



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: 2005-00518-J1

Issue Date: OCT 31 2005

Expiration Date: NOV 29 2005

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

APPLICANT: Borough of Union Beach
650 Poole Avenue
Union Beach, NJ 07735

ACTIVITY: Discharge approximately 2,000 cubic yards of sand along approximately 815 linear feet of shoreline.

WATERWAY: Raritan Bay

LOCATION: Borough of Union Beach, 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.

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

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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 of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A complete description of the project is given in the attached Work Description. The District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS 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 occur. For activities within the coastal zone of New Jersey the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Bureau of Coastal Regulation, CN 401, 501 East State Street, Second Floor, Trenton, New Jersey 08625-0401, Telephone Number (609) 633-2289. Comments regarding the applicant's certification 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 Permit

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) 790-8514 and ask for Sophie Ettinger.

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



Richard L. Tomer
Chief, Regulatory Branch

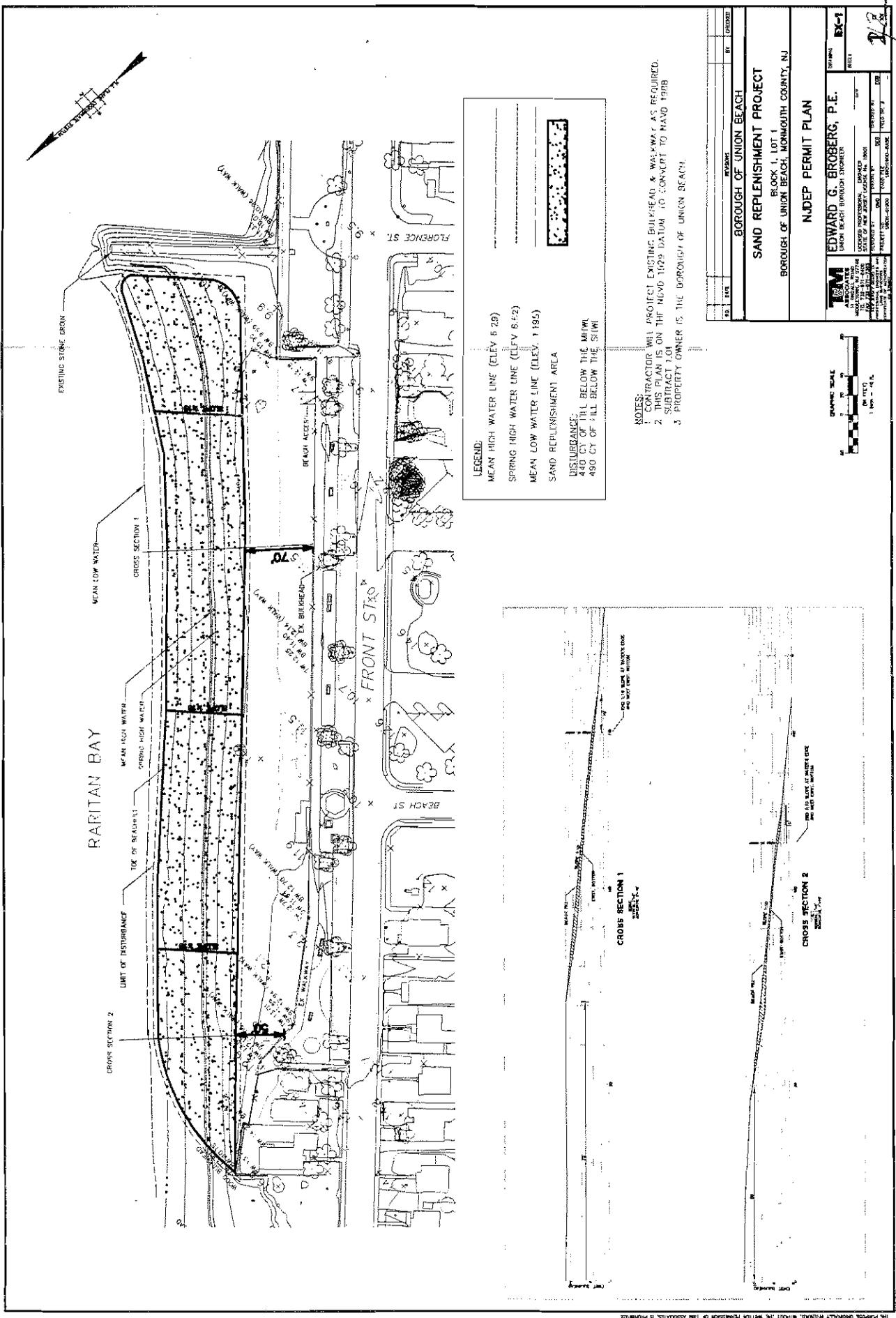
Enclosures

WORK DESCRIPTION

The applicant, Borough of Union Beach, has requested Department of the Army authorization to discharge approximately 490 cubic yards of sand over a distance of approximately 815 feet of shoreline along Raritan Bay in the Borough of Union Beach, Monmouth County, New Jersey.

