

**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-2017-00207-75	June 29, 2017

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).

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: Sunoco Logistics, Inc.

AGENT: Weston Solutions, Inc.

WATERWAY: Delaware River

LOCATION: The proposed dredging is located at the Fort Mifflin Terminal at 4 Hog Island Road, within the Delaware River at River Mile 91.4, and immediately downstream of the Philadelphia County - Delaware County boundary in Tinicum Township, Delaware County, Pennsylvania. [Decimal Latitude: 39.86932° North; Decimal Longitude: 75.21788° West]

ACTIVITY: The applicant proposes to perform maintenance dredging of two berthing areas to their Docks A and B, including 10 years of maintenance dredging. Dredging would be by mechanical or environmental clamshell dredging, within an area encompassing a maximum of 12.6 acres. The proposed initial dredging volume would be a maximum of 30,000 cubic yards of material, to a depth of -40.0' MLW, with an additional two feet of allowable over-dredge, for a total proposed depth of -42.0' MLW. The applicant anticipates up to four additional dredging events within 10 years, with no more than 150,000 cubic yards of material in total.

The dredged material would be loaded into a watertight barge and transported to either Whites Basin or Biles Island. Whites Basin is the preferred disposal location and is located in Logan Township, Gloucester County, New Jersey. At Whites Basin, the material would be unloaded by bottom-dumping into the rehandling basin and then later hydraulic pumped to the upland confined disposal facility. Biles Island is located in Falls Township, Bucks County, Pennsylvania. At Biles Island, the material would be hydraulically unloaded into the disposal facility. See attached Exhibits E-1 through E-9 for maps and plans.

This office previously issued a 10-year maintenance dredging permit to the previous owner on October 1, 2003 (Sunoco Incorporated, CENAP-OP-R-200300267-46). Operation for the Whites Basin disposal facility is authorized under CENAP-OP-R-2013-00696-46.

PURPOSE: The applicant's stated purpose is to maintain safe berthing areas at the Fort Mifflin Terminal.

A preliminary review of this application indicates that species listed under the Endangered Species Act (ESA) or their critical habitat pursuant to Section 7 of the ESA, as amended, may be present in the action area. This District will forward this Public Notice to the United States Fish and Wildlife Service and/or the National Marine Fisheries Service 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 District will evaluate the potential effects of the proposed actions on ESA listed species or their critical habitat and will consult with the United States Fish and Wildlife Service and/or the National Marine Fisheries Service, as appropriate. ESA Section 7 consultation will be concluded prior to the final decision on this permit application.

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.

Comments on the proposed work should be submitted, in writing, within 15 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 determined that the areas have been previously dredged, and the sediment disposal will be released into an existing uplands facility. No Historic Properties will be affected by the proposed permit action.

The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended, requires all federal agencies to consult with the National Marine Fisheries Service on 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 no EFH is present within the project area. However, several prey species used by managed species would make use of this area. With the inclusion of a seasonal restriction prohibiting dredging between March 15 and June 30, inclusive, of any year, impacts to these prey species would not be more than minimal. Based on the above analysis, this District has determined that the proposed project would not have a direct, indirect, site-specific or habitat-wide impact on EFH, or upon the managed species and their life stages, either individually, cumulative or synergistically. The proposed project would not eliminate, diminish nor disrupt the functions of EFH, and no other conservation recommendations are proposed at this time.

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 (i.e. New Jersey) in which any discharge of dredged material would take place (i.e. any disposal at Whites Basin). 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.

Compensatory Mitigation: The applicant is not proposing any placement of dredged or fill material in waters or wetlands at the dredging site. As such, compensatory mitigation has not been proposed and is not anticipated.

