

**US Army Corps
of Engineers**
Philadelphia District
100 South Independence Mall West
Philadelphia, PA 19106
Attn: CENAP-OPR

Public Notice

Comment Period Begins: June 4, 2023

Comment Period Ends: July 5, 2023

File Number: NAP-2021-01100-86

File Name: West Passyunk Warehouse PH

Contact: Genevieve T. Sarlo

Email: Genevieve.T.Sarlo@usace.army.mil

This District has received an application for a Department of the Army permit pursuant to 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: Jim Marshall – BP Point Breeze, LLC

AGENT: Morgan Bratton – Skelly and Loy, Inc.

LOCATION: The project site is located along the Schuylkill River at 6310 West Passyunk Avenue, City of Philadelphia, Philadelphia County, Pennsylvania 19153.

PURPOSE: There is an increased need for modern logistics facilities in the Philadelphia region.

PROJECT DESCRIPTION:

The total size of the site is 40.9 acres: approximately half of the site is a decommissioned Petro-chemical distribution facility, and the remaining half of the site is underdeveloped upland and wetlands along the Schuylkill River. The underdeveloped portion of the site is historic fill likely placed in the tidal wetland adjacent to the river. Surface water wetlands have developed atop the fill, including one large (12.963 acre) Phragmites wetland. The site contains five delineated wetlands totaling 15.27 acres of wetlands and watercourses.

The proposed project is to construct a 487,590 square foot modern cross-dock warehouse with 95 trailer parking positions, 244 auto parking spaces, surface and underground stormwater control measures, and permittee responsible wetland mitigation. The project will unavoidably impact 1.4 acres of Phragmites wetlands for the construction of the warehouse and parking spaces.

For additional project details, see the attached plans identified as: "Permitting Documents for BP Point Breeze, LLC Proposed Development 6310 W. Passyunk

Avenue Philadelphia, PA 19153”, prepared by Skelly and Loy, dated 2022, unrevised, sheet title OVERALL GRADING PLAN sheet number C-401.

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 to aquatic resources, the applicant has proposed compensatory mitigation.

The mitigation area will be constructed in the northeast corner of the site by removing fill material and restoring a portion of the historic Schuylkill River floodplain wetland complex. Wetland A Expansion area is an approximately 56,457 SF wetland restoration area that is hydrologically connected to the large open water Wetland A. Wetland D Expansion and Enhancement area will enhance the unimpacted portions of Wetlands D and E and expand Wetland D by approximately 6,827 SF.

For additional mitigation project details, see the attached plans identified as: “Wetland Mitigation Plan”, prepared by Skelly and Loy, dated July 11, 2022, last revised April 24, 2023, sheets 1 through 3 of 3.

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.

Evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, (40 CFR part 230) or of the criteria established under authority of section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972.

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 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 is not present within the project area. Therefore, consultation with NMFS pursuant to EFH provisions of the MSA is not necessary. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

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 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

PASSYUNK AVENUE
(100 WIDE R.O.W.) (10' SIDE-TO-SIDE)
(LEGALLY OPEN) (20' CITY PLAN)
(NOT IMPROVED)

63RD STREET
(100 WIDE R.O.W.) (14' SIDE-TO-SIDE)
(END RECORD OF SURVEY OPENING (ON CITY PLAN)
(NOT IMPROVED)



LOCATION MAP
SCALE: 1"=1,000'

REV	DATE	COMMENT	ISSUED BY

LEGEND EXISTING	
PROPERTY LINE	---
R.O.W. LINE	---
ADJACENT PROPERTY LINE	---
EASEMENT LINE	---
GRADE LINE	---
100 YEAR FLOODPLAIN	---
500 YEAR FLOODPLAIN	---
REGULATORY FLOODPLAIN	---
BUILDING	▒
RETAINING WALL	▒
CONCRETE CURB	▒
FLASH CURB	▒
FENCE	▒
GUIDE WALL	▒
TREELINE	▒
CONCRETE MONUMENT	▒
IRON PIN	▒
SIGN	▒
AREA LIGHT	▒
TREE	▒
DRAINAGE INLET	▒
STORMSANITARY MANHOLE	▒
WATERSANITARY VALVES	▒
ROOF DRAINAGE INLET	▒
FIRE HYDRANT	▒
UTILITY POLE W/ LIGHT	▒
UTILITY POLE	▒
OVERHEAD UTILITY WIRES	▒
STORM PIPE	▒

