



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-2005-218-WCA
Issue Date: March 1, 2007
Expiration Date: March 30, 2007

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: Bayonne Local Redevelopment Authority
51 Port Terminal Blvd., Suite 21
Bayonne, New Jersey 07002

ACTIVITY: Construct and install a public ferry terminal with an associated accessway, a public fishing pier, and discharge fill material into waters of the United States to facilitate bulkhead reconstruction.

WATERWAY: Upper New York Harbor

LOCATION: City of Bayonne, Hudson 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.

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2005-218-WCA

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 of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions or proposed actions, that are either permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Based upon a review of the "Guide to Essential Fish Habitat Designations in the Northeastern United States," issued by the National Oceanic and Atmospheric Administration/National Marine Fisheries Service, the EFH for several aquatic species and their life stages in the proposed project area could potentially be impacted by the proposed work. Further consultation with National Marine Fisheries Service regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to a final decision on the application.

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 Waterfront Development 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) 790-8412 and ask for James Cannon.

CENAN-OP-RW
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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>

FOR/ 
Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, the Bayonne Local Redevelopment Authority (BLRA), has requested Department of the Army authorization for the construction of a public ferry terminal, and a public "T" shaped fishing pier. Additional activities would include the discharge of fill material into waters of the United States to facilitate the reconstruction of approximately 3,277 linear feet of deteriorated bulkhead. The proposed activities would occur along the southern shoreline of the Peninsula at Bayonne Harbor (formerly the Military Ocean Terminal in Bayonne, MOTBY). The site is located in the City of Bayonne, Hudson County, New Jersey.

The proposed ferry terminal would involve the installation of a 90 foot long by 40 foot wide floating barge, with an associated 80 foot long by 8 foot wide accessway. The floating barge would be supported by four (4) spud piles, and the ferry terminal would accommodate one bow loader ferry slip. The water depth in the area of the ferry slip ranges from approximately 25 to 28 feet. No pump out facilities are proposed at the ferry terminal as it would be a port of call only and would not serve as a permanent docking or maintenance facility. Water Taxis ranging in size from approximately 50 to 100 feet in length with a draft of 8 feet would service the terminal approximately 8 times daily, when full service capacities are reached.

A proposed concrete pile supported 400 foot long by 16 foot wide public fishing pier would also be constructed and installed, and would include a 50 foot wide "T" section at the waterward terminus. The proposed fishing pier would extend from the shoreline at a southwest angle and would be located approximately 500 feet west of the proposed ferry terminal. Both the ferry terminal and fishing pier would be designed to comply with the requirements of the Americans with Disabilities Act (ADA).

In addition to the above, the applicant proposes to perform in-kind bulkhead replacement and rehabilitation activities along approximately 3,277 linear feet of shoreline. The proposed bulkhead construction activities would include the installation of concrete and or steel sheeting within 18 inches of the existing deteriorated portions of the bulkhead. Although approximately 0.5 acres waters of the United States would be impacted as a result of the bulkhead replacement and rehabilitation activities, it should be noted that these waters of the United States which continue to erode the shoreline are situated landward of deteriorated bulkheads with existing bulkhead footings. The applicant additionally proposes to remove collapsed bulkhead material and deteriorated operations debris (associated with past operations) from the waterway.

The stated purpose of this project is to provide multi-modal transportation to the public, provide the first publicly accessible fishing pier in Bayonne, and stabilize the eroding shoreline to provide a safe means of public access to the Bayonne waterfront.



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

VICINITY MAP

Scale: 1" = 2000'

PROPOSED SOUTH SHORELINE IMPROVEMENTS
PLAN AND SECTIONS

DATUM: M.L.W.

- ADJOINING PROPERTY OWNERS
1. CITY OF BAYONNE
 2. OENJ CHEROKEE BAYONNE, LLC.

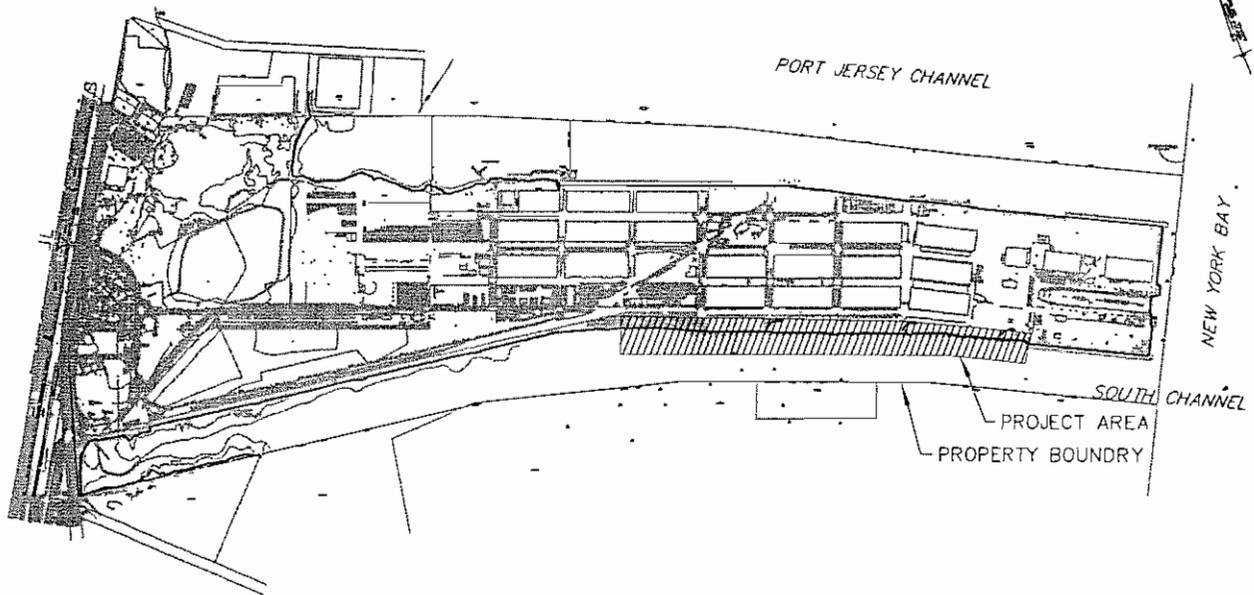
PROPOSED SOUTH SHORELINE IMPROVEMENTS
AT

THE PENINSULA AT BAYONNE HARBOR
WITHIN THE SOUTH CHANNEL

SITUATED IN
CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY
APPLICATION BY:
BAYONNE LOCAL REDEVELOPMENT AUTHORITY

