



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
55 Great Republic Drive  
Gloucester, MA 01930-2276

MAR 14 2012

Minas M. Arabatzis, Chief  
Planning Division  
U.S. Army Corps of Engineers  
Philadelphia District  
Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3390

ATTN: Mr. Steve Allen

Dear Mr. Arabatzis:

This responds to your letter dated February 14, 2012, pertaining to ongoing Flood Risk Management activities that the Philadelphia District (Corps) has been authorized to conduct in the second phase of the Little Mill Creek Flood Control Study pursuant to Section 205 of the Flood Control Act of 1948, as amended. The first phase of the project, completed by the Corps in 2007, comprised of the protection of residential properties in the upper portion of the Basin. The Corps is requesting pertinent information on significant environmental resources and habitats in the vicinity of the prospective future project area, and comments on the potential impacts to both threatened/endangered species and on Essential Fish Habitat (EFH) that would be derived from the implementation of the next segment of the proposed project; the lower portion consisting predominantly of commercial business properties. The proposed project would consist of modifying the existing channel by excavating, reshaping, and widening it to increase the overall capacity. The proposed channel widening will include riprap, erosion control matting and vegetative cover as forms of slope stabilization. Following a new stream alignment, the channel will be deepened approximately 2 feet and widened to a minimum bottom width of 20 feet for a total length of approximately 2,000 feet extending to the Amtrak Railroad Bridge.

The proposed channel section is trapezoidal, with a 20-foot bottom width and side slopes at a maximum of 3 horizontal to 1 vertical. Approximately 15,000 cubic yards of channel bottom and bank materials will be excavated. A V-shaped low flow channel with a top width of 6 feet and a depth of 1 foot below the proposed channel grade will meander with respect to the centerline of the proposed channel. It will extend downstream until tidal conditions negate its effectiveness. Two sanitary sewer force mains cross the creek and will need to be encased with 12 inch reinforced concrete that extends approximately 10 LF beyond the channel into the bank. The work includes installation of soil erosion and sediment controls, clearing and grubbing,



dewatering, excavation and backfilling, placement of riprap, and erosion control mat and vegetation reestablishment. The project also includes the separate removal/handling of surficial sediments from the downstream end (approximately 350 feet) of the channel that has been impacted by moderate contamination (PCBs/PAHs).

As a steward of our nation's living marine resources, our focus involves the evaluation of potential impacts to NOAA trust resources and establishing protections regarding their conservation and enhancement. Consequently, we have an obligation and legal mandate to consult with federal agencies that fund, authorize or undertake actions that may affect living marine resources and their habitats. The Magnuson Stevens Fishery Conservation and Management Act (MSA), the National Environmental Policy Act and the Fish and Wildlife Coordination Act (FWCA) are some of the authorities under which we consult. The MSA, FWCA and other mandates require that we provide advice and recommendations, to federal action agencies which serve to avoid, minimize and mitigate for impacts to living marine resources and their habitats.

The Little Mill Creek is a tidally-influenced secondary-level tributary of the Christina River Watershed which is a sub-shed of the greater Delaware River Basin. Characteristic of those within the Basin, distinct tributaries along the course of the both Rivers provide a migratory pathway, spawning, nursery, and forage habitats for a number of anadromous and catadromous fishes including, American shad (*Alosa sapidissima*), alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), American eel (*Anguilla rostrata*), and striped bass (*Morone saxatilis*). Many of these species are both commercially and recreationally important and managed by the Atlantic States Marine Fisheries Commission (ASMFC) or are valuable prey species for ASMFC or Federally-managed fish.

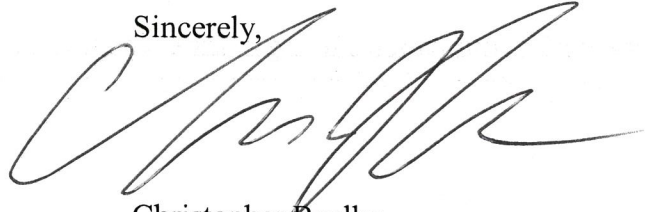
Therefore, because landing statistics and the number of fish observed on annual spawning runs indicate a drastic decline in alewife and blueback herring populations throughout much of their range since the mid-1960's, they and their critical habitat have been designated as candidate threatened species under the Endangered Species Act by NMFS in a Federal Register Notice dated November 2, 2011 (76 FRN 67652).

Since in-water dredging and reconstruction activities are planned to take place during the overall project, a seasonal time of year restriction of March 1<sup>st</sup> to June 30<sup>th</sup> in any given year is recommended so as to minimize direct, indirect, and cumulative impacts to migrating and anadromous fish species. We encourage the use of best management practices so as to minimize turbidity, reduce adverse environmental impacts to downstream water quality, and control the discharge of materials into the Little Mill Creek, the Christina River, the Delaware Bay and project area wetlands.

We appreciate the opportunity to comment on the Philadelphia District's ongoing plan formulation processes associated with specific water resource issues under the Flood Risk Management Project. We also look forward to continued coordination with the Corps as subsequent phases are developed.

If you have any questions regarding the subject matter contained within this letter or need additional details please contact Brian May at (732) 872-3116.

Sincerely,

A handwritten signature in dark ink, appearing to read 'C. Boelke', with a large, stylized initial 'C' and a long horizontal flourish extending to the right.

Christopher Boelke  
Mid-Atlantic Field Office Supervisor

cc: PRD – J. Crocker  
RC - B. Bearmore