



**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.
NAP-OPR-2020-0753-39

Date
SEPTEMBER 23, 2021

Application No.
NAP-OPR-2020-0753-39

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) 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: Mr. Thomas MacArthur
Northstar Marina Holdings, LLC
P.O. Box 850
Barnegat Light, New Jersey 08006

AGENT: Junetta Dix
Act Engineering, Incorporated
320 South Shore Road, Suite D
Marmora, New Jersey 08223

WATERWAY: Barnegat Bay South

LOCATION: Block 26.01, Lots 1 & 1.01, in Barnegat Light Township, Ocean County, New Jersey.

ACTIVITY: The applicant proposes to reconfigure/replace structures at an existing active marina, including mechanical dredging at the project site. The existing 290-foot bulkhead would be replaced at its present location using non-polluting vinyl material. A 75-foot long, 6-foot wide service dock would be connected to the bulkhead with a 4-foot wide by 38-foot ramp/gangway. The southern and western existing breakwaters would be constructed with non-polluting timber material with the bottom of the breakwater being no closer than 18 inches from existing substrate and with gaps in the vertical planking, as shown on the attached drawings. The northern breakwater would be 11 feet shorter in length, reconstructed in its current location with a vinyl sheathing design to the substrate, as shown on the attached drawings. Proposed dock structures would be attached to the breakwaters. The waterward most (western) breakwater/dock structure would be 160 feet long by approximately 2.25 feet wide. The southern breakwater structure would be 415 feet long by approximately 2.25 feet wide, including an approximate 30-foot long by 2.25-foot wide "return". A 376-foot by 6-foot wide floating dock with ten 4-foot by 20-foot long attached finger piers and accessed from the bulkhead by a 4-foot wide by 30-foot long

ramp/gangway, would be attached to the southern facing structure. The northern facing breakwater/dock structure would be 291 feet long by approximately 2.25-feet wide. A 289-foot by 6-foot wide floating dock with seven finger piers and accessed from the bulkhead via a 4-foot wide by 30-foot long ramp/gangway would be attached to this structure. Five of the finger piers would be 4 feet wide by 40 feet long and two of the finger piers would be 4 feet wide by 50 feet long. A "T" shaped floating dock structure would be constructed between the two above referenced structures. This center floating dock, accessed from the bulkhead via a 4-foot wide by 38-foot ramp/gangway would be 280 feet long by 6 feet wide and at the waterward end would be 68 feet long by 8 feet wide to form the top of the "T". The six northern facing finger piers would be 4 feet wide by 35 feet long and 1 finger pier would be 4 feet wide by 20 feet long. Eight finger piers facing to the south would be 4 feet wide by 27 feet long. A fueling dock would be installed on the top of the "T" structure. Eighty 12-inch piles would be installed to support the new structures. The piles would be installed using a barge-mounted vibratory hammer pile driver.

A 250 square foot triangular area of uplands would be removed to expand the existing boat lift. Two travel lift fixed piers would be installed at the site; one would be 5 feet wide by 32 feet long and the other would be 5 feet wide by 50 feet long. A new bulkhead would be constructed to surround the new expanded boatlift.

Approximately 1.63 acres of the waterway, all within the existing limits of the marina basin, would be mechanically dredged using barge mounted equipment. The site was last dredged in 1963. The area would be dredged to a depth of 7 feet below mean low water, +/- 1 foot. The excavated material, composed primarily of at least 80% sand would be transferred to an adjoining upland location, where the water would drain back into the adjoining waterway. Once dewatered the excavated material would be transported within sealed trucks and disposed of at Ocean County Landfill located at Block 2, Lot 7 in Manchester Township, Ocean County, New Jersey. The applicant has requested that any permit issued by this office include a provision to allow maintenance dredging for the next 10 years.

The existing marina supports 45 mooring slips; the proposed changes would allow for the mooring of 66 vessels. The waterward most structure would be located approximately 350 feet from the center of the waterway. Work would be performed using land based and barge mounted equipment. All the old docks and pilings will be replaced with non-polluting.

PURPOSE: The applicant's stated purpose is to allow for the rehabilitation of a marina.

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. The Corps of Engineers 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. The Corps of Engineers 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. An 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.

Due to the potential for extensive telework associated with the COVID-19 situation, all comments on the proposed work should be submitted, within fifteen (15) days, via email only to the District Engineer, U.S. Army Corps of Engineers - Philadelphia District at PhiladelphiaDistrictRegulatory@usace.army.mil. If you do not have access to email you may submit written comments, within 30 days of this notice, 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.

The Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with the National Marine Fisheries Service 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 and fish species are present within the project area. The Corps of Engineers will evaluate the potential effects of the proposed actions on EFH and will consult with National Marine Fisheries Service as appropriate. Consultation will be concluded prior to the final decision on this permit application.

