



**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-2019-00202-96	April 22, 2019

Application No.	File No.
CENAP-OP-R-2019-00202-96	

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: William and Stacey Adams
8310 Excalibur Circle, Apt. Q1
Naples, Florida 34108

AGENT: Kim Dixon Environmental Consultant LLC
P.O. Box 396
West Creek, New Jersey 08092

WATERWAY: Manahawkin Creek

LOCATION: Block 187.01, Lots 2 &3;
1334 & 1336 Avenue A
Manahawkin, Ocean County, NJ 08050
[39.670643, -74.216855]

ACTIVITY: The proposed project is to construct a new vinyl bulkhead upland of the existing structure and to place 165.4 square feet of fill within an existing boat slip. The new bulkhead will be 74.3 linear feet in length and 169.2 square feet of upland will be removed to create an open water area. This will offset the 165.4 square feet of fill being placed in the existing boat slip. The existing 3.5' x 14.5' jet ski floating ramp and jet ski lift will be relocated along the new bulkhead.

The applicant will retain a marine contractor to construct the bulkhead out of vinyl materials. It is anticipated that a back hoe, pile driver, and impact hammer will be required to complete the new bulkhead. The contractor will then bring in clean fill material (sand) via truck and place the fill within the boat slip via back hoe. Once that section is graded and stabilized a turbidity curtain will be installed and the existing bulkhead will be removed via backhoe and crane. Then the upland area that was located between the old and new bulkhead will be excavated via back hoe

to create an open water area to compensate for the filled boat slip. The removed material will be dewatered and reused on the existing lot in uplands. A barge may be utilized in construction.

PURPOSE: The purpose of this project is to insure integrity of the existing home that is located in very close proximity of the boat slip..

AVOIDANCE/MINIMIZATION/COMPENSATION STATEMENT: On April 10, 2008, the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency published a *Final Rule on Compensatory Mitigation for the Losses of Aquatic Resources* (33 CFR 325 and 332 and 40 CFR 230). The rule took effect on June 9, 2008. In accordance with 33 CFR Part 325.1(d)(7) of the rule, the applicant has stated that the proposed project has been designed to avoid and minimize adverse effects to the aquatic environment to the maximum extent practicable. No additional compensatory mitigation for unavoidable impacts has been proposed at this time.

A preliminary review of this application indicates that the proposed work will not be likely to adversely affect NMFS listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. An NLAA Program Verification Form was sent to NMFS and on March 28th, 2019 NMFS provided the determination that it is “not likely to adversely affect” listed species or critical habitat. On April 8th, 2019 the USFWS has stated that the “Service has no objection to issuance of a Department of the Army permit”. The project as proposed is not likely to adversely affect USFWS listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify these determinations and consultation will be concluded prior to rendering a final decision.

The Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with the NOAA Fisheries 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 the adverse effect on EFH is not substantial because the project as proposed will result in no more than minimal and temporary adverse effects to EFH. The Philadelphia District has evaluated the potential effects of the proposed actions on EFH and have sent a consultation assessment to NOAA Fisheries as appropriate. Consultation with NOAA Fisheries may also be required if the proposed action results in adverse impacts to other NOAA-trust resources, such as anadromous fish, shellfish, crustaceans, or their habitats as part of the Fish and Wildlife Coordination Act. Consultation will be concluded prior to the final decision on this permit application.

In accordance to the Philadelphia district's internal procedures to address any potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places, all permit actions will be forwarded through the Districts’ Cultural Resource Specialist and Tribal Liaison prior to issuing a decision. A preliminary review of this application indicates that the project will have no potential to cause effects and coordination with the SHPO or the tribes will not be required. The proposed work and/or structures are of such limited nature and scope that little likelihood exists for the proposed project to impact a historic property.

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 the 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.

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.

