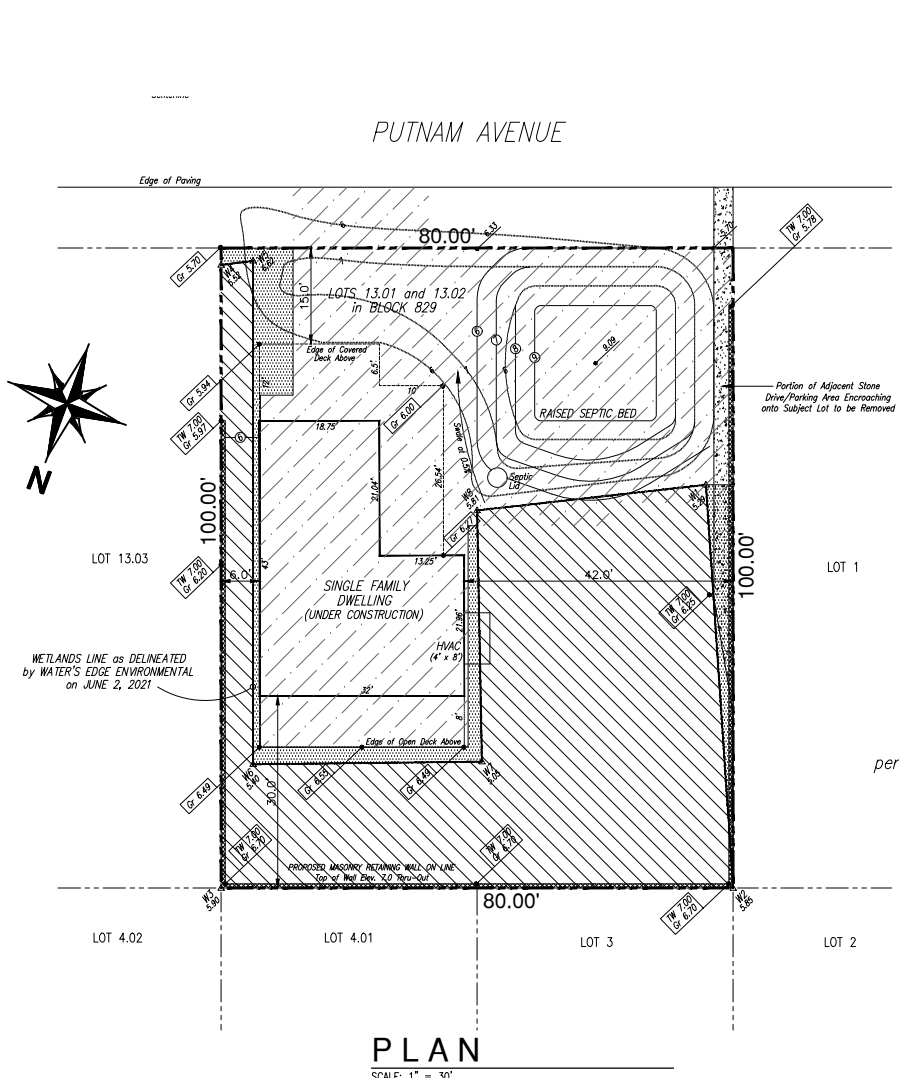
BASE SOURCE DATA:  
Road data downloaded from [www.mapquest.com](http://www.mapquest.com).

\*This map complies with the National Map Accuracy Standards. 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.\*

  
Water's Edge  
Environmental, LLC

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E-mail: [bschuler@watersedgellc.com](mailto:bschuler@watersedgellc.com)  
Map Prepared by Bryan M. Schuler  
Map Created in March 2013  
Project No. 814



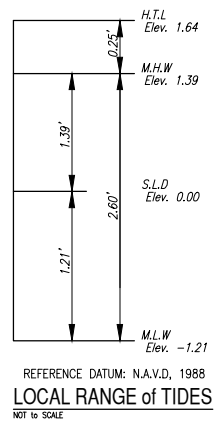
**LEGEND**

AREA of PROPOSED FILL  
 3,472 S.F. (0.079 Ac.)

AREA of EXISTING FILL to be AUTHORIZED  
 501 S.F. (0.0115 Ac.)

AREA of AUTHORIZED FILL per NJDEP permit No. 0511-13-0003.1  
 4,356 S.F. (0.1 Ac.)

TOTAL FILL AREA  
 8,206 S.F. (0.19 Ac.)



**PLAN**  
SCALE: 1" = 30'

**E-2**

The INFORMATION SHOWN HEREON is NOT for CONSTRUCTION or SPECIFICATION PURPOSES

**USACE PERMIT PLAN**

5 PUTNAM AVENUE  
 LOTS 13.01 and 13.02 in BLOCK 829  
 UPPER TOWNSHIP  
 CAPE MAY COUNTY, NEW JERSEY  
 APPLICANTS: John Blakely and Amy Furlong

REVISIONS					
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**ANDREW C. SHAWL**

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ELEVATIONS are in FEET and REFER to N.A.V.D., 1988