



**US Army Corps  
of Engineers**  
Philadelphia District

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

# Public Notice

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Public Notice No. **CENAP-OP-R-200401094**

Date

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Application No.

File No.

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In Reply Refer to:

**REGULATORY BRANCH**

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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:** FLM Marine, Incorporated

**AGENT:** East Coast Engineering, Incorporated  
508 Main Street  
Toms River, New Jersey 08753

**WATERWAY:** Dillon Creek

**LOCATION:** Just north of the intersection of Lake and East End Avenues, identified as Lots 4.01 and 6.01, Block 38.02, Island Heights Borough, Ocean County, New Jersey

**ACTIVITY:** The applicant would dredge 1920 cubic yards of sediment from within 0.77 acre of existing Dillon's Creek Marina basin by mechanical means and less than 200 cubic yards annually (approximately 192 cubic yards). The project would result in the removal of sediments to a depth of between 5' and 5.25' below mean low water. Sediments, approximately 50% sand and 50% silts, will be disposed on the property within an existing bermed basin. The site has been continually approved for dredging since 1988 (see files CENAP-OP-R-198802763, and application number referenced herein issued on 1/21/05). The marina was originally approved under CENAP-OP-R-198701101 and completed under CENAP-OP-R-199602448. Additionally, the applicant requests a 10-year maintenance dredging provision.

**PURPOSE:** The applicant's stated purpose for the dredging is to maintain the previously authorized water depth and width for safe navigation for ingress and egress to/from the existing 200-slip marina.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware", dated March 1999, specifically page 20 has been performed by this office resulting in a determination that the project may have an adverse effect on EFH and species of concern. Therefore, any approvals for the subject work shall likely include a special condition to restrict dredging from between January 1 and May 31.

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.

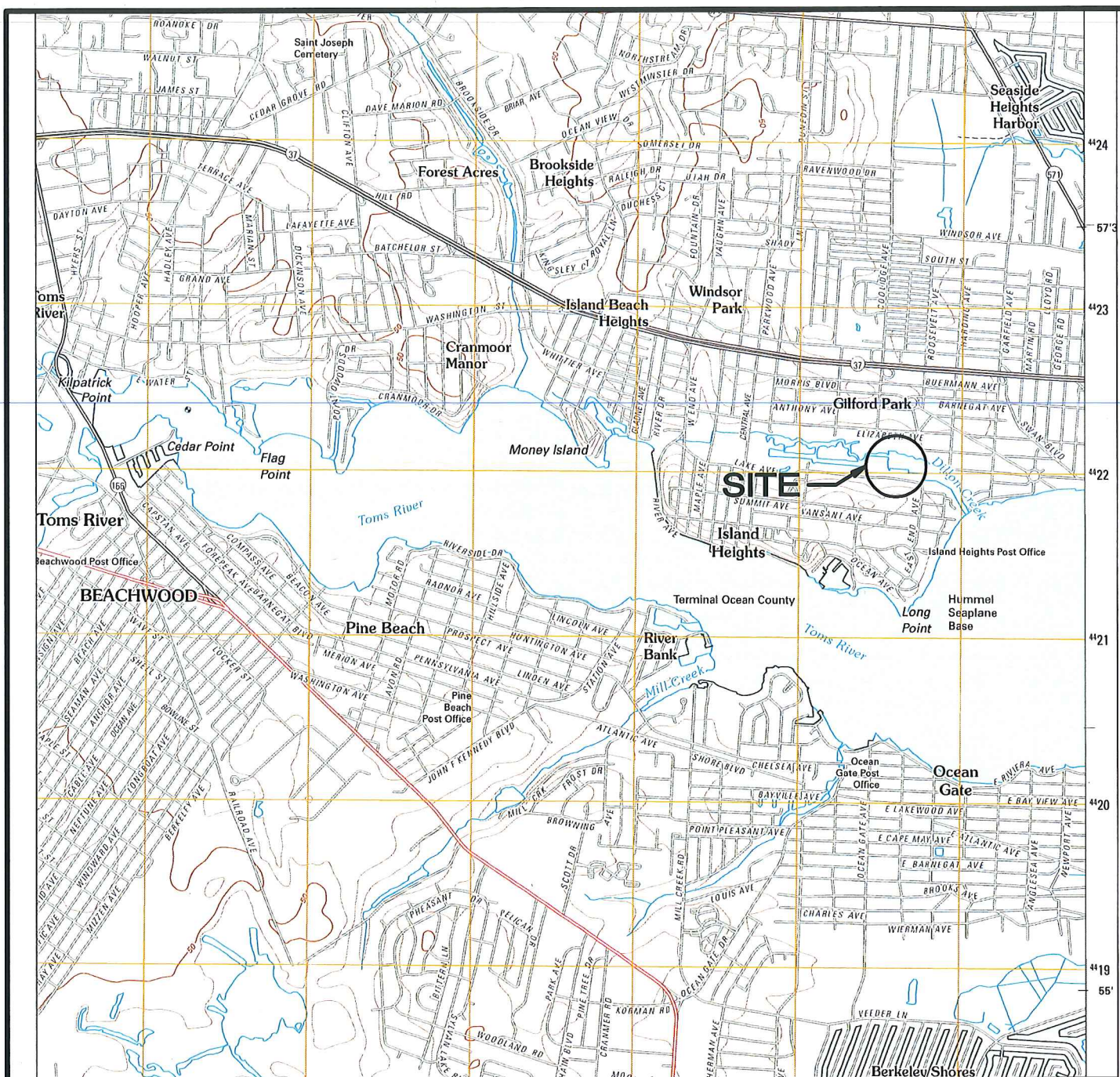
Compensatory Mitigation: There is no proposed placement of dredged or fill material in waters or wetlands. As such, compensatory mitigation has not been proposed and is not anticipated.

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

Additional information concerning this permit application may be obtained by calling Mr. David J. Caplan of my office at 215-656-6731, via email at [David.J.Caplan@usace.army.mil](mailto:David.J.Caplan@usace.army.mil), or by writing to this office at the above address.

Edward E. Bonner, PWS  
Chief, Regulatory Branch





## TOMS RIVER QUADRANGLE MAP

### TIDAL DATUMS

777-7777 SEASIDE PARK, NJ

MEAN HIGHER HIGH WATER (MHHW) = 00.00 FEET

MEAN HIGH WATER (MHW) = 0.4111 FEET

MEAN TIDE LEVEL (MTL) = 0.00 FEET

MEAN LOW WATER (MLW) = 0.00 FEET

MEAN LOWER LOW WATER (MLLW) = 0.00 FEET

REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 1 OF 12
DRAWN BY: RJH	SCALE:
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

**ROBERT J. HARRINGTON, P.E.**

NEW JERSEY PROFESSIONAL ENGINEER 39320

Apr 21, 2017

### DREDGING PERMIT PLAN

BLOCK 38.02, LOTS 4.01 & 6.01

ISLAND HEIGHTS, OCEAN COUNTY, NJ

APPLICANT: FLM MARINE, LLC

243 LAKE AVE

ISLAND HEIGHTS, NJ 08732

EAST COAST ENGINEERING, Inc.

