

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-2024-1201-MOS Issue Date: Expiration Date:

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: City of Long Branch Attn: Charles Shirley Jr. 344 Broadway Long Branch, New Jersey 07740

ACTIVITY: Pier Construction

- WATERWAY: Atlantic Ocean
- LOCATION: 40.303036, -73.977978, Long Branch, 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 EMAILED TO **jarod.r.ostir@usace.army.mil** 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 can also be submitted through the USACE Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs/public-notices.

Comments submitted in response to this notice will be fully considered during the public interest

CENAN-OP-RM MEMORANDUM FOR THE RECORD

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 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 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,

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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

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 Jarod Ostir of this office at jarod.r.ostir@usace.army.mil.

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

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

FOR AND IN BEHALF OF Stephan A. Ryba Chief, Regulatory Branch

Enclosures

CENAN-OP-RM MEMORANDUM FOR THE RECORD

WORK DESCRIPTION

The applicant, City of Long Branch, has requested Department of the Army authorization for pier construction at 40.303036, -73.977978 in the Atlantic Ocean, Long Branch, Monmouth County, New Jersey.

The proposed work would involve the following: The construction of an approximately 550-foot-long by 20-foot-wide pier and an approximately 30-foot-long by 70-foot-wide platform. The pier will also include a hexagonal feature that is approximately 40-feet-long by 44-feet-wide beginning at the 280-foot mark. Approximately 2.2 cubic yards (CY) of concrete fill will be placed in 73 steel piles for a total of 162 CY of concrete fill.

The applicants have stated that they have avoided, minimized, and mitigated for potential impacts proposed, to the maximum extent practicable by using a soft start procedure to allow aquatic species to swim away from the area before sound levels reach effect levels

The stated purpose of this project is to provide accessible waterfront access to views of the beach as well as fishing spots for locals and visitors.

