



DEPARTMENT OF THE ARMY  
PHILADELPHIA DISTRICT, CORPS OF ENGINEERS  
100 PENN SQUARE EAST, 7<sup>th</sup> FLOOR WANAMAKER BUILDING  
PHILADELPHIA, PENNSYLVANIA 19107-3390

DEC 17 2018

Planning Division

Mr. Shawn M. Garvin, Secretary  
Delaware Department of Natural Resources and Environmental Control  
89 Kings Highway  
Dover, DE 19901

Dear Mr. Garvin:

The U.S. Army Corps of Engineers, Philadelphia District (Corps), Planning Division is actively soliciting comments from the resource agencies and the public regarding a proposed, new shipping container port facility along the Delaware River in Edgemoor, New Castle County, Delaware. Since the project is in the early stages of planning, we are looking to identify significant issues, problems, needs, or concerns along with pertinent information regarding the project, as described herein. The Corps is acting as a neutral party on this non-Federal project proposal in order to gather information and assist with coordination on potential impacts in accordance with the National Environmental Policy Act (NEPA).

## OVERVIEW

The Diamond State Port Corporation, New Castle County, Delaware (hereafter referred to as "the Applicant") released a Strategic Master Plan in July 2016 that provides an analysis of alternative plans to meet its desired pattern of growth and development of the Port of Wilmington. The Strategic Master Plan report can be accessed at [http://www.portofwilmington.com/uploads/1/1/0/4/110497727/dspc\\_master\\_plan\\_-\\_final\\_-\\_07\\_29\\_16.pdf](http://www.portofwilmington.com/uploads/1/1/0/4/110497727/dspc_master_plan_-_final_-_07_29_16.pdf) in its entirety. The Master Plan concludes with a number of key findings and recommendations that will contribute to Delaware's economic vitality of the Port of Wilmington as a competitive, efficient, and economical cargo port. The Applicant intends to apply to the Corps for a Clean Water Act Section 404 permit, and a Rivers and Harbors Act Section 10 permit for an Alternative identified in the Applicant's Master Plan: dredging related to the construction of a primary harbor entrance channel and ship berth development (hereinafter referred to as the "proposed project") at the Applicant's Edgemoor property located in Edgemoor, New Castle County, Delaware (hereinafter referred to as the "Edgemoor Site"). Pursuant to NEPA, an Environmental Assessment (EA) will be prepared to analyze and document the potential impacts to the natural and human environment of the alternative plans considered. If significant environmental impacts are determined during this process, a decision will be made by the Corps if an Environmental Impact Statement (EIS) is warranted. Additionally, the

NEPA document must support the requirements of 33 U.S.C 408 (Rivers and Harbors Act of 1899) for the Applicant to seek Corps approval prior to modification of the existing Federal navigation project. The Applicant requests the Corps determine the Federal interest for the Assumption of Maintenance (AOM) of non-federal sponsor (NFS) improvements for the primary harbor access channel under Section 204(f) of the Water Resources Development Act 1986 (WRDA 1986). Approval of the proposed project by the Assistant Secretary of the Army - Civil Works (ASA-CW), in accordance with WRDA 1986 Section 204(f), would authorize future maintenance of the proposed entrance channel as a Federal responsibility.

The Edgemoor Site is currently unoccupied and was purchased by the Applicant in 2017 with the intention to expand port operations to this site and acquire a portion of the projected increases in containerized cargo market demand. The project is anticipated to attract new containerized shipping commerce to the region rather than displace existing container operations, resulting in economic expansion and an employment boost for Delaware.

The Port anticipates the initiation of the permit application process in early 2019. In addition to the previously listed federal permits for dredging, a Subaqueous Lands Permit/Clean Water Act Section 401 Water Quality Certification application and a Subaqueous Lands Lease request will be prepared and submitted to the State of Delaware for the proposed project.

## **PROJECT PURPOSE**

The purpose of this project is to modernize Delaware's international waterborne trade capabilities, allow for the Delaware port to remain competitive within the Delaware River international trade market, meet the rising demand for modern containerized ports, and to continue to strengthen waterborne trade's importance to the State of Delaware. International waterborne trade is considered an essential part of the State of Delaware's economy. The Port of Wilmington supports over 5,600 jobs annually, generates nearly \$417 million in business revenue, and \$31 million in state and regional taxes.

