



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 reply to:
Public Notice Number: NAN-2016-00112-EHA
Issue Date: August 12, 2016
Expiration Date: September 12, 2016

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: Bird Construction Company
Attn: Jim Hannon
105 Harbor Inn Road
Bayville, New Jersey 08721

ACTIVITY: Construct bulkhead and docks

WATERWAY: Rahway River

LOCATION: City of Linden, Union 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 submitted in response to this notice will be fully considered during the public interest

review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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 would not affect any Federally endangered or threatened species 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 life stages 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 State 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) 790-8523 and ask for Naomi Handell.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

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

Stefan A. Ryba
For and in behalf of

Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

**CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2016-00112-EHA**

WORK DESCRIPTION

The applicant, Bird Construction Company, has requested Department of the Army authorization for construction of a bulkhead and two (2) docks in Rahway River, City of Linden, Union County, New Jersey.

The work would involve:

Sea Scouts Facility (see Sheet 4 of 12):

Remove the existing Sea Scouts Facility and construct an approximately 260-foot long by 5-foot wide catwalk leading to a 13-foot long by 5-foot wide ramp leading to a 10-foot long by 8-foot wide floating platform connected to a 120-foot long by 8-foot wide floating dock 12-inch diameter pilings. Note 71 feet of the catwalk would be in the upland area and 189 feet would be in the wetland area. The proposed catwalk would be elevated 4.5 feet above the wetland area as measured from the existing grade to the bottom of the stringers.

East of the Sea Scouts Facility, install three (3) 12-inch diameter pile clusters.

Marine Construction Facility (see Sheet 5 of 12):

Construct a 185 linear foot bulkhead in waters of the United States and place 367 cubic yards of clean, upland fill in wetlands and waters of the United States as backfill for the proposed bulkhead. The total area of fill waterward of the wetland boundary would be approximately 1,850 square feet. Along the proposed bulkhead, construct a 185-foot long by 10-foot wide dock connected by a 28-foot long by 8-foot wide ramp to a 125-foot long by 8-foot wide floating dock. All mooring piles and support piles would be 12-inch diameter.

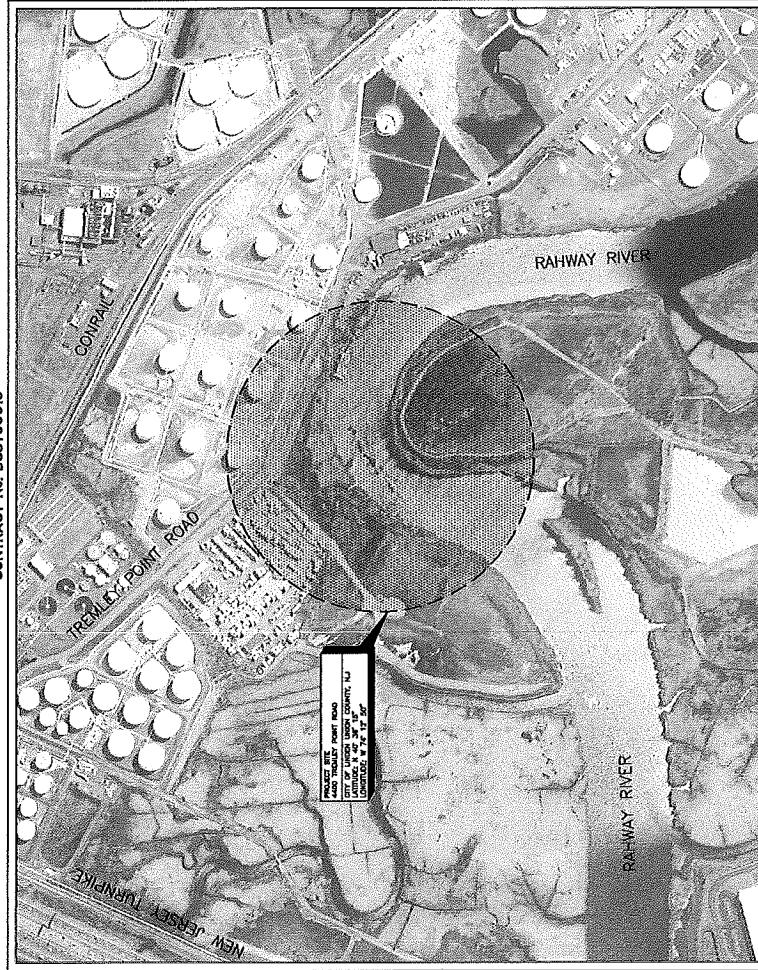
For both facilities, the proposed 12-inch diameter steel piles (see Sheet 12 of 12) would be filled with a total of approximately 5-10 cubic yards of poured concrete.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by crossing wetland areas directly and avoiding wetlands where possible. As compensatory mitigation for the proposed fill in wetlands and waters of the United States, the applicant proposes to remove two (2) existing dilapidated dock structures to create 0.15 acres of open water at the project site (see Sheet 5 and 8 of 12).

The stated purpose of this project is to construct a marine construction facility and a Sea Scouts facility.

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U.S. ARMY CORPS OF ENGINEERS PERMITTING PLANS FOR
4400 TREMLEY POINT ROAD
BLOCK 587 LOT 15.01
NAN-2016-00112-EHA
BIRD CONSTRUCTION CO.
CITY OF LINDEN
UNION COUNTY, NEW JERSEY
CONTRACT No. BCST00010



INDEX OF DRAWINGS	
SHEET NO.	DESCRIPTION
01	COVER SHEET
02	PLANS
03	EXISTING CONDITIONS PLAN
04	EXISTING CONDITIONS PLAN
05	U.S. ARMY CORPS OF ENGINEERING PERMITTING PLAN
06	U.S. ARMY CORPS OF ENGINEERING PERMITTING PLAN
07	CONSTRUCTION DETAILS
08	CROSS SECTIONS

