

PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2013-00610-EBO
Issue Date: June 13, 2013
Expiration Date: July 13, 2013

The New York District, Corps of Engineers 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).

APPLICANT: James Chenitz
632 South Riverside Drive
Neptune, NJ 07753

ACTIVITY: Proposed construction of a recreational dock.

WATERWAY: Shark River

LOCATION: Township of Neptune, Monmouth County, New Jersey.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

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 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.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Comments provided will become a part of the public record for this action.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE

CENAN-OP-RE
MEMORANDUM FOR THE RECORD

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New Jersey State, the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Coastal Management Program, P.O. Box 418, 401 E. State Street, Trenton, NJ, 08625, Telephone (609) 633-2201. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New Jersey Department of Environmental Protection

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917)790-8516 and ask for Leslie Bowles-Early.

In order for us to better serve you, please complete our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>


Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

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WORK DESCRIPTION

The applicant, James Chenitz, has requested Department of the Army authorization for the proposed construction of recreational dock in the Township of Neptune, Monmouth County, New Jersey.

The proposed work would involve: The project involves the construction of a new 4-foot-wide by 65-foot-long fixed timber pier leading to an 8-foot-wide by 65-foot-long fixed timber pier with two jet-ski davits and installation of ten (10) 12-inch diameter pilings on either side of the fixed dock to prevent the mooring of motorized watercraft. The dock will be constructed 4.5-feet above coastal vegetation and constructed of non-polluting materials.

The stated purpose of this project is to provide safe recreational mooring for canoes and rowing skulls.

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U.S.G.S. Quadrangle: Asbury Park, NJ

Send To Printer

Back To MSR Maps

Change to 11x17 Print Size

Show Grid Lines

Change to Landscape

USGS Shark River Hills, New Jersey, United States 01 Jul 1989



Image courtesy of the U.S. Geological Survey

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Vicinity Map

Fixed Recreational Dock

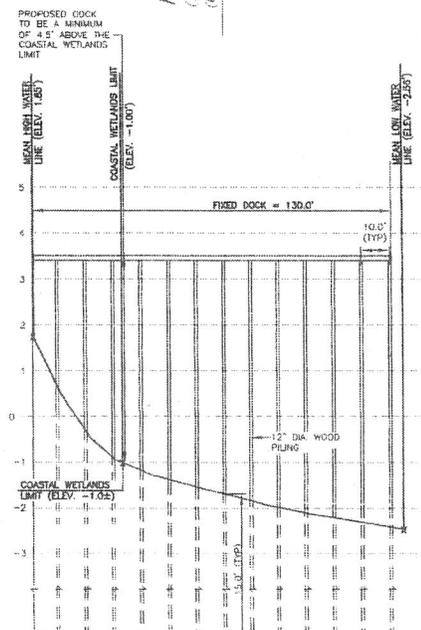
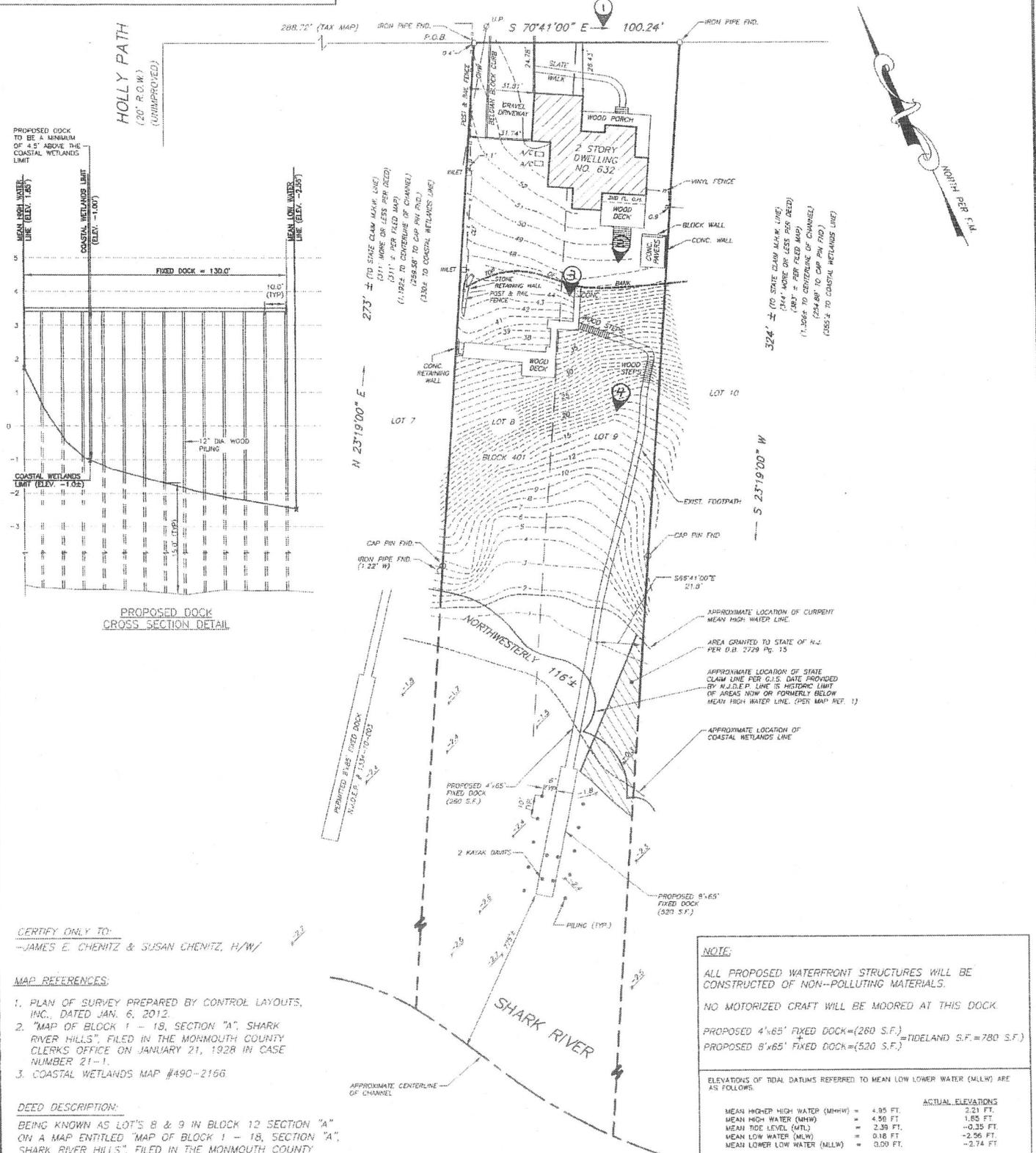
http://www.msrmaps.com

