



# 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-2012-01249-EBO  
Issue Date: 10 December 2012  
Expiration Date: 09 January 2013

To Whom It May Concern:

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: David and Ellen Brown  
6 Wilson Circle  
Rumson, NJ 07760

ACTIVITY: Proposed construction of a new dock for residential homeowner use.

WATERWAY: Navesink River, which is tributary to Sandy Hook Bay

LOCATION: Borough of Rumson, 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.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any

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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.

Reviews of activities pursuant to Section 404 of the Clean Water Act 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 and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

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:

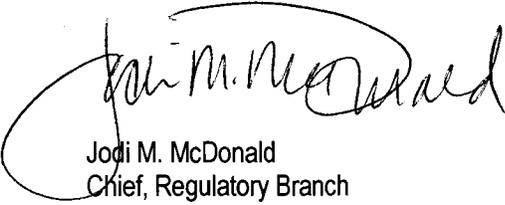
- New Jersey Department of Environmental Protection

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>

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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

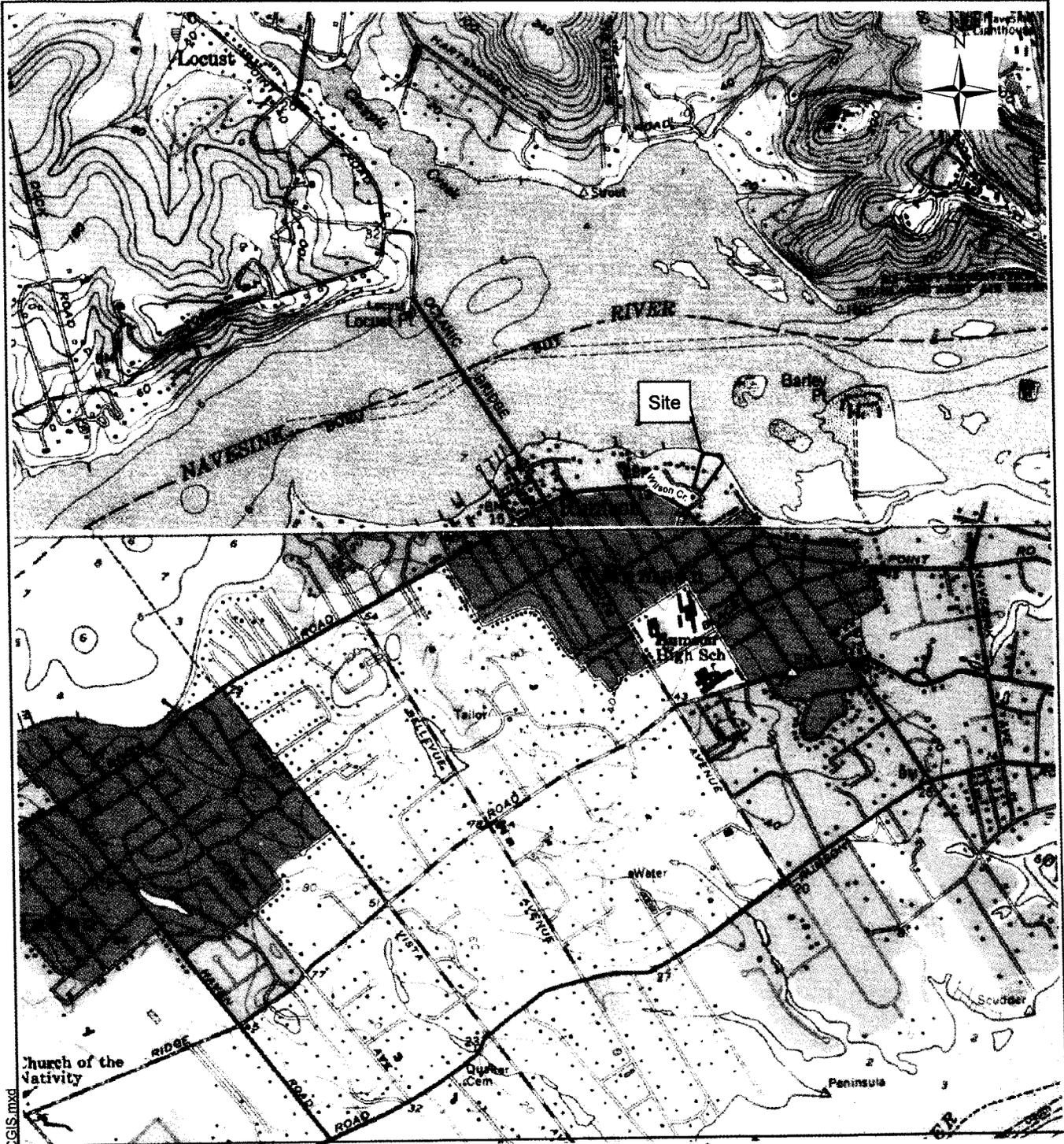
Enclosures

**WORK DESCRIPTION**

The applicants, David and Ellen Brown, have requested Department of the Army authorization for the proposed construction of a new dock for residential homeowner use in the Borough of Rumson, Monmouth County, New Jersey.

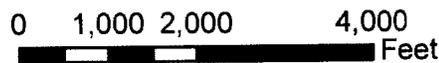
The work would involve the construction of a 4-foot wide by 240-foot long fixed timber pier, of which 110-feet of the proposed structure would be located waterward of the Mean High Water Line (MHW). In addition to the proposed fixed timber pier, other structures include a 3-foot-wide by 25-foot-long gangway leading to an 8-foot-wide by 20-foot-long floating dock with 2 boat lifts. Each boat lift will be 14-feet by 20-feet. There is no dredging proposed.

The applicant's purpose of this project is to provide safe recreational mooring and enhance recreational capacity of the property.