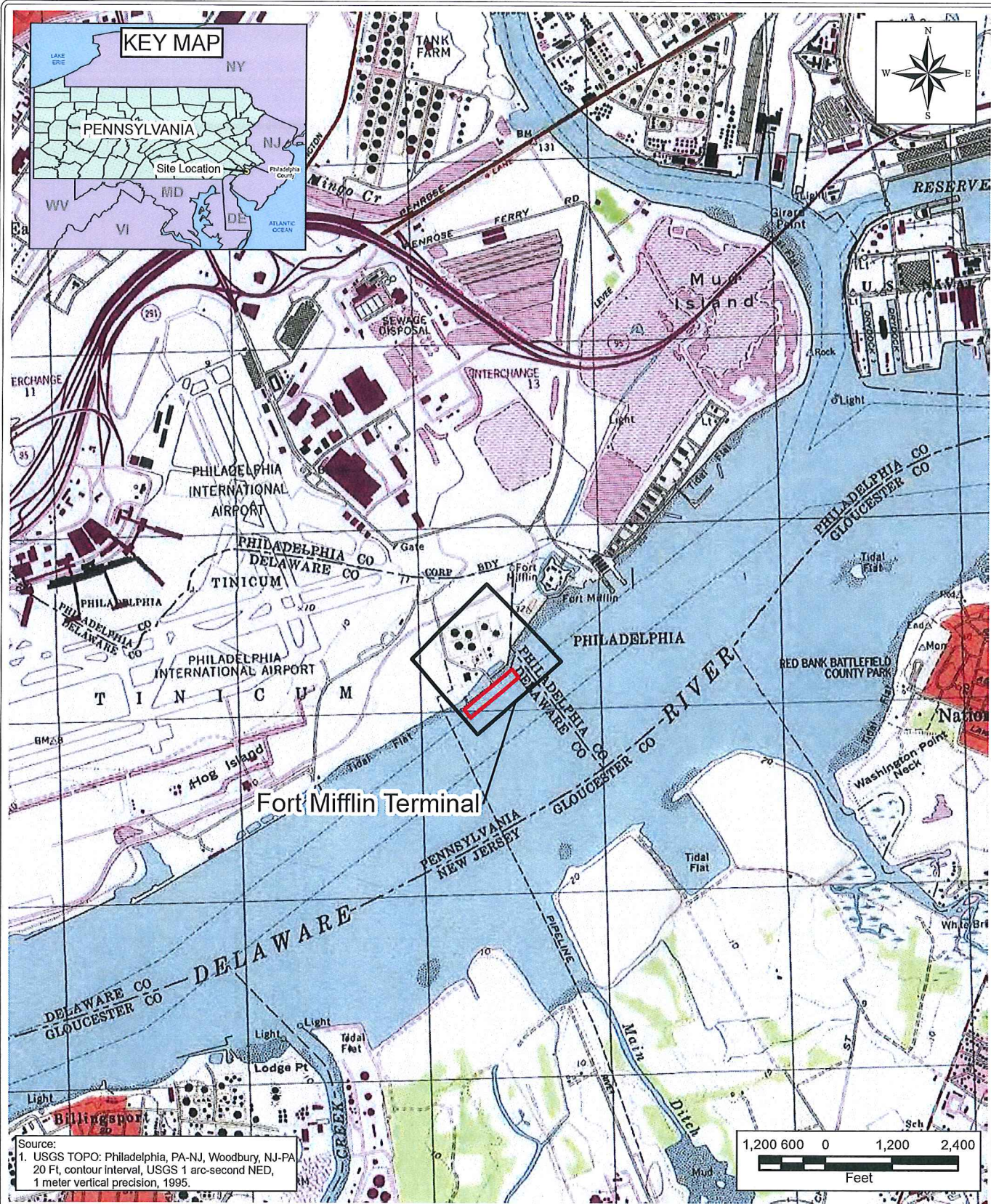
Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Todd Schaible at (215) 656-6591, via email at todd.a.schaible@usace.army.mil, or writing this office at the above address.



Edward E. Bonner
Chief, Regulatory Branch

P:\Sunoco\GIS\MapXD\2016_08_Sunoco_Logistics_Inc\18732_Sunoco_Logistics_Fort_Mifflin_Terminal_Site_Loc_Map.mxd



LEGEND:

- Site Location
- Berthing Area

PROJECT:

Fort Mifflin Terminal

CLIENT NAME:

Sunoco Logistics, Inc.

