

US Army Corps of Engineers.

Philadelphia District

100 South Independence Mall West Philadelphia, PA 19106

Attn: CENAP-OPR

Public Notice

Comment Period Begins: February 22, 2023 Comment Period Ends: March 24, 2023 File Number: NAP-2018-00349-45

File Name: Port of Philadelphia-Packer Avenue Marine Terminal NJ

Turning Basin

Contact: 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: PhilaPort-The Port of Philadelphia

AGENT: Kevin Casey, S.T. Hudson Engineers, Incorporated.

LOCATION: The project is located at the Packer Avenue Marine Terminal turning

basin, on the New Jersey side of the Delaware River, in Gloucester City, Camden County, New Jersey. The Center coordinates of the project site are Latitude 39.90168°, and Longitude -75.13009°. See attached Philadelphia Regional Port Authority Packer turning Basin

location map.

PURPOSE: The purpose of the project is to provide the appropriate water depths for the safe turning and docking of container vessels that call at the Packer Avenue Marine Terminal in Philadelphia, Pennsylvania.

PROJECT DESCRIPTION:

The applicant proposes to perform mechanical maintenance dredging using a closed-clamshell environmental bucket to provide appropriate water depths for the safe turning and docking of container vessels that call at the Packer Avenue Marine Terminal located at 3301 South Columbus Boulevard, in Philadelphia, Pennsylvania. As shown on the attached project plans, dredging would be performed to a depth of forty-five feet below Mean Low Water (-45' MLW) plus 1 foot (1') of allowable over-dredge, producing approximately 65,000 cubic yards of dredged material. The dredged material would be placed directly into a barge for transport to two potential disposal sites; Weeks Marine, Incorporated's Whites Basin Confined Disposal Facility (CDF) located in Logan Township, Gloucester County, New Jersey, or at the Fort Mifflin CDF on lands of the United States (U.S.) operated by the U.S. Army Corps of Engineers, Philadelphia

District. The locations of the disposal facilities are shown on the attached location plans.

Dredging activities would occur within an area of the Delaware River/waters of the U.S. 57.7 acres in size (Limits of Dredging), that historically was dredged as one of the Philadelphia District's Federal Navigation Projects. At this time, the proposed dredging would temporarily impact approximately 10.9 acres of waters of the U.S. within the Limits of Dredging indicated above.

For additional project details, see the attached plans identified as: Packer Turning Basin Plan, Sheets 1-5.

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 there will be no loss of waters of the U.S., and that the impacts/effects to waters of the U.S. and aquatic resources are temporary. Therefore, compensatory mitigation for the proposed work/dredging is not required at this time.

At this time, project impacts within waters of the U.S. have been minimized and avoided by controlling the rate of descent of the dredge bucket to not penetrate the sediment beyond the size of open bucket, in order to avoid overfilling, spillage, and minimize resuspension of sediments. In addition, the proposed work would be performed outside of any seasonal restriction time frames to avoid impacts to aquatic resources, and by dredging to the minimum depth necessary to satisfy the project purpose and need.

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.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires all federal agencies to consult with the National Marine Fisheries Service (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 (Prey Species Only) 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.

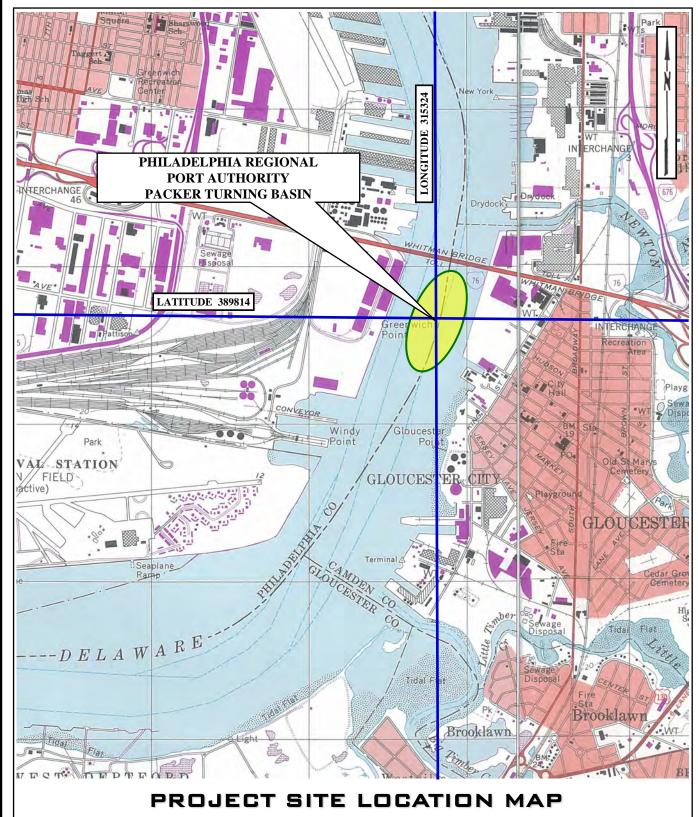
Comments on the proposed work must be submitted, in writing, within the comment period indicated in the header above. Any person may request, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing must be in writing 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/