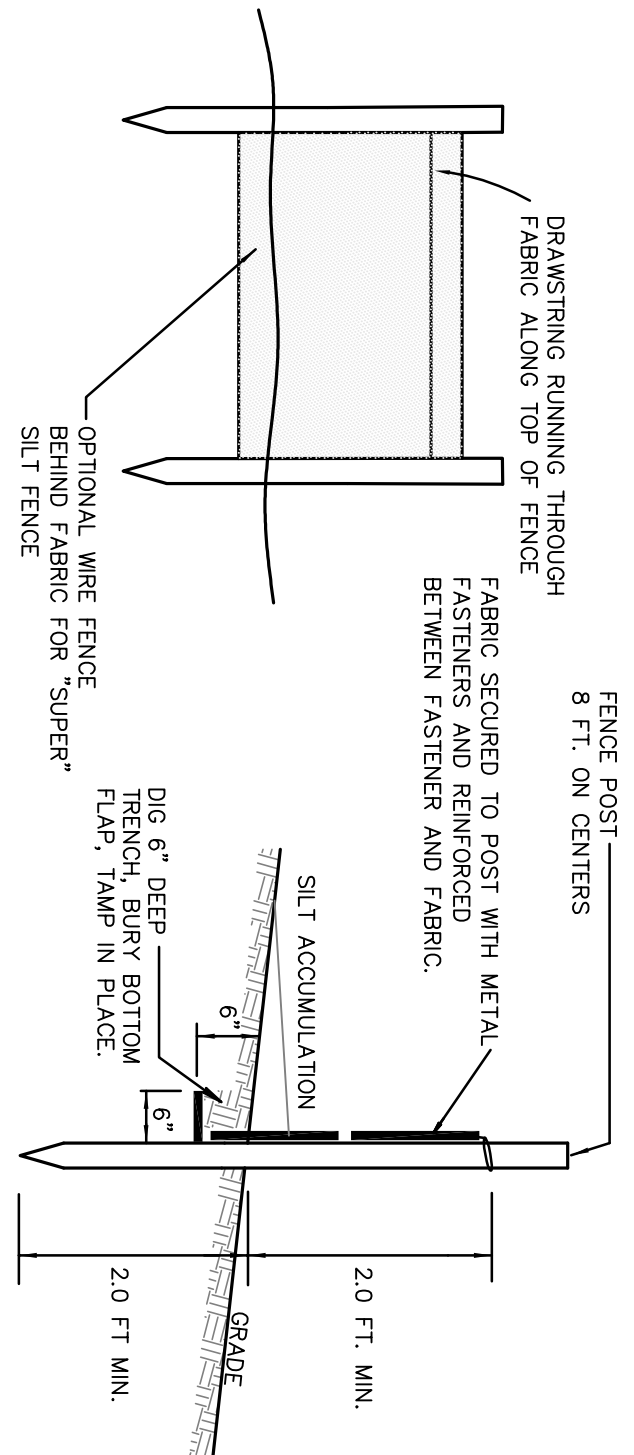
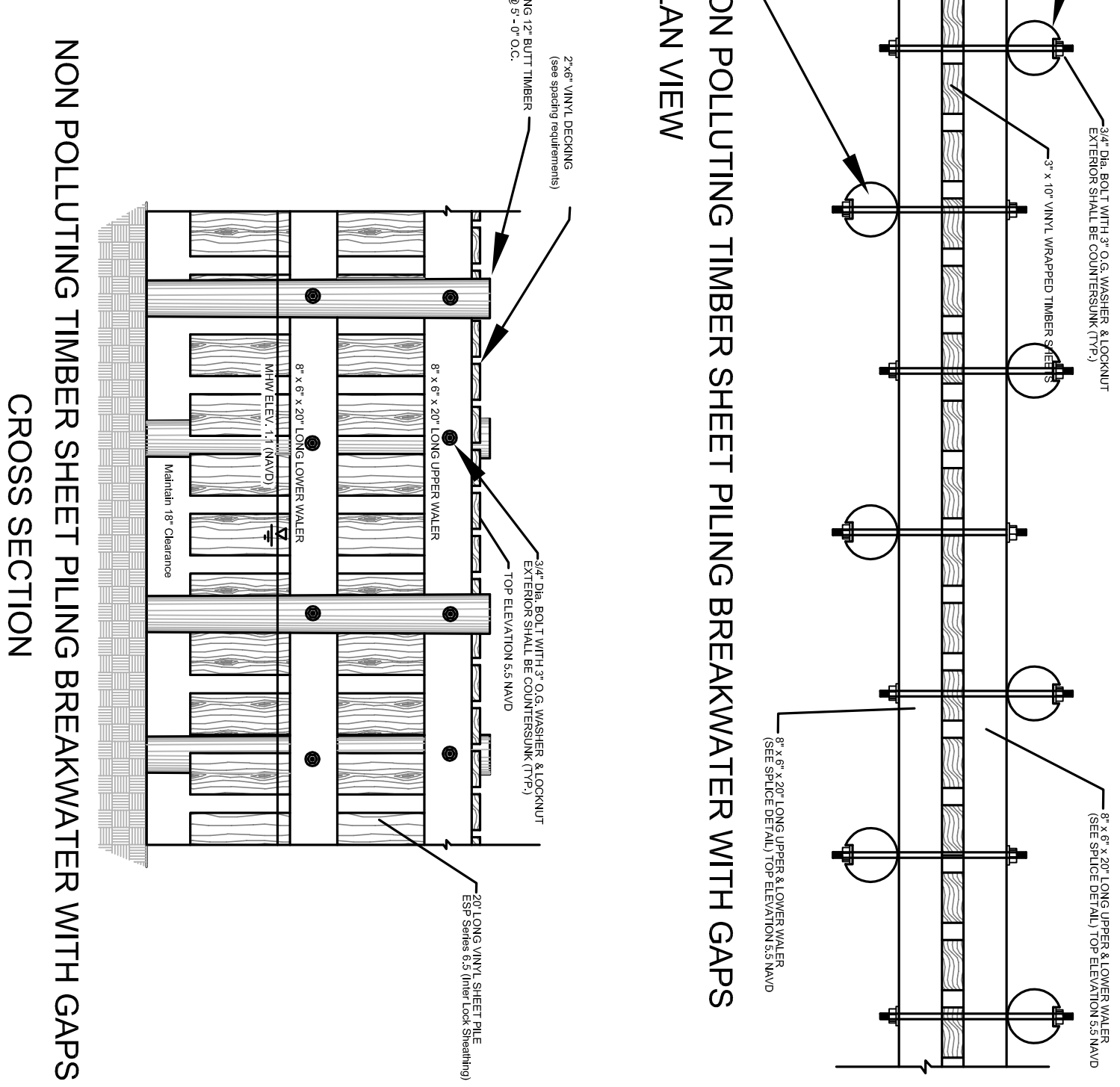
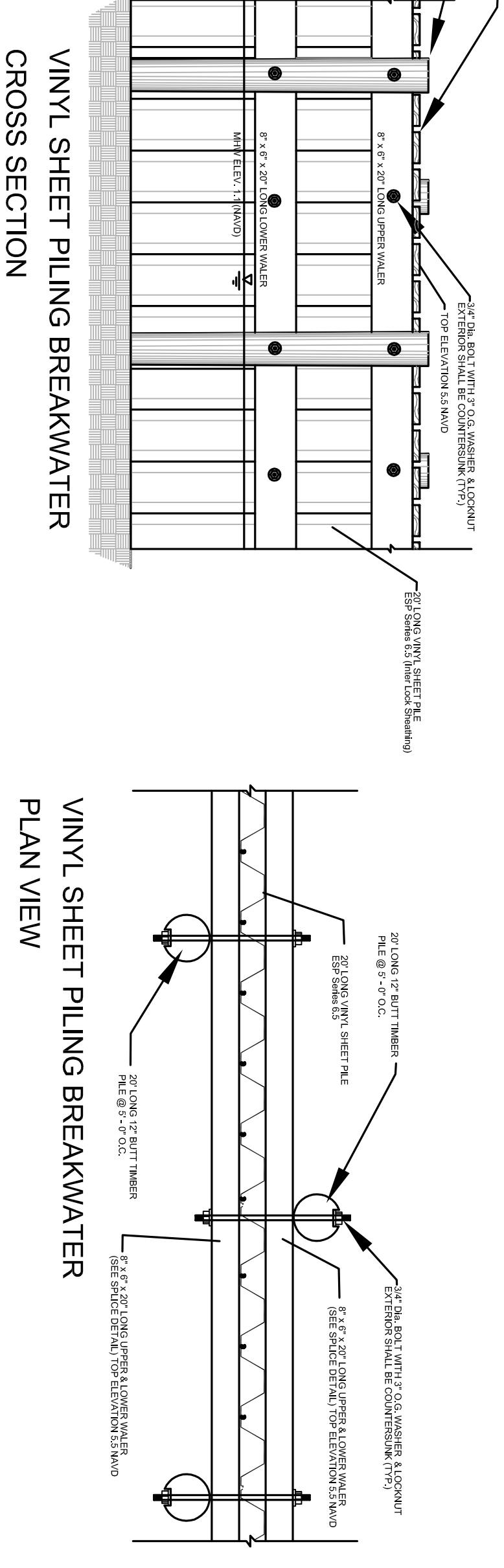
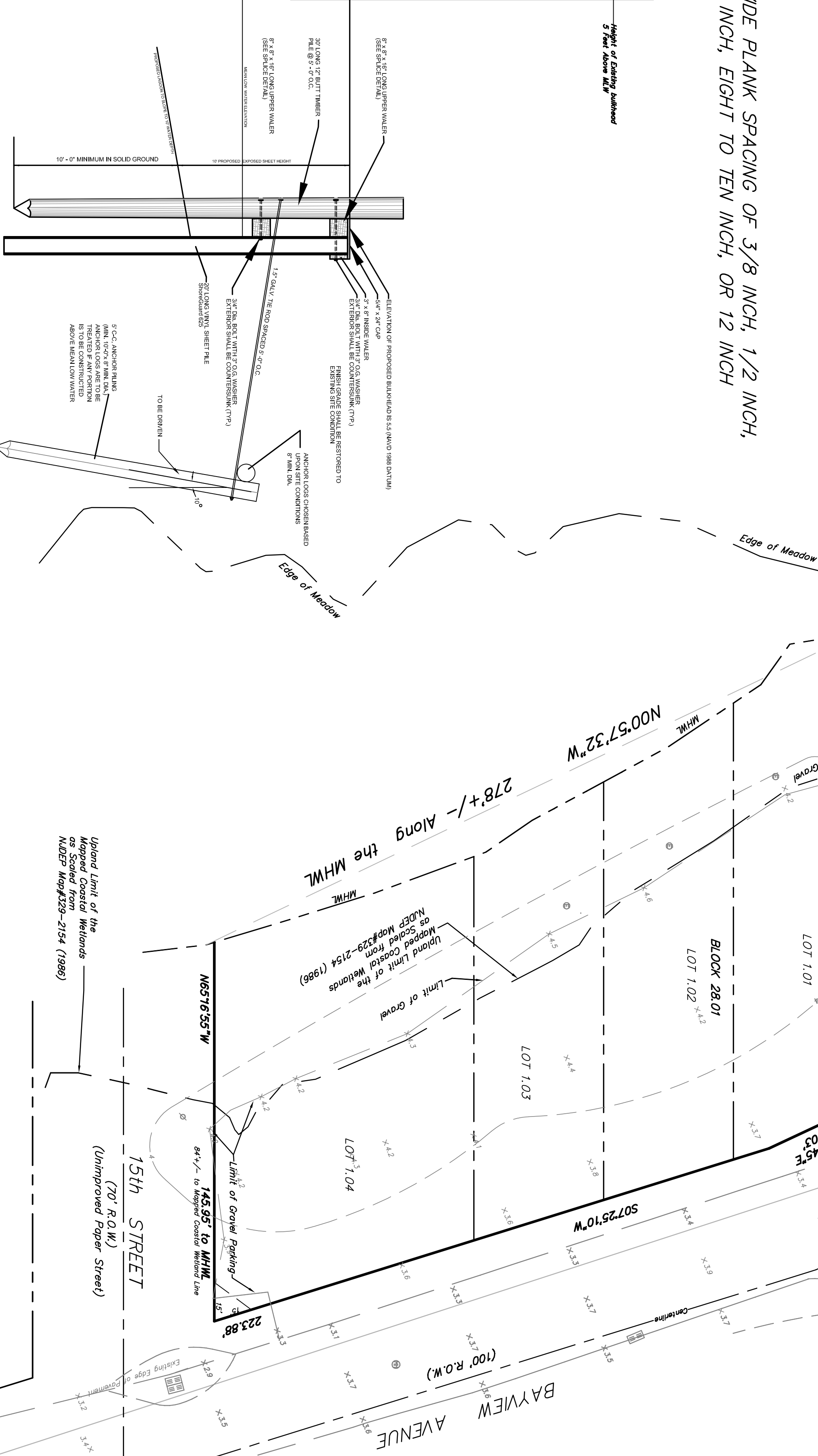
