

DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA DISTRICT 100 PENN SQUARE EAST PHILADELPHIA PENNSYLVANIA 19107-3390

May 19, 2021

Regulatory Branch

SUBJECT: Nationwide Permit #14 Linear Transportation Projects Verification CENAP-OP-R-2021-00306-95

New Jersey Department of Transportation – Route 130 Bridge over Pennsauken Creek Scour Repair Project; Township of Cinnaminson, Burlington County, New Jersey; and Township of Pennsauken, Camden County, New Jersey

Latitude: 39.985282 Longitude: -75.014864

NJDEP Permit Number: 0000-20-0024.1; LUP200001

New Jersey Department of Transportation Attn: Brendan Brock 1035 Parkway Avenue Ewing, NJ 08618

Dear Mr. Brock:

This letter is written in regard to your proposal to undertake bridge scour repairs consisting of placement of filter fabric on the creek bottom, placement of course aggregate/rip-rap, and placement of a stone mattress atop the rip-rap and pier footings; resulting in the permanent discharge of approximately 789.0-cubic yards of rip-rap and 377.17-cubic yards of stone mattress into 0.213-acres of Waters of the U.S. This project is located in Pennsauken Creek at the Route 130 Bridge in the Township of Cinnaminson, Burlington County, New Jersey, and the Township of Pennsauken, Camden County, New Jersey. Based upon our review of the information you have provided, it has been determined that the proposed work is authorized by Department of the Army Nationwide Permit (NWP) #14 Linear Transportation Projects pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344).

This verification of authorization under NWP #14 Linear Transportation Projects, described in the Federal Register at 82 FR 1860, is based on your agreement to comply with the general conditions, regional conditions and project specific special conditions listed in this letter. Copies of the NWP descriptions, NWP general conditions and the NWP regional conditions for New Jersey can be found at:

2017 NWP Descriptions:

https://www.nap.usace.army.mil/Portals/39/docs/regulatory/nwp/2017-NWP-Descriptions.pdf?ver=2020-05-12-205253-183

2017 NWP General Conditions:

https://www.nap.usace.army.mil/Portals/39/docs/regulatory/publicnotices/2017%20Nationwide%20Permit%20General%20Conditions.pdf

2017 New Jersey Regional Conditions:

https://www.nap.usace.army.mil/Portals/39/docs/regulatory/publicnotices/2017 NJ Reg Cond Final.pdf

Federal permits require determination from the State that the activities are consistent with the State's coastal zone management (CZM) program if the activity is located within the State's coastal zone. Federal permits also require the State's certification of compliance with section 401 of the Clean Water Act through the receipt of a 401 Water Quality Certification (WQC) if the activity involves a Section 404 discharge. An individual water quality certification is required and has not been issued or waived to date. A provisional general permit will be verified for this activity. An individual CZM consistency concurrence is required and has not been issued, waived or presumed to date. A provisional general permit will be verified for this activity. Therefore, no further action is needed as part of the Federal review of your project, provided that you comply with all the terms and conditions of this NWP.

This verification of NWP authorization is valid until the Nationwide Permits expire on **March 18, 2022**, unless the NWP authorization is modified, suspended, or revoked prior to this date. In the event that the NWP authorization is modified during that time period, this expiration date will remain valid, provided the activity complies with any subsequent modification of the NWP authorization.

Activities which have commenced (i.e. are under construction) or are under contract to commence in reliance upon an NWP will remain authorized provided the activity is completed within twelve months of the date of an NWP's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 330.4(e) and 33 CFR 330.5 (c) or (d). Activities completed under the authorization of an NWP which was in effect at the time the activity was completed continue to be authorized by that NWP.

Special Conditions:

- 1. All work performed in association with the subject project shall be conducted in accordance with the **enclosed** project plans identified as E-1 through E-6, all entitled NAP-2021-00306-95 and all date stamped 29 April 2021.
- 2. Construction activities shall not result in the disturbance or alteration of greater than 0.410 acres of waters of the United States.
- 3. Any deviation in construction methodology or project design from that shown on the enclosed project plans must be approved by this office, in writing, prior to

performance of the work. All modifications to the enclosed project plans shall be approved, in writing, by this office. No work shall be performed prior to written approval of this office.

