



**US Army Corps
of Engineers**
Philadelphia District
1650 Arch Street
Philadelphia, PA 19103-2004
Attn: CENAP-OPR

Public Notice

Comment Period Begins: December 8, 2023
Comment Period Ends: January 8, 2024
File Number: NAP-2010-0750-45
File Name: All Seasons Marina
Contact: Bryan P. Bellacima (215) 656-6732
Email: bryan.p.bellacima@usace.army.mil

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: Joseph Behrle
All Seasons Marina Development Group, LLC.
551 Roosevelt Boulevard
Marmora, NJ 08223

AGENT: Nicole Hyde
Water's Edge Environmental, LLC
P.O. Box 118
1259 A Asbury Avenue
Ocean City, NJ 08226

LOCATION: The project is located at 551 Roosevelt Boulevard, on the property known as Lots 61, 62.01, 62.02, 64 and 65, Block 735, in Marmora, Upper Township, Cape May County, New Jersey. (Latitude 39.254797° and Longitude -74.629937°).

PURPOSE: The purpose of the project is to maintain marina operations, provide a safer and more accessible marina facility, and to accommodate an increase in public demand for mooring slips for private recreational vessels.

PROJECT DESCRIPTION:

The applicant proposes to authorize, remove, repair, and construct and/or install new dock structures and piling associated with the reconfiguration and expansion of the existing All Seasons Marina facility. As shown on the project plans specified below, the applicant proposes remove certain existing floating dock structures to allow for the reconfiguration and expansion of the marina facility. Once the existing floating docks are removed, the following new structures would be installed:

1. Floating dock (**A**) measuring 149' x 8', 8' x 18.75' & 6' x 38.5', anchored by five (5) piles, and accessible from an existing ramp (3.5' x 16') to be authorized after the fact

(ATF) by this office; **2.** "L" shaped floating dock (**B**) measuring 174' x 8' & 35' x 6', with five (5), 3' x 24' finger docks and six (6) piles, providing for **11 boat slips**. This dock would be accessed by an existing 4' x 11' fixed pier with two (2) piles and a 4' x 14' ramp to be authorized ATF by this office; **3.** "T" shaped floating dock (**C**) measuring 74' x 8' & 6' x 78', with ten (10), 3' x 24' finger docks and six (6) piles, providing for **22 boat slips**. This dock would be accessed by an 8' x 8' fixed pier and a 4' x 14.5' ramp; **4.** Replacement of a section of floating dock (**D**) measuring 158.25' x 6', with six (6), 3' x 16.5' finger docks and six (6) piles. In addition, at this location, the applicant would install/attach **34 personnel watercraft (PWC)** floats measuring 5' x 10' to the existing 5.5' x 88' section of floating dock "D"; **5.** Installation of **41 PWC** floats measuring 5' x 10' to an existing marina floating dock; **6.** "T" shaped floating dock (**E**) measuring 200' x 8' & 6' x 78', with fourteen (14), 3' x 24' finger docks and thirty-seven (37) piles, providing for **28 boat slips**, and accessed by an 8' x 8' & 42.5' x 4' fixed pier supported by ten (10) piles and a 4' x 20' ramp; **7.** "T" shaped floating dock (**F**) measuring 200' x 8' & 6' x 78', with thirteen (13), 3' x 24' finger docks and thirty-four (34) piles, providing for **26 boat slips**, and accessed by an 8' x 8' & 32' x 4' fixed pier supported by four (4) piles and a 4' x 20' ramp; **8.** "T" shaped floating dock (**G**) measuring 200' x 8' & 6' x 78', with twelve (12), 3' x 24' finger docks and thirty-three (33) piles, providing for **25 boat slips**, and accessed by an 8' x 8' & 18' x 4' fixed pier supported by two (2) piles and a 4' x 20' ramp; **9.** Install a new 4' x 22' ramp to access floating dock (**H**) and **24 new PWC floats** measuring 5' x 10'; and **10.** To install four (**4 new PWC floats** measuring 5' x 10' attached to the west side of the existing gas dock.

All proposed in-water work would be performed using barge mounted equipment and a vibratory hammer to install the **145**, 12-inch piling. At this time, the applicant proposes to use alternative/non-polluting construction materials (fiberglass wrapping, aluminum, and natural hardwood) for the timber piles, ramps, and floating docks. The reconfiguration and expansion of the marina would provide for the mooring of **396** private recreational vessels. Since the new floating docks and PWC floats would be installed within 78 to 120 +/- linear feet from the Federal Navigational Channel (Intracoastal Waterway), that the marina has been in operation for over 50 years, and that the reconfigured and expanded marina does not extend beyond the marina's existing operational footprint, impacts/adverse effects to navigation are not identified at this time. Furthermore, a review of shellfish mapped locations on the "U.S.

DEPARTMENT OF THE INTERIOR...JANUARY, 1963...DISTRIBUTION OF SHELLFISH RESOURCES" maps indicate that high value commercial hard clams are present at the project site but submerged aquatic vegetation (SAV) has not been identified at this location. Estuarine emergent wetlands (E2EM) have been identified at the project site, but as stated below, the project has been designed to minimize the impacts/effects to this aquatic resource.

For additional project details, see the attached plans identified as: "USACE Permit Plan...", sheets 1-9 of 9, dated February 8, 2023, last revised December 6, 2023, prepared by R.D Green Engineering.

