



**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
CENAP-OP-R-2014-0607	September 27, 2019
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) .

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: Cape May Harbor Village and Yacht Club Association

WATERWAY: Cape May Harbor

LOCATION: Dredging is proposed within the existing Cape May Harbor marina basin and access channel, Lot 3.26, Block 1172, in the City of Cape May, Cape May County, New Jersey. The dredged material would be disposed on uplands at the Surran Nurseries property, 216 Route 50, Lots 17 and 17.01, Block 301, Corbin City, Atlantic County, New Jersey.

ACTIVITY: The applicant proposes to perform mechanical maintenance dredging within the existing 2.77 acre marina and 2.18 acre ingress/egress access channel which were originally approved for construction and dredging under CENAP-OP-R-199201440 on December 24, 1992. According to the applicant, an approximate total of 22,796 cubic yards of material would be removed from the basin and access channel (13,796 cubic yards from the marina basin and 9,000 cubic yards from the access channel). The basin and access channel would be dredged to a maximum depth of 6 feet below mean low water with no over-dredging allowance requested. The material is approximately 10.8% sand and 87% silts. The dredged materials would be placed in barges, offloaded to trucks with watertight containers at the terminus of Harbor Cove, and transported to Surran's Soil Replenishment, LLC/Surran's Nurseries for stockpiling on uplands and later beneficial re-use by the disposal site owner on the nursery property.

The applicant has requested a 10 year maintenance provision be included within the Department of the Army permit. Additionally, the applicant has indicated that A) all existing in-water mooring structures adjacent to the off-loading area would be removed prior to dredging and then replaced, B) an un-authorized floating jet ski dock would be removed, and C) a turbidity curtain would be deployed at the dredging areas to minimize siltation.

PURPOSE: The applicant's stated purpose is to provide sufficient water depths for safe navigation and mooring of private pleasure crafts associated with the marina.

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 and 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 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

The Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with the NOAA Fisheries 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. 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.

The USACE Cultural Resource Specialist (CRS) reviewed the proposed permit action for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places. This office has made a determination that the permit area for dredging has been so

extensively modified that little likelihood exists for the project to impact historic properties. The CRS is currently reviewing the disposal site for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places. A determination of effects will be coordinated with the State Historic Preservation Office, the Tribes and other consulting parties as necessary.

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.