LEGEND PROPOSED	
LIMIT OF DISTURBANCE	---
PROPERTY LINE	---
R.O.W. LINE	---
EASEMENT LINE	---
GRADE LINE	---
BUILDING	▒
RETAINING WALL	▒
CONCRETE CURB	▒
FLASH CURB	▒
FENCE	▒
GUIDE WALL	▒
TREELINE	▒
ACCESSIBLE SYMBOL	▒
CROSSWALK	▒
SEWALK	▒
RAMP	▒
SEAL	▒
BOLLARD	▒
AREA LIGHT	▒
DRAINAGE INLET	▒
MANHOLE	▒
ENDWALL	▒
WYPOFF	▒
CLEANOUT	▒
FIRE HYDRANT	▒
UTILITY POLE	▒
OVERHEAD UTILITY WIRES	▒
STORM PIPE	▒
SPOT ELEVATION	▒

PERMIT SET

PROJECT NO. JPP0219
DRAWN BY: JPP
CHECKED BY: JPP
DATE: 03/03/2022
CANNED AND IMPACTS AND MITIGATION PLAN

PERMITTING DOCUMENTS

FOR
BP POINT BREEZE, LLC

PROPOSED DEVELOPMENT
6310 W. PASSYUNK AVENUE
PHILADELPHIA, PA 19153

1515 MARKET STREET, SUITE 920
PHILADELPHIA, PA 19102
PHONE: (215) 462-0867
FAX: (215) 462-3451
www.BohlerEngineering.com



PROFESSIONAL ENGINEER
PENNSYLVANIA LICENSE NO. PE001727
CALIFORNIA LICENSE NO. 18857
NEW JERSEY LICENSE NO. 14020401-001

SHEET TITLE:

OVERALL GRADING PLAN

SHEET NUMBER:
C-401

ORG. DATE - XX/XX/2022

UNDERGROUND SCM

UNDERGROUND SCM DISCHARGE POINT

UNDERGROUND SCM

UNDERGROUND SCM

UNDERGROUND SCM DISCHARGE POINT

EXISTING WETLAND D AREA TO BE DISTURBED (±4,396 SF)

EXISTING WETLAND B AREA TO BE DISTURBED (±58,048 SF)

PROPOSED WETLAND MITIGATION AREA (±64,812 SF)

WETLAND B

WETLAND D

WETLAND E

WETLAND C

WETLAND A

PROJECT SITE BOUNDARY
LIMIT OF DISTURBANCE
TOTAL LOT = 241,549 SF (28.91 AC.)
TOTAL LOT = 133,168 SF (30.45 AC.)

WETLAND IMPACTS AND MITIGATION PLAN SUMMARY TABLE		
EXISTING WETLAND AREA TO BE DISTURBED	±62,444 SF	1.4 Acres
PROPOSED WETLAND MITIGATION AREA	±64,812 SF	1.5 Acres

WETLAND IMPACTS AND MITIGATION PLAN

PREPARED BY:
SKELLY AND LOY
A **Irracon** Company
449 EISENHOWER BOULEVARD, SUITE 300
HARRISBURG, PA 17111
TEL: (717) 232-0558 - FAX: (717) 232-1799 - WWW.skellyloy.com