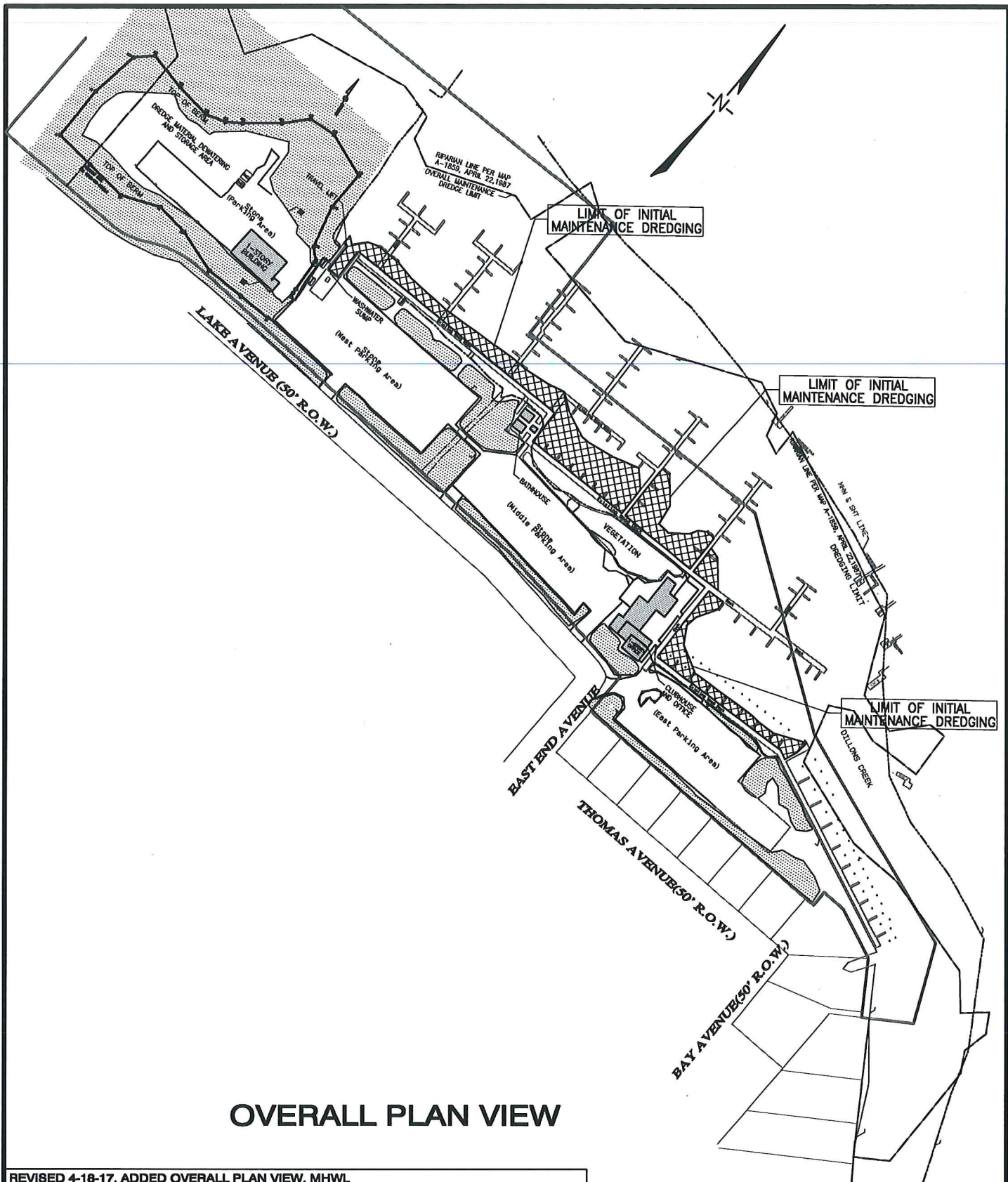
508 MAIN STREET, TOMS RIVER, NJ 08753

www.ecelnc.net

(732) 244-3030

CERTIFICATE OF AUTHORIZATION No. 24GA27935600





## OVERALL PLAN VIEW

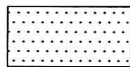
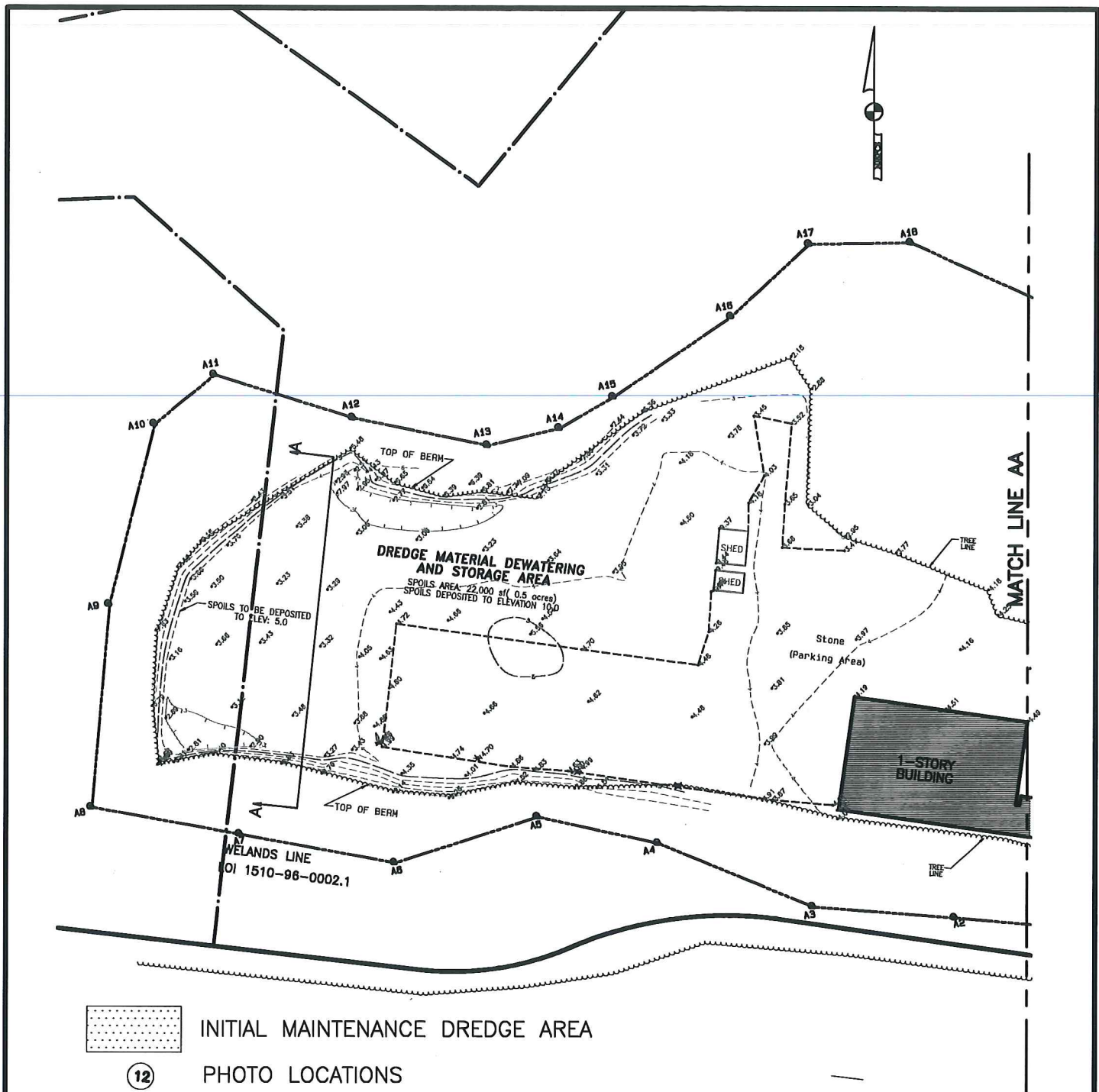
REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 2 OF 12
DRAWN BY: RJH	SCALE: 1"=200'
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
**ROBERT J. HARRINGTON, P.E.**  
 NEW JERSEY PROFESSIONAL ENGINEER 39320

