

# 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-2011-00901-EHA  
Issue Date: March 13, 2012  
Expiration Date: April 12, 2012

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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: James Jacobson  
908 Navesink River Road  
Locust, New Jersey 07760

ACTIVITY: Construct bulkhead and place fill in wetlands

WATERWAY: Navesink River

LOCATION: Town of Middletown, 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.

**PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE**

CENAN-OP-RE  
PUBLIC NOTICE NO. NAN-2011-00901-EHA

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 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 is 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

In order for us to better serve you, please complete our Customer Service Survey located at: <http://www.nan.usace.army.mil/business/buslinks/regulat/index.php?survey>.

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) 790-8523 and ask for Naomi Handell.

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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>

A handwritten signature in black ink, appearing to read "Stanley Masfous". The signature is fluid and cursive, with the first name "Stanley" written in a larger, more prominent script than the last name "Masfous".

for Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

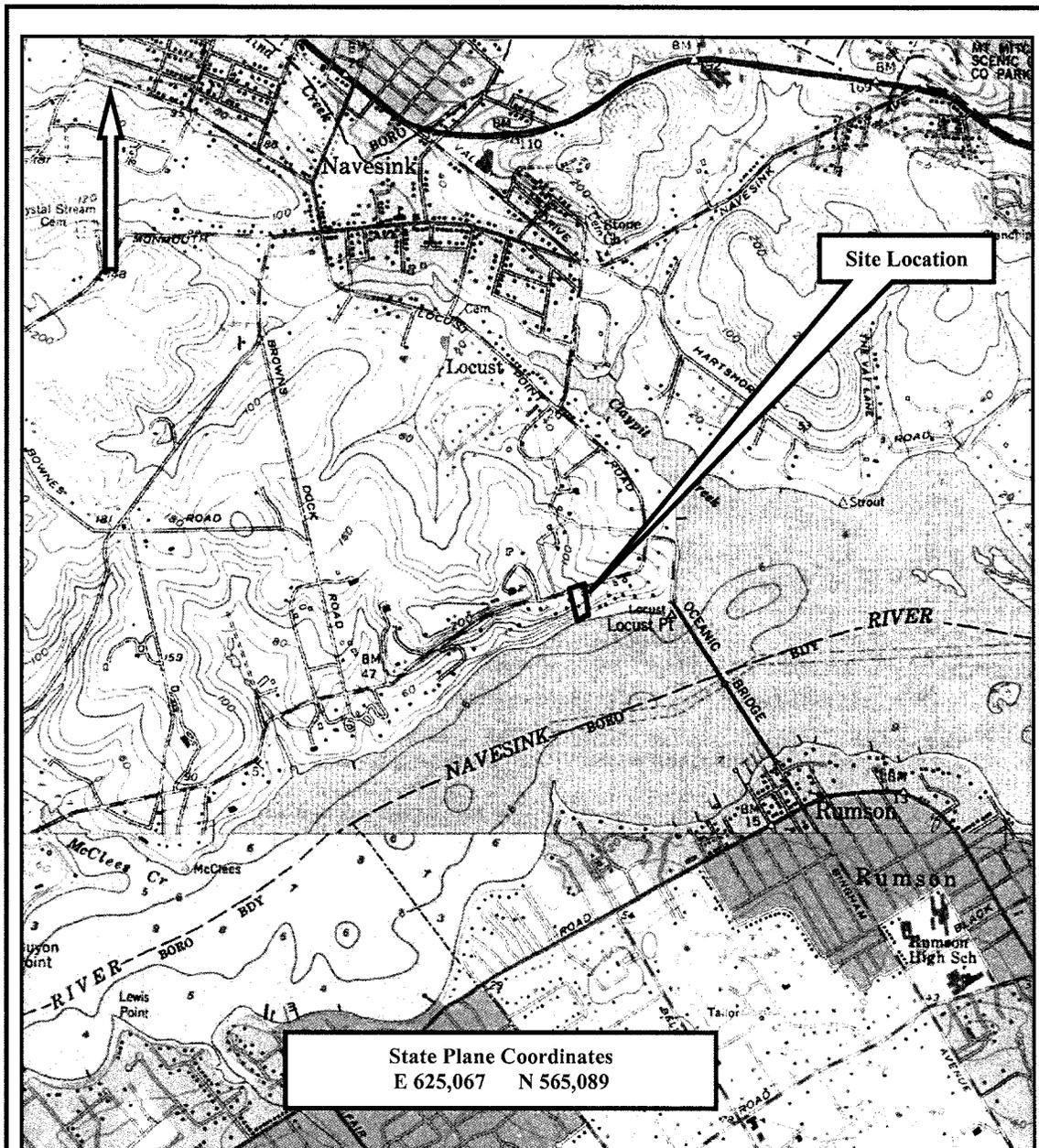
The applicant, James Jacobson, has requested Department of the Army authorization to construct a bulkhead and place fill in wetlands in the Navesink River, Town of Middletown, Monmouth County, New Jersey.