PREPARED BY





NOTES

1. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A SURVEY ENTITLED "BOUNDARY SURVEY LOT 1 BLOCK 404 & E.40th STREET ACCESS ROAD FOR MILITARY OCEAN TERMINAL SITUATED IN THE CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY", PREPARED BY LYNCH, GIULIANO AND ASSOCIATES, INC., DATED JUNE 22, 2001 AND BEING LAST REVISED DECEMBER 22, 2001.
2. LOT AND BLOCK NUMBERS AS SHOWN ON THE CURRENT TAX ASSESSMENT MAPS OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY.
3. PARCEL AND BUILDING NUMBERS SHOWN HEREON CORRESPOND WITH NUMBERS SHOWN ON A MAP ENTITLED "MAP OF MILITARY OCEAN TERMINAL BAYONNE, N.J. SEPT. 30, 1986"
4. HORIZONTAL DATUM—NAD 1983, BASED ON GPS OBSERVATION BY LYNCH, GIULIANO AND ASSOC., INC., 04/03/00, AND REFER TO NATIONAL GEODETIC MONUMENT "P 38" (POINT IDENTIFICATION NUMBER KV0333).
5. VERTICAL DATUM — LOCAL MEAN LOW WATER (NAVD 1988 -2.76 FT), BASED ON GPS OBSERVATIONS BY LYNCH, GIUJANO AND ASSOC., INC., 04/03/00, AND REFER TO NATIONAL GEODETIC MONUMENT "P 38" (POINT IDENTIFICATION NUMBER KV0333) ELEV=21.92'(NAVD 1988).
6. TIDAL ELEVATION REFERENCE TO NATIONAL GEODETIC TIDAL BENCH MARK: "TIDAL 3 STA 4" (POINT IDENTIFICATION NUMBER KV0609) ELEVATION=8.67 FEET, (NAVD 1988).

6. TIDAL ELEVATION REFERENCE TO NATIONAL GEODETIC TIDAL BENCH MARK: "TIDAL 3 STA 4" (POINT IDENTIFICATION NUMBER KV0609) ELEVATION=8.67 FEET, (NAVD 1988).
7. BATHYMETRIC DATA COLLECTED IN MAY, 2003.
8. NOT ALL UPLAND IMPROVEMENTS SHOWN.

TIDAL ELEVATION

(LOCAL MEAN LOW WATER)

MEAN HIGH HIGH WATER	4.96'
MEAN HIGH WATER	4.63'
NAVD '88	2.76'
MEAN TIDE LEVEL	2.31'
MEAN LDW WATER	-0.00'
MEAN LOWER LOW WATER	-0.23'

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GENERAL NOTES

Scale: 1" = 2000'

PROPOSED SOUTH SHORELINE IMPROVEMENTS
PLAN AND SECTIONS

DATUM: M.L.W.

ADJOINING PROPERTY OWNERS

1. CITY OF BAYONNE
2. OENJ CHEROKEE BAYONNE, LLC.

PROPOSED SOUTH SHORELINE IMPROVEMENTS
AT

THE PENINSULA AT BAYONNE HARBOR
WITHIN THE SOUTH CHANNEL

SITUATED IN

CITY OF BAYONNE, HUDSON COUNTY COUNTY, NEW JERSEY

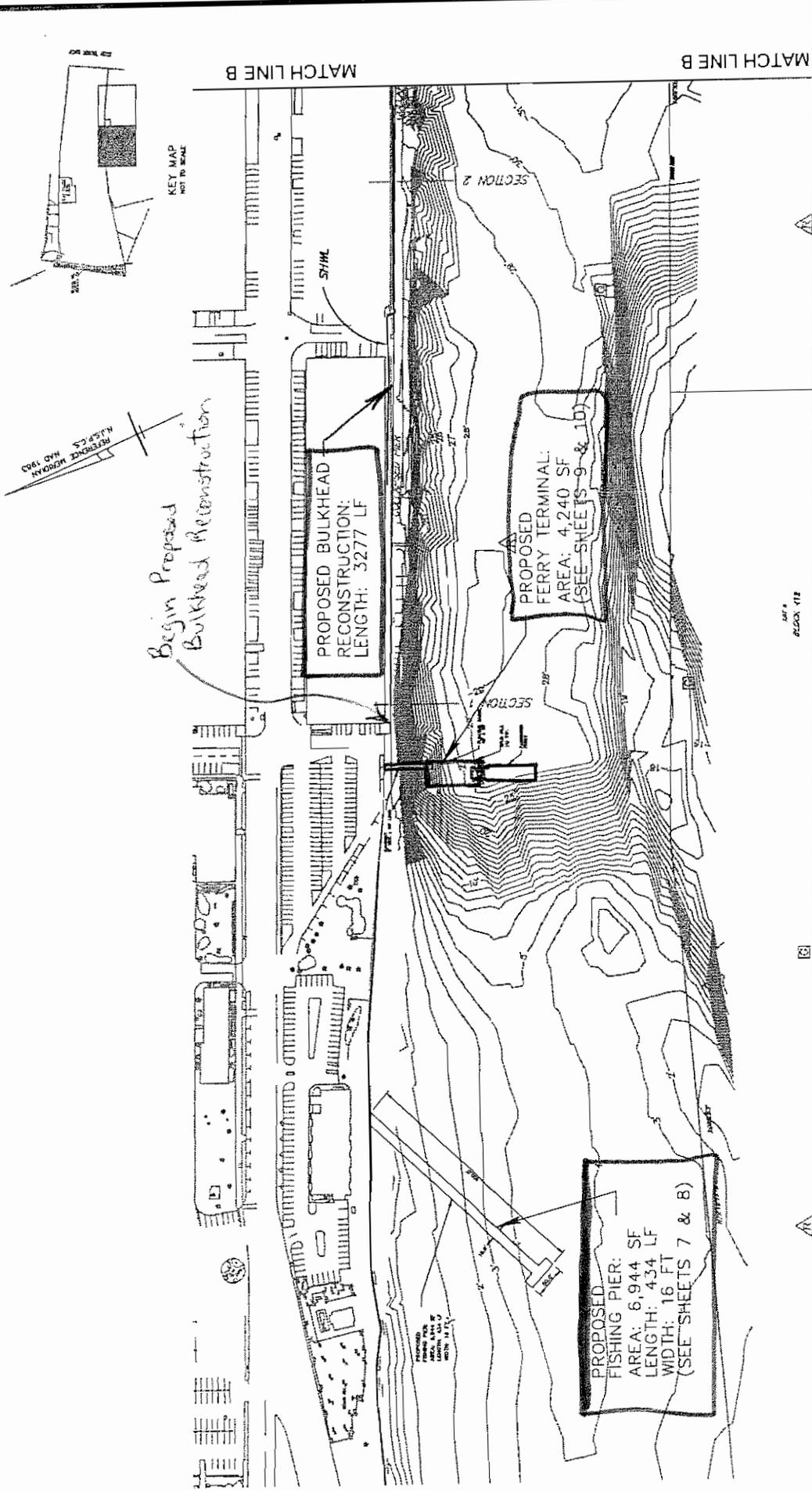
APPLICATION BY:

BAYONNE LOCAL REDEVELOPMENT AUTHORITY

PREPARED BY



P. TIT
 RN SH
 00886
 Copyright LGA Engineering, Inc. 2005



GENERAL CONSTRUCTION PLAN (1 OF 2)

Scale: 1" = 250'

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PROPOSED SOUTH SHORELINE IMPROVEMENTS
PLAN AND SECTIONS

PROPOSED SOUTH SHORELINE IMPROVEMENTS
AT

TIDAL ELEVATION

(LOCAL MEAN LOW WATER)

MEAN HIGH WATER	4.96'
MEAN HIGH WATER	4.63'
MEAN TIDE LEVEL	2.76'
MEAN LOW WATER	-0.00'
MEAN LOWER LOW WATER	-0.23'

DATUM: M.L.W.