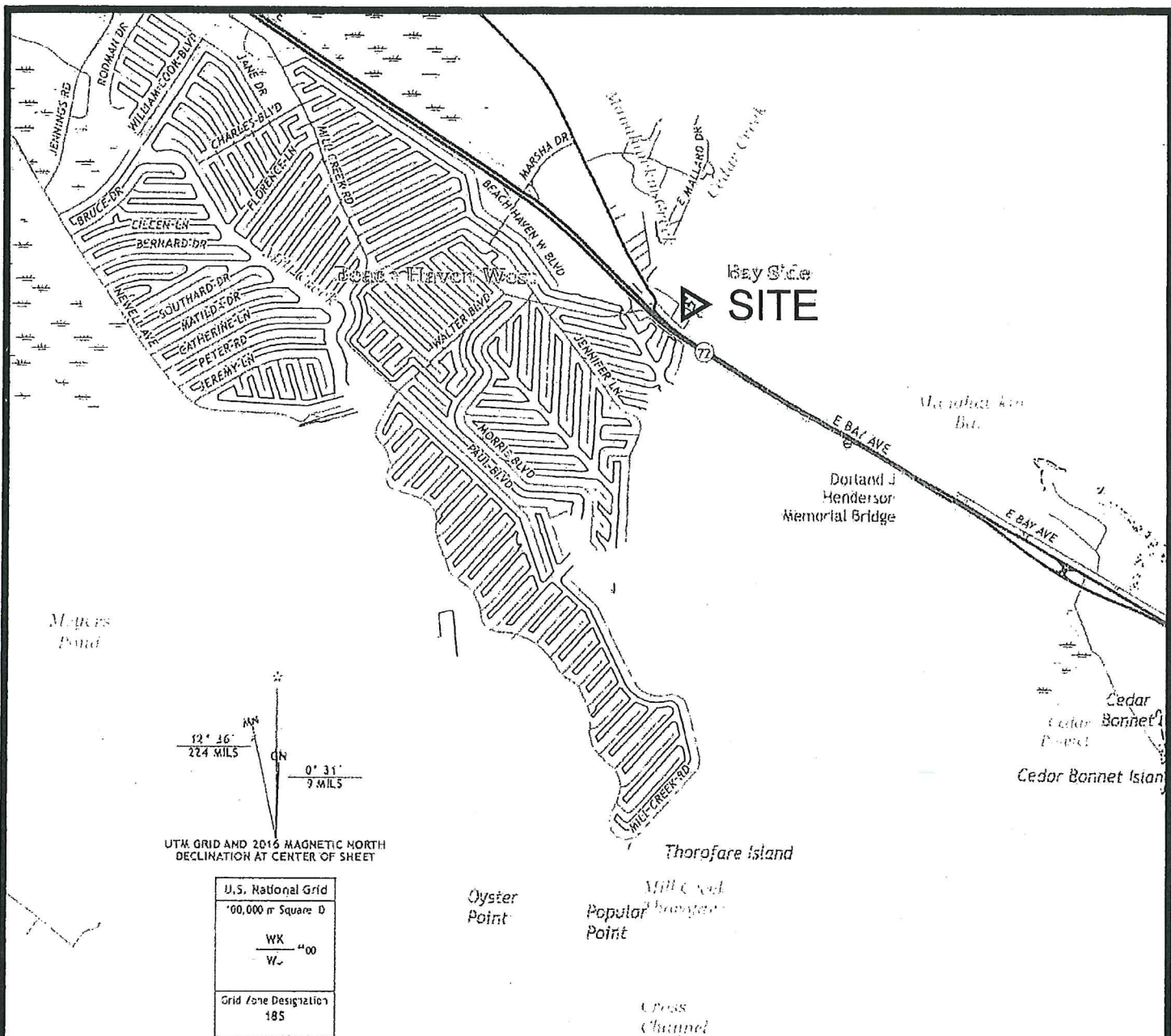
Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

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 Nikolas Tranchik at 215-656-5859, via email at nikolas.p.tranchik@usace.army.mil, or writing this office at the above address.