The work would involve:

Construction of a 184 foot long vinyl bulkhead and the placement of 400 cubic yards of clean, upland fill (See Sheets 9 and 10 of 10). Total impacts to waters of the United States would involve the discharge of fill material into a maximum of .057 acres of tidal wetlands and 0.038 acres of freshwater wetlands. Plant area landward of proposed bulkhead as shown on Sheets 7, 9 and 10 of 10.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by: minimizing the amount of fill necessary to add adequate strength to the proposed bulkhead and proposing a monetary contribution to the New Jersey Natural Lands Trust to compensate for the adverse impact to wetlands.

The stated purpose of this project is to stabilize a slump block underlying the coastal bluff located along the shoreline of the property.

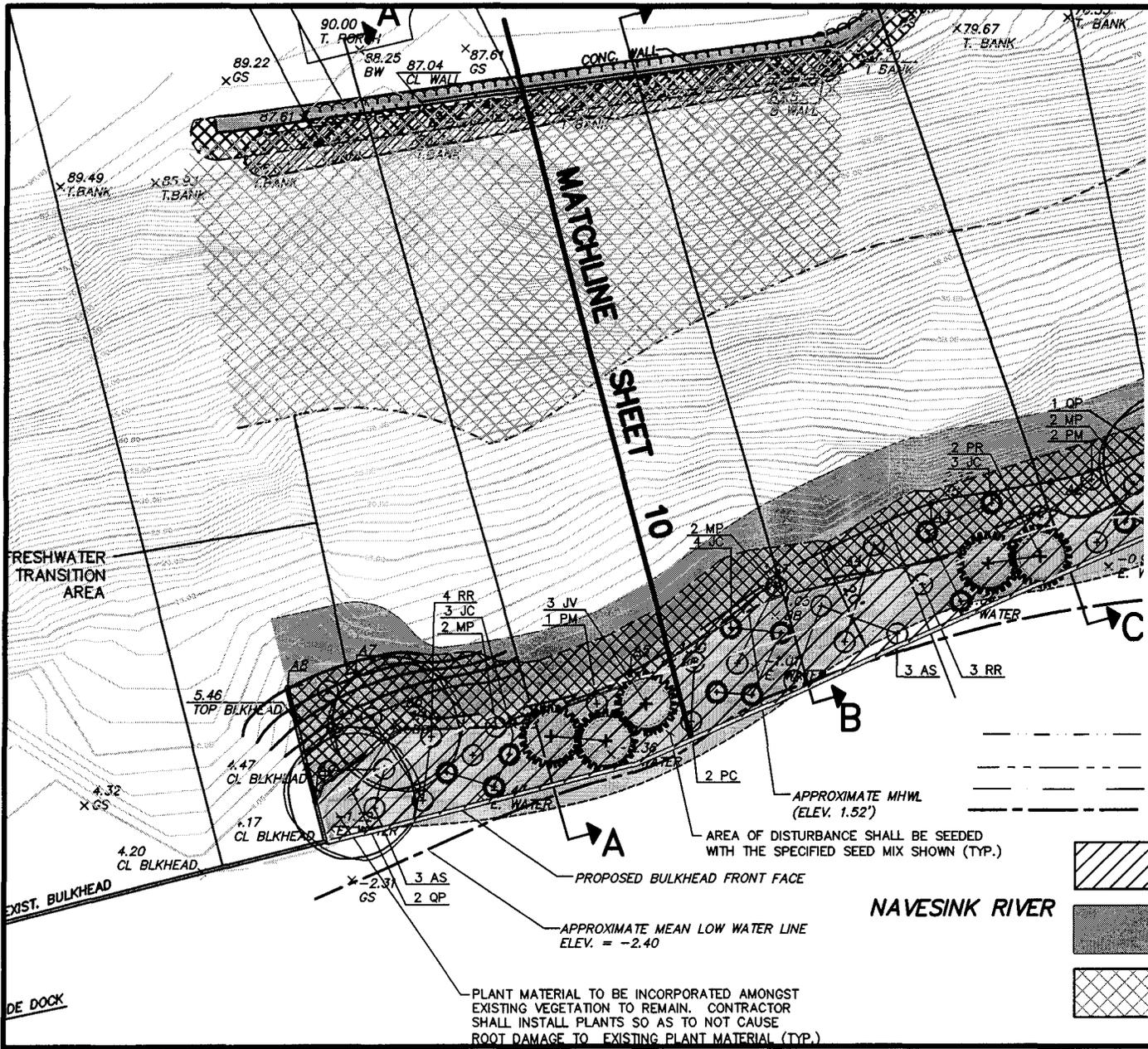


**FIGURE 2 – USGS QUADRANGLE**

SOURCE: USGS SANDY HOOK AND LONG BRANCH, NJ QUADRANGLE S  
SCALE: APPROX. 1"=2000'