Apr 21, 2017

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 www.ecelnc.net (732) 244-3030  
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INITIAL MAINTENANCE DREDGE AREA

12

PHOTO LOCATIONS

NOTE:

INFORMATION SHOWN IS A BOTTOM SURFACE ELEVATION REFERENCE TO NAVD 1988.

METHOD:

DREDGING TO BE CONDUCTED WITH A BARGE MOUNTED EXCAVATOR.

DREDGED MATERIAL WILL BE PLACED IN A HOPPER ON THE BARGE.

HOPPER TRANSFERRED TO TRUCK BODY WITH TRAVEL LIFT.

TRANSPORTED TO DESIGNATED DEWATERING AND STORAGE AREA.

REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 3 OF 12
DRAWN BY: RJH	SCALE: 1"=60'
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

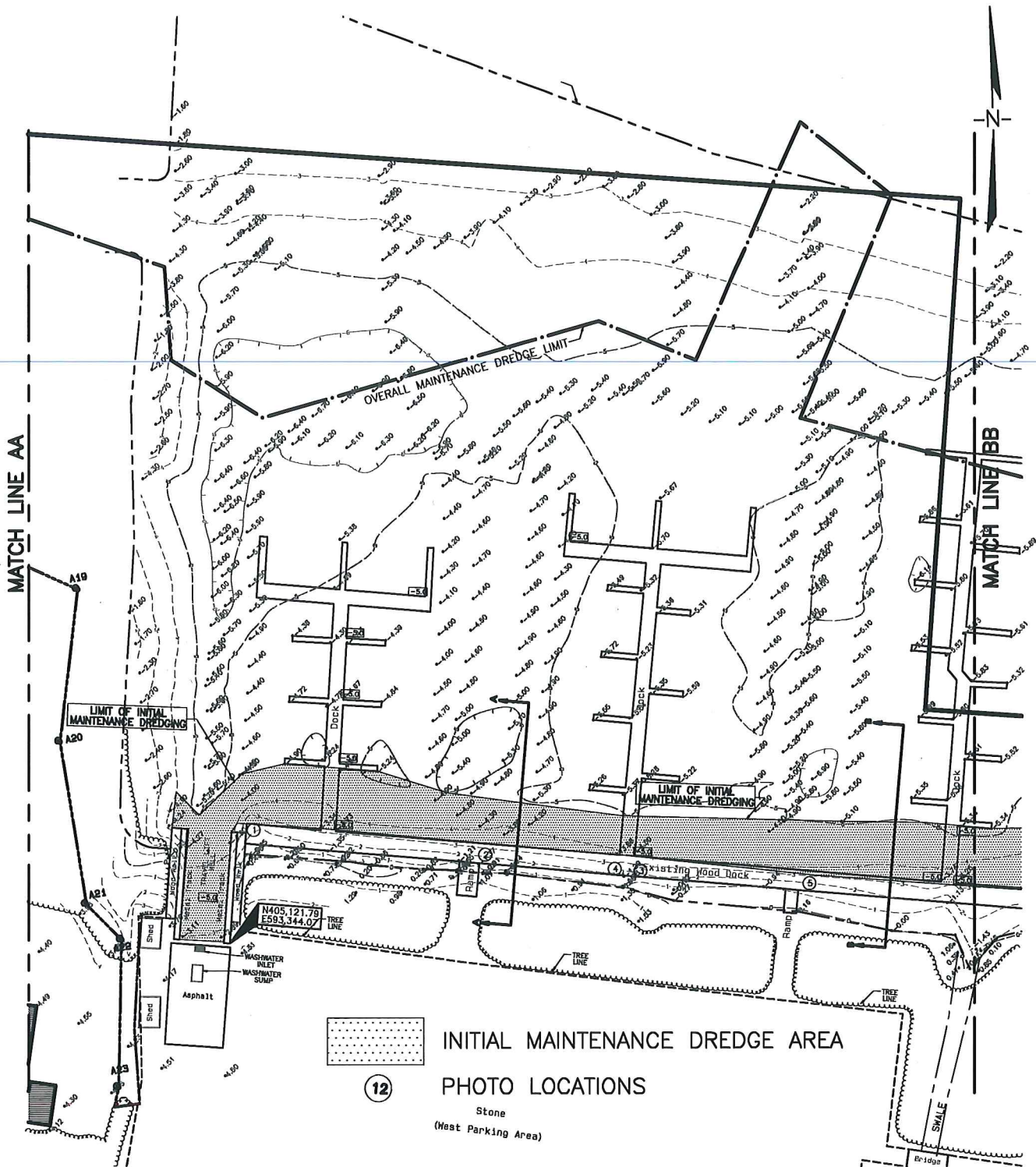
**ROBERT J. HARRINGTON, P.E.**

NEW JERSEY PROFESSIONAL ENGINEER 39320

Apr 21, 2017

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REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 4 OF 12
DRAWN BY: RJH	SCALE: 1"=60'
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
**ROBERT J. HARRINGTON, P.E.**  
 NEW JERSEY PROFESSIONAL ENGINEER 39320