Y:\6551 Brown Rumson\Aerial Photo\ARCGIS.mxd

SOURCE:  
USGS Quads  
Long Branch and Sandy Hook



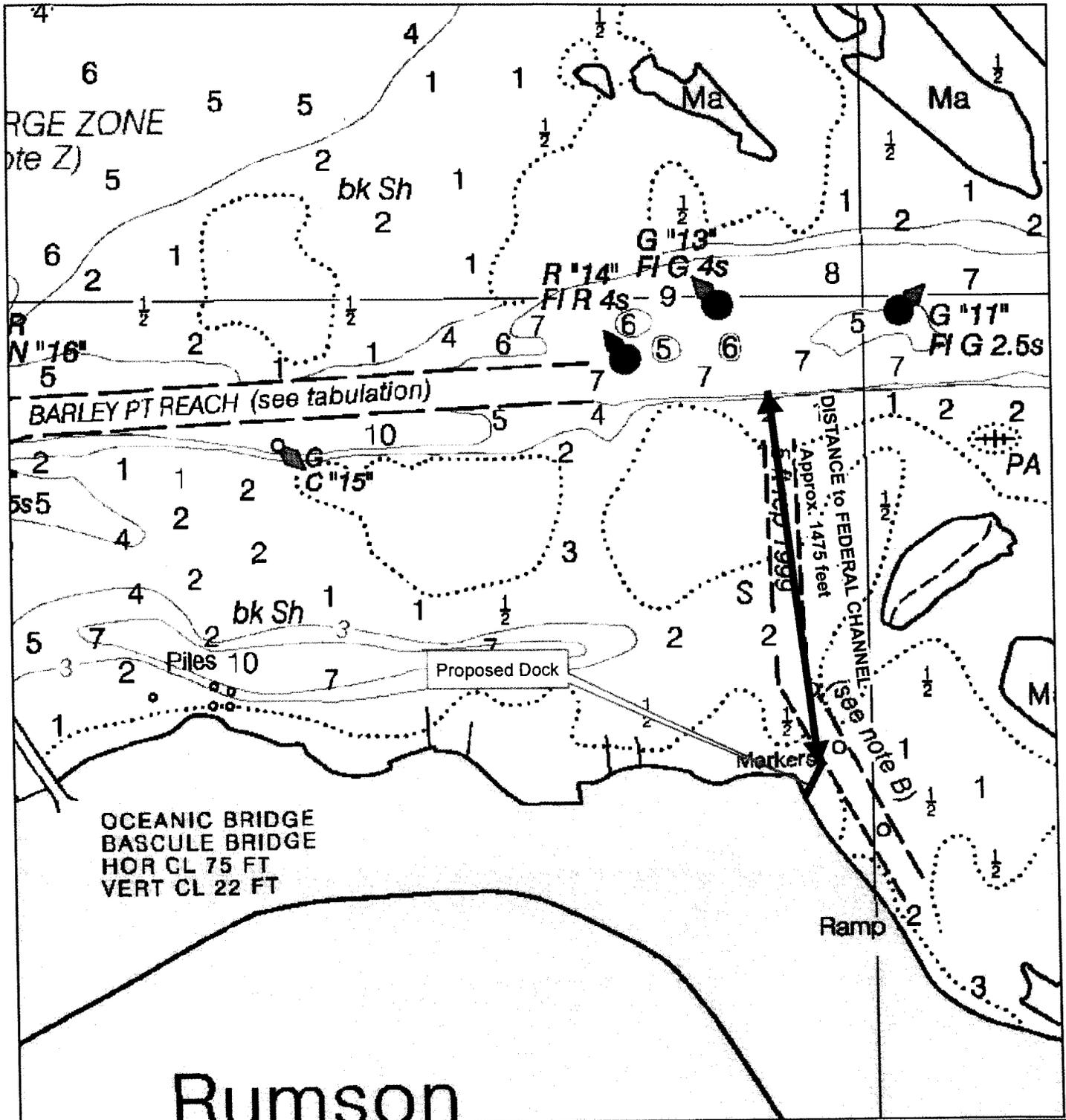
**Fig 1: Site Location Map**

Block 49, Lot 7  
Rumson Borough  
Monmouth County, NJ



**Najarian**  
Associates

DRAWN BY DCS	SCALE 8-2-11	DATE 1"-2000'	PROJECT #	FIGURE
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SOURCE:  
chart 12325

**Navigation Chart**

Block 49, Lot 7  
Rumson Borough  
Monmouth County, NJ



*Najarian*  
Associates

DRAWN BY GRM	SCALE 9-27-12	DATE 1"=500'	PROJECT #	FIGURE
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Y:\6551 Brown Rumson\Navig chart