JACOBSON RESIDENCE  
BLOCK 886, LOT 16  
TOWNSHIP OF MIDDLETOWN, MONMOUTH COUNTY  
NEW JERSEY

NAN-2011-00901-EHA 1/11



SCALE IN FEET  
(1"=30')

**LEGEND**

-  WETLAND BOUNDARY/SPRING HIGH WATER LINE
-  APPROXIMATE MHWL (ELEV. 1.52')
-  FORMER MHWL
-  APPROXIMATE MEAN LOW WATER LINE (ELEV. -2.40')
-  AREA OF FILL BELOW MEAN HIGH WATER LINE: 2,493 SF  
EXTENT OF FILL BELOW MEAN HIGH WATER LINE: 0 TO 18 LF
-  AREA OF WETLANDS FILL: 1,663 SF
-  TEMPORARY RIPARIAN BUFFER DISTURBANCE: 3,001 SF



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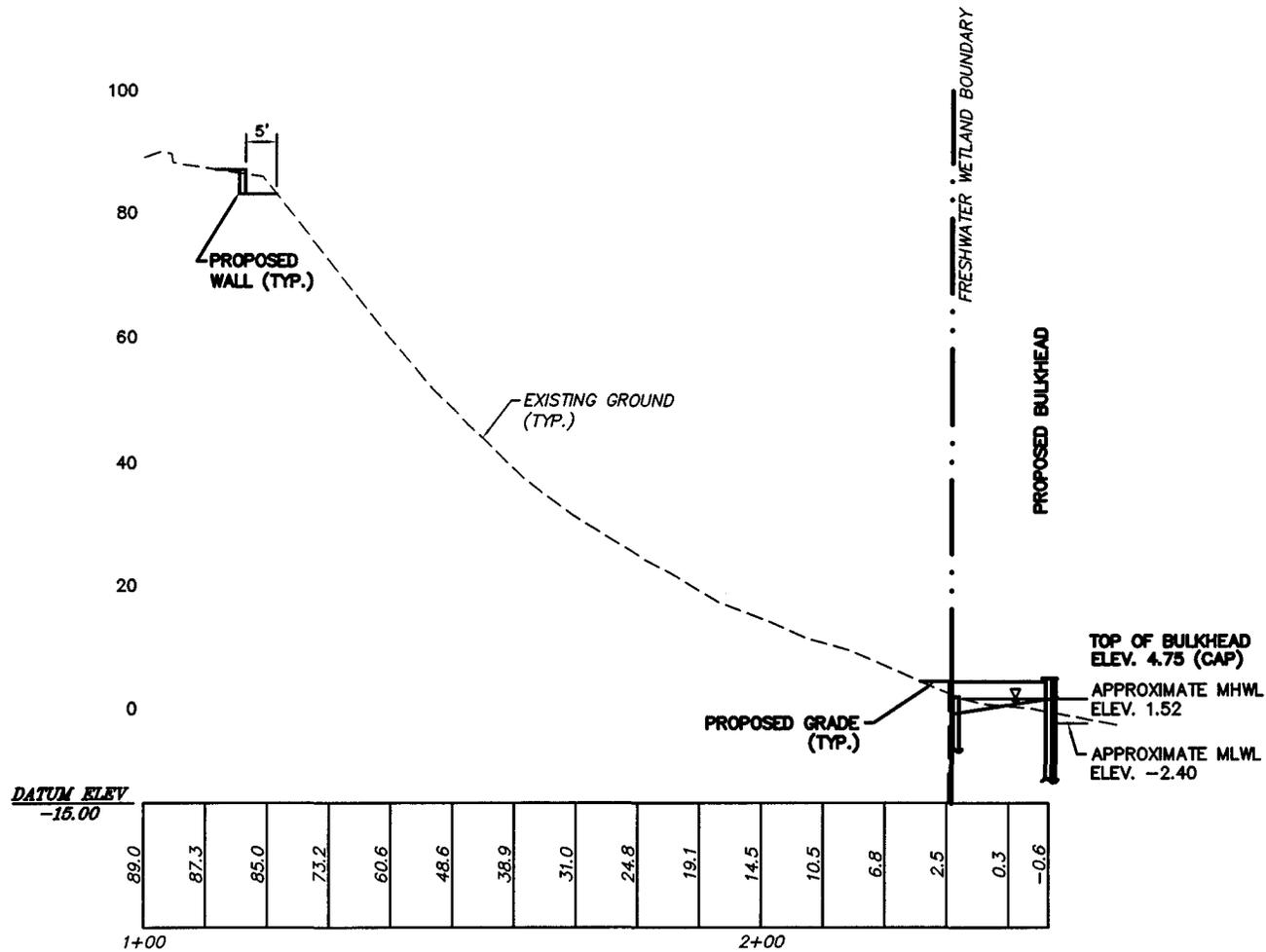
**RED BANK OFFICE**  
331 Newman Springs Road  
Suite 203  
Red Bank, N.J. 07701  
Phone (732) 383-1950  
Fax (732) 383-1984  
E-mail - solutions@maserconsulting.com