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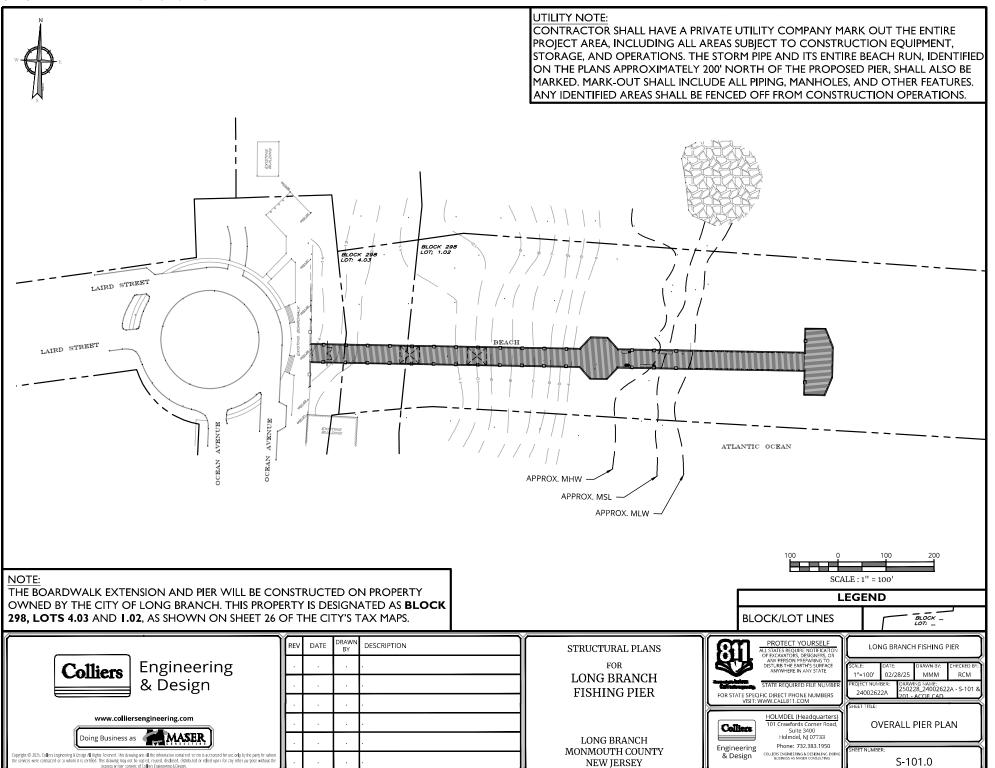
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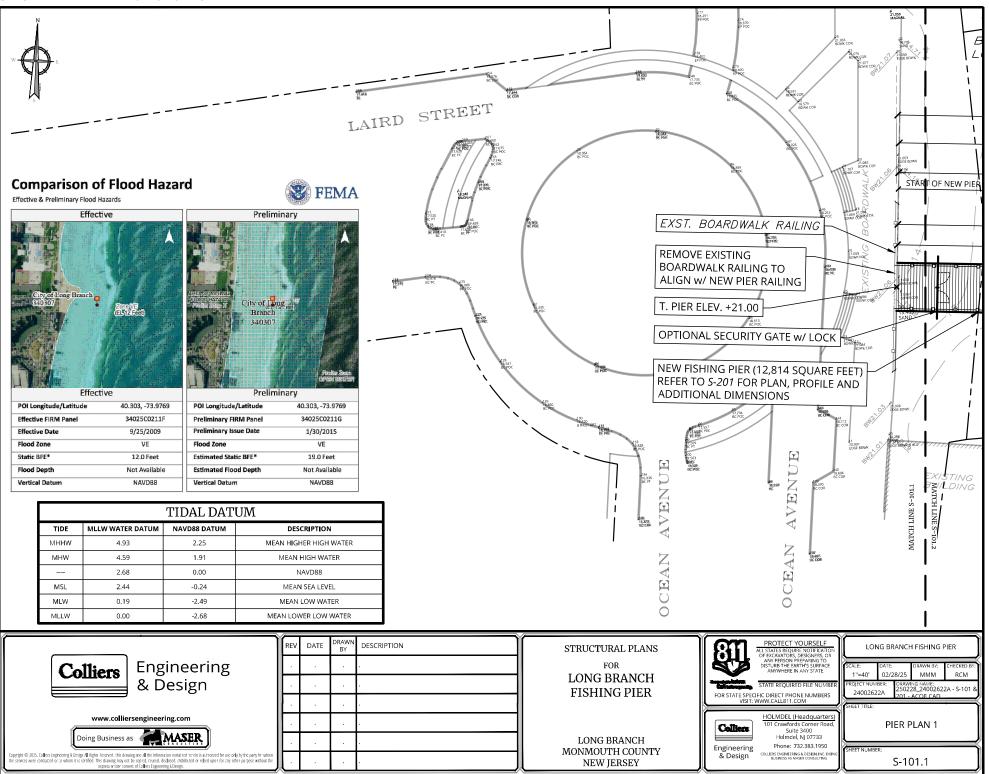
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