- 4. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- 5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your general permit.
- 6. Any conditions in your State authorization required for compliance with the State CZM program and 401 WQC are conditions of this authorization by reference.
- 7. In accordance with Regional General Condition G-6 of the 2017 Nationwide Regional Permit Conditions for the State of New Jersey, to protect diadromous fish migrations and spawning, in-water work shall be avoided from the mouth of the Delaware Bay to the U.S. Route 1 Bridge, and ALL tributaries within this reach, from March 1 to June 30.

Also **enclosed** with this NWP verification letter is a form seeking any comments, positive or otherwise, on the procedures, timeliness, fairness, etc. of the permit process. You may forward your comments along with the signed "Notification of Commencement" form or "Notification of Completion" form, following the directions provided on the form. If you should have any questions or concerns, please contact me at 215-656-6729 or robert.youhas@usace.army.mil.

Sincerely,

Robert Youhas Biologist, Applications Section II

Enclosures

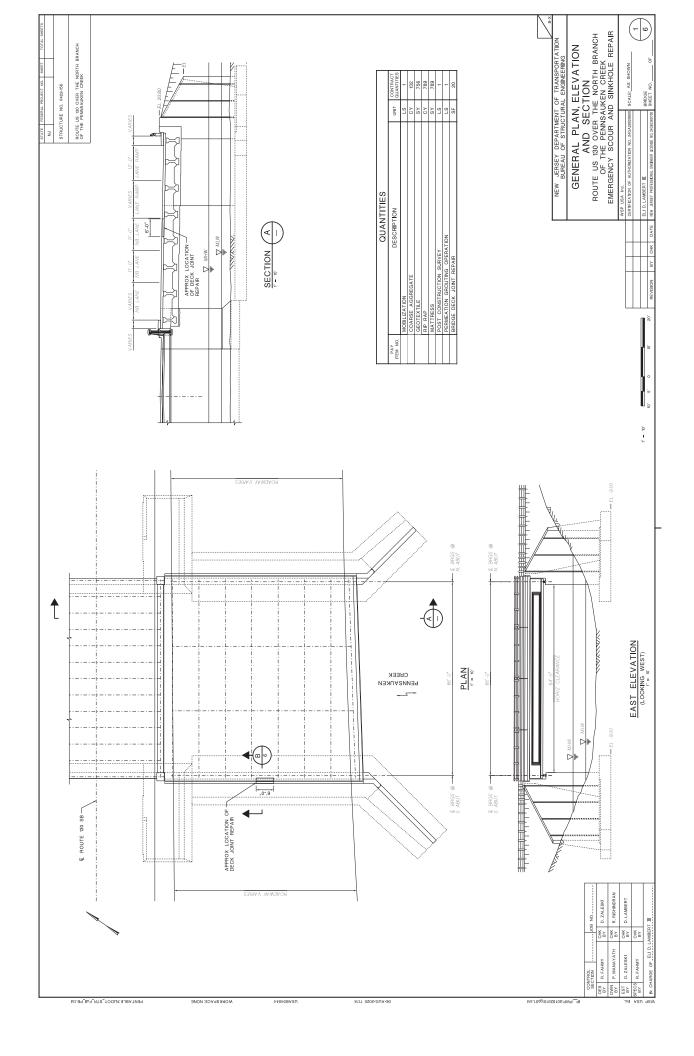
Copies furnished (via email): Craig Hanlon, WSP

Enclosures:

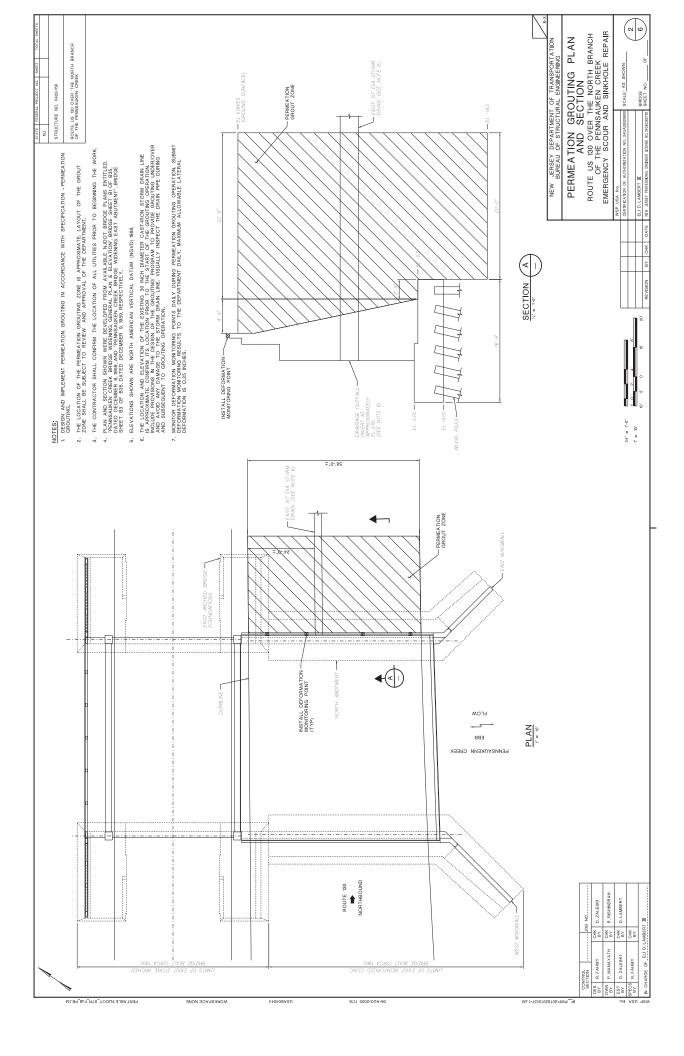
- 1) Notification/Certification of Work Commencement Form
- 2) Notification/Certification of Work Completion/Compliance Form
- 3) Comment Form

