

**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.
CENAP-OPR-2021-0573-95

Date
December 20, 2021

Application No.
CENAP-OPR-2021-00573-95

File No.

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: City of Atlantic City
Attn: Mr. Anthony Swan
1301 Bacharach Boulevard
Atlantic City, New Jersey 08041

WATERWAYS: Clam Creek portion of the Absecon Inlet Federal Navigation Channel, Farley's Marina, Gardiners Basin, Snug Harbor, Delta Basin, Kammerman's Marina, U.S. Coast Guard/New Jersey State Police Marina, Penrose Canal, Venice Lagoon, Bader Field Lagoon, Chelsea Harbor, Fenton Place Lagoon, and Ventnor Lagoon.

LOCATION: Atlantic City, Atlantic County, New Jersey

ACTIVITY: The applicant, City of Atlantic City, has requested Department of the Army (DA) authorization to perform ten (10)-year maintenance dredging of thirteen (13) city waterways, with the proposed "city-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 hydraulic cutterhead or mechanical dredge. All resultant dredged material, estimated to be approximately 597,761.0-cubic yards of sand and silt, would be removed from approximately 104.67-acres of sea bottom and disposed at three (3) locations: the Dredged Hole #86 (DH#86) subaqueous borrow pit restoration site in Beach Thorofare located in Atlantic City, Atlantic County, New Jersey; the upland Tuckahoe Turf Farm located in Estell Manor, Atlantic County, New Jersey; and the upland Kinsley's Landfill located in Sewell, Mantua Township, Gloucester County, New Jersey.

For navigational safety, the hydraulic dredge pipeline will be marked in accordance with U.S. Coast Guard regulations and would be sunken, except where submerged aquatic vegetation (SAV) is encountered where it would be floated.

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.

Clam Creek portion of the Absecon Inlet Federal Navigation Channel

Approximate Coordinates: Latitude: 39.377375, Longitude: -74.423009.

Maintenance dredging of 122,710.0-cubic yards of shoaled sediments from a 17.75-acre section of the Clam Creek portion of the Absecon Inlet Federal Navigation Channel to -15.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Part of the Absecon Inlet Federal Navigation Channel, Clam Creek has been historically dredged by USACE-Philadelphia District since the early 1900s.

All resultant dredged material from the Clam Creek Portion of the Absecon Inlet Federal Navigation Channel would be placed at the DH#86 subaqueous borrow pit restoration site in Beach Thorofare.

Farley's Marina

Approximate Coordinates: Latitude: 39.378455, Longitude: -74.426250.

Maintenance dredging of a total of 154,829.0-cubic yards of shoaled sediments from five (5) areas within Farley's Marina is proposed.

- Farley's Marina Fuel: Maintenance dredging of 20,113.0-cubic yards of shoaled sediments from an approximately 2.86-acre footprint to -15.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed.
- Farley's Marina Area #1: Maintenance dredging of 10,534.0-cubic yards of shoaled sediments from an approximately 8.58-acre footprint to -7.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed.
- Farley's Marina Area #2: Maintenance dredging of 91,005.0-cubic yards of shoaled sediments from an approximately 7.67-acre footprint to -15.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes is proposed.
- Farley's Marina Area #3: Maintenance dredging of 31,739.0-cubic yards of shoaled sediments from an approximately 4.31-acre footprint to -10.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed.

- Farley's Marina Area #4: Maintenance dredging of 1,438.0-cubic yards of shoaled sediments from an approximately 2.37-acre footprint to -7.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed.

Part of Atlantic City's Inlet Marina Area, available records indicate that Farley's Marina was historically dredge-maintained during the 1950s and 1980s.

All resultant dredged material from Farley's Marina would be placed at the DH#86 subaqueous borrow pit restoration site in Beach Thorofare.

Gardeners Basin

Approximate Coordinates: Latitude: 39.373566, Longitude: -74.420809.

Maintenance dredging of 174,731.0-cubic yards of shoaled sediments from an approximately 12.71-acre footprint to -15.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Part of Atlantic City's Inlet Marina Area, available records indicate that Gardeners Basin was historically dredge-maintained during the 1950s and 1980s.

Approximately 52,600.0-cubic yards of dredged material removed from the northern portion of Gardeners Basin would be placed upland at the Tuckahoe Turf Farm; and approximately 122,131.0-cubic yards of dredged material removed from the southern portion of Gardeners Basin would be placed upland at Kinsley's Landfill.

Snug Harbor

Approximate Coordinates: Latitude: 39.375373, Longitude: -74.423638.

Maintenance dredging of 23,114.0-cubic yards of shoaled sediments from an approximately 4.92-acre footprint to -9.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Part of Atlantic City's Inlet Marina Area, available records indicate that Snug Harbor was historically dredge-maintained during the 1950s and 1980s.

All resultant dredged material from Snug Harbor would be placed at the DH#86 subaqueous borrow pit restoration site in Beach Thorofare.

Delta Basin

Approximate Coordinates: Latitude: 39.372080, Longitude: -74.426022.

Maintenance dredging of 52,554.0-cubic yards of shoaled sediments from an approximately 9.75-acre footprint to -15.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 sides slopes, is proposed. Part of Atlantic City's Inlet Marina Area, available records indicate that the Delta Basin was historically dredge-maintained during the 1950s and 1980s.

Approximately 30,814.0-cubic yards of dredged material removed from the northern portion of Delta Basin would be placed at the DH#86 subaqueous borrow pit restoration site in Beach Thorofare; and approximately 21,740.0-cubic yards of dredged material removed from the southern portion of Delta Basin would be placed upland at Kinsley's Landfill.

Kammerman's Marina

Approximate Coordinates: Latitude: 39.376582, Longitude: -74.423134. Maintenance dredging of 2,602.0-cubic yards of shoaled sediments from an approximately 0.47-acre footprint to -6.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Part of Atlantic City's Inlet Marina Area, available records indicate that Kammerman's Marina was historically dredge-maintained during the 1950s and 1980s.

All resultant dredged material from Kammerman's Marina would be placed at the DH#86 subaqueous borrow pit restoration site in Beach Thorofare.

U.S. Coast Guard/New Jersey State Police Marina

Approximate Coordinates: Latitude: 39.378022, Longitude: -74.424093. Maintenance dredging of 8,604.0-cubic yards of shoaled sediments from an approximately 1.73-acre footprint to -10.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Part of Atlantic City's Inlet Marina Area, available records indicate that the U.S. Coast Guard and New Jersey State Police Marina was historically dredge-maintained during the 1950s and 1980s.

All resultant dredged material from the U.S. Coast Guard and New Jersey State Police Marina would be placed upland at Kinsley's Landfill.