MITIGATION

The applicant has stated that the proposed project has been designed to avoid and minimize adverse effects on the aquatic environment to the maximum extent practicable. Project impacts and/or adverse effects on aquatic resources have been minimized by using a vibratory hammer to install the proposed piling, by installing the proposed fixed piers/docks a minimum of 4.5 feet above the existing wetlands, by using alternative/non-polluting construction materials to construct the floating docks, and by using dock stops/chocks, if required, to prevent the proposed floating docks from resting on the waterway bottom. Information provided in the application and on plans indicates that there will be no loss of waters of the United States, and as such, compensatory mitigation for the proposed structure(s) and/or work is not proposed

CORPS EVALUATION FACTORS

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 these factors 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.

ENDANGERED SPECIES

A preliminary review of this application indicates that species and/or their critical habitat pursuant to Section 7 of the Endangered Species Act (ESA) may be present in the action area. This office will forward this Public Notice to the U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS) 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. This office will evaluate the potential effects of the proposed actions on ESA-listed species or their critical habitat and will consult with the USFWS and/or NMFS, as appropriate. ESA Section 7 consultation would be concluded prior to the final decision on this permit application.

CULTURAL RESOURCES AND TRIBAL TRUST

The District's Cultural Resource Specialist and Tribal Liaison is currently reviewing the proposed permit action for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places and for potential issues concerning the Tribes. A determination of effects will be coordinated with the State Historic Preservation Office, the Tribes and other consulting parties as necessary.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires all federal agencies to consult with the NMFS 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. This office will evaluate the potential effects of the proposed actions on EFH and will consult with NMFS, as appropriate. Consultation would be concluded prior to the final decision on this permit application.

WATER QUALITY CERTIFICATE

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate (WQC) is required from the State government in which the work is located. The project as proposed does not involve a discharge of fill material and therefore a water quality certificate is not required by this office.

COASTAL ZONE MANAGEMENT ACT

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 (CZM) Program. The applicant has received a CZM consistency concurrence from the State for the subject project.

SUBMISSION OF COMMENTS AND PUBLIC HEARING REQUEST

Any comments received will be considered by this office to determine whether to issue, modify, condition, or deny a permit for this proposed project. To make this decision, comments are used to assess the probable impact on the public interest. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

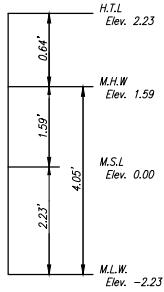
Comments on the proposed work must be submitted, in writing, within the comment period indicated in the header above. Any person may request, within the comment period specified in this notice, that a public hearing be held to consider this application.

Requests for a public hearing must be in writing and state the reasons for holding a public hearing.

Please provide any comments, request for a public hearing, or requests for additional information to the Regulatory Project Manager indicated above. All Public Notices are posted on our website at:

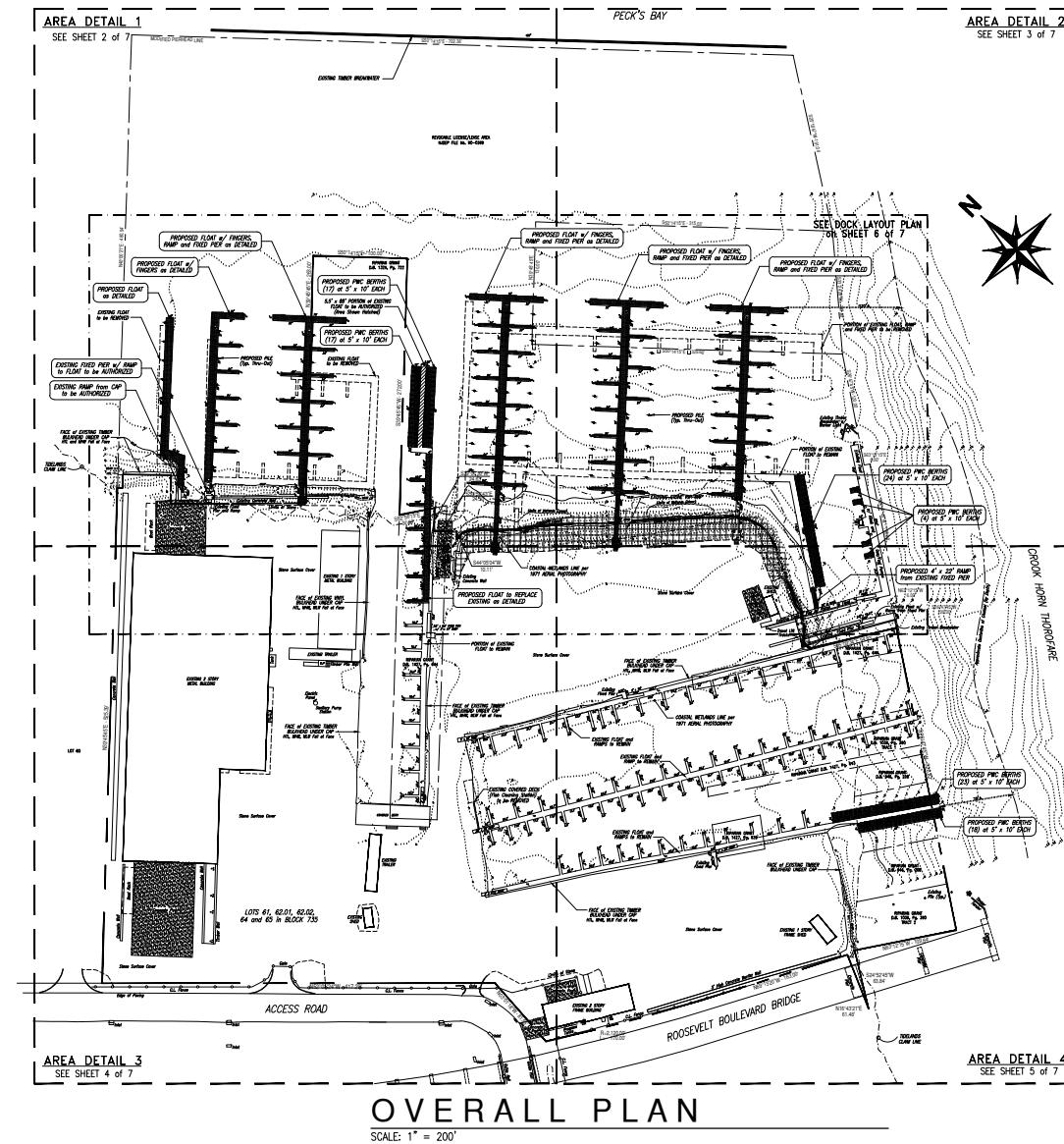
<https://www.nap.usace.army.mil/Missions/Regulatory/Public-Notices/>

