



**US Army Corps
of Engineers**
Philadelphia District

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

Public Notice

Public Notice No.	Date
CENAP-OP-R-2017-0306-46	June 27, 2017
Application No.	File No.

In Reply Refer to:
REGULATORY BRANCH

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

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

APPLICANT: New Jersey Department of Transportation
Office of Maritime Resources
P.O. Box 600
Trenton, New Jersey 08625-0600
Attn: Ms. Genevieve Clifton

WATERWAY: Dredging: Cooks Creek between Lake Louise and Manasquan River
Disposal: between the Manasquan River and Wills Hole Thorofare

LOCATION: Dredging: within Cooks Creek from Lake Louise to its mouth with the Manasquan River, in Point Pleasant Beach Borough, Ocean County, New Jersey
Disposal: Gull Island confined disposal facility (CDF) identified as Block 182, Lot 1, in Point Pleasant Beach Borough, Ocean County, New Jersey

ACTIVITY: The applicant proposes to hydraulically dredge accumulated sediment from within portions of the waterway listed above (See enclosures E1-E5). The applicant has requested a 10-year maintenance dredging permit.

Maintenance dredging would consist of hydraulic dredging of approximately fourteen thousand one hundred forty three cubic yards (~14,143 yds³) of sediment comprised of sand and silt, from approximately one thousand (~1,000) feet of the Cooks Creek. The project depth would be fourteen (14) feet below mean low water (-14' MLW), plus one additional foot (1') of allowable overdredge. The channel design width would be 100 feet, with the inside 150 feet tapered down to 60 feet. Channel side slopes would be maintained at a 3:1 slope. Maintenance dredging of the channel was last performed by the State of New Jersey Department of Environmental Protection (NJDEP) in 1995 and has been approved for dredging by this office at least since 1947.

Shoaling, including sediment deposited by Superstorm Sandy, has impeded navigation within these important channels. The maintenance dredging project is intended to restore these channels to the authorized project dimensions to allow safe passage for recreational and commercial marine traffic. Material would be hydraulically dredged and transported via pipeline to the Gull Island CDF. The dredge pipeline to the dewatering site would be floating except at channel crossings where it would be submerged to avoid a hazard or hindrance to navigation. The pipeline would be marked as per USCG regulations.

PURPOSE: The applicant's stated purpose is to restore the existing navigation channel to authorized project depth thus providing safe navigation for both commercial and recreational vessels currently using the channels.

A preliminary review of this application indicates that species listed under the Endangered Species Act or their critical habitat pursuant to Section 7 of the ESA as amended, maybe present in the action area. The ACOE will forward this PN to the U.S. Fish and Wildlife Service or National Marine Fisheries Service with a request for technical assistance on whether any ESA listed species or their critical habitat maybe present in the area which would be affected by the proposed activity and for any best management practices to avoid or minimize effects. The Philadelphia District will evaluate the potential effects of the proposed actions on ESA listed species or their critical habitat and will consult with NOAA National Marine Fisheries Service and/or the DOI U.S. Fish and Wildlife Service as appropriate. ESA Section 7 consultation will be concluded prior to the final decision on this permit application.

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

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

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 permit area has been so extensively modified and previously dredged that little likelihood exists for the proposed project to impact a historic property.

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

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.

