

PUBLIC NOTICE

REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

TITLE: Silver Run Electric, LLC – Silver Run Expansion Project sited at the Delaware River’s Philadelphia to the Sea Federal Navigation Project at River Mile 51.5 (Baker Reach) between New Castle County, Delaware and Salem County, New Jersey

PUBLIC NOTICE IDENTIFICATION NUMBER: 408-NAP-2024-0017A

PUBLIC NOTICE COMMENT PERIOD:

Begins: **04 October 2024**

Expires: **03 November 2024**

Interested parties are hereby notified that an application has been received for a Department of the Army Section 408 permission for certain work at or near a federal project of the United States, as described below and shown on attached figures. Written comments are being solicited from anyone having an interest in the requested alteration. Comments will become part of the U.S. Army Corps of Engineers’ (USACE’s) administrative record and will be considered in determining whether to approve the request. Comments supporting, opposing, or identifying concerns that should be considered by the USACE in its decision process are all welcome.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply USACE endorsement of the project as described.

1. REQUESTOR: In compliance with 33 USC 408 (Section 14 of the Rivers and Harbors Act of 1899; hereinafter Section 408), Silver Run Electric, LLC has requested permission to undertake the Silver Run Expansion Project sited at the Delaware River’s Philadelphia to the Sea Federal Navigation Project at River Mile 51.5 (Baker Reach) between New Castle County, Delaware and Salem County, New Jersey.

2. LOCATION: The proposed project is located in the Delaware River at River Mile 51.5 (Baker Reach) between New Castle County, Delaware and Salem County, New Jersey, at approximate center coordinates 39.462039, -75.561125.

3. LOCATION MAP(S)/DRAWING(S): Please see attached Project Plan Sheets 1-13.

4. REQUESTER’S PROPOSED ACTION: The proposed action entails the construction of four (4) new 6.0-inch diameter, 3.0-mile-long submarine 230 kV electric transmission cables crossing beneath the Delaware River at River Mile 51.5 (Baker Reach) between SRE’s Silver Run substation in New Castle County, Delaware and Public Service Electric & Gas

Company's (PSE&G) Hope Creek substation in Salem County, New Jersey. Each of the four cables will be separated from each other by 30.0-linear feet and will cross the approximately 1,166.0-foot-wide portion (which includes the 50.0-foot-wide channel buffers) of the Delaware River's Philadelphia to the Sea Federal Navigation Project. Within and extending to 50.0-horizontal feet outside the limits of the Delaware River's Philadelphia to the Sea Federal Navigation Project, which is authorized to -45.0-feet Mean Lower Low Water (MLLW) datum, the submarine cables are proposed to be installed to a minimum burial depth, as measured to the top of the cables, of 70.0-feet below MLLW datum. For reference, this is 25.0-feet below the authorized project depth of the Delaware River's Philadelphia to the Sea Federal Navigation Project. The submarine cables will be installed using a combination of four (4) trenching techniques: barge-mounted vertical injector (simultaneous lay and burial), jet plow (jet sled or tracked jetting tool), water-jet lances operated by divers, and open trenching. It is anticipated that only the barge-mounted vertical injector will be required to install the cables beneath the footprint of the Delaware River's Philadelphia to the Sea Federal Navigation Project. The proposed submarine cables will be installed to the south of the existing "Silver Run Line" submarine electric transmission cable corridor.

The stated purpose of the project is to reliably and economically construct, interconnect, and commission upgrades to the existing Silver Run Line.

5. REGULATORY AUTHORITY: This request will be reviewed according to the provisions of Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408). A requestor has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 404 of the Clean Water Act (33 USC Section 1344) and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413). Any Section 10/404/103 permit decision associated with the proposed alteration is separate from and will not be included in the Section 408 permission decision. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

6. ENVIRONMENTAL COMPLIANCE: A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While ensuring compliance is the responsibility of USACE, the requester is providing all information that the Philadelphia District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and ordinances. Based on information provided by the applicant to date, current Corps regulations governing NEPA implementation, and/or the contents of existing NEPA documentation if available, it is likely that the proposed action will be determined to be categorically excluded from the need to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). This determination will be finalized following completion of agency coordination and prior to issuance of the Section 408 Permission Decision.

7. EVALUATION: As part of its evaluation, USACE will first make a determination that the submittal from the requestor is complete. The Philadelphia District is working closely with

the requestor to ensure that all required technical plans, maps, drawings, and specifications are provided and are complete. Once the package is complete, a District-led review will be conducted to determine, in accordance with Engineering Circular (EC) 1165-2-216, whether the proposed alteration will impair the usefulness of the USACE Project or be injurious to the public interest, as follows:

- A. *Impair the Usefulness of the Project Determination.* The Philadelphia District's Section 408 review team will determine if the proposed alteration will limit the ability of the federally authorized project to function as authorized, or will compromise or change any authorized project conditions, purposes or outputs.
- B. *Injurious to the Public Interest Determination.* Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Evaluation of the probable impacts that the proposed alteration to the USACE project may have on the public interest requires a careful weighing of all those factors that are relevant in each particular case. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

8. SOLICITATION OF COMMENTS: The USACE 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 the proposed activity. Any comments received will be considered by USACE to determine whether to issue, modify, condition, or deny a permission for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are considered in making a final determination whether the proposed action will be categorically excluded from the need to prepare further NEPA documentation. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

- A. It should be noted that materials submitted as part of the Section 408 request become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to the Philadelphia District Corps of Engineers, Office of Counsel to obtain copies of said materials under the FOIA.
- B. It is presumed that all parties viewing this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