TITLE:

SITE LOCATION MAP - SUNOCO LOGISTICS, INC.
FORT MIFFLIN TERMINAL
DELAWARE RIVER
PHILADELPHIA, PENNSYLVANIA

E-1

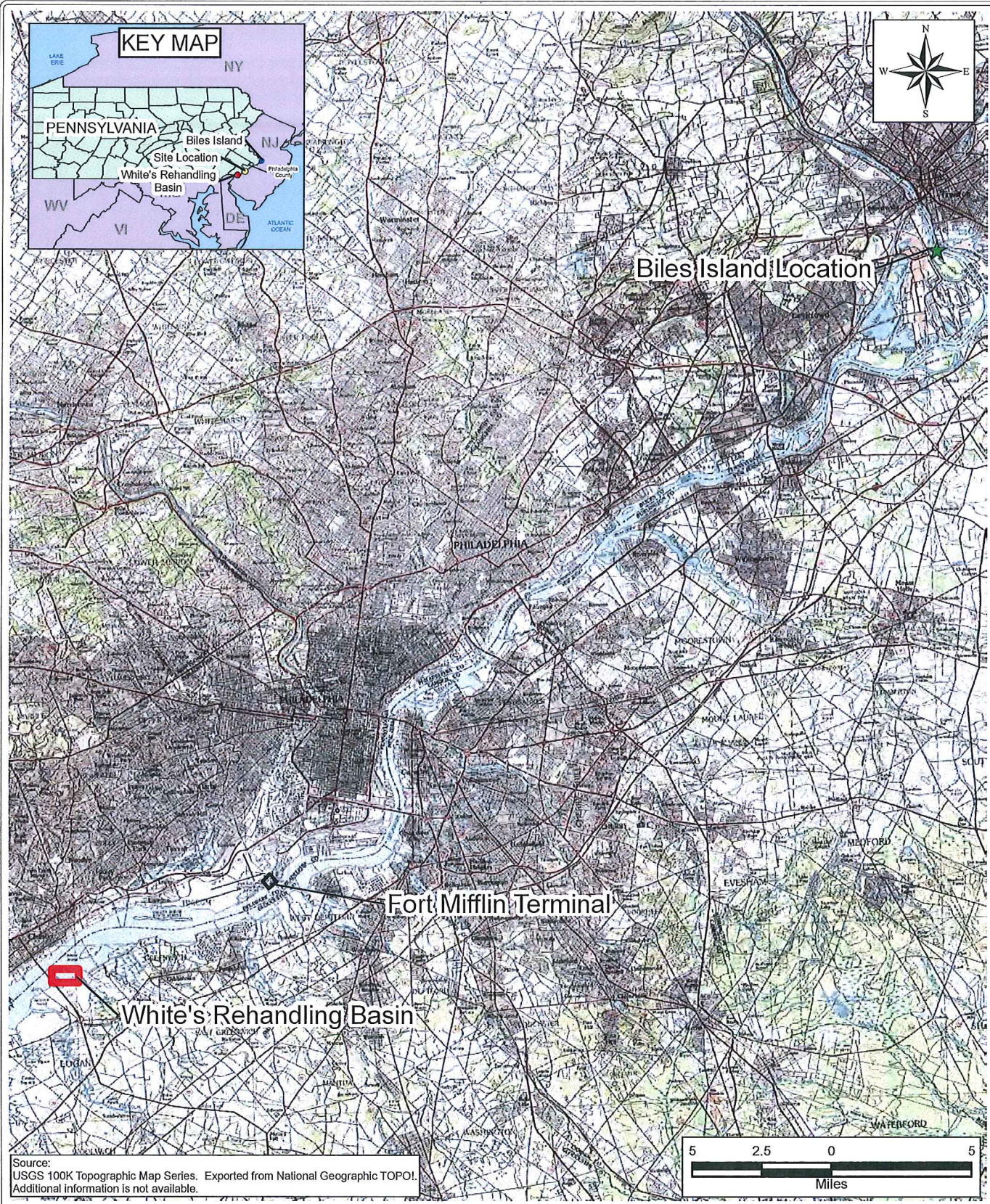


DATE:

April 2017

FIGURE #:

1



LEGEND:	Site Location
	Biles Island Location
	White's Rehandling Basin

PROJECT: Fort Mifflin Terminal

CLIENT NAME: Sunoco Logistics, Inc.

