



**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-2018-00227	May 8, 2018

Application No.	File No.
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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: Barbary Coast Marina, LLC
9401 Amherst Avenue
Margate City, NJ 08402

AGENT: Arthur W. Ponzio Co. & Associates, Inc.
400 North Dover Avenue
Atlantic City, NJ 08401

WATERWAY: Beach Thorofare

LOCATION: 9401 Amherst Avenue
Margate City, NJ 08402

ACTIVITY: The proposed activity includes the construction of a new marina. The proposed marina will include the removal and replacement of one (1) existing "L" floating pier approximately 31 foot long by 16 foot wide with an associated 24 foot long by 3 foot wide gangway. The proposed marina will also include one (1) 26 foot long by 8 foot wide fix pier with two (2) 30' long by 4' wide gangways. One (1) leading to one (1) 45 foot long by 8 foot wide floating pier with seven (7) 14 foot long PVC slips for personal watercrafts. The second gangway leads to one (1) 224 foot long by 8' wide pier with a 78 foot long by 8 foot wide "T" at the end of the pier. This pier will include eleven (11) 40 foot long by 4 foot wide finger piers, two (2) 40 foot long by 6 foot wide finger piers, Two (2) 40 foot long by 13 foot wide boat lifts, and one (1) 40 foot long by 12 foot wide boat lift. Each finger pier and boat lift includes a 3 foot by 3 foot gusset. The marina will have a total of 27 mooring spaces for vessels and 14 moorings for personal watercrafts. Approximately 90 pilings will be installed to secure the piers and boat lift structures. All piles will be driven to an approximate depth of 25' below the dredge line.

PURPOSE: The stated purpose of this proposed activity is the needed redevelopment of an existing facility that sustained major damage during super storm Sandy.

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 30 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

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.

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 effect 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.

Analysis of the Effects: An Essential Fish Habitat Analysis will be completed and sent to National Marine Fisheries for review to determine the effects of the proposed project on any EFH in the project area.

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.

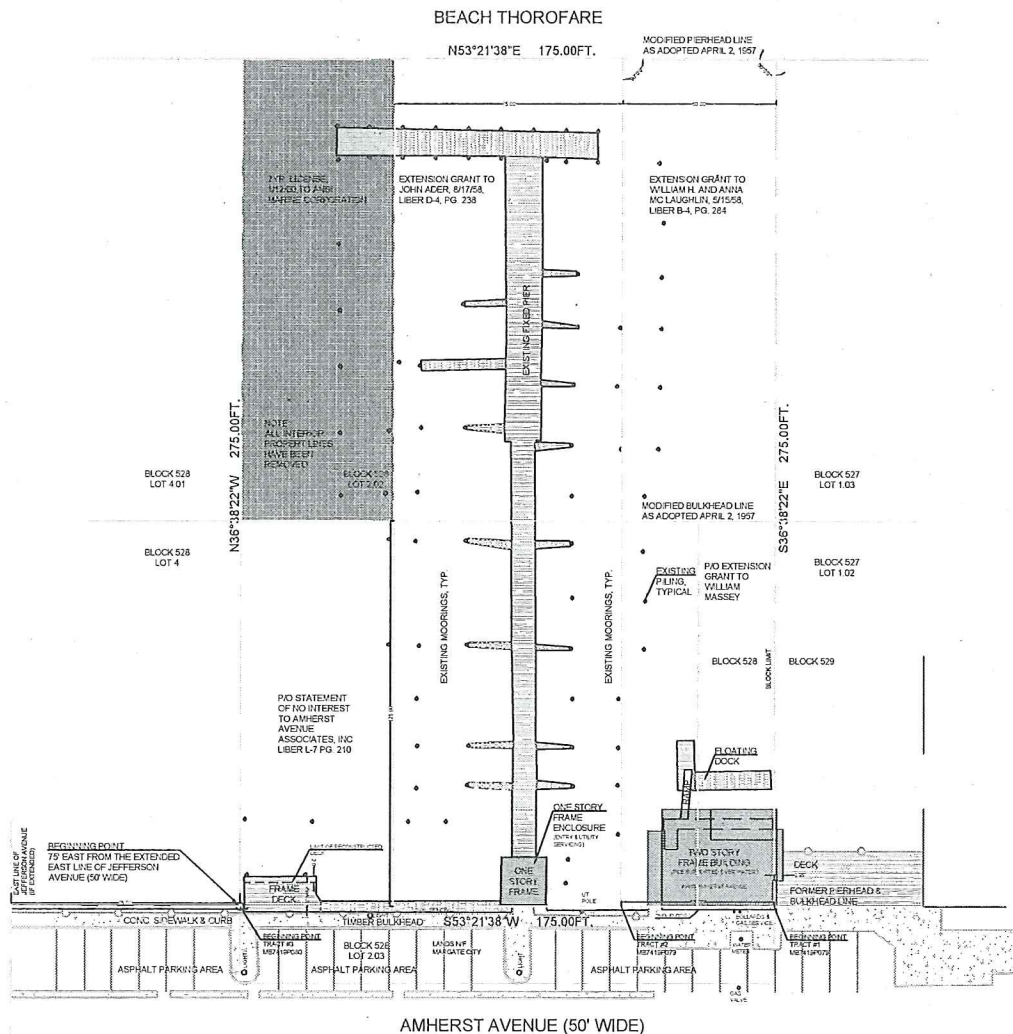
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. 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.