9. COMMENT SUBMISSION AND ADDITIONAL INFORMATION: Written comments on the described work should reference the USACE Public Notice Identification Number found on the first page of this notice. Comments must reach this office no later than the stated expiration date of the Public Notice to become part of the record and be considered in the decision. Comments or requests for additional information should be emailed or mailed to the following address:

Email: Bishel.Baby@usace.army.mil

Mailing Address:

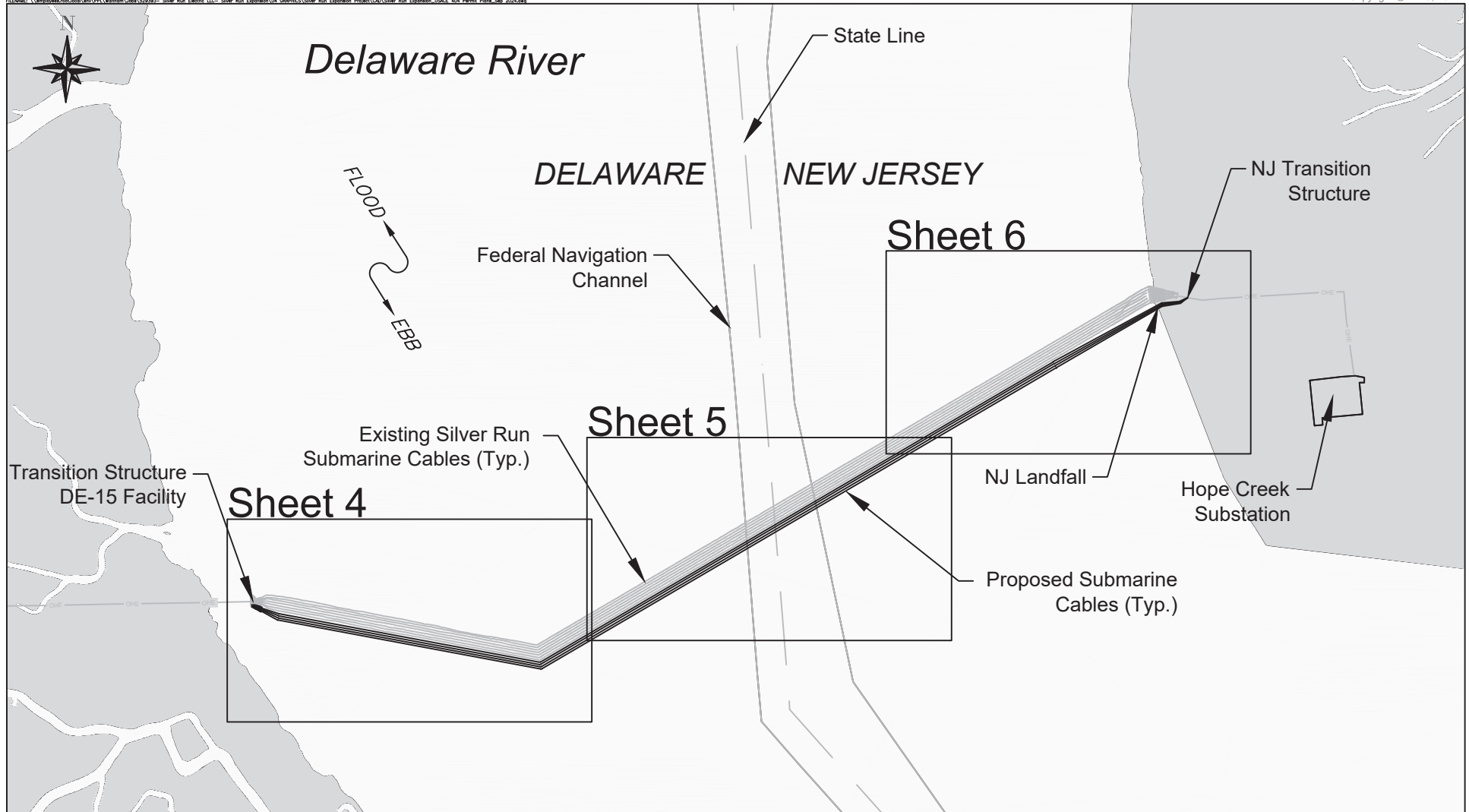
U.S. Army Corps of Engineers

Philadelphia District

Attn: Bishel B. Baby

1650 Arch Street, 7th Floor

Philadelphia, PA 19103-2004



Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line	Silver Run Expansion Project Key Plan		SHEET NO. 1
	At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware In: Delaware River Applicant: Silver Run Electric, LLC		DATE: September 27, 2024 PROJECT NO. 529393.0001

NOTES:

1. Horizontal Datum: UTM Zone 18N, NAD83, U.S. Survey Feet.
2. Elevations referenced to NAVD88 in Feet, unless otherwise noted.
3. Tidal data from NOAA tidal benchmark at Reedy Point (8551910) [39°33.5'N; 75°34.4'W] and verified using NOAA's VDATUM model (version 3.1).
4. Land Survey Source - Land and Mapping Services, Clearfield, PA
5. Marine Survey - Ocean Surveys, Inc., Old Saybrook, CT and Alpine Oceanic Seismic Survey, Inc., Norwood, NJ.
6. Soundings shown in project area based on field measurements taken during the period 19 March to 22 March 2024 and can only be considered as indicating the conditions existing at that time.
7. Wetlands extend beyond Project boundaries.
8. Boundaries of wetlands and waters at the PSEG Artificial Island property, as depicted hereon, taken from map entitled, "Wetlands Location Map (Figure 5), New Jersey Wind Port, Salem County, New Jersey;" prepared by AKRF; dated January 2023. These wetlands and waters boundaries were established by AKRF, as explained in AKRF's report entitled, "Wetland Delineation Report, PSEG Nuclear LLC, Salem and Hope Creek Generating Stations;" dated June 2020. These wetlands and waters boundaries were verified by the USACE and NJDEP in conjunction with permit decisions for the New Jersey Wind Port (NAP-2019-01084-39, dated March 21, 2022; NJDEP File No. 1704-02-0001.10 LUP210002, dated July 23, 2021).

