

## **Urban Waterfront Action Group (UWAG) Meeting**

**Tuesday, July 26, 2011**

UWAG members in attendance:

- Daniel Ryan – PA Fish and Boat Commission - daniryan@state.pa.us
- Jim Boyer – ACOE - James.N.Boyer@usace.army.mil
- Steve Walsh – DRBC - Steve.Walsh@drbc.state.nj.us
- Kevin Hess – PADEP Coastal Zone Management - khess@state.pa.us
- Mike Mansolino – USEPA - Mansolino.michael@epa.gov
- Martine Decamp – Philadelphia City Planning Commission - martine.decamp@phila.gov
- Chris Linn – DVRPC – clinn@dvrpc.org
- Amy Miller – DVRPC – amiller@dvrpc.org

Applicants and guests in attendance:

- Joe Forkin – Delaware River Waterfront Corporation - jforkin@DelawareRiverWaterfrontCorp.com
- Ed Morgereth – Biohabitats - emorgereth@biohabitats.com
- Ahmad Nadeen – Urban Engineers - anadeem@urbanengineers.com
- Gary Pierce – Covanta Energy
- Paul Kantola – Covanta Energy
- Tim Hickey – Covanta Energy
- Joe Musil – Urban Engineers - jfmusil@urbanengineers.com
- Pat Quigley – PAQ, Inc. - PAQINC@aol.com

### **1. Washington Avenue Green / Pier 53 On-Pier Restoration**

Joe Forkin and Ed Morgereth presented on this project. They came before the UWAG about a year ago regarding work on the uplands area of the site. They are pursuing a new grant opportunity for this on-pier restoration work at the former Pier 53 site and have matching funds of their own.

This is a very old industrial pier that was first constructed circa 1850. It caught on fire in 1965 and is currently severely deteriorated and has no pier functionality left. The DRWC owns this pier and the public access to it, although the piers upriver and downriver of this site are privately owned. Therefore, this is a key location for public access to the Delaware River.

The pier is in a very dynamic environment. Parts of the pier get overtopped by tides during storms. The recently released Central Delaware Master Plan called for wetlands restoration at this site. The landscape plan for the area is still being developed

and they will rely on feasibility studies and geologic testing. Currently, there are many invasive species. They would like to do wetlands treatments along the edges of the pier. This might be a good opportunity for woody wetlands species. They would like to create public access along the pier through a controlled boardwalk-like walkway. This boardwalk would have to be done in a low-impact, environmentally sustainable way. The plan also calls for a kayak dock at the south side of the pier. This would require redoing the cribbing structure. There is an environmental education component as well, and they plan to have interpretive signage.

The PCPC asked if the boardwalk and parking would be ADA accessible. The applicants responded that the plan would be for ADA accessibility on the boardwalk. As far as access to the site, they have an informal arrangement with the Sheet Metal Workers Union to use their parking lot, although this is not a formal agreement.

Some areas of the pier would need some fill materials, but they are not intending to do major re-grading.

ACOE stated that this project would likely require an individual permit. There may be threatened and endangered species affected, including the shortnose sturgeon. There will likely be timing windows for construction to protect the wildlife. The end of the pier is approximately 100 feet away from the main channel.

They want to do more types of floating wetlands. Currently, flood flows bring in large debris to this area, including large tree trunks. There may also be large wake issues.

They are evaluating different ideas for the pile fields, including using them as nesting platforms or fish shelters.

ACOE stated that the basic purpose of the project needs to be clearly stated on the application, whether it is for a public park or for ecological or habitat restoration. This project is a little of both, and they do not intend to restore the site to its preindustrial condition. This project is an attempt to work with natural processes in an unnatural environment.

The Philadelphia Water Department recently conducted a fish survey which showed the proliferation of fish life in this area of the Delaware River. This shows that nature is returning to this post-industrial corridor.

Due to the historic nature of the pier, the Pennsylvania Historical and Museum Commission may have some concerns and should be contacted.

This project is likely eligible for an Environmental Restoration waiver 16 and it makes sense to do a joint permit.

## **2. Covanta Energy / TransRiver Philadelphia Girard Point Pier 2**

Joe Musil from Urban Engineers presented on this project, which involves construction and pier improvements to turn the pier into an intermodal destination terminal for containerized municipal solid waste.

The applicants had come before the UWAG team in 2010 for work related to a fire pumping station at the site, which is located across from the Philadelphia airport. The previous owners had received permits in 2006 for work related to modernizing the pier. Much of the work authorized by these permits was not completed, other than the fire station work. These permits are still effective and do not expire until 2015.

The new owners want to rehabilitate the pier. The pier has a low deck structure that is seriously deteriorated and is falling into the river. The plan is to have three barges per day access the pier. They will need a crane to lift materials to and from the barges. Currently, water flows under the pier. The needed construction includes new piles, the removal of the low deck along the northwest edge of the pier, rip-rap fill to stabilize the mudline once the low deck is removed, and the installation of a cat-walk structure for mooring.

PADEP stated they would prefer to do this as minor amendments to the existing permits. The current work plan would have less of an impact than that which was approved in 2006. This plan also involves more ecological enhancements than before as well. The proposed rip-rap on the mudline would help stabilize the area after the pilings are removed and would create additional open water habitat.

The ACOE stated that this would be eligible for an individual permit, and they do not anticipate any major issues.

The DRBC stated that since there would be no dredging involved, they would not have to review the application.

The PCPC stated that the Philadelphia Health Department supports the installation of electrical hook-ups at piers to prevent boats from idling. The applicants responded that the tugboats would not remain long at the piers, perhaps three hours, and would be working during that time, not idling.

The ACOE stated that the applicants should transfer all previous permits to the new owners.

The PFBC stated that American shad may be present here. Due to the aquatic life, there will likely have to be construction restrictions.

### **3. Woodlyn Crossing Homeowners Association maintenance desilting of existing stormwater retention ponds**

Joe Musil presented on this application.

The drainage area of these retention ponds are 400 acres. There is no record of permits for these dams or for the stormwater facilities from the state. The PADEP can issue a waiver if the dams were constructed prior to 1979, which these certainly were.

Each basin is approximately one-quarter acre. The total acreage may be over 1 acre. If the total size is under one acre, then it could be eligible for the State Programmatic General Permit (SPGP).

The EPA questioned where the silt materials are proposed to go. The applicant replied that it will be at a dry-bottom rock quarry.

It is possible that this would be eligible for a Waiver 6, which is for stormwater facilities.

An Erosion & Sediment (E&S) control plan will have to be approved. A Chapter 102 permit is usually issued for earth disturbance, although this is usually done on land. One option would be to pump around the pond. The applicant should review the list of Category 1 activities. The project may also be eligible for a 105-12B waiver.

The main concern with this project is sediment going down the stream. One way to deal with this is to build a temporary dam with sandbags and pump the water over the dam to prevent sediment from going downstream during dredging operations. However, the construction of a temporary dam would require a 404 permit from ACOE. This project could be an unregulated activity if there is simple removal by “dipping a bucket into the pond” with no possibility for sediment to travel downstream. However, it is more likely a regulated activity.

DRBC stated that the Bucks County Conservation District will be interested in reviewing the project as well.