Penrose Canal

Approximate Coordinates: Latitude: 39.372480, Longitude: -74.444921. Maintenance dredging of 5,725.0-cubic yards of shoaled sediments from an approximately 2.97-acre footprint to -5.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Available records indicate that the man-made Penrose Canal was excavated/constructed in the 1880s. No historical records were found to indicate that the Penrose Canal was ever historically dredge-maintained.

All resultant dredged material from Penrose Canal would be placed upland at the Tuckahoe Turf Farm.

Venice Lagoon

Approximate Coordinates: Latitude: 39.372592, Longitude: -74.452376. Maintenance dredging of 3,318.0-cubic yards of shoaled sediments from an approximately 6.37-acre footprint to -5.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Available records indicate that the man-made Venice Lagoon was

excavated/constructed in the 1880s. No historical records were found to indicate that the Venice Lagoon was ever historically dredge-maintained.

All resultant dredged material from Venice Lagoon would be placed upland at the Tuckahoe Turf Farm.

Bader Field Lagoon

Approximate Coordinates: Latitude: 39.359380, Longitude: -74.453190.

Maintenance dredging of 42,202.0-cubic yards of shoaled sediments from an approximately 13.40-acre footprint to -5.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Available records indicate that the man-made Bader Field Lagoon was excavated/constructed during the early 1900s. No historical records were found to indicate that the Bader Field Lagoon area was ever historically dredge-maintained.

All resultant dredged material from Bader Field Lagoon would be placed upland at the Tuckahoe Turf Farm.

Chelsea Harbor

Approximate Coordinates: Latitude: 39.351552, Longitude: -74.460122.

Maintenance dredging of 151.0-cubic yards of shoaled sediments from an approximately 1.29-acre footprint to -5.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Available records indicate that the man-made Chelsea Harbor was excavated/constructed during the early 1900s. No historical records were found to indicate that the Chelsea Harbor area was ever historically dredge-maintained.

All resultant dredged material from Chelsea Harbor would be placed upland at the Tuckahoe Turf Farm.

Fenton Place Lagoon

Approximate Coordinates: Latitude: 39.358180, Longitude: -74.448722.

Maintenance dredging of 6,646.0-cubic yards of shoaled sediments from an approximately 5.74-acre footprint to -5.0-feet below the plane of Mean Low Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Available records indicate that the man-made Fenton Place Lagoon was excavated/constructed during the early 1900s. No historical records were found to indicate that the Fenton Place Lagoon area was ever historically dredge-maintained.

All resultant dredged material from Fenton Place Lagoon would be placed upland at the Tuckahoe Turf Farm.

Ventnor Lagoon

Approximate Coordinates: Latitude: 39.351839, Longitude: -74.457452.

Maintenance dredging of 575.0-cubic yards of shoaled sediments from an approximately 1.78-acre footprint to -5.0-feet below the plane of Mean Low

Water (MLW), plus 1.0-foot of allowable overdredge, and 4:1 side slopes, is proposed. Available records indicate that the man-made Ventnor Lagoon was excavated/constructed during the early 1900s. No historical records were found to indicate that the Ventnor Lagoon area was ever historically dredge-maintained.

All resultant dredged material from Ventnor Lagoon would be placed upland at the Tuckahoe Turf Farm.

Dredge Material Placement:

All resultant dredged material, estimated to be approximately 597,761.0-cubic yards of sand and silt, would be disposed at three (3) locations: the DH#86 subaqueous restoration site in Beach Thorofare located in Atlantic City, Atlantic County, New Jersey; the upland Tuckahoe Turf Farm located in Estell Manor, Atlantic County, New Jersey; and the upland Kinsley's Landfill located in Sewell, Mantua Township, Gloucester County, New Jersey.

DH#86:

Approximate Coordinates: Latitude: 39.360598, Longitude: -74.469802. Approximately 334,069.0-cubic yards of dredged material from the dredge sites listed above would be mechanically and hydraulically placed into DH#86 in accordance with Department of the Army (DA) Permit Number NAP-2020-00059-95 (Enclosure A). DH#86 is an approximately 14.0-acre man-made subaqueous borrow pit feature formed by historical sand mining activities. DH#86, located in Beach Thorofare, is one of several subaqueous pits within the New Jersey Atlantic bay system that was used as a sediment borrow site for construction of roadways, bridges, and building lots in Atlantic City and the surrounding area. The depth below the existing surrounding natural seabed within DH#86 ranges from approximately 5.0-feet below Mean Low Water (MLW) at the shallowest to 57.0-feet below MLW at the deepest. DA Permit Number NAP-2020-00059-95, issued on 10 June 2020 to the New Jersey Department of Transportation – Office of Maritime Resources (NJDOT-OMR), authorized the restoration of DH#86 via in-water discharge of dredged material. DH#86 is owned and maintained by NJDOT-OMR. Placement of dredged material into DH#86 by Atlantic City is contingent upon execution of a use agreement between Atlantic City and NJDOT-OMR.

Tuckahoe Turf Farm:

Approximate Coordinates: Latitude: 39.680137, Longitude: -74.782414. Approximately 111,217.0-cubic yards of dredged material would be loaded into trucks and transported to the Tuckahoe Turf Farm located in Estell Manor, Atlantic County, New Jersey, for upland placement.

Kinsley's Landfill:

Approximate Coordinates: Latitude: 39.793075, Longitude: -75.105967. Approximately 152,475.0-cubic yards of dredged material would be loaded into trucks and transported to Kinsley's Landfill located in Sewell, Mantua Township, Gloucester County, New Jersey, for upland placement.

PURPOSE: The stated purpose of this project is to maintain safe navigational depths for transiting emergency, commercial, and recreational vessels; and restore a man-made subaqueous borrow pit feature formed by historical sand mining activities.

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 COVID-19, comments on the proposed work should be submitted via email, within thirty (30) days, 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, within thirty (30) days, 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 because the proposed project is expected to result in an overall net increase in habitat functions and values through beneficial re-utilization of dredged material to restore the man-made subaqueous borrow pit feature known as DH#86.

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.

