

**DOCKET NO. D-2022-002 CP-1**

**DELAWARE RIVER BASIN COMMISSION**

**Montgomery County  
Cross County and Wissahickon Connector Trail Bridge and  
Crossing of Recreation Project Area  
Whitemarsh and Springfield Townships, Montgomery County, Pennsylvania**

**PROCEEDINGS**

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) on May 26, 2022 for review of the construction of a pedestrian/bicycle/equestrian bridge across Wissahickon Creek within the boundaries of Fort Washington State Park, a recreation project area designated in the Commission's Comprehensive Plan (Application). The docket holder obtained PAG-02 NPDES General Permit Coverage Approval (NPDES Permit No. PAC460582) on January 4, 2022 from the Montgomery County Conservation District. The Pennsylvania Department of Environmental Protection (PADEP) issued a Chapter 105 Water Obstruction and Encroachment Permit (Permit No. E4601222-013 and Section 404 Clean Water Act Pennsylvania State Programmatic General Permit (PASPGP) providing Federal authorization for the project on November 14, 2022.

The Application was reviewed for inclusion of this project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Montgomery County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on November 9, 2022.

**A. DESCRIPTION**

- Purpose.** The purpose of this project is to construct a new 185-foot-long pedestrian/bicycle/equestrian bridge across the Wissahickon Creek and 2.25 miles of porous pavement trail to serve as a connector trail in the existing Wissahickon and Cross County Trail Network to improve access and safety for trail users.
- Location.** The new trail will connect the existing Wissahickon Trail from an area just south of West Valley Green Road on the north side of Stenton Avenue in Whitemarsh Township to an existing trail terminus at West Wissahickon Avenue in Springfield Township, Montgomery County. The proposed pedestrian bridge will cross Wissahickon Creek 33 feet north (upstream) from the Stenton Avenue Bridge in Whitemarsh Township, Montgomery County, Pennsylvania. Wissahickon Creek at the project site is designated by the PADEP as Trout Stocking Fishery (TSF) and Migratory Fishes (MF).

The connector trail and bridge will serve pedestrians utilizing the Wissahickon and Cross County Trail network. A detailed site plan entitled “Erosion and Sediment Control Plan”, Sheets C6-00 through C6-07A showing the location of the project area was submitted with the Application.

**3. Design Criteria.** The project was designed to avoid wetland impacts, minimize impacts to flood flow and the floodplain, minimize impacts to Wissahickon Creek, minimize earth disturbance, and minimize stormwater runoff. The bridge was designed so that the abutments are located outside the channel of the creek and for the bridge deck width to be as narrow as possible, minimizing impacts to the waterway. The project has been designed to maximize protection of existing drainage features by mimicking the existing grading and drainage patterns with the proposed trail design to the maximum extent practical. The pedestrian/bicycle/equestrian bridge has been designed to meet and exceed the safety standards and applicable requirements of American Association of State Highway and Transportation Officials (AASHTO) load-and-resistance factor design (LRFD) Bridge Design Specifications, 6th edition and LRFD Guide Specifications for Design of Pedestrian Bridges, 2009.

**4. Facilities.** The proposed pedestrian bridge across Wissahickon Creek is a 10-foot wide single span steel truss structure with a length between centerline of bearings of 183’-10” and a clear span between abutments of 182’- 2 ½”. The abutments will be located outside of the stream channel and will be skewed 35 degrees to the flow of Wissahickon Creek and supported by spread footings. The bridge decking will be 12 feet wide and constructed out of Ipe wood. Wissahickon Creek is approximately 60 feet wide at the crossing area.

The proposed trail will consist of an 8- to 12-foot-wide multiuse porous pavement that is approximately 2.25 miles long. The average depth of cut below the trail is approximately 3.5 feet; most of the cut is required to provide a gravel storage bed beneath porous pavement.

**5. Other.** The PADEP will regulate stormwater discharges for the project area.

**6. Cost.** The overall cost of this project is estimated to be \$1,225,000.

**7. Relationship to the Comprehensive Plan.** The project will be added to the Comprehensive Plan upon approval of this docket.

## **B. FINDINGS**

### **1. Comprehensive Plan Recreation Area**

Section 2.3.5A.10. of the Commission's *Rules of Practice and Procedure (RPP)* requires that bridges and highways that pass in or across an existing or proposed recreation project area as designated in the Comprehensive Plan receive approval under Section 3.8 of the Compact. The proposed bridge and a portion of the connector trail is located within the Fort Washington State Park. Fort Washington State Park is a 493-acre state park in Springfield and Whitemarsh Townships, Montgomery County, Pennsylvania. The park is operated by the Pennsylvania Department of Conservation and Natural Resources (DCNR). Recreational activities at the park include hiking, fishing, disc golf, picnicking, wildlife watching, cross-country skiing, sledding and dog walking. The Fort Washington State Park was designated as a recreation area in the Commission's Comprehensive Plan on September 13, 2001 by DRBC 2001-27.

