



**US Army Corps
of Engineers®**
Philadelphia District

News Release

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— FOR IMMEDIATE RELEASE —

Army Corps announces resolution of Avalon beachfill permit violation via restoration of shorebird habitat

Philadelphia (July 5, 2007): The U.S. Army Corps of Engineers today announced that the Borough of Avalon, Cape May County, New Jersey, has completed a shorebird habitat restoration project to resolve a recent violation of a Department of the Army permit for sand dredging and placement.

In February 2006 the Corps had issued a one-time permit to the Borough of Avalon to dredge 350,000 cubic yards of sand from Townsends Inlet (to a maximum of 18.32 feet below mean water level) and discharge it onto the oceanfront beach between 9th and 18th Streets.

In January 2007, however, in reviewing a separate application for proposed 2007 beach replenishment, the Corps determined that the Borough had performed work not in compliance with the original permit. The inlet was dredged deeper than 18.32 feet in some spots, and the amount of sand dredged from the inlet was 417,000 cubic yards, not 350,000. Also, some 50,000 cubic yards of additional sand had been scraped from the beach between 31st and 70th Streets, and placed in an unauthorized location, the beach between 18th and 25th Streets. In total, the project involved placement of more than 100,000 cubic yards of sand in excess of what the one-time permit allowed.

Soon after issuing a Cease and Desist letter on February 7, 2007 notifying the Borough of the unauthorized work, the Corps met with the U.S. Fish & Wildlife Service and the New Jersey Department of Environmental Protection to discuss allowing Avalon to voluntarily resolve their outstanding violation through restoration of degraded threatened species habitat on the beach near 8th Street. The site had historically been used by piping plovers for nesting. Rubble and filter fabric left over from the 8th Street groin expansion (a previous joint NJDEP/Avalon project) was deterring piping plovers from nesting there. The agencies agreed to the idea of using the piping plover habitat restoration initiative to resolve both violations.

On March 16, the Corps notified the Borough that successful completion of a Piping Plover Nesting Habitat Enhancement Project could resolve the non-compliance violations and allow permit processing for the proposed 2007 beach work to move forward. Avalon committed to this project within days and had the work completed several weeks later, removing the filter fabric and all rocks greater than 2.5 by 2.5 inches.

The Corps subsequently inspected the work on April 11, 2007, determined both non-compliance actions to be resolved, and allowed processing to resume on the Borough's 2007 application.