

**Urban Waterfront Action Group (UWAG) Meeting  
Tuesday, November 17, 2015**

**Participants:**

Connie Bird, Philadelphia Water Department; Drew Chapman, Jefferson Apartment Group; Robert Deems and Sam Reynolds, U.S. Army Corps of Engineers; Joe Forkin, Karen Thompson, DRWC; Charlie Houser, Haverford Properties; Joseph Musil, Angelo Waters, Roy Denmark, Urban Engineers; Sean Greene, Betsy Mastaglio, Mike Boyer, Delaware Valley Regional Planning Commission

**Meeting Summary:**

**1. Festival Pier (Spring Garden and Delaware Ave.: Presented by Urban Engineers, Inc.**

Roy Denmark of Urban Engineers and Charlie Houser of Haverford Properties presented the project details of the remediation and development of the Festival Pier at the intersection of Delaware Ave. and Spring Garden Street (piers 27 -35). A detailed description of the project, along with a map of the project area, was distributed prior to the meeting.

Mr. Denmark explained that piers 31-35 have been granted liability protection for industrial uses under Act 2 and that similar protection is pending for residential uses. Mr. Houser noted the changes to the existing piers structure will result in a net gain of open water but that some small areas of fill will be required but that there is no vegetation or emergent wetlands present in the areas of proposed fill.

Mr. Reynolds explained the different potential permitting scenarios for the site. A national permit under Act 2 could be issued for the remediation of portions of the site but individual permits would be required under Act 38 for site development should the development impact wetlands. Mr. Reynolds explained that if remediation resulted in capping the site and covering regulated land that there may not be a need for individual permits. The timing and sequencing of potential permit applications are largely up to the developer as to whether they want to apply for individual permits for the full site or apply for remediation permits first.

Mr. Reynolds also raised the issue of navigation concerns from the US Coast Guard and shipping interests since the proposed project is in proximity to the shipping channel of the river. Mr. Reynolds indicated that once the project details are fleshed out, another meeting with the developers and regulatory agencies would be advisable to identify any potential permitting issues before the permit applications are submitted.

Mr. Houser asked about the potential timeline of permit application review. Mr. Reynolds responded that the process could take up to 60 days, provided that there was no significant public comment on the application. If there were significant public comments, they would need to be addressed before the permits were issued. An example of a significant public comment would be the potential of finding significant historic or cultural resources. He recommended a Phase I archaeological survey as a minimum requirement for the permit application.

An extensive conversation ensued regarding the development of the Sugar House Casino and cultural resources found on the property as an example of how unforeseen discovery of cultural resources could

delay the project. Mr. Reynolds recommended that the developer contact the USACOE cultural resources manager.

Finally Mr. Houser asked for an explanation of navigable servitude and the impacts of that permit condition on financing the project. Mr. Reynolds indicated that he would review previous waterfront development permits to determine how that issue had been previously addressed.

The meeting adjourned at 11:05. The next scheduled UWAG meeting is January 19, 2016 at 10:00 AM at the DVRPC offices.