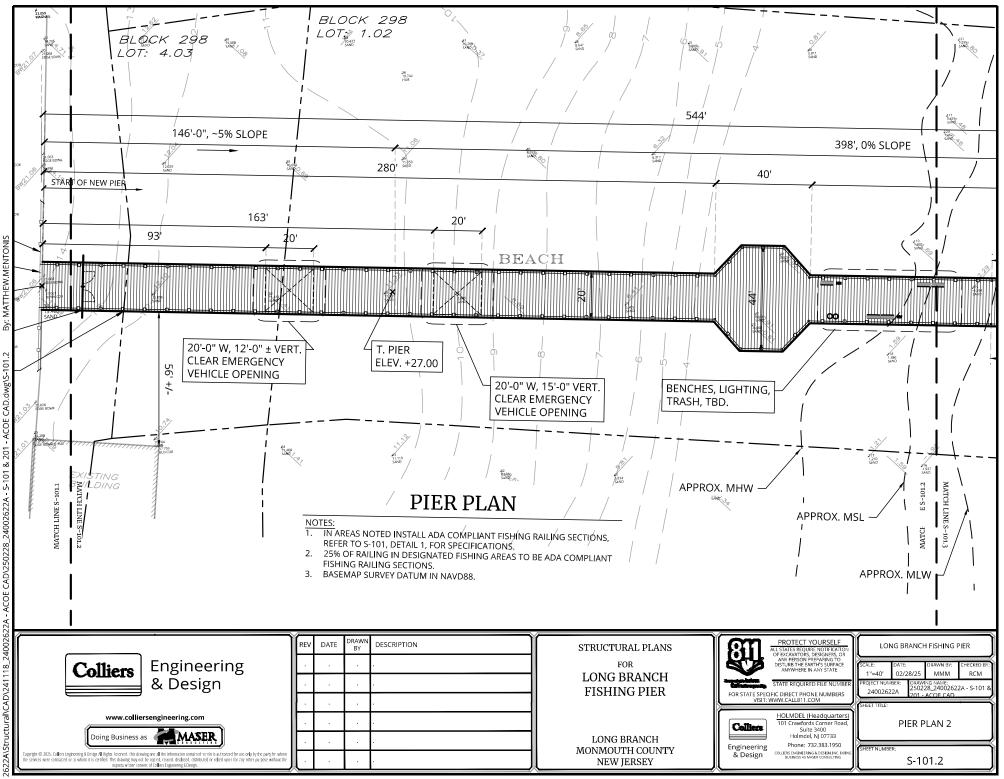
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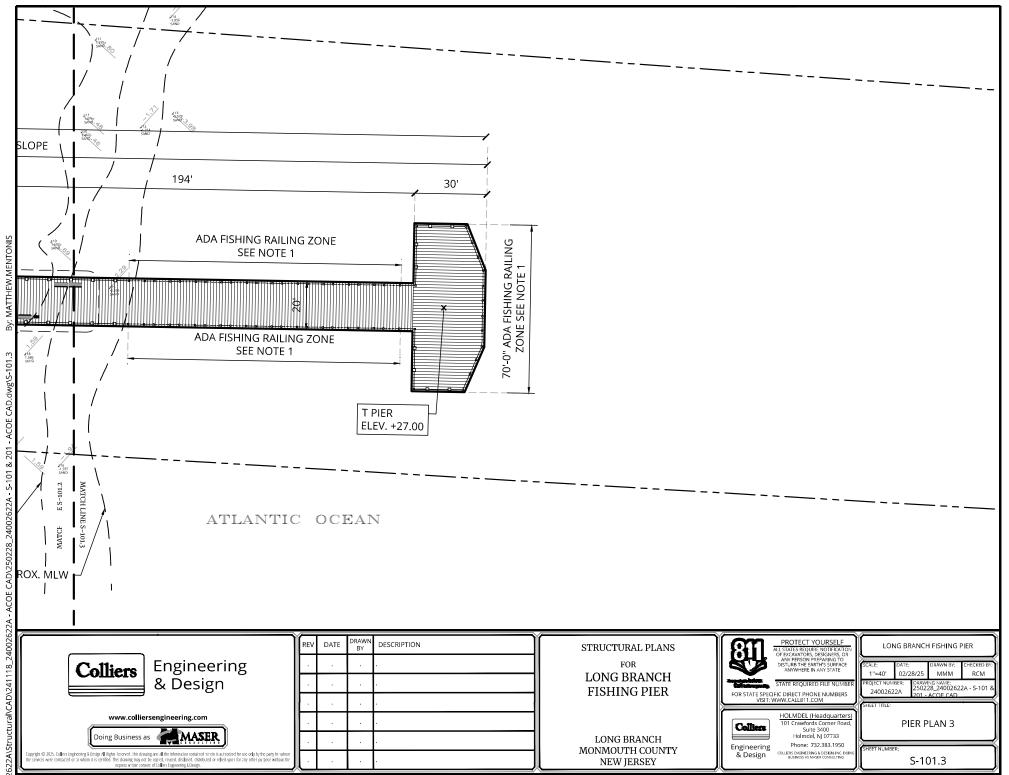
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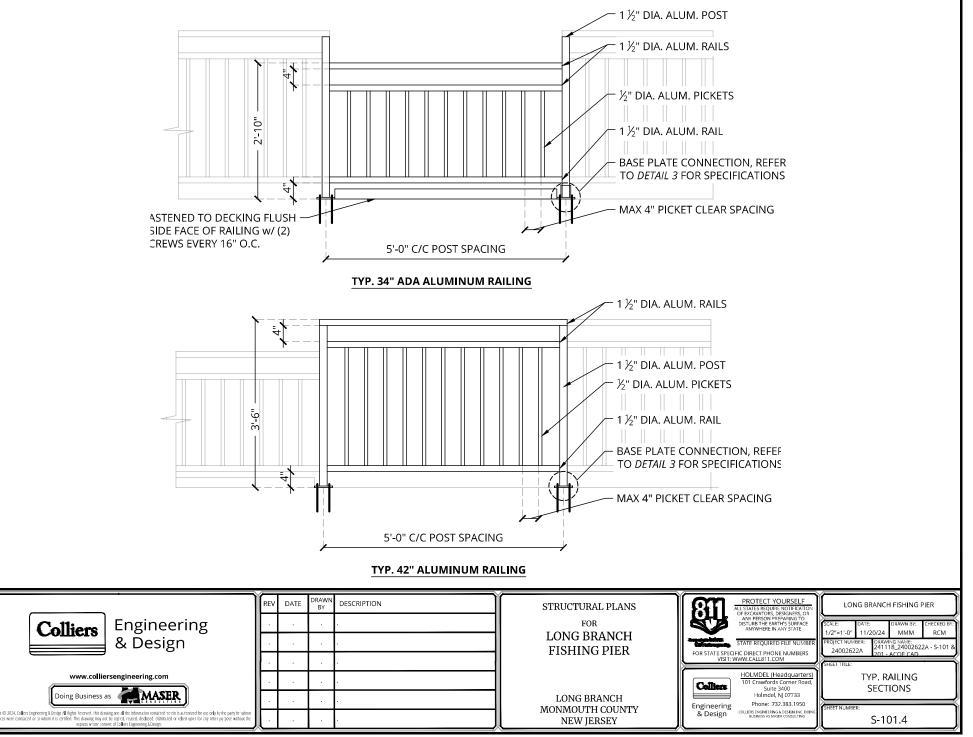