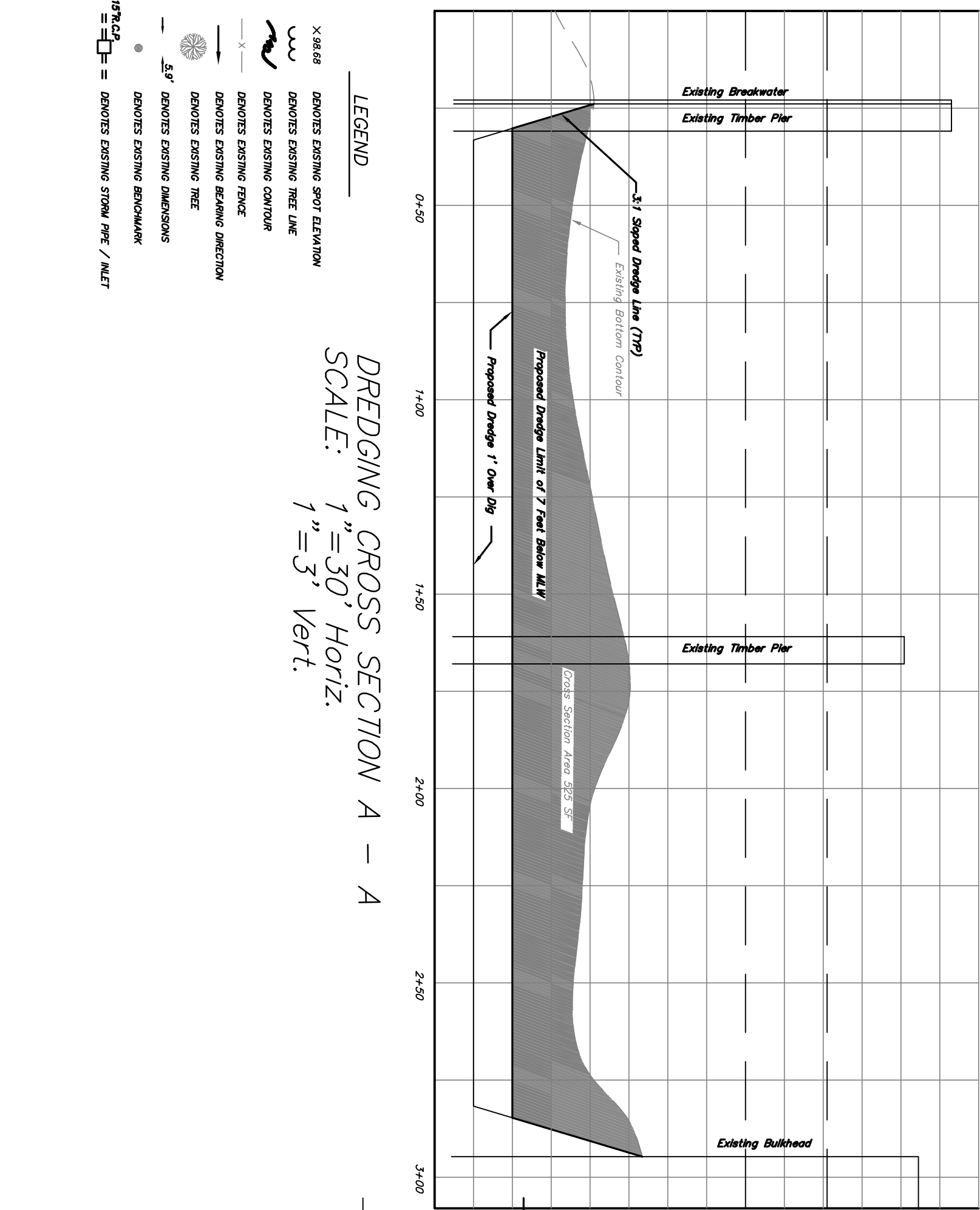
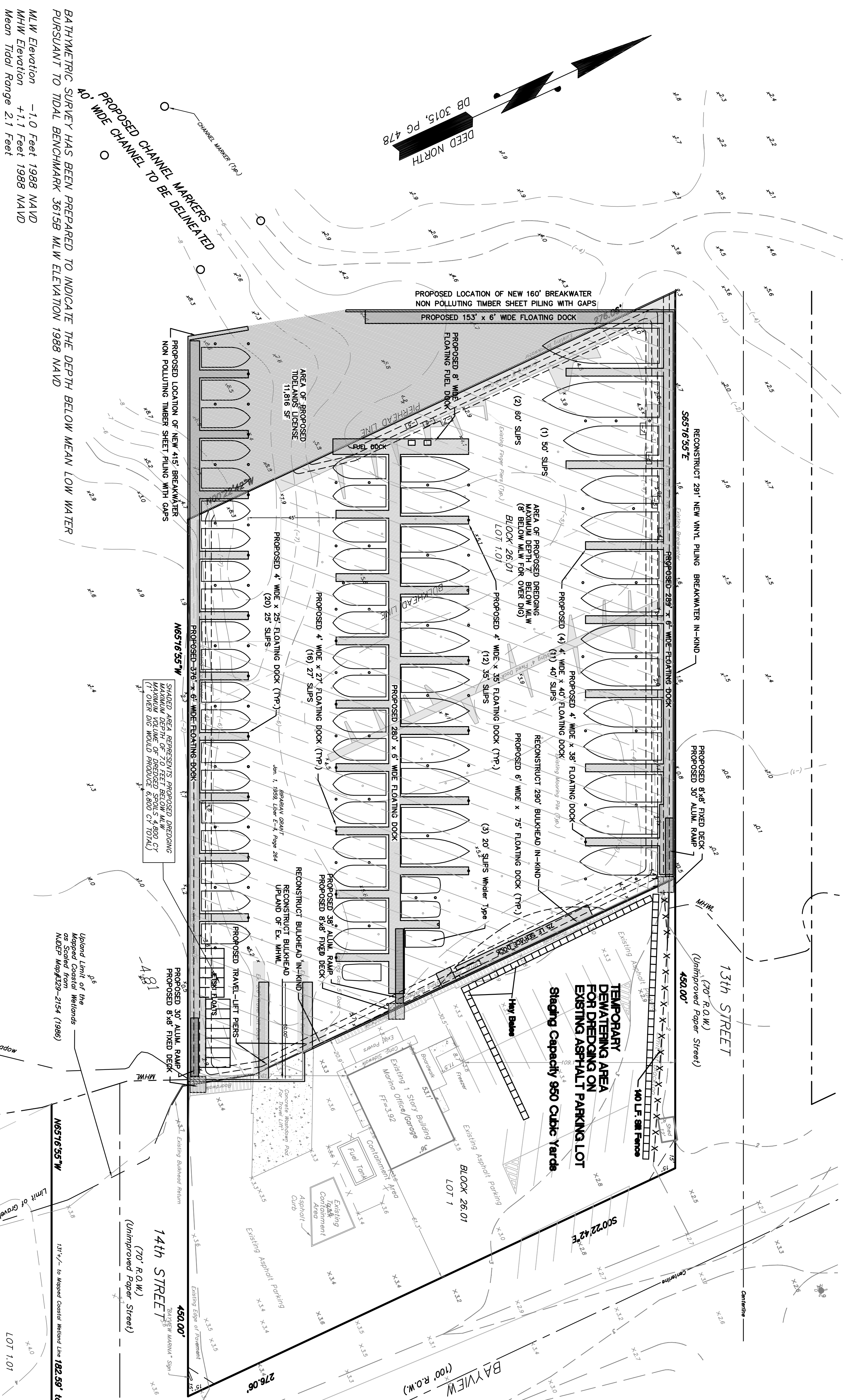
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. 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. An application has been submitted to the New Jersey Department of Environmental Protection for the necessary State approvals, which would include the required CZM consistency concurrence.