## **PROJECT NEED**

The need for this project is driven by the following considerations:

- **Vessel Capacity Constraints.** With the completion of the Panama Canal Lock Expansion, Asia/U.S. trade shipping to the eastern seaboard is forecasted to increase. To accommodate the increase in modern New Panamax ships entering east coast ports, the Applicant anticipates that there will be demand for expansion of East Coast port operations. Ports capable of accepting vessels with 45-foot or greater drafts are positioned to most readily accept New Panamax vessels. The New Panamax vessels are approximately 1,200 feet in length, 161 feet in width and a draught of 50 feet. Currently, no ports in the State of Delaware are capable of accepting New Panamax vessels. The Port of Wilmington is currently maintained to a depth of -38 ft. MLLW.

Therefore, container vessels that are bound for Ports in the State of Delaware would need to be light-loaded (loaded at a reduced capacity) or lightered prior to arrival at the port. Either option decreases the efficacy of operations and decreases the economic viability of Port of Wilmington operations.

- **Cargo Handling Constraints.** According to the Applicant's Master Plan, there are various constraints to expanding port operations at the Port of Wilmington, but arguably the most constrictive limitation is the lack of available backland storage capacity. Any capital improvement project to increase berth capacity likely would require the creation or acquisition of additional backland storage. Expansion is constrained by the degree of private, industrial, and commercial development along the Port of Wilmington's inland boundaries as well as the necessity of retaining the Corps' Wilmington Harbor South confined dredged material facility that is located along the Delaware River.

## PROJECT DESCRIPTION

The proposed project is located on the Delaware River in the southern portion of Reach B at the intersection of the Cherry Island and Bellevue Ranges, approximately 2 miles north of the Port of Wilmington. The project site consists of lands formerly occupied by the Chemours (DuPont) Edgemoor plant. The Master Plan identified the site as the best alternative for expansion. The approach channel and berth for the new port will be on State of Delaware subaqueous lands located offshore of the Applicant's property (Figure 1). For the selected alternative, the Applicant proposes to deepen portions of the Delaware River adjacent to the Federal navigation channel to create a primary access channel that will serve the proposed berth construction at the site. The proposed project supports the redevelopment of the former industrial site into a multi-user containerized cargo port.

The proposed new entrance channel and berth area would be constructed by excavating the riverbank between the existing shore and the existing Federal navigation channel in the Delaware River. The excavated materials from the proposed plan will be placed into the Corps' Wilmington Harbor South upland confined storage facility (CSF), if approved under 33 U.S.C.408, or at other CSFs provided by the Applicant. Additional CSFs are currently being investigated by the Applicant and will be presented in a Dredged Material Placement Plan to be reviewed for approval by the Corps. These additional dredged material confined storage facilities may also be used to offset capacity provided from Corps CSFs for the proposed project as well as future placement of dredged material associated with maintaining the proposed channel.

The Applicant is currently evaluating a range of proposed dredging depths up to 45 feet. The maintained depth of the Federal navigation channel is 45 feet (MLLW). The wharf along the shoreline would be constructed to support large container cranes. Upland areas of the site would be graded to facilitate storage and land-based transport of cargo containers. Initial plans for the proposed port facility include the capability to berth two New Panamax container ships simultaneously. While initial construction of the port and

maintenance dredging of the berth would be performed by the Applicant, maintenance of the approach channel could potentially be performed by the Corps if approved by the Assistant Secretary of the Army - Civil Works (ASA-CW) in accordance with Section 204(f) of WRDA 1986, as amended in Section 1014(b) of Water Resources Reform and Development Act WRRDA 2014, and in accordance with Engineering Regulation 1165-2-211. The Applicant is working with the Corps to develop the proposed project in a manner that is acceptable to the U.S. Army, as required by Section 204(f). To be acceptable, the project must adhere to federal standards, comply with NEPA, and be permissible through Federal, State and Local regulatory programs.

## **ALTERNATIVES ANALYSIS**

The alternatives analysis will be presented in the NEPA report and will utilize a three-tier approach to evaluate the following elements:

- Physical Location;
- Dredging Depth; and
- Dredged Material Storage.

The approach hinges on two scenarios:

1. Expanding operations at the Port of Wilmington's current location. In order to increase the backland storage capacity required to expand port operations, a 66-acre property located adjacent to the Port of Wilmington would need to be developed.
2. Expansion and development of a new multiple-user marine terminal on the Delaware River.