+ 3 cross views +
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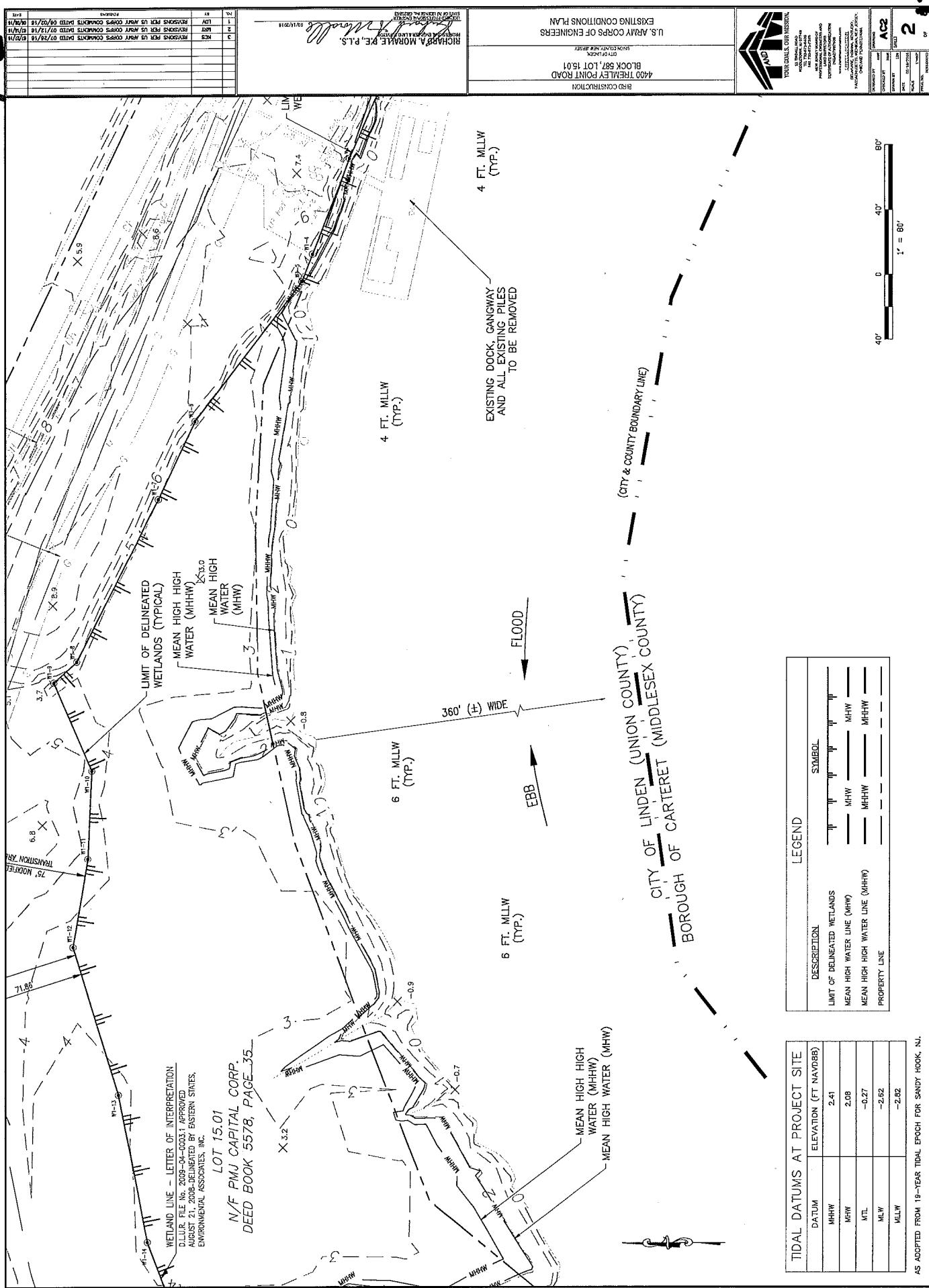
KEY MAP
PREPARED BY