**NOTES-**

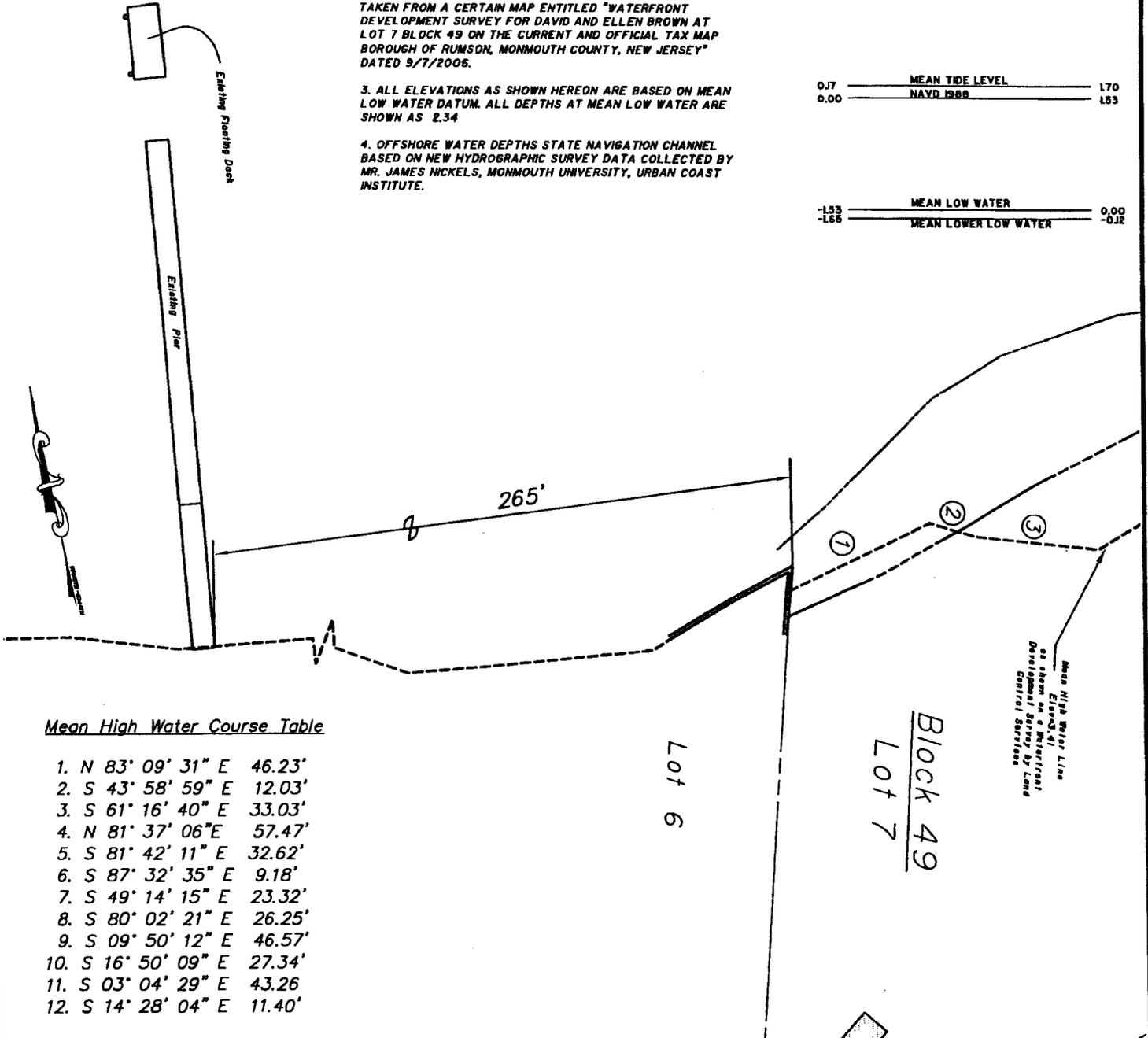
1. BLOCK AND LOT NUMBERS AS SHOWN HEREON REFER TO THE OFFICIAL TAX MAP OF THE BOROUGH OF RUMSON.

2. BOUNDARY SURVEY INFORMATION AS SHOWN HEREON TAKEN FROM A CERTAIN MAP ENTITLED "WATERFRONT DEVELOPMENT SURVEY FOR DAVID AND ELLEN BROWN AT LOT 7 BLOCK 49 ON THE CURRENT AND OFFICIAL TAX MAP BOROUGH OF RUMSON, MONMOUTH COUNTY, NEW JERSEY" DATED 9/7/2006.

3. ALL ELEVATIONS AS SHOWN HEREON ARE BASED ON MEAN LOW WATER DATUM. ALL DEPTHS AT MEAN LOW WATER ARE SHOWN AS 2.34

4. OFFSHORE WATER DEPTHS STATE NAVIGATION CHANNEL BASED ON NEW HYDROGRAPHIC SURVEY DATA COLLECTED BY MR. JAMES NICKELS, MONMOUTH UNIVERSITY, URBAN COAST INSTITUTE.