**CORRUGATED VINYL BULKHEAD AND  
MODULAR BLOCK WALL PLAN ASSOCIATED  
WITH SLUMP BLOCK STABILIZATION**  
FOR  
**LOT 16 BLOCK 886**  
TOWNSHIP OF MIDDLETOWN MONMOUTH COUNTY NEW JERSEY

JOB NUMBER: 05000536A	DATE: 09/19/11
SCALE: 1"=50'	LATEST REVISION:
INDEX NUMBER: RB015967	DESIGN BY: PCS
SHEET NUMBER: <b>2 of 11</b>	

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**CROSS-SECTION A-A**

SCALE: H 1"=30'  
V 1"=30'

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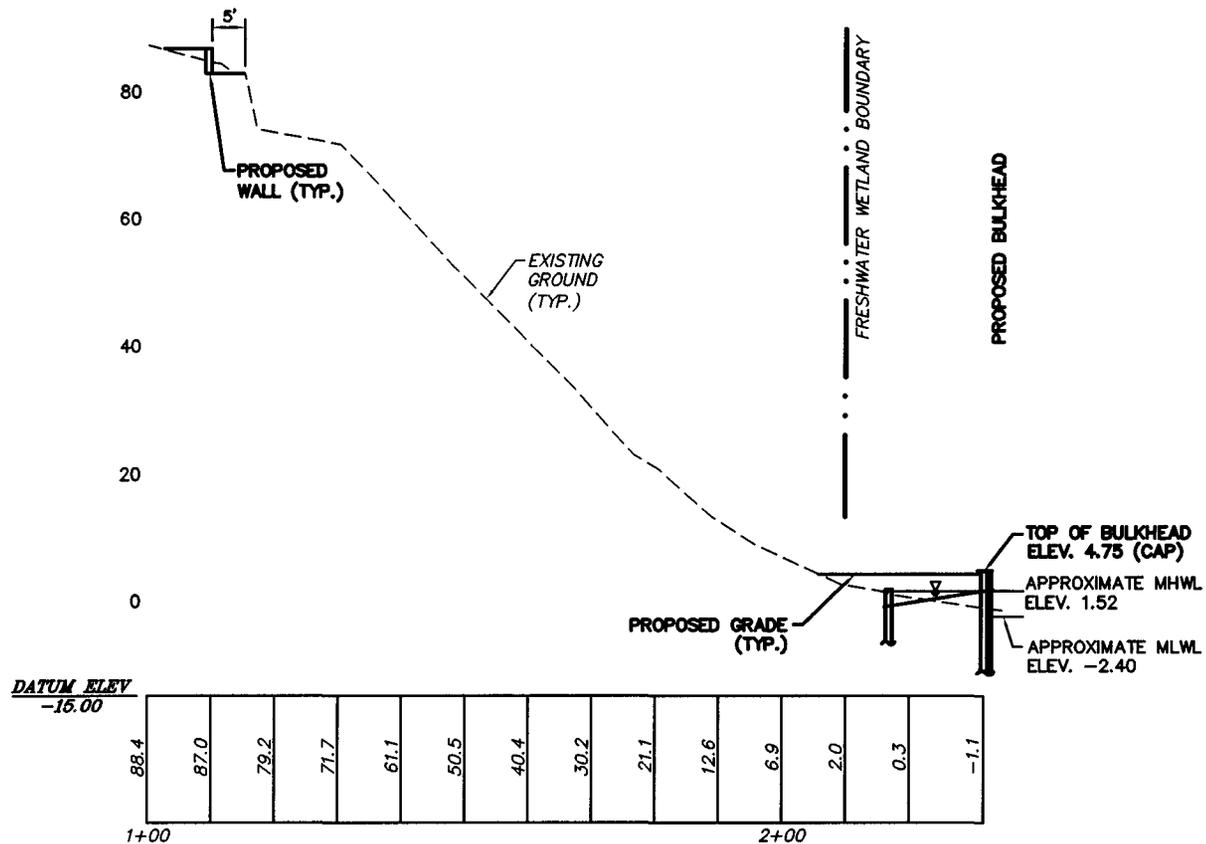
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### CROSS-SECTION B-B

SCALE: H 1"=30'  
V 1"=30'

