



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

Wanamaker Building  
1650 Arch Street, Fifth Floor  
Philadelphia, PA 19103-2004  
ATTN: CENAP-OPR

# Public Notice

File Number:  
**NAP-2020-00060-46**

Comment Period Begins: May 06, 2025  
Comment Period Ends: June 05, 2025

File Name:  
**FDR PARK NATURE PHASE**

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This District 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).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

**APPLICANT:** Ms. Leigh Ann Campbell  
City of Philadelphia  
Parks and Recreation Department  
1515 Arch Street, Suite 10  
Philadelphia, Pennsylvania 19102

**AGENT:** Ms. Jennifer Waters  
Urban Engineers, Incorporated  
530 Walnut Street  
Philadelphia, Pennsylvania 19106

**WATERWAY:** Shedbrook Creek and Hollander Creek

**LOCATION:** Franklin Delano Roosevelt (FDR) Park, Pattison Avenue, City of Philadelphia, Philadelphia County, Pennsylvania

**ACTIVITY:** The proposed project is the ecological enhancement of existing wetlands and waterways. The work includes

A) Wetland Restoration (non-native invasive species – NNI- & trash removal): No discharge of dredged and/or fill materials. Work includes removal of NNI and trash by either hand or mechanized methods (standard or miniature excavator) from within wetlands located within Shedbrook Creek. NNI control would include removing above ground/water biomass and rhizomes. Associated with the proposed restoration approach navigation improvements for small maintenance watercraft and invasive species removal. The work would result in the temporary disturbance to 0.15 acre of wetland and waterway due to removing the NNI and trash.

B) Wetland Restoration (fill): Involves the discharge of 1.11 acre of fill materials in wetlands associated with berms and/or construction access to remain following restoration. The project includes the temporary disturbance of 3.37 acre of wetlands for equipment movement.

C) Wetland Restoration (excavation): Involves fill material. Work would include excavation of 1.16 acre of wetland and stream restoration within a wetland. Associated with proposed restoration approaches: hummock and hollow grading, stream realignment, floodplain reconnection, filling and grading, and native community establishment.

D) Wetland Meadow Conversion: Involves fill material. The work would involve the filling of 3.38 acre of wetlands to create upland meadows. This activity is associated with the proposed restoration approach of native community establishment.

E) Stream Restoration (NNI species & trash removal): No discharge of dredged and/or fill materials. Work would include removal of NNI and trash from within Shedbrook Creek via hand or mechanized methods (standard or miniature excavator) as re-configuration of 362 linear feet of stream (0.16 acre) and 900 linear feet of new stream constructed. NNI control would include removing above ground/water biomass and rhizomes by hand or by equipment (standard or miniature excavator) situated on Shedbrook Creek's bank. This activity is associated with the proposed restoration for navigation improvements for small maintenance watercraft and invasive species removal and would disturb 0.16 acre of waterway below the ordinary high water mark. The project also includes the removal of five bridges covering a total of 1,540 square feet of waterway and the temporary disturbance to 0.65 acre of waterway below the ordinary high water mark for cofferdam de-watering. Finally, the project would include the loss of 70 linear feet of waterway with the creation of a total of 900 linear feet of waterway.

**PURPOSE:** The applicant's stated purpose for the project is to implement the FDR Park Plan by establishing the Environmental Core. Improving the ecology at FDR Park through the Nature Phase project presents an opportunity to revitalize the park, fostering a healthier and more sustainable environment for the local community and the environment. By focusing on ecological restoration, the project aims to enhance the park's natural features, improve biodiversity, and provide a range of public health, safety, and environmental benefits.

**ENDANGERED SPECIES:** A preliminary review of this application indicates that no species currently listed under the Endangered Species Act (ESA) or their critical habitat pursuant to Section 7 of the ESA, as amended, are present in the action area. Only species proposed for listing are noted. This District will forward this Public Notice to the United States Fish and Wildlife Service and the National Marine Fisheries Service with a request for technical assistance on whether any ESA listed species or their critical habitat may be present in the area which would be affected by the proposed activity. This District will evaluate the potential effects of the proposed actions on ESA listed species or their critical habitat and will consult with the United States Fish and Wildlife Service and the National Marine Fisheries Service, as appropriate. ESA Section 7 consultation will be concluded prior to the final decision on this permit application.

**PUBLIC INTEREST:** The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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 the 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.

**HISTORIC RESOURCES:** A historic properties investigation has been conducted within the permit area. Historic properties eligible for or listed on the NRHP are within the permit area but will not be affected by the proposed action. A determination of “**No Effect**” will be coordinated with the SHPO.”