FOR: Todd A. Schaible
Chief, Regulatory Branch



REFERENCE DATUM: N.A.V.D., 1988
LOCAL RANGE of TIDES
NOT to SCALE

NON-POLLUTING MATERIAL SHALL be USED for ALL PROPOSED CONSTRUCTION WATERWARD of the MEAN HIGH WATER LINE



OVERALL PLAN

The INFORMATION SHOWN HEREON is NOT for
CONSTRUCTION or SPECIFICATION PURPOSES

USACE PERMIT PLAN

CROOK HORN CREEK and PECK'S BAY
ALL SEASONS MARINA
BLOCK 735
LOTS 61, 62.01, 62.02, 64 and 65
UPPER TOWNSHIP
CAPE MAY COUNTY, NEW JERSEY
APPLICANT: All Seasons Marina Development Group, L

REVISIONS	
1.	DOCK LAYOUT
	4-04-2023
2.	PER USAGE COMMENTS
	4-21-2023
3.	PER USAGE COMMENTS
	6-16-2023
4.	PER USAGE COMMENTS
	7-13-2023
5.	PER USAGE COMMENTS
	9-08-2023
6.	PER USAGE COMMENTS
	11-02-2023
7.	NONDISPUTING NOTE
	12-06-2023

Robert J. Green DATE: 11/02/20
Robert Douglas Green, P.E.
R.D. Green Engineering
1512 Atkinson Avenue, Somers Point NJ, 08244
Phone 609-926-5182 Fax 609-926-5185
NJ PROFESSIONAL ENGINEER
license No. 24GF0266.37

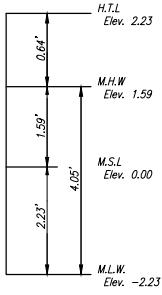
ELEVATIONS are in FEET and REFER to N.A.V.D. 1988