For each development alternative, the following items will be considered:

- Land use/acquisition challenges;
- Vessel/Capacity improvements;
- Operation/navigation;
- Environmental considerations;
- Dredged material management;
- Project site access; and
- Order of magnitude cost estimates.

## **PHYSICAL LOCATION**

From the two scenarios, four physical location alternatives are being considered and are as follows:

- **Alternative 1:** No Action. As required by NEPA, a No Action alternative will be evaluated as part of the analysis.

- **Alternative 2:** Alternative 2 includes investments for capital infrastructure improvements at the Port of Wilmington for existing customers, which would be required to maintain the handling of the existing volume of cargo. The alternative does not include any projects to accommodate growth in new business.
- **Alternative 2A:** Alternative 2A includes investments for capital infrastructure improvements at the Port of Wilmington to meet the demand of growth in existing commodities. Proposed improvements do not include deepening the Christina River to 45 feet MLLW to accommodate New Panamax vessels.
- **Alternative 3:** Alternative 3 includes the construction of a new berth at the Port of Wilmington. Two options under Alternative 3 propose moving port operations from the Christina River to the new berth along the Delaware River.
- **Alternative 4:** Alternative 4 proposes the construction of a new port at the Riveredge Site, which is an industrial park located in New Castle County, approximately 2.5 mile downriver of the Port of Wilmington.
- **Alternative 5:** Alternative 5 proposes the construction of a new container port at the Edgemoor Site. The Edgemoor Site is located approximately two miles upriver from the existing Port of Wilmington.

#### DREDGING DEPTH

Dredging depth alternatives will be evaluated to compare their viability to meet the State of Delaware's goals of economic growth through expanding port operations, including accommodating larger Panamax vessels, while minimizing environmental impacts. The dredged depth alternatives assessment is also a required Federal project criterion. In addition, the assessment of a "no action" will be performed in accordance with NEPA, as a comparative counterpoint to the proposed action. The Applicant is considering dredging depth alternatives for a proposed entrance channel at the selected port site ranging from -38 feet MLLW to -45 feet MLLW.

#### DREDGED MATERIAL STORAGE

Dredged material storage location alternatives capable of accepting the initial volume of dredged material and the volumes of future maintenance dredged materials will be evaluated in the NEPA document. The alternative sites initially considered by the Applicant were those located proximate to the site in northern New Castle County, Delaware, which were or would soon be unoccupied. The only unoccupied sites were the Chemours Edge Moor Plant and the portion of the former Evraz Steel Mill (a.k.a. First State Crossing) Site located in Claymont, Delaware. Initial screening of the Chemours site indicated that it would be too small to accommodate the initial volume of dredged material and it would be unavailable for storage of maintenance dredged materials, if it was developed as a port. It was summarily dismissed from further

consideration. Storage facilities located near the proposed project area are shown in Figure 2:

- **Alternative 1: Creating a new CSF at the First State Crossing Site.** This alternative consisted of creating a disposal area on uplands located southeast (riverward) of the Amtrak Northeast Corridor tracks and extending onto State of Delaware subaqueous lands in the Delaware River.
- **Alternative 2:** Other industrial / brownfield sites located in Northern Delaware.
- **Alternative 3: Placing dredged material into an existing Corps CSF.** The Federal facility option being considered by the Applicant in Delaware include initial dredging placement into Wilmington Harbor South. Use of any Federal CSF for the proposed project requires 33 U.S.C. 408 approval by the Corps. Future material generated during maintenance dredging operations may go into existing Federal CSFs at the Corps' discretion. As mentioned previously, use of Corps facilities for the proposed construction and subsequent maintenance will require the Applicant to provide additional placement capacity. Additional facilities currently under consideration for this purpose have not yet been identified by the Applicant.

## POTENTIAL ENVIRONMENTAL CONSIDERATIONS

Fisheries – The project site is located adjacent to Cherry Island Flats, a locally important striped bass spawning area. The entire tidal Delaware River has been declared critical habitat for Atlantic sturgeon and shortnose sturgeon, both of which are listed as Federal endangered species. The project design team has contacted U.S. Fish & Wildlife Service, National Marine Fisheries Service and DNREC Fish & Wildlife seeking information regarding marine resources and consultation to guide design decisions with the intent of avoiding or minimizing impacts. The estimated area for the proposed new entrance channel is 85.7 acres.