A handwritten signature in blue ink, appearing to read "Edward E. Bonner". The signature is fluid and cursive, with the first name "Edward" and last name "Bonner" clearly distinguishable.

Edward E. Bonner
Chief, Regulatory Branch



SITE LOCATION

Latitude: 39°40'14.27"N
Longitude: 74°13'0.89"W

U.S.G.S. 7.5' 2016 QUADRANGLE MAP

SHIP BOTTOM, NJ
NOT TO SCALE

VICINITY VIEW

PAGE

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RWP

Ronald W. Post Surveying, Inc.
Professional Land Surveying and Planning
1792 Hinds Road, Toms River, NJ, 08753
Phone: (732) 255-9050 Fax: (732) 255-9196

USACOE APPROVAL PLAN

WILLIAM & STACEY ADAMS
1334 & 1336 AVENUE A
LOTS 2 & 3 BLOCK 187.01
TAX MAP SHEET No. 141

Ronald W. Post

Professional Land Surveyor
Professional Planner
Certificate of Authorization No.

N.J. No. 28534
N.J. No. 02940
285427969400

Ronald W. Post

2-19-2019
date

STAFFORD TOWNSHIP

OCEAN COUNTY,

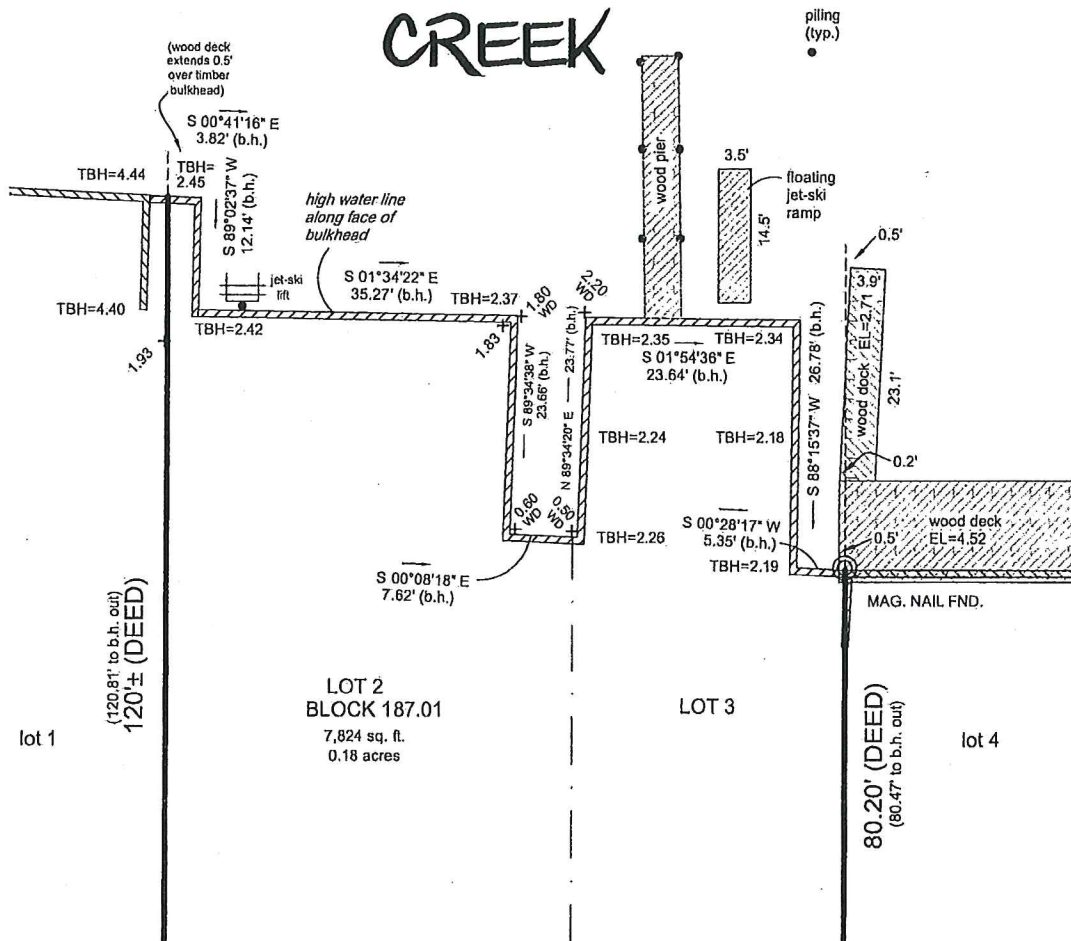