PROJECT PLANS

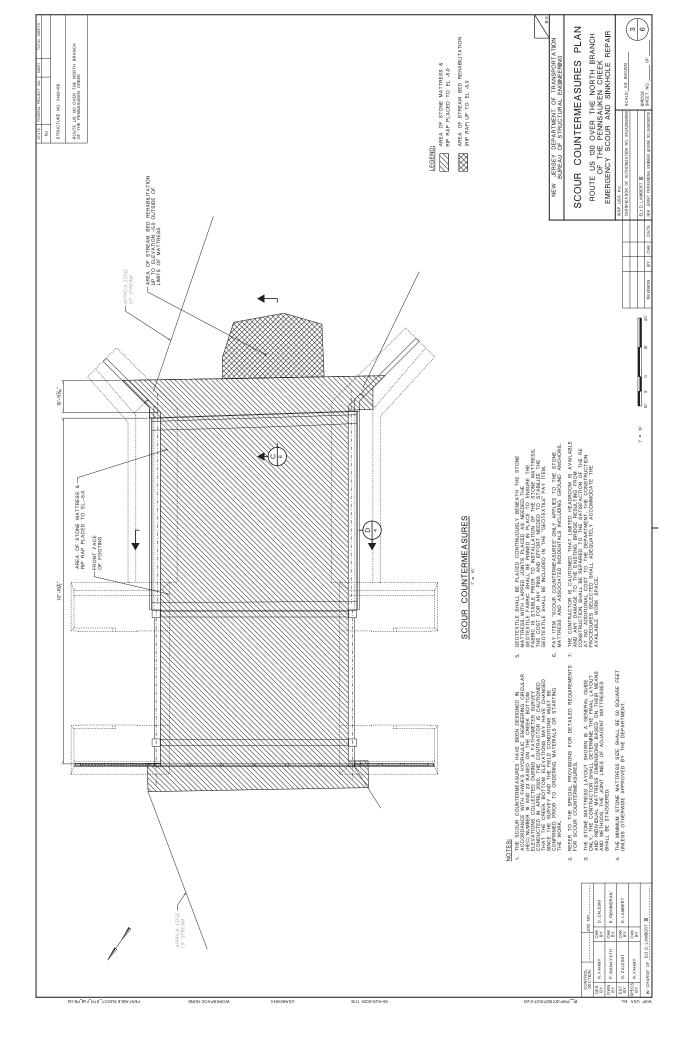
E-1 NAP-2021-00306-95 29 APRIL 2021



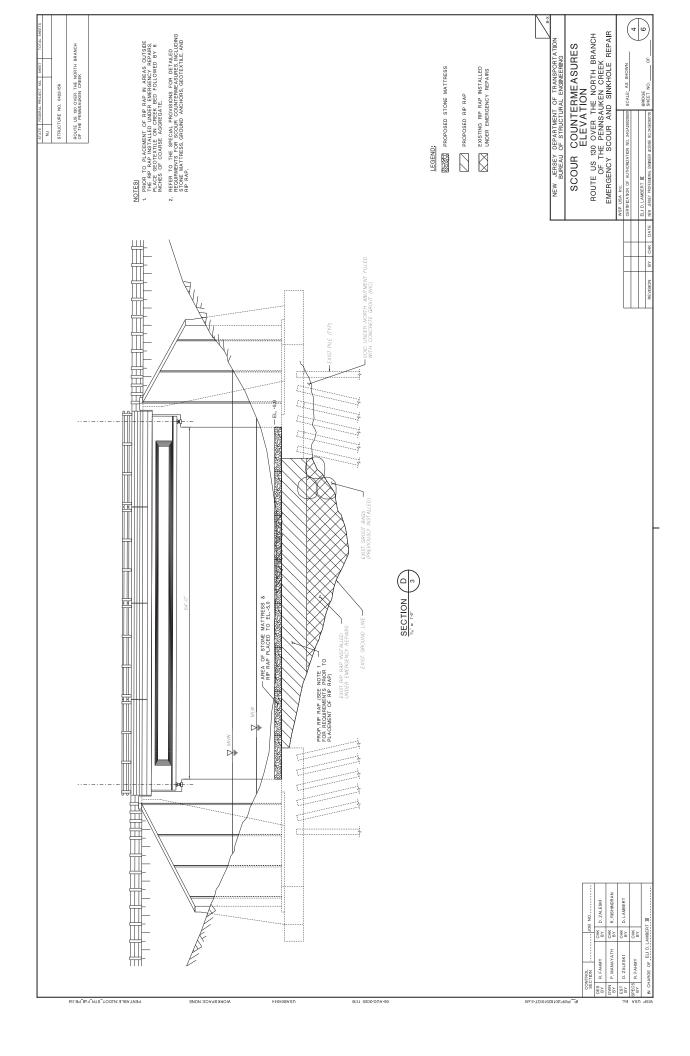
E-2 NAP-2021-00306-95 29 APRIL 2021



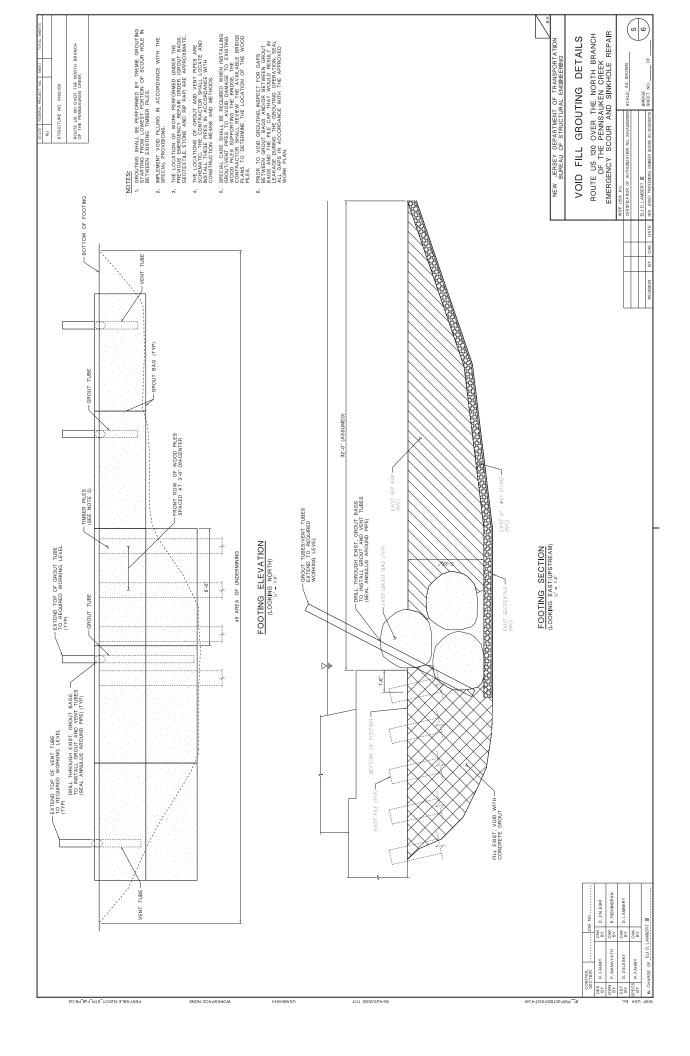
E-3 NAP-2021-00306-95 29 APRIL 2021



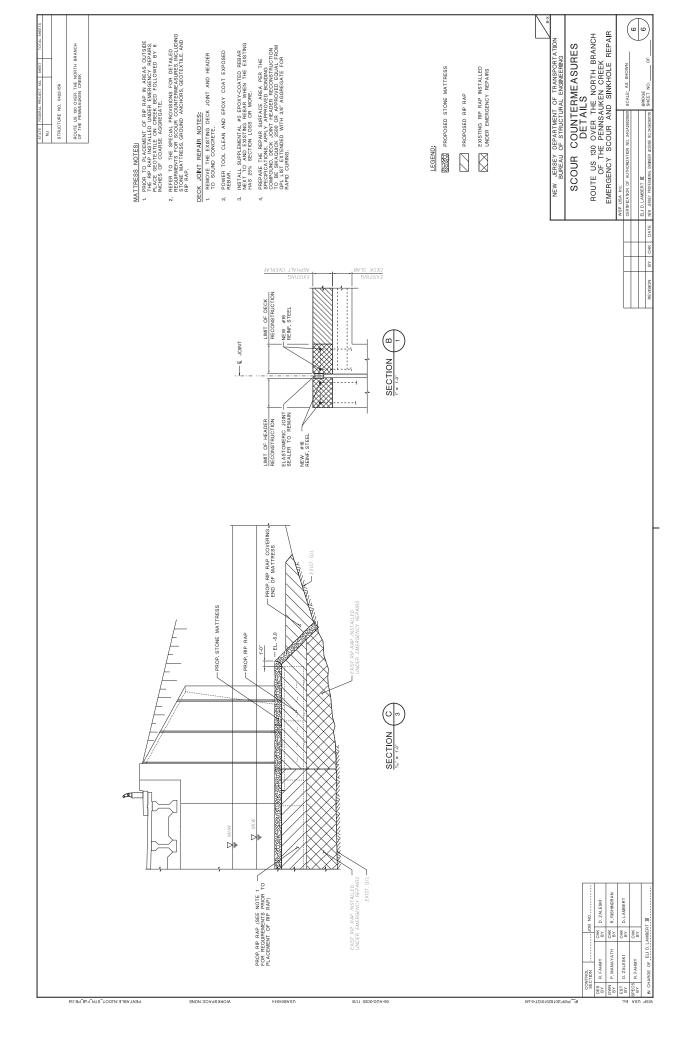
E-4 NAP-2021-00306-95 29 APRIL 2021



E-5 NAP-2021-00306-95 29 APRIL 2021



E-6 NAP-2021-00306-95 29 APRIL 2021



ENCLOSURE 1

NOTIFICATION/CERTIFICATION OF WORK COMMENCEMENT FORM

Permit Number:	CENAP-OPR-2021-003	000-93		
Name of Permittee:	New Jersey Department	t of Transportation		
Project Name:		Pennsauken Creek Scour R	_ enair Pr	oiect
Waterway:	Pennsauken Creek		-	<u>-1</u>
County:	Burlington and Camden	Counties	State	New Jersey
-			State.	<u>INCW JCISCY</u>
Compensation/Milig	ation Work Required: Ye	s 🔛 No 🖂		
Wanamaker I Philadelphia, Attention: CI I have received author fabric on the creek i mattress atop the rip-	prization to: <u>undertake bri</u> bottom, placement of co rap and pier footings; res	re East	d placei charge c	ment of a stone of approximately
		en Creek at the Route 130		
		ersey, and the Township or		
		rsey, and the Township of	I Fellils	iuken, Camuen
County, New Jersey.				
The work will be per Name of Person or F	·			
Address:				