DWN BY: WFB

DATE: FEB. 08, 2023

DWG. NO. 2296-2-22

SHT. 1 of 9



REFERENCE DATUM: NAV.D, 1988
LOCAL RANGE of TIDES
NOT to SCALE



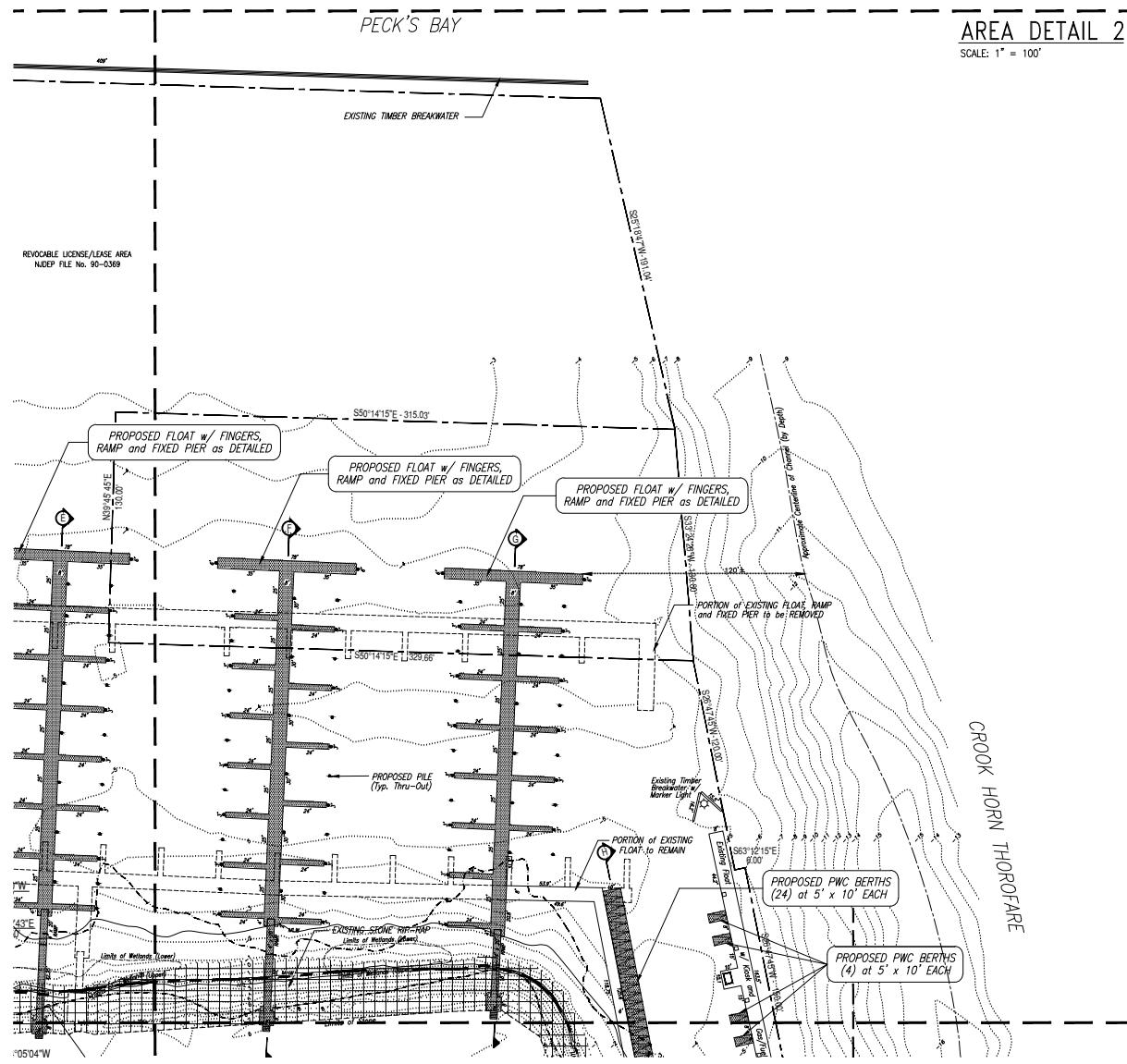
AREA DETAIL PLANS

The INFORMATION SHOWN HEREON is NOT for
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USACE PERMIT PLAN

CROOK HORN CREEK and PECK'S BAY
ALL SEASONS MARINA
BLOCK 735
LOTS 61, 62.01, 62.02, 64 and 65
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CAPE MAY COUNTY, NEW JERSEY
APPLICANT: All Seasons Marina Development Group, L

ELEVATIONS are in FEET and REFER to N.A.V.D, 1988

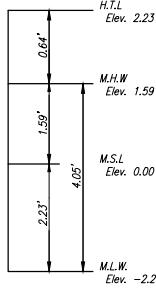


REVISIONS	DOCK LAYOUT	4-04-2023
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7.	NANDU LITIG. NOTE	12-06-2023

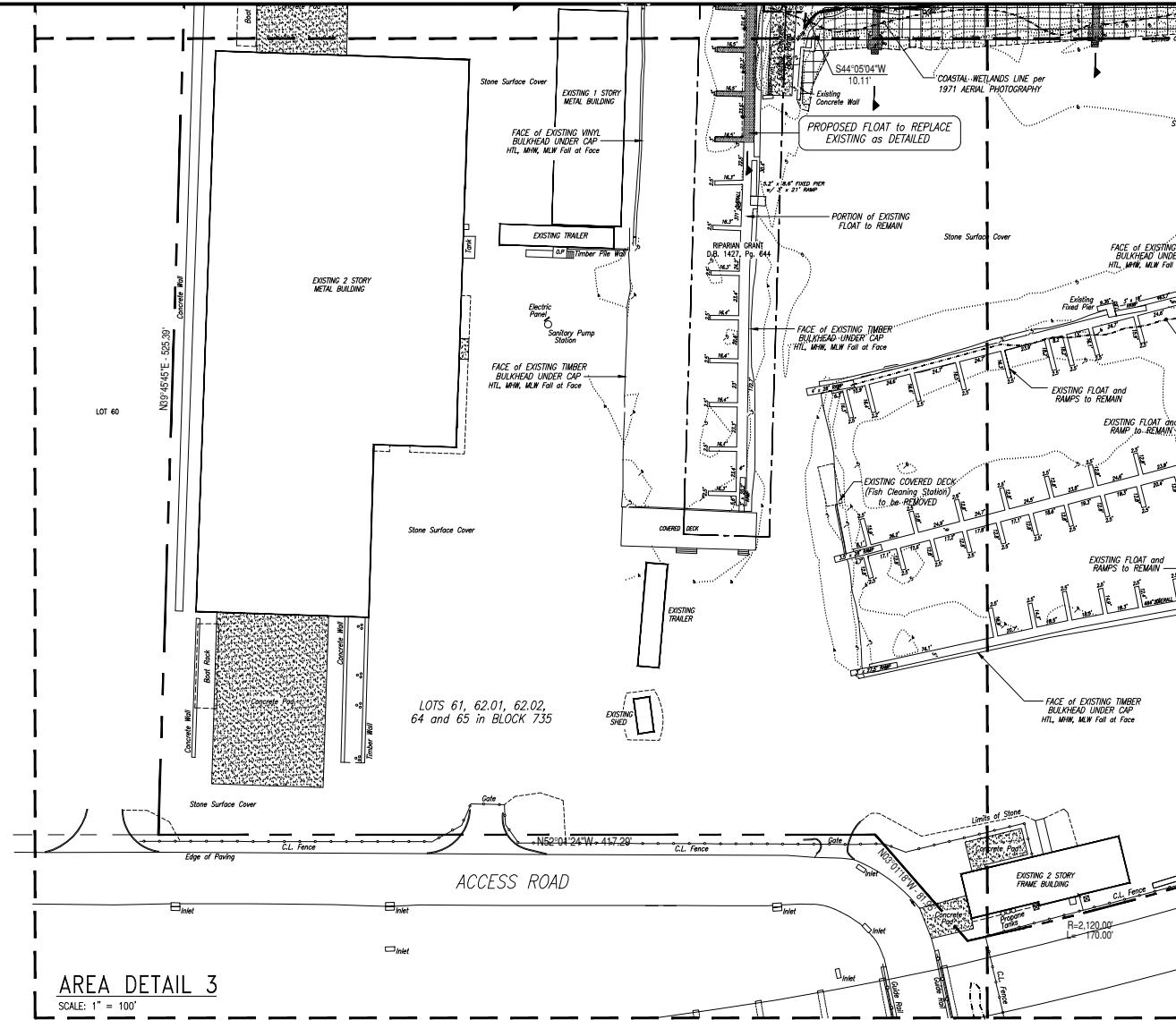
Robert Douglas Green, P.E.
R.D. Green Engine
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Phone 609-926-5182 Fax 609-
NJ PROFESSIONAL ENG
License No. 24GE026

