

URBAN WATERFRONT ACTION GROUP

March 25, 2008

North Delaware Avenue Extension – Meeting Minutes

Attendees

Alysa Suero	DRBC	alysa.suero@drbc.state.nj.us
Bennett Blum	Mid-Atlantic Co.	beanieblum@verizon.net
Chris Linn	DVRPC	clinn@dvrpc.org
Dennis Winters	East Coast Greenway Alliance	dennis.winters@verizon.net
Kevin Dougherty	US Army Corps of Engineers	kevin.w.dougherty@usace.army.mil
William Erickson	Phila. City Planning Comm.	bill.erickson@phila.gov
Lisa Magee	PRPA	lmagee@philaport.com
Don Brennan	PRPA	dbrennan@philaport.com
Nick Walsh	PRPA	nwalsh@philaport.com
Lawrence Mussio	Urban Engineers	ljmussio@urbanengineers.com
Dennis Burgeson	Urban Engineers	dkburgeson@urbanengineers.com
Bob Wright	Urban Engineers	bwright@urbanengineers.com

1. The meeting was called to order at 10:10 a.m.
2. Chris Linn of DVRPC chaired the meeting. UWAG members and guests introduced themselves.

North Delaware Avenue Extension

3. Mr. Linn introduced Lawrence Mussio, who gave an overview of the project. The project will extend Delaware Avenue from Lewis Street to Orthodox Street and will include a new 150-foot bridge spanning Frankford Creek. The former limits of the project were from Lewis Street to Bukius Street.
4. Lisa Magee asked who owns the current bridge and roadway, which was a former railroad right-of-way. Mr. Mussio replied that they are privately owned, and that the proposed extension of Delaware Avenue, including the new bridge, will be City owned. Mr. Linn asked about the use of the existing bridge and whether or not it will be dismantled. Mr. Mussio stated that the existing bridge will remain in the near term because it is used by trucks to access local businesses. Eventually, it will be taken down.
5. Kevin Dougherty asked about the timeframe for removal of the old bridge and restringing of the catenary wires over the creek. Mr. Dougherty stated that the Army Corps of Engineers (ACOE) would consider this a “single project” if it occurs in a similar timeframe. Mr. Mussio responded that the schedule for the bridge demolition is undetermined at this time. Mr. Wright added that the existing bridge is owned by Conrail, not the City. Therefore, the City would have to convince Conrail that the existing bridge is not needed (as a result of the new bridge) before it can be dismantled.

6. Ms. Magee asked if the 80/20 federal funding split is for all phases of the project, including bridge demolition. Mr. Mussio replied that this is to be determined.
7. Bill Erickson asked about the schedule of the project beyond Orthodox Street (Phase II). Mr. Mussio was not sure when Phase II, which is part of the Philadelphia Coke site development, would be constructed. Bob Wright stated that part of the reason the projects was scaled back to terminate at Orthodox Street is that proposed plans for redevelopment of the Philadelphia Coke site are on hold. In addition to Phase II, the City and PennDOT have plans to extend Delaware Avenue to the old Frankford Creek (Phase III).
8. In response to a question from Mr. Linn, Mr. Mussio stated that a 12' wide paved multi-use path will parallel the entire length of the roadway on the south side. The roadway will consist of two 15' wide travel lanes, which will be separated from the multi-use path by a grass strip. A pedestrian walkway will be included on the north side of the roadway. Mr. Erickson noted that the roadway will be in conformance with the North Delaware Greenway Plan, which is proposing a series of parks along the waterfront.
9. Mr. Erickson asked if there is any parking associated with this project. Mr. Mussio stated that there would be no parking lots or on-street parking associated with Phase I of the project because there is not a great need for parking along this stretch of roadway. Parking is to be included in Phase II of the project.
10. Mr. Erickson asked why slope easements were required. Mr. Mussio replied that, because the new bridge over Frankford Creek will need to be higher than the 100-year flood level, the bridge profile will be higher than that of the current bridge. Slope easements are required to accommodate fill on both sides of the bridge.
11. Mr. Erickson asked if the project was located within the floodway, and noted that a HEC-RAS study would be required to document that the project would pass the 100-year flood. Mr. Wright replied that a HEC-RAS analysis was done.
12. Mr. Dougherty stated that ACOE does not have jurisdiction over the new bridge. The US Coast Guard (USCG) has jurisdiction over the bridge because the creek is tidal. Urban Engineers will have to get approval from the USCG before they begin work. However, because there is no commercial navigation on the Frankford Creek, the USCG will probably not require a Bridge Permit. It is essentially a "permit by rule." In any case, Urban Engineers should contact the USCG 5th District to notify them of the project. The ACOE will regulate any temporary work in the creek and any fills placed in wetlands or below the mean high water line.
13. Mr. Dougherty asked if stormwater outfalls would be coming out of the bridge abutments. Mr. Mussio stated that there would be separate structures going out to the creek.
14. Mr. Dougherty stated that Nationwide Permits (NWP) #7 (Outfalls and Intakes) and #14 (Linear Transportation Projects) can't be used for this project because they have been suspended in Pennsylvania. If the project has an approved Categorical Exclusion (CE) from the Federal Highway

