

Urban Waterfront Action Group (UWAG)
January 17, 2012
Location: DVRPC

Applicant: Delaware River Waterfront Corporation (DRWC)

Pier 9

Currently, the building is a shell with no electricity. They are conducting a feasibility study now to evaluate future uses. In the long term, they would like to have a café with restrooms and other services to benefit users of Race Street Pier. They are proposing some sort of bridge between Race Street Pier and Pier 9 so that the two piers can complement each other.

This pier is part of the historic industrial landscape of the area. They are proposing that in the short term the building can be used for event space that would be open and facing the north side of the building in order to view the Race Street Pier. DRWC and its consultants would like to understand what the permitting constraints would be with the proposed physical connection of a bridge. There would be some shading of the river with the bridge as well as a proposed cantilevering of the structure at the edges of Pier 9. There are different options for the crossing, such as pile supported, floating, or a single or multi span bridge.

Jim Boyer from the Army Corps of Engineers (ACE) stated that this project would involve an individual permit, and it is best for the application to address the project in its entirety. ACE does not like to split projects up with different applications for different phases. All bridges, however, need to be permitted by the Coast Guard (CG), not ACE. There is a CG Bridges office in Portsmouth, VA. This may not technically be considered a bridge since it does not cross the channel. It may be considered a structure. Structures and anything involving fill would be permitted by ACE.

Fae Bailey of the CG stated that an environmental survey will likely be necessary. That can take about 30 days.

ACE: There may be a construction restriction for the Spring if the project will involve driving piles, scouring, or if there will be noise or sediment impacts.

The permits needed really depend on the plan for the project. Different bridges would require different types of permits.

ACE has authority over structures (Section 10).

CG: There are ice issues in this area. Would the bridge have to be removed seasonally because of ice? The applicant should analyze how thick the ice gets in this location.

Sarah Thorp of DRWC stated that they are considering having boating between the piers. However, there is a lot of sediment in the area, and it becomes like a mud flat.

CG: Events at the space would likely require a permit for each event. It is the job of the CG to ensure that commerce on the channel is not interrupted. DRWC stated that the events would likely not have an impact on the shipping channel. If there are fireworks or a birds release or some other activity, it would affect shipping and would need a permit. The Code of Federal Regulations determines the need for a permit.

DRWC: Is public access needed to the bulkhead? Would they need a movable gate?

Randy Brown: The DEP wants public access from the street.

DRWC has the riverbed rights, which were conveyed in the 1990s.

The consultant is doing more surveying to determine the need to reinforce the structure. The piles are in very good condition. They are learning now about the condition of the concrete deck. Any new dredging or piles would need a permit, which could take 6-9 months. They don't anticipate driving piles. They will likely need a new concrete slab, constructed from the top.

CG: If there will be divers surveying, there needs to be a permit from the CG so they can designate a safety zone. DRWC: There will not be divers; they will work off a float for a visual inspection.

ACE: There is a general permit for repairs and maintenance for a structure to maintain its current use. This may not apply since there is no current use.

ACE has authority over navigable waters. One definition of navigable waters is being subject to the ebb and flow of tides, which applies to this site.

The issue of shading of the water may not be an issue since the building already shades the water, and the additional structures are somewhat minimal. There is also no vegetated habitat here currently. The National Marine Fisheries Service of NOAA would address that.

There should be a joint permit with DEP and ACE. There will also be an individual permit with ACE. Both permits can be applied for at the same time. DEP has a 130 day turnaround (at the most).

The Central Delaware Overlay currently applies, which requires a 100' setback, although piers are exempted. There will likely be a variance needed due to lack of open space, since the parcel is the pier with no additional open space.

The alterations to the pier to stabilize the structure will still need a permit from DEP for slab maintenance. This could be tied to an historic permit for the pier.

The proposed bridge will need approval from the Fish and Wildlife Service, the Game Commission, the Fish and Boat Commission, and the Department of Conservation and Natural Resources (DCNR). This will go on the PA Bulletin for comment.

Pier 53 – Washington Avenue Green

DRWC is working on Phase II for this project. They recently received a grant from DCNR for \$250,000 to construct this. The Central Delaware Master Plan proposes a large wetlands restoration park in this area. There are currently a series of deteriorated piers that have existing habitat. There is high value fish habitat. There is one pier in good condition. Another grant has been awarded to the Natural Lands Trust (NLT) to acquire Piers 64 through 70 through a partly charitable donation. DRWC still needs to consult with an ecologist to plan the overall wetlands park. Pier 53 is a standalone project, and will serve as an experiment for the larger wetlands park. This is a difficult place for wetlands habitat to succeed due to a great deal of water churning from channel traffic. DRWC is also considering water taxis, which would need coordination with the CG for both the taxi service and the landing bases.