

US Army Corps

Philadelphia District

Philadelphia, PA 19107-3390

of Engineers.

Wanamaker Building 100 Penn Square East

ATTN: CENAP-OPR

Public Notice

Public Notice No. CENAP-OPR-2020-00539-45

February 24, 2021

Application No.

File No.

Date

In Reply Refer to: REGULATORY BRANCH

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.

PUBLIC SERVICE ELECTRIC AND GAS NUCLEAR LLC (PSE&G) **APPLICANT:**

AGENT: Mr. Robert Rech AKRF, Incorporated 307 Fellowship Road, Suite 214 Mount Laurel, New Jersey 08054

WATERWAY: **Delaware** River

LOCATION: The project is located at the Salem and Hope Creek Nuclear Generating Stations, on Artificial Island, Block 26, Lots 4, 4.01 and 5.01, in Lower Alloways Creek Township, Salem County, New Jersey. Latitude 39.465337°N and Longitude -75.540994°W

ACTIVITY: As shown on plans E-1 through E-14 (attached), the applicant (PSE&G) proposes to continue hydraulic maintenance dredging and desilting activities (intake bays only) at the Salem and Hope Creek Generating Station's circulating and service water intake structures, the Salem discharge pipes, the Hope Creek barge slip, and at the Hope Creek barge unloading dock area. Maintenance dredging and desilting activities were previously authorized by Department of the Army permits CENAP-OP-R-199501755 and 2006-6232. At this time, PSE&G is requesting to reauthorize their ten (10) year maintenance dredging permit.

At the Salem Generating Station, PSE&G would continue maintenance dredging within the areas of the circulating water intake structure (191,580 square feet), the discharge pipes (9,433 square feet), and the service water intake structure (71,217 square feet), to the depths of -36.4 feet, -16.4 feet, and -16.4 feet below mean low water, respectively. Approximately 272,230 square feet (6.24 acres) of total dredge area/waters of the United States (U.S.) would be impacted due to dredging operations. All proposed project depths and dredge areas, as shown on plans E-3 through E-8 have been previously authorized by the above stated Department of the Army permits.

Next, at the Hope Creek Generating Station, PSE&G would continue maintenance dredging within the area of the service water intake structure (102,000 square feet), the Hope Creek barge unloading dock area (81,000 square feet), and the Hope Creek barge slip (17,725 square feet), to the depths of -16.4 feet, -16.4 feet, and -5.0 feet below mean low water, respectively. Approximately 200,725 square feet (**4.60 acres**) of total dredge area/waters of the U.S. would be impacted due to dredging operations. All proposed project depths and dredge areas, as shown on plans **E-9 through E-12** have been previously authorized by the above stated Department of the Army permits.

The applicant also proposes to continue **desilting** the Salem and Hope Creek Station's service water and circulating water intake bays. An annual average of 2,600 cubic yards of silt materials would also be removed hydraulically and pumped to the on-site disposal facility stated below. Desilting operations would impact approximately 19,646 square feet **(0.44 acres)** of waters of the U.S. within the concrete intake bays.

As calculated by the applicant, a total of **126,000** cubic yards of sediments would be removed from within the dredge areas/limits and intake bays over a **10-year** period. No more than **63,000** cubic yards of dredge material is anticipated within a **five-year** period; amounting to only an average of **12,600** cubic yards of dredge material removed annually.

As shown on plans **E-13 and E-14**, the dredged materials, including the silt materials from within the water intake bays, would be pumped through a dredge pipeline to the permanent, onsite, confined disposal facility (CDF) on Artificial Island, located on Block 26, Lot 4. Except for the actual in-water dredging and desilting, a majority of the pipeline would be located on the upland portions of the property. The storage capacity within the CDF is estimated at **600,000** cubic yards of dredged material.

Based on the permit application, project impacts to aquatic resources and waters of the U.S. have been avoided and minimized by condensing the dredging operations to a shorter time period, providing a 3 to 1 transition side slope for all proposed dredge areas, minimizing the size of the dredge areas to only what is necessary for the safe operation of the facilities, allowing no discharge of sediment-laden water from the CDF back into the Delaware River during desilting of the intake bays, using a floating turbidity curtain during dredging operations, and abiding by all seasonal restrictions, if necessary.

The dredging operations would be located 1.0 miles (+/-) from the Federal Navigation Channel and therefore no navigational hazards are identified at this time. In addition, wetlands or other special aquatic sites would not be impacted due to dredging and disposal operations.

PURPOSE: The purpose of the project is to continue the dredging and desilting activities to maintain unobstructed/unrestricted water flow for the safe operation of the Salem and Hope Creek Generating Stations; and to provide adequate water depths for safe navigation for the loading and unloading of barges and/or vessels at the facility.

A preliminary review of this application indicates that species listed under the Endangered Species Act (ESA) or their critical habitat pursuant to Section 7 of the ESA as amended, may be present in the action area. This office will forward this notice to the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service with a request for technical assistance on whether any ESA listed species or their critical habitat maybe 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 U.S. Fish and Wildlife Service and/or National Marine Fisheries Service as appropriate. ESA Section 7 consultation will be concluded prior to the final decision on this permit application.

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.

Comments on the proposed work should be submitted within **30 days** via email to <u>PhiladelphiaDistrictRegulatory@usace.army.mil</u>, or in writing to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

The USACE Cultural Resource Specialist is currently reviewing the proposed permit action for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places. A determination of effects will be coordinated with the State Historic Preservation Office, the Tribes and other consulting parties. The Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with the NOAA Fisheries 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 NOAA Fisheries as appropriate. Consultation will be concluded prior to the final decision on this permit application.

Compensatory mitigation: At this time, no compensation has been proposed for project impacts within waters of the U.S.

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 Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved 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 right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

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. 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.

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.

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.

Additional information concerning this permit application may be obtained by emailing Mr. Bryan Bellacima at <u>bryan.p.bellacima@usace.army.mil</u>, or by calling (215) 656-6732.

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Todd A. Schaible Chief, Regulatory Branch



