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 Genevieve Rybicki at (215) 656-8597, via email at Genevieve.T.Rybicki@usace.army.mil, or writing this office at the above address.



Edward E. Bonner
Chief, Regulatory Branch



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US ARMY CORPS PLAN SET - EXISTING CONDITIONS

CITY OF MARGATE
BLOCK 528 LOT 1, 1.01, 2, 2.01, 3, 3.01 (aka 2.02 and 2.03)
ATLANTIC COUNTY, NEW JERSEY

Arthur W. Ponzio, Jr.
ARTHUR W. PONZIO, JR.

PROFESSIONAL LAND SURVEYOR N.J. NO. GS28314
PROFESSIONAL PLANNER N.J. NO. GE2676

ARTHUR W. PONZIO CO.

& ASSOCIATES
SURVEYING-ENGINEERING-PLANNING



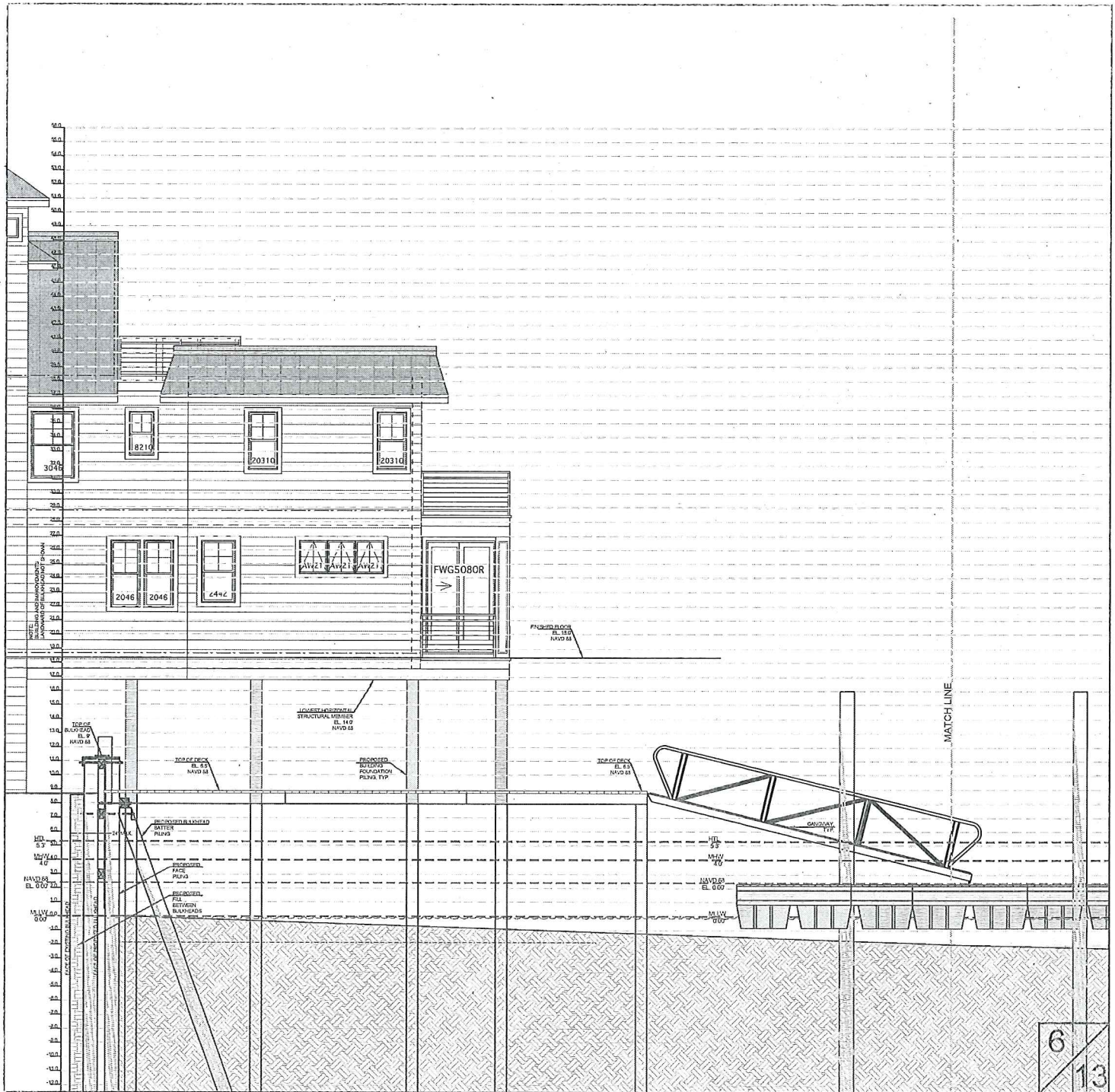
400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300