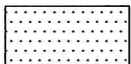
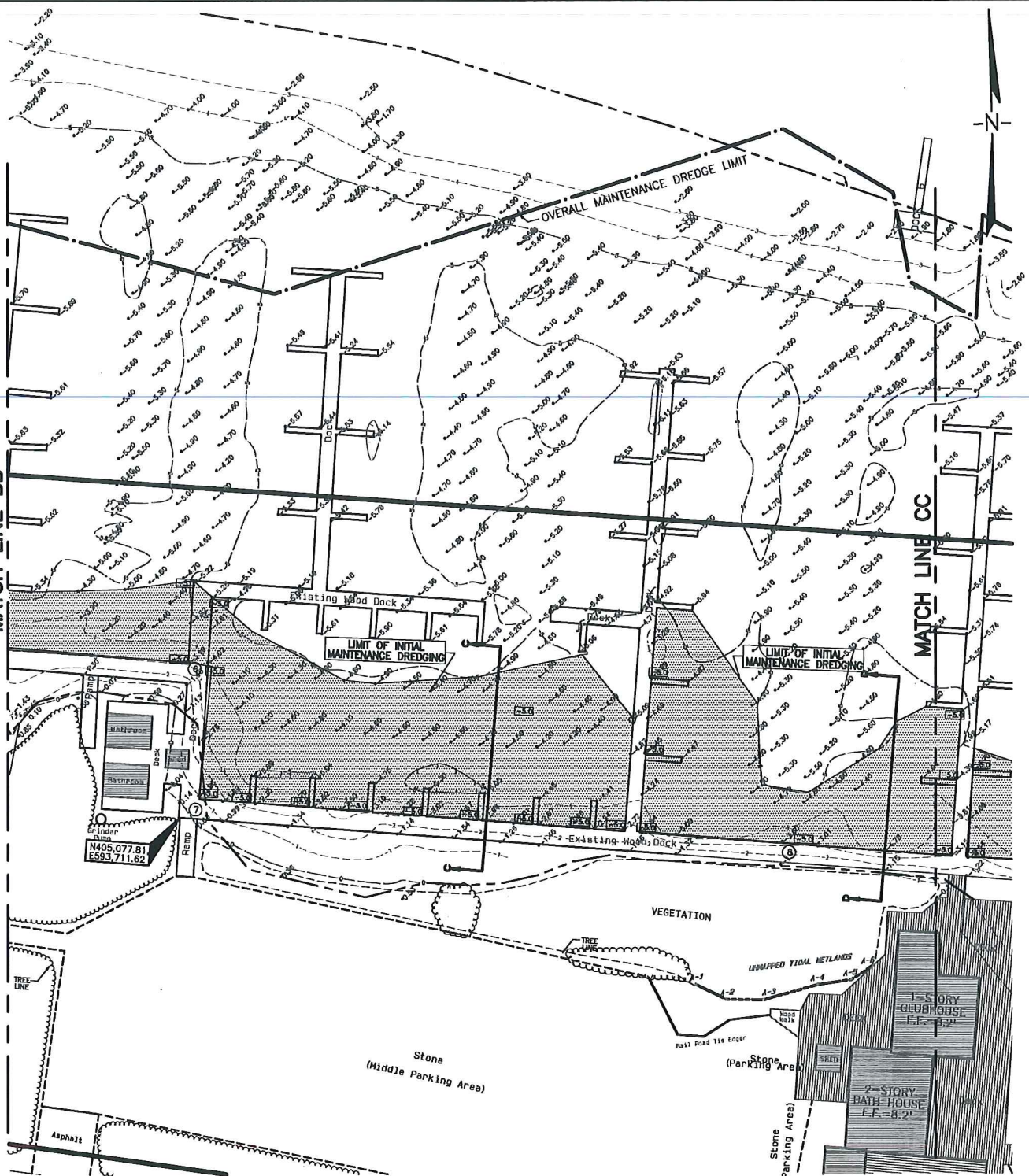
Apr 21, 2017

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MATCH LINE BB

MATCH LINE CC



INITIAL MAINTENANCE DREDGE AREA

(12)

PHOTO LOCATIONS

REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 5 OF 12
DRAWN BY: RJH	SCALE: 1"=60'
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
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 NEW JERSEY PROFESSIONAL ENGINEER 39320

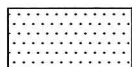
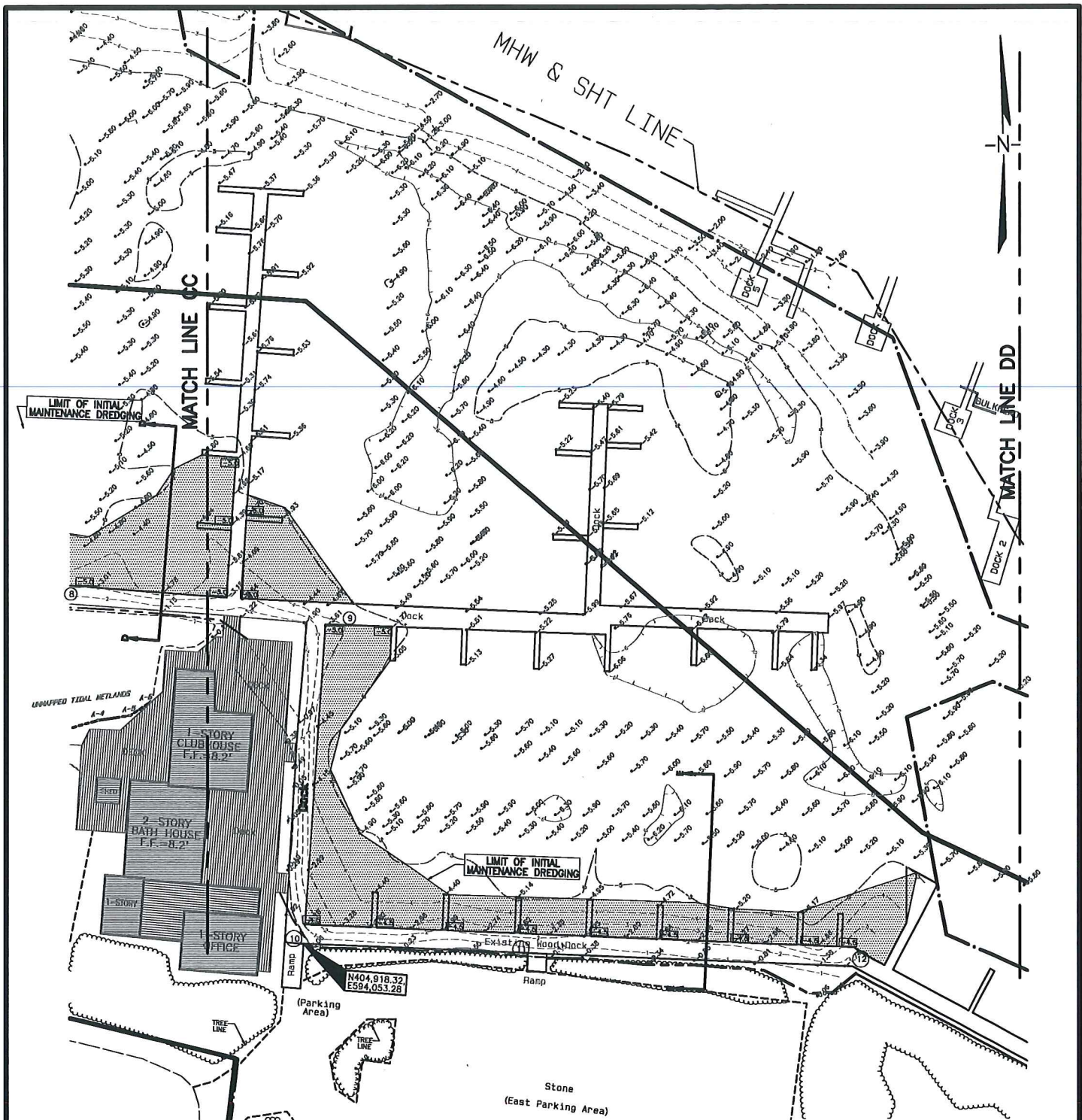
Apr 21, 2017

