

URBAN WATERFRONT ACTION GROUP

September 19, 2001

MINUTES

Attendees

Pier 28

Kenneth R. Anderson	PADEP SERO/SWW	kanderson@state.pa.us
Kevin J. Hess	PADEP SERO/CZM	khess@state.pa.us
Bill Jenkins	Corps of Engineers	william.h.jenkins@nap02.usace.army.mil
Mike Weaver	DePaul Group	michael.weaver@depaulgroup.com
Anthony J. DePaul	DePaul Group	tdepaul@tonydepaul.com
Paul Harmon	Normandeau Assoc's.	pharmon@normandeau.com
Bennett Blum	Midatlantic Co.	beanieblum@aol.com
Rick Ricciardi	Marathon Engr.	marathon@snip.net
Paul Scally	DRBC	pscally@drbc.state.nj.us
Larry Toth	PADEP – CZM	latoth@state.pa.us
Barry Seymour	DVRPC	bseymour@dvrpc.org
Chris Linn	DVRPC	clinn@dvrpc.org

Tioga Marine Terminal

Kenneth R. Anderson	PADEP SERO/SWW	kanderson@state.pa.us
Kevin J. Hess	PADEP SERO/CZM	khess@state.pa.us
Bill Jenkins	Corps of Engineers	william.h.jenkins@nap02.usace.army.mil
Leonard K. Bernstein	Philadelphia Water Dept.	leonard.berstein@phila.gov
Michael Scott	Phila. Rgnl. Port Auth.	mrscott24@yahoo.com
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Jennifer Pesch	Urban Engineers	jlpesch@urbanengineers.com
Larry Toth	PADEP – CZM	latoth@state.pa.us
Joseph Musil	Urban Engineers	jfmusil@urbanengineers.com
Chris Linn	DVRPC	clinn@dvrpc.org

1. The meeting began at 10:05 a.m.

Pier 28

2. Chris Linn of DVRPC chaired the meeting. Members of the UWAG committee and the applicants introduced themselves.
3. Barry Seymour explained the new UWAG meeting procedures. A UWAG will be schedule on the second or third Wednesday of every other month at 10:00 a.m. The next UWAG will be on November 14. A copy of the UWAG schedule is posted on the DVRPC website (dvrpc.org). UWAG has moved to a fixed schedule so that resource agencies can place meetings on their calendars far enough in advance.

Mr. Ricciardi inquired if the NMS, PA Fish Commission, and/or the US Fish and Wildlife Service were present at the meeting. These agencies, although notified of the meeting, were not present. The committee suggested that the applicant contact these agencies individually. Mr. Anderson and Mr. Hess added that the DEP needed to be informed of the results of on-going fisheries studies being performed by the applicant.

4. Mr. Ricciardi provided an overview of the proposed project. The project entails the construction of a 16-story high-rise condominium structure on Pier 28 and an interpier marina between Piers 28 and 30. A similar condominium structure has been planned and designed for Pier 30.

Mr. Ricciardi reported that the building will be wider than the footprint of the existing piles. Currently, no deck exists on the piles. The structure may have some shading impacts on aquatic life. Also, some dredging will be required for this project.

Mr. Ricciardi stated that they engaged the services of Paul Harmon of Normandean Associates to determine the value of the fishery in the vicinity of the proposed project. He then turned the presentation over to Mr. Harmon so that he could present his findings.

In response to a submerged lands license agreement distributed by Mr. Ricciardi, Mr. Anderson asked for a map that shows the distance between Race and Market Sts. due to his concern that the area in question does not have a submerged lands license.

Mr. Seymour pointed out that Pier 28 is actually located south of Penn's Landing and is not in the vicinity of Race and Market Sts.

5. Paul Harmon presented his findings with regard to fisheries in the area. He reported that their firm performed electro-fishing in the spring near the pile field. They also set crab pots.

Paul reported that water quality was poor in August due to low levels of dissolved oxygen. Therefore, only small numbers of Herring and Perch were found.

Paul stated that a fall sampling would be conducted. They expect to find more fish, especially Chad and Herring, as a result of cooler water.

Paul reported that the Striped Bass population has been expanding. However, no Blue Crabs were found this year and it was also a bad year for Anchovies. Clam counts were low as well. Only a few Fingernail and Asiatic Clams were found. Some recovery of the fish populations is possible in a cooler period when dissolved oxygen improves.

Paul informed the group that a Ponar Grab will take place in October in the pile field area.

6. Mr. Linn opened the floor to general agency comments and questions.

Barry Seymour asked if there was a stormwater outfall in the area. Several members of the group reported that the region did contain multiple stormwater outfalls.

Mr. Harmon stated that the sediments in the area were very silty and mucky.

Mr. Hess asked if the pile field was a spawning area for Chad and Herring.

Mr. Harmon responded that Chad and Herring are either off-shore spawners or they spawn further upriver. Chad like gravelly areas, not mudflats.

Ken Anderson asked if panels(???) were put out. Paul responded that they had, but only a few small fish were caught.

Mr. Jenkins inquired as to the interpier depth. Mr. Ricciardi replied that they do not know the answer, but they plan to conduct soundings in the future. Mr. Ricciardi said they were holding off on the soundings and other structural investigations until they had a good feeling regarding the environmental impacts of the project.

