



**US Army Corps
of Engineers**
Philadelphia District
1650 Arch Street
Philadelphia, PA 19103-2004
Attn: CENAP-OPR

Public Notice

Comment Period Begins: July 12, 2024
Comment Period Ends: August 12, 2024
File Number: NAP-2023-00434-45
File Name: Rhoads Industries, Sea Shuttle-Pier 6A Reconstruction and Dredging
Contact: Mr. Bryan P. Bellacima, (215) 656-6732
Email: bryan.p.bellacima@usace.army.mil

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: Mr. Vincent Giannone
Rhoads Industries, Incorporated
1900 Kitty Hawk Avenue, Suite 108 East
Philadelphia, PA 19112

AGENT: Mr. Paul Ferry
S. T. Hudson Engineers, Incorporated
900 Dudley Avenue
Cherry Hill, NJ 08002

LOCATION: The project is located in the Delaware River, at the Philadelphia Navy Yard, 1900 Kitty Hawk Avenue, on the property known as tax parcel number 788007018, in the City of Philadelphia, Philadelphia County, Pennsylvania. Center coordinates: (39.885462°, -75.185346°)

PURPOSE: The purpose of the project is to provide for the transportation of large, heavy assembled equipment, and for the safe navigation, mooring, loading, and unloading of the United States (U.S.) Department (DE) of the Navy's Sea Shuttle transport vessel (barge).

PROJECT DESCRIPTION:

The applicant proposes to install steel sheet pile bulkheading/cofferdams for the reconstruction and/or construction of Pier 6A, three jacking pads, to install two mooring dolphins, to install steel pilings, perform dewatering activities, and to perform maintenance dredging, associated with the construction of the DE of the Navy's Sea Shuttle transport vessel's mooring and loading facility. Currently, Pier 6A is in a deteriorated state and inadequate for the applicant to support the DE of the Navy's

mission to transport, moor, and load heavy, critical, high value equipment that is assembled at the applicant's (Rhoads Industries, Inc.) building number 57 at the Philadelphia Navy Yard. At this time, the applicant proposes to repair and/or reconstruct Pier 6A by installing **600 linear feet** of steel sheet pile bulkhead around the perimeter of the existing and collapsed section of the pier. Prior to installing the steel bulkhead, a turbidity curtain would be placed around the entire perimeter of the work area. The steel bulkhead would be installed using a barge-mounted crane and vibratory hammer impacting approximately **0.10 acre** of tidal Waters of the U.S. Once the steel bulkhead is in place, the interior of the old pier would be dewatered and reconstructed providing for a 263' long by 78' wide pier with a concrete deck. The DE of the Navy's Sea Shuttle transport vessel/barge has three (3) cylindrical "legs" designed to lift the vessel up until level with Pier 6A prior to loading. Due to the excessive weight of the equipment to be loaded onto the Sea Shuttle, three 30' long by 30' wide rectangular jacking pads, one under each leg of the Sea Shuttle, and two (2) 15' long by 11' wide mooring dolphins are required to safely dock and moor the DE of the Navy's Sea Shuttle transport vessel/barge in preparation for loading.

The 3 jacking pads would be constructed using **333 linear feet** of steel sheet pile cofferdam/bulkheading. The cofferdams would be installed using a barge-mounted crane and vibratory hammer, and then dewatered to complete the remaining work. Once the cofferdams are dewatered, thirty-six (36), 20-inch steel pipe piles would be installed by both a vibratory and impact hammer. Stone and concrete would then be poured and/or placed within the cofferdams and within the steel pipe piles impacting/filling a total of **0.059 acre** of Waters of the U.S. The steel cofferdam sheeting would then be cut off at the designed elevation of **-12.9 feet below Mean Low Water (MLW)**, approximately 2 feet above the proposed dredge depth mentioned below. The 3 jacking pads would then be capped with a steel plate. The 3 jacking pads would impact a total of **0.062 acre** of Waters of the U.S.

Furthermore, the 2 mooring dolphins would be constructed using twenty (20), 20-inch steel pipe piles and fourteen (14), 14-inch steel H piles, both installed by a vibratory and impact hammer. The steel pipe piles would then be filled with concrete impacting/filling a total of **0.004 acre** of tidal Waters of the U.S. A pre-cast concrete slab with a rubber fender would then be mounted and secured on the steel pipe piles above the High Tide Line. The two mooring dolphins would impact a total of **0.007 acre** of Waters of the U.S.

The applicant also proposes to perform mechanical maintenance dredging of the berth at Pier 6A to provide appropriate water depths for the safe mooring, docking, and loading of the DE of the Navy's Sea Shuttle vessel. The dredging would be accomplished via a closed-clamshell environmental bucket,. As proposed, dredging would be performed to a depth of fifteen feet below Mean Low Water (**-15' MLW**) plus 2 feet (2') of allowable over-dredge, producing approximately **13,488 cubic yards** of dredged material. The dredged material would be placed directly into scows/barges for transport to the Whites Basin Confined Disposal Facility (CDF) located in Logan Township, Gloucester County, New Jersey. At this time, dewatering of the dredged material is not proposed during dredging operations at the project site. Therefore, return water would not be discharged

into the waterway. Dredging activities would temporarily impact approximately **0.81 acres** of Waters of the United States. Currently, as proposed, the project activities would not impact wetlands or submerged aquatic vegetation (SAV). In addition, project activities would be located 665 +/- linear feet from the Federal Navigation Channel, therefore, impacts to navigation are not expected.

For additional project details, see the attached plans identified as: a) "Permit Application...Reconstruction of Pier 6A...", sheets 1-10 of 11, dated January 19, April 17, 2024, last revised February 28, April 8, 23, May 28, and June 21, 2024. Plans prepared by S.T. Hudson Engineers, Incorporated. b) "Pier 6A and Pathway...", sheets C-107, 108, and 109, plotted on January 18, 2024, unrevised, prepared by Whitman, Requardt & Associates, LLP; and c) Plans E-1- E-3.

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. For unavoidable impacts and/or loss of Waters of the U.S., the applicant has proposed compensatory mitigation.

The applicant has presented a preliminary compensatory mitigation proposal for the permanent loss of **0.163 acre** of Waters of the United States. The proposal includes the removal of a **10,589 square foot (0.24 acre)** portion (roughly one-half) of a pile-supported, high deck rail pier, located outshore of 4501 Richmond Street, in the City of Philadelphia, Pennsylvania (Lat/Long: 39.99295° N, 75.06574° W), just upriver of the Betsy Ross Bridge. This pier consists of creosoted timber piling, bracing, caps, and ties with two sets of crane rail running the full length of the pier. The pier was originally owned and operated by Philadelphia Coke Company from 1929 to 1982 to service their gas manufacturing and coke production facility. The proposal is not considered in-kind compensation for the filling and/or loss of Waters of the U.S. At this time, this office is in the process of reviewing the application for all possible alternatives to avoid and minimize impacts to aquatic resources prior to making a compensatory mitigation decision.

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 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. 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.

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 stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State 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 on the State's coastal zone should be sent to this office with a copy to the State's CZM office.

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