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 ISLAND HEIGHTS, OCEAN COUNTY, NJ  
 APPLICANT: FLM MARINE, LLC  
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 ISLAND HEIGHTS, NJ 08732  
**EAST COAST ENGINEERING, Inc.**  
 508 MAIN STREET, TOMS RIVER, NJ 08753  
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CERTIFICATE OF AUTHORIZATION No. 24GA27935600

Project Desc.: Path: J:\2015\20150469\20150469.pro Plot Date/Time: Fri Apr 21, 2017 / 11:34:42





INITIAL MAINTENANCE DREDGE AREA

12

PHOTO LOCATIONS

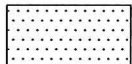
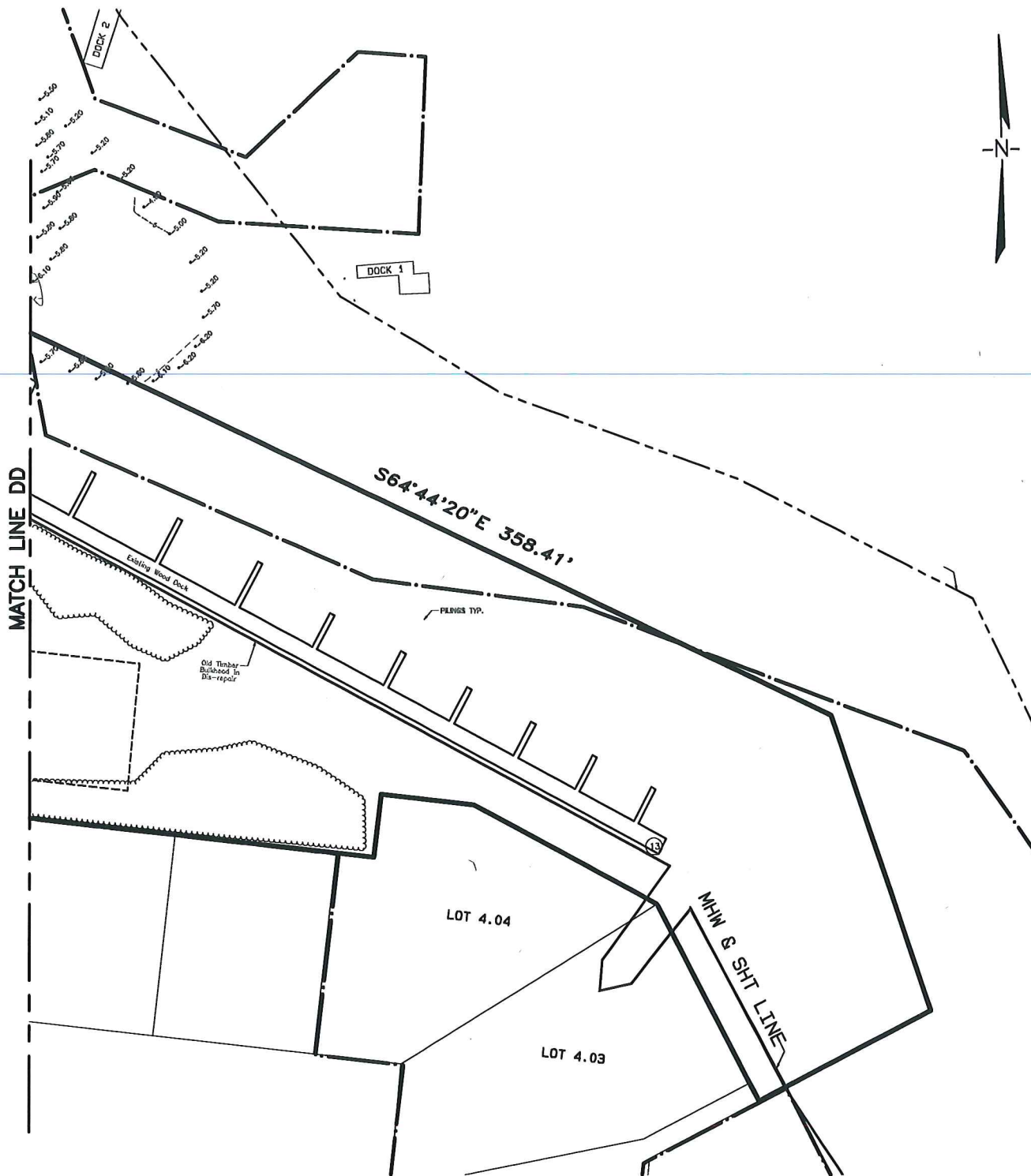
REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 6 OF 12
DRAWN BY: RJH	SCALE: 1"=60'
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
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 NEW JERSEY PROFESSIONAL ENGINEER 39320  
 Apr 21, 2017

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 508 MAIN STREET, TOMS RIVER, NJ 08753  
 www.ecelinc.net (732) 244-3030  
 CERTIFICATE OF AUTHORIZATION No. 24GA27935600

Project Desc.: Path: J:\2015\20150469\20150469.pro Plot Date/Time: Fri Apr 21, 2017 / 11:24:51



INITIAL MAINTENANCE DREDGE AREA

(12)

PHOTO LOCATIONS

REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 7 OF 12
DRAWN BY: RJH	SCALE: 1"=60'
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