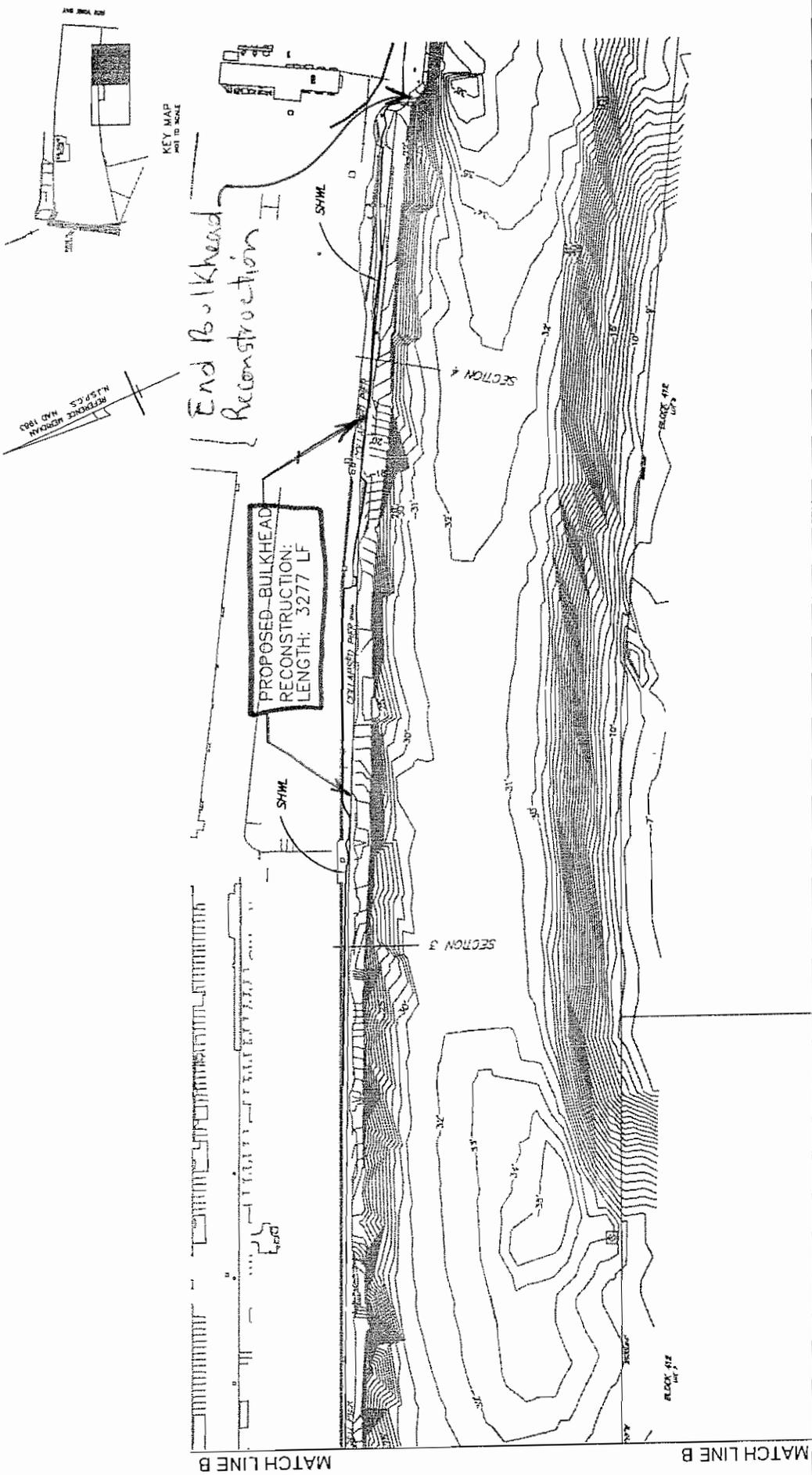
ADJOINING PROPERTY OWNERS

1. CITY OF BAYONNE
2. OENJ CHEROKEE BAYONNE, LLC.

THE PENINSULA AT BAYONNE HARBOR
WITHIN THE SOUTH CHANNEL
SITUATED IN
CITY OF BAYONNE, HUDSON COUNTY COUNTY, NEW JERSEY
APPLICATION BY:
BAYONNE LOCAL REDEVELOPMENT AUTHORITY



PREPARED BY



GENERAL CONSTRUCTION PLAN (2 OF 2)

Scale: 1" = 250'

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TIDAL ELEVATION

(LOCAL MEAN LOW WATER)	4.96'
MEAN HIGH HIGH WATER	4.63'
MEAN HIGH WATER	2.76'
NAVD '88	2.31'
MEAN TIDE LEVEL	-0.00'
MEAN LOW WATER	-0.23'

PROPOSED SOUTH SHORELINE IMPROVEMENTS

PLAN AND SECTIONS

DATUM: M.L.W.

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 2. OENJ CHEROKEE BAYONNE, LLC.

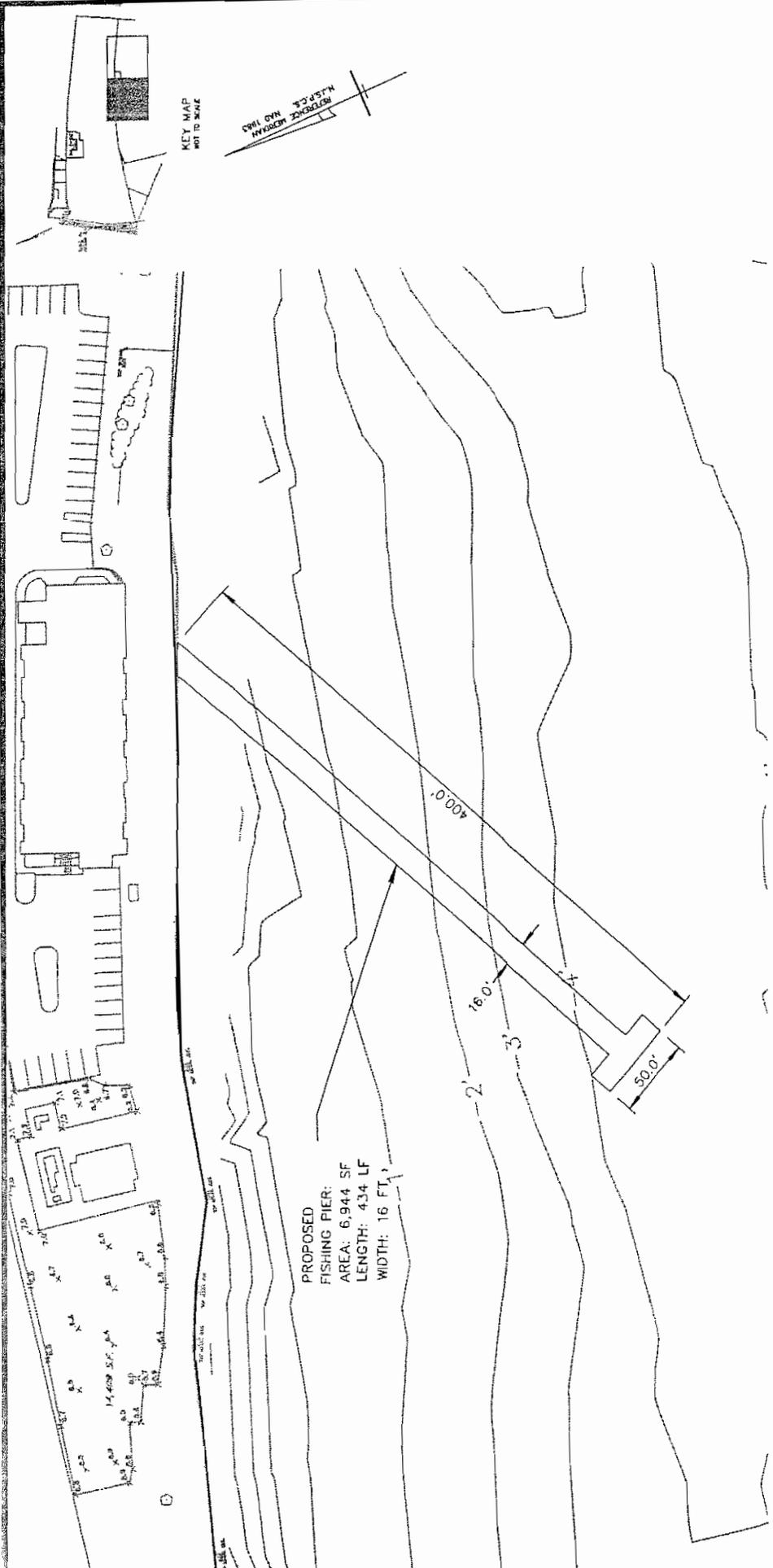
PROPOSED SOUTH SHORELINE IMPROVEMENTS
AT
THE PENINSULA AT BAYONNE HARBOR
WITHIN THE SOUTH CHANNEL