TITLE:

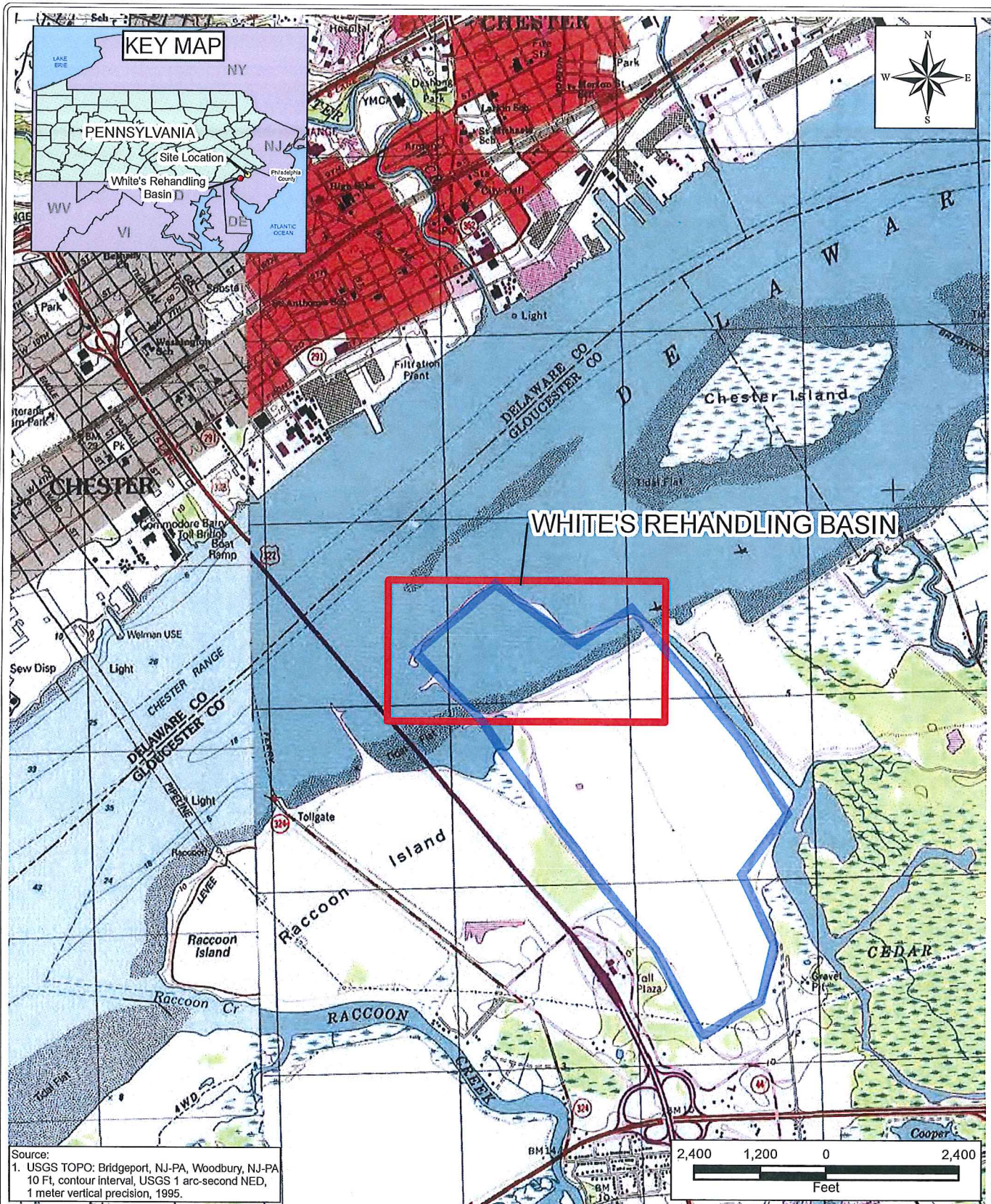
FORT MIFFLIN TERMINAL AND SEDIMENT DISPOSAL SITE
FORT MIFFLIN TERMINAL
DELAWARE RIVER
PHILADELPHIA, PENNSYLVANIA