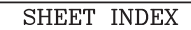
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

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

VICINITY MAP
SCALE: 1" = 20,000'



SHT.NO.	DRAWING TITLE	DATE:
1	COVER SHEET	06/17/21
2	MAINTENANCE DREDGE PERMIT PLAN	06/17/21
3	MAINTENANCE DREDGE PERMIT PLAN	06/17/21
4	MAINTENANCE DREDGE PERMIT PLAN	06/17/21
5	DREDGE CROSS SECTIONS	06/17/21
6	DREDGE CROSS SECTIONS	06/17/21
7	DREDGE CROSS SECTIONS	06/17/21

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A SMALL BUSINESS ENTERPRISE

CIVIL ENGINEERING LAND SURVEYING ENVIRONMENTAL PERMITTING
NORM HENRY CROSBY, P.E., AIA, LEED AP, CEM III, DCEM, SACO, TDRP, FPE

**COVER SHEET
FOR
ATLANTIC CITY INLET MARINA AREA**



SITUATED IN
ATLANTIC CITY ATLANTIC COUNTY NEW JERSEY

CADD FILE F-PERMIT PRISMS	PROJECT NO. 191106-21
DRAWN BY NJH	CHECKED BY JR
SCALE 1"=200'	DATE 06/17/21
ACT ENGINEERS, INC.	
SHEET	
1 OF 7	



- REFERENCE NOTES:
- AERIAL PHOTO IMAGERY OBTAINED USING UAS TECHNOLOGY BY ACT
ENGINEERS, INC. ON 11/09/2019.
- AERIAL IMAGE OBTAINED VIA THE NEW JERSEY GEOGRAPHIC INFORMATION
NETWORK ARC WMS INTERNET WEB MAPPING SERVICE.
- ABSECON INLET SURVEY DATA OBTAINED VIA US ARMY CORPS OF
ENGINEERS - PHILADELPHIA DISTRICT & MARINE DESIGN CENTER.

FCM SAMPLE ID #	COMP SAMPLE ID #	COMP X-AND
FM-1 AND FM-2	COMP FM-A	34.94
FM-3 AND FM-15	COMP FM-B	22.6
FM-4 AND FM-12	COMP FM-C	16.0
FM-6 AND FM-7 AND FM-8	COMP FM-D	17.0
FM-9 AND FM-10 AND FM-11	COMP FM-E	23.8
CC-1 AND CC-2	COMP CC-A	47.1
CC-3 AND CC-4	COMP CC-B	25.0
CC-5 AND CC-6 AND CC-7	COMP CC-C	47.4
DB-1 AND DB-2	COMP DB-A	22.87
DB-3 AND DB-4 AND DB-5	COMP DB-B	70.4
GB-1 AND GB-2	COMP GB-A	20.0
GB-3 AND GB-4 AND GB-6	COMP GB-B	19.6
GB-5	COMP GB-C	79.0
GB-8 AND GB-9 AND GB-10	COMP GB-D	55.3
GB-11	COMP GB-E	37.30
GB-12	COMP GB-F	54.24
SH-1 AND SH-2 AND SH-3	COMP SH-A	34.7
KM-1	COMP KM-A	83.0
COSP-1	COMP COSP-A	75.6

 AREA BOUNDARY LINE
 BORING LOCATION (CLEAN)
 SAMPLE EXCEEDS NJDEP
 RESIDENTIAL DIRECT
 CONTACT CRITERIA

HORIZONTAL SCALE IN FEET


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CADD FILE	PROJECT NO.
F-PERMIT PRISMS	191106-21
DRAWN BY	CHECKED BY
NJH	JR
SCALE	DATE
1"=200'	06/17/21
ACT ENGINEERS, INC.	
SHEET	
2 OF 7	



- #### REFERENCE NOTES:

VOLUMES				
LOCATION	TEMPLATE (Cu. Yd.)	OVEREDGE (Cu. Yd.)	PERMIT VOLUME (Cu. Yd.)	DEPTH (Ft.)
PENROSE CANAL	3,816	1,909	5,725	-5 (+1)
VENICE LAGOON	2,187	1,131	3,318	-5 (+1)
TOTAL	6,003	3,040	9,043	--

— — — — — AREA BOUNDARY LINE
 BORING LOCATION (CLEAN)

HORIZONTAL SCALE IN FEET

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ADD FILE	PROJECT NO.
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SCALE	DATE
1"=200'	06/17/21
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3 OF 7	



- REFERENCE NOTES:

CORE SAMPLE ID #	COMP SAMPLE ID #	COMP % SAND
BF-1	COMP BF-A	88.8
BF-2	COMP BF-B	59.0
BF-3	COMP BF-C	88.6
FP-1	COMP FP-A	76.6
FP-2	COMP FP-B	82.5

COLOR LEGEND

	ELEVATION -15 AND ABOVE
	ELEVATION -10 AND ABOVE
	ELEVATION -9 AND ABOVE
	ELEVATION -7 AND ABOVE
	ELEVATION -6 AND ABOVE
	ELEVATION -5 AND ABOVE

— — — — — AREA BOUNDARY LINE
 BORING LOCATION (CLEAN)

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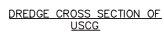
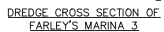
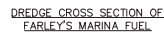
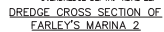
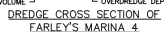
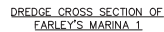
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CIVIL ENGINEERING LAND SURVEYING ENVIRONMENTAL PERMITTING
SOLID RAILROAD CARRIER'S TRAIL OF AUTHORITY/REGULATORY COMPLIANCE TARIFFS/STANDARD

**MAINTENANCE DREDGE PERMIT PLAN
FOR
ATLANTIC CITY BACK BAY**

SITUATED IN
ATLANTIC CITY ATLANTIC COUNTY NEW JERSEY

CADD FILE F-PERMIT PRISMS	PROJECT NO. 191106-21
DRAWN BY N.J.H.	CHECKED BY J.R.
SCALE 1"=200'	DATE 06/17/21
ACT ENGINEERS, INC.	
SHEET	
4 OF 7	

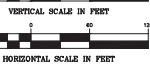


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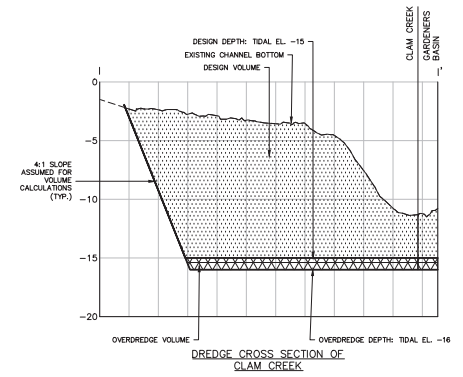
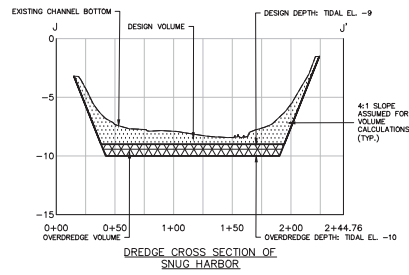
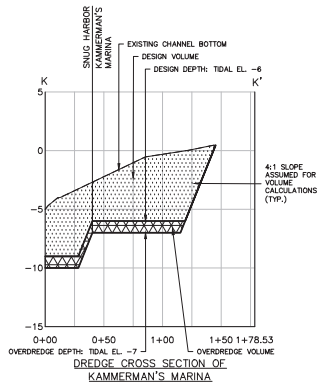
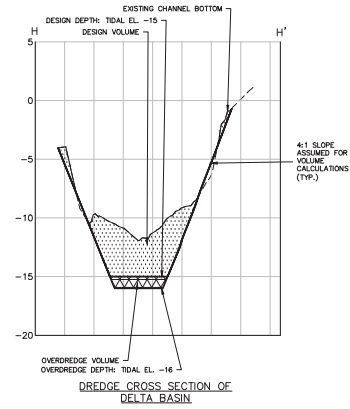
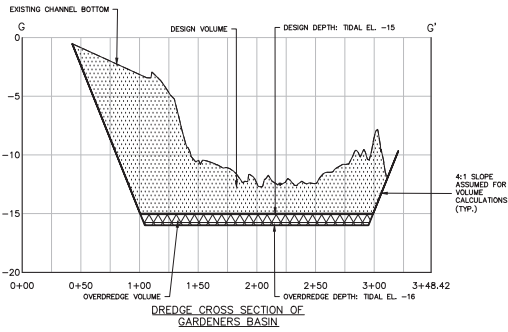
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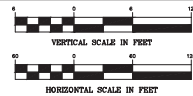
SITUATED IN
ATLANTIC CITY ATLANTIC COUNTY NEW JERSEY