DATE: 11/02/2023

BY: WEE DATE: FEB. 08, 2023 DWG. NO. 2296-2-22 SHT. 3 of 9



NON-POLLUTING MATERIAL SHALL be USED for ALL PROPOSED CONSTRUCTION WATERWARD of the MEAN HIGH WATER LINE



AREA DETAIL PLANS

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CROOK HORN CREEK and PECK'S BAY

ALL SEASONS MARINA

BLOCK 735

LOTS 61, 62.01, 62.02, 64 and 65

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CAPE MAY COUNTY, NEW JERSEY

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Robert Douglas Green, P.E.

DATE: 11/02/2023

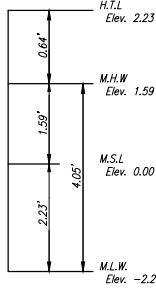
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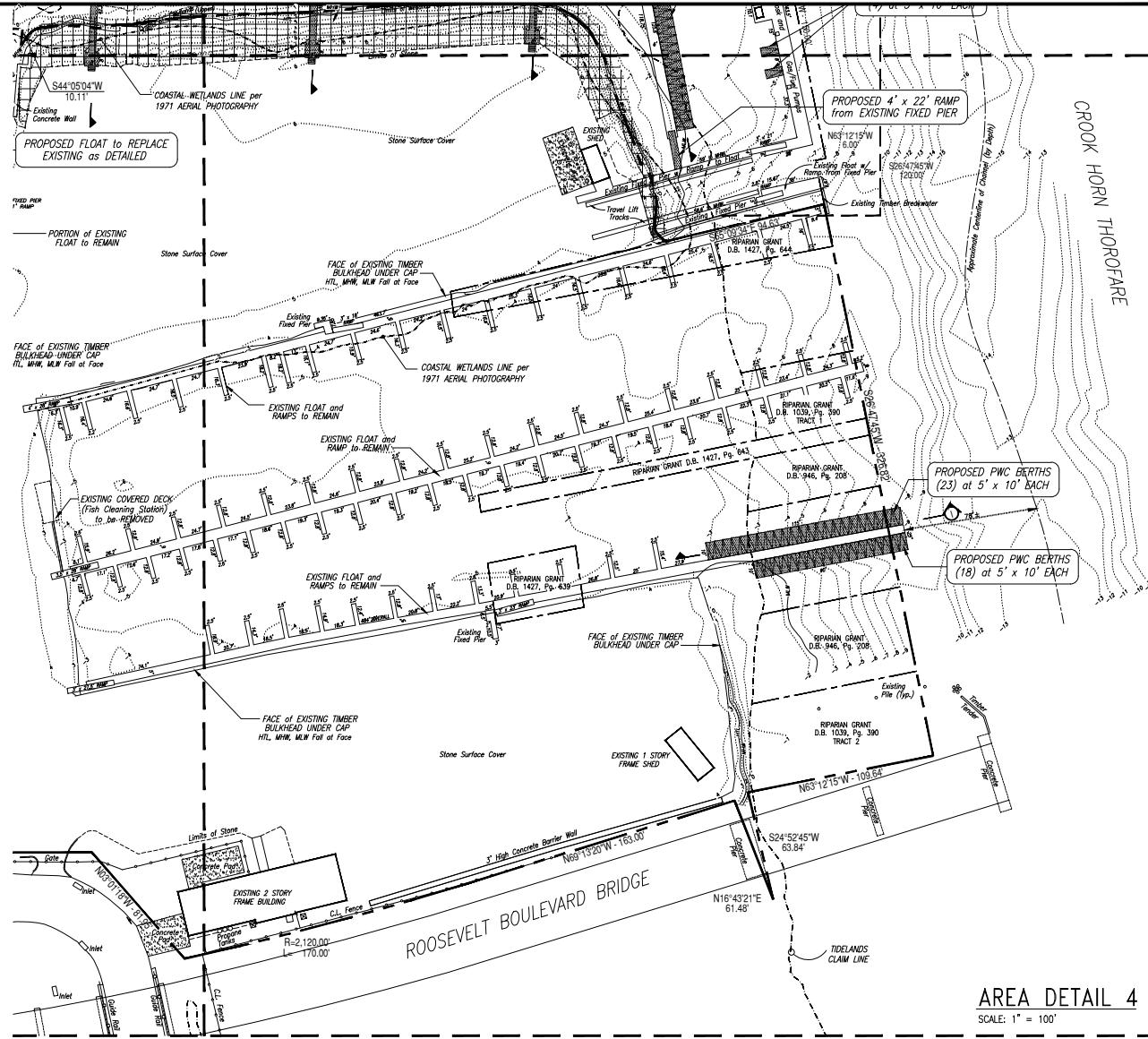
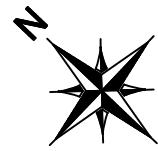
DATE: FEB. 08, 2023