of the above reference	ed permit, and shall perfo . The authorized work wi	oproved plans, have read the orm the authorized work in ll begin on or about	strict ac	cordance with
Corps of Engineers.	If you fail to return this n	subject to compliance in otification form or fail to crmit suspension, modification	omply w	with the terms or
Permittee (Sig	mature and Date)	Telephone N	umber	
	,	•		
Contractor (S	ignature and Date)	Telephone N	lumber	

NOTE: This form shall be completed/signed and returned to the Philadelphia District Office prior to commencing work.

ENCLOSURE 2

NOTIFICATION/CERTIFICATION OF WORK COMPLETION/COMPLIANCE FORM

Permit Number: Name of Permittee:					
Name of Contractor:	New Jersey Department	of Transportation			
Project Name: County: Waterway:	Route 130 Bridge over Pennsauken Creek Scour Repair Project Burlington and Camden Counties State: New Jersey Pennsauken Creek				
	npletion of the activity to the following address:	authorized by this permit, please sign this			
• •		istrict			
Engineers representative. compliance with the per	. If you fail to return this	a compliance inspection by an Army Corps of notification form or fail to perform work in dministrative, civil and/or criminal penalties. woked.			
The authorized work was	s commenced on	<u>.</u>			
The aumorized work was	s completed on	·			
	work authorized by the about and conditions of the about	ove referenced permit has been completed in ove noted permit.			
Signature of Contractor		Signature of Permittee			
Address:		Address:			
Telephone Number:		Telephone Number:			
of lading; sales order or purchased and utilized fo	r any other document(s)	nabitat, you must include with this form a bill demonstrating non-polluting materials were ertify that I and/or my contractor have utilized ted permit.			
Signature of Contractor		Signature of Permittee			

ENCLOSURE 3



COMMENTS:

We are soliciting your views and comments concerning the processing of your Department of the Army permit application request. Any input, positive or otherwise, on procedures, timeliness, fairness, etc., would be appreciated.

Please write your comments in the space provided below and return to the Philadelphia District Regulatory Branch at PhiladelphiaDistrictRegulatory@usace.army.mil or if you do not have the means to return this form electronically you may print this document and mail to:

U.S. Army Corps of Engineers Philadelphia District Wanamaker Building 100 Penn Square East Philadelphia, PA 19107-3390 Attn: Regulatory Branch

FILE NUMBER:		
	(Example CENAP-OP-R-2020-01234-56)	