SITUATED IN
CITY OF BAYONNE, HUDSON COUNTY COUNTY, NEW JERSEY
APPLICATION BY:
BAYONNE LOCAL REDEVELOPMENT AUTHORITY



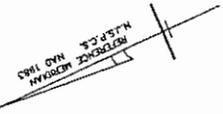
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4014



PROPOSED FISHING PIER:
 AREA: 6,944 SF
 LENGTH: 434 LF
 WIDTH: 16 FT

KEY MAP
 NOT TO SCALE



GRAPHIC SCALE

PLAN VIEW

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TIDAL ELEVATION	
(LOCAL MEAN LOW WATER)	4.96'
MEAN HIGH HIGH WATER	4.63'
MEAN HIGH WATER	2.76'
NAVD '88	2.31'
MEAN TIDE LEVEL	-0.00'
MEAN LOW WATER	-0.23'

PROPOSED SOUTH SHORELINE IMPROVEMENTS
 PLAN AND SECTIONS

DATUM: M.L.W.

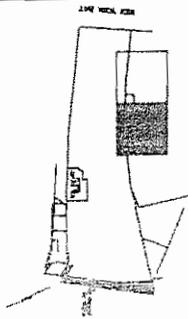
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PROPOSED SOUTH SHORELINE IMPROVEMENTS
 AT
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 CITY OF BAYONNE, HUDSON COUNTY COUNTY, NEW JERSEY
 APPLICATION BY:
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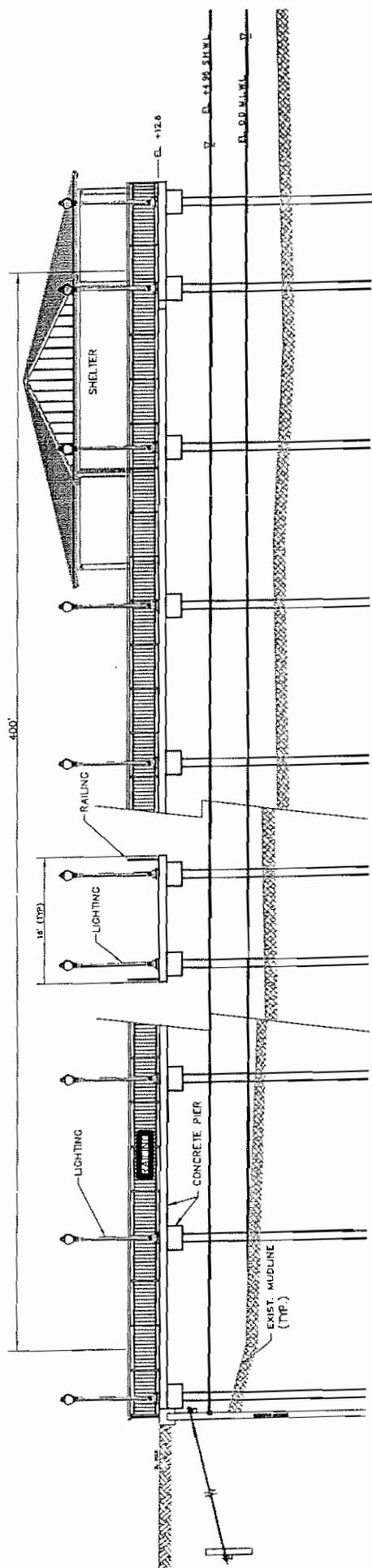


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5074



KEY MAP
NOT TO SCALE



PROFILE & SECTION

of Fishing Pier



GRAPHIC SCALE

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NOT FOR CONSTRUCTION

TIDAL ELEVATION

(LOCAL MEAN LOW WATER)	+ 9.5'
MEAN HIGH HIGH WATER	4. 63'
MEAN HIGH WATER	2. 76'
NAVD '88	2. 31'
MEAN TIDE LEVEL	-0. 00'
MEAN LOW WATER	-0. 23'

PROPOSED SOUTH SHORELINE IMPROVEMENTS

PLAN AND SECTIONS

DATUM: M.L.W.

