



**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-OP-R-2018-0587-24** Date **August 13, 2018**

---

Application No.  
**CENAP-OP-R-2018-0587-24**

---

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:** Long Beach Township  
6805 Long Beach Boulevard  
Brant Beach, New Jersey 08008

**AGENT:** Owen, Little and Associates, Inc.  
443 Atlantic City Boulevard  
Beachwood, New Jersey 08722

**WATERWAY:** Atlantic Ocean

**LOCATION:** Decimal Latitude: 39.531004° N; Longitude: -74.263130° W.

The project site is located on the ocean-front beach at the southern terminus of Long Beach Boulevard, just south of Cleveland Avenue; Block 1.02, Lots 1 and 2; Block 1.03, Lot 1; and Block 1.05, Lot 1; in the Holgate section of Long Beach Township, Ocean County, New Jersey.

**ACTIVITY:** The applicant proposes to remove an existing terminal groin (made of wood and stone), and construct a new, larger terminal groin using steel sheeting, core stone and armor stone (including re-use of existing stone). The applicant has stated that the existing deteriorating terminal groin is insufficient to slow long-shore transport of nourished beach sand to the south. The applicant is cost-sharing the project with the New Jersey Department of Environmental Protection (NJDEP), Division of Coastal Engineering.

The new proposed terminal groin would measure 100 feet wide, extending approximately 605 feet from an existing wood bulkhead (near the southern end of the adjacent public parking lot). The groin would extend approximately 490 feet waterward of the mean high water line (MHWL), and 380 feet beyond the mean low water line (MLWL).

The overall area to be filled is 1.214 acres in size. This area would be excavated in order to reach the proposed base elevation (-10 feet NAVD88), with approximately 10,239 cubic yards (CY) of material excavated, including stone and rubble from the old groin, as well as native sand. The excavated stone and rubble from the existing groin would be reused within the footprint of the new proposed groin (along with additional new quarry stone to be imported by truck). The new groin would include 300 linear feet of steel sheet piling extending perpendicular to the shoreline (from the existing wood bulkhead). The sheets would be driven by vibratory hammer to an elevation of -20 feet NAVD88. The area of fill below the high tide line (HTL, i.e. within the Corps' jurisdiction) would be 1.077 acres. The area of sub-tidal fill (i.e. below the mean low water line or MLWL) would be 0.853 acre; with the remainder, 0.224 acre, consisting of inter-tidal fill between the HTL and the MLWL. The total volume of fill to be discharged is 17,710 cubic yards, with 14,300 cubic yards waterward of the HTL. The maximum height of the groin would be +10 feet (NAVD 88), or 8.42 feet above mean high water (MHW), with the outermost 200 feet at an elevation of +5 feet (NAVD88), or 3.42 feet above MHW.

Prior to construction, safety barriers and erosion control measures would be installed. The plans designate on-land (beach) and in-water areas for staging and access, where additional temporary impacts would occur. The adjacent public parking lot would also be used for vehicle access and staging of equipment and materials. The staging areas would provide access for deliveries of rock by tri-axle trucks, with re-handling on site by front end loaders. Once staged, the rock would be placed by crane or tracked hoe, situation dependent. Only land-based equipment would be used in the construction activities, with no vessels. Subsequent to removal of the existing groin, a temporary steel sheet pile coffer dam would be driven in order to provide a de-watered work area for placement of the 1-foot thick, stone-filled marine mattress with geotextile filter fabric, inner core stone and outer armor stone. Construction activities would be limited to between September 1 and February 28, inclusive, of any year. The project is scheduled to begin in September 2018, and would require approximately six months to stage and construct.

The State of New Jersey, Department of Environmental Protection (NJDEP), Division of Land Use Regulation, is currently reviewing an application for Individual CAFRA and Waterfront Development Permits (including Water Quality Certification) for the proposed work (NJDEP File Number 1517-18-0032.1).

Applicant's Statement Pursuant to Regulations at 33 CFR 325.1(d)(7) and 33 CFR 332.4(b)(1):

The applicant has stated the following as their position with regard to (a) avoidance and minimization of impacts to aquatic resources, and (b) compensatory mitigation for such impacts:

- a. "Although the project cannot be avoided entirely because it is, by its nature, a water dependent activity, the applicant proposes to avoid/minimize impacts to the aquatic environment by incorporating engineering/construction procedures into the process to substantially reduce impacts to aquatic resources."

- b. "The majority of the impacts will be temporary in nature and any permanent impacts will be very minor, therefore compensatory mitigation should not be required."

**PURPOSE:** The applicant's stated purpose is "to maintain the dune and beach profile associated with the Long Beach Island Beach Nourishment Project to protect public and private property North of the terminal groin;" and "Replace the existing groin with a modern engineered rock and steel structure to preserve the southern terminus of the Barnegat Inlet to Little Egg Inlet beach replenishment project."

A preliminary review of this application indicates that species listed under the Endangered Species Act (ESA) may be present in the action area. There is no designated or proposed critical habitat for such species in the action area. The Philadelphia District will evaluate the potential effects of the proposed actions on ESA listed species and will consult with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service as appropriate pursuant to Section 7 of the ESA, as amended. 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 30 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Compliance with Section 106 of the National Historic Preservation Act, including consultation with the New Jersey Historic Preservation Office, is ongoing as part of this Regulatory Branch permit application review.


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 James Boyer at (215) 656-5826, by electronic mail to [James.N.Boyer@usace.army.mil](mailto:James.N.Boyer@usace.army.mil), or by writing to this office at the above address.

  
Edward E. Bonner  
Chief, Regulatory Branch