



**US Army Corps
of Engineers**
Philadelphia District

Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OPR

Public Notice

Public Notice No.	Date
CENAP-OPR-2020-00621-97	October 13, 2020

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).

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: Timothy Fox (201 Willard Real Estate, LLC)

AGENT: Water's Edge Environmental, LLC

WATERWAY: Strathmere Bay

LOCATION: 201 W. Willard Avenue, Upper Township, NJ 08243

ACTIVITY: Mechanical dredge approximately 1,843 cubic yards of material to a depth of -4 MLW from an approximately 17,253 square foot area (0.396 acres). The dredging consists of approximately 12,494 square feet of maintenance dredging (i.e. previously authorized on May 16, 1986 by DA Permit NAPOP-R-85-1127-3) and 4,759 square feet of new dredging. The sediment will be placed within a hopper barge, offloaded at the western terminus of Willard Avenue and trucked to Strathmere Beach for upland placement in accordance with Upper Township's Beach Management Plan and Beach and Dune Maintenance Permit (NJDEP Permit 0511-04-0013.1 LUP190001). The dredge material composition is 93.7% sand. The applicant has stated the need for maintenance dredging every 3-5 years.

Remove and replace existing docking/mooring structures with the following: an 8-foot by 763.51-foot floating dock system, a 6-foot by 27.65-foot fixed pier extension, two (2) 3-foot by 22-foot ramps, a 3-foot by 35-foot ramp, and thirty-nine (39) 5-foot by 12.5-foot personal watercraft floats. See the **attached plans**, sheets 1 through 4, for additional project description.

PURPOSE: To meet the need for safe mooring and navigation of transient private pleasure craft of visitors and patrons of the Deauville Inn.

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, may be present in the action area. The ACOE will forward this PN to the US 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 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 the US Fish and Wildlife Service and/or 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 electronically within 30 days to Kendall Miller, Regulatory Project Manager, Philadelphia District U.S. Army Corps of Engineers at Kendall.L.Miller@usace.army.mil.

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.

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.

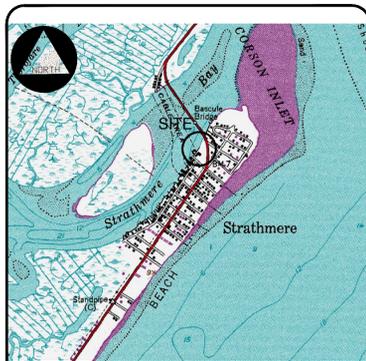
Compensatory mitigation: In accordance with the June 9, 2008 U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency Final Rule on Compensatory Mitigation for Losses of Aquatic Resources (33 CFR 325 and 332 and 40 CFR 230), the applicant has stated that the proposed project has been designed to avoid and minimize adverse effects on the aquatic environment to the maximum extent practicable. Information provided in the application and on plans indicates that there will be no placement of fill material in jurisdictional waters or wetlands and as such, compensatory mitigation is not proposed.

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.

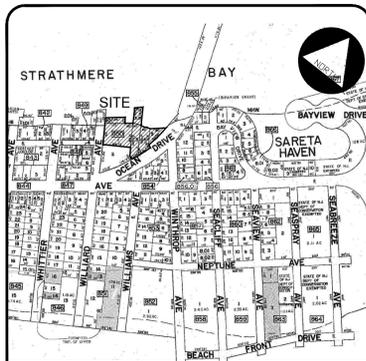
Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Kendall Miller at (215) 656-5873, via email at Kendall.L.Miller@usace.army.mil.

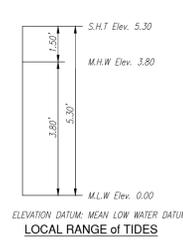
Todd A. Schaible
Chief, Regulatory Branch



U.S.G.S QUAD MAP
SEA ISLE CITY, NJ QUADRANGLE SCALE: 1" = 2000'