- ADJOINING PROPERTY OWNERS
1. CITY OF BAYONNE
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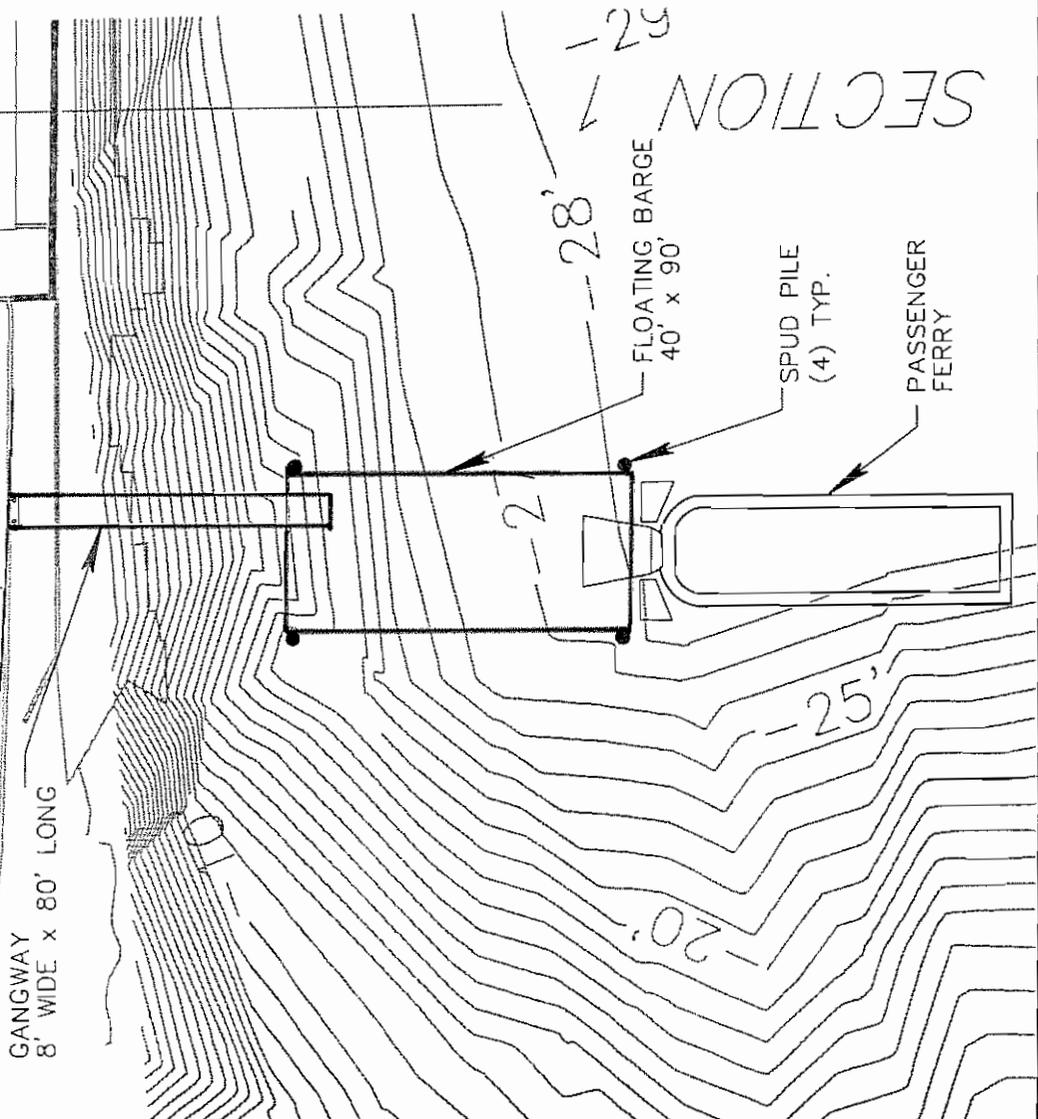
PROPOSED SOUTH SHORELINE IMPROVEMENTS
AT
THE PENINSULA AT BAYONNE HARBOR
WITHIN THE SOUTH CHANNEL
SITUATED IN
CITY OF BAYONNE, HUDSON COUNTY COUNTY, NEW JERSEY
APPLICATION BY:
BAYONNE LOCAL REDEVELOPMENT AUTHORITY



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6 of 14

GANGWAY
8' WIDE x 80' LONG



Scale: 1" = 50'

DETAIL PLAN

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TIDAL ELEVATION

(LOCAL MEAN LOW WATER)	4.96'
MEAN HIGH WATER	4.63'
MEAN HIGH WATER MAY 1 '88	2.76'
MEAN TIDE LEVEL	2.31'
MEAN LOW WATER	-0.00'
MEAN LOWER LOW WATER	-0.20'

PROPOSED SOUTH SHORELINE IMPROVEMENTS

PLAN AND SECTIONS

DATUM: M.L.W.

ADJOINING PROPERTY OWNERS

1. CITY OF BAYONNE
2. OENJ CHEROKEE BAYONNE, LLC.

PROPOSED SOUTH SHORELINE IMPROVEMENTS

AT

THE PENINSULA AT BAYONNE HARBOR
WITHIN THE SOUTH CHANNEL

SITUATED IN

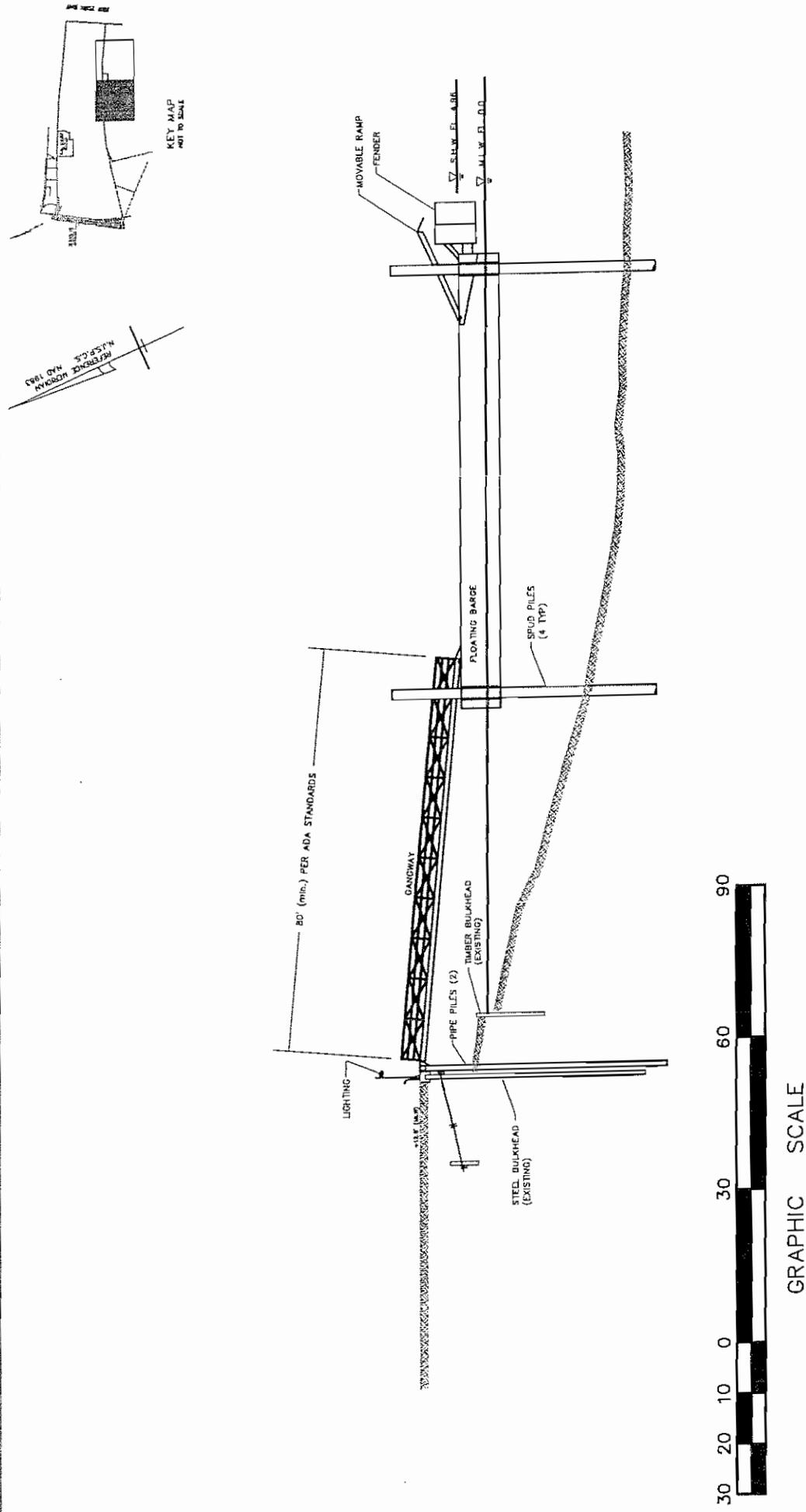
CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY

