



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

Public Notice

Comment Period Begins: December 12, 2024
Comment Period Ends: January 11, 2025
File Number: NAP-2013-00695-86 and NAP-2013-00696-86
File Name: Weeks Marine Incorporated Maintenance Dredging and
Whites Basin Rehandling Facility
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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).

Public Notice NAP-2013-00695-86 and NAP-2013-00696-86 is being revised to reflect an inadvertent omission made in the original notice concerning Tioga Marine Terminal. The site was included in the location map, however site-specific dredging plans were not added to the original PN for this project. This revised Public Notice supersedes the public notice published by the Philadelphia District on November 26, 2024. The revised comment period will close 30 days from the date of this public notice. The purpose of this revised public 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: Weeks Marine, Incorporated

AGENT: Roux Associates, Incorporated

LOCATION: The proposed maintenance dredging includes 18 existing facilities within the Delaware River within Philadelphia, Bucks and Delaware Counties in Pennsylvania, Gloucester, Camden, and Burlington Counties in New Jersey and New Castle County in Delaware. These facilities are listed in the attached enclosure with center coordinates of each location. Whites Basin rehandling facility is located at 83 Springers Road in Logan Township, Gloucester County, New Jersey.

PURPOSE: The purpose of the project is to remove sediment accumulation and maintain adequate water depths at the various port and berth facilities to support ship access.

PROJECT DESCRIPTION:

The applicant proposes to 1) perform maintenance dredging within the existing berthing areas, by mechanical methods using a closed-clamshell environmental bucket, of 18 commercial berthing and access areas (outside the limits if the Federal Navigation

Channel) at various facilities and 2) maintain and operate the Whites Basin dredged material rehandling facility.

The 18 sites would potentially be dredged at the above referenced locations, on or more times, over a ten-year period. Depths and volumes would vary from location to location and would also include a 2' over-dredging allowance. The dredged material would be placed into split hull barges or hopper scows and transported to either one of two locations – the Weeks Marine Whites Basin Rehandling Facility (Logan Township, Gloucester County, New Jersey) or waste Management Company Biles Island Disposal Facility (Falls Township, Bucks County, Pennsylvania). Materials disposed at Biles Island would be hydraulically unloaded to the disposal facility from barges.

For operation of the Whites Basin Facility, the materials would be unloaded by bottom dumping to the open water rehandling basin. After material has accumulated within the rehandling basin to an elevation of -7' below mean low water (MLW), the basin would be hydraulically removed to elevation -28' MLW with 3:1 side slope. The material would then be pumped via pipeline into the adjacent confined disposal facility (CDF). Upon settling of the pumped slurry, return water would be release to the Delaware River through sluice gate structures, via Whites Basin. Historically, the rehandling basin has been pumped out every two years. It has a total capacity of approximately 2.35 million cubic yards, based on a bottom elevation of -28' MLW and a top elevation of -7' MLW and 3:1 side slope. The access channel to the basin would also be periodically dredged (mechanically or hydraulically) to a depth of 15' below MLW with an additional 2' allowance for over dredging.

This application is for the re-issuance of the two permits for a 10-year period. Both were historically issued on November 26, 2014, February 14, 2003) CENAP-OP-R-2002-01681 for maintenance dredging and -2002-01686 for Whites Basin) and March 31, 1991 (both approved under CENAP-OP-R-199002427). The application for maintenance dredging is for dredging the 18 sites described herein. Any proposal to perform dredging at any other site would require separate authorization from this office. Additionally, this application is only for the rehandling and disposal of dredged material from the Delaware River as described herein. Rehandling and disposal of material from any other waterway would require separate authorization from this office.

For additional project details, see the attached plans.

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.

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. 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. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. 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