CADD FILE F-PERMIT PRISMS	PROJECT NO. 191106-21
DRAWN BY NJH	CHECKED BY JR
SCALE 1"=6' 1"=60'	DATE 06/17/21
ACT ENGINEERS, INC.	
SHEET	
5 OF 7	



1. DRAWING: DREDGE CROSS SECTIONS OF ATLANTIC CITY INLET MARINA AREA
2. PROJECT: ATLANTIC CITY INLET MARINA AREA
3. SHEET: 8 OF 7
4. DATE: 06/17/21
5. DRAWN BY: [REDACTED]
6. CHECKED BY: [REDACTED]
7. APPROVED BY: [REDACTED]
8. SCALE: 1"=50'
9. SHEET: 8 OF 7
10. PROJECT NO.: 191106-21

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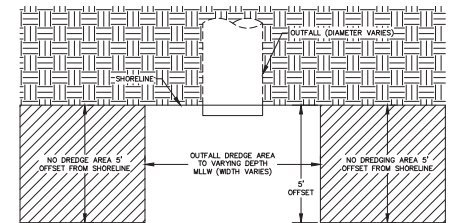
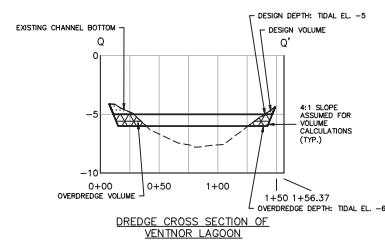
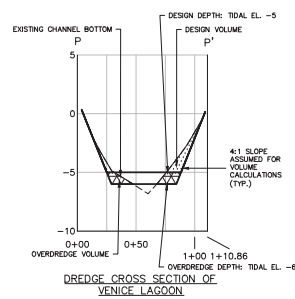
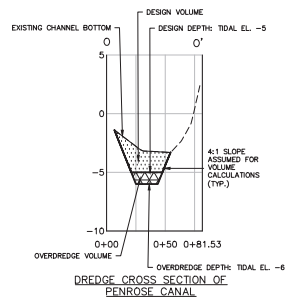
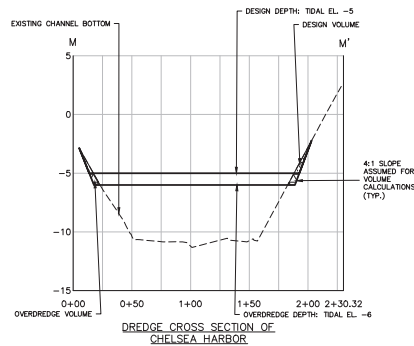


1 WASHINGTON BOULEVARD
SUITE 3
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Voice: (609) 914-2200
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CIVIL ENGINEERING LAND SURVEYING ENVIRONMENTAL PERMITTING
NEW JERSEY CERTIFICATE OF QUALIFICATION NO. 14027000000

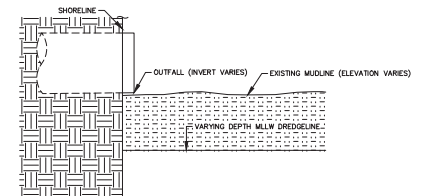
DREDGE CROSS SECTIONS
FOR
ATLANTIC CITY INLET MARINA AREA

ATLANTIC CITY
SITUATED IN
ATLANTIC COUNTY
NEW JERSEY

DEED FILE: 191106-21
PROJECT NO.: 191106-21
DRAWN BY: [REDACTED]
CHECKED BY: [REDACTED]
SCALE: 1"=50'
DATE: 06/17/21
SHEET: 8 OF 7
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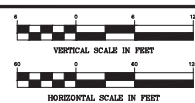
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SCALE: NO SCALE



OUTFALL DREDGE AREA SECTION (TYP.)
SCALE: NO SCALE

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NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 24G2790600

**DREDGE CROSS SECTIONS
FOR
ATLANTIC CITY BACK BAY**

ATLANTIC CITY SITUATED IN NEW JERSEY
ATLANTIC COUNTY

CADD FILE	PROJECT NO.
F-PERMIT PRIMS	191106-21
DRAWN BY	CHECKED BY
NJH	JR
SCALE	DATE
1"=6'	06/17/21
1"=60'	

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SHEET

7 OF 7

ENCLOSURE A



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, PHILADELPHIA DISTRICT
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

Regulatory Branch
Application Section II

June 10, 2020

SUBJECT: CENAP-OP-R-2020-00059-95 (NWP#27)
New Jersey Department of Transportation – Office of Maritime Resources
Restoration of Dredged Hole #86 at Beach Thorofare in Atlantic City, Atlantic
County, New Jersey
Latitude: 39.360403°N Longitude: -74.469408°W

Ms. Genevieve Clifton
New Jersey Department of Transportation
Office of Maritime Resources
1035 Parkway Avenue, Main Building, 3rd Floor
Trenton, New Jersey 08625

Dear Ms. Clifton:

This is in regard to your proposal to restore a subaqueous borrow pit, known as Dredged Hole #86 (DH#86), located at Beach Thorofare in Atlantic City, Atlantic County, New Jersey. Specifically, mechanical and hydraulic discharge of approximately 677,000-cubic yards of dredged material from previously-authorized Department of the Army-permitted maintenance dredging projects into DH#86 shall be undertaken.

Under current Federal regulations, a Department of the Army permit is required for work or structures in navigable waters of the United States and/or the discharge of dredged or fill material into waters of the United States including wetlands.

Based upon our review of the information you have provided, it has been determined that your project is approved by existing Department of the Army Nationwide Permit Number #27 (NWP#27) described below, provided the work is conducted in compliance with the NWP general conditions, regional conditions, and the project specific special conditions.

NWP 27. Aquatic Habitat Restoration, Enhancement, and Establishment Activities.