The overall project would involve the placement of approximately 2,000 cubic yards of sand from a State-approved upland site over the area of 1.68 acres. The sand fill would extend 50 feet waterward from the Mean High Water Line and would span approximately 815 feet along the shoreline. The total amount of sand placed, within United States Army Corps of Engineers jurisdiction, below the Spring High Tide Water Line would be 490 cubic yards over an area of approximately 15,600 square feet.

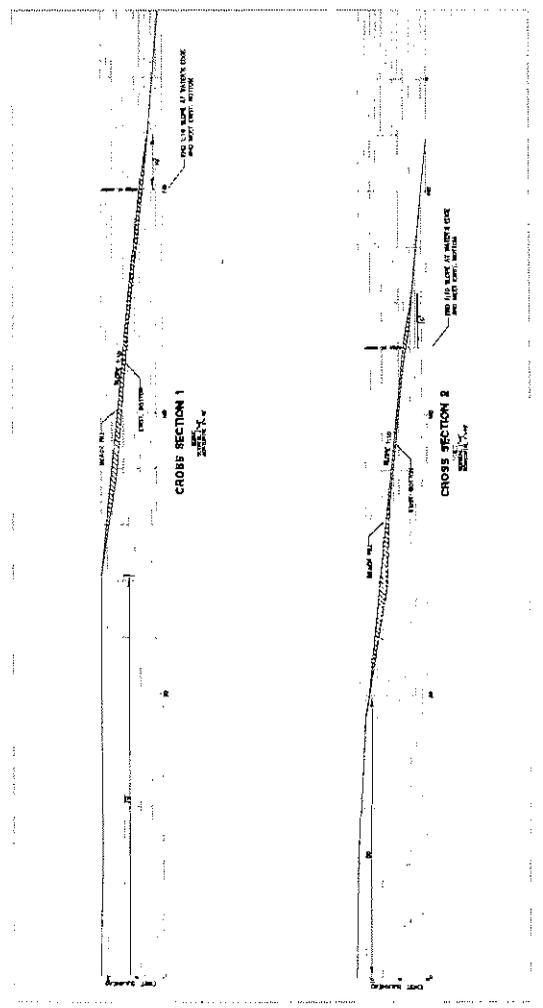
The stated purpose of this project is to provide shore protection and a wide recreational beach for greater public use for the Borough of Union Beach.



LEGEND:
 MEAN HIGH WATER LINE (ELEV. 6.28)
 SPRING HIGH WATER LINE (ELEV. 6.42)
 MEAN LOW WATER LINE (ELEV. 1.95)
 SAND REPLENISHMENT AREA

DISTURBANCE:
 440 CY OF TILL BELOW THE MHWL
 490 CY OF TILL BELOW THE SHWL

- NOTES:**
1. CONTRACTOR WILL PROTECT EXISTING BULKHEAD & WALKWAY AS REQUIRED.
 2. THIS PLAN IS ON THE NGVD 1929 DATUM. TO CONVERT TO NAVD 1988, SUBTRACT 1.10 FEET.
 3. PROPERTY OWNER IS THE GROUNDOWNER OF UNION BEACH.



NO.	DATE	BY	CHKD.

BOROUGH OF UNION BEACH

SAND REPLENISHMENT PROJECT

BLOCK 1, LOT 1
BOROUGH OF UNION BEACH, MONMOUTH COUNTY, NJ

NAJEP PERMIT PLAN

TM	EDWARD G. BROBERG, P.E.		EX-1
	UNION BEACH BOROUGH ENGINEER		SHEET
DATE: 01/11/2011	PROJECT NO.: 1000	SHEET NO.: 1	JOB NO.: 1000
PROJECT: SAND REPLENISHMENT	OWNER: UNION BEACH	DESIGNER: E.G. BROBERG	DRAWN BY: J. [unclear]

SPRING HIGH WATER
 MEAN LOW WATER
 SAND REPLENISHM
 DISTURBANCE:
 440 CY OF FILL
 490 CY OF TILL

NOTES
 1. COI
 2. THI
 SUE
 3. PR



SHEET 3/3