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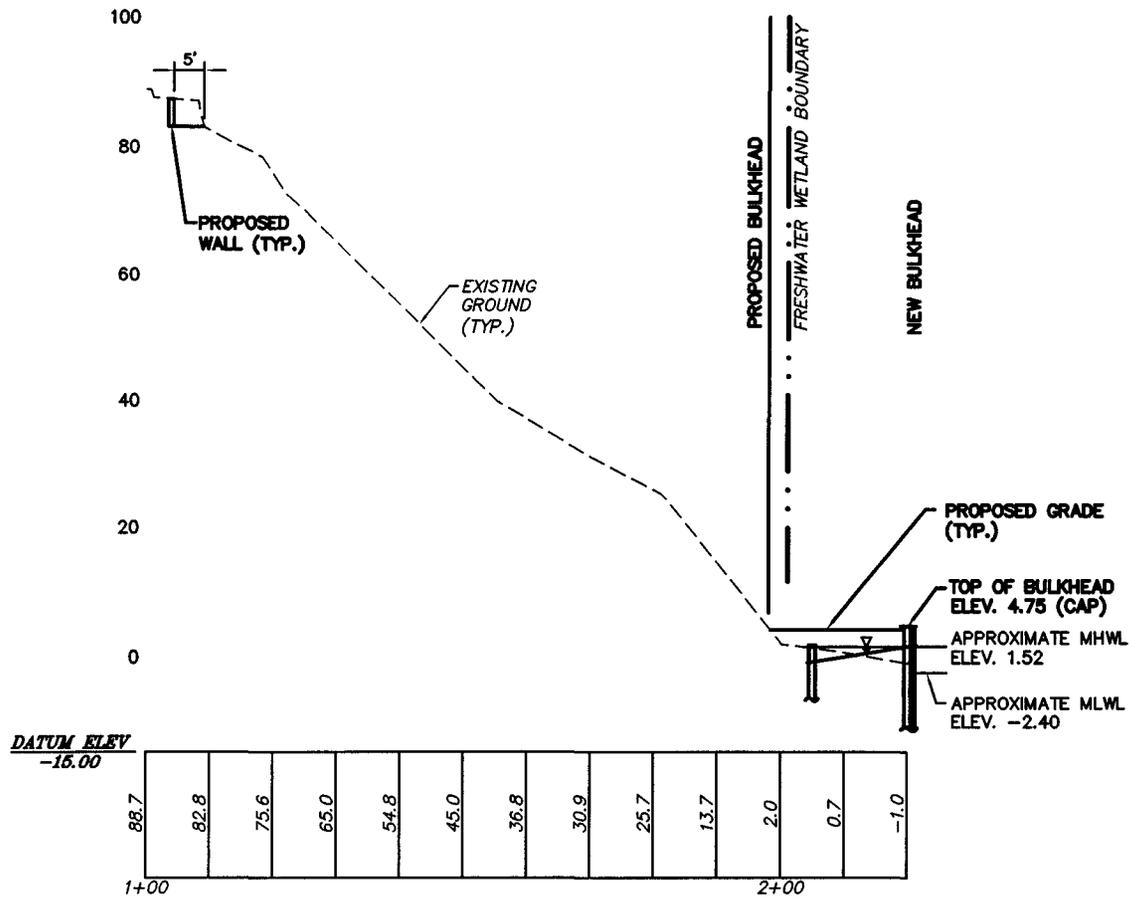
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### CROSS-SECTION C-C

SCALE: H 1"=30'  
V 1"=30'

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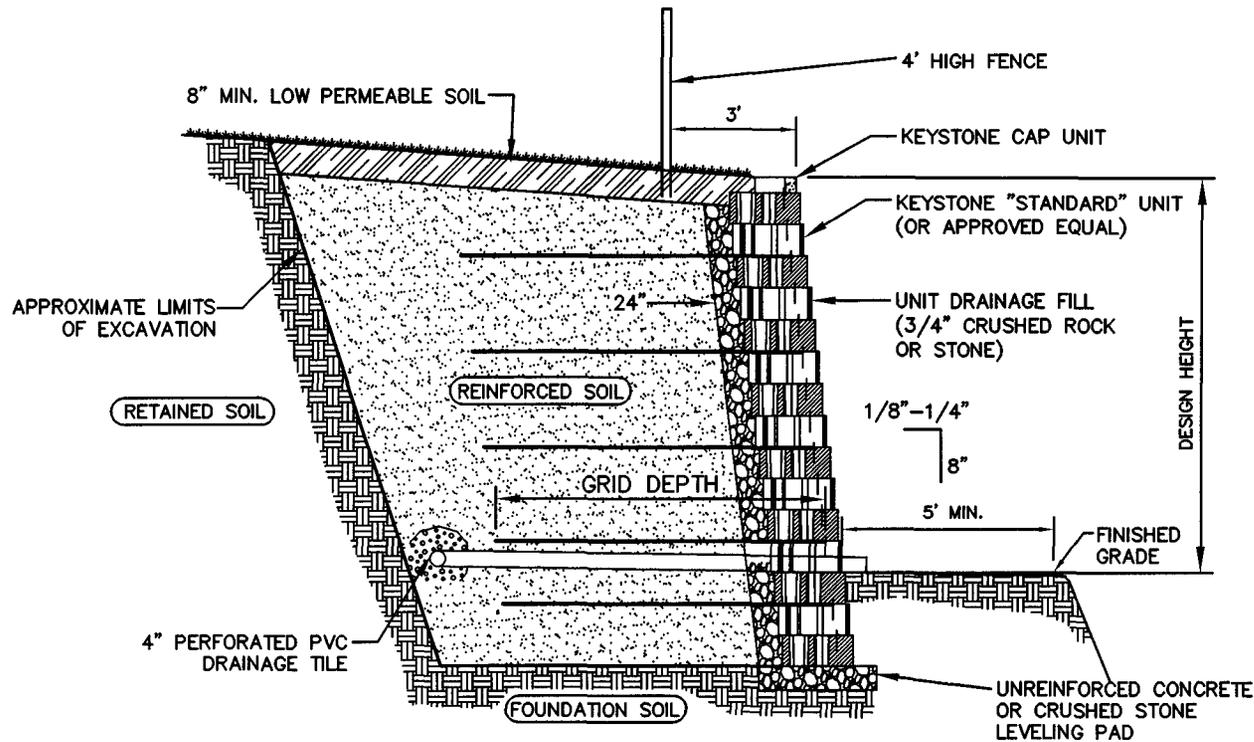
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**NOTES:**