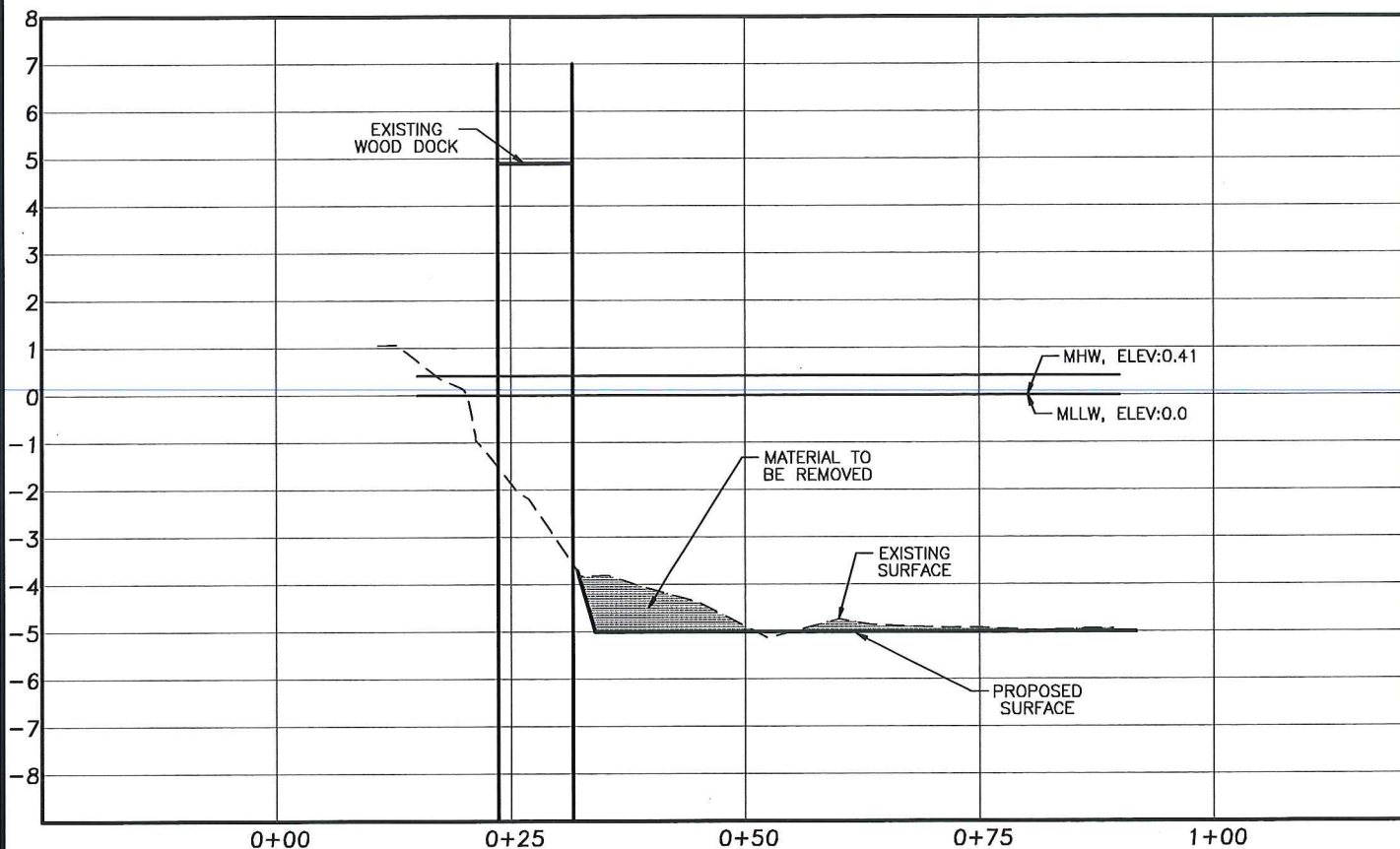
**ROBERT J. HARRINGTON, P.E.**

NEW JERSEY PROFESSIONAL ENGINEER 39320

Apr 21, 2017

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 CERTIFICATE OF AUTHORIZATION No. 24GA27935600

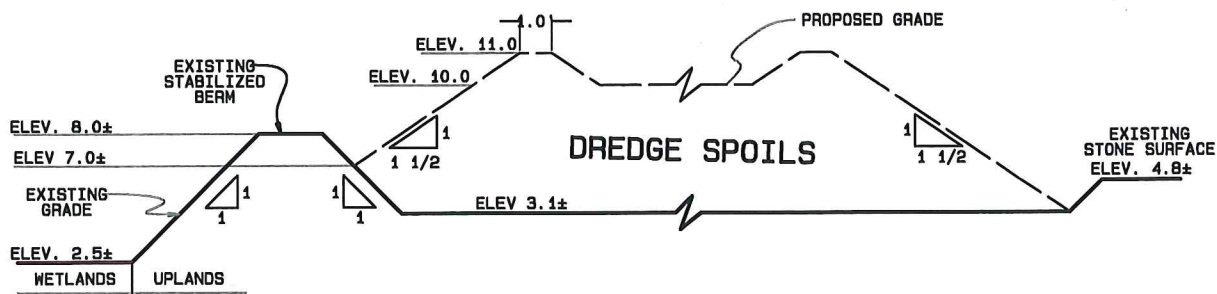




### SECTION A

1' = 20' HORIZ.

1" = 4' VERT.



### SPOILS SITE SECTION A-A

REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 8 OF 12
DRAWN BY: RJH	SCALE: AS NOTED
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
**ROBERT J. HARRINGTON, P.E.**