Activities in waters of the United States associated with the restoration, enhancement, and establishment of tidal and non-tidal wetlands and riparian areas, the restoration and enhancement of non-tidal streams and other non-tidal open waters, and the rehabilitation or enhancement of tidal streams, tidal wetlands, and tidal open waters, provided those activities result in net increases in aquatic resource functions and services.

To be authorized by this NWP, the aquatic habitat restoration, enhancement, or establishment activity must be planned, designed, and implemented so that it results in aquatic habitat that resembles an ecological reference. An ecological reference may be based on the characteristics of an intact aquatic habitat or riparian area of the same type

that exists in the region. An ecological reference may be based on a conceptual model developed from regional ecological knowledge of the target aquatic habitat type or riparian area.

To the extent that a Corps permit is required, activities authorized by this NWP include, but are not limited to: The removal of accumulated sediments; the installation, removal, and maintenance of small water control structures, dikes, and berms, as well as discharges of dredged or fill material to restore appropriate stream channel configurations after small water control structures, dikes, and berms, are removed; the installation of current deflectors; the enhancement, rehabilitation, or re-establishment of riffle and pool stream structure; the placement of in-stream habitat structures; modifications of the stream bed and/or banks to enhance, rehabilitate, or re-establish stream meanders; the removal of stream barriers, such as undersized culverts, fords, and grade control structures; the backfilling of artificial channels; the removal of existing drainage structures, such as drain tiles, and the filling, blocking, or reshaping of drainage ditches to restore wetland hydrology; the installation of structures or fills necessary to restore or enhance wetland or stream hydrology; the construction of small nesting islands; the construction of open water areas; the construction of oyster habitat over unvegetated bottom in tidal waters; shellfish seeding; activities needed to reestablish vegetation, including plowing or discing for seed bed preparation and the planting of appropriate wetland species; re-establishment of submerged aquatic vegetation in areas where those plant communities previously existed; re-establishment of tidal wetlands in tidal waters where those wetlands previously existed; mechanized land clearing to remove non-native invasive, exotic, or nuisance vegetation; and other related activities. Only native plant species should be planted at the site.

This NWP authorizes the relocation of non-tidal waters, including non-tidal wetlands and streams, on the project site provided there are net increases in aquatic resource functions and services.

Except for the relocation of non-tidal waters on the project site, this NWP does not authorize the conversion of a stream or natural wetlands to another aquatic habitat type (e.g., the conversion of a stream to wetland or vice versa) or uplands. Changes in wetland plant communities that occur when wetland hydrology is more fully restored during wetland rehabilitation activities are not considered a conversion to another aquatic habitat type. This NWP does not authorize stream channelization. This NWP does not authorize the relocation of tidal waters or the conversion of tidal waters, including tidal wetlands, to other aquatic uses, such as the conversion of tidal wetlands into open water impoundments.

Compensatory mitigation is not required for activities authorized by this NWP since these activities must result in net increases in aquatic resource functions and services.

Reversion. For enhancement, restoration, and establishment activities conducted: (1) In accordance with the terms and conditions of a binding stream or wetland enhancement or restoration agreement, or a wetland establishment agreement, between the landowner and the U.S. Fish and Wildlife Service (FWS), the Natural Resources Conservation Service

(NRCS), the Farm Service Agency (FSA), the National Marine Fisheries Service (NMFS), the National Ocean Service (NOS), U.S. Forest Service (USFS), or their designated state cooperating agencies; (2) as voluntary wetland restoration, enhancement, and establishment actions documented by the NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; or (3) on reclaimed surface coal mine lands, in accordance with a Surface Mining Control and Reclamation Act permit issued by the Office of Surface Mining Reclamation and Enforcement (OSMRE) or the applicable state agency, this NWP also authorizes any future discharge of dredged or fill material associated with the reversion of the area to its documented prior condition and use (*i.e.*, prior to the restoration, enhancement, or establishment activities). The reversion must occur within five years after expiration of a limited term wetland restoration or establishment agreement or permit, and is authorized in these circumstances even if the discharge occurs after this NWP expires. The five-year reversion limit does not apply to agreements without time limits reached between the landowner and the FWS, NRCS, FSA, NMFS, NOS, USFS, or an appropriate state cooperating agency. This NWP also authorizes discharges of dredged or fill material in waters of the United States for the reversion of wetlands that were restored, enhanced, or established on prior-converted cropland or on uplands, in accordance with a binding agreement between the landowner and NRCS, FSA, FWS, or their designated state cooperating agencies (even though the restoration, enhancement, or establishment activity did not require a section 404 permit). The prior condition will be documented in the original agreement or permit, and the determination of return to prior conditions will be made by the Federal agency or appropriate state agency executing the agreement or permit. Before conducting any reversion activity the permittee or the appropriate Federal or state agency must notify the district engineer and include the documentation of the prior condition. Once an area has reverted to its prior physical condition, it will be subject to whatever the Corps Regulatory requirements are applicable to that type of land at the time. The requirement that the activity results in a net increase in aquatic resource functions and services does not apply to reversion activities meeting the above conditions. Except for the activities described above, this NWP does not authorize any future discharge of dredged or fill material associated with the reversion of the area to its prior condition. In such cases a separate permit would be required for any reversion.

Reporting. For those activities that do not require pre-construction notification, the permittee must submit to the district engineer a copy of: (1) The binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement, or a project description, including project plans and location map; (2) the NRCS or USDA Technical Service Provider documentation for the voluntary stream enhancement or restoration action or wetland restoration, enhancement, or establishment action; or (3) the SMCRA permit issued by OSMRE or the applicable state agency. The report must also include information on baseline ecological conditions on the project site, such as a delineation of wetlands, streams, and/or other aquatic habitats. These documents must be submitted to the district engineer at least 30 days prior to commencing activities in waters of the United States authorized by this NWP.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing any activity (see general condition 32), except for the following activities:

- (1) Activities conducted on non-Federal public lands and private lands, in accordance with the terms and conditions of a binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement between the landowner and the FWS, NRCS, FSA, NMFS, NOS, USFS or their designated state cooperating agencies;
- (2) Voluntary stream or wetland restoration or enhancement action, or wetland establishment action, documented by the NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; or
- (3) The reclamation of surface coal mine lands, in accordance with an SMCRA permit issued by the OSMRE or the applicable state agency.

However, the permittee must submit a copy of the appropriate documentation to the district engineer to fulfill the reporting requirement.

[**Authorities:** Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (Sections 10 and 404)]

Note: This NWP can be used to authorize compensatory mitigation projects, including mitigation banks and in-lieu fee projects. However, this NWP does not authorize the reversion of an area used for a compensatory mitigation project to its prior condition, since compensatory mitigation is generally intended to be permanent.