Administration, ACOE may authorize this project under NWP #23 (Approved Categorical Exclusions). An alternative would be to authorize the work under the Pennsylvania State Programmatic General Permit, PASPGP-3, so long as the overall impacts are under one acre. Dennis Burgeson noted that the project has an approved CE.

15. Mr. Dougherty added that even though FHWA is the lead agency in terms of NEPA and 106, ACOE will have to concur with the CE. If ACOE sees something they are “uncomfortable” with, more work may be required.
16. Mr. Dougherty asked if the FHWA had consulted with the Tribal Nations in the 106 process. Mr. Dougherty stressed the importance of involving the Tribal Nations early, and cautioned that a failure to do so can stall a project for long periods.
17. If the removal of the old bridge is included in the funding for this project, ACOE permits will be needed to restring the catenaries.
18. Mr. Dougherty asked if a lot to the north and east of Delaware Avenue and west of Lewis Street was investigated for the presence of wetlands. Mr. Burgeson replied that a preliminary wetland delineation conducted in 2007 didn’t identify wetlands at this location. The preliminary delineation will be field verified soon, and this area will be reviewed. Mr. Dougherty stressed ACOE’s desire to avoid and minimize any impacts to wetlands to the greatest extent possible. Mr. Dougherty advised that lay down areas be placed in uplands.
19. Mr. Dougherty stated that he would provide Urban Engineers with Coast Guard contact info.
20. Mr. Linn noted that he would supply Urban Engineers with contact info for DEP’s Southeast Regional Office. Mr. Linn advised Urban Engineers to speak with DEP directly to address their permitting requirements. Mr. Dougherty anticipates that DEP will require an Individual Section 105 Permit for the project, or the PASPGP-3 may apply. A bridge over a waterbody of this size generally requires a 105 application.
21. According to Mr. Dougherty, if the environmental factors are clear and the project does not exceed 250 linear feet of impact on the stream, ACOE may not need to review the project. The project will go to DEP, they will review it, it will be classified as a “Category 2,” and then DEP will issue their permit and attach the federal authorization to it.
22. Mr. Dougherty noted that Urban Engineers should expect to receive comments from National Marine Fisheries and USFW about anadromous fish migration and sturgeon. The agencies may request seasonal restrictions on some of the in-water work, generally from March through the end of May, to prevent turbidity. Turbidity interferes with fish migration.
23. According to Mr. Dougherty, the area does not appear to be favorable red-bellied turtle habitat. Even so, Urban Engineers will probably need to communicate with the PA Fish and Boat Commission on potential red-bellied turtle impacts before the state will consider their application complete for processing. Mr. Burgeson noted that a PNDI search was conducted and this showed one Potential

Impact. A PNDI follow-up letter was recently submitted to the PA Fish and Boat Commission. It is assumed that the one Potential Impact is the red-bellied turtle.

24. Mr. Dougherty added that sturgeon could present additional problems because they are sensitive to vibration and are a federally-listed species. However, sturgeon mostly spawn farther north on the New Jersey side of the river near Scudder's Falls and Trenton, and are not likely to be found near the project area.