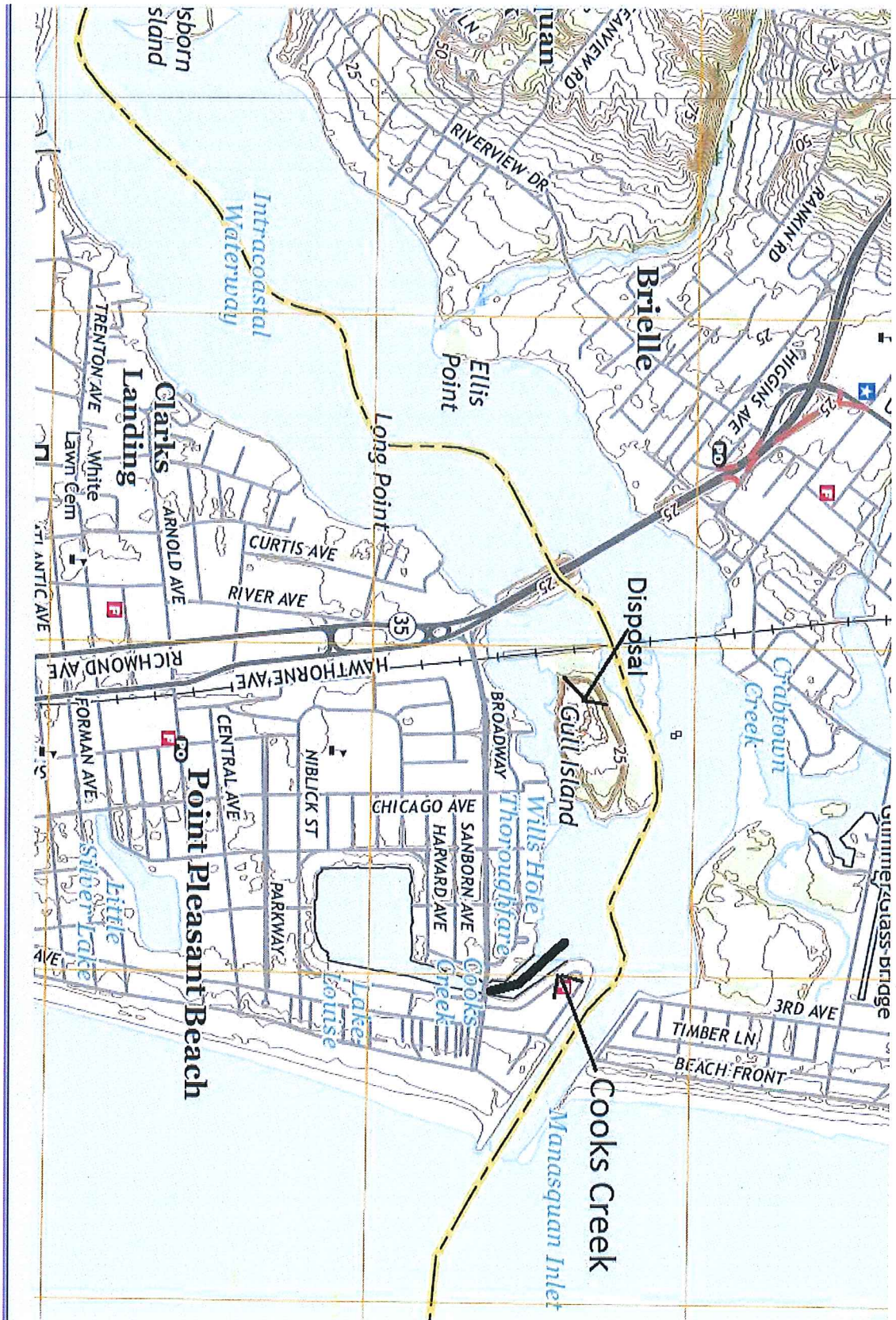
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.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

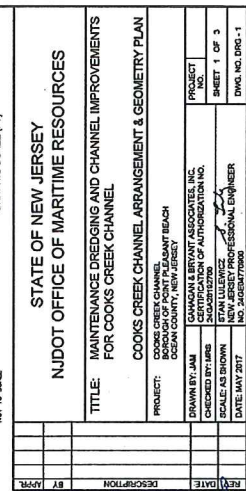
Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

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



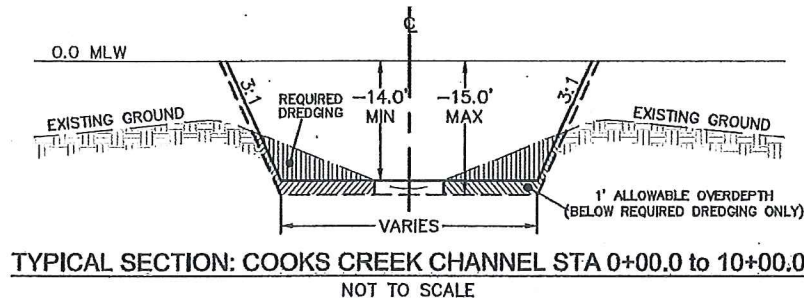
Edward E. Bonner
Chief, Regulatory Branch





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SCALE: 1" = 500'



NOTES:

1. VERTICAL DATUM IS IN REFERENCE TO MEAN LOW WATER (MLW). MLW IS 2.24 FEET BELOW THE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88). INFORMATION OBTAINED FROM NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (NOAA) DATUM TRANSFORMATION PROGRAM.
2. COORDINATES ARE EXPRESSED IN FEET AND REFER TO THE NEW JERSEY STATE PLANE GRID COORDINATE SYSTEM NORTH AMERICAN DATUM OF 1983.
3. EXISTING SHORELINE, DOCK, & PILING LOCATIONS BASED ON UNMANNED AIRCRAFT SYSTEM (UAS) AERIAL IMAGERY TAKEN MAY 18, 2017 BY GBA AND SHOULD BE CONSIDERED APPROXIMATE.
4. PROJECT LOCATION MAP AERIAL IMAGERY IS FROM GOOGLE MAPS, DATED APRIL 2016.

LEGEND

	CHANNEL LIMITS
	CHANNEL CENTERLINE
	APPROXIMATE SHORELINE
	EXISTING PILING
	ROAD/PAVEMENT
	CHANNEL SAMPLE LOCATIONS
	APPROXIMATE PIPELINE LOCATION
	COUNTY & MUNICIPALITY LIMIT
	LIMIT OF MAINTENANCE DREDGING

4.36 MHHW
4.03 MHW
2.24 NAVD88
2.01 MTL
0.00 MLW
-0.18 MLLW

RANGE OF TIDE (FT)
NOT TO SCALE

E-5