You are advised that this verification of NWP authorization is valid until the Nationwide Permits expire on **March 18, 2022**, unless the NWP authorization is modified, suspended, or revoked prior to this date. In the event that the NWP authorization is modified during that time period, this expiration date will remain valid, provided the activity complies with any subsequent modification of the NWP authorization.

It is noted that CZM consistency from the State is only required for those activities in or affecting a State's coastal zone. Additionally, some of the NWPs do not involve a discharge of dredged or fill material, and as such, do not require a 401 WQC. If the State has denied the required WQC and/or not concurred with the Corps' CZM consistency determination, the NWP authorization is considered denied without prejudice until an individual project specific WQC and/or CZM approval is obtained.

The State of New Jersey has denied 401 WQC and has not concurred with CZM consistency during the issuance of Philadelphia District's regional conditions for NWP#27. Therefore, you are being directed to seek further review by the state in which they will attach the required Federal consistency determination and certification as part of their review as applicable. This approval must be obtained in order for the activity to be authorized under the NWP and a copy provided to this office before work begins. Any project specific

conditions required by the State for the WQC and/or CZM approval will automatically become part of the NWP authorization.

The activities authorized by this NWP verification must comply with the NWP General Conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. A copy of the NWP General Conditions and the Philadelphia District 2017 NWP Regional Permit Conditions for New Jersey for which this verification is subject to, can be found at:

<http://www.nap.usace.army.mil/Portals/39/docs/regulatory/publicnotices/2017%20Nationwide%20Permit%20General%20Conditions.pdf>

http://www.nap.usace.army.mil/Portals/39/docs/regulatory/publicnotices/2017_NJ_Reg_Cond_Final.pdf

In instances where you are unable to access a digital copy of the 2017 NWP General conditions and/or the 2017 NWP Regional Permit Conditions for New Jersey, a hard copy will be transmitted by registered mail to you per request. It is further noted that you may request a copy by email at any time in which the NWP General Conditions and Regional Permit Conditions will be provided to you by facsimile or other electronic means per your request.

Activities which have commenced (i.e, are under construction) or are under contract to commence in reliance upon an NWP will remain authorized provided the activity is completed within twelve months of the date of an NWP's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 330.4(e) and 33 CFR 330.5 (c) or (d). Activities completed under the authorization of an NWP which was in effect at the time the activity was completed continue to be authorized by that NWP.

You should carefully note that this NWP authorization is based upon your agreement to comply with the terms and conditions of this NWP including any and all attached project specific special conditions listed below. Initiation of any authorized work shall constitute your agreement to comply with all of the NWP's conditions. You should also note that the authorized work may be subject to periodic inspections by a representative of this office. The verification of a Nationwide Permit including all general and special conditions is not subject to appeal.

PROJECT SPECIFIC SPECIAL CONDITIONS:

1. All work performed in association with the above noted project shall be conducted in accordance with the attached project plans identified as E-1 through E-5; all prepared by NJDOT, all entitled "NAP-2020-00059-95" and all dated 29 May 2020.
2. Construction activities shall not result in the permanent disturbance or alteration of greater than 14.0-acres of waters of the United States.
3. Any deviation in construction methodology or project design from that shown on the above noted drawings or repair plan must be approved by this office, in writing, prior to performance of

the work. All modifications to the above noted project plans shall be approved, in writing, by this office. No work shall be performed prior to written approval of this office.

4. This office shall be notified prior to the commencement of authorized work by completing and signing the enclosed Notification/ Certification of Work Commencement Form (**Enclosure 1**). This office shall also be notified within 10 days of the completion of the authorized work by completing and signing the enclosed Notification/Certification of Work Completion/Compliance Form (**Enclosure 2**). All notifications required by this condition shall be in writing. The Notification of Commencement of work may be sent to this office by facsimile or other electronic means; all other notification shall be transmitted to this office by registered mail. Oral notifications are not acceptable. Similar notification is required each time maintenance work is to be done under the terms of this Corps of Engineers permit.

5. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

6. No dredged material shall be placed within DH#86 until a Waterfront Development Permit/Acceptable Use Determination is issued by the New Jersey Department of Environmental Protection, which identifies that the material is suitable for beneficial use in this habitat restoration project.

7. Within thirty (30) days following the placement of dredge material into DH#86 to an elevation of -10.0-feet below Mean Low Water, the permittee shall submit a hydrographic survey report to this office detailing as-built conditions.

8. After placement of the final 2.0-foot cap of sand cover material, the permittee shall monitor DH#86 for three (3) years beginning one (1) year after the project has been completed, with submittal of annual monitoring reports to this office no later than December 31st of each full monitoring year. All annual monitoring reports must include the following:

- a) For the first year only, provide core logs showing grain size analysis taken a minimum of 1-2 per acre to confirm cap depth and integrity.
- b) Seasonal water quality parameters (DO, salinity, pH, temperature and turbidity).
- c) Seasonal fisheries surveys in the area of the former DH86 and at control location.
- d) Perform annual post-restoration hydrographic surveys.
- e) For year three only, provide a benthic community analysis (infauna and epifauna) at locations established in the October 2018 Stockton Coastal Research Center study.

- f) For year three only, repeat the recreational use survey reported in the October 2018 Stockton Coastal Research Center study.

Any comments, positive or otherwise, on the procedures, timeliness, fairness, etc., may be submitted to **PhiladelphiaDistrictRegulatory@usace.army.mil**. You may forward your comments along with the signed Notification/Certification of Work Commencement and Completion Forms. If you should have any questions regarding this matter, please contact Mr. Robert Youhas of my staff at 215-656-6729 or write to the above address.