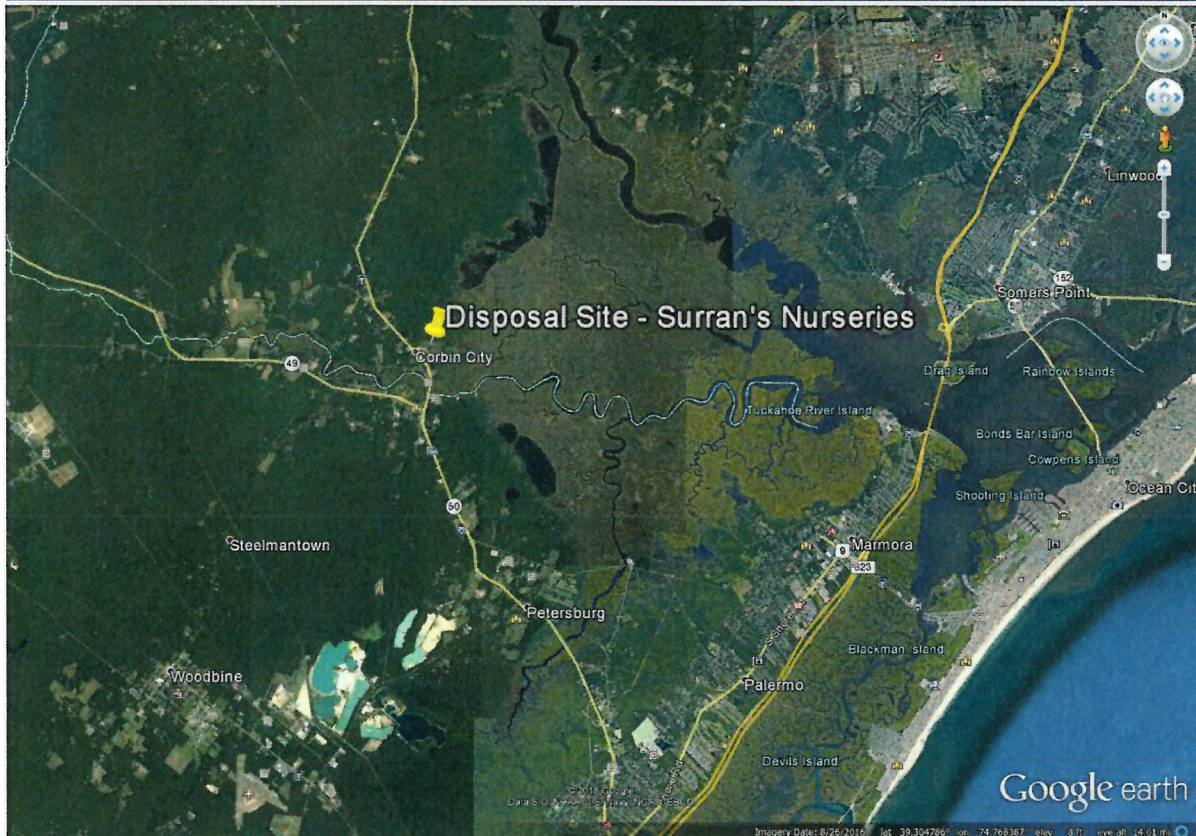
Pursuant to 33 CFR 332, no loss of aquatic resource area or degradation of aquatic resource quality is proposed and so no further consideration of mitigation is required.

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, via email at David.J.Caplan@usace.army.mil, or by writing to this office at the above address.



Edward E. Bonner
Chief, Regulatory Branch



PROPOSED MAINTENANCE DREDGING
AREA TO BE DREDGED (215,668 S.F.)
to -6.00 MLLW (Mean)
22.78 C.F. +/- to be REMOVED

See Detail Sheet 2 of 9

See Detail Sheet 6 of 9

SOUTHERN EDGE OF NAVIGATIONAL CHANNEL

See Detail Sheet 5 of 9

See Detail Sheet 4 of 9

See Detail Sheet 3 of 9

OVERALL PLAN

SCALE: 1 inch = 200 ft.

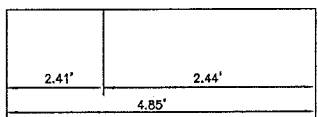
PROPOSED MAINTENANCE DREDGING

CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION
LOT 3.26, BLOCK 1172
CITY OF CAPE MAY
CAPE MAY CO., NJ
APPLICANT: CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION

TIDAL STATION:
SOURCE: U.S. DEPARTMENT OF COMMERCE, NOAA
NAME: CAPE MAY, CAPE MAY CANAL, DELAWARE
BAY, NEW JERSEY
NOAA CHART: 12316
JESSE QUAD: CAPE MAY
STATION ID: 8538110
TIDAL STATION IS LOCATED APPROXIMATELY 3.5
MILES NORTHWEST OF PROJECT BENCHMARK

LOCAL RANGE OF TIDES

NOT TO SCALE



M.S.L. (NGVD 1988) 2.41
(MEAN SEA LEVEL)

M.H.W. ELEVATION 4.85
(MEAN HIGH WATER UND)

M.L.W. ELEVATION 0.00
(MEAN LOW WATER)

M.L.W. ELEVATION -0.16
(MEAN LOW WATER)