9. NJ Upper Wetlands Boundary digitized from NJDEP Coastal Wetlands Map No.231-1752.
10. MHW and Spring High Tide Elevation obtained from USACE Philadelphia District Jurisdictional Determination for PSEG Nuclear, dated February 24, 2014.
11. Existing Silver Run Line components depicted hereon, including the Delaware transition structure, New Jersey transition structure, and seven submarine/underground cables, were authorized by USACE Permit dated October 1, 2018 (CENAP-OP-R-2016-00542-75).

Estimated Disturbance Table				
Activity	Permanent (SF)		Temporary (SF)	
	Open Water (Waterward of MHW Line)	Wetland	Open Water (Waterward of MHW Line)	Wetland
In-River Transition Structure DE-15	13 ¹	0	5,742 ²	0
Vertical Injector ³	0	0	105,562	0
Jet Plow ⁴	0	0	15,758	50
NJ Shore Landing Excavation ⁵	0	0	10,838	830 ⁶
Total*	13	0	127,062	50

¹Area associated with the four proposed piles for In-River Transition Structure DE-15.

²Area associated with excavation adjacent to In-River Transition Structure DE-15.

³Disturbance associated with cable burial between DE-15 excavation and NJ Shore Landing Excavation (Approx. 13,200 LF per cable).

⁴Disturbance associated with cable burial from 450 FT waterward of the NJ shoreline to the NJ shoreline.

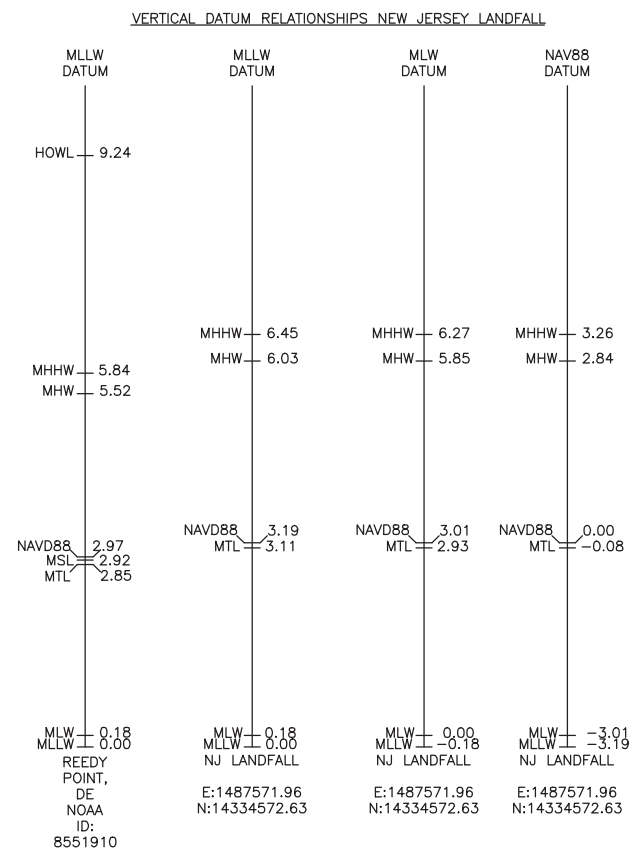
⁵Area only to be disturbed if field conditions do not allow for Jet Plow Method.

⁶Impacts to Wetland R.

*NJ Shore Landing Excavation disturbance excluded from total due to it being considered an alternative method to the Jet Plow.

Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line	Silver Run Expansion Project Notes		SHEET NO. 2
			DATE: September 27, 2024
	At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware In: Delaware River Applicant: Silver Run Electric, LLC		PROJECT NO. 529393.0001