APPLICATION BY:

BAYONNE LOCAL REDEVELOPMENT AUTHORITY

PREPARED BY





PROFILE

Scale: 1" = 30'

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PROPOSED SOUTH SHORELINE IMPROVEMENTS
PLAN AND SECTIONS

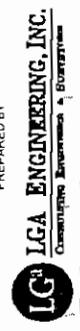
PROPOSED SOUTH SHORELINE IMPROVEMENTS
AT
THE PENINSULA AT BAYONNE HARBOR
WITHIN THE SOUTH CHANNEL
SITUATED IN
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APPLICATION BY:
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TIDAL ELEVATION

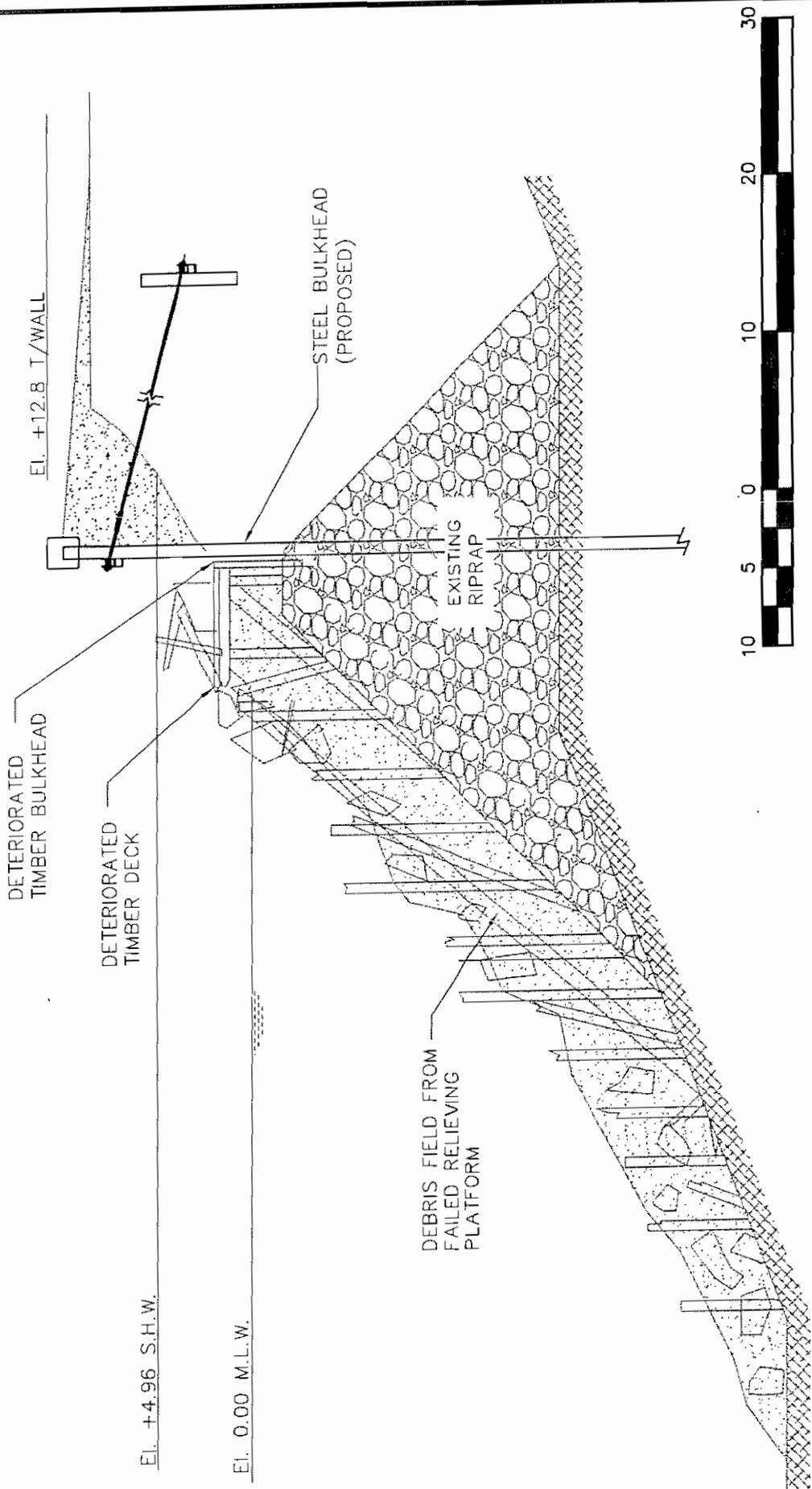
(LOCAL MEAN LOW WATER)	4.96'
MEAN HIGH HIGH WATER	4.63'
MEAN HIGH WATER	2.76'
NAVD '88	2.31'
MEAN TIDE LEVEL	-0.00'
MEAN LOW WATER	-0.23'
MEAN LOWER LOW WATER	-0.23'

DATUM: M.L.W.

- ADJOINING PROPERTY OWNERS
1. CITY OF BAYONNE
 2. OENJ CHEROKEE BAYONNE, LLC.



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GRAPHIC SCALE

PROPOSED SECTION #1

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TIDAL ELEVATION

(LOCAL MEAN LOW WATER)	
MEAN HIGH HIGH WATER	4.96'
MEAN HIGH WATER	4.53'
NAVD '88	2.76'
MEAN TIDE LEVEL	2.31'
MEAN LOW WATER	-0.00'
MEAN LOWER LOW WATER	-0.23'

PROPOSED SOUTH SHORELINE IMPROVEMENTS

PLAN AND SECTIONS

DATUM: M.L.W.