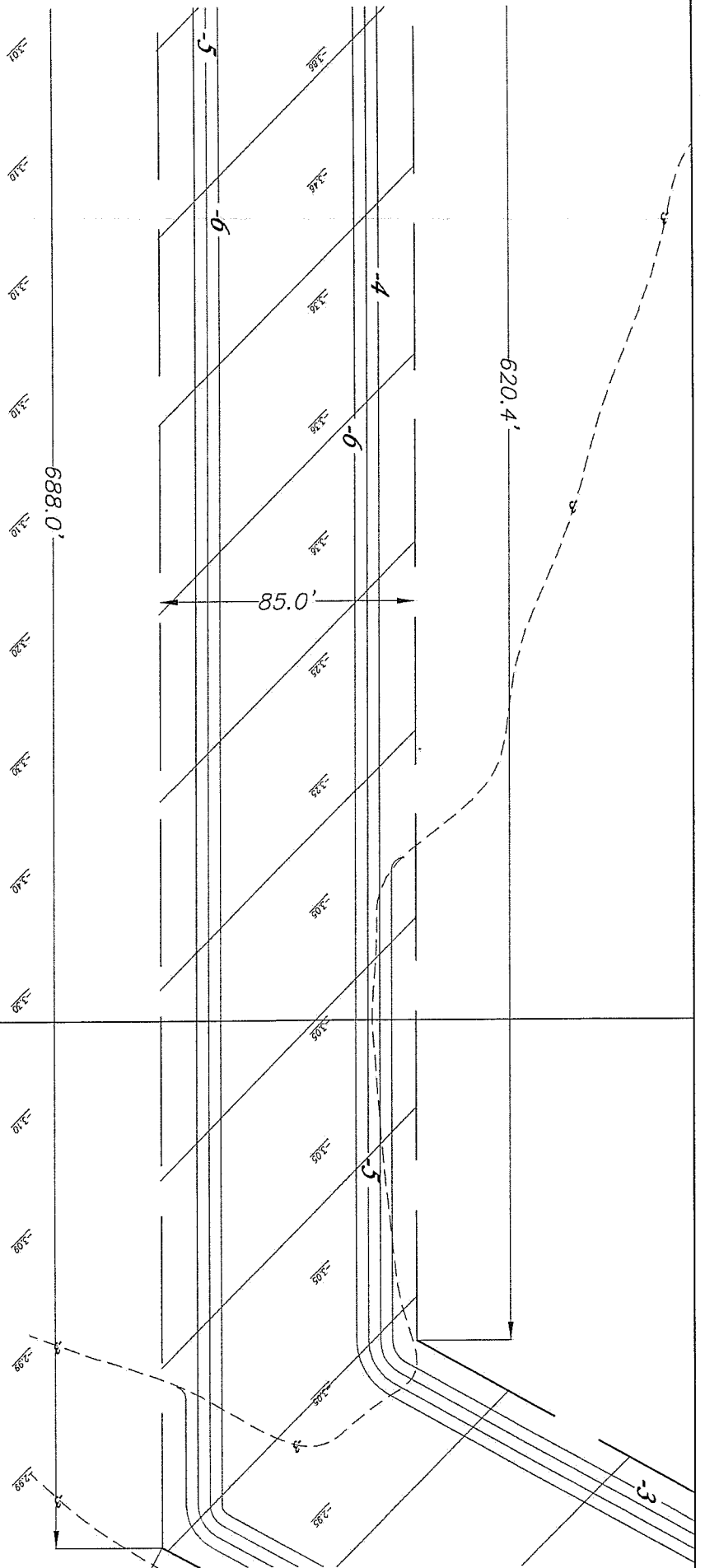
GENERAL NOTES:

1. THIS PLAN IS FOR THE PURPOSE OF SECURING A DEPARTMENT OF THE ARMY PERMIT FOR THE PROPOSED MAINTENANCE DREDGING ON LOT 3.26, BLOCK 1172 CITY OF CAPE MAY.
2. APPLICANT: CAPE MAY VILLAGE HARBOR & YACHT CLUB ASSOCIATION
5/6 PROPERTY MANAGEMENT CONSULTANTS
15 N. SHORE ROAD
MARLBOROUGH, NJ 08223
3. ALL AREAS SHOWN HEREON INCLUDE RIPARIAN GRANTS.
4. ELEVATIONS ARE IN FEET AND REFER TO MEAN LOW WATER DATUM.
5. DEED BOOK 3008, PAGE 24.
6. RIPARIAN GRANTS AS PER UBER R, PAGE 197 DATED 1/17/1907, DEED BOOK 216, PAGE 458.
7. TIDAL INFORMATION YACHT CLUB FROM U.S. DEPT. OF COMMERCE, NOAA, NAD 83, DATUM MEAN LOW WATER, 1988.
8. EXISTING CONDITIONS SHOWN HEREON ARE PER PLAN PREPARED BY HYLAND DESIGN GROUP, INC. DATED 5/29/14.
9. THIS PLAN AND THE INFORMATION CONTAINED HEREON ARE NOT TO BE USED FOR CONSTRUCTION AND SPECIFICATION PURPOSES.

ANDREW C. SHAWL
N.J.P.E. LIC. No. 24GE04012700

ANDREW C. SHAWL, P.E., LLC.
6 LAKE CORSON LANE
MARLBOROUGH, NJ 08223
(609)390-9461
FAX:(609)390-9307
EMAIL:andrew105@aol.com

DWN BY: WEE DATE: June 17, 2014 DWG. NO. CCE-2014-1 SHT No. 1 of 9



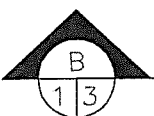
DETAIL PLAN

SCALE: 1 inch = 50 ft.

PROPOSED MAINTENANCE DREDGING

CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION
 LOT 3.26, BLOCK 1172
 CITY OF CAPE MAY
 CAPE MAY CO., NJ
 APPLICANT: CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION

