



**US Army Corps  
of Engineers**  
Philadelphia District  
100 South Independence Mall West  
Philadelphia, PA 19106  
Attn: CENAP-OPR

# Public Notice

**Comment Period Begins:** February 10, 2023  
**Comment Period Ends:** March 13, 2023  
**File Number:** NAP-2022-01031-97  
**File Name:** Fort Mott State Park SA  
**Contact:** Kendall Papineau  
**Email:** Kendall.L.Papineau@usace.army.mil

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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:** NJDEP/NHR Office of Resource Development

**AGENT:** GZA GeoEnvironmental, Inc.

**LOCATION:** The project is located in the Delaware River at 454 Fort Mott Road in the Township of Pennsville, Salem County, New Jersey (Center coordinates: 39.60382°, -75.55400°)

**PURPOSE:** To meet the need for maintenance to an existing seawall, bank stabilization of an eroding shoreline, and to provide upland flood protection.

## **PROJECT DESCRIPTION:**

The proposed project includes the repair of an existing seawall and the addition of additional bank stabilization measures, including the installation of a concrete apron and riprap, along the existing seawall. The additional bank stabilization measures include the installation of 1,354 linear feet of AZ 18-700 steel sheet piles located five (5) feet waterward of the existing wall and driven to approximately 2-feet above grade. Concrete would be discharged within the undermined voids at the base of the existing seawall and between the base of the seawall and proposed sheet pile wall to create a 6,670 square-foot (0.152 ac) concrete apron. At the waterward side of the proposed sheet pile, 7,140 square feet (0.164 ac) of 18-inch diameter riprap would be placed approximately five (5) feet waterward of proposed sheet piles.

Repairs to the existing seawall would include resetting the dislodged and/or fallen stones, stitching and tying stones using steel ties and/or dowels, and pointing/repointing joints between stones, and repair to cracks, joints and spalls, and replacing missing concrete sections. Additionally, backfill will be replaced behind the seawall to repair areas of roadway which have been lost due to erosion through open joints in the seawall.

The proposed project also includes repairs to an existing sluice gate near the northwest end of the seawall and installation of a new self-regulating tide gate (SRT). The SRT would be installed on a 5-foot by 5-foot concrete transition box on the seawall in the Delaware River. Construction and installation of the transition box and tide gate would involve temporary dewatering of the area by the installation of temporary sheet-piles in front of and perpendicular to the wall to create an approximately 14-foot by 12-foot area for the construction of the transition box. Additionally, the training walls in the existing moat on the tributary side of the sluice gate would be rebuilt. Lastly, a 1,190 square foot (0.027 ac) area of sediment would be excavated, and 18-inch diameter riprap would be placed over a 2,440 square-foot (0.056 ac) area below the high tide line.

The anticipated start date of the project is Fall 2023 to be completed in Winter 2024. The sequence of activities would commence as follows: i) installation of sheet piles; then temporary cofferdam, dewatering, pouring of concrete for SRT transition box and apron, and installation of the SRT Gate; ii) repairs to training walls, regrading and placement of riprap in the tributary; iii) pouring of the concrete apron between wall and sheet piles; iv) placement of rip-rap in front of sheet piles; and v) lastly, the completion of seawall repairs, replacement of missing concrete cap on top of seawall and excavation behind seawall and installation of filter sand and weep holes.

Installation of sheet piles and placement of riprap would be conducted using machinery located in uplands. Sheet piles would be installed using a rig excavator and vibratory hammer. Concrete would be poured during low tide when the area is dry. A turbidity curtain would be utilized during construction and would also be placed from the uplands. Detailed repairs to the existing wall would be completed manually.

For additional project details, see the attached plans identified as: "P1219-00 – Fort Mott Seawall Rehabilitation Fort Mott State Park, Pennsville, NJ 08070 – Fort Mott Seawall USACE NWP-3 Impact Drawings," prepared by GZA GeoEnvironmental Inc, dated November 2022, unrevised, sheet 1 of 1; and "P1219-00 – Fort Mott Seawall Rehabilitation Fort Mott State Park, Pennsville, NJ 08070 – Repair Category Sections," prepared by GZA GeoEnvironmental Inc, dated July 2021, unrevised, sheet 6 of 12

## **MITIGATION**

The applicant has stated that the proposed project has been designed to avoid and minimize adverse effects on the aquatic environment to the maximum extent practicable. Information provided in the application and on the plans indicates that compensatory mitigation is neither practicable nor feasible for the amount of dredged or fill material to be discharged into waters of the United States.

The proposed project would result in the total loss of 3,090 square feet (0.07 ac) of coastal wetland. The NJDEP Division of Land Resource Protection (DLRP) issued Permit No. 1708-07-0003.2 LUP210002 for the subject project which required the purchase of 0.039 mitigation credits from Abbot Creek, an approved mitigation bank. The Corps has determined that this amount of compensatory mitigation adequately offsets the lost functions and values of the impacted coastal wetlands affected by the proposed project and will not require additional compensatory mitigation.

## **CORPS EVALUATION FACTORS**

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 these factors 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.

The evaluation of the impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency if the project includes a discharge of dredge or fill material pursuant to Section 404 of the Clean Water Act.

## **ENDANGERED SPECIES**

A preliminary review of this application indicates that species and/or their critical habitat pursuant to Section 7 of the Endangered Species Act (ESA) may be present in the action area. This office will forward this Public Notice to the U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS) 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 office will evaluate the potential effects of the proposed actions on ESA-listed species or their critical habitat and will consult with the USFWS and/or NMFS, as appropriate. ESA

Section 7 consultation would be concluded prior to the final decision on this permit application.

## **CULTURAL RESOURCES AND TRIBAL TRUST**

The District's Cultural Resource Specialist and Tribal Liaison is currently reviewing the proposed permit action for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places and for potential issues concerning the Tribes. A determination of effects will be coordinated with the State Historic Preservation Office, the Tribes and other consulting parties as necessary.

## **ESSENTIAL FISH HABITAT**

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) for 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 present within the project area. This office will evaluate the potential effects of the proposed actions on EFH and will consult with NMFS, as appropriate. Consultation would be concluded prior to the final decision on this permit application.

## **WATER QUALITY CERTIFICATE**

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate (WQC) is required from the State government in which the work is located. The applicant has received a WQC from the State for the subject project.

## **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 State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management (CZM) Program. The applicant has received a CZM consistency concurrence from the State for the subject project.

## **SUBMISSION OF COMMENTS AND PUBLIC HEARING REQUEST**

Any comments received will be considered by this office to determine whether to issue, modify, condition, or deny a permit for this proposed project. To make this decision, comments are used to assess the probable impact on the public interest. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work must be submitted, in writing, within the comment period indicated in the header above. Any person may request, within the comment period specified in this notice, that a public hearing be held to consider this application.

Requests for a public hearing must be in writing and state the reasons for holding a public hearing.

Please provide any comments, request for a public hearing, or requests for additional information to the Regulatory Project Manager indicated above. All Public Notices are posted on our website at:

<https://www.nap.usace.army.mil/Missions/Regulatory/Public-Notices/>

FOR: Todd A. Schaible  
Chief, Regulatory Branch