Wetlands – Based on a 2018 wetland delineation, no Federal or State of Delaware jurisdictional wetlands are located at the proposed project site; however, the site is located within Waters of the U.S. and subaqueous lands of the State of Delaware. The area of subaqueous lands potentially impacted by the proposed terminal bulkhead is estimated to be 5.3 acres.

Historical and Cultural Resources – Based on a 2018 historical and cultural resource assessment conducted by the Applicant at the project site, no submerged historic or cultural resources are believed to be present within the project area.

Water and Sediment Quality – Based on a 2018 sediment and surface water assessment conducted by the Applicant, concentrations of certain substances exceed ecological screening criteria in both the sediments that will be dredged and the soils that will be exposed as new river bottom. Because substances generally have greater toxicity in aquatic environments than terrestrial environments, the removal of dredged

sediments from the aquatic environment has the potential to benefit the ecological health of the river. Based on the testing results, the Applicant reports that these sediments appear to be suitable for deposition in a regulated CSF, based on human health risk calculations and applicable regulatory criteria. There may be a possible concern of the temporary re-suspension of contaminants into the water column during the dredging process.

Resource Conservation and Recovery Act (RCRA) – The Edgemoor Site has gone through closure in accordance with the RCRA. Five closed waste storage facilities are present on the site and are being monitored under a post-closure care plan approved by the State of Delaware, Department of Natural Resources and Environmental Control (DNREC). Redevelopment of those areas will require DNREC Solid & Hazardous Waste Section approval of the plans. The existing in-water structures at the site, which include but may not be limited to, water intake structures, wastewater discharge structures and piers will be demolished as part of the project. Nearly all of the former buildings and upland structures located at the Edgemoor site have already been demolished and cleared.

---

## REQUEST FOR INFORMATION

For any part of the proposed project, please indicate if your agency or group has identified significant documented environmental resources or concerns with respect to terrestrial and aquatic species, critical habitats, archaeological resources or concerns of hazardous wastes. Please provide any relevant information and/or comments within 30 days of the date of this letter. Please direct NEPA-related comments to Ms. Barbara Conlin of the Planning Division at 215-656-6557 or email: [Barbara.E.Conlin@usace.army.mil](mailto:Barbara.E.Conlin@usace.army.mil).