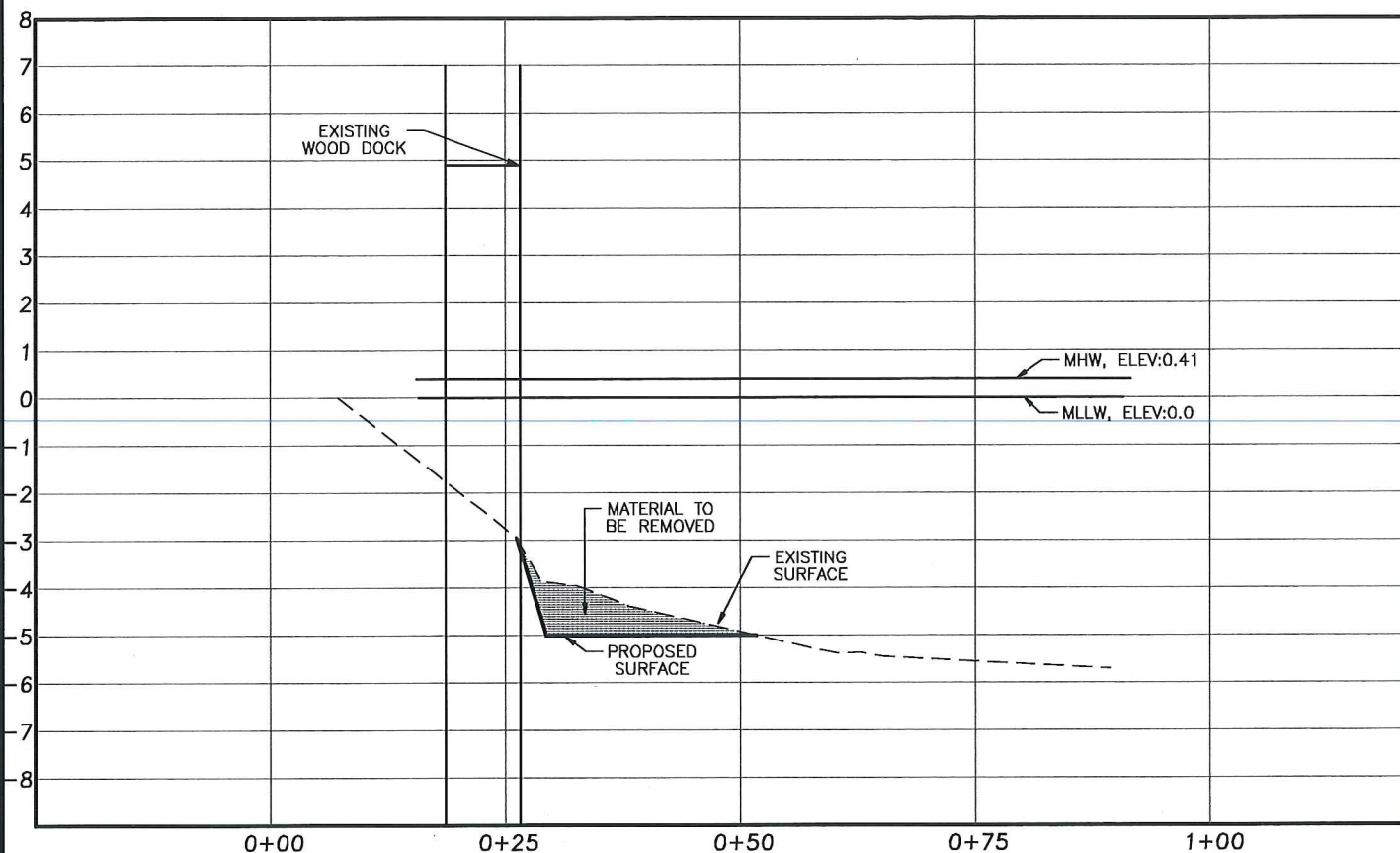
NEW JERSEY PROFESSIONAL ENGINEER 39320

Apr 21, 2017

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ISLAND HEIGHTS, OCEAN COUNTY, NJ  
APPLICANT: FLM MARINE, LLC

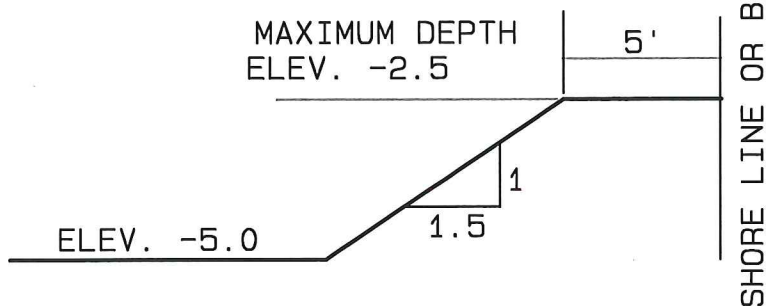
243 LAKE AVE  
ISLAND HEIGHTS, NJ 08732  
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[www.ecelinc.net](http://www.ecelinc.net) (732) 244-3030

CERTIFICATE OF AUTHORIZATION No. 24GA27935600



## SECTION B

1' = 20' HORIZ.  
1" = 4' VERT.



## DREDGE SECTION

REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

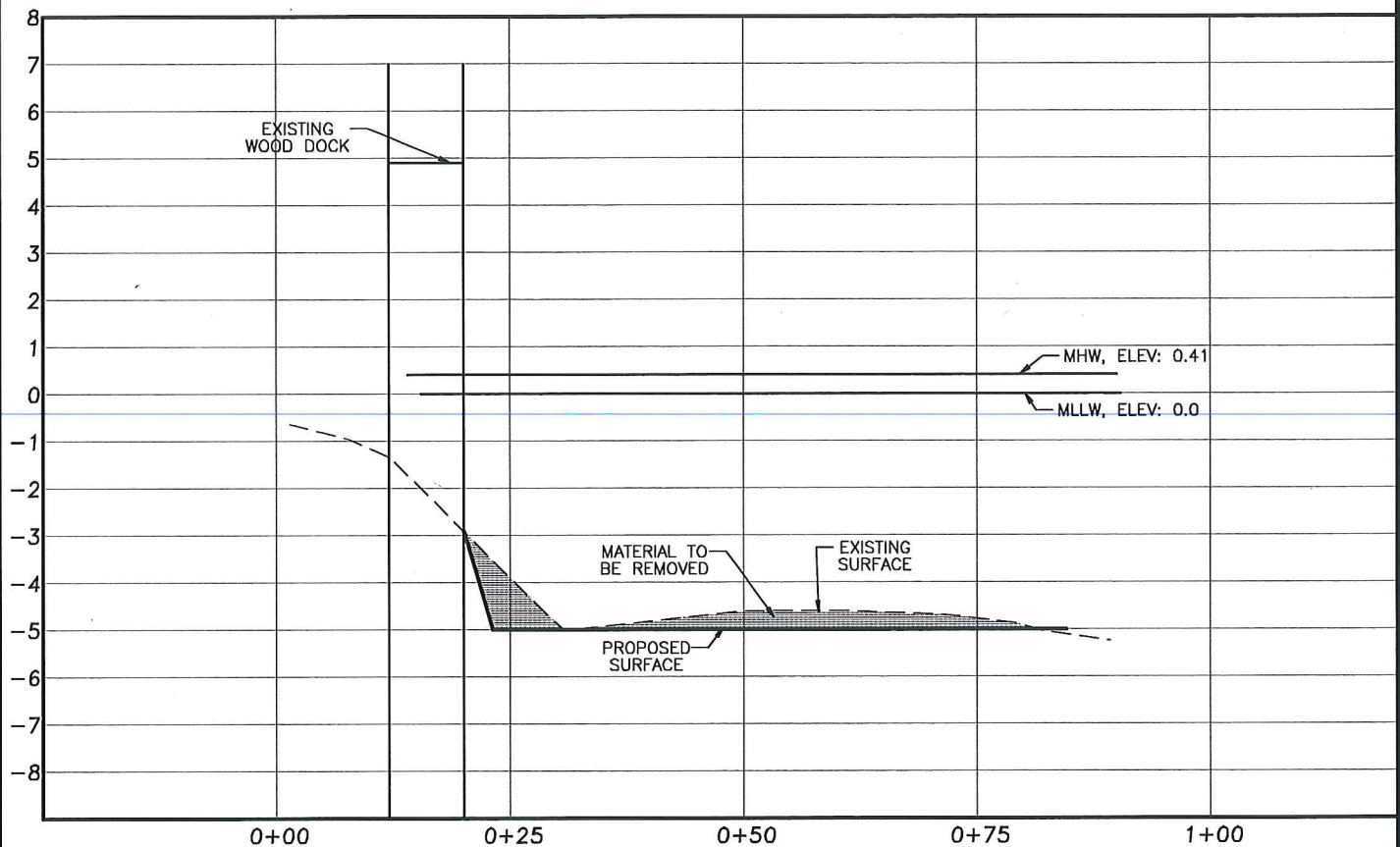
JOB No.: 20160469	SHEET: 9 OF 12
DRAWN BY: RJH	SCALE: AS NOTED
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
**ROBERT J. HARRINGTON, P.E.**  
NEW JERSEY PROFESSIONAL ENGINEER 39320

Apr 21, 2017

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CERTIFICATE OF AUTHORIZATION No. 24GA27935600





## SECTION C

1' = 20' HORIZ.  
1" = 4' VERT.