Richard A. Moralle
RICHARD A. MORALLE
PROFESSIONAL ENGINEER
STATE OF NJ LICENSE NO. 0825863
DATE: 07/27/2016

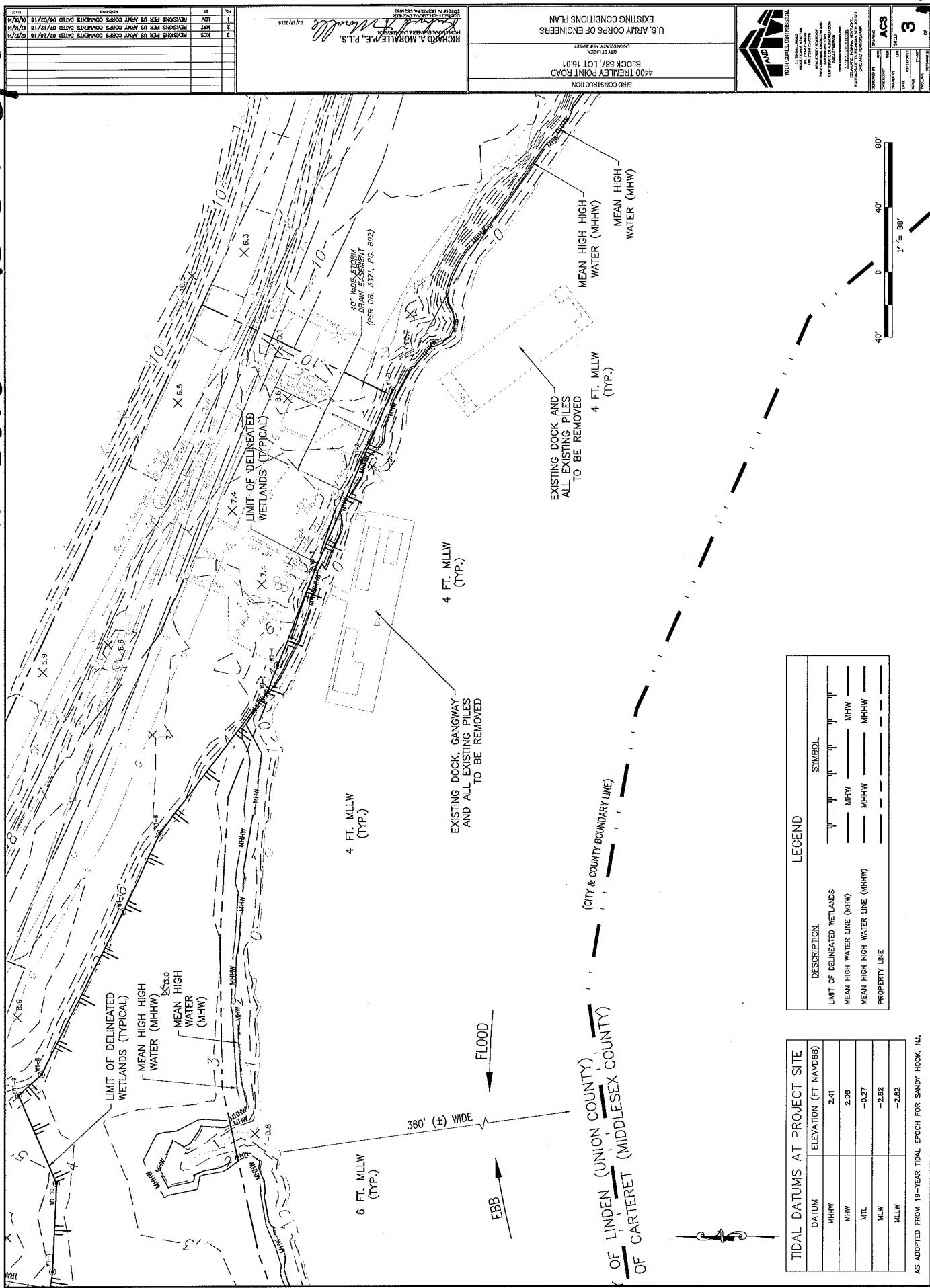


PROJECT COORDINATE
SYSTEMS AND DATUMS:
Horizontal: NAD 1983 StatePlane NJ_FIPS
Vertical: NAD 1983 Vertical Datum: Mean Sea Level
Elevation in Notes: FT = Elevation in Meters, FT + 0.007