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Andrew C. Shawl

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6 LAKE CORSON LANE

MARMORA, NJ 08223

(609) 390-9461

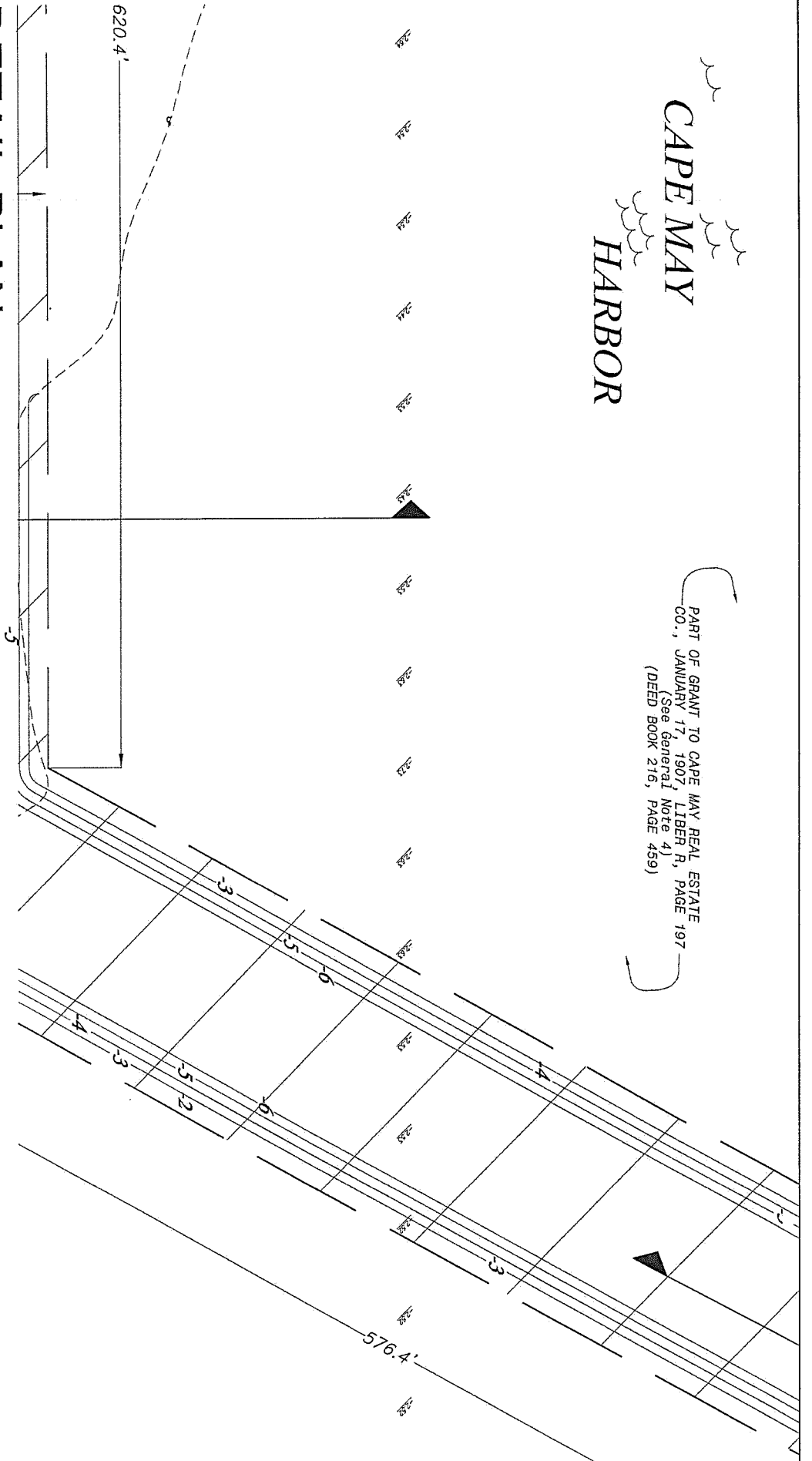
FAX: (609) 390-9307

EMAIL: andrew105@aol.com

DWN BY: WEE DATE: June 17, 2014 DWG. NO. COE-2014-1 SHT No. 4 of 9

CAPE MAY HARBOR

PART OF GRANT TO CAPE MAY REAL ESTATE
CO., JANUARY 17, 1907, LIBER R, PAGE 197
(See General Note 4)
(DEED BOOK 216, PAGE 459)



DETAIL PLAN

SCALE: 1 inch = 60 ft.