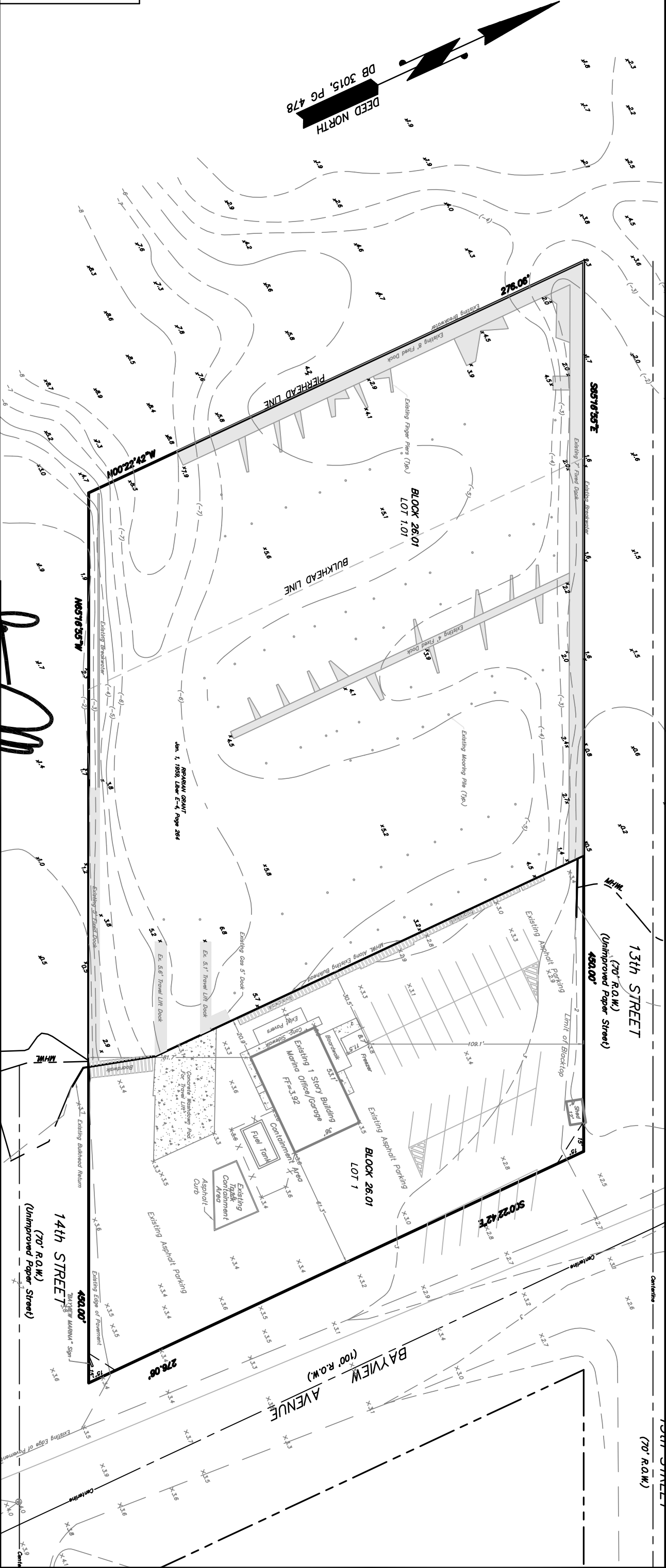
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