NAVD		MLW
2.22	SPRING HIGH TIDE	3.75
1.88	MEAN HIGH WATER	3.41
0.77	MEAN TIDE LEVEL	1.70
0.00	NAVD 1988	1.53
-1.53	MEAN LOW WATER	0.00
-1.65	MEAN LOWER LOW WATER	-0.12



Mean High Water Course Table

1. N 83° 09' 31" E 46.23'
2. S 43° 58' 59" E 12.03'
3. S 61° 16' 40" E 33.03'
4. N 81° 37' 06" E 57.47'
5. S 81° 42' 11" E 32.62'
6. S 87° 32' 35" E 9.18'
7. S 49° 14' 15" E 23.32'
8. S 80° 02' 21" E 26.25'
9. S 09° 50' 12" E 46.57'
10. S 16° 50' 09" E 27.34'
11. S 03° 04' 29" E 43.26'
12. S 14° 28' 04" E 11.40'

**LEGEND:**

x1.20 Elevation at Mean Low Water

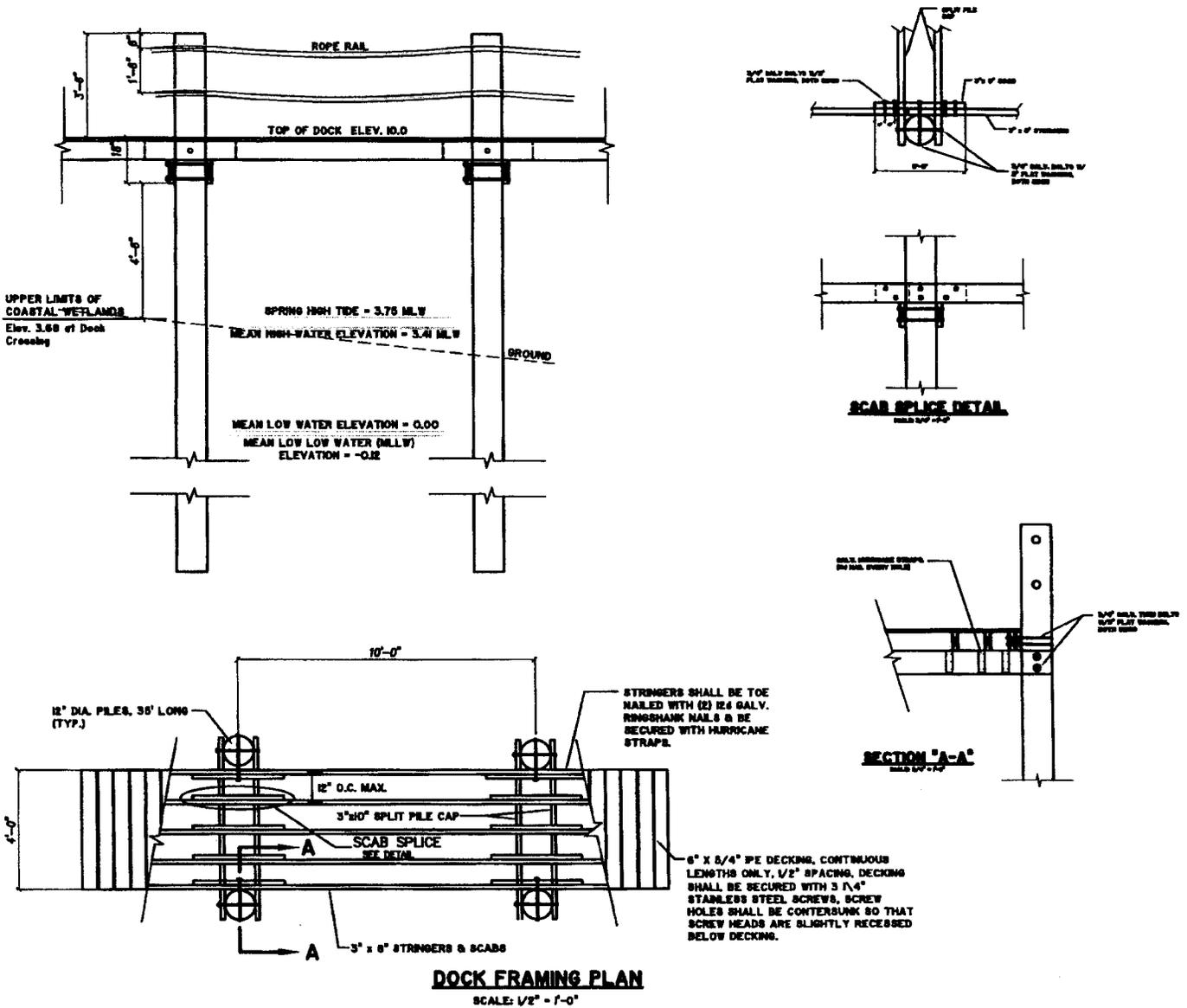
1.20 Depth at Mean Low Water

X10.0 Proposed Elevation Top of Deck

DESIGNED		
APPROVED	CHECKED	
G.M.	G.M.	
<b>ROBERT B. KUHNE</b>		
N.J. PROFESSIONAL ENGINEER No. 41367		

<b>U.S. ARMY CORPS OF ENGINEERS PROPOSED DOCK</b>				
6 WILSON CIRCLE BLOCK 49, LOT 7 BOROUGH OF RUMSON MONMOUTH COUNTY, N.J.				
 <b>Najarian Associates</b>				
Professional Engineers, Land Surveyors & Planners - Scientists One Industrial Way West, Eatontown, New Jersey 07724 (732) 389-0220 • Facsimile No. (732) 389-8546 Certificate of Authorization Certificate # 24GA27993300				
DRAWN BY:	SCALE:	DATE:	DRAWING NO:	SHEET NO:
ACAD	1"=40'	9/19/12	6551	2