DWG. NO. 2296-2-22

SHT. 4 of 9



REFERENCE DATUM: NAVD, 1988
LOCAL RANGE of TIDES
NOT TO SCALE



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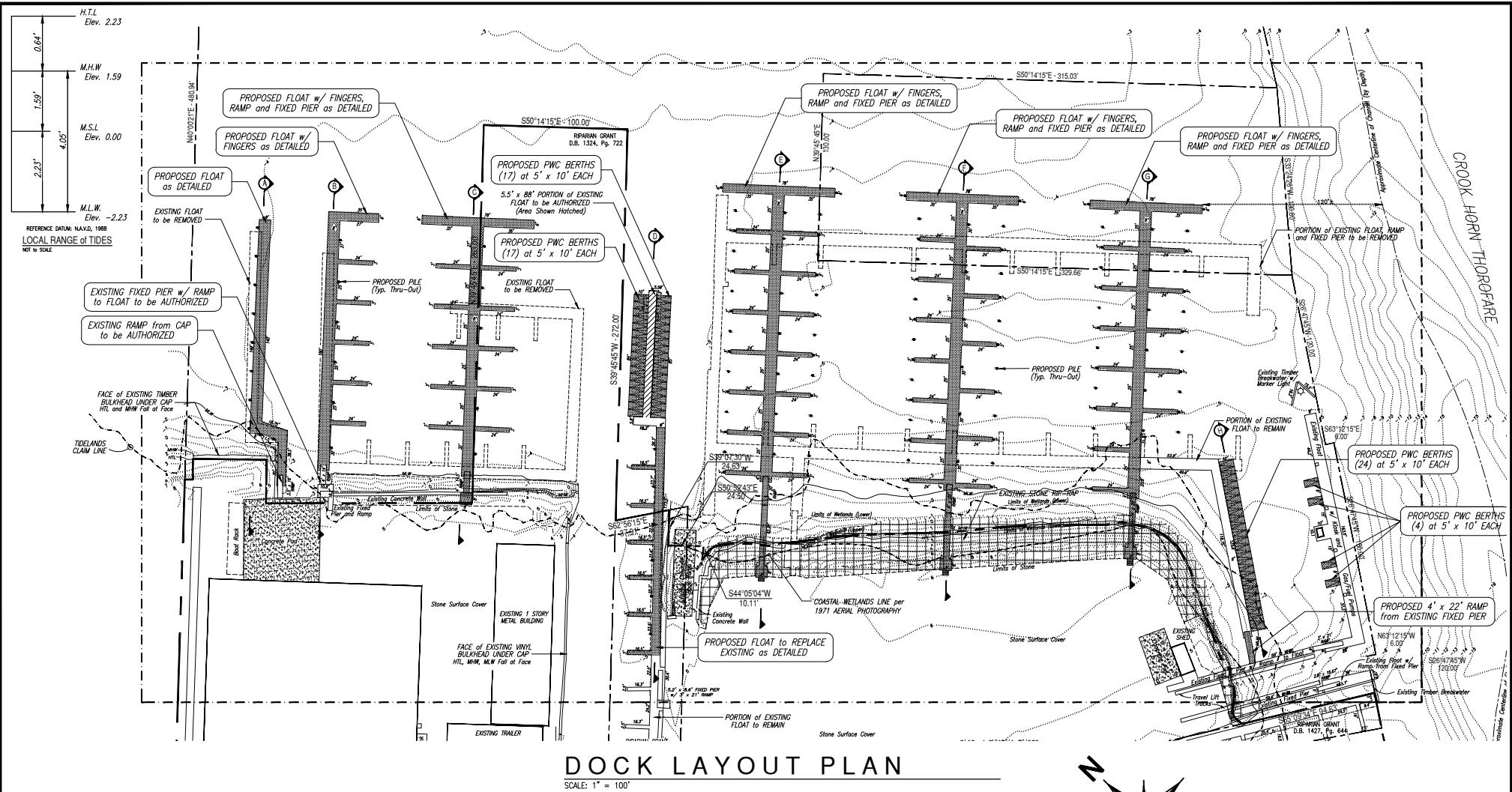
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7. NONPOLUTING NOTE	12-09-2023	

