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**US Army Corps
of Engineers**

Philadelphia District

Public Notice

Public Notice No.	Date
CENAP-PL-E-06-08	19 October 2006

Application No.	File No.
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In Reply Refer to:

Environmental Resources Branch

CREATION OF PIPING PLOVER NESTING HABITAT AT THE CAPE MAY NATIONAL WILDLIFE REFUGE CAPE MAY COUNTY, NEW JERSEY

Pursuant to Section 102 of the National Environmental Policy Act, NOTICE IS HEREBY GIVEN THAT the Philadelphia District of the U.S. Army Corps of Engineers has completed a draft Environmental Assessment, which addresses the benefits and impacts of creating piping plover nesting habitat within the Cape May National Wildlife Refuge. The draft Environmental Assessment titled: *Creation of Piping Plover Nesting Habitat at the Cape May National Wildlife Refuge, Cape May County, New Jersey* is available for public review and comment.

The purpose of this project is to create approximately 1 acre of piping plover nesting habitat within the Cape May National Wildlife Refuge in Cape May County, New Jersey (Figure 1). This site is owned and managed by the U.S. Fish and Wildlife Service. While plovers have historically nested within the adjacent U.S. Coast Guard property, no plovers have recently nested within the Refuge. Currently only a small portion of the Refuge's beach above the high tide line unvegetated, leaving little suitable nesting habitat for plovers and other beach-nesting birds. Suitable nesting habitat for plovers is becoming scarce in New Jersey due to beach stabilization and high recreational beach usage. As part of the Refuge's Comprehensive Conservation Plan (CCP), the Two Mile Beach Unit does not allow any beach access between April 1 and September 30. The purpose of the beach closure is to benefit beach nesting birds and migratory shorebirds during the spring and fall migration period. Protected areas such as this generally have better nesting success for plovers than heavily used public beach areas. For this reason, this site has the potential to be very important to the recovery of the species in New Jersey.

Through coordination with the US Fish and Wildlife Service and the NJ Department of Environmental Protection, the Corps has developed a plan to create

nesting habitat for the federally threatened piping plover. The proposed plan consists of mechanically “scraping” approximately 2,650 cubic yards (cy) of sand from a 1 acre portion of the upper beach berm within the Cape May National Wildlife Refuge and relocating it to the landward toe of the existing dune (Figure 2). All work will be conducted above mean high water (MHW).

In accordance with the National Environmental Policy Act of 1969, a draft Environmental Assessment (EA) has been developed for this project and is being circulated to the appropriate State and Federal agencies; local, State, and Federal officials; and private organizations.

In accordance with Section 307 (c) of the Coastal Zone Management Act of 1972, an activity affecting land or water uses in a State's coastal zone must comply with the State's Coastal Zone Management Program. A certification of compliance is being requested from the New Jersey Department of Environmental Protection.

It has been determined that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. It is anticipated that the project will have a beneficial impact on piping plovers and other beach-nesting birds. Updated consultation with the U.S. Fish and Wildlife Service will occur prior to project implementation to insure compliance with Section 7 of the Endangered Species Act.


Review of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion, would be impacted.

All practicable means to avoid or minimize adverse environmental effects have been incorporated into the recommended plan.

The public and all agencies are invited to comment on this proposal. Copies of the draft Environmental Assessment are available upon request by calling (215) 656-6558. More detailed information on this work is also available for public review at the Philadelphia District Office.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice (October 19, 2006 to November 17, 2006), that a public hearing be held to consider this proposal. Requests for a public hearing shall state, in detail, the reasons for holding a public hearing.