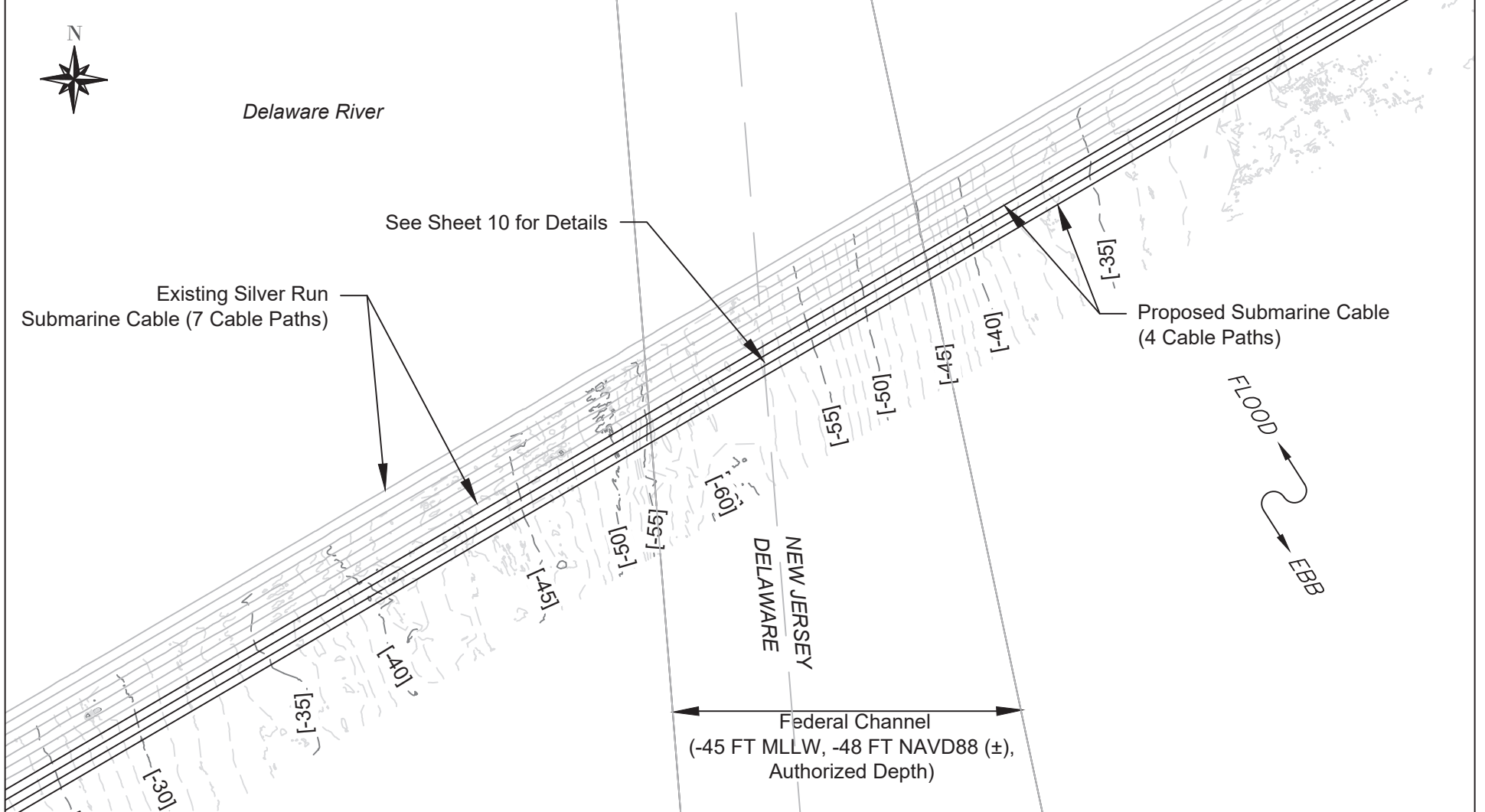




1. Tidal data from NOAA tidal benchmark at Reedy Point (8551910) [39°33.5'N; 75°34.4'W] and verified using NOAA's VDATUM model (version 3.1).

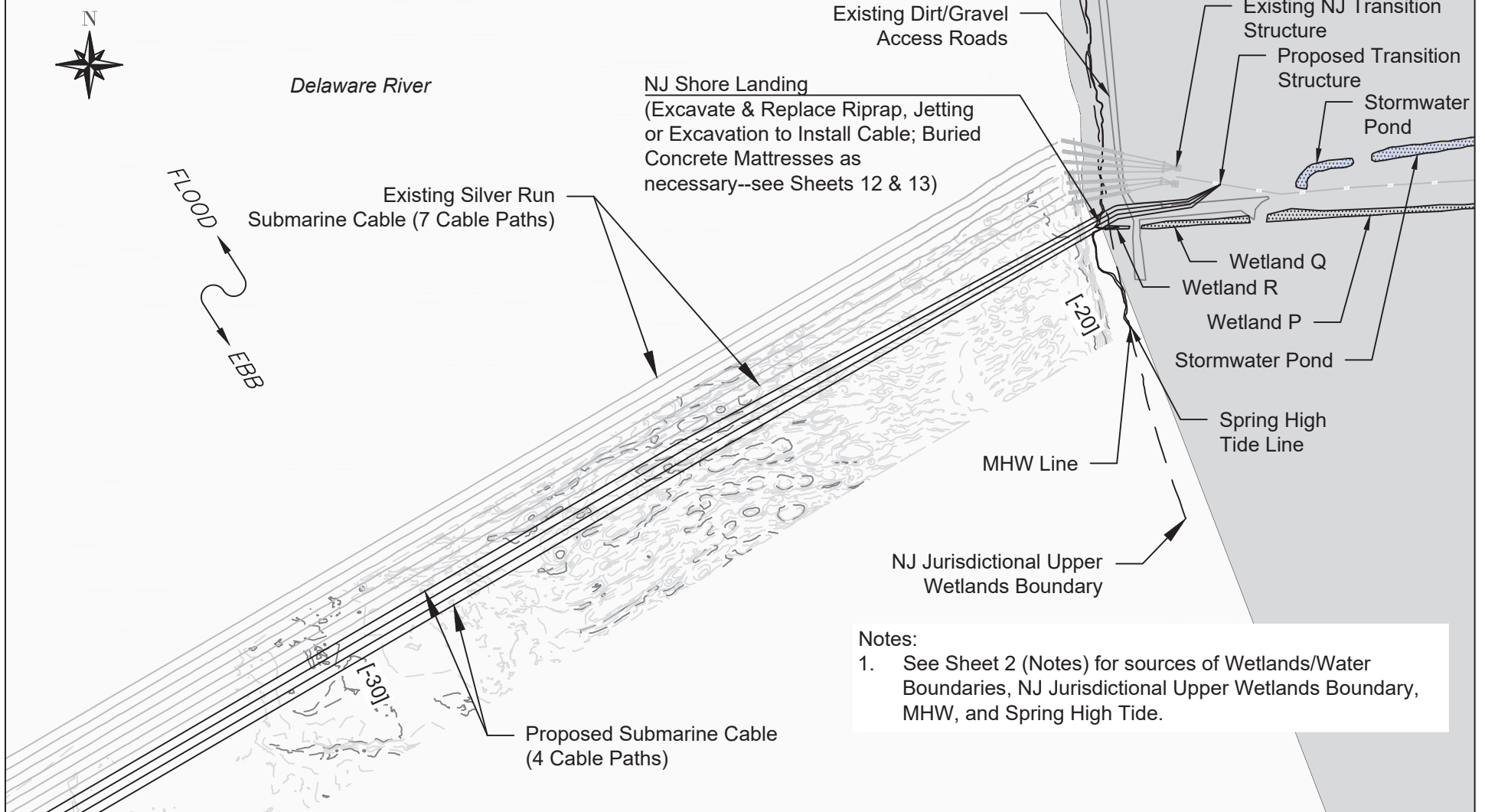
Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line	<h2 style="text-align: center;">Silver Run Expansion Project</h2> <h3 style="text-align: center;">Datum Relationships</h3>	SHEET NO. 3
		DATE: September 27, 2024
	<p style="text-align: center;">At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware</p> <p style="text-align: center;">In: Delaware River</p> <p style="text-align: center;">Applicant: Silver Run Electric, LLC</p>	PROJECT NO. 529393.0001