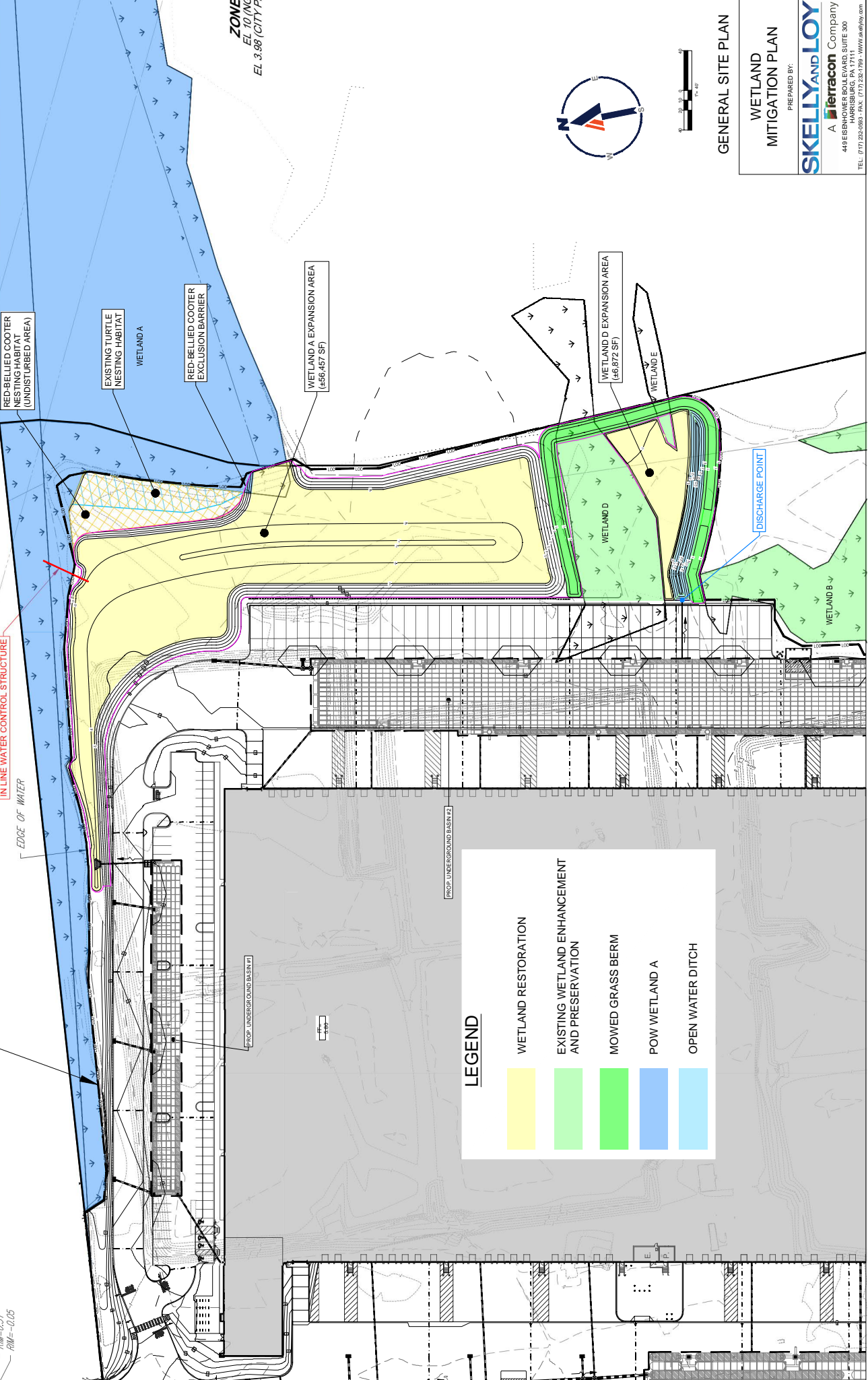


FIGURE 10
PREFERRED ON-SITE
ALTERNATIVE

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R1M=0.51
R1M=-0.05

IN LINE WATER CONTROL STRUCTURE
EDGE OF WATER



ZONE
EL. 10.00 (NG)
EL. 3.98 (CITY P.)

RED-BELLIED COOTER
NESTING HABITAT
(UNDISTURBED AREA)

EXISTING TURTLE
NESTING HABITAT

RED-BELLIED COOTER
EXCLUSION BARRIER

WETLAND A EXPANSION AREA
(456,457 SF)

WETLAND D EXPANSION AREA
(46,872 SF)

WETLAND E

WETLAND D

DISCHARGE POINT

WETLAND B

LEGEND

- WETLAND RESTORATION
- EXISTING WETLAND ENHANCEMENT AND PRESERVATION
- MOWED GRASS BERM
- POW WETLAND A
- OPEN WATER DITCH