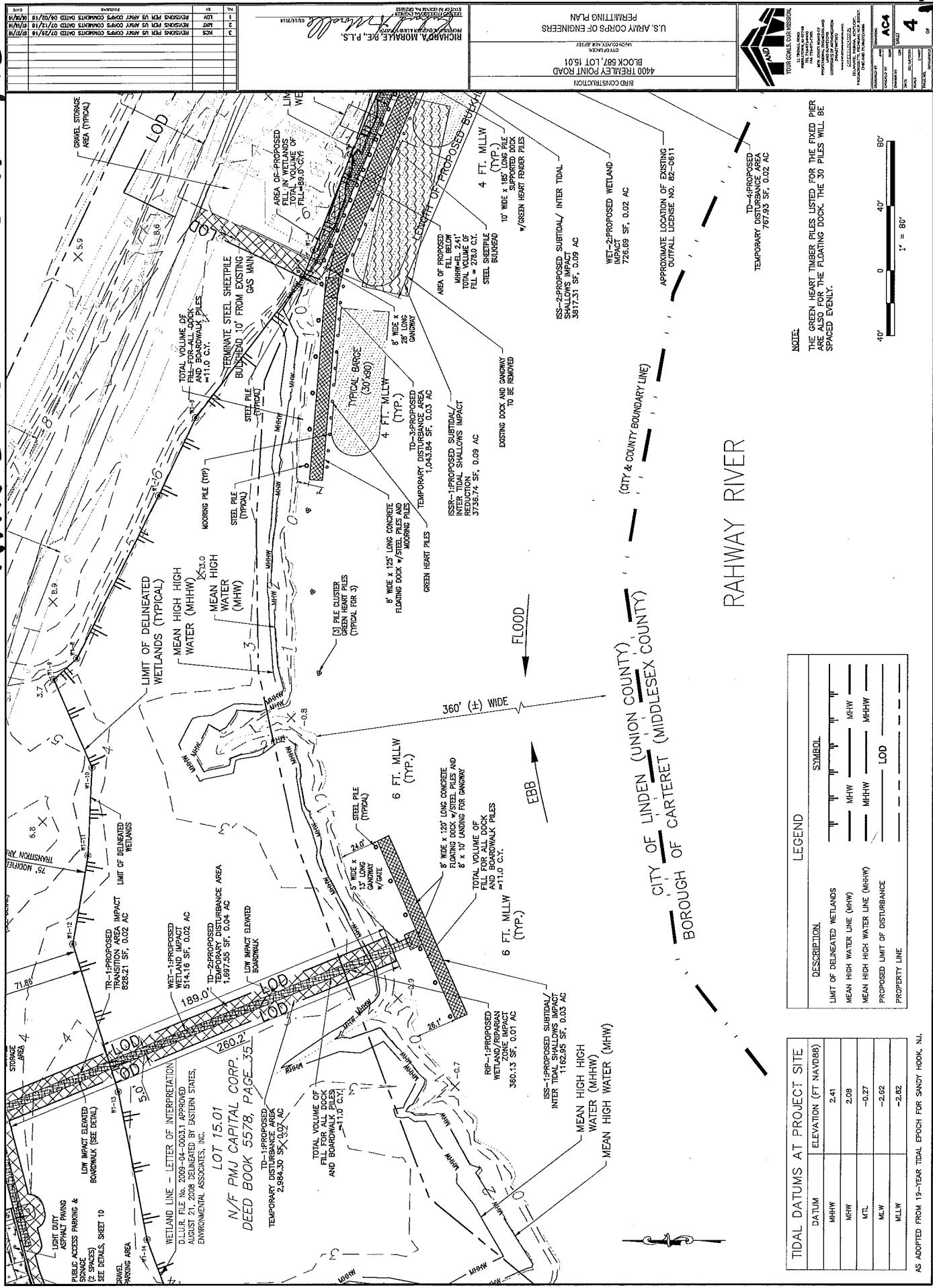
NAN-2016-0D112 -ETHA 2 / 12



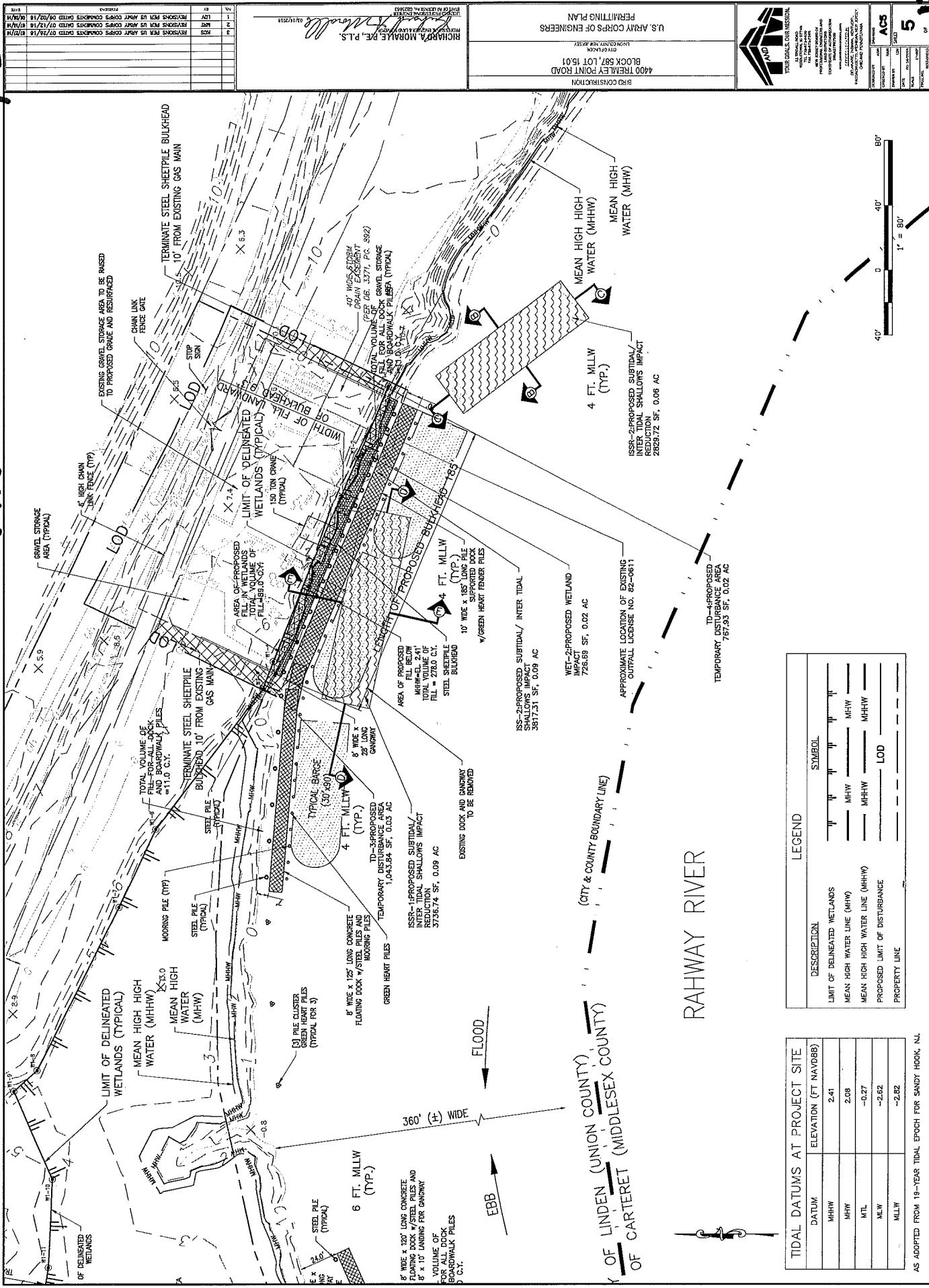
NAN-2016-00112-EHA 3/12