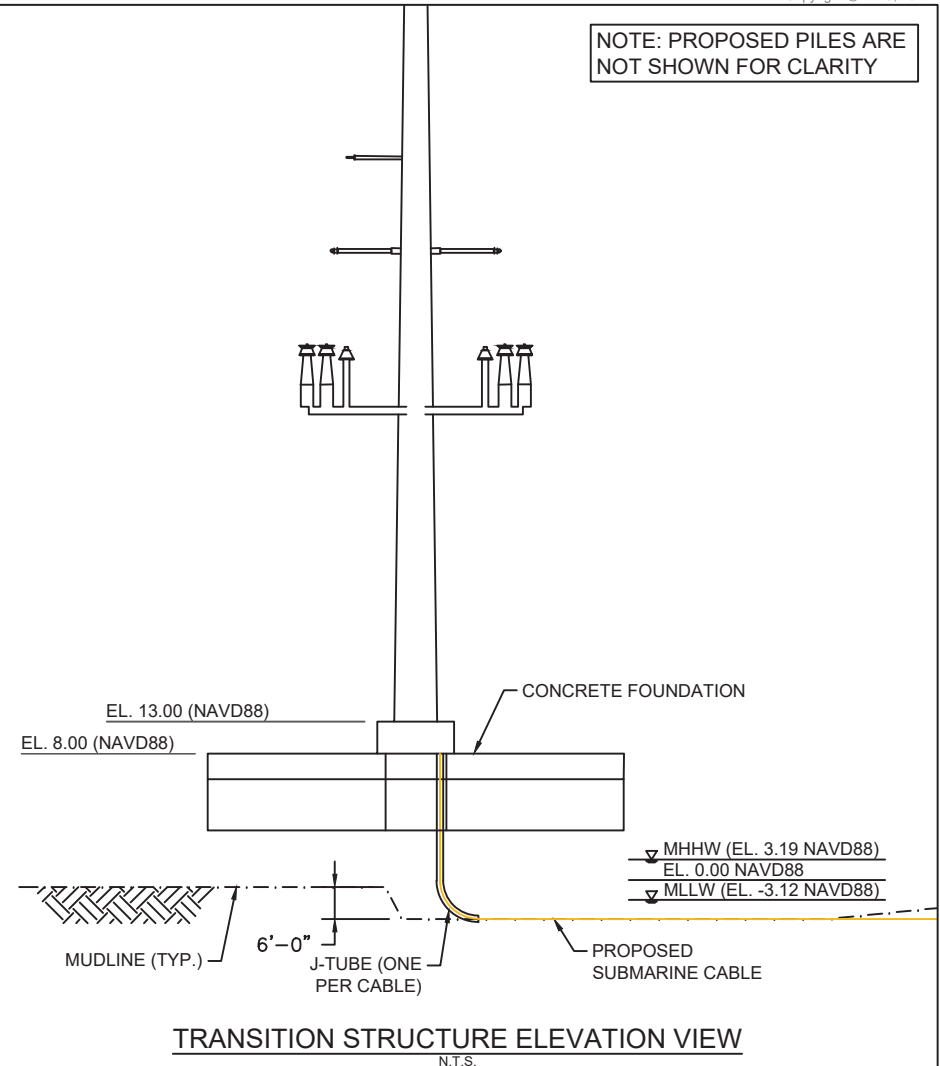
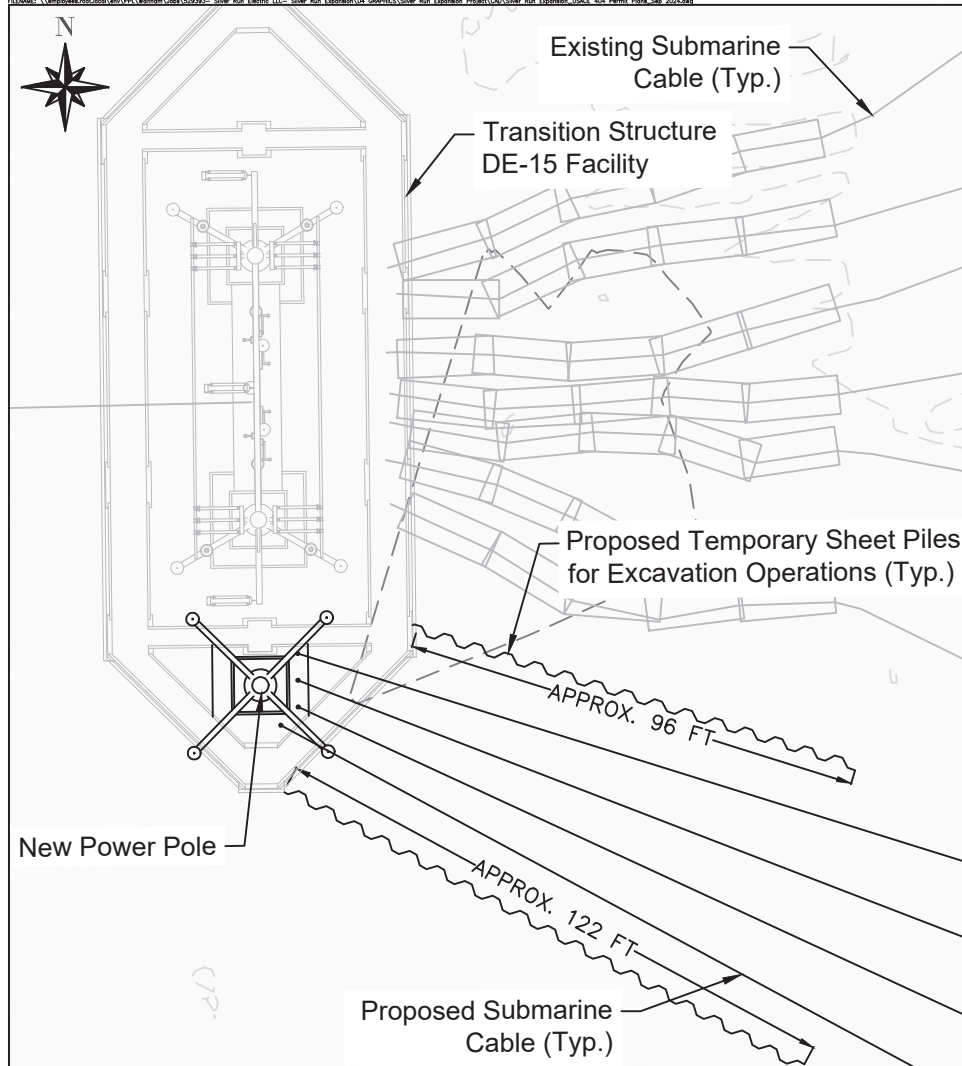
Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line	Silver Run Expansion Project Submarine Cable		SHEET NO. 5
	At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware In: Delaware River Applicant: Silver Run Electric, LLC		DATE: September 27, 2024
			PROJECT NO. 529393.0001