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**DOCK FRAMING PLAN**  
SCALE: 1/2" = 1'-0"

**NOTES:**

1. ALL PILING AND STRUCTURAL MEMBERS SHALL BE CONSTRUCTED OF NON-POLLUTING MATERIALS SUCH AS "SHEDHEART" OR "P-C".
2. ALL DECKING SHALL BE CONSTRUCTED OF NON-POLLUTING MATERIALS. HORIZONTAL SPACING BETWEEN PLANKS SHALL BE MIN. OF 1/2".
3. ALL PILES USED IN CONSTRUCTION SHOULD BE FLSH DRIES, MARINE GRADE, DENSE, "SHEDHEART" TIMBER SPECIFIED USING TP CIRCUMFERENCE IN ACCORDANCE WITH ASTM-D-25.
4. ALL FASTENERS AND TIE RODS SHOULD BE HOT DIPPED GALVANIZED PER ASTM A-653 WITH 50 GUNCS OF ZINC PER SQUARE FOOT OR BE CORROSION RESISTANT BITUMASTIC COATED OR 304 SERIES STAINLESS STEEL.

DESIGNED	
APPROVED G.M.	CHECKED G.M.
<b>ROBERTY B. KUHNE</b> 	
N.J. PROFESSIONAL ENGINEER No. 41367	

**U.S. ARMY CORPS OF ENGINEERS  
PROPOSED DOCK DETAILS**

6 WILSON CIRCLE  
BLOCK 49, LOT 7  
BOROUGH OF RUMSON  
MONMOUTH COUNTY, N.J.



Professional Engineers, Land Surveyors & Planners - Scientists  
One Industrial Way West, Eatontown, New Jersey 07724  
(732) 389-0220 - Facsimile No. (732) 389-8546  
Certificate of Authorization Certificate # 24GA27993300

DRAWN BY: ACAD	SCALE: NONE	DATE: 9/19/12	DRAWING NO: 6551	SHEET NO: 3
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