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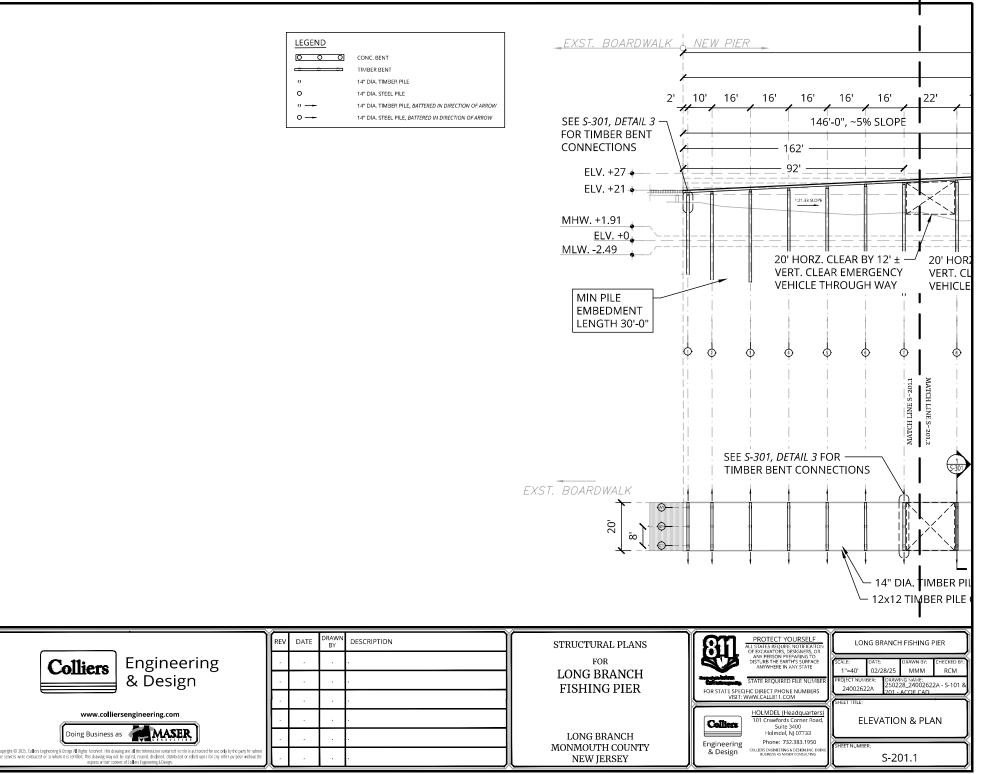
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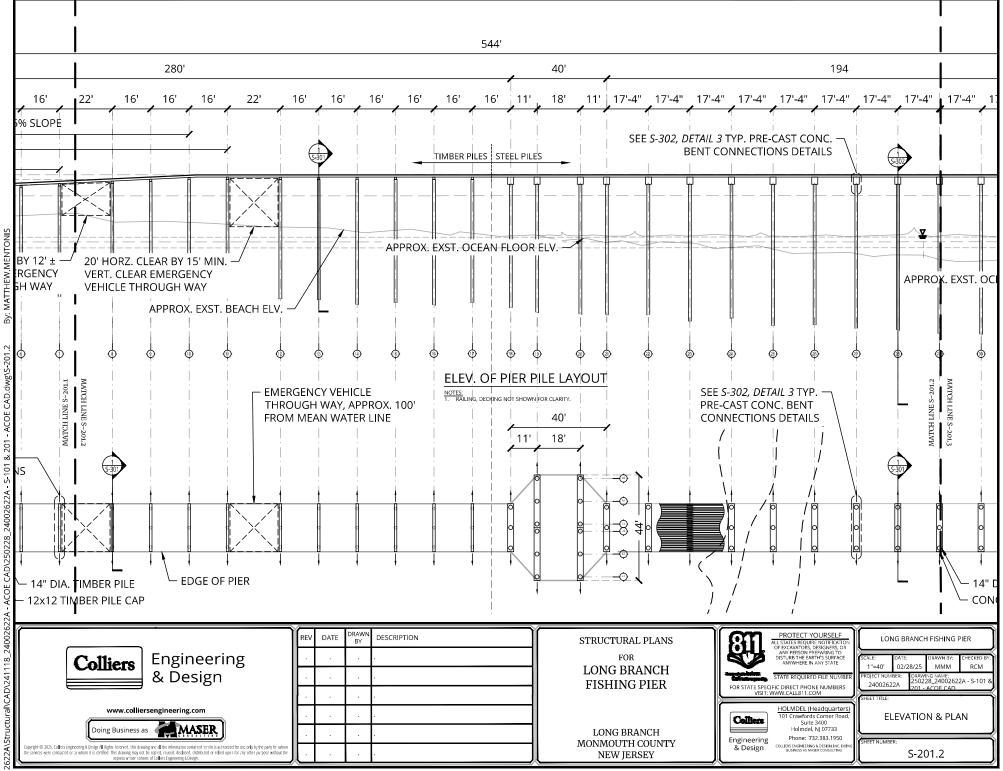
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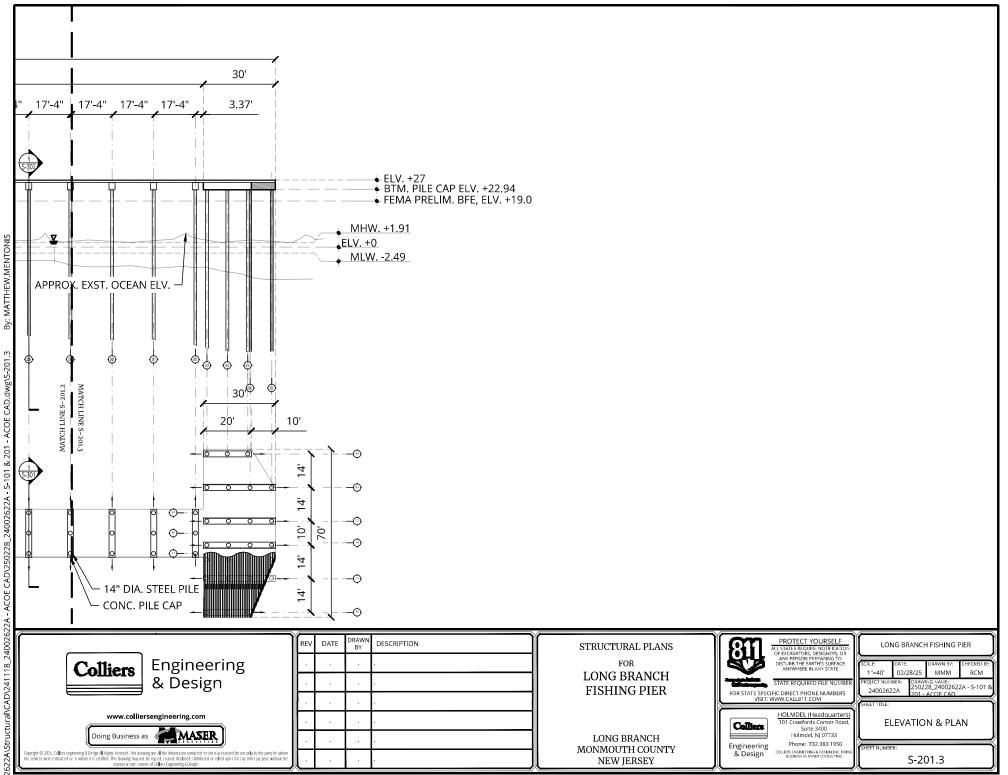