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THE USE OF THIS PLAN FOR A "SURVEY AFFIDAVIT" IS NOT PERMISSIBLE AND SAID USE WILL DEEM THIS PLAN INVALID.

SOUTH RIVERSIDE DRIVE (70' R.O.W.)



PROPOSED DOCK CROSS SECTION DETAIL

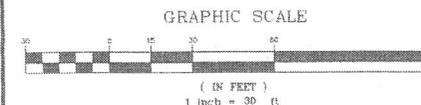
CERTIFY ONLY TO:
 JAMES E. CHENITZ & SUSAN CHENITZ, H/W

MAP REFERENCES:

- PLAN OF SURVEY PREPARED BY CONTROL LAYOUTS, INC., DATED JAN. 6, 2012.
- "MAP OF BLOCK 1 - 18, SECTION 'A', SHARK RIVER HILLS", FILED IN THE MONMOUTH COUNTY CLERKS OFFICE ON JANUARY 21, 1928 IN CASE NUMBER 21-1.
- COASTAL WETLANDS MAP #490-2156

DEED DESCRIPTION:
 BEING KNOWN AS LOTS 8 & 9 IN BLOCK 12 SECTION "A" ON A MAP ENTITLED "MAP OF BLOCK 1 - 18, SECTION 'A', SHARK RIVER HILLS", FILED IN THE MONMOUTH COUNTY CLERKS OFFICE ON JANUARY 21, 1928 IN CASE NUMBER 21-1.

DEED REFERENCE:
 DEED BOOK 8436, PAGE 281, MONMOUTH COUNTY, N.J.
 ** ELEVATIONS BASED ON N.A.V.D. OF 1989



NOTE:
 ALL PROPOSED WATERFRONT STRUCTURES WILL BE CONSTRUCTED OF NON-POLLUTING MATERIALS.
 NO MOTORIZED CRAFT WILL BE MOORED AT THIS DOCK.
 PROPOSED 4'x65' FIXED DOCK=(280 S.F.) + TIDE LAND S.F.=780 S.F.)
 PROPOSED 8'x65' FIXED DOCK=(520 S.F.)

ELEVATIONS OF TIDAL DATUMS REFERRED TO MEAN LOW LOWER WATER (MLLW) ARE AS FOLLOWS:

	ACTUAL ELEVATIONS
MEAN HIGH-HIGH WATER (MHHW) =	4.95 FT. 2.21 FT.
MEAN HIGH WATER (MHW) =	4.59 FT. 1.85 FT.
MEAN TIDE LEVEL (MTL) =	2.99 FT. -0.25 FT.
MEAN LOW WATER (MLW) =	0.18 FT. -2.56 FT.
MEAN LOWER LOW WATER (MLLW) =	0.00 FT. -2.74 FT.

ACRE SURVEY COMPANY, INC.
 804 HIGHWAY 71
 SPRING LAKE HEIGHTS, NJ 07762
 732-449-1151

Joseph L. Lazok
 JOSEPH L. LAZOK, P.L.S.
 NJ PROFESSIONAL LAND SURVEYOR, LIC. # 37200

CERT. OF AUTH. No. 246A28057200

IF THIS PLAN DOES NOT CONTAIN A "RAISED SEAL" IT SHOULD BE DISCARDED, AND CONSIDERED INVALID.

NO.	DATE	REVISION DESCRIPTION	DRWN	CHKD	APP
1	11-28-2012	GENERAL REVISIONS	RP	JL	
2	11-7-2012	GENERAL DOCK REVISIONS	RP	JL	
3	10-10-12	ADDED DOCK SECTION DETAIL	RP	JL	
4	8-20-2012	DOCK LOCATION	PD	JL	
5					

SURVEY MAP OF TAX MAP LOTS 8 & 9 BLOCK 401 TOWNSHIP OF NEPTUNE MONMOUTH COUNTY, NEW JERSEY

SCALE: 1"=30' DATE: 5-18-2012 DRAWN BY: RP DRAWING No: 5665