GENERAL SITE PLAN

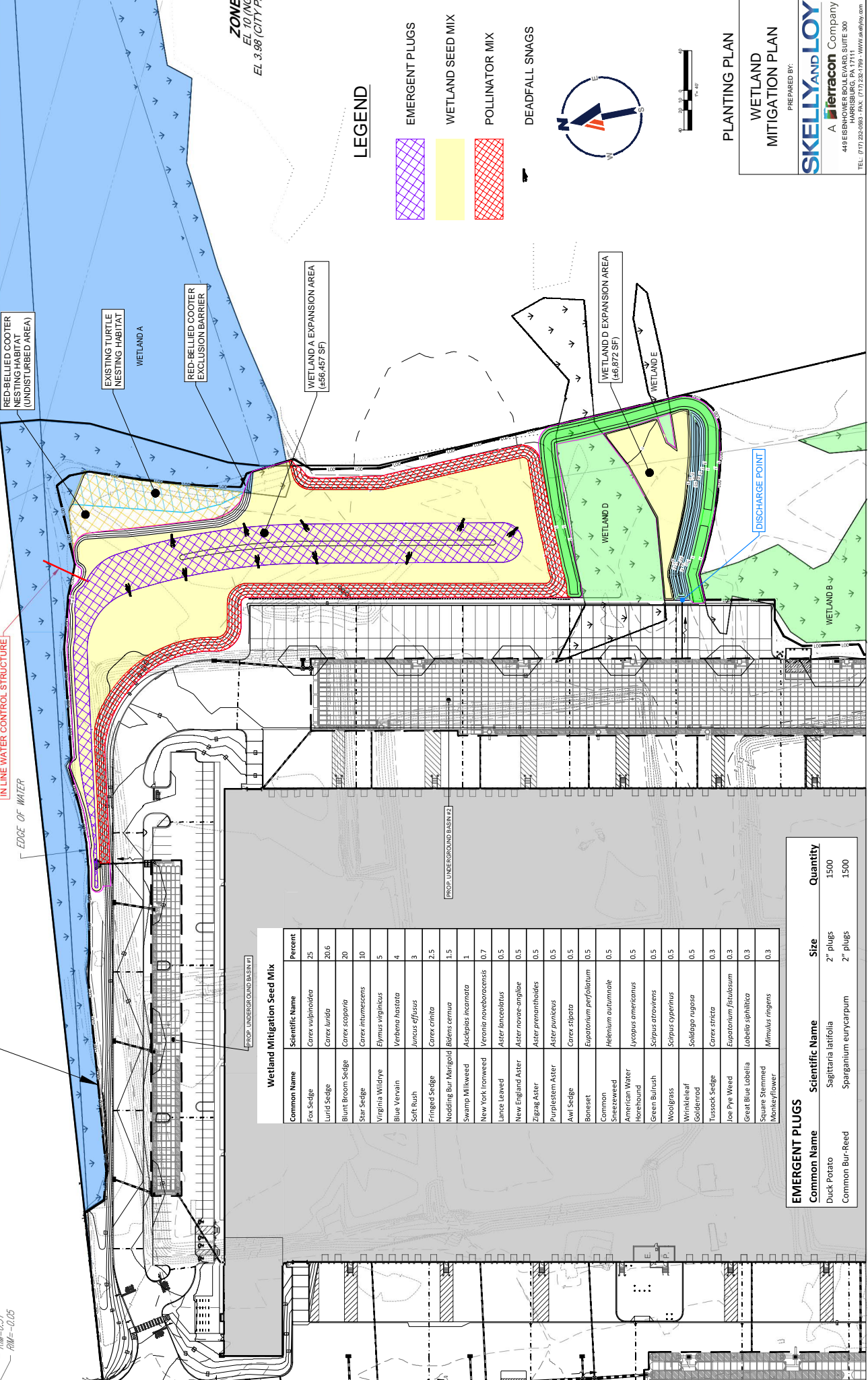
**WETLAND
MITIGATION PLAN**

PREPARED BY:

SKELLY AND LOY
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48 EISENHOWER BLVD, SUITE 300
HARRISBURG, PA 17111
TEL: (717) 232-0893 - FAX: (717) 232-1799 - WWW.SKELLYANDLOY.COM

RIM=0.51
RIM=-0.05

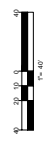
IN LINE WATER CONTROL STRUCTURE
EDGE OF WATER



ZONE
EL. 10.00 (NG)
EL. 3.98 (CITY P.)