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used, disclosed.

2x6, COMPOSITE DECKING, REFER TO -20'-0" WIDTH NOTES: DETAIL 4, 'STRINGER SPLICE CONNECTIONS' 1. REFER TO S-201, PIER PLAN AND AND DETAIL 6, 'TIMBER DECKING AND PROFILE, FOR PILE BENT (23) 4x12 STRINGERS EQ. SPACEDAT FRAMING PLAN' FOR FASTENER LOCATIONS, SPACING AND 1'-0" O.C. MAX SPECIFICATIONS AND DECKING PATTERN ELEVATIONS. 2. REFER TO DETAIL 5, 'TIMBER (23) 4x12 SYP. NO.1 STRINGERS, REFER TO T. DECK SEE S-201 DECKING AND FRAMING PLAN' DETAIL 3, 'TIMBER BENT CONNECTIONS,' FOR <u>Мидинии</u> STRINGERS TO PILE CAP CONNECTION AND FOR ADDITIONAL FRAMING T. PILE SEE S-201 加 SPECIFICATIONS AND BLOCKING DETAIL 5, 'TIMBER DECKING AND FRAMING LOCATIONS. PLAN' FOR SPLICE, BLOCKING AND 3. ALL STEEL ADDITIONAL FRAMING SPECIFICATIONS COMPONENT/FASTENERS TO BE 8:1 040 8:1 12x12x20' SYP NO.1 PILE CAP HOT DIP GALVANIZED, H.D.G. 4. ALL SIMPSON PRODUCTS TO BE REFER TO DETAIL 3, 'TIMBER BENT STAINLESS STEEL 316, U.N.O. CONNECTIONS,' FOR PILE CAP TO 5. ALL COMPONENT/FASTENER 2'-0" O.C. 2'-0" O.C. PILE CONNECTION, DRIFT PIN ALTERNATIVES MUST BE AND STRAP SPECIFICATIONS 10'-0" APPROVED BY SIGNING ENGINEER. 14" DIA. TIMBER PILES, EACH END PILE -6. ALL TIMBER PILES TO HAVE A BATTERED AT 8:1 RATIO, MIDDLE PILE 14" MIN. BUTT DIA. STRAIGHT, REFER TO S-201, PIER PLAN AND PROFILE FOR PILE BENT LOCATIONS, SPACING AND ELEVATIONS ™HM PELV. +1.91 LNAVD 88 +ELV. +0 **T**WFM FELV. -2.49 DRAW PROTECT YOURSELF DESCRIPTION REV DATE 81 LONG BRANCH FISHING PIER STRUCTURAL PLANS BY ALL STATES REQUIRE NOTIFICATIO OF EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN ANY STATE Engineering FOR Colliers MMM 1/8"=1'-0" 02/12/25 RCM LONG BRANCH & Design ROIECT NUMB DRAWING NAME: 241118_24002622A - S-301 S-302 - ACOE CAD FISHING PIER 24002622A FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM HOLMDEL (Headquarters www.colliersengineering.com TIMBER BENT SECTION 101 Crawfords Corner Road Colliers Suite 3400 Holmdel, NJ 07733 MASER Doing Business as LONG BRANCH Phone: 732.383.1950 Engineering MONMOUTH COUNTY SHEET NUMBER 2025. Colliers Engin Hers Engineering & Design All Rights Reserved. This drawing ano all the tracted or to whom it is certified. This drawing may not be copied, re express writter conserv of Colliers & Design COLLIERS ENGINEERING & DESIGN, INC. DO ained herein is account. distributed or relied upon for any other pr S-301.1