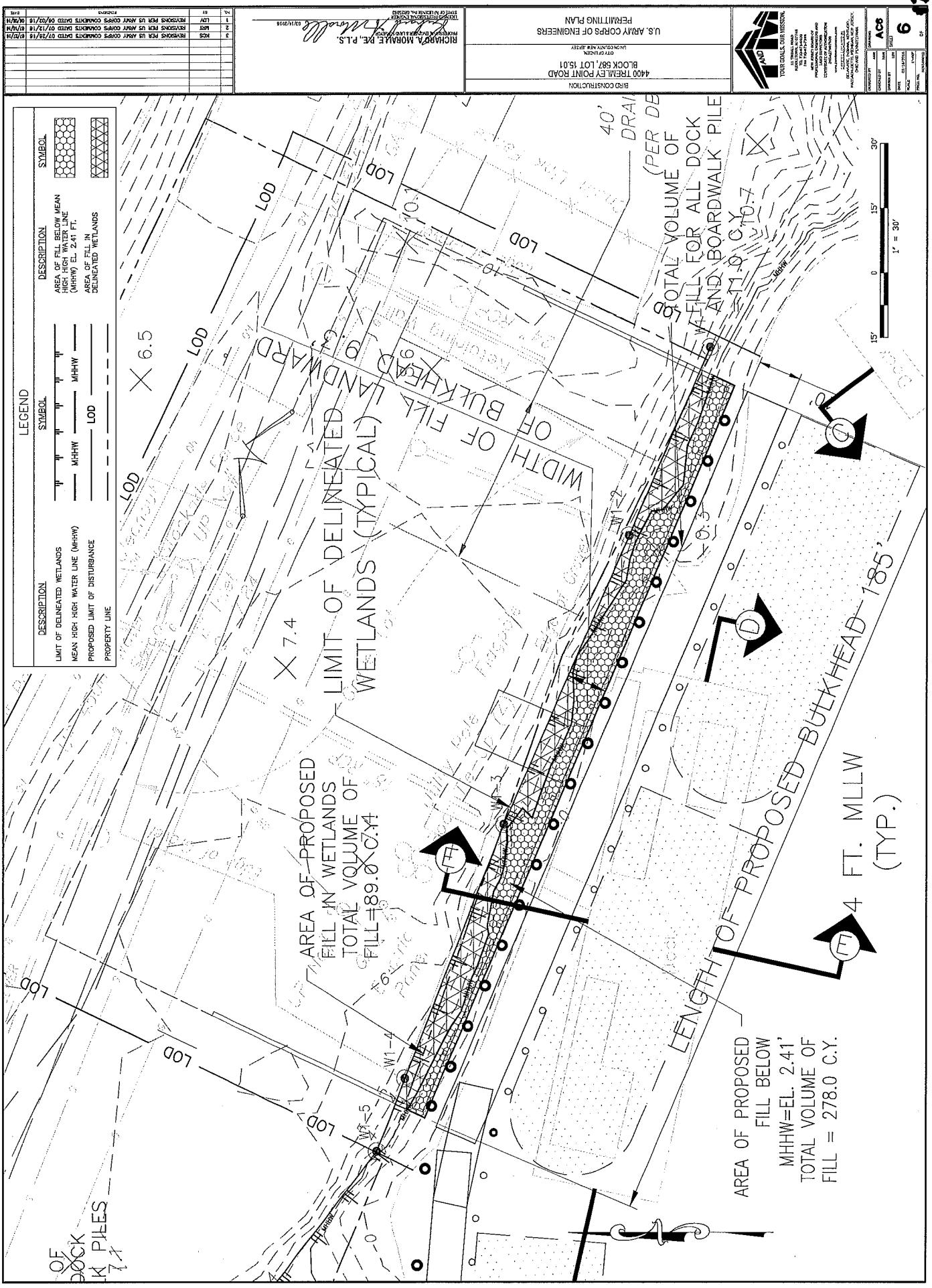
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NAN-2016-00112-EHA 5/12



