

RARITAN BAY AND SANDY HOOK BAY
UNION BEACH, NEW JERSEY

HURRICANE SANDY LIMITED REEVALUATION REPORT

Appendix F
Public Access Plan



U.S. Army Corps of Engineers
New York District

June 2017

**RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NJ
Hurricane and Storm Damage Reduction Project**

HURRICANE SANDY LIMITED REEVALUATION REPORT (HSLRR)

Public Access Plan

Summary of Federal and State Policy

[Department of the Army, ER 1165-2-130, dated 15 June 1989, Federal Participation in Shore Protection, paragraph 6h.] It is Corps policy to participate in the additional costs for placing beach-quality sand or other suitable material onto adjacent beaches or near shore providing that the beaches involved must be open to the public. Project beaches will not be limited for use by only a segment of the public; they must be open to all visitors regardless of origin or home area. Reasonable public access must be provided in accordance with the recreational use objectives of the particular area. However, public use is construed to be effectively limited to within one-quarter mile from available points of public access to any particular shore.

Additionally, nearby parking facilities, on free or reasonable terms, should be within a reasonable walking distance to the beach. Lack of sufficient public parking with reasonable public access to the beach will preclude federal participation. Items of local cooperation require the sponsor to provide necessary access roads, parking areas, and other public use facilities open and available to all on equal terms. However, even though the lack of such facilities may constrain beach use, it is not the intent to require that facilities be provided to meet all demand situations, but only that public use and access not be precluded by the lack of existing facilities due to local practices and/or unique situations.

Finally, in the event public access points are not within one-half mile of each other, either an item of local cooperation specifying such a requirement and public use throughout the project life must be included in project recommendations or the cost sharing must be based on private use.

Provisions set forth by the State of New Jersey's Public Trust Doctrine also apply to the project as the State is the non-federal sponsor for the project. As identified in the State of Jersey's Public Trust Doctrine Handbook (http://www.state.nj.us/dep/cmp/access/public_access_handbook.pdf), public access point must be clearly identified and marked with signs, every ¼ mile. Public access policy for the State is managed by the Division of Coastal and Land Use Planning.

The following is the U.S. Corps of Engineers, New York District assessment of the current public access to the subject project area.

Project Description

The Raritan Bay and Sandy Hook Bay, Union Beach, NJ Hurricane and Storm Damage Reduction Project was authorized for construction in the Water Resources Development Act of 2007 (Public Law 110-114) on November 8, 2007. The project area occupies an approximate 1.8 square mile area of land along the coast of Raritan Bay. The area is located in low elevation regions with numerous small creeks providing drainage. Low-lying residential and commercial structures in the area experience flooding caused by coastal storm inundation. This problem has progressively worsened in recent years due to loss of protective beaches and increased urbanization in the area with structures susceptible to flooding from rainfall and coastal storm surges, erosion and wave attack, combined with restrictions to channel flow in the tidal creeks. This area was devastated by Superstorm Sandy with nearly 300 homes sustaining greater than 50% damage; rebuilding efforts are underway.

The Recommended Plan consists of a series levees, floodwalls, road raising, relocations and closure structures, sector gates, and pumping stations at creeks, and a dune, groins and beachfill with periodic nourishment to form a continuous line of protection on the east, north and west boundaries of the project area. Public access is required for the beachfill component of the project. A detailed graphic of the recommended plan as laid out in the HSLRR main report and EN appendix is shown in Figure 1.

