



**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-OPR-2021-00390-95	14 July 2022
Application No.	File No.
CENAP-OPR-2021-00390-95	

In Reply Refer to:
REGULATORY BRANCH

This District has received an application for a Department of the Army (DA) 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: Township of Stafford
Attn: Matthew von der Hayden
260 East Bay Avenue
Manahawkin, New Jersey 08050

WATERWAYS: Beach Haven West 1 - Area 1, Beach Haven West 1 – Area 2A, Beach Haven West 1 – Area 2B, Beach Haven West 2 – Area 1, Beach Haven West 2 – Area 2, Beach Haven West 2 – Area 3, Beach Haven West 3 – Area 1, Beach Haven West 3 – Area 2, Beach Haven West 4 – Area 1, Beach Haven West 4 – Area 2, Cedar Run, Mud City North, Mud City South, Jennifer Lane Bayfront, Selma Drive Bayfront, Mill Creek Bayfront - Area 1, Mill Creek Bayfront - Area 2, Clear Bonnet, and Bonnet Island.

LOCATION: Township of Stafford, Ocean County, New Jersey

ACTIVITY: The applicant, the Township of Stafford, has requested Department of the Army (DA) authorization to perform ten (10)-year maintenance dredging of nineteen (19) township waterways, with the proposed “township-wide” maintenance dredging program targeting substantial shoaling that has built up over the last century, including recent sediment deposited by Superstorm Sandy and Winter Storm Jonas.

All of the work would be accomplished via mechanical dredge. All resultant dredged material, estimated to be approximately 706,336.0-cubic yards, would be removed from approximately 298.38-acres of sea bottom and disposed at the upland Renegade Real Estate, LLC - Timster Trucking Site located in Little Egg Harbor Township, Ocean County, New Jersey. The composition of the dredged material ranges between approximately 44.0-97.0% sand and 3.0-56.0% silt.

Each maintenance dredging event is anticipated to be approximately twelve (12) weeks in duration, including mobilization/demobilization, dredging, and material placement activities. Two (2) or three (3) maintenance dredging events are anticipated to be conducted over the next ten (10)-years, with the initial dredging event proposed to be undertaken during Fall 2022.

Beach Haven West 1 - Area 1

Approximate Coordinates: Latitude: 39.674411, Longitude: -74.242053.

Maintenance dredging of 91,361.0-cubic yards of shoaled sediments from an approximately 22.75-acre footprint to -5.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 1 – Area 2A

Approximate Coordinates: Latitude: 39.678211, Longitude: -74.241651.

Maintenance dredging of 30,329.0-cubic yards of shoaled sediments from an approximately 9.98-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 1 – Area 2B

Approximate Coordinates: Latitude: 39.671927, Longitude: -74.242757.

Maintenance dredging of 129,403.0-cubic yards of shoaled sediments from an approximately 66.79-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 2 – Area 1

Approximate Coordinates: Latitude: 39.658901, Longitude: -74.220779.

Maintenance dredging of 14,025.0-cubic yards of shoaled sediments from an approximately 4.84-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no

dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 2 – Area 2

Approximate Coordinates: Latitude: 39.667845, Longitude: -74.225664.

Maintenance dredging of 17,805.0-cubic yards of shoaled sediments from an approximately 28.54-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 2 – Area 3

Approximate Coordinates: Latitude: 39.657594, Longitude: -74.224116.

Maintenance dredging of 23,261.0-cubic yards of shoaled sediments from an approximately 37.49-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 3 – Area 1

Approximate Coordinates: Latitude: 39.661585, Longitude: -74.218858.

Maintenance dredging of 12,274.0-cubic yards of shoaled sediments from an approximately 3.74-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 3 – Area 2

Approximate Coordinates: Latitude: 39.666754, Longitude: -74.223938.

Maintenance dredging of 19,372.0-cubic yards of shoaled sediments from an approximately 25.0-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 4 – Area 1

Approximate Coordinates: Latitude: 39.666233, Longitude: -74.216622.

Maintenance dredging of 36,398.0-cubic yards of shoaled sediments from an approximately 10.76-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Beach Haven West 4 – Area 2

Approximate Coordinates: Latitude: 39.671262, Longitude: -74.229048.

Maintenance dredging of 55,360.0-cubic yards of shoaled sediments from an approximately 25.39-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that Beach Haven West's lagoon communities were constructed between the early 1950 and the 1970s, created by means of dredging/excavation of tidal marsh and uplands. Subsequent to the 1970s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Cedar Run

Approximate Coordinates: Latitude: 39.654531, Longitude: -74.257448.

Maintenance dredging of 16,162.0-cubic yards of shoaled sediments from an approximately 5.30-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that dredging has not occurred outside of the New Jersey Department of Transportation – Office of Maritime Resources' Cedar Run State Channel dredge template. It is noted that in a 2019 bathymetric survey of Cedar Run, that an intermittent channel may be observed past the western extent of the Cedar Run State Channel dredge template, indicating that historical dredging may have occurred in this area.

Mud City North

Approximate Coordinates: Latitude: 39.670841, Longitude: -74.216327.

Maintenance dredging of 47,994.0-cubic yards of shoaled sediments from an approximately 9.49-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that the Mud City area was dredged in the 1980s during construction of the surrounding waterfront residential communities. Subsequent to the 1980s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Mud City South

Approximate Coordinates: Latitude: 39.669096, Longitude: -74.215115.