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.

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.

Todd A. Schaible
Chief, Regulatory Branch

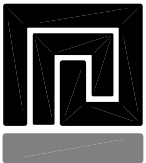
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- LOT 1 & 1.01, BLOCK 26.01
1. Deed Book Reference: Book 13213, Page 1466 & Book 5598, Page 753
 3. Property is currently located in Flood Zone AE Elevation 5 as shown on FIRM 34029C0438F
 4. Based on the Preliminary Flood Maps, property is located in Flood Zone Coastal AE Elevation 8 & VE Elevation 9 as shown on Preliminary FIRM 34029C0438G
 5. Total Tract Area Upland of the Coastal Mapped Wetlands: 27,523 SF (0.86 Ac.)
 6. Existing Site Conditions & Survey Information based on Survey prepared by Horn, Tyson & Yoder, dated May 8, 2020, last revised July 15, 2020.

Stuart Challoner, P.E.

STUART CHALLONER, P.E.
PROFESSIONAL ENGINEER N.J. LIC. NO. 34437
PROFESSIONAL PLANNER N.J. LIC. NO. 4489



CHALLONER & ASSOCIATES

Certificate of Auth. No. 24GA28057700
L.L.C.
CONSULTING ENGINEERS AND DESIGN PROFESSIONALS

201 Main Street, 2nd Floor
Toms River, New Jersey 08753
Phone: 732-818-9980 Fax: 732-818-9981

EXISTING CONDITIONS PLAN—MARINA BASIN

BAYVIEW MARINA

LOTS 1 & 1.01, BLOCK 26.01

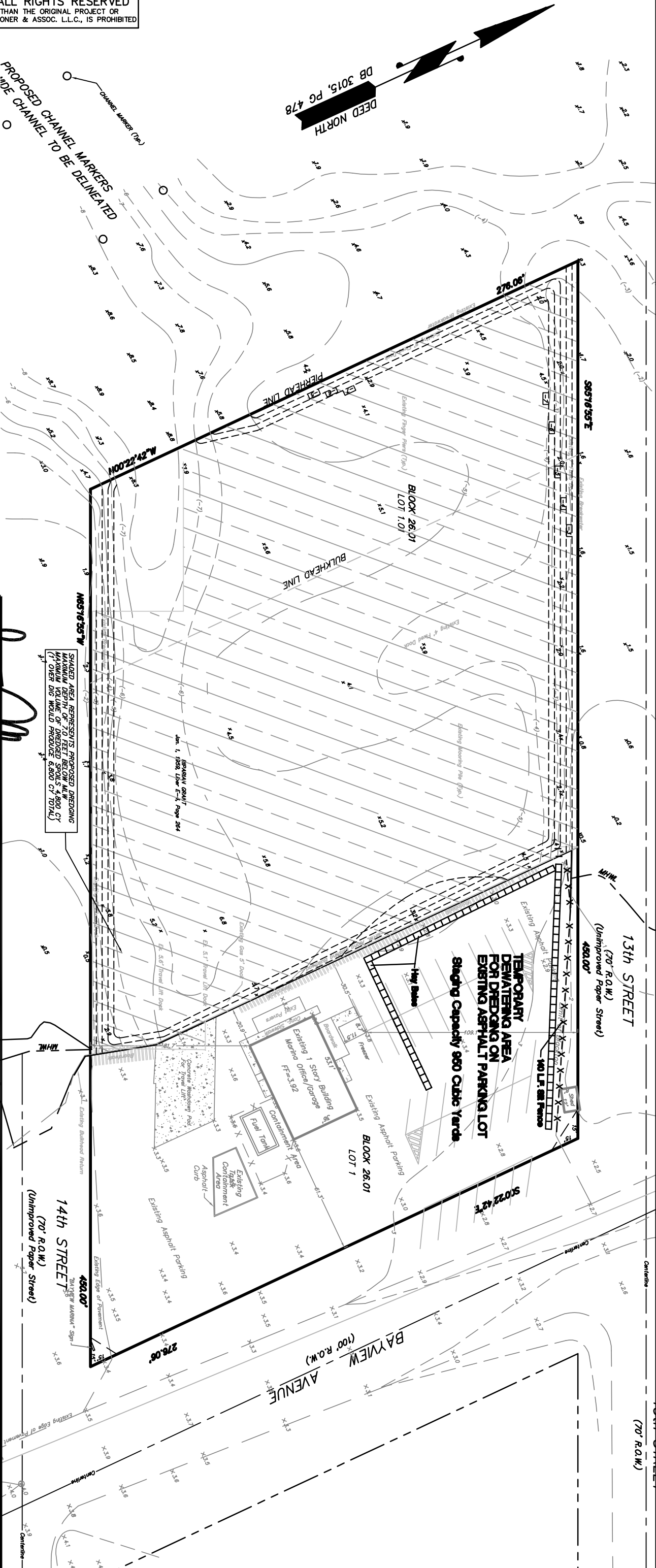
LOTS 11.01, 1.02, 1.03 & 1.04, BLOCK 28.01