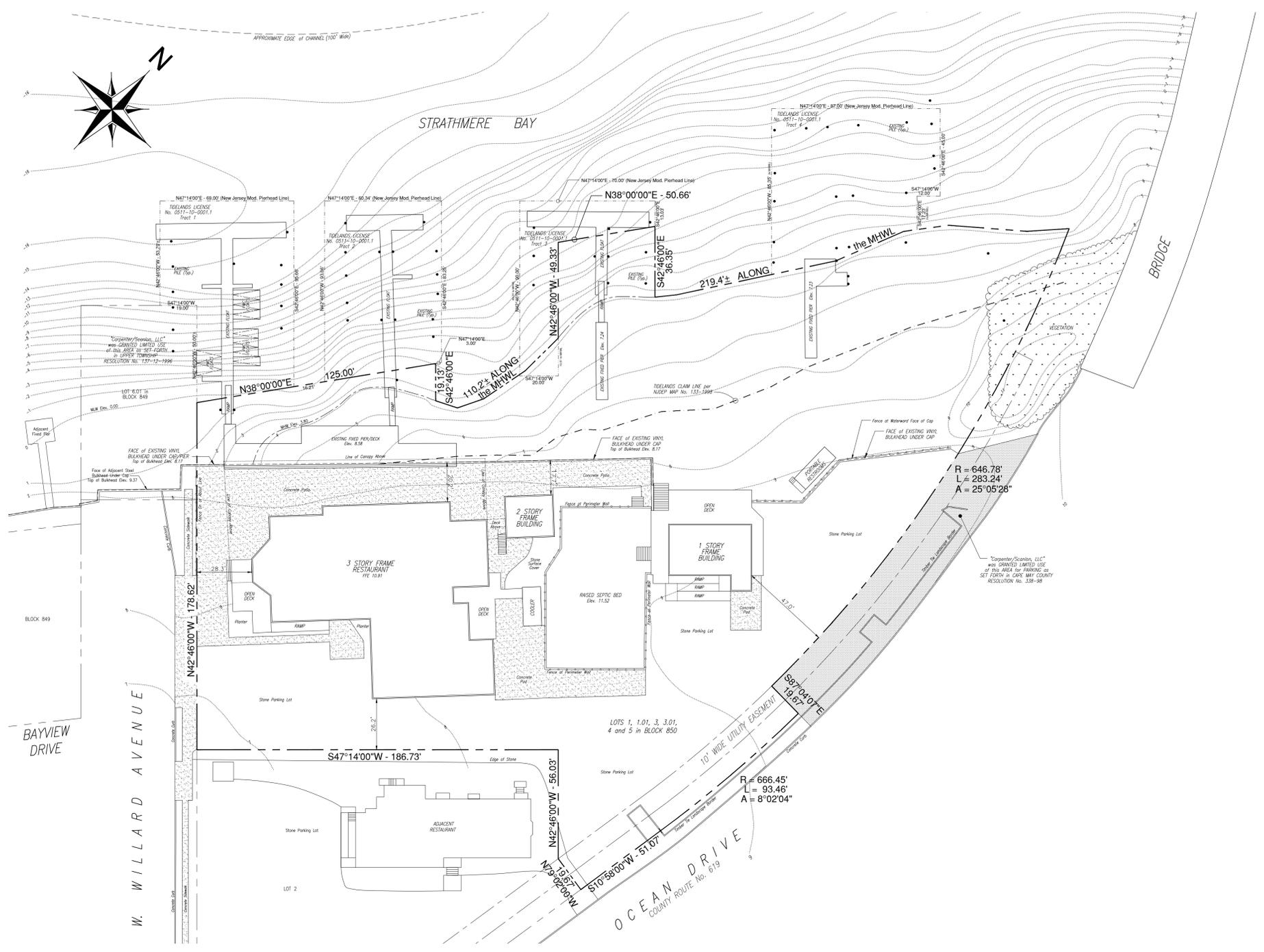


UPPER TOWNSHIP TAX MAP
SHEET 33.02 SCALE: 1" = 400'



1. This PLAN is for the PURPOSE of SECURING NJDEP PERMITS for WORK as DELINEATED HEREON at LOTS 1, 1.01, 3, 3.01, 4 and 5 in BLOCK 850 in UPPER TOWNSHIP, CAPE MAY COUNTY, NJ
 2. APPLICANT: 201 Willard Real Estate, LLC
1354 Hainesport Road
Mount Laurel, NJ 08054
 3. ELEVATIONS are in FEET and REFER to MEAN LOW WATER DATUM
 4. EXISTING CONDITIONS SHOWN are per "CONSTRUCTION SURVEY" PREPARED by DEVAUL SURVEY, LLC DATED 11/06/2019, REVISED to 6/29/2020. BATHYMETRIC DATA was COLLECTED USING STANDARD SURVEY METHODS BOTH on LAND at LOW TIDE and on BOAT at HIGH TIDE on 06/28/2020.
 5. This PLAN is NOT to be USED for CONSTRUCTION or SPECIFICATION PURPOSES
- GENERAL NOTES**