- ADJOINING PROPERTY OWNERS
1. CITY OF BAYONNE
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PROPOSED SOUTH SHORELINE IMPROVEMENTS

AT

THE PENINSULA AT BAYONNE HARBOR
WITHIN THE SOUTH CHANNEL

SITUATED IN

CITY OF BAYONNE, HUDSON COUNTY COUNTY, NEW JERSEY

APPLICATION BY:

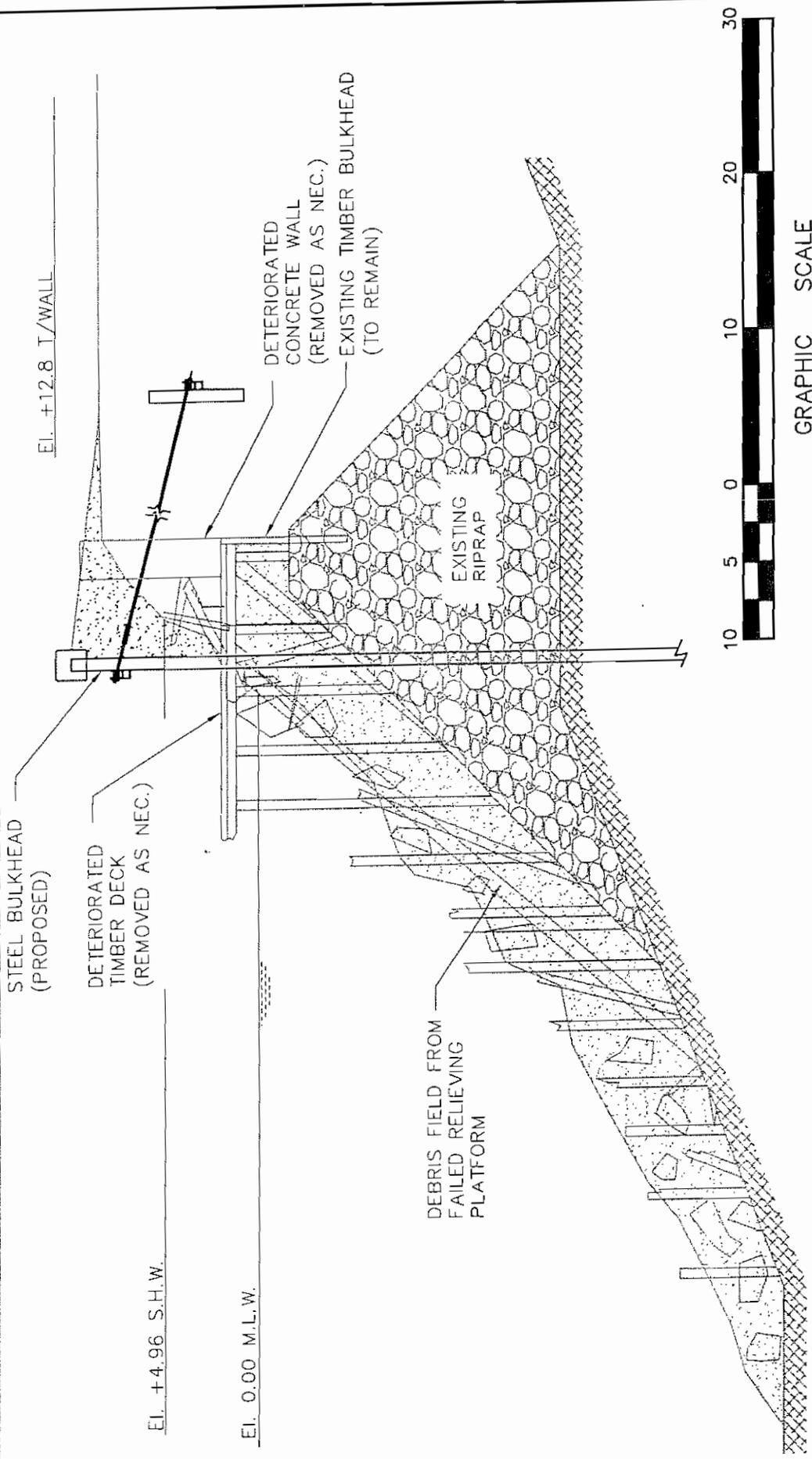
BAYONNE LOCAL REDEVELOPMENT AUTHORITY

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DA: 1-16-01

File No. 500866001200



PROPOSED SECTION #2

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TIDAL ELEVATION

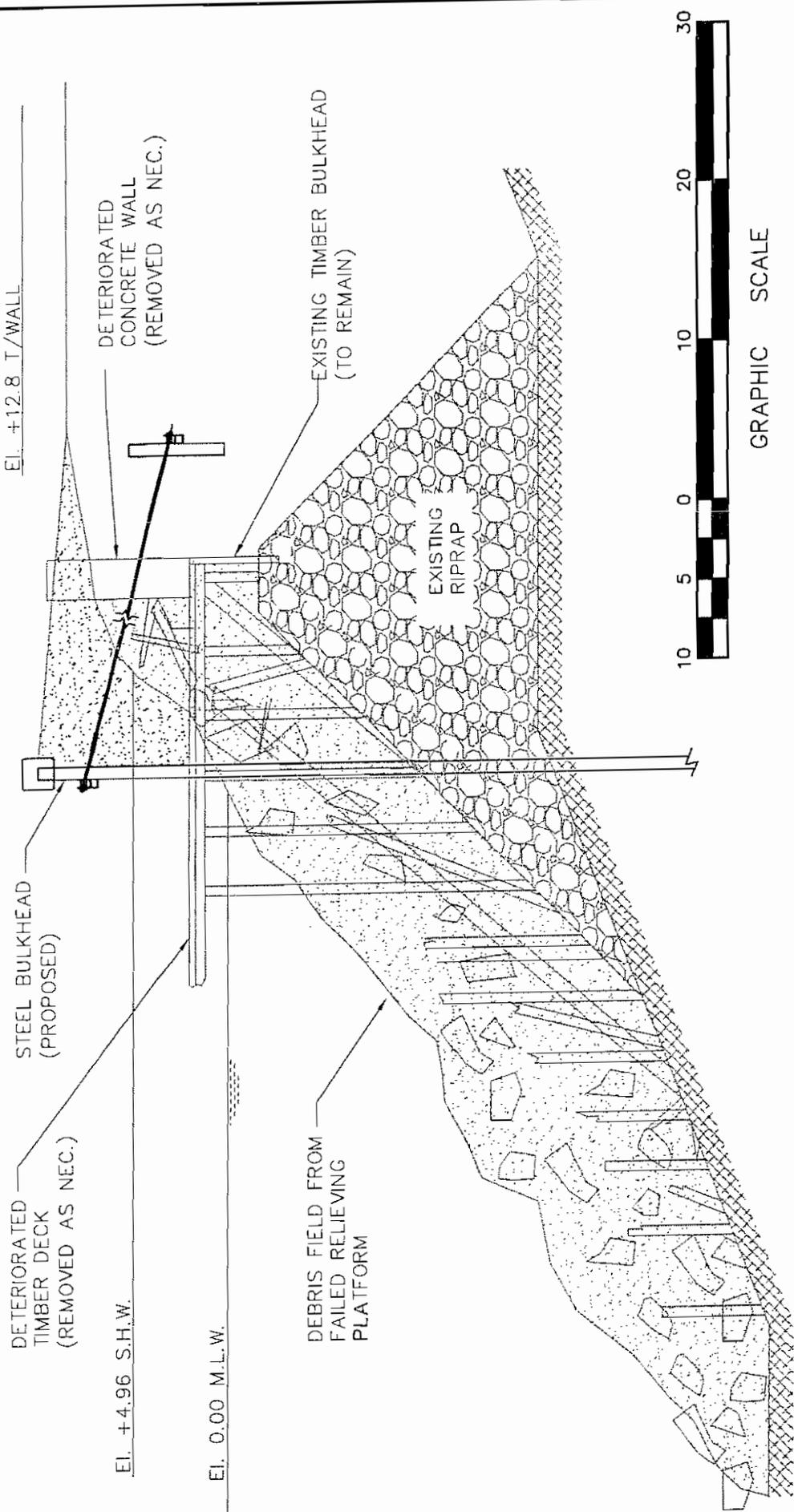
(LOCAL MEAN LOW WATER)	4.96'
MEAN HIGH HIGH WATER	4.63'
MEAN HIGH WATER	2.76'
NAVD '88	2.31'
MEAN TIDE LEVEL	-0.00'
MEAN LOW WATER	-0.23'
MEAN LOWER LOW WATER	-0.23'

PROPOSED SOUTH SHORELINE IMPROVEMENTS
PLAN AND SECTIONS

DATUM: M.L.W.
ADJOINING PROPERTY OWNERS
1. CITY OF BAYONNE
2. OENJ CHEROKEE BAYONNE, LLC.