1. WHEN SITE CONDITIONS REQUIRE, WRAP DRAINAGE TILE IN 3/4" AGGREGATE AND FILTER FABRIC WITH DRAINAGE COMPOSITE OR AGGREGATE BACK DRAIN SYSTEM, AS DIRECTED BY GEOTECHNICAL ENGINEER.
2. THIS DETAIL IS PROVIDED AS A GENERAL GUIDE FOR THE PROPOSED CONSTRUCTION OF THE MODULAR BLOCK RETAINING WALL. NO STRUCTURAL DESIGN IS IMPLIED OR INTENDED. WE INDICATE KEYSTONE RETAINING WALL SYSTEM TYPICAL SECTIONS FOR REFERENCE.
3. PRIOR TO CONSTRUCTION, SHOP DRAWINGS AND FULL STRUCTURAL DESIGN CALCULATIONS AND SITE SPECIFIC DETAILS, SIGNED AND SEALED BY A NJ PROFESSIONAL ENGINEER, SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL.
4. CONTRACTOR TO VERIFY SOIL CONDITIONS IN THE FIELD.

**TYPICAL MODULAR BLOCK WALL SECTION**  
**STANDARD UNIT – NEAR VERTICAL SETBACK**  
 N.T.S.

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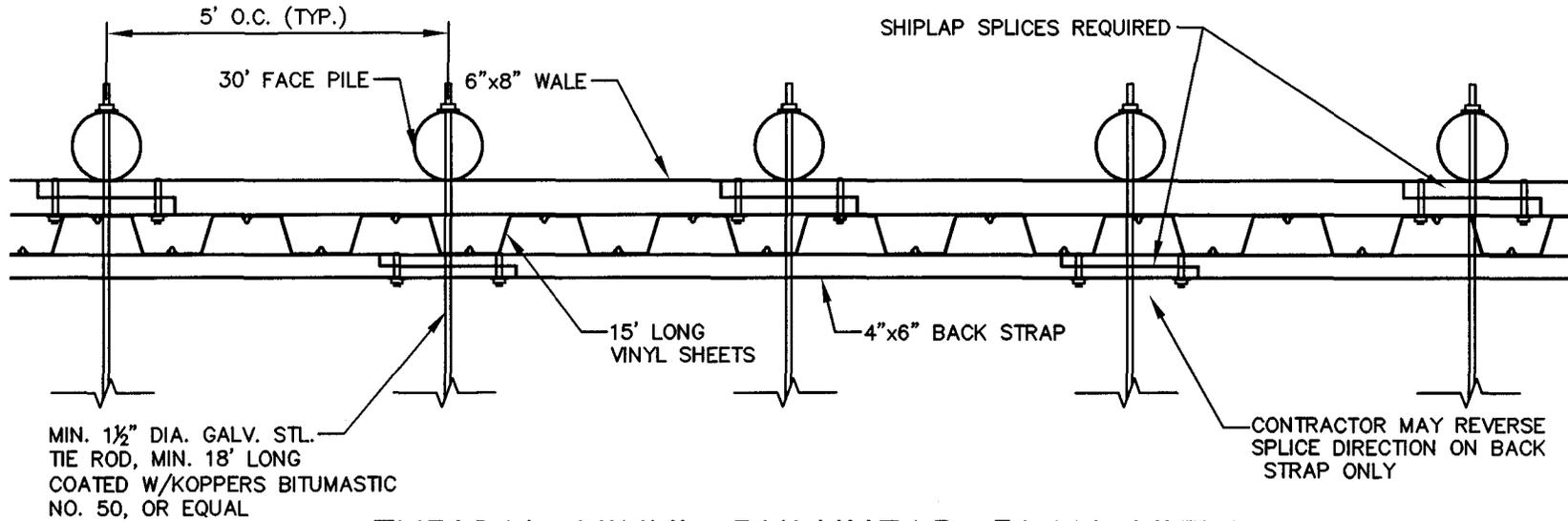
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-ALL WASHERS SHALL BE OGEE WASHERS, HOT DIPPED GALVANIZED