- CONSTRUCTION NOTES (Recreational Docks and Piers)**
- Space between horizontal planking is maximized and width of horizontal planking is minimized to the maximum extent practicable. Under normal circumstances, a minimum of 3/8 inch, 1/2 inch, 3/4 inch or one inch space is to be provided for four inch, six inch, eight to ten inch, or twelve inch plus wide planks.
- The width of the structure shall not exceed twice the clearance between the structure and the surface of the ground below, or the water surface at mean high tide (measured from the bottom of the stringer), except for floating docks whose width shall not exceed eight feet. Under typical circumstances, the maximum width of the structure shall be eight feet over water and six feet over wetlands and intertidal flats.
- A minimum of eight feet of open water shall be provided between any docks, if the combined width of the docks over the water exceeds eight feet;
 - Construction and placement of the dock shall be a minimum of four feet from all property lines, for docks which are perpendicular to the adjacent bulkhead or shoreline; and
 - In man-made lagoons only, the maximum width of the structure shall be eight feet over water and six feet over wetlands; the height of the structure over wetlands shall be a minimum of four feet.
- The proposed structure and associated mooring piles do not hinder navigation or access to adjacent water areas. A hazard to navigation will apply to all potential impediments to navigation, including access to adjacent moorings, water areas and docks and piers.
- Any wetlands disturbed during construction shall be restored to pre-project conditions.
- DOCK/PIER COMPLIANCE NOTES**



OVERALL EXISTING CONDITIONS PLAN

SCALE: 1" = 30'



REFERENCE DATUM:
MEAN LOW WATER DATUM

DATE: 8-12-2020

Robert Douglas Green, P.E.
R.D. Green Engineering
1512 Atkinson Avenue, Somers Point NJ, 08244
Phone: 609-926-5182 Fax: 609-926-5185
NJ PROFESSIONAL ENGINEER License No. 24GE026637

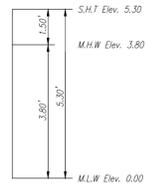
PROJECT: 201 W. WILLARD AVENUE
LOTS 1, 101, 3, 3.01, 4 & 5 in BLOCK 850
UPPER TOWNSHIP, CAPE MAY COUNTY, N.J.

DWG. TITLE: NJDEP PERMIT PLAN

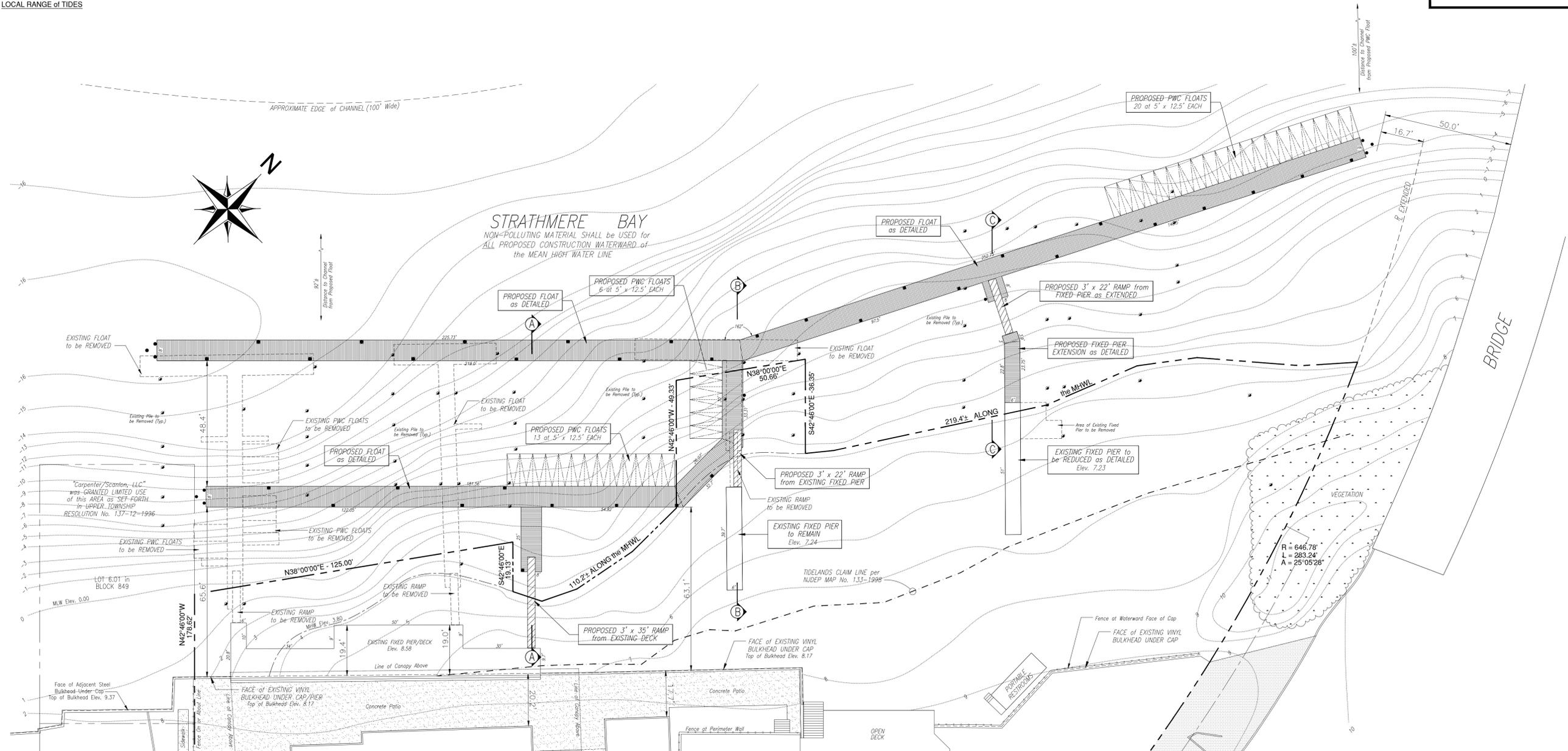
NO.	REVISION	DATE	BY	CHKD.