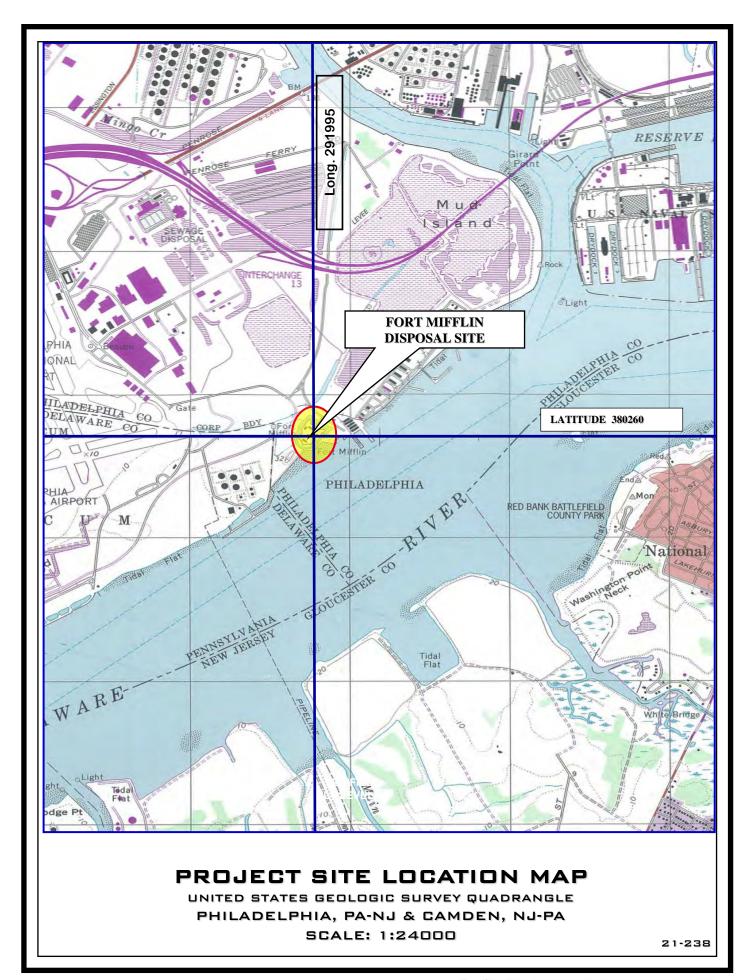
FOR: Todd A. Schaible

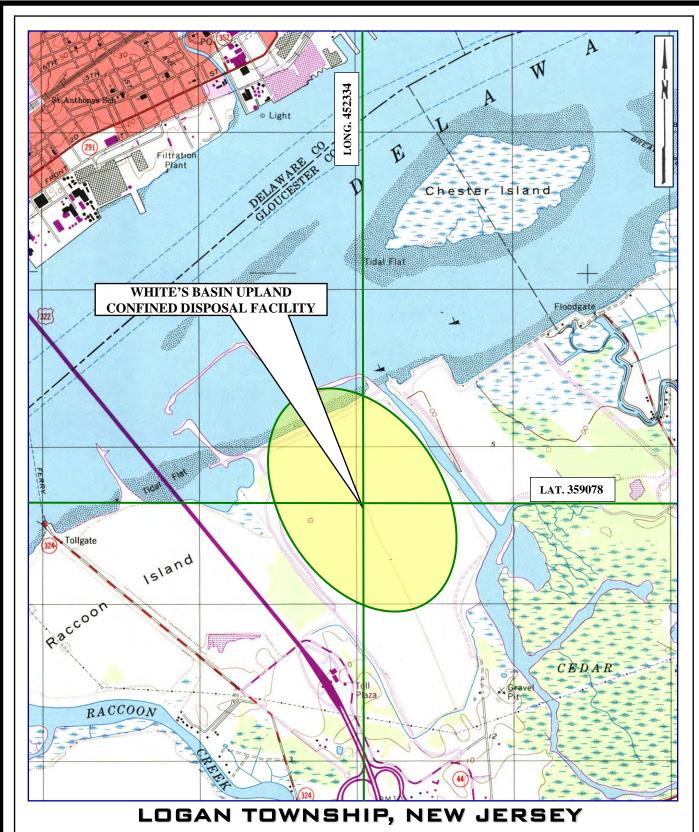
Chief, Regulatory Branch



UNITED STATES GEOLOGIC SURVEY QUADRANGLE PHILADELPHIA, PA-NJ & CAMDEN, NJ-PA SCALE: 1:24000

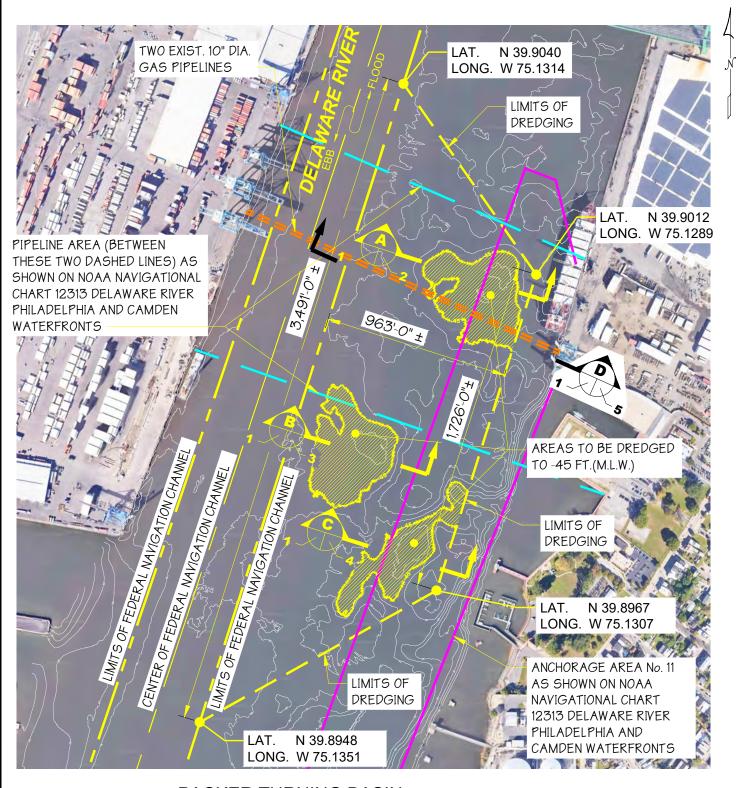
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UNITED STATES GEOLOGIC SURVEY QUADRANGLE
BRIDGEPORT, NEW JERSEY
SCALE 1:24000

21-238



PACKER TURNING BASIN **PLAN**

SCALE: 1"=500'

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION. THIS DRAWING IS FOR PERMITTING PURPOSES ONLY.

S.T. HUDSON ENGINEERS, INC.

PROFESSIONAL ENGINEERS & CONSULTANTS

900 Dudley Avenue herry Hill, NJ 08002 Phone 856-342-6600 Fax No. 856-342-8323 FILE No. G - 2142CONTRACT No. 21-238 DATE

REV. 3 2/6/2023 6/30/2022 REV. 2 1/20/2023 SHEET No. 1 of 5 11/16/2022 REV. 1

PROPOSED: DREDGING PACKER TURNING BASIN GLOUCESTER CITY, NJ AT: CAMDEN COUNTY, NJ COUNTY OF: GAHAGAN & BRYANT APPLICATION BY: ASSOCIATES, INC.