**TYPICAL VINYL BULKHEAD PLAN VIEW**  
NOT TO SCALE



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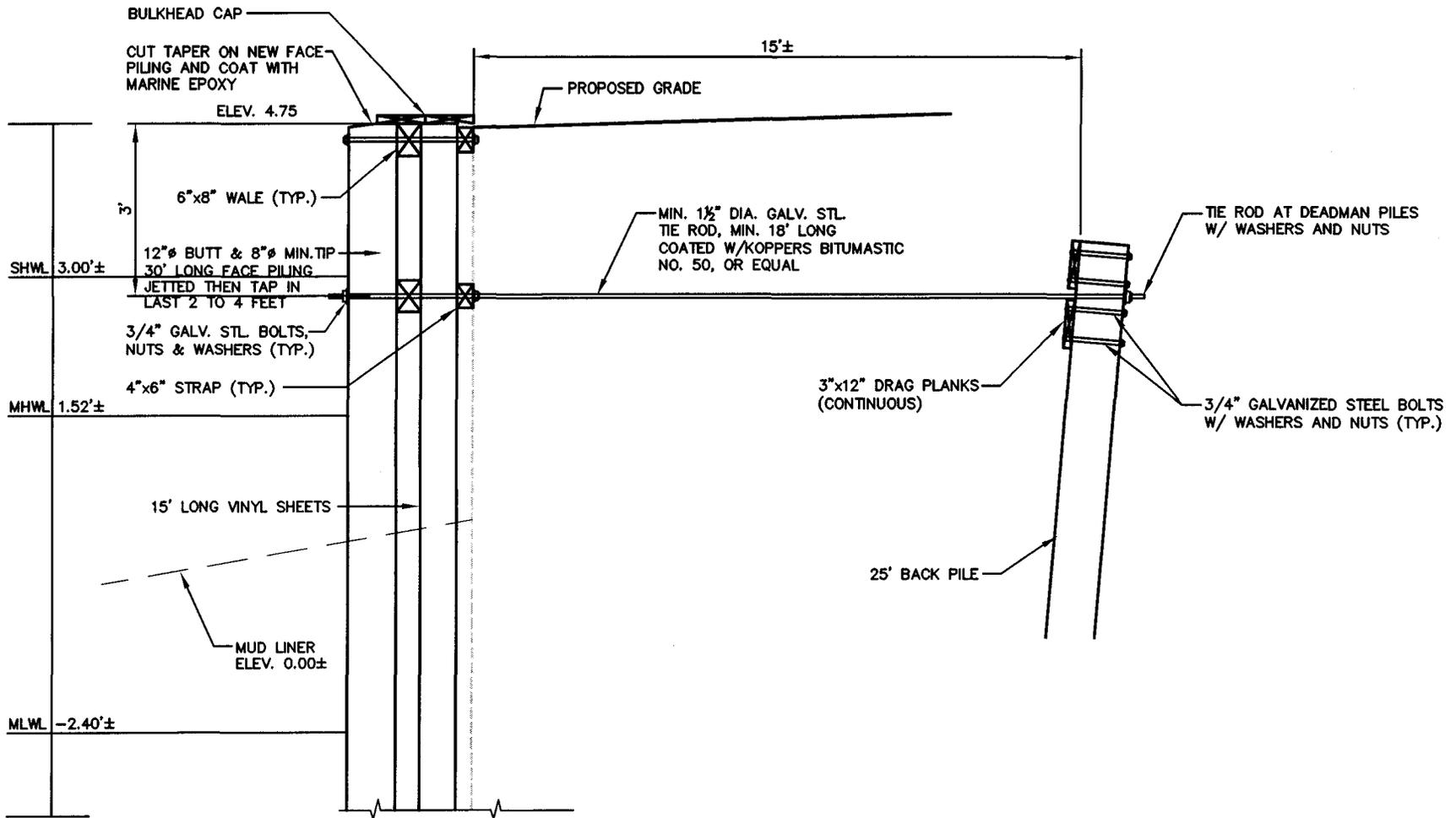
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**TYPICAL VINYL BULKHEAD SECTION**  
NOT TO SCALE

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**GENERAL NOTES**

1. THE SOLE PURPOSE OF THIS PLAN IS TO SHOW EXISTING PHYSICAL FEATURES AND SLOPE CONDITIONS IN THE REAR OF LOT 16, BLOCK 886 AND PROPOSED BULKHEAD AND RETAINING WALL LOCATIONS.
2. PROPERTY LINES SHOWN HERE ON ARE APPROXIMATE BASED ON TAX MAP INFORMATION.
3. ELEVATIONS SHOWN HERE ON ARE BASED ON VERTICAL DATUM NAVD 1988.
4. ALL STRUCTURES (INCLUDING THE BULKHEAD, ANCHOR PILES, AND WALES) SHALL BE CONSTRUCTED OF NON-POLLUTING MATERIAL, SUCH AS PLASTIC, NATURAL CEDAR, OR OTHER UNTREATED WOOD, CONCRETE, OR OTHER INERT PRODUCTS. CREOSOTE AND CCA TREATED LUMBER (A.K.A. PRESSURE TREATED OR WOLMONIZED LUMBER) WHICH IS SUSCEPTIBLE TO LEACHING ARE CONSIDERED POLLUTING AND ARE NOT ACCEPTABLE.
5. WATER DEPTH RANGE FROM 1-2FT AT MHW IN THE PROJECT AREA.
6. 3,632 SF OF FILL AREA