PROPOSED MAINTENANCE DREDGING

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LOT 3.26, BLOCK 1172
CITY OF CAPE MAY
CAPE MAY CO, NJ
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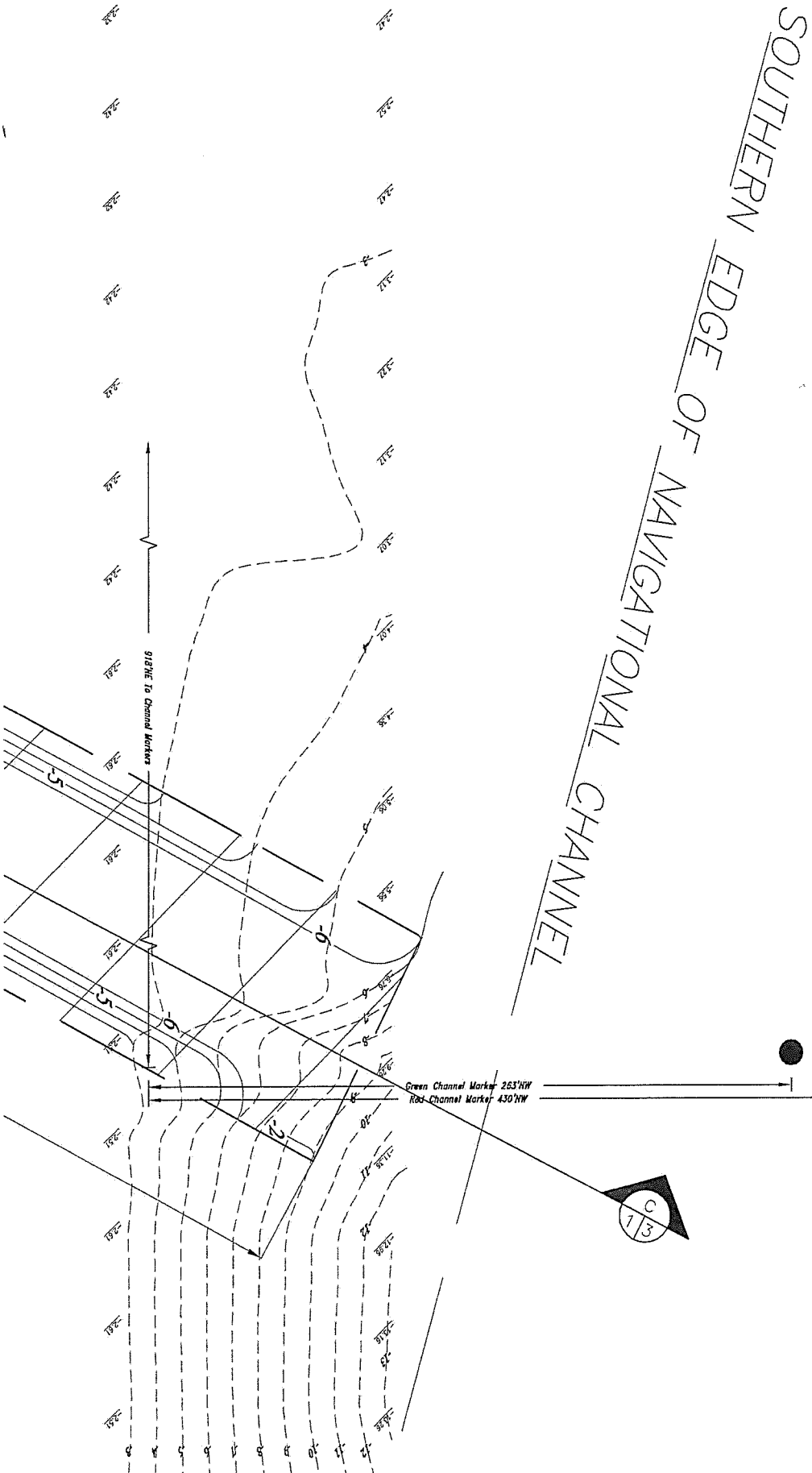
EMAIL: andrew105@aol.com

DWN BY: WEE

DATE: June 17, 2014

DWG. NO. CCE-2014-1 SHT No. 5 of 9

SOUTHERN EDGE OF NAVIGATIONAL CHANNEL



DETAIL PLAN

SCALE: 1 inch = 60 ft.

PROPOSED MAINTENANCE DREDGING

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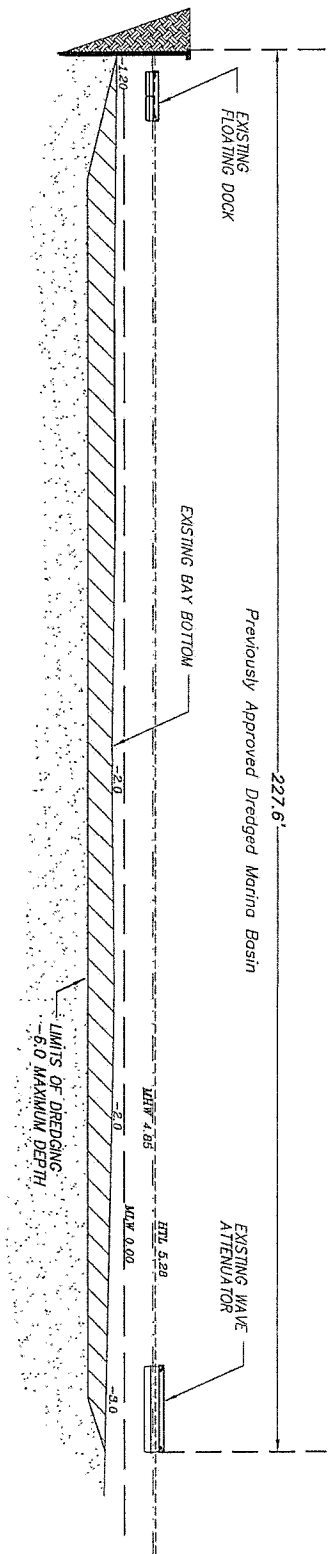
ANDREW C. SHAWL, P.E., L.L.C. (609)390-9461

