



**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-2019-00761-86	Sept. 6, 2019

Application No.	File No.
CENAP-OP-R-2019-00761-86	

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: Ocean City Fishing Club
Attn: Mr. Frank Pizzutilla
1416 Boardwalk
Ocean City, New Jersey 08226

AGENT: HDG
Attn: Mr. Stephen B. Griffith
701 West Avenue, Suite 301
Ocean City, New Jersey 08226

WATERWAY: Atlantic Ocean

LOCATION: 1516 Boardwalk, Ocean City, New Jersey 08226

ACTIVITY: Extend the existing Ocean City fishing pier by 132-linear feet and 6-inches seaward into the Atlantic Ocean via construction of one (1) 84-foot long by 14-foot and 2-inches wide timber pier sediment with one (1) 48-foot and 6-inch long by 29-foot and 6-inch wide timber pier segment in "T" orientation at the seaward end. Construction of the pier extension would involve installation, via combination of jetting, drop hammer and/or double acting pneumatic hammer, of a total of thirty-two (32) 14-inch diameter timber support piles. All construction equipment and materials will be staged on the existing pier and in the upland parking lot on the western end of the parcel, between Central Avenue and the landward edge of the boardwalk.

PURPOSE: The stated purpose of this project is to restore access to the Ocean City Fishing Club to appropriate depths for recreation fishing.

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.

The USACE Cultural Resource Specialist is currently reviewing the proposed permit action 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.

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 notice to the US Fish and Wildlife Service or NOAA Fisheries 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. 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 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.

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.

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 Genevieve Rybicki at (215) 656-8597, via email at Genevieve.T.Rybicki@usace.army.mil, or writing this office at the above address.



For: Edward Bonner
Chief, Regulatory Branch



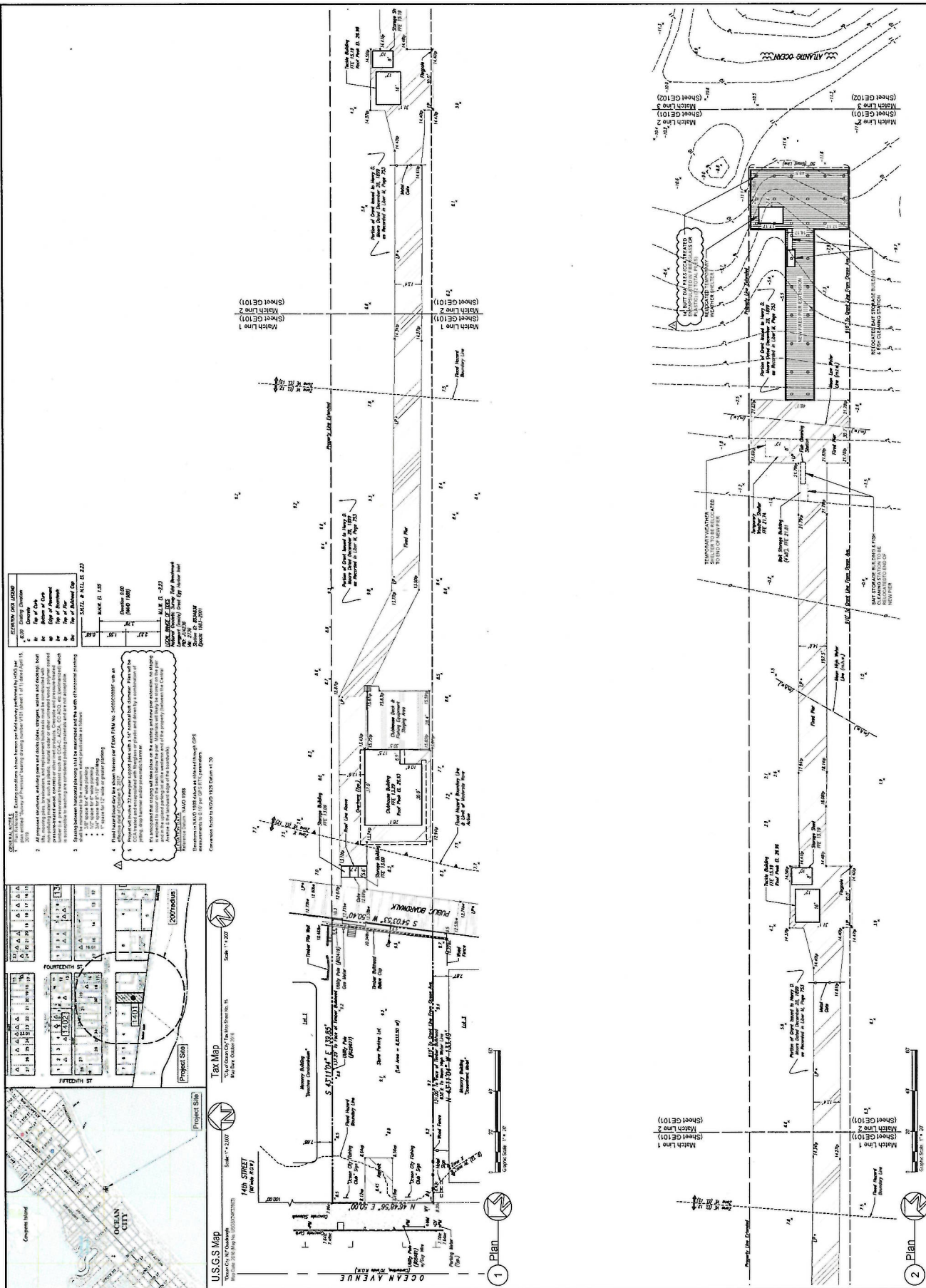
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John E. Halbruner
NSI Professional Engineer No. 41918