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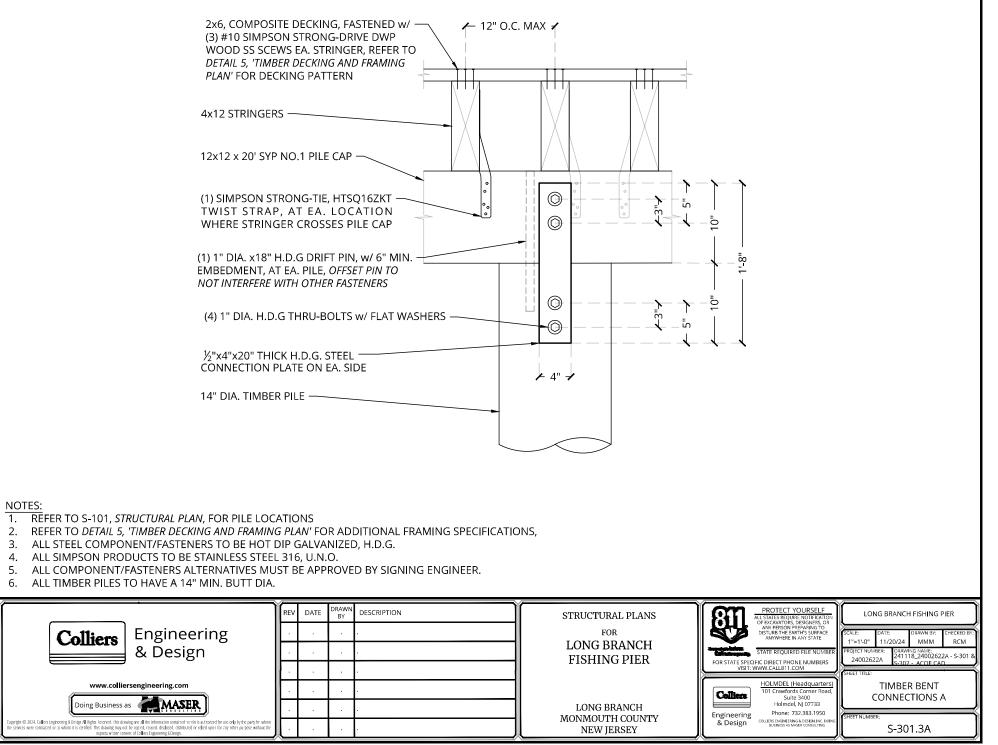
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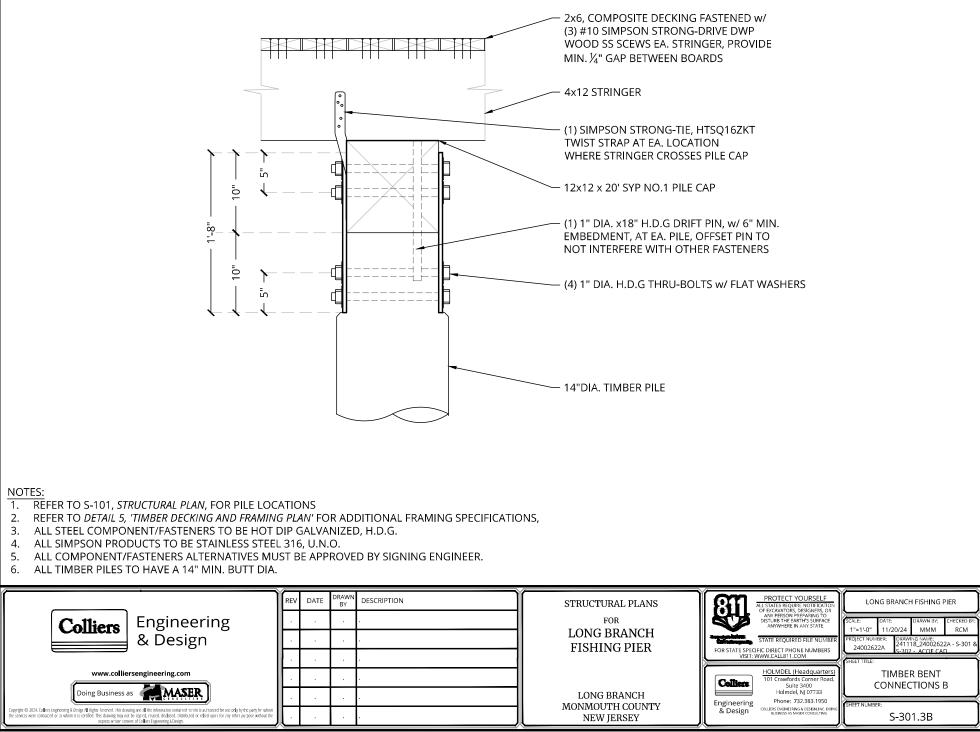
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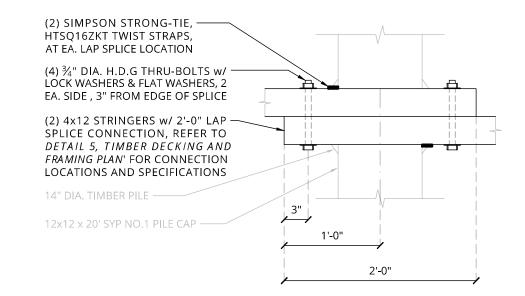
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NOTES:

1. ALL STEEL COMPONENT/FASTENERS TO BE HOT DIP GALVANIZED, H.D.G.

2. REFER TO DETAIL 5, 'TIMBER DECKING AND FRAMING PLAN' FOR ADDITIONAL FRAMING SPECIFICATIONS,

3. ALL SIMPSON PRODUCTS TO BE STAINLESS STEEL 316, U.N.O.

4. ALL COMPONENT/FASTENERS ALTERNATIVES MUST BE APPROVED BY SIGNING ENGINEER.

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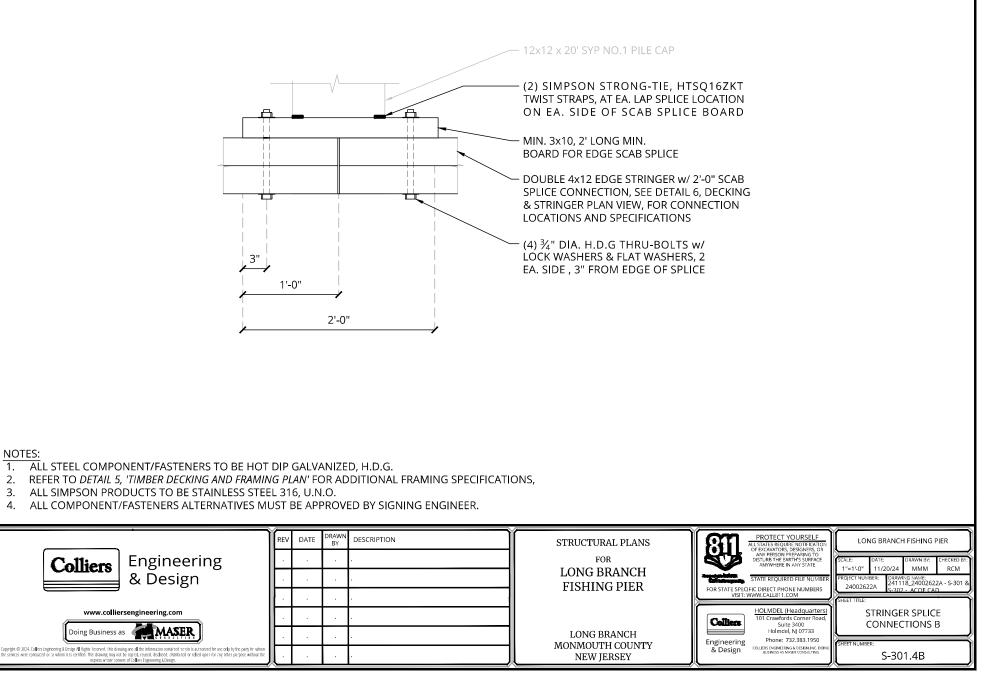
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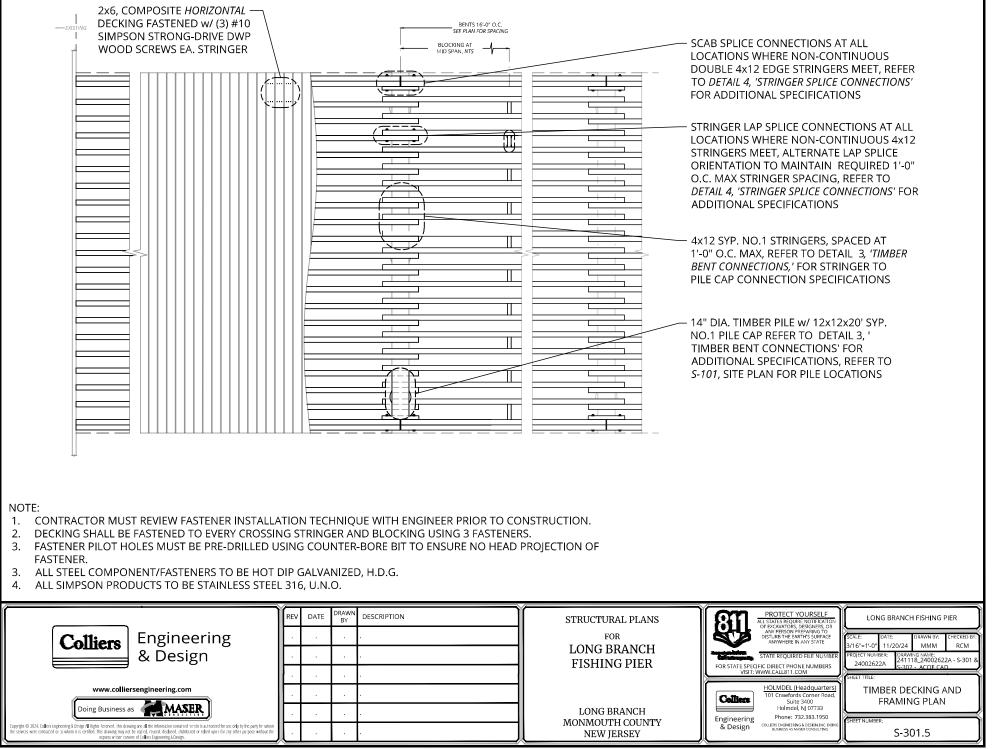