6 LAKE CORSON LANE FAX: (609)390-9307
MARLORA, NJ 08223 EMAIL: andrew105@aol.com

DWN BY: WEE

DATE: June 17, 2014

DWG. NO. COE-2014-1 SHT No. 6 of 9



A SECTION THRU PROJECT SITE

SCALE: 1 inch = 30 ft.

PROPOSED MAINTENANCE DREDGING

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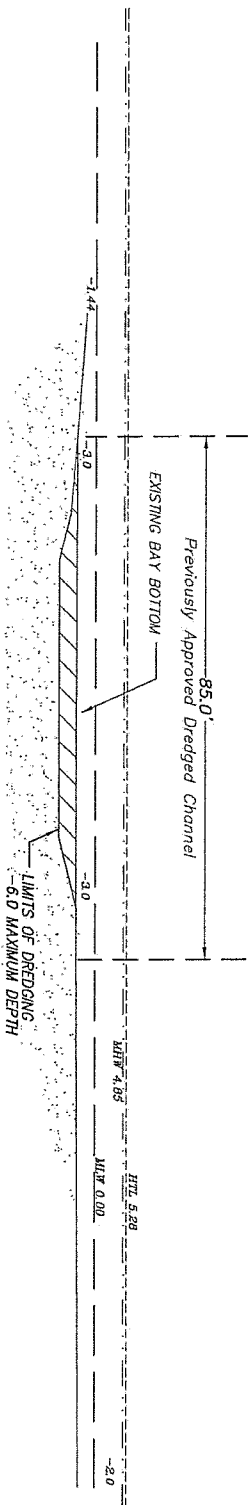
CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION
LOT 3.26, BLOCK 1172
CITY OF CAPE MAY
CAPE MAY CO, NJ
APPLICANT: CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION

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DWN BY: WEE DATE: June 17, 2014 DWG. NO. COE-2014-1 SHI No. 7 of 9



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B SECTION THRU PROJECT SITE

1 3 SCALE: 1 inch = 30 ft.

PROPOSED MAINTENANCE DREDGING

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LOT 3.26, BLOCK 1172
CITY OF CAPE MAY
CAPE MAY CO., NJ
APPLICANT: CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION

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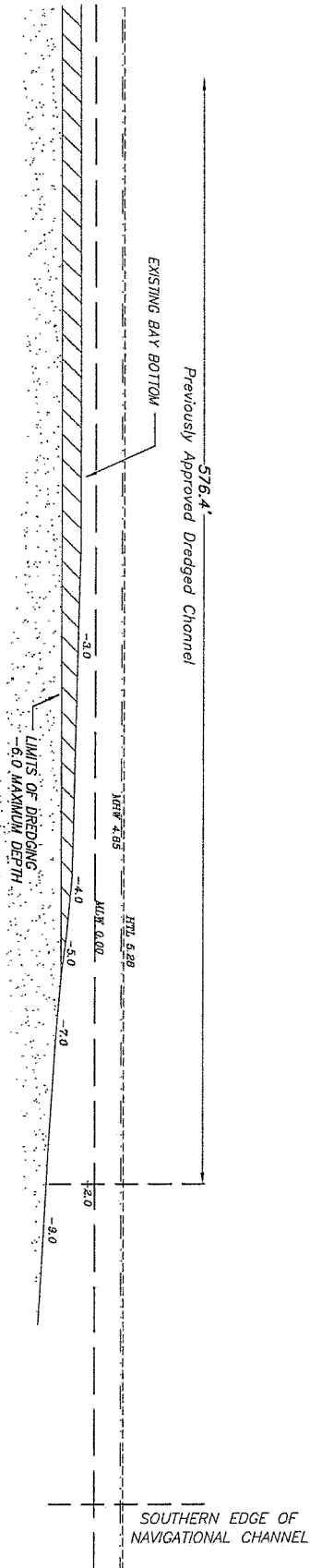
FAX: (609) 390-9307