**PLANT SCHEDULE**

<u>SYMBOL</u>	<u>QUANTITY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
AS	6	ARTEMISIA STELLERIANA	DUSTY MILLER BEACH WORMWOOD	1 GAL. CONT.
JC	13	JUNIPERUS CONFERTA	EMERALD SEA SHORE JUNIPER	3 GAL. CONT.
JV	3	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	4-5' B&B
MP	6	MYRICA PENNSYLVANICA	BAYBERRY	5 GAL. CONT.
PC	3	PANICUM CLANDESTINUM	TIOGA DEERTONGUE	1 GAL. CONT.
PR	2	PINUS RIGIDA	PITCH PINE	4-5' B&B
PM	3	PRUNUS MARITIMA	BEACH PLUM	5 GAL. CONT.
QP	3	QUERCUS PHELLOS	WILLOW OAK	2-2 1/2" CAL. B&B
RR	9	ROSA RUGOSA	RUGOSA ROSE	3 GAL. CONT.

**SEED MIX**

<u>SEED</u>	<u>SEEDING RATE</u>
RH: RUDBECKIA HIRTA	2 LBS/ACRE
ERNMX-125: NORTHEASTERN ROADSIDE NATIVE MIX	15 LBS/ACRE
ERNMX-127: RETENTION BASIN WILDLIFE & PLANT DIVERSITY MIX	20 LBS/ACRE



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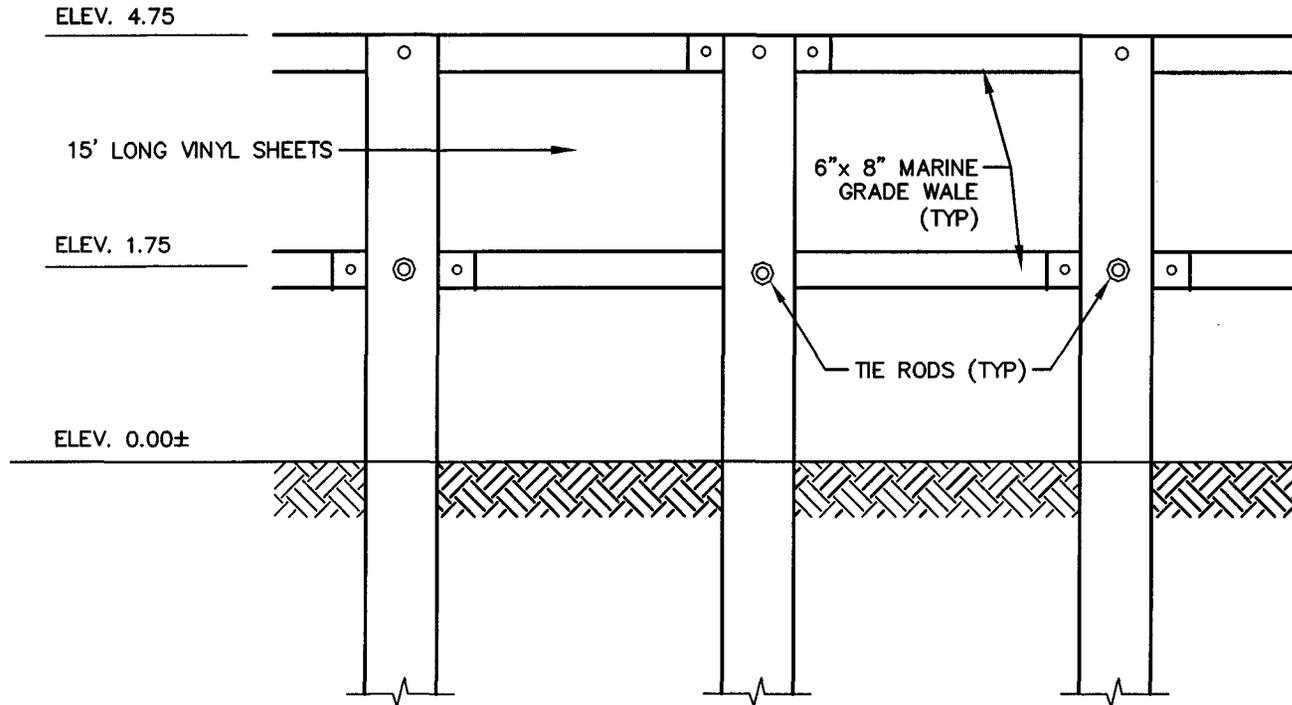
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**PROPOSED BULKHEAD ELEVATION**

NOT TO SCALE



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