DWG. NO. 1590-20-1

DATE	SCALE
8-12-2020	AS NOTED
1 of 4	



ELEVATION DATUM: MEAN LOW WATER DATUM
LOCAL RANGE OF TIDES



PROPOSED MARINA LAYOUT WATERFRONT DEVELOPMENT PERMIT PLAN

SCALE: 1" = 20'



REFERENCE DATUM:
 MEAN LOW WATER DATUM

PROPOSED SLIP COUNT

- 31 TRANSIENT BOAT SLIPS*
- 39 TRANSIENT PWC SLIPS
- 70 TOTAL TRANSIENT SLIPS*

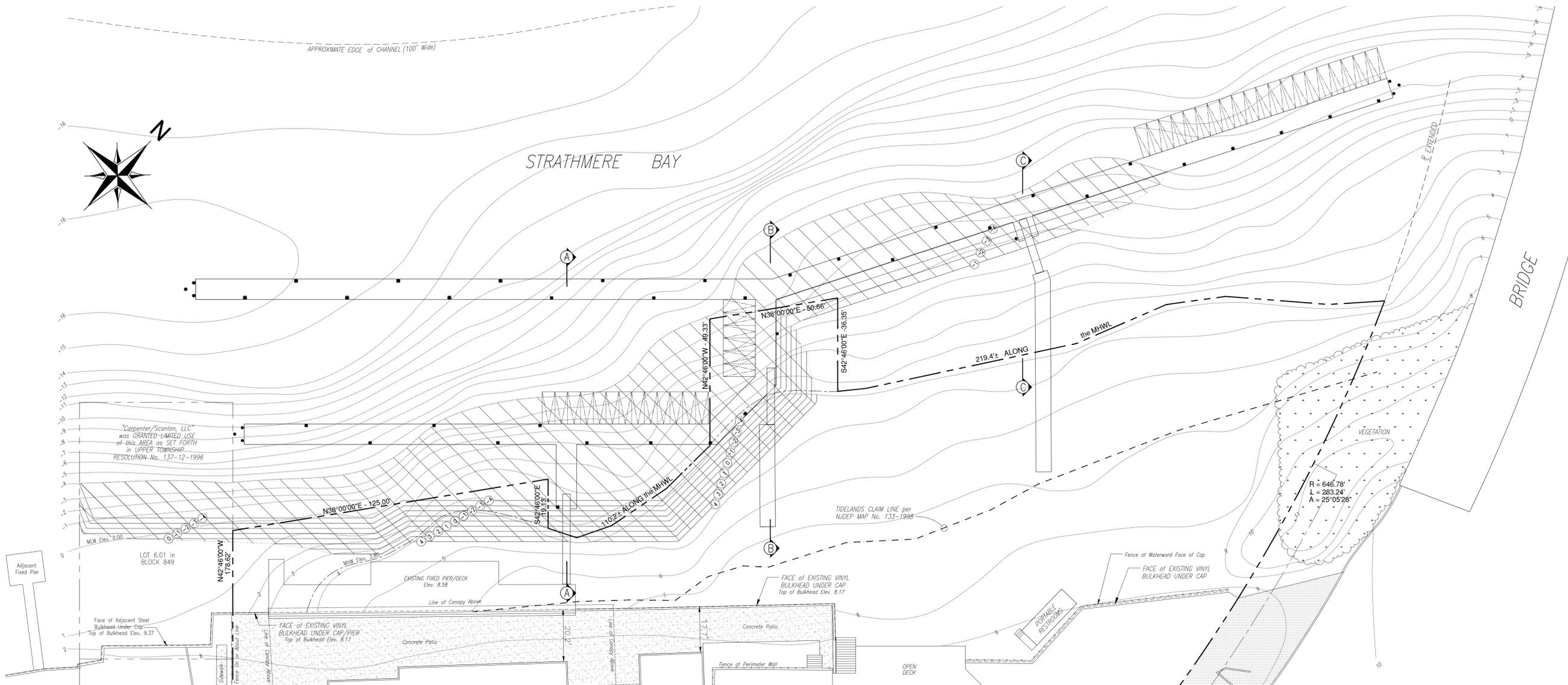
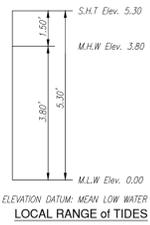
* BASED ON AVERAGE BOAT LENGTH of 21-FEET