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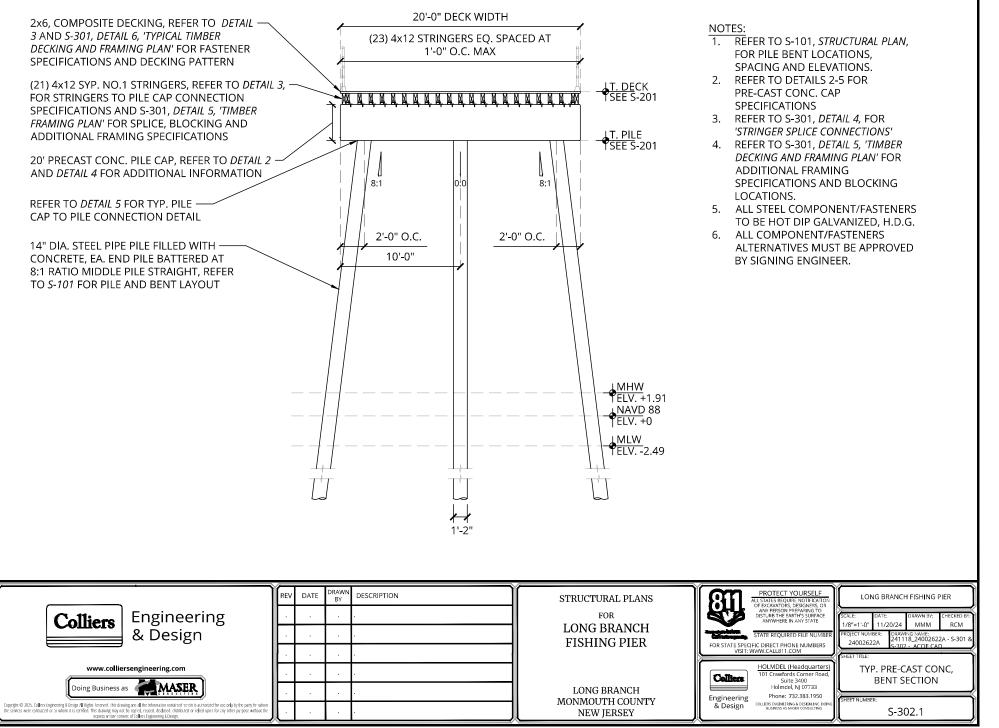
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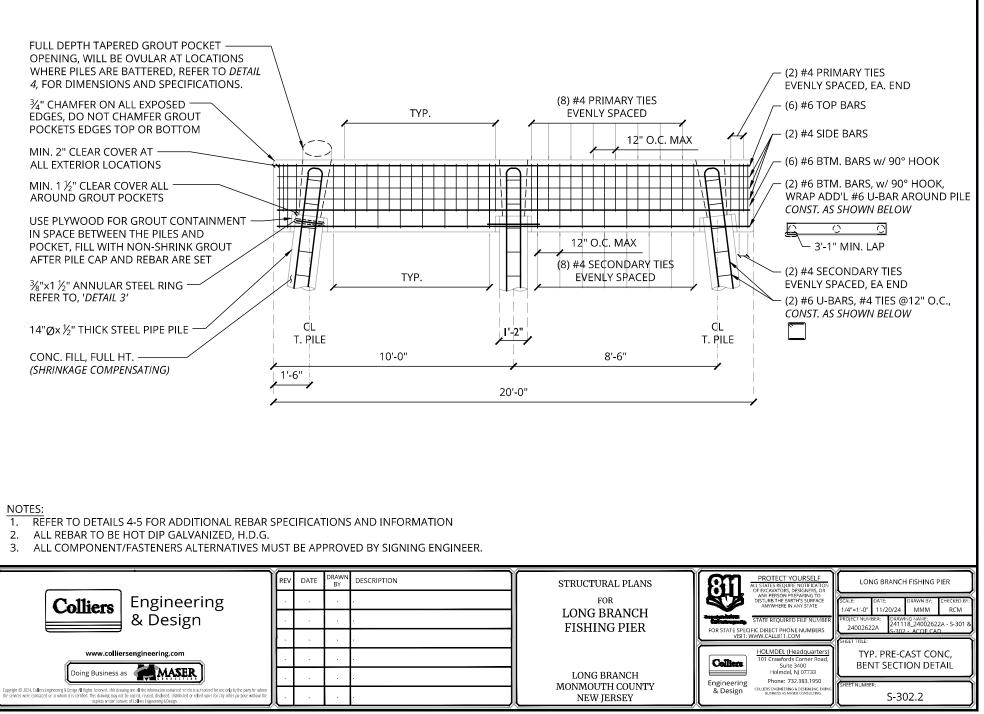
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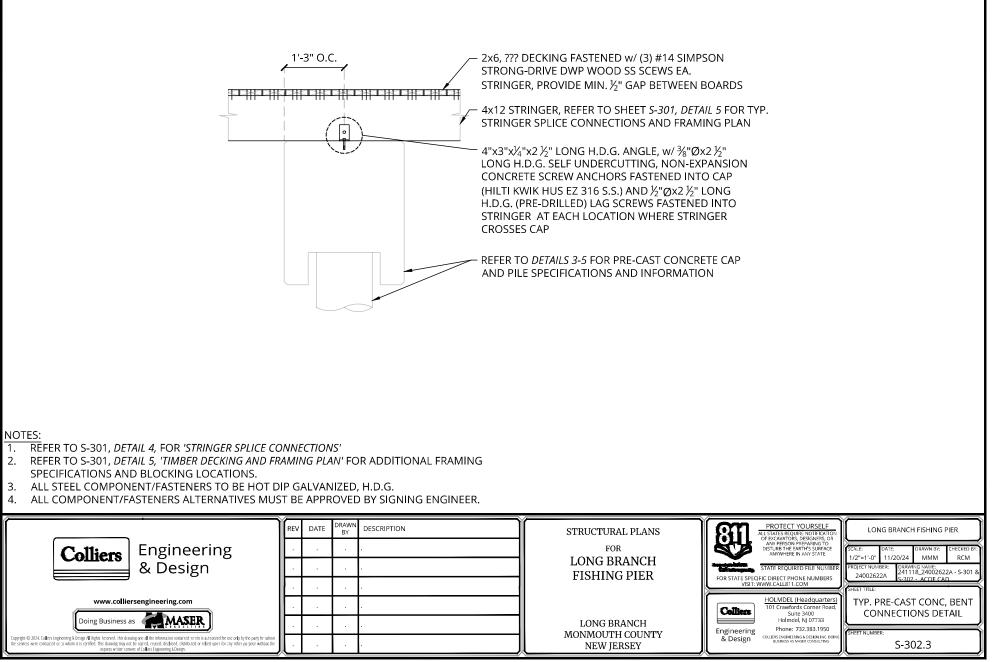
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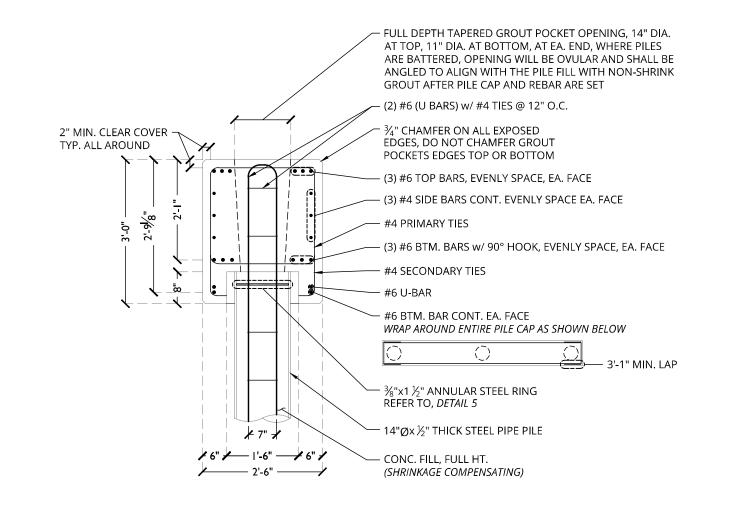
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