EMAIL: andrew105@aol.com

DWN BY: WEE

DATE: June 17, 2014

DWG. NO. COE-2014-1 SHT No. 8 of 9



C SECTION THRU PROJECT SITE

1 3 SCALE: 1 inch = 30 ft.

PROPOSED MAINTENANCE DREDGING

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LOT 3.26, BLOCK 1172
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CAPE MAY CO., NJ
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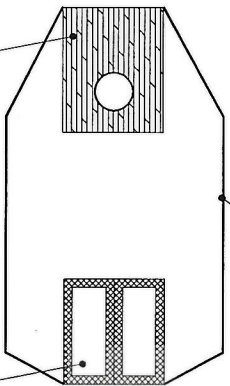
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TURBIDITY CURTAINS TO
SURROUND DREDGING ACTIVITIES
AS SHOWN

24' X 30' BARGE WITH
EXCAVATOR

TWO (2)
12' X 25' HOPPER BARGES

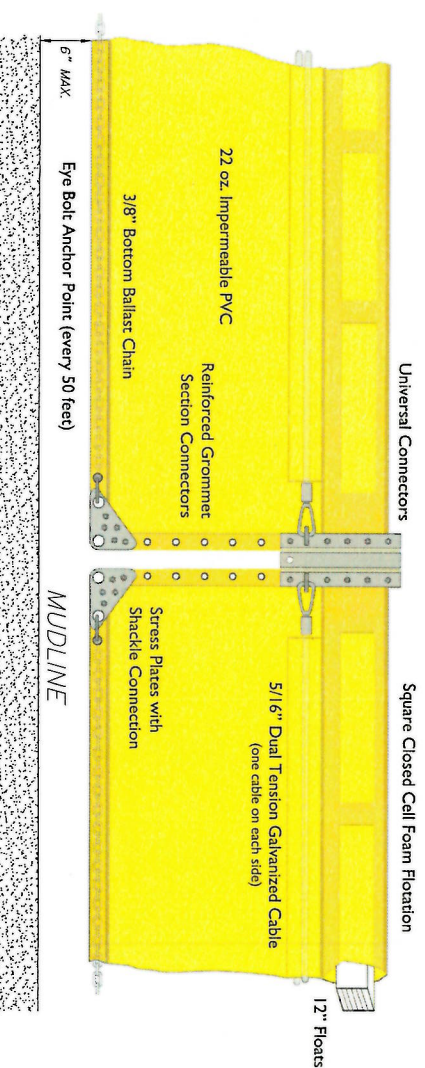


DETAIL PLAN

NOT TO SCALE

SECTION

NOT TO SCALE



NOTE:
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TURBIDITY CURTAIN DETAIL SHEET

CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION
LOT 3.26, BLOCK 1172
CITY OF CAPE MAY
CAPE MAY CO., NJ
APPLICANT: CAPE MAY HARBOR VILLAGE & YACHT CLUB ASSOCIATION

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MARMORA, NJ 08223 EMAIL: andrew105@aol.com

DWN BY: WEE

DATE: Sept. 18, 2019

DWG. NO. CQE-2014-1 SHT No. 1 of 1