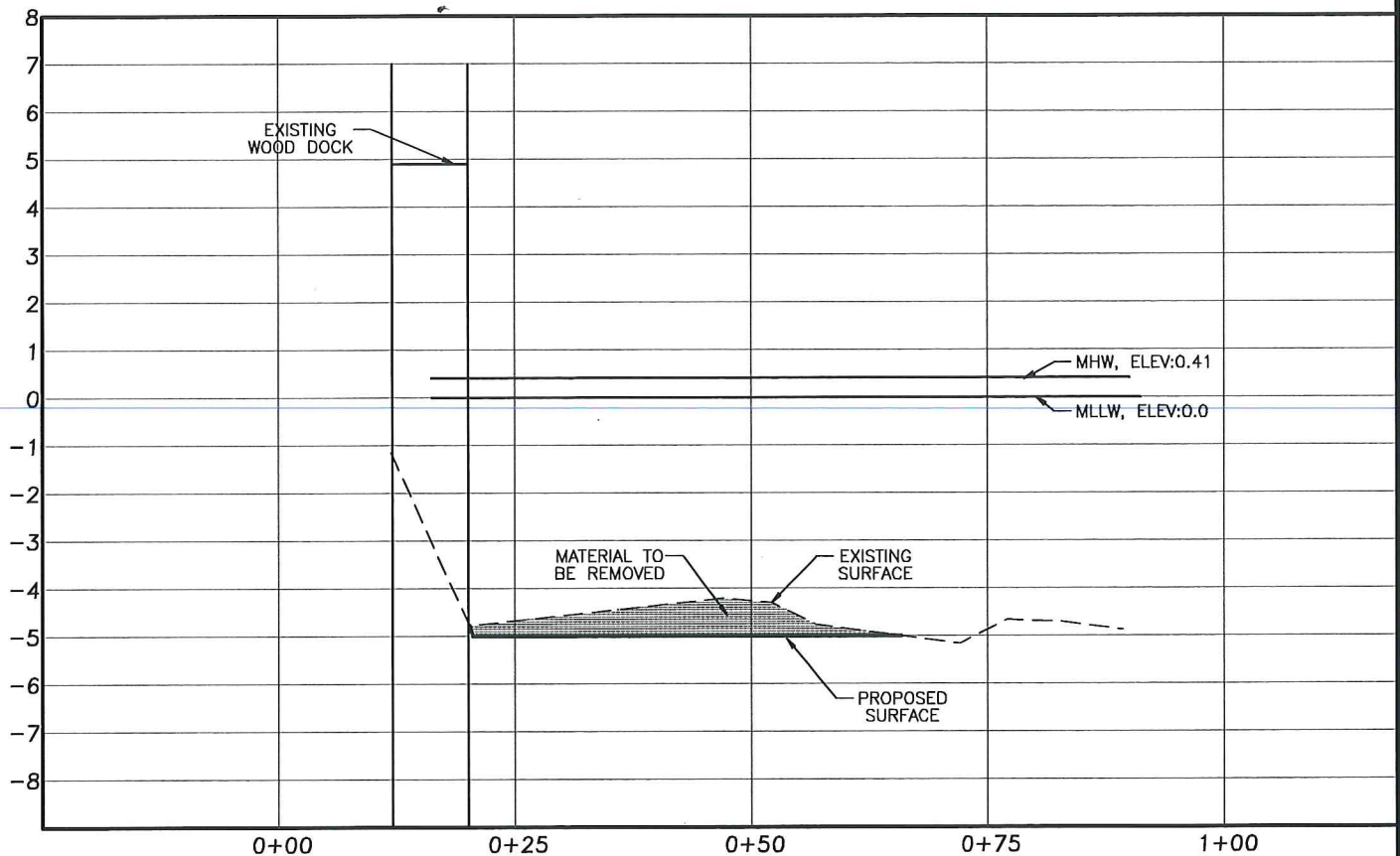
REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 10 OF 12
DRAWN BY: RJH	SCALE: AS NOTED
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
**ROBERT J. HARRINGTON, P.E.**  
 NEW JERSEY PROFESSIONAL ENGINEER 39320  
 Apr 21, 2017

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 508 MAIN STREET, TOMS RIVER, NJ 08753  
 www.ecelinc.net (732) 244-3030  
 CERTIFICATE OF AUTHORIZATION No. 246A27935600

Project Desc.: Path: J:\2015\20150469\20150469.pro Plot Date/Time: Fri Apr 21, 2017 / 11:34:46



## SECTION D

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1" = 4' VERT.

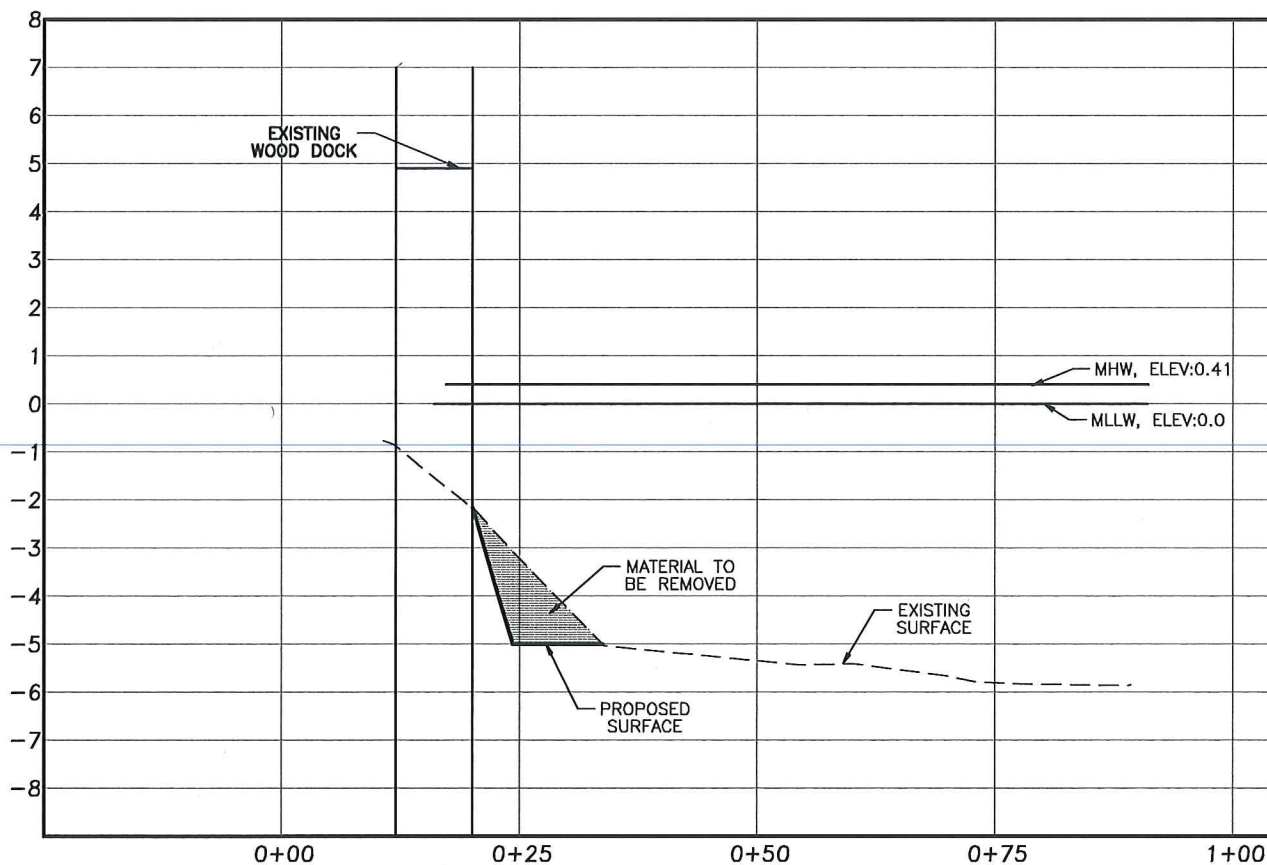
REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 11 OF 12
DRAWN BY: RJH	SCALE: AS NOTED
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
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 CERTIFICATE OF AUTHORIZATION No. 24GA27935600





## SECTION E

1' = 20' HORIZ.

1" = 4' VERT.

REVISED 4-18-17, ADDED OVERALL PLAN VIEW, MHWL

JOB No.: 20160469	SHEET: 12 OF 12
DRAWN BY: RJH	SCALE: AS NOTED
CHECKED BY: RJH	DATE PREPARED: 04/06/2017

*Robert J. Harrington*  
**ROBERT J. HARRINGTON, P.E.**  
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