Mr. Anderson asked about viewshed impacts. Mr. DePaul said they worked out their differences with the neighborhood (Queen's Village) and agreed on setbacks from the street line as well as a stepped structure. Mr. DePaul added that the building will consist of 3 floors of parking and 13 residential floors.

Mr. Anderson stated that since the project may not be water dependent, the DEP was worried about adverse impacts on public fisheries. The applicant would therefore need to compensate for these impacts in some satisfactory manner. Mr. Anderson also stated the applicant would need to present a demolition plan in case of some other future use. The demolition plan should also include a plan for the demolition of the existing piers. If the building is demolished, the riverbank needs to be restored.

Mr. Anderson raised three concerns over dredging: 1) short term storage of the spoils; 2) long term storage; and 3) characterization of the spoils. Mr. Ricciardi responded that they would characterize the sediments before dredging. Mr. Anderson stated that

characterization of the spoils would largely determine where the spoils would need to be stored so as to avoid any possibility of bio-contamination.

Mr. Scally indicated there could be a problem with wastewater discharges in the area of Pier 28. In regard to permitting, Mr. Scally conjectured that Pier 30 may have been given a waiver. He and Tom Brand aren't sure what DRBC regulations apply to Pier 28—they will need to check their files for Pier 30.

Mr. Anderson asked if there are navigational or sighting issues. He told the applicant they will need to present a navigational plan to the Coast Guard for the project.

Mr. Jenkins said the Corps would need to know about the fish study and the National Marine Fisheries reaction to the study before it could determine its final permitting posture. The Corps will also be concerned with the impacts of dredging.

Mr. Harmon said that field sampling would be the next step in the fisheries study.

Mr. Ricciardi reported that he would need to contact the NMS, the PA Fish and Boat Commission and the US Fish and Wildlife Service to gauge their reaction to the fisheries study.

Larry Toth stated that the CZM program would need to be kept abreast of dredging frequency. Larry also pointed out that it would be an excellent idea to provide public access to the pier after the project is built, i.e., include a promenade around the structure providing intimate access to the river and the waterfront for the public.

Mr. Bernstein told that applicant to come to his office to discuss the concerns of the Philadelphia Water Department.

Tioga Marine Terminal

7. Members of the UWAG committee and the applicants introduced themselves. Mr. Linn explained the ground rules of the meeting and introduced Joe Musil of Urban Engineers. Mr. Musil provided an overview of the proposed project to provide mooring and berthing facilities along with land-side support facilities for the landing and dispatching of Large Medium Speed RO/RO vessels at the Tioga Marine Terminal. The project is a joint venture between the Philadelphia Regional Port Authority and the US Navy.

The project will be divided into two phases to expedite the work. Phase I will consist of the construction of land-side bollards along with other land-side work such as the relocation of fences. Currently, vessels can be moored at the terminal, but mooring Navy vessels would preclude other commercial vessels.

Phase II of the project would consist of the construction of 4 mooring dolphins , 4 breasting dolphins and 550 feet of walkways. The construction of these features would allow both Navy vessels and commercial vessels to use the Terminal simultaneously.

Mr. Musil suggested that the land-side work should be considered beyond the jurisdiction of the DEP and the Corps. Mr. Musil also stressed the need for an expedited permitting process due to emergency needs.

8. At this juncture, the floor was opened to general agency questions and comments. Mr. Bernstein pointed out that the city needs to grant a permit for sewage holding tanks.

Mr. Musil stated that the Navy thought they didn't need holding tanks because they thought they could discharge wastewater directly to the river. However, Urban Engineers decided to incorporate holding tanks into the final design proposal to avoid the direct discharge of wastewater.

Mr. Anderson reported that Phase I—the land-side work—wouldn't require a permit because the existing use of the facility as a port will not be changed. If an emergency permit is required for the water bound work, Mr. Musil should ask Domenic Rocco for that permit. However, if an emergency permit is obtained, construction would have to begin within 30 days of the granting of the permit. Mr. Anderson asked who controls the land along the shoreline. Mr. Musil responded that the PRPA owns the riparian land.

Mr. Scally stated that the project only requires a letter of non-substantiality from the DRBC because no dredging is required.

Mr. Bernstein inquired about the frequency of boat traffic. Mr. Musil responded that at least one boat will be at the Terminal at all times.

Mr. Musil stated that the project will not have any adverse impacts on fisheries, and to the contrary, the breasting and mooring dolphins may result in the creation of new fish habitat.

Mr. Anderson expressed concern over the extension of the Terminal upriver. Mr. Musil pointed out that the bulkhead already extends upriver, but it could not be used for mooring vessels because of the existing mudflat.

Mr. Musil stated that no submerged lands license will be required for this project because the PRPA is a state agency.

Mr. Bernstein asked if connections existed between the sewage holding tanks and the PWD. Mr. Musil responded that no connections exist.

Mr. Toth asked how the Corps will permit this project. Mr. Jenkins said the Corps will issue an individual permit. Mr. Toth stated that CZM will probably be able to permit the project as a Federal project.