1416 Boardwalk
Block 1401 / Lot 2
City of Ocean City
Cape May County
New Jersey

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Permit Plan
GE101
Sheet 1 of 7





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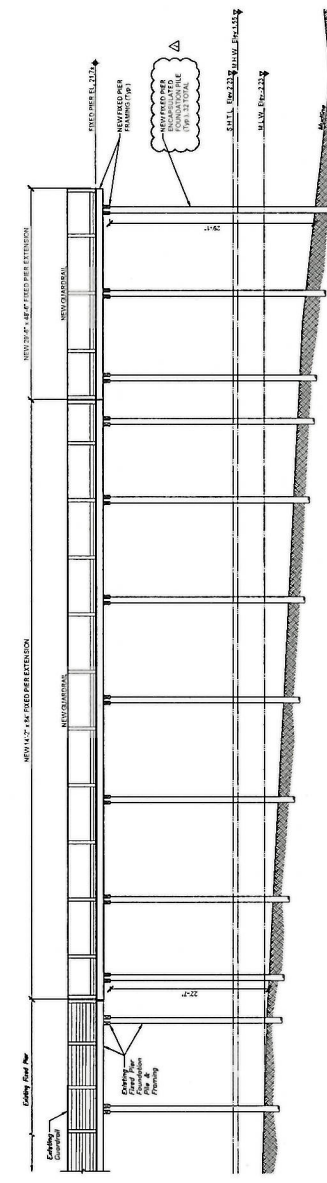
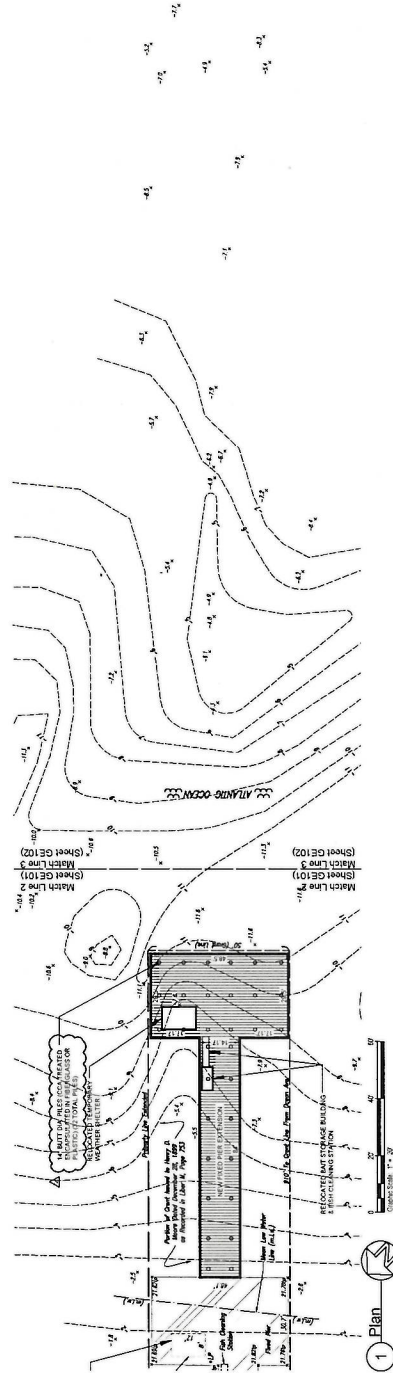
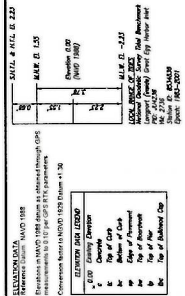
Project Team:

John E. Halbruner
ME Professional Engineer No. 47916

1416 Boardwalk
Block 1401 / Lot 2
City of Ocean City
Cape May County
New Jersey

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Permit Plan & Section
GE102
Sheet 2 of 7



Section 2
Scale 1/8" = 1' - 0"