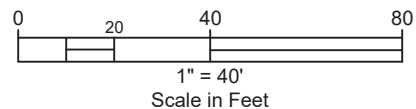


Notes:
 1. See Sheet 2 (Notes) for sources of Wetlands/Water Boundaries, NJ Jurisdictional Upper Wetlands Boundary, MHW, and Spring High Tide.

Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line	Silver Run Expansion Project Submarine Cable	SHEET NO. 6
	At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware In: Delaware River Applicant: Silver Run Electric, LLC	DATE: September 27, 2024 PROJECT NO. 529393.0001



Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line



Silver Run Expansion Project

Delaware In-River Transition Structure Modifications

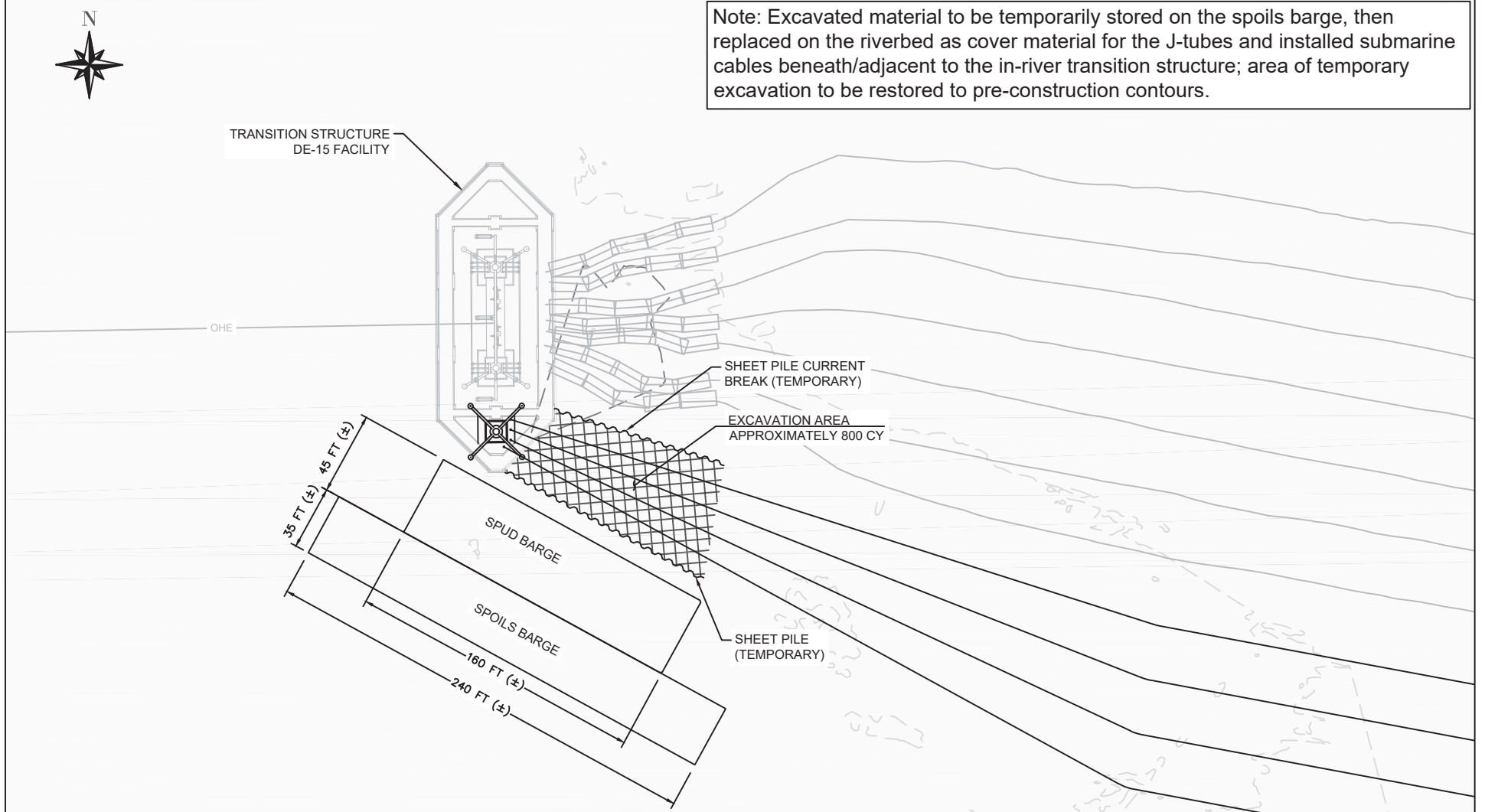
At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware
In: Delaware River
Applicant: Silver Run Electric, LLC

SHEET NO.
7

DATE:
September 27, 2024

PROJECT NO.
529393.0001





Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line

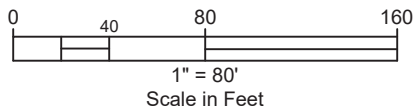
Silver Run Expansion Project Excavation Plan for Delaware Transition Structure