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DATE: 11/02/2023

DWN BY: WEE DATE: FEB. 08, 2023 DWG. NO. 2296-2-22 SHT. 5 of 9



DOCK LAYOUT PLAN

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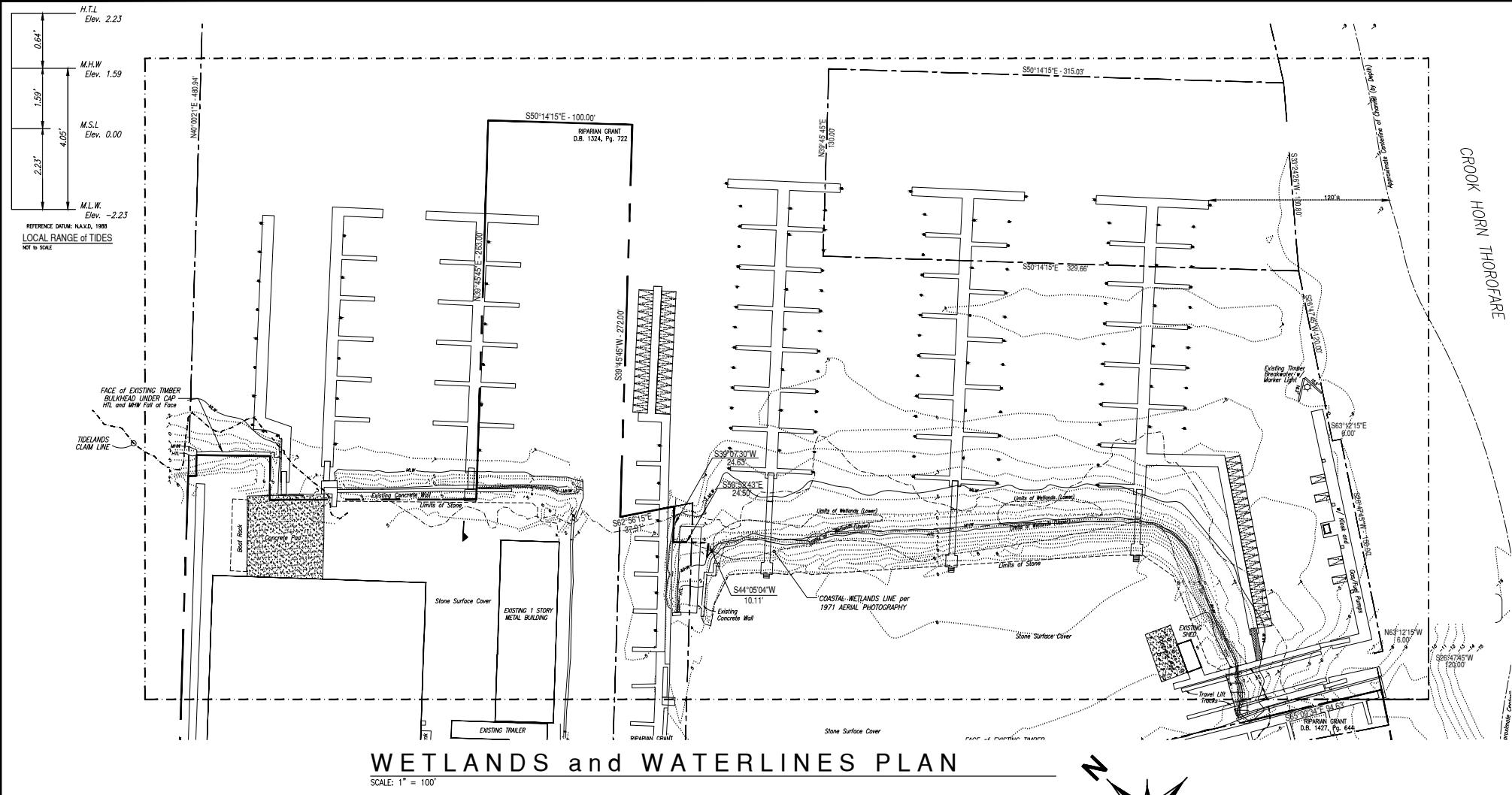
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SHT. 6 of 9	



DETAIL SHEET

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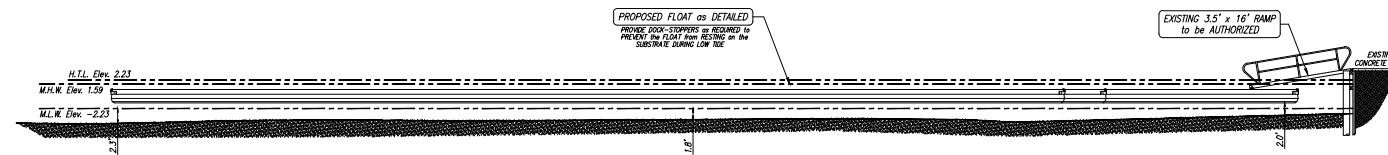
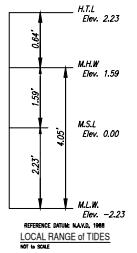
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CAPE MAY COUNTY, NEW JERSEY
APPLICANT: All Seasons Marina Development Group, L

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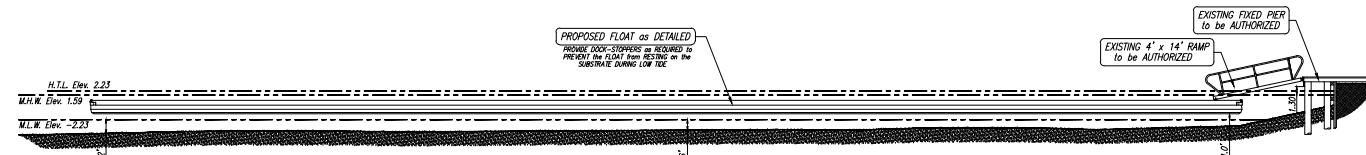
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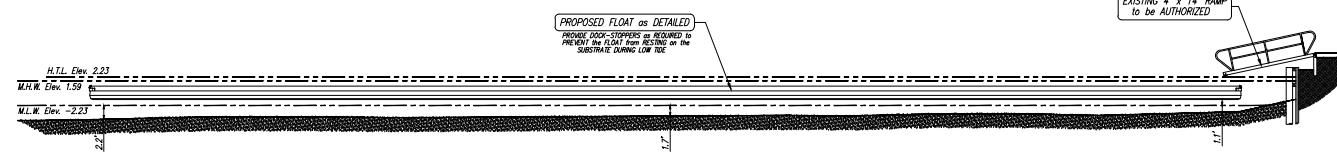
A SECTION THRU BULKHEAD, RAMP and FLOAT

SCALE: 1" = 30'