DATE: 02-06-18

SCALE: 1"=60'

DRAWN BY: WJP

PROJECT NO.: 33620



US ARMY CORPS PLAN SET - PROFILE - SHEET 1

CITY OF MARGATE
 BLOCK 528 LOT 1, 1.01, 2, 2.01, 3, 3.01 (aka 2.02 and 2.03)
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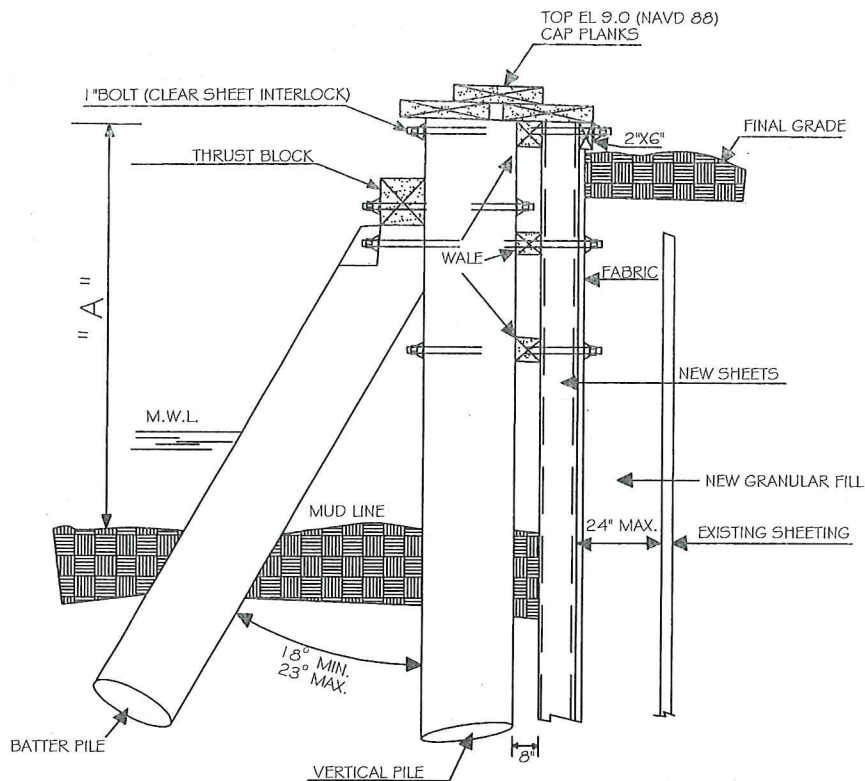
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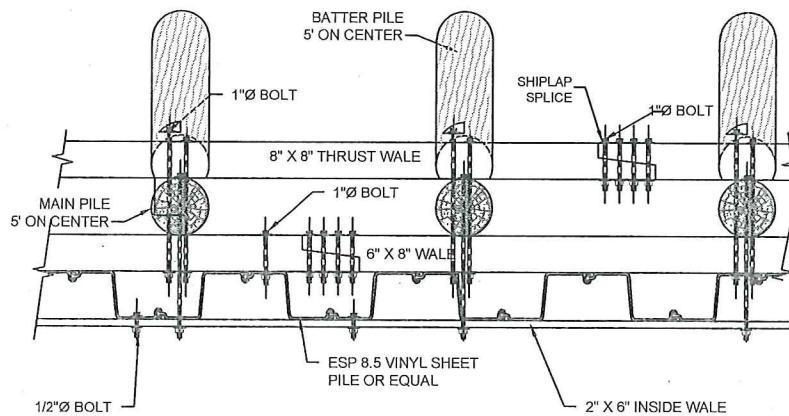
SCALE: 1" = 10'

DRAWN BY: WJP

PROJECT NO.: 33111



BULKHEAD SECTION VIEW
NOT TO SCALE



BULKHEAD PLAN VIEW
NOT TO SCALE

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US ARMY CORPS PLAN SET - DETAILS

CITY OF MARGATE
BLOCK 528 LOT 1, 1.01, 2, 2.01, 3, 3.01 (aka 2.02 and 2.03)
ATLANTIC COUNTY, NEW JERSEY

[Handwritten Signature]

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING-ENGINEERING-PLANNING

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ATLANTIC CITY, NEW JERSEY 08401

PHONE (609) 344-8194 FAX (609) 344-1594

NEW JERSEY AUTH. NO.: 24GA28001300



DATE: 02-06-18

DRAWN BY: WJP

SCALE: NTS

PROJECT NO.: 33620

PROFESSIONAL PLANNER N.J. NO. GE2676