DATE: 9-14-2020
 Robert Douglas Green, P.E.
 R.D. Green Engineering
 1512 Atkinson Avenue, Somers Point NJ, 08244
 Phone 609-926-5182 Fax 609-926-5185
 NJ PROFESSIONAL ENGINEER
 License No. 24GE026637

PROJECT
201 W. WILLARD AVENUE
 LOTS 1, 101, 3, 3.01, 4 & 5 in BLOCK 850
 UPPER TOWNSHIP, CAPE MAY COUNTY, N.J.
 DWG. TITLE
NJDEP PERMIT PLAN

NO.	REVISION	DATE	BY	CHKD.
1	FLUATING DOCK DIMENSIONS	9.14.20	WE	RDG

DWG. NO. 1590-20-1	
DATE: 8-12-2020	SHEET No.: 2 of 4



**PROPOSED MARINA DREDGING
WATERFRONT DEVELOPMENT PERMIT PLAN**

SCALE: 1" = 20'



REFERENCE DATUM:
MEAN LOW WATER DATUM

PROPOSED MAINTENANCE and NEW DREDGING



AREA to be DREDGED to -4.00
17,253 S.F. AREA to be DREDGED
1,843 C.Y. ± to be REMOVED

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR

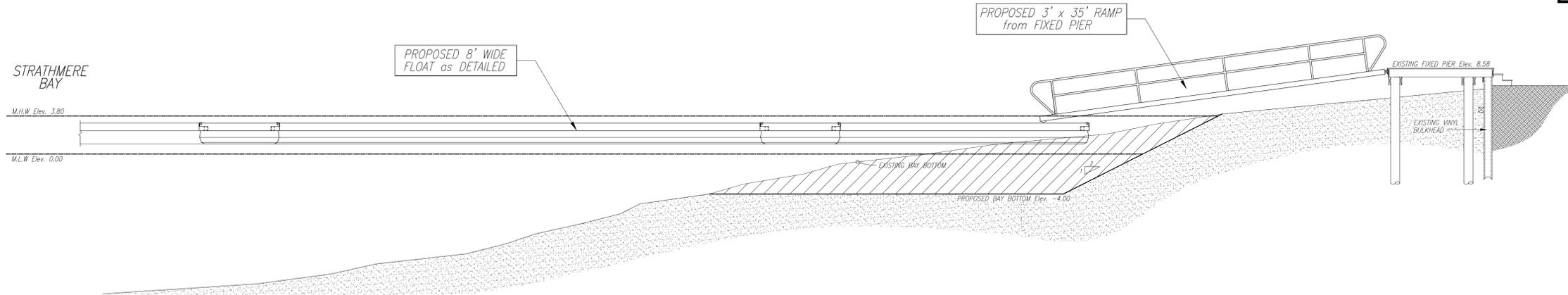
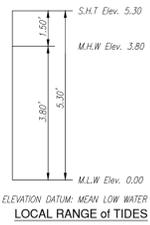
DATE: 9-14-2020
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PROJECT
201 W. WILLARD AVENUE
LOTS 1, 101, 3, 3.01, 4 & 5 in BLOCK 850
 UPPER TOWNSHIP, CAPE MAY COUNTY, N.J.
 DWG. TITLE
NJDEP PERMIT PLAN