LEGEND

- EMERGENT PLUGS
- WETLAND SEED MIX
- POLLINATOR MIX
- DEADFALL SNAGS



PLANTING PLAN

WETLAND
MITIGATION PLAN

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Wetland Mitigation Seed Mix

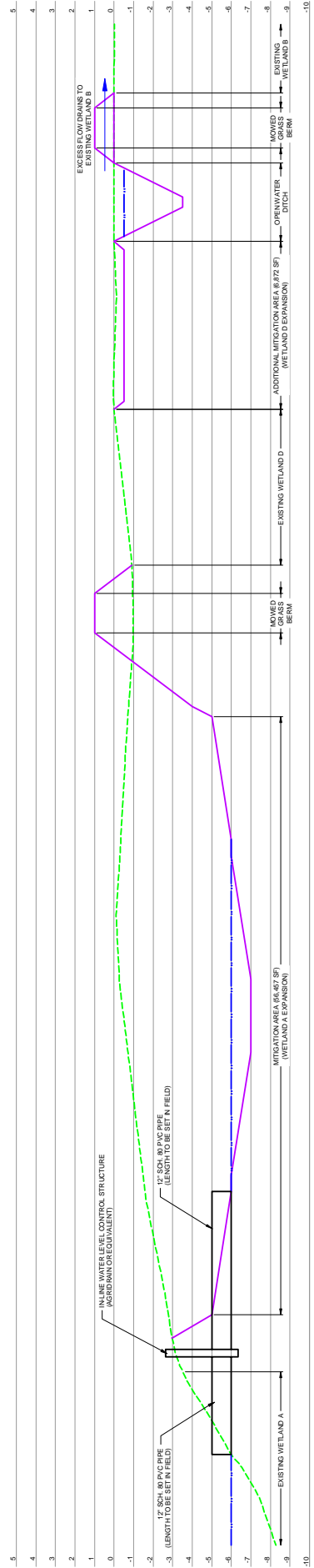
Common Name	Scientific Name	Percent
Fox Sedge	<i>Carex vulpinoidea</i>	25
Lurid Sedge	<i>Carex lurida</i>	20.6
Blunt Broom Sedge	<i>Carex scoparia</i>	20
Star Sedge	<i>Carex intumescens</i>	10
Virginia Wildrye	<i>Elymus virginicus</i>	5
Blue Vervain	<i>Verbena hastata</i>	4
Soft Rush	<i>Juncus effusus</i>	3
Fringed Sedge	<i>Carex crinita</i>	2.5
Nooding Bur Marigold	<i>Bidens cernua</i>	1.5
Swamp Milkweed	<i>Asclepias incarnata</i>	1
New York Ironweed	<i>Veronica noveboracensis</i>	0.7
Lance leaved	<i>Aster lanceolatus</i>	0.5
New England Aster	<i>Aster novae-angliae</i>	0.5
Zigzag Aster	<i>Aster prenanthoides</i>	0.5
Purplestem Aster	<i>Aster paniculatus</i>	0.5
Awl Sedge	<i>Carex stipata</i>	0.5
Boneset	<i>Eupatorium perfoliatum</i>	0.5
Common Sneezeweed	<i>Helenium autumnale</i>	0.5
American Water Horehound	<i>Lycopus americanus</i>	0.5
Green Bulrush	<i>Scirpus atrovirens</i>	0.5
Woodgrass	<i>Scirpus cyperinus</i>	0.5
Wrinkle leaf Goldenrod	<i>Solidago rugosa</i>	0.5
Tussock Sedge	<i>Carex stricta</i>	0.3
Joe Pye Weed	<i>Eupatorium fistulosum</i>	0.3
Great Blue Lobelia	<i>Lobelia siphilitica</i>	0.3
Square Stemmed Monkeyflower	<i>Mimulus ringens</i>	0.3

EMERGENT PLUGS

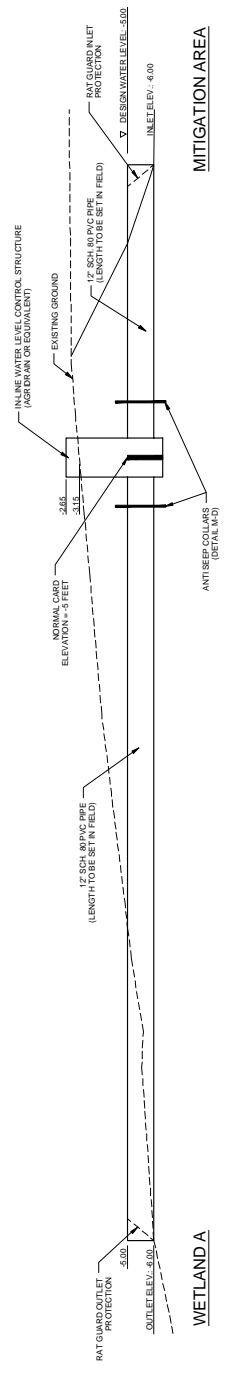
Common Name	Scientific Name	Size	Quantity
Duck Potato	<i>Sagittaria latifolia</i>	2' plugs	1500
Common Bur-Seed	<i>Sperganium eurycarpum</i>	2' plugs	1500

PROP. UNDERGROUND BASIN #2

PROP. UNDERGROUND BASIN #2



SCHEMATIC PROFILE
SCALE: NONE



SCHEMATIC PROFILE AND DETAIL

WETLAND MITIGATION PLAN
PREPARED BY:
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IN-LINE WATER LEVEL CONTROL STRUCTURE
NOT TO SCALE