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act, as amended, requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). A preliminary review of this application indicates that EFH is not present within the project area. This District will evaluate the potential effects of the proposed actions on EFH and will consult with the National Marine Fisheries Service as appropriate. Consultation will be concluded prior to the final decision on this permit application. The site does not include submerged aquatic vegetation or shellfish habitat.

**MITIGATION:** Federal regulations contained in 33 CFR 325.1(d)(7) require applicants to include a statement describing how impacts to waters of the United States are to be avoided and minimized. Furthermore, the application must also contain a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts.

**Avoidance and Minimization:** The restoration design avoids and/or minimizes grading in existing wetlands. To the extent possible, unavoidable permanent impacts are limited to small, fragmented wetlands of lower value where there was less opportunity to achieve larger, contiguous wetland complex due to site conditions (e.g., wetlands in the northwest corner of the project) or where there was opportunity to extend Shedbrook Creek. In addition, permanent impacts to the stream were minimized to the greatest extent possible by shifting construction access alignment around the northern extents of Shedbrook Creek.

The applicant has avoided/minimized impacts to the aquatic environment by incorporating engineering/construction procedures into the process that would substantially reduce impacts to aquatic resources. Additionally, the applicant would place dredged materials in a non-regulated disposal facility typically used for construction and disposal activities.

**Compensation:** Permanent losses of wetland will be compensated for by achieving a net gain in wetland area overall. Loss of some areas of forested and emergent wetlands are occurring as a result of creating berms and/or construction access points that will remain following restoration. Permanent losses of wetlands due to downward conversion of wetlands to open waters are a result of realigning and/or extending Shedbrook Creek. Permanent losses of wetlands due to downward conversion of wetlands to uplands are a result of establishing an upland, native meadow.

While there are unavoidable permanent losses of some wetland, the restoration will provide a net gain in forest and emergent wetlands within the park. Up to 4 acres of emergent wetlands and up to 12 acres of PFO wetlands would be created and enhanced providing a contiguous wetland network. The final extent of wetland restoration and timeframe for establishment will be variable based on the complexity and variability of nature and the landscape to support wetland hydrology, hydrophytic vegetation and hydric soils (i.e., the three criteria for wetland conditions). Finally, approximately 900 linear feet of waterway would be created with 70 linear feet lost.

Overall, the proposed wetland restoration will provide functional uplift by:

- Improving and diversifying wetland hydrology through creating microtopographic features (e.g., hummocks and hollows and drainage patterns) to support surface and groundwater wetland hydrology compared to the existing wetlands that are primarily supported by surface or groundwater hydrology only.
- Diversifying the native wetland plant communities by planting a spectrum of native Pennsylvania coastal plain plant species adapted to forested and emergent wetland conditions that are currently not present due to invasive species competition and/or limited of wetland hydrology.
- Increasing and creating a contiguous canopy cover by enhancing and creating a forested wetland network along Shedbrook Creek's floodplain that was previously a series of fragmented wetlands.
- Reducing invasive species cover compared to baseline conditions by implementing NNI control before, during and after restoration.

- Reducing/eliminating stressors connected to vegetation (e.g., mowing, landscaping) and hydrology (e.g., tile drain, filling, alteration) by maintaining the forest and emergent wetland network as FDR Park's Ecological Core.

**COASTAL ZONE MANAGEMENT ACT:** In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a States' coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and would be conducted in a manner that is consistent with the approved Pennsylvania State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its rights to do so. Comments concerning the impact of the proposed and/or existing activity on the State coastal zone should be sent to this office, with a copy to the State Office of Coastal Zone Management.

**SECTION 401 WQC:** In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. No permit will be issued until the State has issued such certification or has waived its right to do so. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

**SECTION 404(b)(1):** The evaluation of the impact of the work described above on the public interest 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.

**COMMENTS:** Comments on the proposed work should be submitted, in writing, within 30 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, 1650 Arch Street, Fifth Floor, Philadelphia, Pennsylvania 19103-2004 or by e-mail to the address listed above. Additionally, any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing. This Public Notice is also available at <https://www.nap.usace.army.mil/Missions/Regulatory/Public-Notices/>

Additional information concerning this permit application may be obtained by calling David J. Caplan of my office at (215) 656-6731 (office) or 215-605-7029 (mobile), via email at david.j.caplan@usace.army.mil, or writing this office at the above address.

FOR: Todd A. Schaible  
Chief, Regulatory Branch