SHEET NO.
8

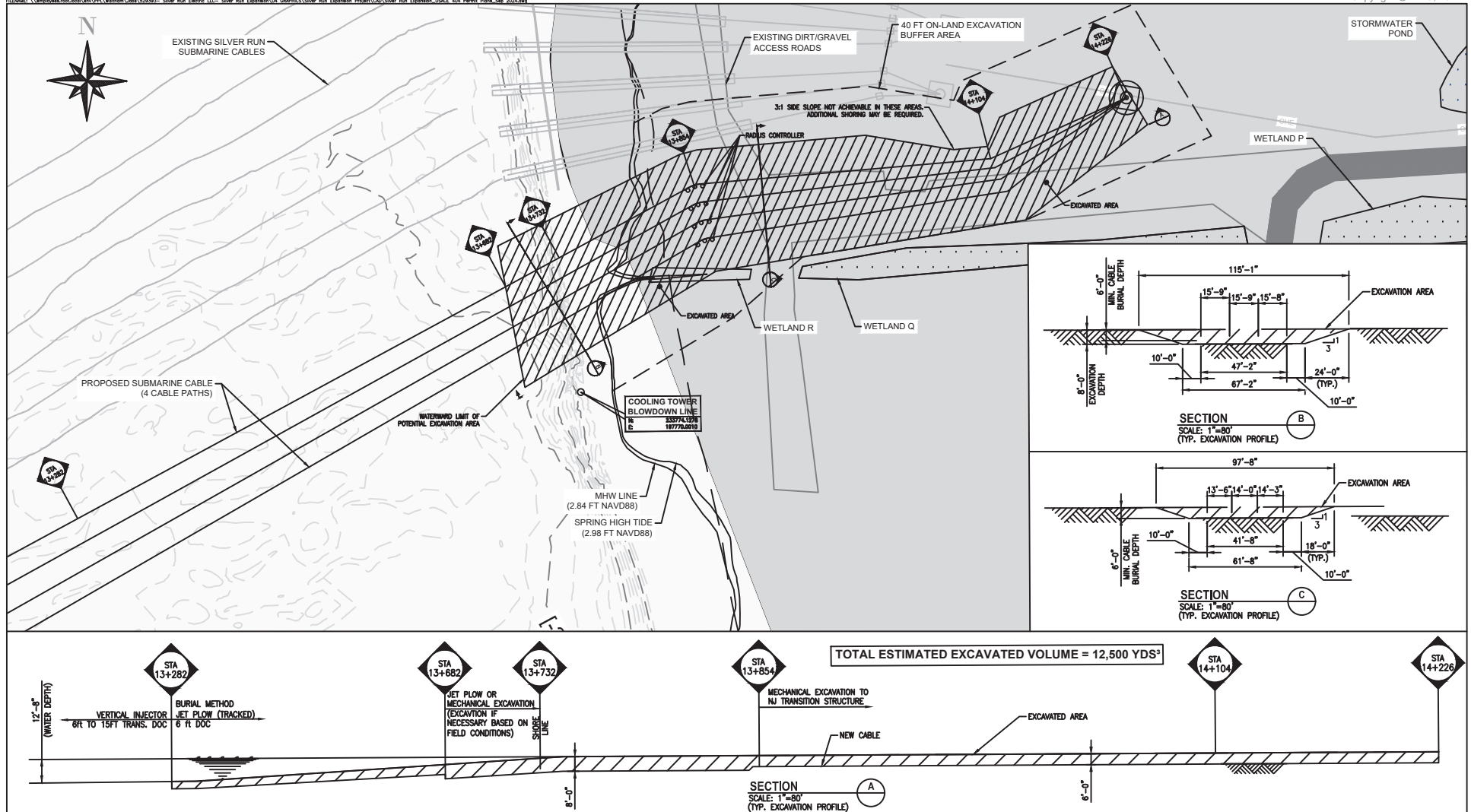
DATE:
September 27, 2024

PROJECT NO.
529393.0001

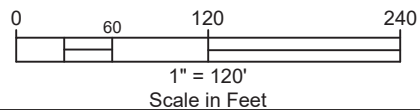
At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware
 In: Delaware River
 Applicant: Silver Run Electric, LLC







Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line



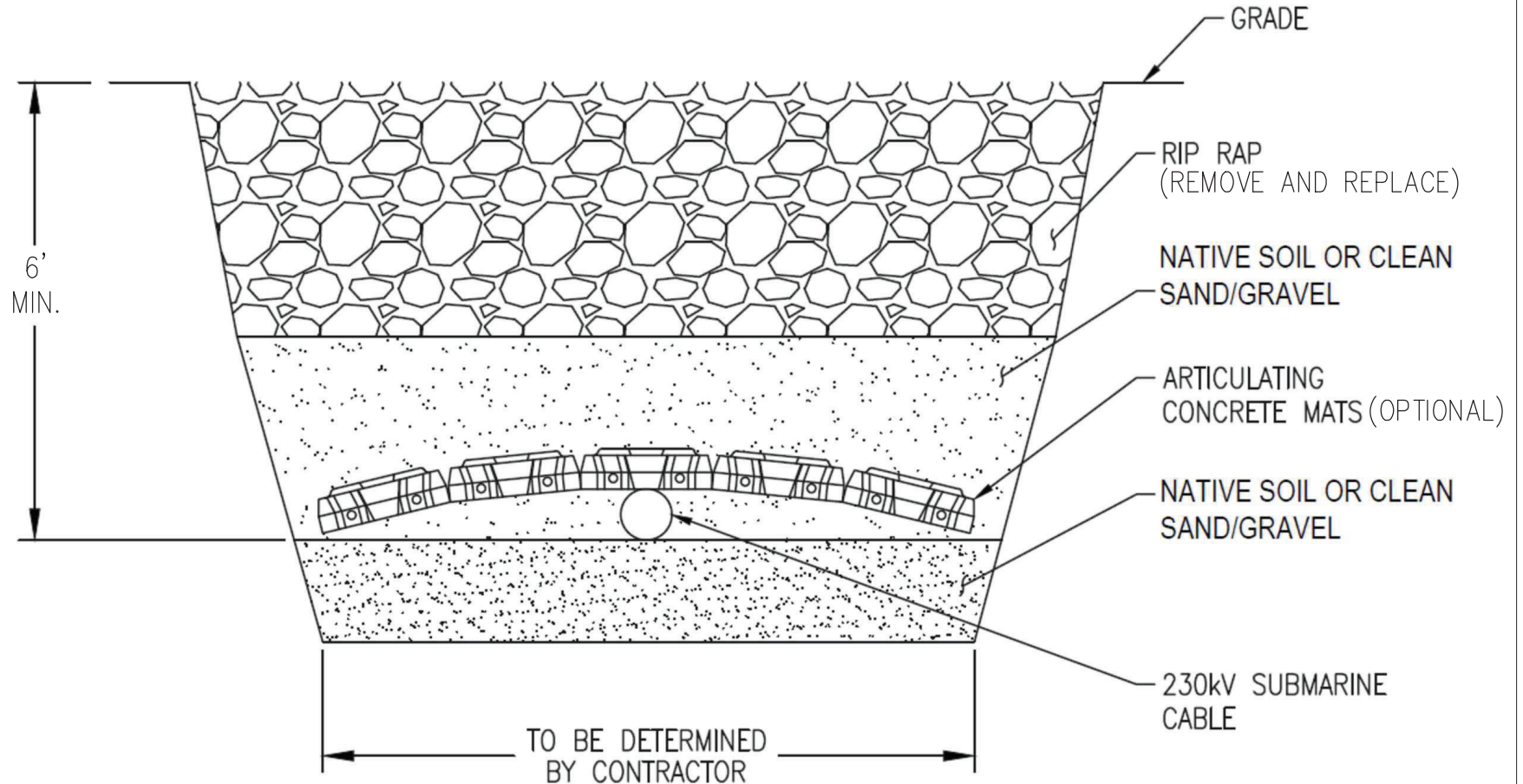
Silver Run Expansion Project NJ Shore Landing Plan & Profiles

At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware
In: Delaware River
Applicant: Silver Run Electric, LLC

SHEET NO.
12

DATE:
September 27, 2024

PROJECT NO.
529393.0001



Note:
 Typical details provided by Silver Run Electric, LLC.

Purpose: Construct, Interconnect, and Commission Upgrades to the Existing Silver Run Transmission Line	Silver Run Expansion Project Typical NJ Shore Landing Detail	SHEET NO. 13
		DATE: September 27, 2024
NOT TO SCALE		At: Lower Alloways Creek Township, New Jersey and New Castle County, Delaware In: Delaware River Applicant: Silver Run Electric, LLC