NEW JERSEY

This survey subject to any easement of record and other pertinent facts which an accurate title search might disclose. Environmentally sensitive areas, if any, are not located by this survey. No attempt was made to determine if a portion of this property is claimed by the State of New Jersey as tidelands. No liability is assumed by the certifying Surveyor for the use of this survey by any party not shown on the certifications hereon or for the use of survey with survey affidavit.

Scale	Dr.	Chk.	Date	Job No.
N.T.S.	W.G.P.	RWP	2-19-2019	180582

DB 15502
PG 557

MANAHAWKIN CREEK



PLAN VIEW EXISTING STRUCTURES

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Professional Land Surveying and Planning
1792 Hinds Road, Toms River, NJ 08753
Phone: (732) 233-9030 Fax: (732) 233-9196

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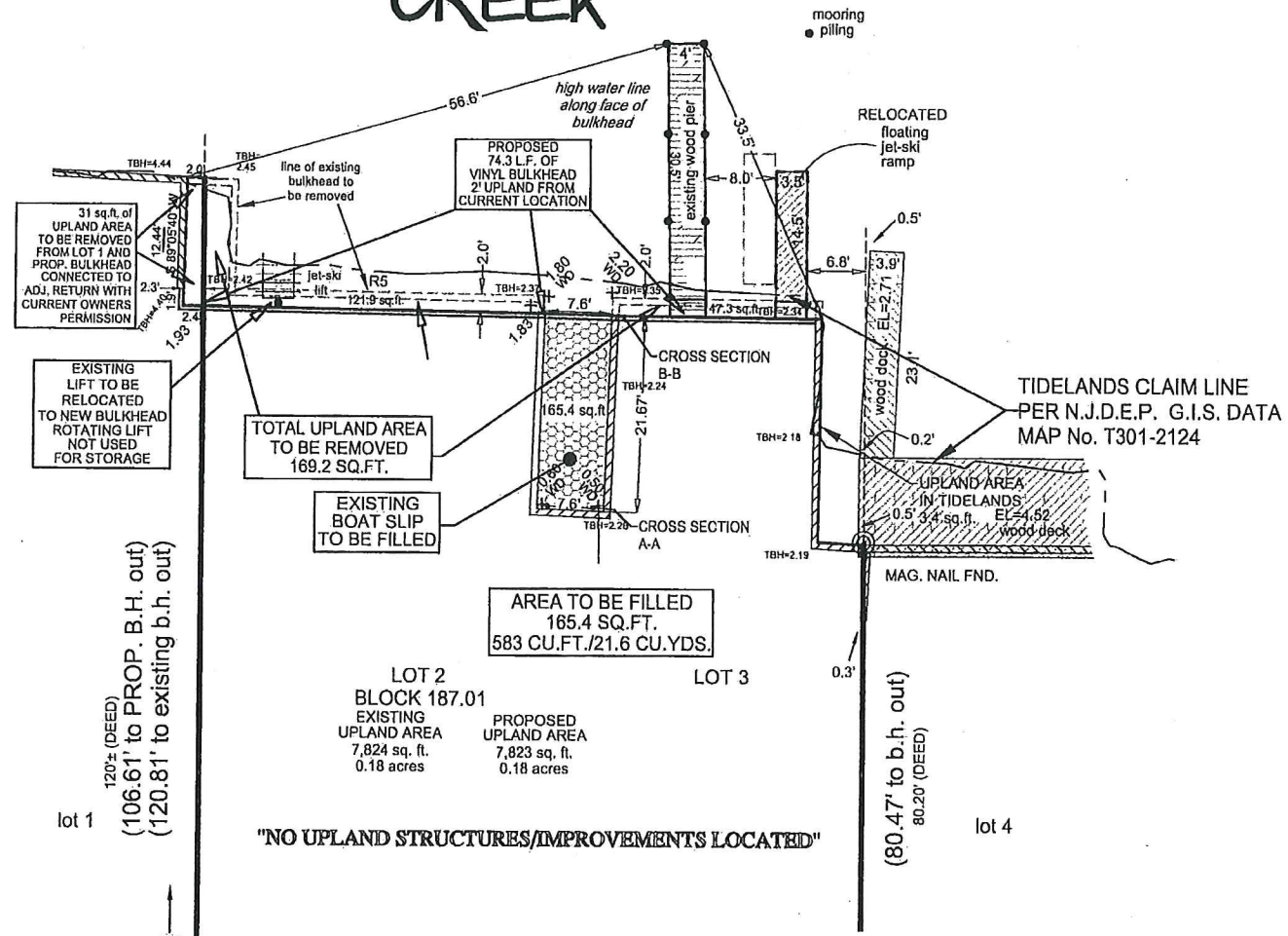
N.J. No. 28594
N.J. No. 02940
243427969400