PROPOSED SOUTH SHORELINE IMPROVEMENTS
AT
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BAYONNE LOCAL REDEVELOPMENT AUTHORITY





PROPOSED SECTION #3

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

TIDAL ELEVATION
(LOCAL MEAN LOW WATER)

MEAN HIGH WATER	4.96'
MEAN HIGH WATER	4.63'
NAVD '88	2.76'
MEAN TIDE LEVEL	2.31'
MEAN LOW WATER	-0.00'
MEAN LOWER LOW WATER	-0.23'

PROPOSED SOUTH SHORELINE IMPROVEMENTS
PLAN AND SECTIONS

DATUM: M.L.W.
ADJOINING PROPERTY OWNERS
1. CITY OF BAYONNE
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PROPOSED SOUTH SHORELINE IMPROVEMENTS
AT
THE PENINSULA AT BAYONNE HARBOR
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CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY
APPLICATION BY:
BAYONNE LOCAL REDEVELOPMENT AUTHORITY

EL. +12.8 T/WALL

STEEL BULKHEAD
(PROPOSED)

EL. +4.96 S.H.W.

EL. 0.00 M.L.W.

EXISTING TIMBER BULKHEAD
(TO REMAIN)

EXISTING
RIPRAP

DEBRIS FIELD FROM
FAILED RELIEVING
PLATFORM



GRAPHIC SCALE

PROPOSED SECTION #4

FOR PERMIT USE ONLY
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TIDAL ELEVATION

(LOCAL MEAN LOW WATER)	
MEAN HIGH HIGH WATER	4.96'
MEAN HIGH WATER	4.63'
NAVD '88	2.76'
MEAN TIDE LEVEL	2.31'
MEAN LOW WATER	-0.00'
MEAN LOWER LOW WATER	-0.23'

PROPOSED SOUTH SHORELINE IMPROVEMENTS

PLAN AND SECTIONS

DATUM: M.L.W.

ADJOINING PROPERTY OWNERS

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2. OENJ CHEROKEE BAYONNE, LLC.

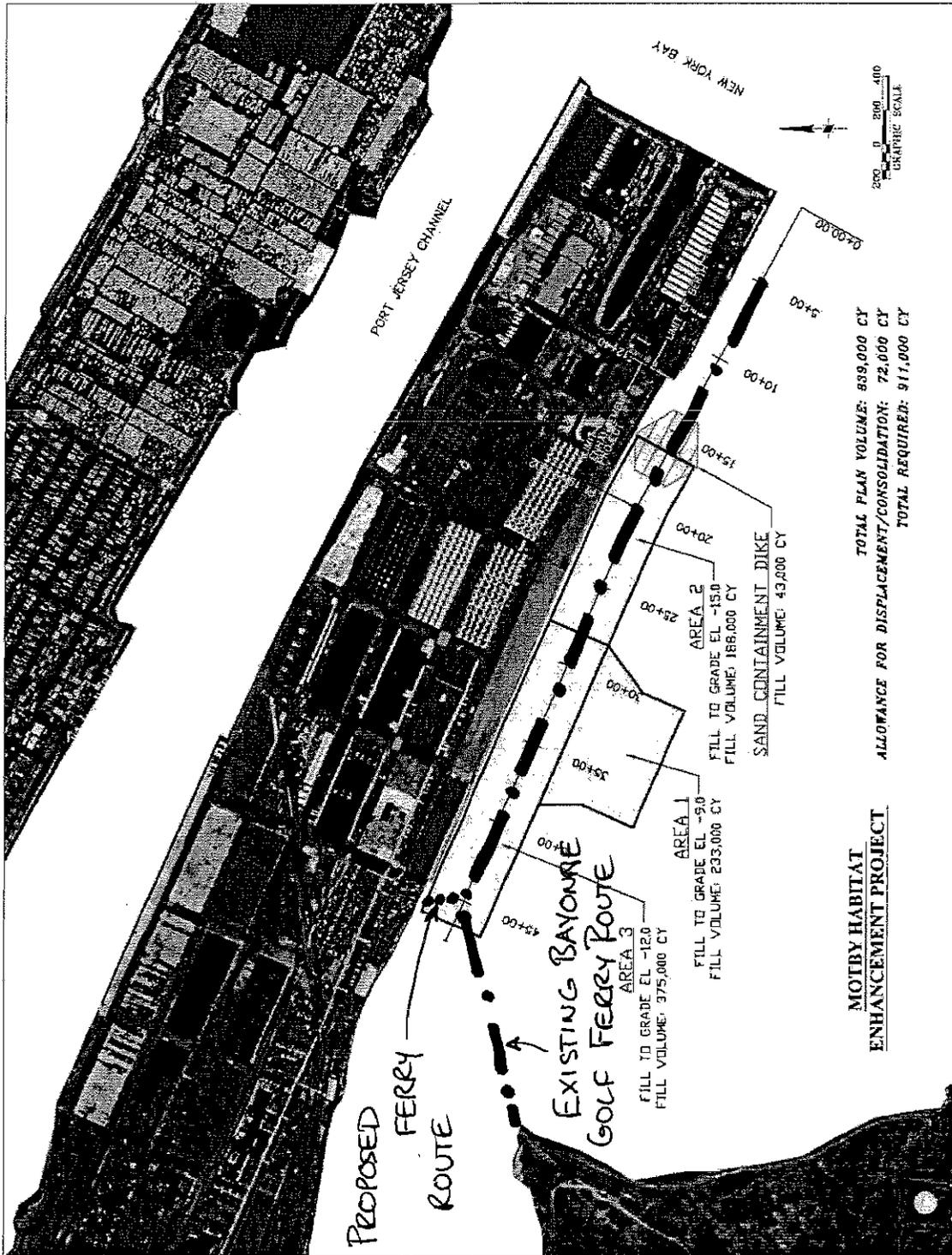
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WITHIN THE SOUTH CHANNEL

SITUATED IN
CITY OF BAYONNE, HUDSON COUNTY COUNTY, NEW JERSEY
APPLICATION BY:
BAYONNE LOCAL REDEVELOPMENT AUTHORITY



PREPARED BY

12 of 14



MOTBY Placement Areas