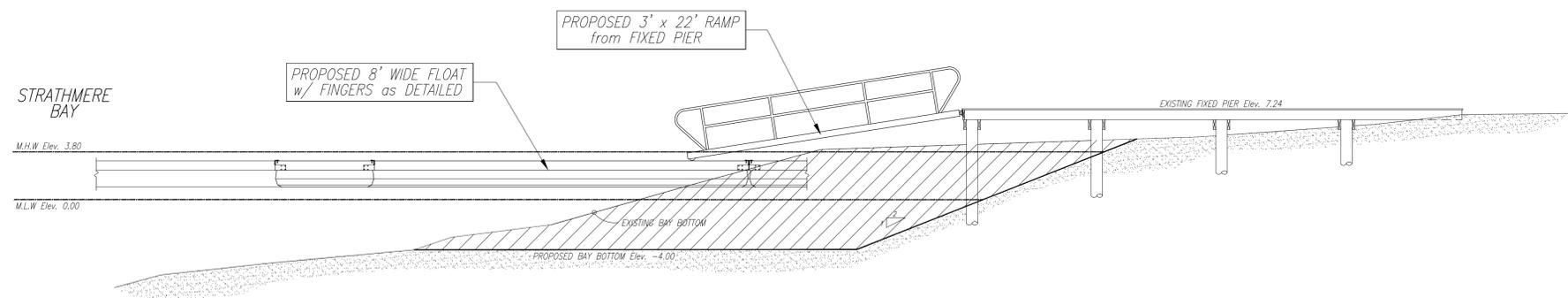
NO.	DESCRIPTION	DATE	BY	CHKD.
1	FLUATING DOCK DIMENSIONS	9.14.20	WE	RDC
2	REVISION			

DWG. NO. 1590-20-1

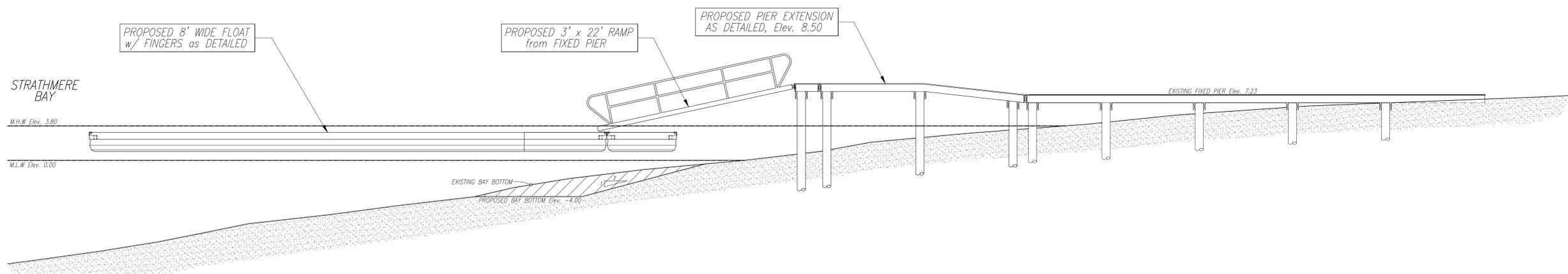
DESIGNED BY	CHECKED BY	SCALE	AS NOTED
WE	RDC		
DATE		SHEET No.	
8-12-2020		3 of 4	



SECTION THRU A-A
SCALE: 1" = 6'



SECTION THRU B-B
SCALE: 1" = 6'



SECTION THRU C-C
SCALE: 1" = 6'

DATE: 9-14-2020

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PROJECT
201 W. WILLARD AVENUE
LOTS 1, 101, 3, 3.01, 4 & 5 in BLOCK 850
 UPPER TOWNSHIP, CAPE MAY COUNTY, N.J.
 DWG. TITLE
NJDEP PERMIT PLAN

NO.	REVISION	DATE	BY	CHKD.
1	PROPOSED PERMIT REVISION	9-14-20	WE	RDG

DWG. NO. 1590-20-1

DRAWN BY	CHECKED BY	SCALE
WE	RDG	AS NOTED
DATE		SHEET No.
8-12-2020		4 of 4