Ronald W. Post 2-19-2019
date

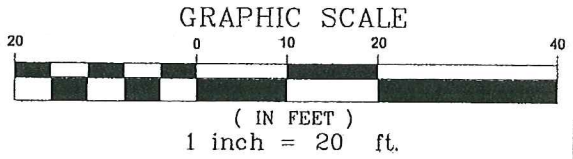
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N.T.S.	W.G.P.	RWP	2-19-2019	180582

MANAHAWKIN CREEK



PLAN VIEW
FINAL STRUCTURES
TO BE MAINTAINED
OVERALL scale: 1"=20'



TEC Engineering
Civil Environmental Planning
1623 Dorsett Dock Road, Point Pleasant, New Jersey
Phone 732-600-8300
JAMES GIORDANO, P.E.

James Giordano

PROFESSIONAL ENGINEER NEW JERSEY LICENSE No. 33438
ENGINEER'S CERTIFICATION LIMITED TO PLOT PLAN REQUIREMENTS AS ESTABLISHED BY MUNICIPAL ORDINANCE.

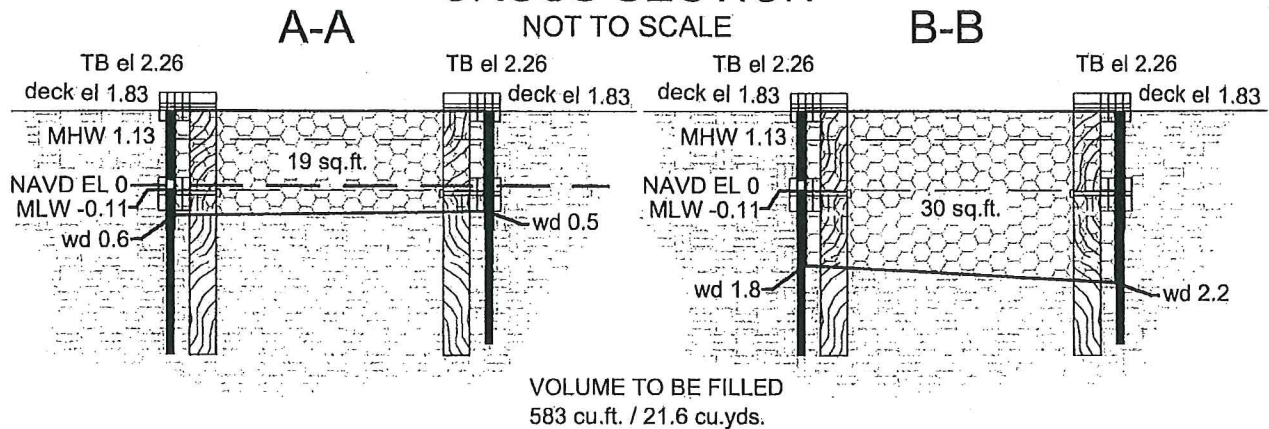
USACOE APPROVAL PLAN

WILLIAM & STACEY ADAMS
1334 & 1336 AVENUE A
LOTS 2 & 3 BLOCK 187.01
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STAFFORD TOWNSHIP
OCEAN COUNTY, NEW JERSEY

Scale	Dr.	Chk.	Date	Job No.
N.T.S.	W.G.P.		2-19-2019	180582

BOAT SLIP CROSS SECTION NOT TO SCALE



TIDAL DATUM

STATION # 853-3909

MANAHAWKIN CREEK

1988 N.A.V.D.

Spring High Tide=1.32'

Mean High Water=1.13'

Mean Low Water=-0.11'

NOTES:

1. BEING KNOWN AS LOTS 2 & 3 IN BLOCK 187.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF STAFFORD, COUNTY OF OCEAN AND STATE OF NEW JERSEY.
2. THE PREMISES ARE COMMONLY KNOWN AS 1334 & 1336 AVENUE A, MANAHAWKIN, NEW JERSEY.
3. CORNER MARKER WAIVER OBTAINED FROM ULTIMATE USER PURSUANT TO THE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS REGULATION, N.J.A.C. 13:40-5.1(d)
