



**US Army Corps
of Engineers**
Philadelphia District

Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OP-R

Public Notice

Public Notice No. Date
CENAP-OP-R-2018-00413-96

Application No. File No.

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.

APPLICANT: City of Philadelphia

AGENT: AECOM Technical Services, Inc.

WATERWAY: Schuylkill River

LOCATION: The proposed project site is along the eastern bank of the Schuylkill River between Christian Street and South 34th Street in Philadelphia, Pennsylvania. See attached location maps.

ACTIVITY: The applicant proposes to construct a 2,730 linear foot multi-use recreational trail along the eastern bank of the Schuylkill River between Christian Street and South 34th Street in Philadelphia, Pennsylvania as part of the existing multi-use Schuylkill River Trail. The proposed trail is divided into five sections: the Northern Section, the Center Section, the Southern Section, the Southern Connector, and the Neighborhood Connector.

Northern Section: At the northern limits of the project the trail will begin on land and will connect to the existing multi-use Schuylkill River Trail that currently terminates at Christian Street. Moving south along the banks of the Schuylkill River, the trail will turn towards the river and begin to rise in elevation as it passes under the Schuylkill River Arsenal Railroad Bridge. A short section of mechanically stabilized earth (MSE) wall will carry the trail towards the Schuylkill River. Before transitioning to the Center Section, the trail will extend over the river, paralleling its eastern bank, via a concrete bulb-tee beam structure constructed on new piers placed in the river. This section is approximately 775 feet long.

Center Section: A new 3-span cable-stayed bridge is proposed for The Center Section. This new structure will carry the trail for approximately 650 feet along the river running parallel to the eastern bank of the Schuylkill River. The new superstructure will need to be supported on pylons and piers placed in the river. The proposed width of the bridge will be approximately 25 feet.

Two overlooks are proposed along the bridge. The total width of the structure at the outlooks will be approximately 50 feet.

Southern Section: At the south end of the trail, ramps and an elevated approach structure will be needed. Continuing along the Schuylkill River the trail will be supported by beams on piers. Similar to the northern connector the trail will transition back to land through the construction of MSE walls. The southern connector bridge will be approximately 475 feet in length.

Southern Connector: The southern connector is located on land along the eastern bank of the Schuylkill River. Continuing on land, the trail will pass under the 34th Street Bridge along an abandoned rail line, to connect to the existing Crescent Trail section of the Schuylkill River Trail.

Neighborhood Connector: The Neighborhood Connector, extending for approximately 700 feet in length, will serve as a connector to the Grays Ferry neighborhood and will require the construction of a bridge passing over the CSX railroad tracks and beneath the PECO transmission wires. This bridge will transition to MSE wall supported slabs on fill as the trail descends back to ground level and connects to Stanley Street.

Construction of the bridge structures will occur both within/over water and from land. Work over water will be conducted from barges and will include the construction of Piers 1, and 9 through 17; construction of Towers 7 and 8; construction of Spans 1, 2, 3, and 7 through 18; and construction of temporary towers 1 through 5. Work on land will include the construction of the land-based portions of the trail; construction of Abutments 1 and 2; construction of Piers 2 through 6; and construction of Spans 4, 5, and 6. Temporary causeways are required to enable construction of Piers 2, 3, and 6. The causeways, to be constructed of R3 and R6 rock placed on top of geotextile fabric, will be removed once construction of the three piers is completed. 988 linear feet (0.10 of an acre) of permanent impacts and 2,246 linear feet (2.24 acres) of temporary impacts to the Schuylkill River will result from the construction of two bridge abutments, 15 piers, and two towers that will carry the trail above the river.

Dredging and filling of the river bottom, as required to mitigate for the calculated rise in water surface elevation (flood hazard mitigation) will occur prior to construction of the piers and towers. This work will be conducted from barges; a mechanical dredge will be used. The total area proposed to be authorized for dredging is approximately 0.71 acre. Dredging will be conducted to a maximum of -18.28 feet below mean low water (MLW). The total amount of sediment to be removed is approximately 1,766 cubic yards. The total area to be filled is 1.17 acres with an estimated fill volume of 4,175 cubic yards. Selected fill materials will include a mixture of R3 to R6 riprap stone.