NAN-2016-09112-ETA 6 / 12

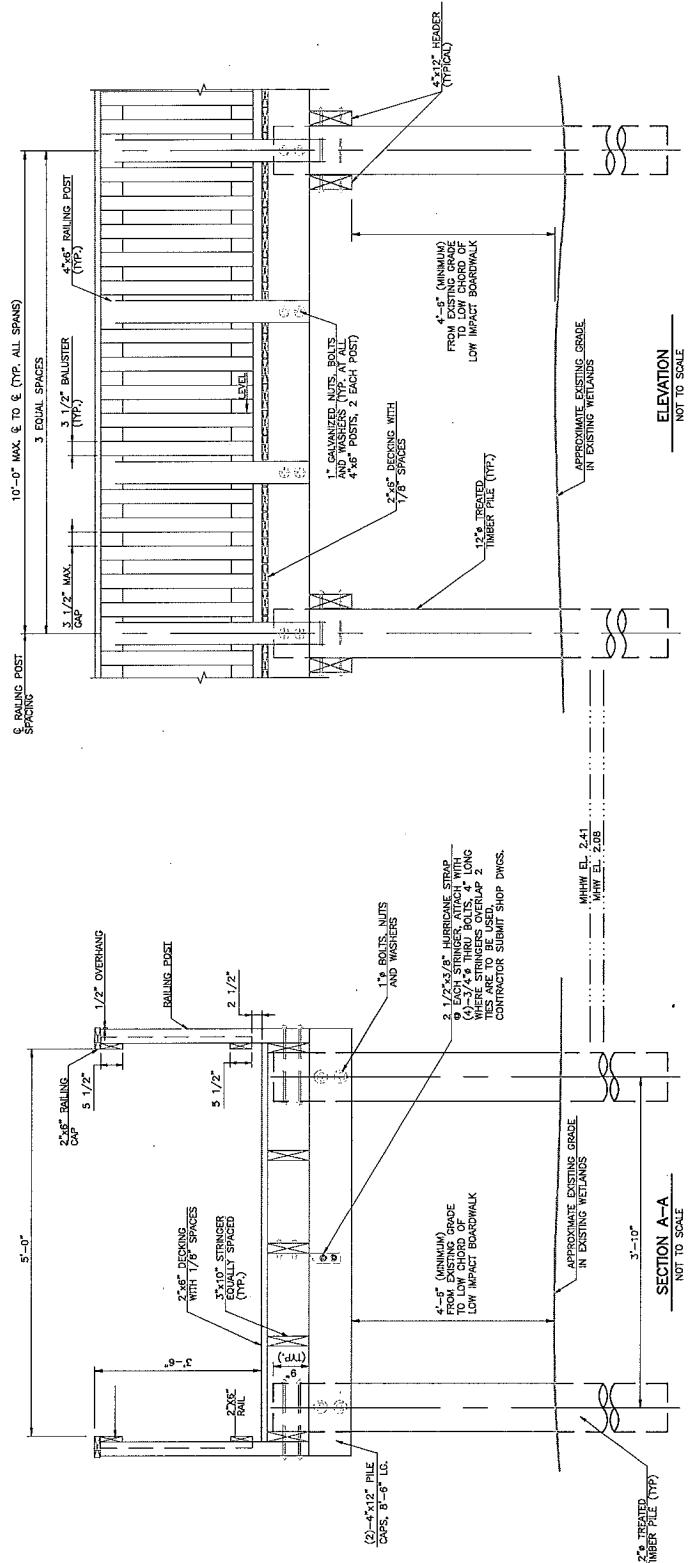


NAN-2016-00112-ETA-7/12



TYPICAL FLOATING CONCRETE DOCK WITH GANGWAY

NOT TO SCALE

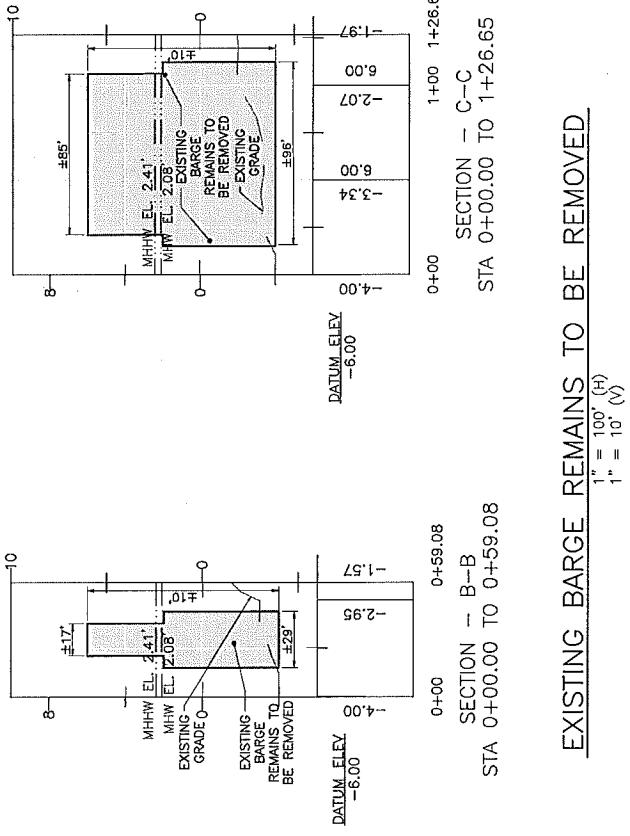


ELEVATED BOARDWALK DETAIL S

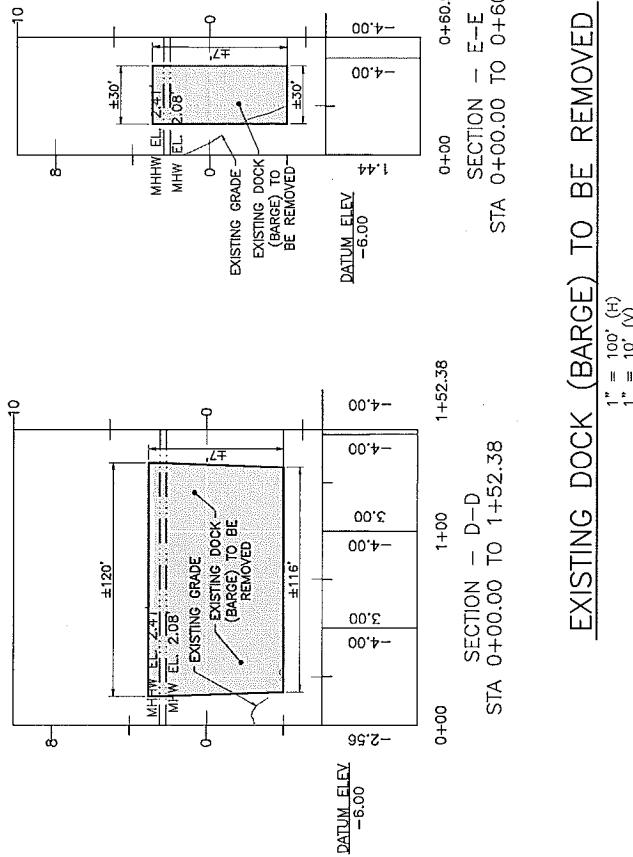
POINT TO SCALE

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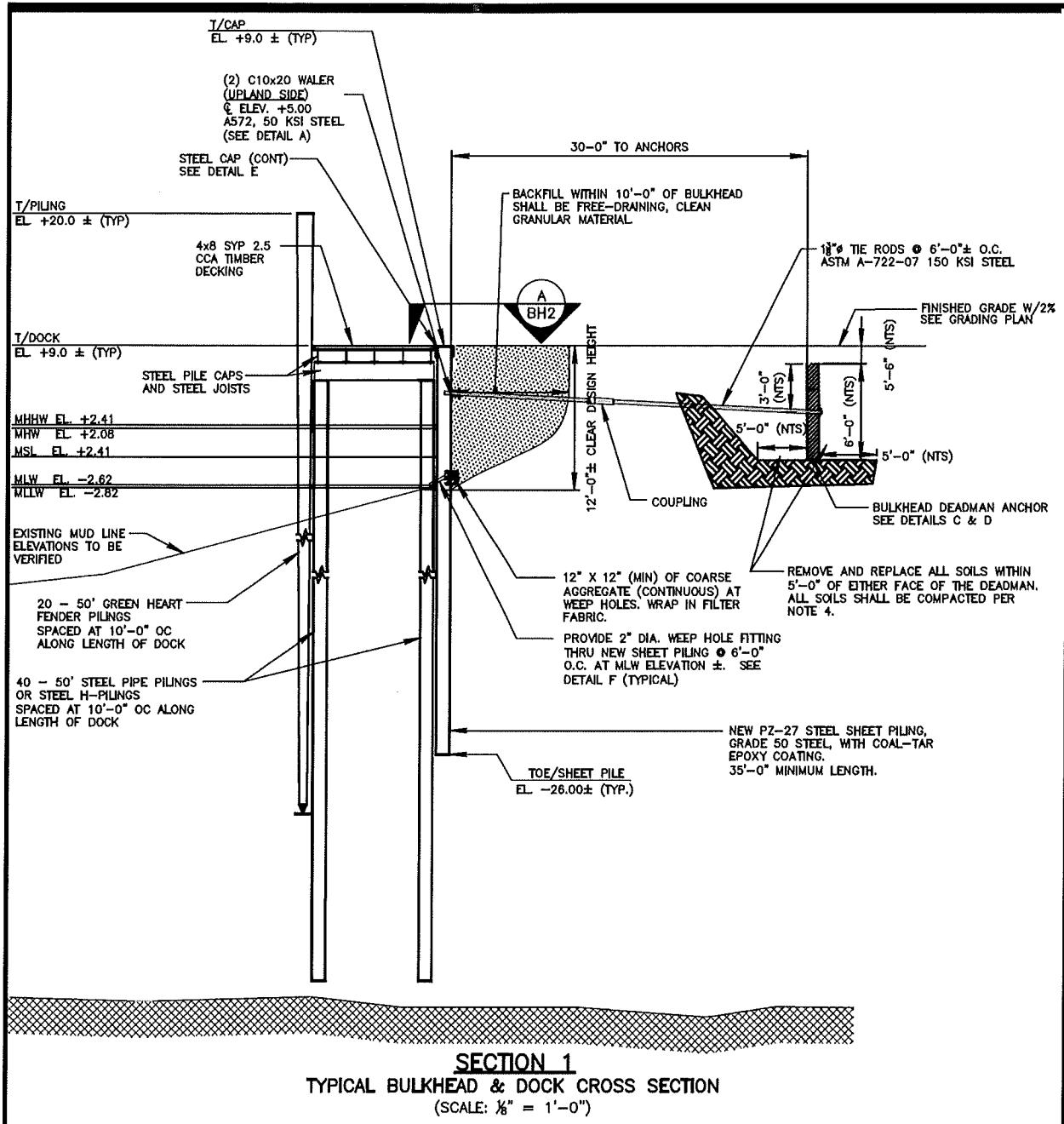