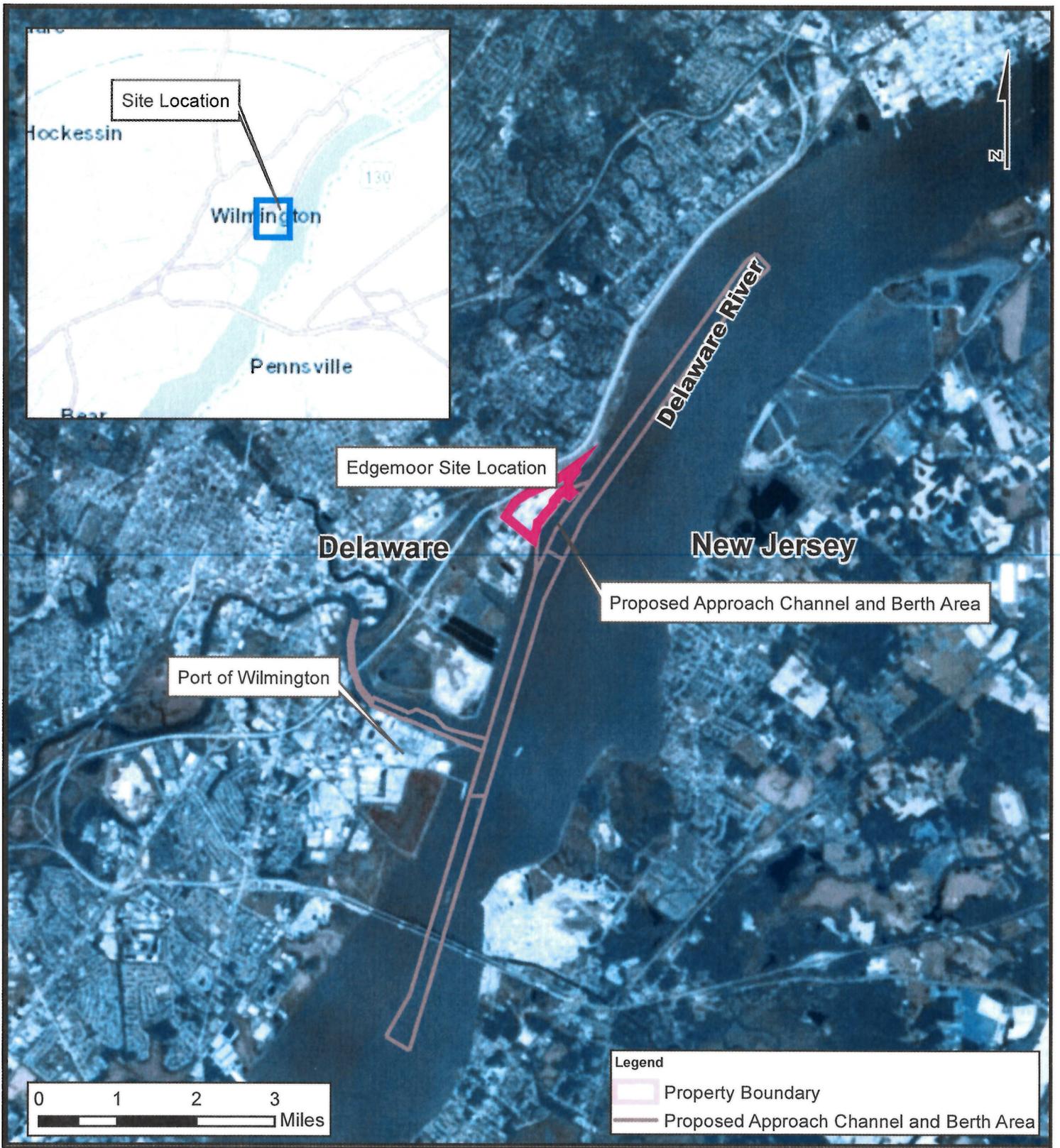
If you have any other questions regarding the project, please contact Dan Caprioli, Project Manager at 215-656-6880 or via email [Daniel.J.Caprioli@usace.army.mil](mailto:Daniel.J.Caprioli@usace.army.mil). Thank you for your cooperation.