Sediment sampling will be conducted for all dredged material and will subsequently be classified as clean fill, residual/nonhazardous waste, regulated fill, or PCB waste. All sediment classified as clean fill, residual/nonhazardous fill, or regulated fill will be removed offsite via barge and disposed of at Clean Earth, Philadelphia, Pennsylvania. All sediment classified as hazardous waste will be removed offsite via barge and disposed of at Stericycle, Hatfield, Pennsylvania.

All construction activities, whether on land or over water, will be completed in compliance with an approved Erosion and Sediment Control (E&S) Plan. Turbidity curtains will be used during in

stream flood hazard mitigation to minimize the turbidity and siltation in the water column during work.

See attached impact plans.

The State of Pennsylvania, Department of Environmental Protection (PADEP), is currently reviewing an application for the proposed project (PADEP file number; E5101220-003). The United States Coast Guard (USCG) has approved a Preliminary Navigation Clearance Determination and is currently reviewing a Bridge Permit application. The USCG regulates the proposed pedestrian fixed bridge between mile 6.3 and 6.4 that will carry pedestrian traffic along the eastern bank of the Schuylkill River between Christian Street and South 34th Street. The United States Army Corps of Engineers (USACE) regulate the discharge of dredged and/or fill material associated with the bridge.

PURPOSE: The applicant's stated purpose is: "The City of Philadelphia proposes to complete the Christina to Crescent trail gap, the last major gap in the Schuylkill Banks Park and Trail. The purpose of the proposed project is to provide a safe and efficient public recreational facility along the Schuylkill River waterfront within the City of Philadelphia. Closing this trail gap will connect several trail segments, making the entire trail system more functional and creating a major attraction for the entire regional trail network. Filling this gap will allow trail users to ride on the Trail from Valley Forge National Historical Park to Historic Bartram's Garden."

A preliminary review of this application indicates that species listed under the Endangered Species Act (ESA) or their critical habitat pursuant to NOAA Fisheries Jurisdiction, Section 7 of the ESA as amended, may be present in the action area. The Federal Highway Administration (FHWA) has evaluated the potential effects of the proposed actions on listed species and has consulted with NOAA Fisheries as appropriate. Consultation is complete. If a permit is issued by this office, all ESA mitigation measures will be included in approved plans by reference.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat under US Fish and Wildlife Service jurisdiction pursuant to Section 7 of the ESA as amended. As a result, consultation with the US Fish and Wildlife Service pursuant to Section 7 of the ESA is not necessary. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

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.

Due to COVID-19, comments on the proposed work are encouraged to be submitted, by email, within 30 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District at PhiladelphiaDistrictRegulatory@usace.army.mil. If it is necessary to provide a paper copy, comments should be submitted, by traditional mail, within 30 days 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 has reviewed the proposed permit action for potential impacts to Historic Properties eligible for or listed on the National Register of Historic Places. Historic properties eligible for or listed on the NRHP are within the permit area, but will not be affected by the proposed action. A determination of “No Effect” has been made.

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 indicated that EFH is present within the project area. The Federal Highway Administration (FHWA) has evaluated the potential effects of the proposed actions on EFH and has consulted with NOAA Fisheries as appropriate. Consultation is complete. The following EFH special condition will be added to any permit issued by our office: “The contractor shall limit the movement of barges to the extent practicable during the period between March 15th and June 30th and shall schedule these movements to coincide with high tide conditions in the river to the extent practicable.” All other EFH mitigation measures will be included in approved plans by reference.

Compensatory Mitigation is not required by this office because the proposed project does not change an aquatic area to dry land; does not cumulatively increase the bottom elevation of a waterbody, does not change the use of a waterbody; and does not result in a loss of water of the United States.

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.

Due to COVID-19, any person may request, by email, to the District Engineer at PhiladelphiaDistrictRegulatory@usace.army.mil, 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, with particularity, the reasons for holding a public hearing. If it is necessary to provide a written request by traditional mail, such request should be submitted within the comment period specified in this notice to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Additional information concerning this permit application, CENAP-OP-R-2018-00413-96, may be obtained by emailing Nikolas Tranchik at nikolas.p.tranchik@usace.army.mil.

Michael A. Landis
Chief, Operations Division