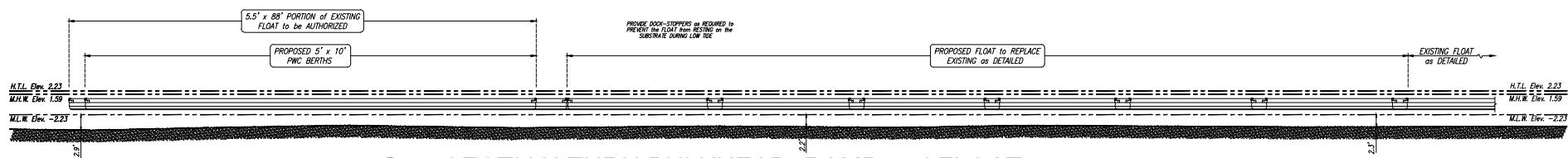
B SECTION THRU BULKHEAD, FIXED PIER, RAMP and FLOAT

SCALE: 1" = 30'



C SECTION THRU BULKHEAD, RAMP and FLOAT

SCALE: 1" = 30'



D SECTION THRU BULKHEAD, RAMP and FLOAT

SCALE: 1" = 30'

SECTIONS A thru D

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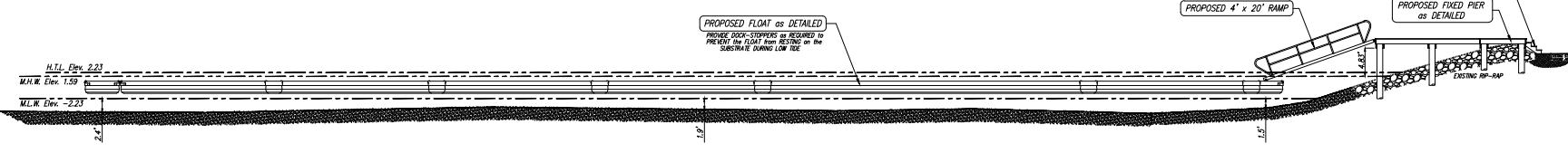
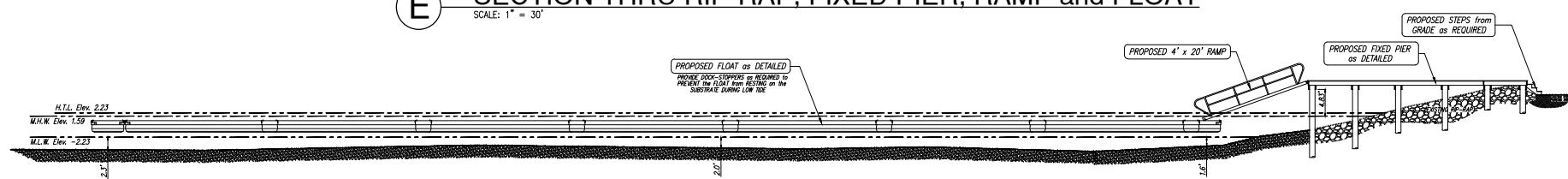
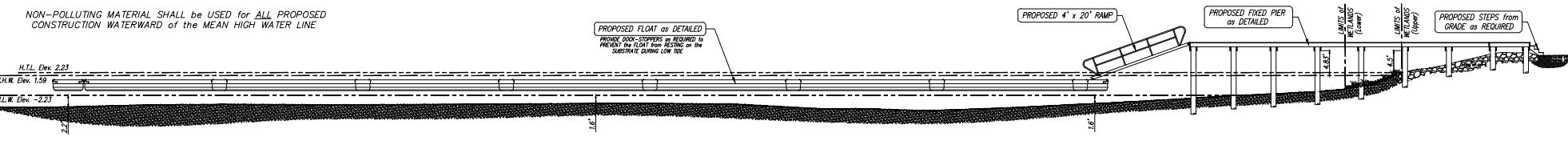
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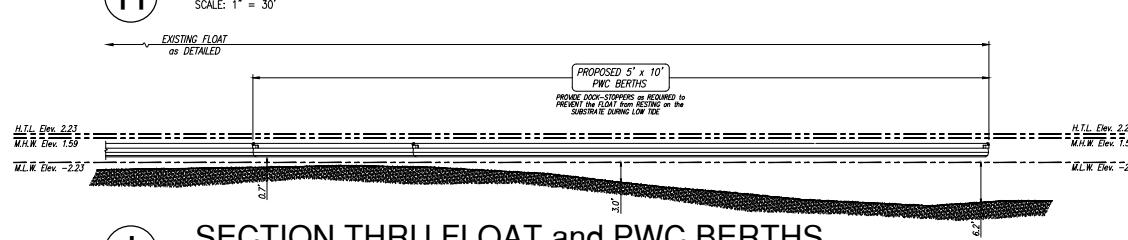
DATE: 11/02/2023

DWN BY: WEE DATE: FEB. 08, 2023 DWG. NO. 2296-2-22 SHT. 8 of 9

NON-POLLUTING MATERIAL SHALL be USED for ALL PROPOSED CONSTRUCTION WATERWARD of the MEAN HIGH WATER LINE



H SECTION THRU PWC BERTHS

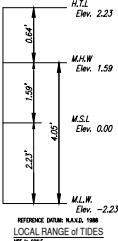


SECTIONS E thru I

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I SECTION THRU FLOAT and PWC BERTHS

SCALE: 1" = 30'



USACE PERMIT PLAN

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ALL SEASONS MARINA
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CAPE MAY COUNTY, NEW JERSEY
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SHT. 9 of 9

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