Maintenance dredging of 10,354.0-cubic yards of shoaled sediments from an approximately 2.97-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that the Mud City area was dredged in the 1980s during construction of the surrounding waterfront residential communities. Subsequent to the 1980s, no dredging has been conducted; thus, the present need for conducting maintenance dredging to address shoaling within the lagoon network.

Jennifer Lane Bayfront

Approximate Coordinates: Latitude: 39.659834, Longitude: -74.217123.

Maintenance dredging of 38,640.0-cubic yards of shoaled sediments from an approximately 8.45-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that the bayfront residential communities were constructed between the early 1980s and early 1990s. The bayfront dredge areas are generally sited within 250.0-linear feet of existing residential dock and bulkhead structures where shoaled sediments have built up over the past several decades.

Selma Drive Bayfront

Approximate Coordinates: Latitude: 39.664350, Longitude: -74.216700.

Maintenance dredging of 19,306.0-cubic yards of shoaled sediments from an approximately 4.21-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that the bayfront residential communities were constructed between the early 1980s and early 1990s. The bayfront dredge areas are generally sited within 250.0-linear feet of existing residential dock and bulkhead structures where shoaled sediments have built up over the past several decades.

Mill Creek Bayfront - Area 1

Approximate Coordinates: Latitude: 39.647122, Longitude: -74.217760.

Maintenance dredging of 12,607.0-cubic yards of shoaled sediments from an approximately 2.83-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that the bayfront residential communities were constructed between the early 1980s and early 1990s. The bayfront dredge areas are generally sited within 250.0-linear feet of existing residential dock and bulkhead structures where shoaled sediments have built up over the past several decades.

Mill Creek Bayfront - Area 2

Approximate Coordinates: Latitude: 39.654753, Longitude: -74.216797.

Maintenance dredging of 48,467.0-cubic yards of shoaled sediments from an approximately 11.21-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of

available records indicates that the bayfront residential communities were constructed between the early 1980s and early 1990s. The bayfront dredge areas are generally sited within 250.0-linear feet of existing residential dock and bulkhead structures where shoaled sediments have built up over the past several decades.

Clear Bonnet

Approximate Coordinates: Latitude: 39.661284, Longitude: -74.197582.

Maintenance dredging of 40,871.0-cubic yards of shoaled sediments from an approximately 10.78-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates that the bayfront residential communities were constructed between the early 1980s and early 1990s. The bayfront dredge areas are generally sited within 250.0-linear feet of existing residential dock and bulkhead structures where shoaled sediments have built up over the past several decades.

Bonnet Island

Approximate Coordinates: Latitude: 39.654169, Longitude: -74.188811.

Maintenance dredging of 42,887.0-cubic yards of shoaled sediments from an approximately 7.86-acre footprint to -5.0-feet below the plane of MLW, plus 1.0-foot of allowable overdredge, and 3:1 side slopes, is proposed. A review of available records indicates the bayfront residential communities were constructed between the early 1980s and early 1990s. The bayfront dredge areas are generally sited within 250.0-linear feet of existing residential dock and bulkhead structures where shoaled sediments have built up over the past several decades. Additionally, a portion of the Bonnet Island dredge footprint was last dredged under DA Permit Number NAP-2017-00756-95 (Dutchman's Brauhaus Restaurant Boat Basin).

Dredge Material Placement:

All resultant dredged material, estimated to be approximately 706,336.0-cubic yards of sand and silt, would be disposed at the upland Renegade Real Estate, LLC - Timster Trucking Site located in Eagleswood and Little Egg Harbor Township, Ocean County, New Jersey.

Renegade Real Estate, LLC - Timster Trucking Site:

Approximate Coordinates: Latitude: 39.650198, Longitude: -74.320481.

After mechanical placement into hopper barges for dewatering, all resultant dredged material would be direct-loaded into sealed trucks and transported for placement in uplands at the Renegade Real Estate, LLC - Timster Trucking Site located in both Eagleswood (Lot 25 of Block 42) and Little Egg Harbor (Lot 25 of Block 65), in Ocean County, New Jersey.

PURPOSE: The stated purpose of this project is to maintain safe navigational depths for transiting emergency, commercial, and recreational vessels.

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.

The comment period is open for thirty (30) days from the date of this announcement. Due to COVID-19 comments on the proposed work should be submitted via email to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District at PhiladelphiaDistrictRegulatory@usace.army.mil. If it is necessary to provide a paper copy, comments should be submitted via traditional hard copy mail to the U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390, Attn: CENAP-OPR.

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 the proposed work may affect listed aquatic-based species or their critical habitat. Pursuant to Section 7 of the Endangered Species Act (ESA), the Philadelphia District will evaluate the potential effects from the proposed actions to these species and their habitat and consult with NOAA Fisheries as appropriate. Consultation will be concluded prior to the final decision on this permit application.

Pursuant to Section 7 of the Endangered Species Act (ESA), a preliminary review of this application indicates that the proposed work would not affect land-based species or their critical habitat. Given USACE's no effect determination, as per Section 7 of the ESA, no further consultation with the U.S. Fish & Wildlife Service is required.

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

Per Federal Regulations 33 CFR 325.1(d)(7), the applicant has stated that compensatory mitigation is not required as placement of dredged or fill material into Waters of the U.S. 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.

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 to PhiladelphiaDistrictRegulatory@usace.army.mil, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by contacting Mr. Robert Youhas of my staff via email at robert.youhas@usace.army.mil, or by phone at 215-656-6729.

FOR: Todd A. Schaible
Chief, Regulatory Branch