Sincerely,

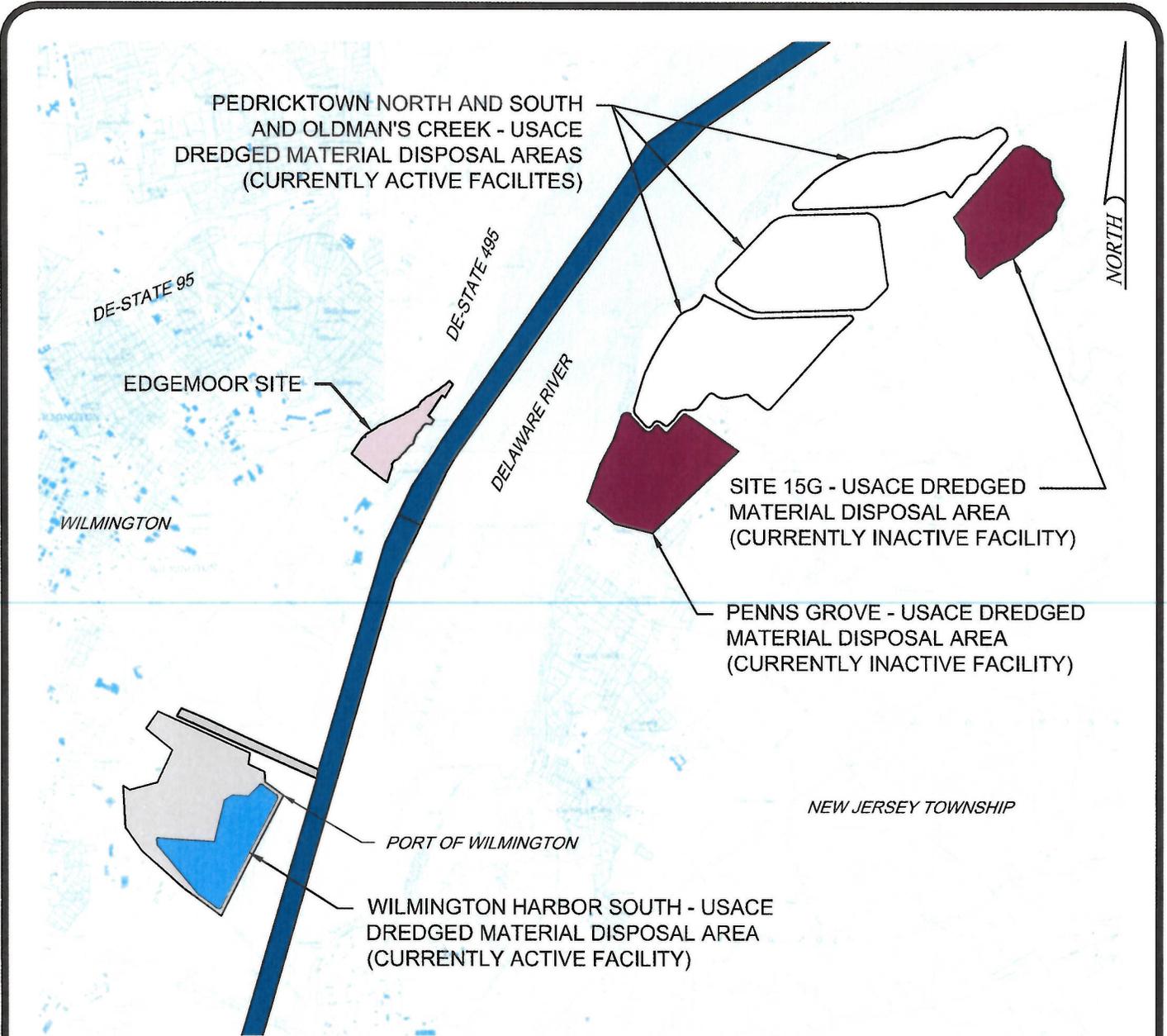


Peter R. Blum, P.E.  
Chief, Planning Division

Enclosures



Date: 12/2018	<b>FIGURE 1</b>  <b>Site Location Sketch</b> <b>DSPC's Edgemoor Property</b>  EDGEMOOR - NEW CASTLE COUNTY - DELAWARE	DESIGNED BY: JWF	 5400 LIMESTONE ROAD WILMINGTON, DE 19808-1232 TEL. (302)239-6634 FAX (302)239-8485  OFFICES IN PENNSYLVANIA, SOUTHERN DELAWARE, MARYLAND AND NEW JERSEY EMAIL: DUFFIELD@DUFFNET.COM
SCALE: AS SHOWN		DRAWN BY: JWF	
PROJECT NO. 11139.LD		CHECKED BY: RLH	
SHEET: FIGURE 1		FILE: 11139.LD SiteLocationSketch	



**LEGEND:**

- ACTIVE DISPOSAL AREAS FOR POTENTIAL INITIAL DREDGED MATERIAL DISPOSAL AND ONGOING MAINTENANCE DREDGED MATERIAL DISPOSAL
- ACTIVE DISPOSAL AREAS FOR POTENTIAL ONGOING MAINTENANCE DREDGED MATERIAL DISPOSAL
- INACTIVE DISPOSAL AREAS FOR POTENTIAL ONGOING MAINTENANCE DREDGED MATERIAL DISPOSAL

<b>DATE:</b> 11 DECEMBER 2018	<b>POTENTIAL DREDGED MATERIAL STORAGE SITES</b>	<b>DESIGNED BY:</b> BJD	<b>DUFFIELD ASSOCIATES</b> <small>Soil, Water &amp; the Environment</small>  5400 LIMESTONE ROAD WILMINGTON, DE 19808-1232 TEL. 302.239.6634 FAX 302.239.8485  <small>OFFICES IN DELAWARE, MARYLAND          PENNSYLVANIA AND NEW JERSEY</small>  <small>E-MAIL: DUFFIELD@DUFFNET.COM</small>
<b>SCALE:</b> NONE	<b>PORT OF WILMINGTON</b>  <b>EDGEMOOR SITE</b>	<b>DRAWN BY:</b> CMC	
<b>PROJECT NO.</b> 11139.LD		<b>CHECKED BY:</b> BJD	
<b>SHEET:</b> FIGURE 2		<b>FILE:</b> 11139LD-NEPASCOPIG	
BRANDYWINE HUNDRED ~ NEW CASLE COUNTY ~ DELAWARE			