SITUATED IN

**BOROUGH OF BARNEGAT LIGHT
OCEAN COUNTY, NEW JERSEY**

Date:	Scale:	Drawn By:	Checked By:
Aug 3, 2021	1"=50'	SGP	SCC

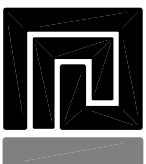
File No.:	Field Book:	Sheet No.:
20051		1 of 4



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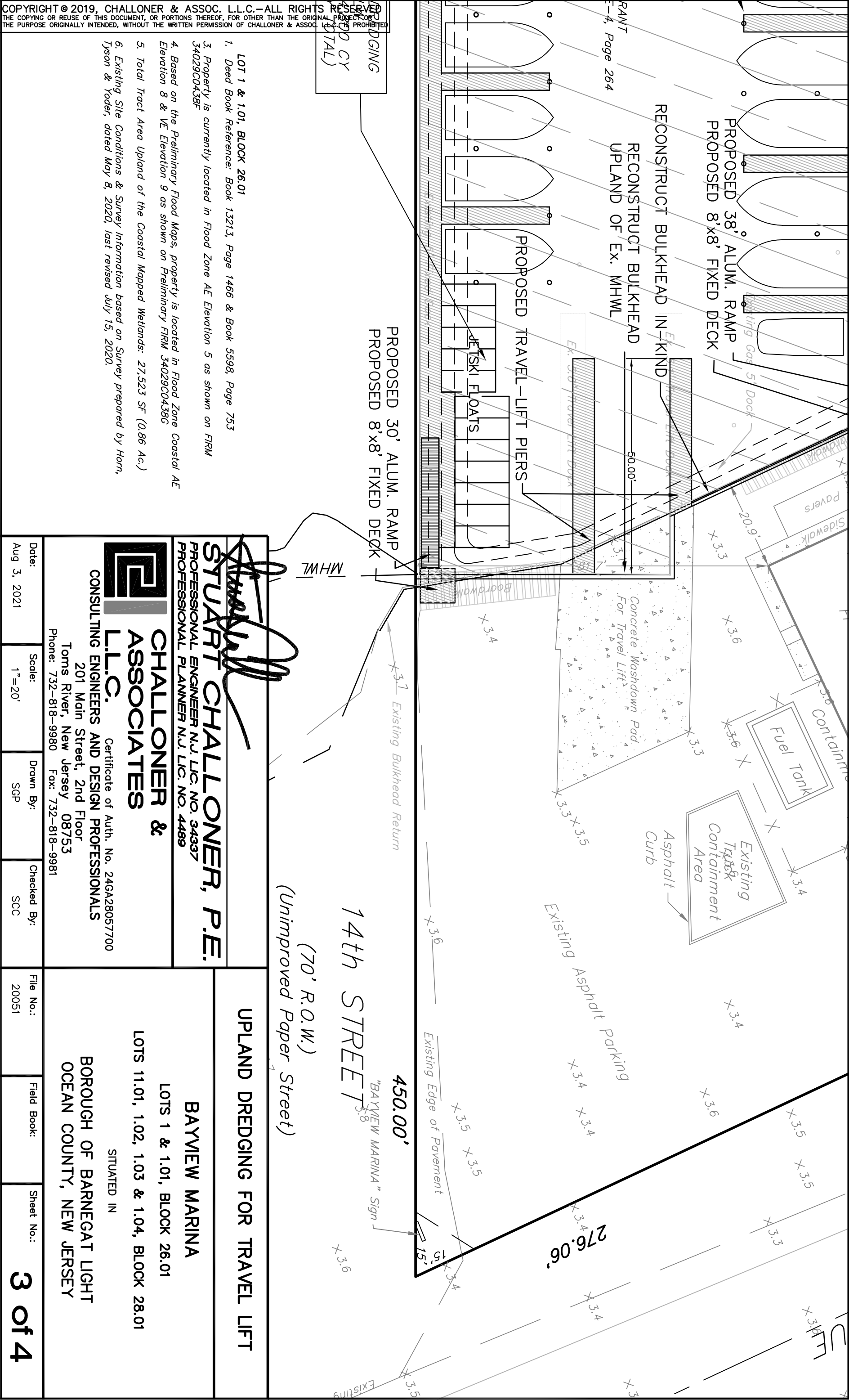
AREA OF PREVIOUS/PROPOSED DREDGING