EXISTING BARGE REMAINS TO BE REMOVED



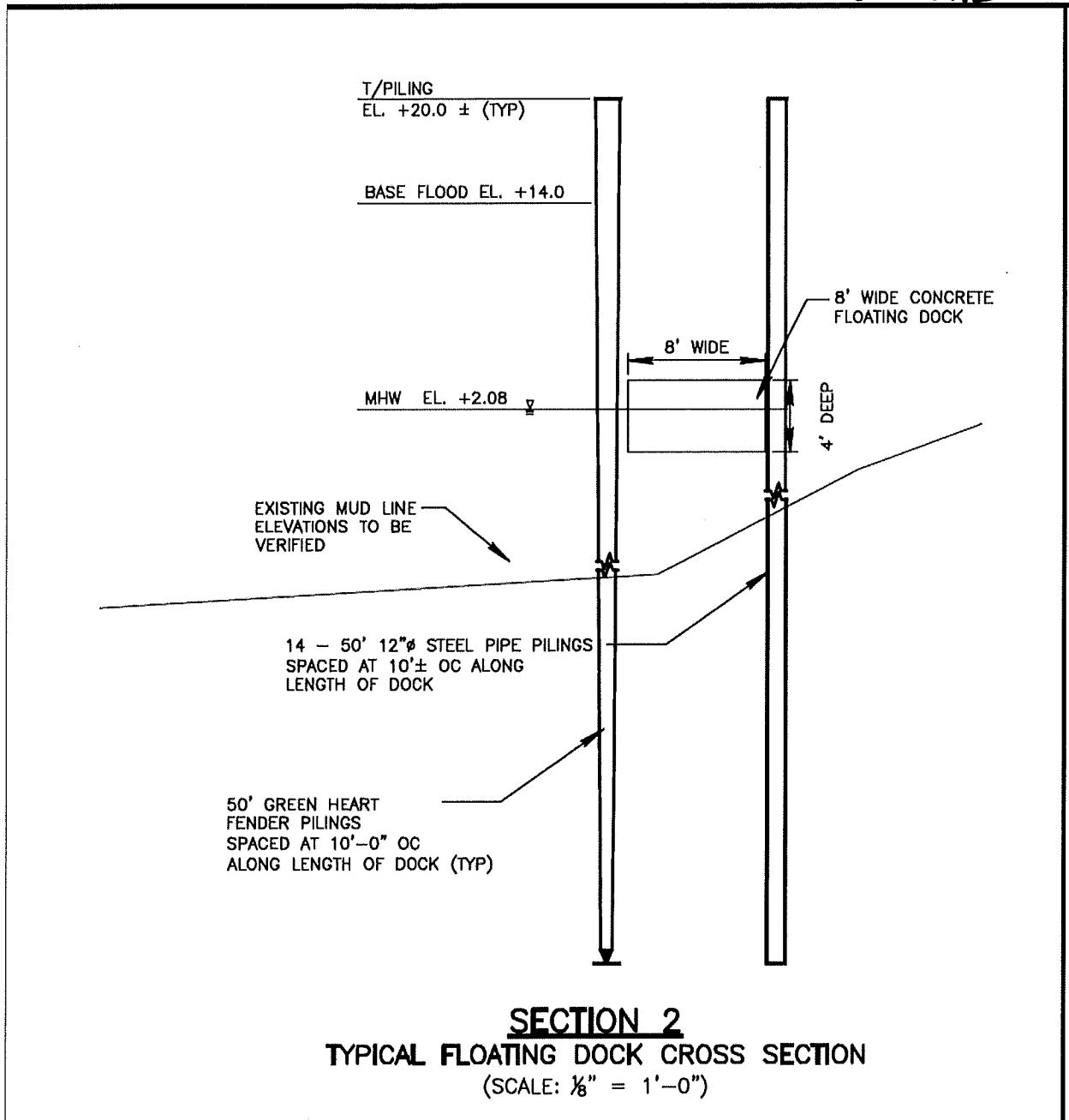
EXISTING DOCK (BARGE) TO BE REMOVED

NAN-2016-00112-ETHA 9/12



<p>RIOUX ENGINEERING LLC Engineers & Consultants</p> <p>TIMOTHY J. RIOUX, P.E.</p> <p>13 Dayton Avenue Toms River, New Jersey 08753 Certificate of Authorization No. 24GA28231000</p>		<p>BULKHEAD DETAILS BLOCK 587, LOT 15.01 BIRD CONSTRUCTION - LINDEN YARD WATERFRONT IMPROVEMENTS</p> <p>SITUATED IN CITY OF LINDEN, UNION COUNTY, NEW JERSEY</p> <table border="1"> <tr> <td>Job No. 00007015000</td> <td>Drawer Number 00007-015003</td> <td>Drawing Name: Waterfront Improvement Plan.dwg</td> </tr> </table> <p>BH2 OF BH3</p>						Job No. 00007015000	Drawer Number 00007-015003	Drawing Name: Waterfront Improvement Plan.dwg
Job No. 00007015000	Drawer Number 00007-015003	Drawing Name: Waterfront Improvement Plan.dwg								
Date 06/18/2015	Scale (H) AS SHOWN (V) Vert. Scale	Drawn TJR	Designed TJR	Checked	Released	Tel: 908-295-6507 Fax: 732-818-0646 WWW.RIOUXENGINEERING.COM				