5. UNDERGROUND UTILITIES NOT LOCATED BY THIS SURVEY.
6. ANY/ALL CONTRACTORS SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO THE START OF ANY CONSTRUCTION WORK ON THIS SITE. THE TELEPHONE NUMBER TO MARK OUT UTILITIES IN FIELD IS "NEW JERSEY ONE CALL" 1-800-272-1000.
7. THIS PLAN IS FOR THE PURPOSE OF OBTAINING A BUILDING PERMIT. DIMENSIONS SET FORTH HEREON ARE TO BE VERIFIED BY BUILDER PRIOR TO STARTING CONSTRUCTION.
8. ALL CONSTRUCTION SHALL CONFORM TO FEMA REGULATIONS 40 CFR TITLE 60 ET SEQ.

THIS SURVEY IS CERTIFIED TO HAVE BEEN PERFORMED IN ACCORDANCE WITH THE STANDARDS OF LAND SURVEYING PROFESSION AS SET FORTH IN N.J.A.C. 13:40-5.1 AND AS PRACTICED IN THE STATE OF NEW JERSEY.
IT IS ONLY CERTIFIED TO:

- WILLIAM H. ADAMS, III AND STACEY E. ADAMS

CROSS SECTIONS & PROFILES NOT TO SCALE

PAGE

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TEC Engineering
Civil Environmental Planning
1623 Dorsett Dock Road, Point Pleasant, New Jersey
Phone 732-600-8300
JAMES GIORDANO, P.E.

James Giordano

PROFESSIONAL ENGINEER NEW JERSEY LICENSE No. 39436

ENGINEER'S CERTIFICATION LIMITED TO PLOT PLAN REQUIREMENTS AS ESTABLISHED BY MUNICIPAL ORDINANCE.

USACOE APPROVAL PLAN

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TAX MAP SHEET No. 141

STAFFORD TOWNSHIP

OCEAN COUNTY, NEW JERSEY

Scale N.T.S.	Dr. W.G.P.	Chk.	Date 2-19-2019	Job No. 180582
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