Sincerely,



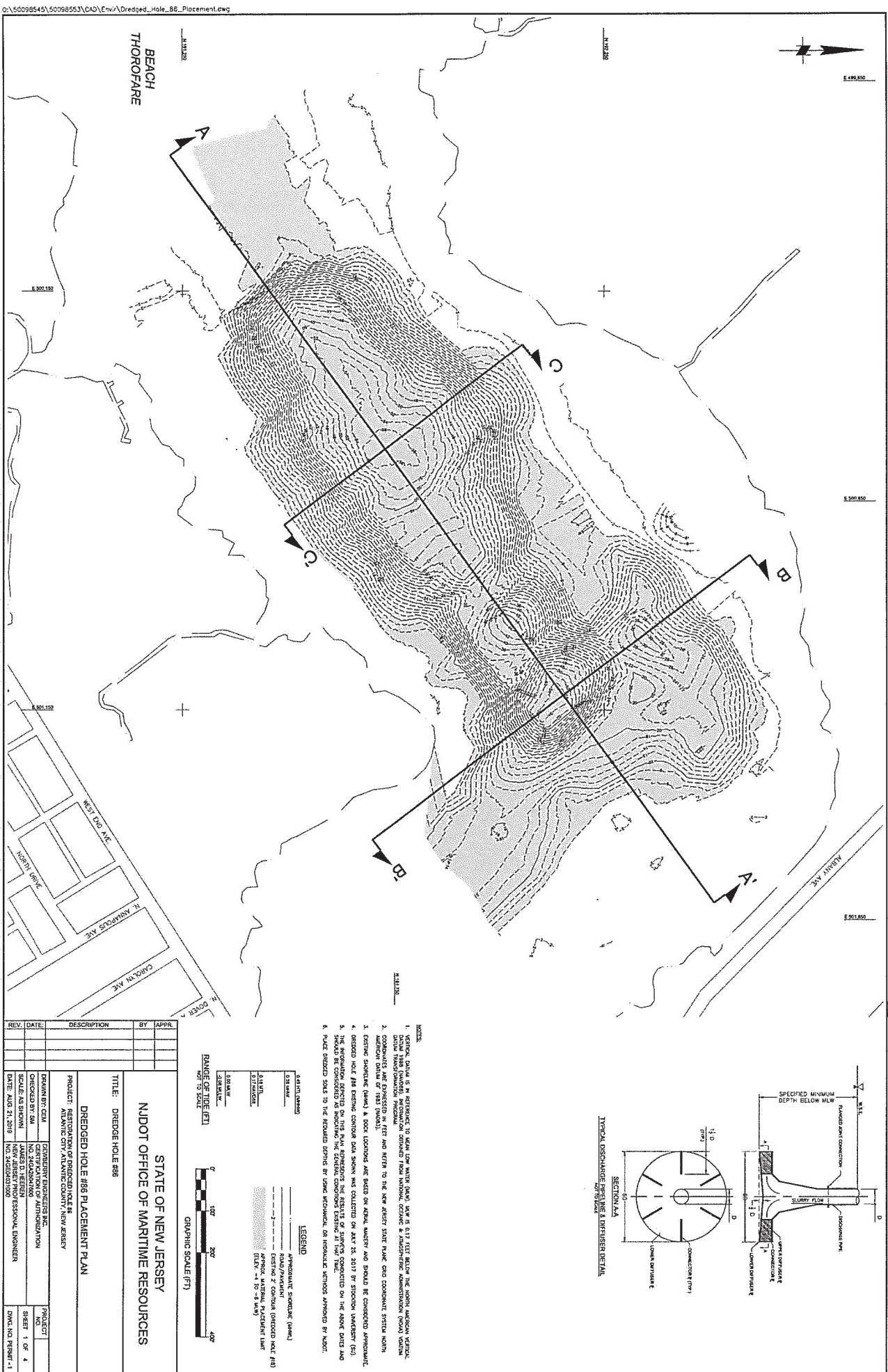
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Date: 2020.06.10 06:14:16 -04'00'