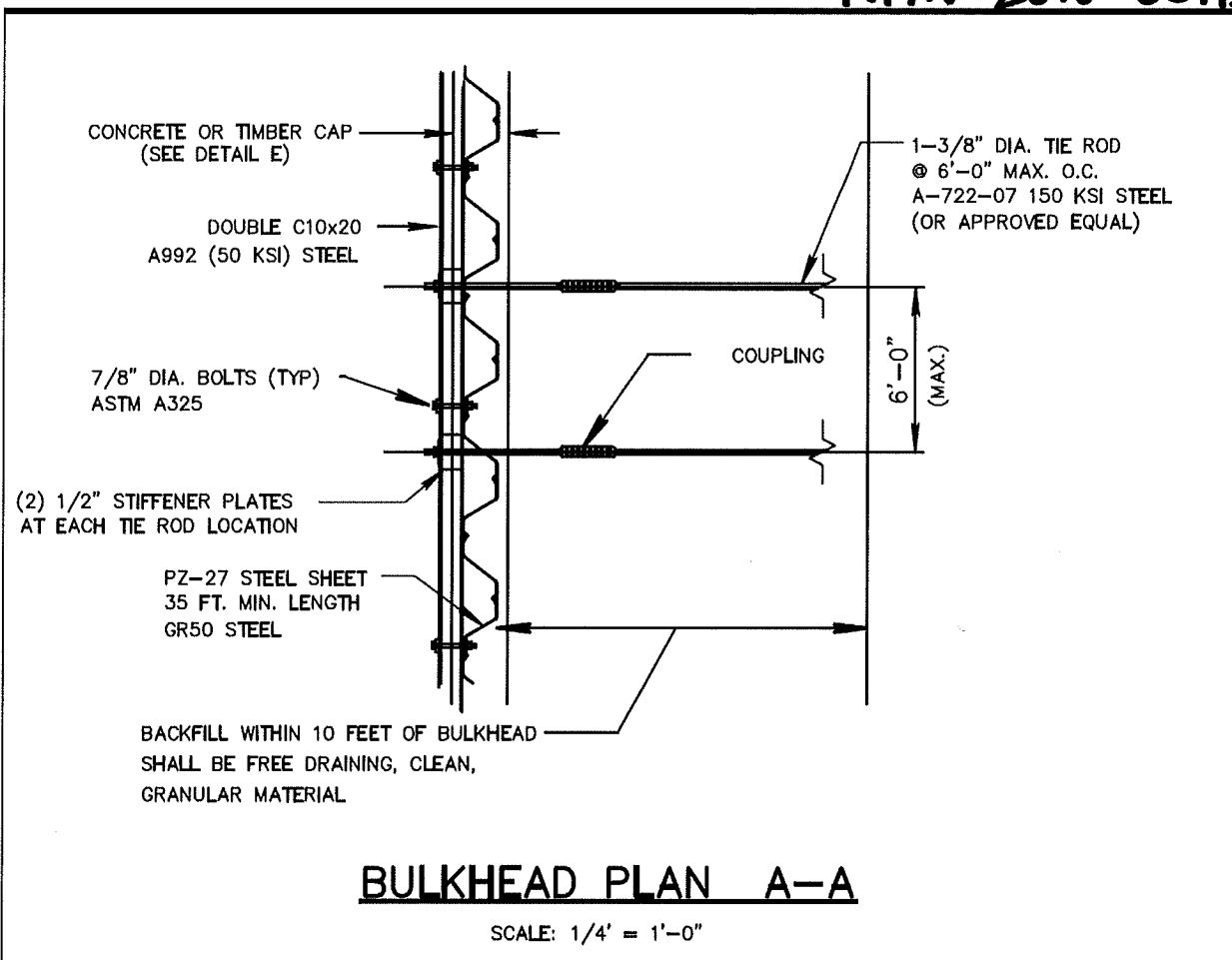
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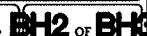


 <p>RIOUX ENGINEERING LLC Engineers & Consultants</p>			BULKHEAD DETAILS BLOCK 587, LOT 15.01 BIRD CONSTRUCTION - LINDEN YARD WATERFRONT IMPROVEMENTS		
<p>TIMOTHY J. RIOUX, P.E. NJ PROFESSIONAL ENGINEER Lic. No. 24GE04556700 DATE: 6/23/15</p> <p>13 Dayton Avenue Toms River, New Jersey 08753 Certificate of Authorization No. 24GA28231000</p> <p>Date: 06/18/2015 Scale (H) AS SHOWN (V) Vert. Scale Drawn: TJR Designed: TJR Checked: Released:</p> <p>Tel: 908-395-6507 Fax: 732-818-0616 WWW.RIOUXENGINEERING.COM</p>			<p>SITUATED IN CITY OF LINDEN, UNION COUNTY, NEW JERSEY</p> <p>Job No. 00007015000 Drawer Number 00007-015003 Drawing Name: Waterfront Improvement Plans</p> <p>BH2 OF BH3</p>		

11/12

NAN-2016-00112-EHA



 RIOUX ENGINEERING LLC Engineers & Consultants		BULKHEAD DETAILS BLOCK 587, LOT 15.01 BIRD CONSTRUCTION - LINDEN YARD WATERFRONT IMPROVEMENTS							
TIMOTHY J. RIOUX, P.E. NJ PROFESSIONAL ENGINEER Lic. No. 24GE04556700 13 Dayton Avenue Toms River, New Jersey 08753 Certificate of Authorization No. 21GA28231000		SITUATED IN CITY OF LINDEN, UNION COUNTY, NEW JERSEY							
Date 06/18/2015	Scale (H) AS SHOWN (V) Vert. Scale	Drawn TJR	Designed TJR	Checked	Released	Job No. 00007015000	Drawer Number 00007-015003	Drawing Name: Waterfront Improvement Plans dwg	

NAN-2016-00112-EHA - Bird Construction Co., City of Linden, Union County, NJ 12/12

Pile Type	Location	Quantity	Diameter	Length
Greenheart Pile Clusters (3 piles per cluster)	Center of Site Between Docks near shoreline	9	12 inch	40 foot
Steel Piles	Concrete Floating Dock - West Portion of Site	6	12 inch	50 foot
Steel Piles	Concrete Floating Dock - East Portion of Site	6	12 inch	50 foot
Steel Piles	Waterward of Bulkhead	18	12 inch	40 foot
Greenheart Timber Piles	In front of Fixed Pier at Bulkhead	30	12 inch	40 foot
Timber Piles	Boardwalk	52	12 inch	40 foot

Note: All piles to be installed using a vibratory hammer.

Note: All Piles 12" D