E-2

WESTON
SOLUTIONS

DATE: April 2017

FIGURE #: 2



LEGEND:



White's Rehandling Basin

PROJECT:

Fort Mifflin Terminal

CLIENT NAME:

Sunoco Logistics, Inc.

TITLE:

WHITE'S REHANDLING BASIN
FORT MIFFLIN TERMINAL
DELAWARE RIVER
PHILADELPHIA, PENNSYLVANIA

E-3



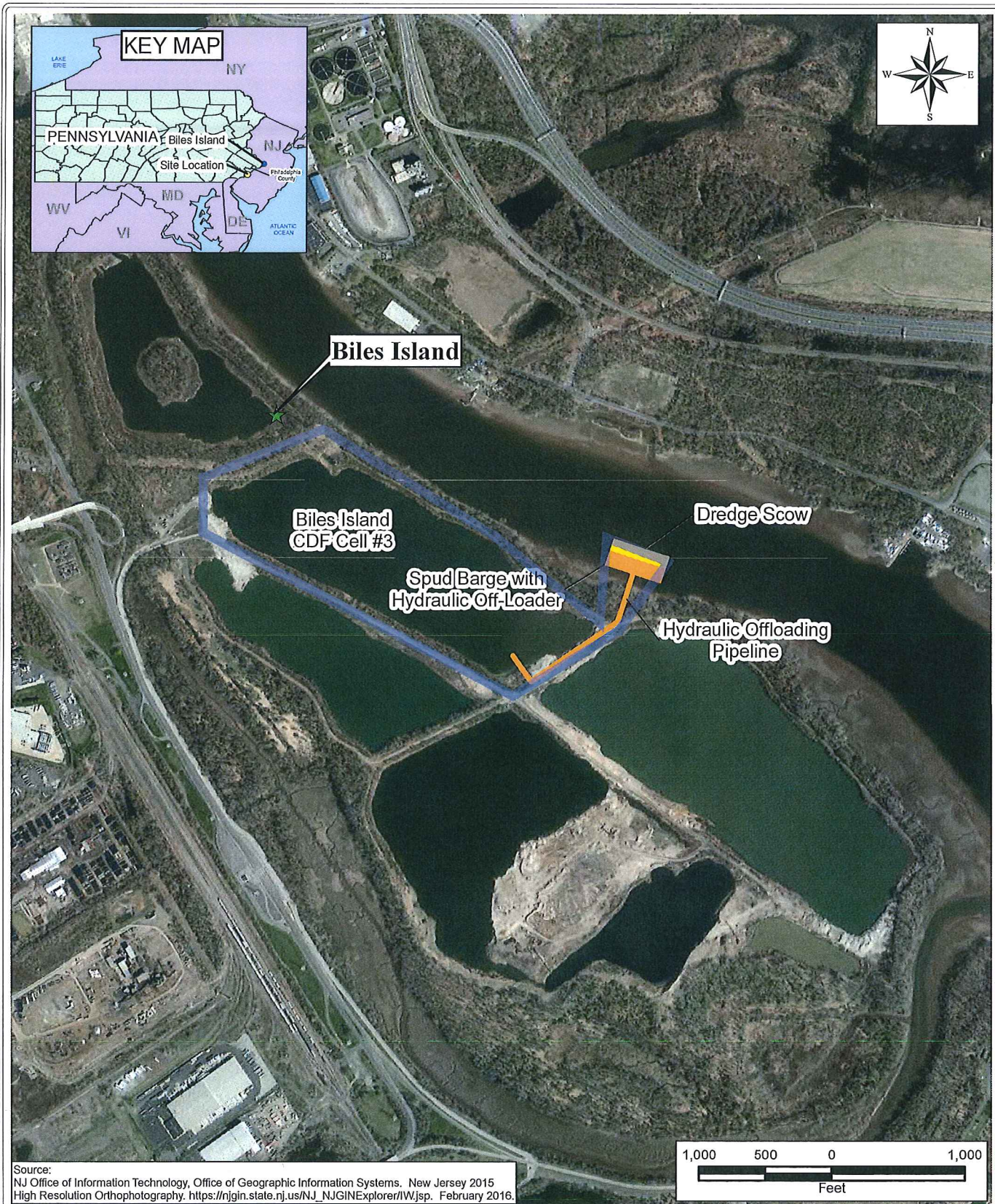
DATE:

April 2017

FIGURE #:

3

P:\Sunoco\GIS\MXD\2016_06_Sunoco_Logistics_Inc\20036_Sunoco_Logistics_Fort_Mifflin_Biles_Island_Offloading.mxd



LEGEND:		TITLE:	
★ Biles Island Location		BILES ISLAND OFF-LOADING SKETCH BUCKS COUNTY FALLS TOWNSHIP, PENNSYLVANIA	
PROJECT: Fort Mifflin Terminal			
CLIENT NAME: Sunoco Logistics, Inc.			
		DATE: April 2017	FIGURE #: 5

E-5



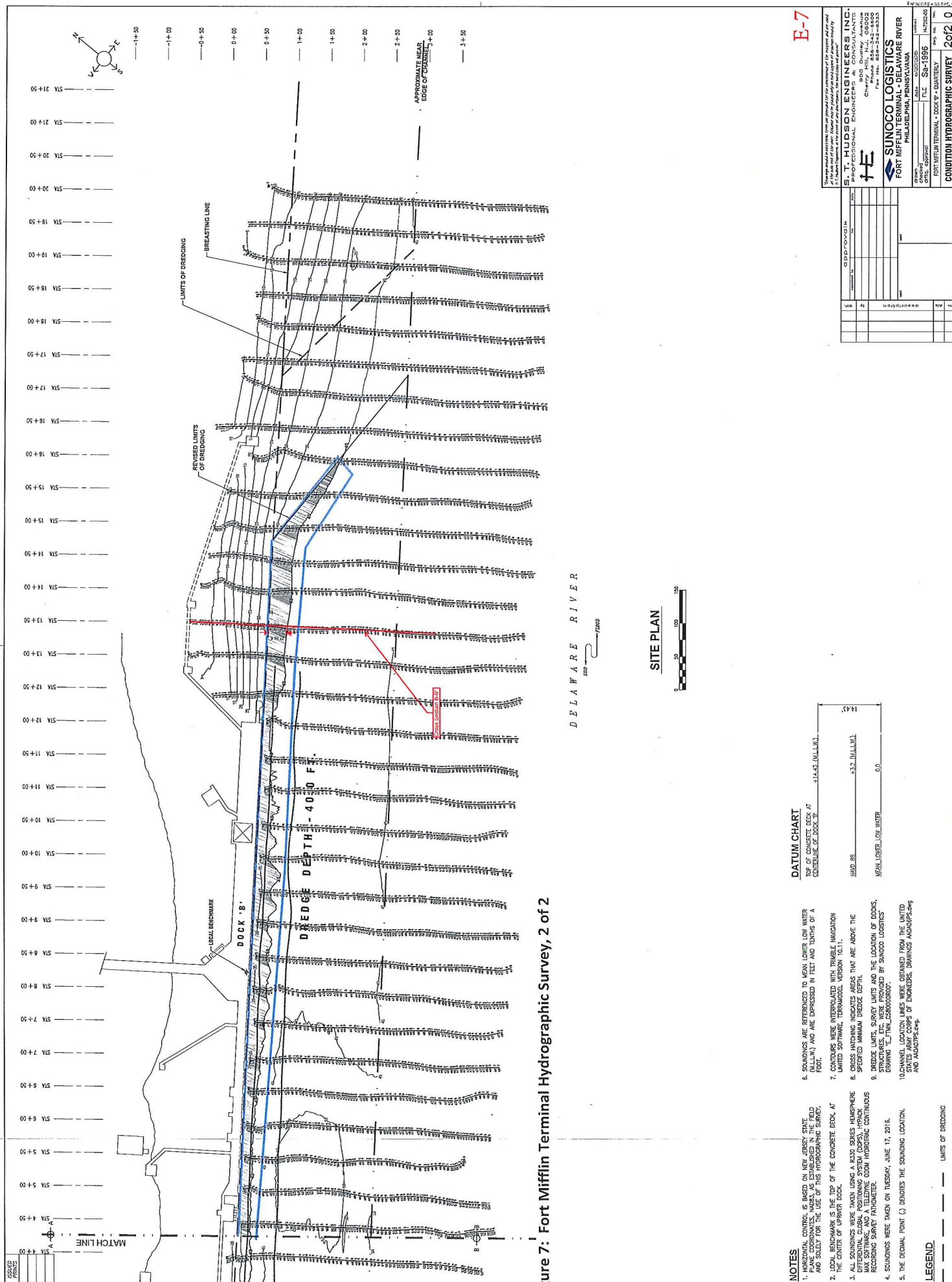
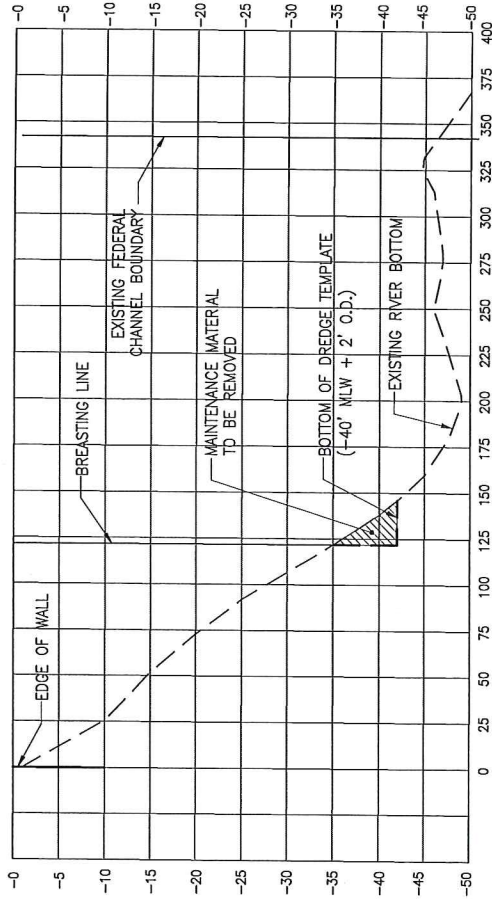