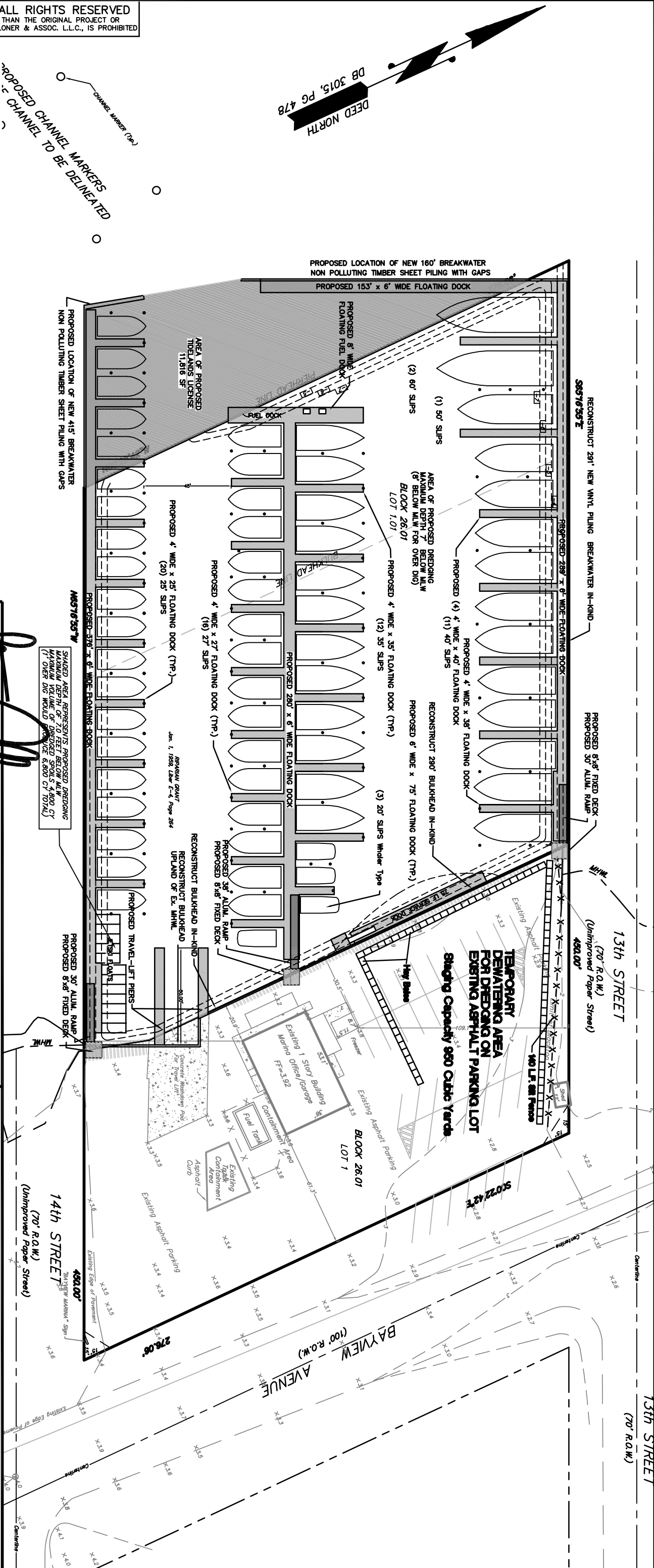
BAYVIEW MARINA

LOTS 1 & 1.01, BLOCK 26.01
SITUATED IN
BOROUGH OF BARNEGAT LIGHT
OCEAN COUNTY, NEW JERSEY

Date: Aug 3, 2021
Scale: 1"=50'
Drawn By: SGP
Checked By: SCC


File No.: 20051
Field Book:
Sheet No.: **2 of 4**





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Sept. 13, 2021 Updated Breakwater Notes

 CHALLONER & ASSOCIATES L.L.C. Certificate of Auth. No. 24GA28057700 CONSULTING ENGINEERS AND DESIGN PROFESSIONALS 201 Main Street, 2nd Floor Toms River, New Jersey 08753 Phone: 732-818-9980 Fax: 732-818-9981			PROPOSED DOCK/BREAKWATER		
BAYVIEW MARINA LOTS 1 & 1.01, BLOCK 26.01 LOTS 11.01, 1.02, 1.03 & 1.04, BLOCK 28.01 SITUATED IN BOROUGH OF BARNEGAT LIGHT OCEAN COUNTY, NEW JERSEY					
STUART CHALLONER, P.E. PROFESSIONAL ENGINEER N.J. LIC. NO. 34337 PROFESSIONAL PLANNER N.J. LIC. NO. 4489					
Date: Aug 3, 2021	Scale: 1"=50'	Drawn By: SGP	Checked By: SCC	File No.: 20051	Field Book:
				Sheet No.: 4 of 4	