Michael H. Hayduk
Chief, Applications Section II

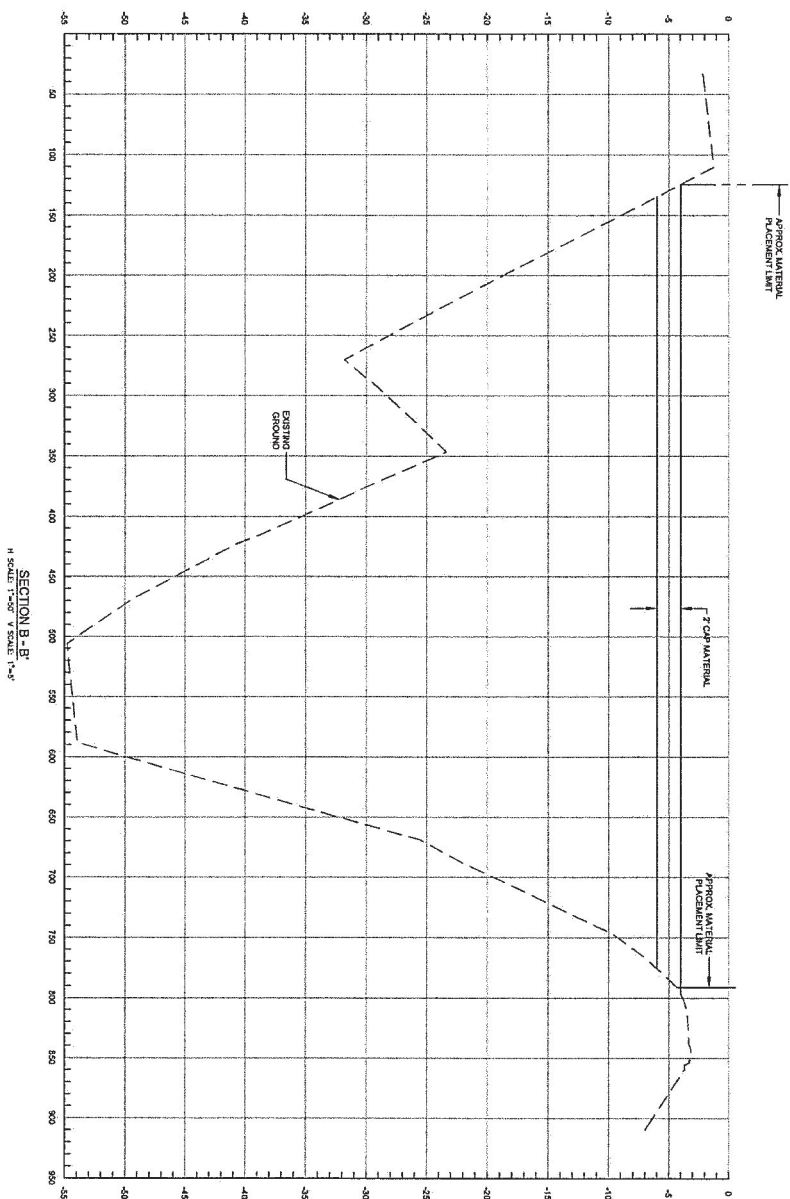
Enclosures

PROJECT PLANS



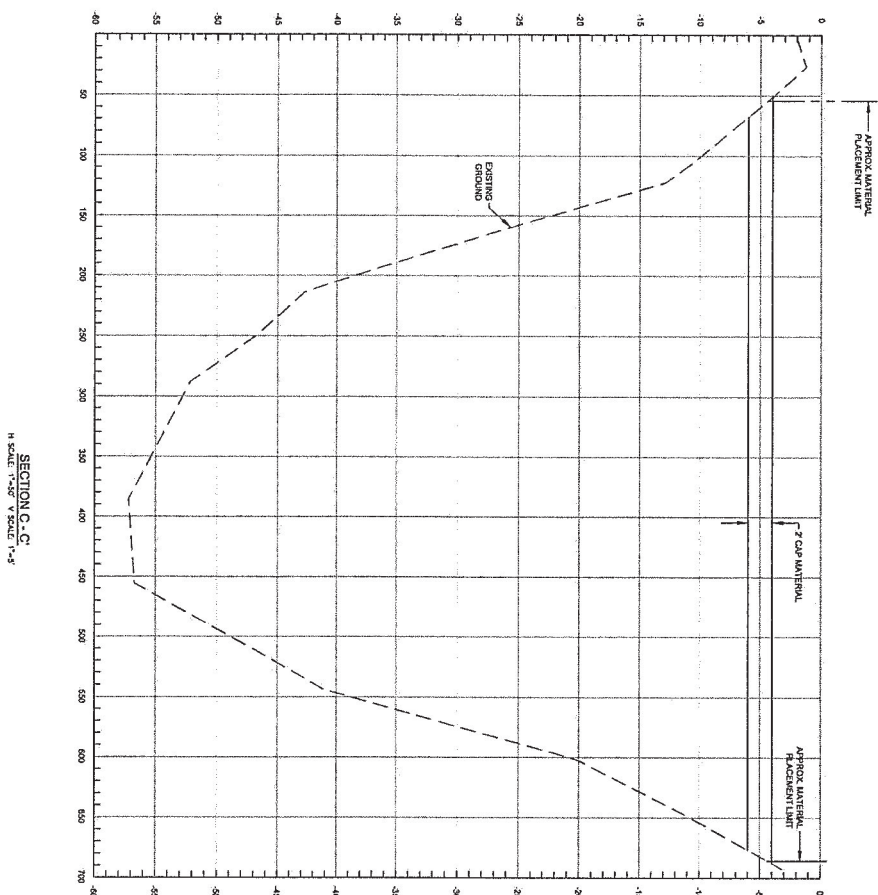


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REV.	DATE	DESCRIPTION	BY	APPR.
<p>TITLE: DREDGE HOLE #68</p> <p>STATE OF NEW JERSEY</p> <p>NJDOT OFFICE OF MARITIME RESOURCES</p>				
<p>DREDGED HOLE #68 CROSS SECTIONS</p> <p>PROJECT: RESTORATION OF DREDGED HOLE #68 ATLANTIC CITY, ATLANTIC COUNTY, NEW JERSEY</p>				
<p>DRAWN BY: CSM</p> <p>CHECKED BY: CSM</p> <p>SCALE: AS SHOWN</p> <p>DATE: JUL 21 2019</p>		<p>DESIGNED BY: ENGINEER AND CERTIFICATION OF ADOPTION NO. ZYC02607200</p> <p>JAMES S. REBER PROFESSIONAL ENGINEER NO. 34520</p> <p>NO REVISIONS</p>		
<p>PAGE NO. 1</p> <p>SHEET 3 OF 4</p> <p>DWG. NO. PERMIT - 3</p>		<p>PROJECT NO. 100</p>		





REV.	DATE	DESCRIPTION	BY	APPL.
<p align="center">STATE OF NEW JERSEY NJDOT OFFICE OF MARITIME RESOURCES</p>				
<p>TITLE: DREDGE HOLE #68</p>				
<p align="center">DREDGED HOLE #68 CROSS SECTIONS</p>				
<p>PROJECT: RELOCATION OF DREDGED HOLE #68 ATLANTIC CITY, ATLANTIC COUNTY, NEW JERSEY</p>				
<p>DESIGNED BY: CEM CHECKED BY: SM SCALE: AS SHOWN DATE: AUG. 31, 2018</p>				
<p>REVISIONS: ENGINEER'S USE CERTIFICATION OF AUTHORIZATION NO. 4042000000 NAME OF REGISTERED PROFESSIONAL ENGINEER NO. 4042000000 NO. 4042000000</p>				
<p>PROJECT NO. _____ SHEET # OF # DWG. NO. PERMIT # _____</p>				

ENCLOSURE 1

NOTIFICATION/CERTIFICATION OF WORK COMMENCEMENT FORM

Permit Number: CENAP-OP-R-2020-00059-95
Name of Permittee: NJDOT – Office of Maritime Resources
Project Name: Restoration of Dredged Hole #86 at Beach Thorofare
Waterway: Beach Thorofare
County: Atlantic County State: New Jersey
Compensation/Mitigation Work Required: Yes ☐ No ☒

TO: U.S. Army Corps of Engineers, Philadelphia District
Wanamaker Building – 100 Penn Square East
Philadelphia, Pennsylvania 19107-3390
Attention: CENAP-OP-R

I have received authorization to: Restore a subaqueous borrow pit, known as Dredged Hole #86 (DH#86), located at Beach Thorofare in Atlantic City, Atlantic County, New Jersey. Specifically, mechanical and hydraulic discharge of approximately 677,000-cubic yards of dredged material from previously-authorized Department of the Army-permitted maintenance dredging projects into DH#86 shall be undertaken.

The work will be performed by:

Name of Person or Firm: _____

Address: _____

I hereby certify that I have reviewed the approved plans, have read the terms and conditions of the above referenced permit, and shall perform the authorized work in strict accordance with the permit document. The authorized work will begin on or about _____ and should be completed on or about _____.

Please note that the permitted activity is subject to compliance inspections by the Army Corps of Engineers. If you fail to return this notification form or fail to comply with the terms or conditions of the permit, you are subject to permit suspension, modification, revocation, and/or penalties.

Permittee (Signature and Date)

Telephone Number

Contractor (Signature and Date)

Telephone Number

NOTE: This form shall be completed/signed and returned to the Philadelphia District Office prior to commencing work.

ENCLOSURE 2

NOTIFICATION/CERTIFICATION OF WORK COMPLETION/COMPLIANCE FORM

Permit Number: CENAP-OP-R-2020-00059-95
Name of Permittee: NJDOT – Office of Maritime Resources
Name of Contractor: _____
Project Name: Restoration of Dredged Hole #86 at Beach Thorofare
County: Ocean County State: New Jersey
Waterway: Beach Thorofare

Within 10 days of completion of the activity authorized by this permit, please sign this certification and return it to the following address:

U.S. Army Corps of Engineers, Philadelphia District
Wanamaker Building - 100 Penn Square East
Philadelphia, Pennsylvania 19107-3390
Attention: CENAP-OP-R

Please note that the permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to return this notification form or fail to perform work in compliance with the permit, you are subject to administrative, civil and/or criminal penalties. Further, the subject permit may be suspended or revoked.

The authorized work was commenced on _____.

The authorized work was completed on _____.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the above noted permit.

Signature of Contractor

Signature of Permittee

Address: _____

Address: _____

Telephone Number: _____

Telephone Number: _____

For project located in areas identified as shellfish habitat, you must include with this form a bill of lading; sales order or any other document(s) demonstrating non-polluting materials were purchased and utilized for your project. I hereby certify that I and/or my contractor have utilized non-polluting materials as defined in the above noted permit.

Signature of Contractor

Signature of Permittee