Figure 7: Fort Mifflin Terminal Hydrographic Survey, 2 of 2



TYPICAL DREDGING SECTION A
1
HORIZONTAL SCALE = 1" = 100'
VERTICAL SCALE = 1" = 20'

WATER LEVEL DATA

THE EXTENT OF TIDAL JURISDICTION IS BASED UPON TIDAL DATA AS FOLLOWS:

SECTION 10 -- MEAN HIGH WATER -- 3.04' NAVD 1988
SECTION 404 -- SPRING HIGH WATER -- 4.48' NAVD 1988

NATIONAL OCEANOGRAPHIC AND ATMOSPHERIC ADMINISTRATION TIDE DATA FOR THE REPORTING STATION CLOSEST TO THE SITE, STATION 8545240, PHILADELPHIA (USCG STATION), DELAWARE RIVER, PA, BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 IS AS FOLLOWS:

HIGHEST RECORDED TIDE 7.34' (NOV 1950)
MEAN HIGHER HIGH TIDE 3.46'
MEAN HIGH TIDE 3.04'
MEAN TIDE LEVEL 0.04'
MEAN LOW TIDE -2.96'
MEAN LOWER TIDE -3.15'
LOWEST RECORDED TIDE -9.96' (DEC 1962)
100 YEAR FLOOD ELEVATION 9.00' (NAVD 88)