All comments on the work described in this public notice and/or in the report titled: *Creation of Piping Plover Nesting Habitat at the Cape May National Wildlife Refuge, Cape May County, New Jersey* should be directed to Mr. Minas Arabatzis., ATTN: Environmental Resources Branch, U.S. Army Corps of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390 by November 17, 2006.

for 
Minas M. Arabatzis
Chief, Planning Division
Philadelphia District
U.S. Army Corps of Engineers

Map 1

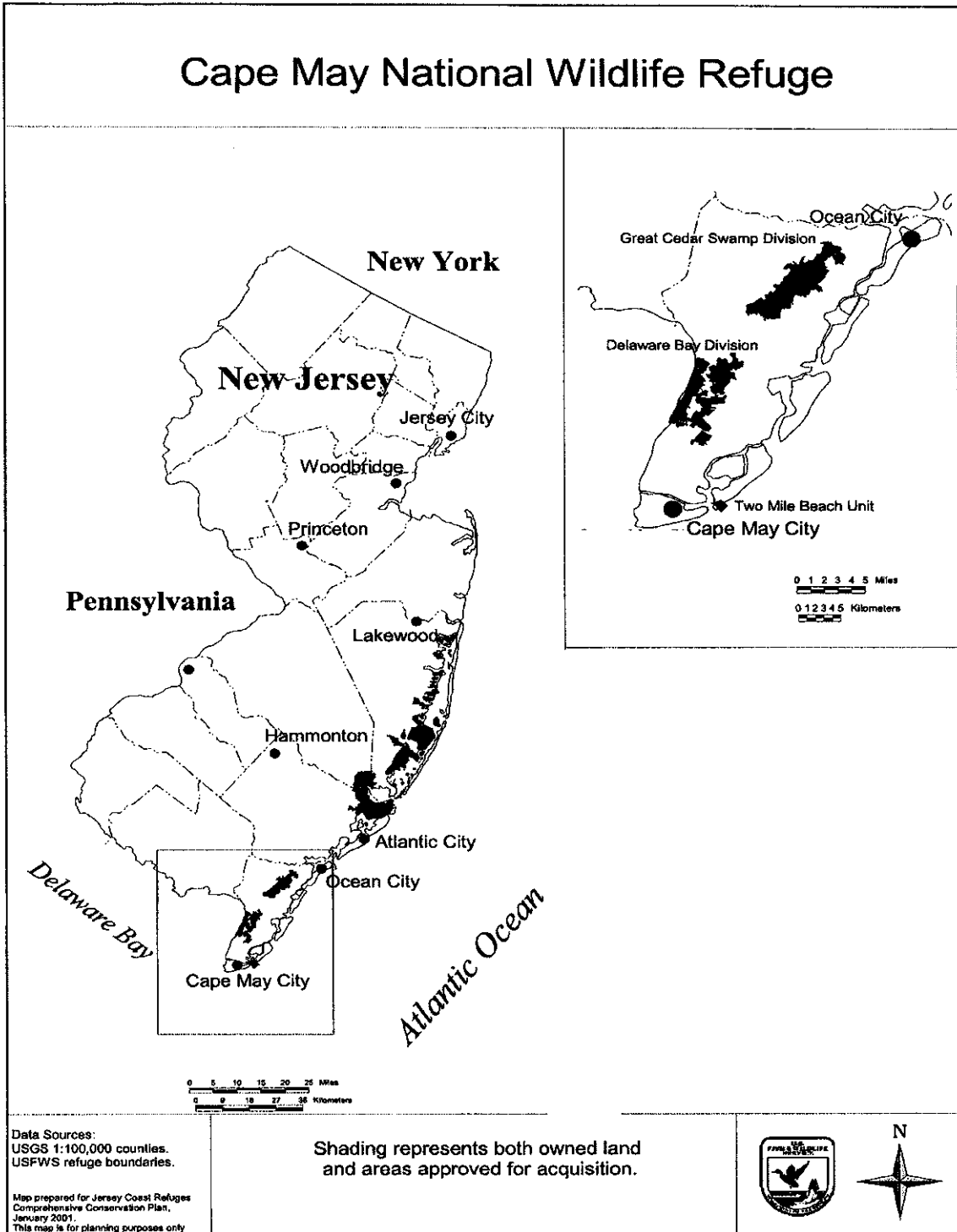
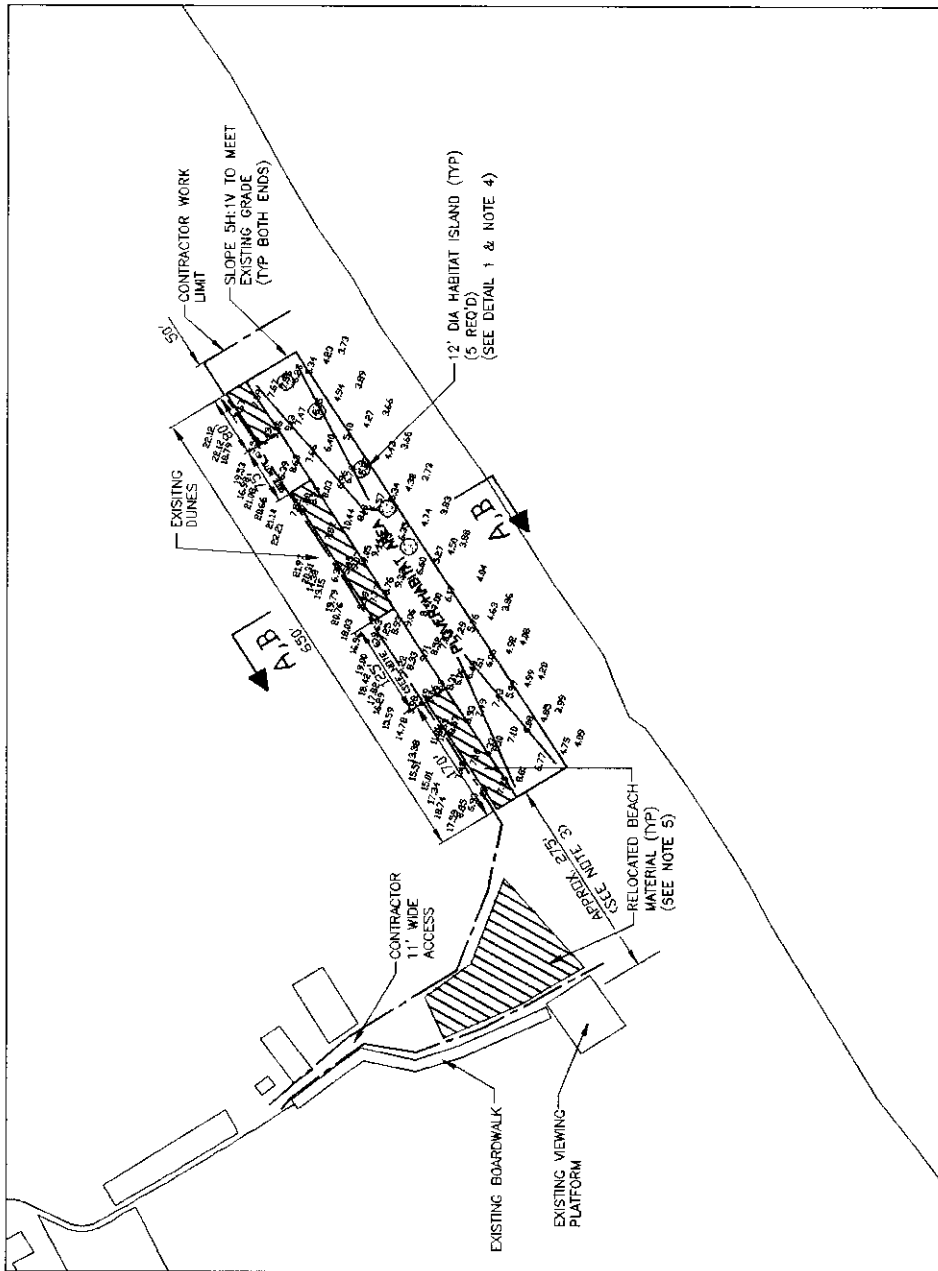


Figure 1 – Project Location – Cape May National Wildlife Refuge (Two Mile Beach Unit)



PLOVER HABITAT AREA 2

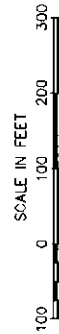


Figure 2 – Selected Plan – Creation of Piping Plover Nesting Habitat