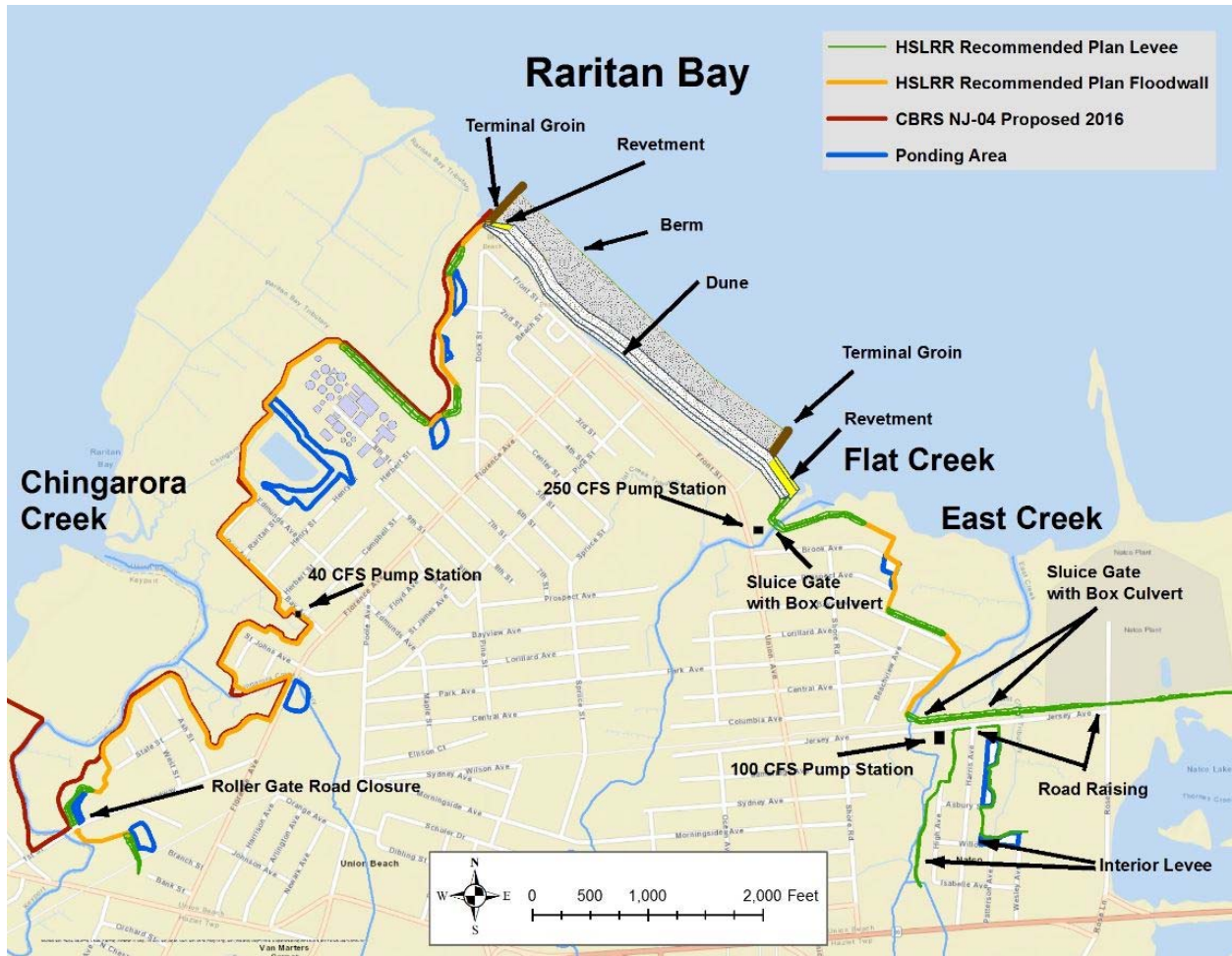


Figure 1 Union Beach Project Alignment and Features

Current Public Access

The Borough has provided public access along a majority of the shoreline for fishing, swimming, viewing, and passive recreation. Public waterfront facilities, including parking lots, restrooms, beach, parks, are located along the long walkway adjacent to Front Street. A summary of Public Access along the waterfront in Union Beach is described in Figure 2. Public access information source: Bonnie J. McCay, Debbie Mans, Satsuki Takahashi, and Sheri Seminski. 2005. "Public Access and Waterfront Development in New Jersey: From the Arthur Kill to the Shrewsbury River ." Keyport, New Jersey: NY NJ Baykeeper. <http://www.nynjbaykeeper.org>

	Common Name	Address	GPS	Fishing	Private Marina	Public Marina	Trailer Launch	Hand Launch	Birdwatching	Swimming	Parking	Handicapped	Picnic Facilities	Food	Restroom	Fee
Publicly recognized sites	Public Beach (sand) #1	West of public		X						X	X					
	Public Beach (sand) #2	Along Front Ave							X	X	X		X		X	
	Public Beach	Front St									X					
	Public Beach	Front St		X					X	X						
	Public Beach															
	Memorial Park	Front St.									X					
	Firefighter's	Front St.									X	X	X			
	Walkway with	Front St.		X					X	X	X	X	X		X	
	Municipal Boat Ramp	Front St on Flat		X			X		X		X					

Table 1 Borough of Union Beach Public Access Points (2005)

Conclusion and Recommendations

Suitable public access is required for any areas where Federal expenditure of funds will be utilized for beach restoration. Based upon data collected in 2005, the public access requirements have been met.

As indicated in the Article II, Obligations of the Parties, Project Partnership Agreement Between The Department Of The Army And The New Jersey Department Of Environmental Protection For the Raritan and Sandy Hook Bay, Union Beach, NJ Hurricane and Storm Damage Reduction Project, the Non-Federal Sponsor shall ensure the continued public use of such shores compatible with the authorized purpose of the Project and will be require to provide certification of real estate for these access points.

It is the responsibility of the non-federal Sponsor, the State of New Jersey, to investigate further the project area to confirm public access points as described in Table 1 currently exist and will also provide proof of real estate that certifies these access points will remain public throughout the life of the project. Prior to advertisement of the first construction contract, the State of NJ and the Borough of Union Beach shall provide a letter stating that these access points remain current and any additional access points establish since 2005 will be reported in a revised table.

If during the course of investigation it is discovered that access points are no longer or have not been established or are not clearly marked, the non-federal sponsor shall remedy this and ensure that all Federal and State public access requirements are met.