CONVERSION OF THE NAVD 1988 GROUND ELEVATIONS TO NGVD 1929 IS +0.98'

CONVERSION OF THE NAVD 1988 TIDAL DATA TO NGVD 1929 IS +1.32'

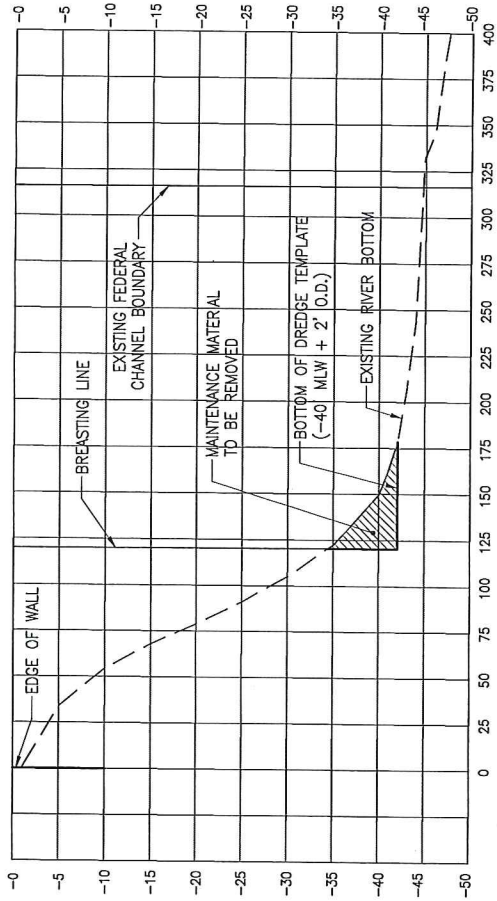


E-8

CROSS SECTION
SUNOCO FORT MIFFLIN
SECTION A

PENNSYLVANIA

DRAWN	D.P.	DATE	10/5/16	DES. ENG.	R.B.	DATE	10/5/16	W. O. NO.	15077.003.007
CHECKED	R.B.	DATE	10/5/16	APPROVED	R.B.	DATE	10/5/16	DWG. NO.	8



TYPICAL DREDGING SECTION B
1
HORIZONTAL SCALE = 1"= 100'
VERTICAL SCALE = 1"=20'

WATER LEVEL DATA

THE EXTENT OF TIDAL JURISDICTION IS BASED UPON TIDAL DATA AS FOLLOWS:

SECTION 10 -- MEAN HIGH WATER -- 3.04' NAVD 1988
SECTION 404 -- SPRING HIGH WATER -- 4.48' NAVD 1988
NATIONAL OCEANOGRAPHIC AND ATMOSPHERIC
ADMINISTRATION TIDE DATA FOR THE REPORTING STATION
CLOSEST TO THE SITE, STATION 8545240, PHILADELPHIA
(USCG STATION), DELAWARE RIVER, PA, BASED ON NORTH
AMERICAN VERTICAL DATUM OF 1988 IS AS FOLLOWS:

HIGHEST RECORDED TIDE 7.34' (NOV 1950)
MEAN HIGHER HIGH TIDE 3.46'
MEAN HIGH TIDE 3.04'
MEAN TIDE LEVEL 0.04'
MEAN LOW TIDE -2.96'
MEAN LOWER TIDE -3.15'
LOWEST RECORDED TIDE -9.96' (DEC 1962)
100 YEAR FLOOD ELEVATION 9.00' (NAVD 88)

CONVERSION OF THE NAVD 1988 GROUND ELEVATIONS TO
NGVD 1929 IS +0.98'

CONVERSION OF THE NAVD 1988 TIDAL DATA TO NGVD
1929 IS +1.32'



E-9

DRAWN	D.P.	DATE	DES. ENG.	DATE	W. O. NO.
CHECKED	R.B.	DATE	APPROVED	DATE	DWG. NO.
		10/5/16	R.B.	10/5/16	15077.003.007
		10/5/16	R.B.	10/5/16	9

CROSS SECTION
SUNOCO FORT MIFFLIN
SECTION B

PENNSYLVANIA