### **2. Fish and Wildlife**

Pennsylvania Fish and Boat Commission provided a Species Impact Review letter dated May 9, 2022, indicating that an element occurrence of a rare, candidate, threatened, or endangered species under their jurisdiction is known from the vicinity of the proposed project. However, given the nature of the proposed project, the immediate location, or the current status of the nearby element occurrence(s), no adverse impacts are expected to the species of special concern.

### **3. Flood Plain Regulations**

Section 6.3.4A.7. of the Commission's *FPR* allows certain uses, including bridges and structures accessory to open space use within the floodway and flood fringe to be authorized by special permit. Section 6.4.2A. of the Commission's *FPR* allow a special permit be granted when there is a clear balance in favor of the public interest in terms of environmental criteria.

Approximately 22,737 square feet of the project is located in the FEMA 100-year floodplain. This area includes all the trails, bridge abutments and wingwalls, riprap scour protection and bridge decking. The bridge structure and approximately 780 linear feet of pedestrian trail is located in the floodway. The total length of the trail in the floodplain is approximately 1,163 feet.

A hydrologic and hydraulic analysis was performed by the docket holder using HEC-RAS software to model the existing and proposed conditions for the pedestrian/bicycle/equestrian bridge construction over Wissahickon Creek. Hydraulic modeling indicates the water surface elevations upstream of the crossing will increase as a result of the bridge structure when compared to the existing conditions, but there will be no increase downstream of the crossing for the 100-year flood event. There are structures on properties upstream of the bridge that are in the 100-year floodplain, and there is an increase in risk due to the proposed structure for one property located at 6007 West Valley Green Road. The property owners have been notified and steps will be taken to remediate the approximate 7/8" rise in 100-year regulatory water surface elevation to the affected structure. The mitigation plan improvements include a new sump pit and pump, new ball valves, replacing existing fence with aluminum fence, concrete flood wall, flood planks, catch basin, and relocating an air conditioning unit. A Conditional Letter of Map Revision (CLOMR) was issued by the Federal Emergency Management Agency (FEMA) based on the hydraulic modeling as the official modification of the Flood Insurance Rate Map (FIRM). The FEMA CLOMR requires the docket holder to submit evidence that the mitigation measure have been completed prior to the construction of the bridge crossing project. Condition C.1 requires the docket holder to copy the DRBC on this certification prior to commencing bridge construction.

Commission staff conclude that with the implementation of flood mitigation at the affected property, there is a clear balance in favor of public interest for this project. This docket constitutes a special use permit for the project in accordance with Section 6.3.4 of the Commission's FPR for a bridge and hiking and horseback riding trails within floodway and flood fringe areas. The special use permit is granted as the docket holder has demonstrated that the Project use is balanced in favor of public interest according to environmental criteria and prohibitions included in Section 6.4.2A. and B.

#### **4. Other Findings**

The nearest surface water intake of record for public supply is located on the Schuylkill River approximately 9.0 River Miles downstream of the project and is operated by the Philadelphia Water Department.

The project is designed to conform to the requirements of the *Water Code (WC)* and *Water Quality Regulations (WQR)* of the DRBC.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

### C. DECISION

Effective on the approval date for Docket No. D-2022-002 CP-1 below, the project and the appurtenant facilities as described in Section A.4. (Design Criteria) and A.5. (Facilities) shall be added to the Comprehensive Plan. The project and appurtenant facilities as described in in Section A.4. (Design Criteria) and A.5. (Facilities) are approved subject to the following conditions, pursuant to Section 3.8 of the *Compact*:

#### Monitoring and Reporting

1. Prior to the start of bridge construction, the docket holder shall submit a copy of the certification submitted to FEMA certifying that the mitigation measures have been completed.

2. Within 10 days of the date that construction of the project has started, the docket holder shall notify the DRBC of the starting date and scheduled completion date.

3. Within 30 days of completion of construction of the approved project, the docket holder is to submit to the attention of the Project Review Section of DRBC a Construction Completion Statement (“Statement”) signed by the docket holder responsible agent for the project. The Statement must (a) either confirm that construction has been completed in a manner consistent with any and all DRBC-approved plans or explain how the as-built project deviates from such plans; (b) report the project’s final construction cost as such cost is defined by the project review fee schedule in effect at the time application was made; and (c) indicate the date on which the project was (or is to be) placed in operation.

4. The docket holder shall remit a total of \$1033.14 to the Commission for the project review fee based on the total staff hours of review time as determined by the DRBC. Payment shall be remitted within 30 days of docket approval.

#### Other Conditions

5. In accordance with 18 C.F.R. 401.8. of the Commission’s *Rules of Practice and Procedure (RPP)*, if at any future time the Project is changed substantially from the Project as described in this docket, it will be deemed to constitute a new and different project for the purposes of Article 11 of the Delaware River Basin Compact and will require Commission amendment of the Comprehensive Plan. In accordance with the same section of the RPP, whenever a change to the Project is made, the sponsor must advise the Executive Director, who will determine whether the change is deemed substantial for purposes of this provision.

6. Approval by the Commission shall expire three years from the date of Commission action unless prior thereto the sponsor has expended substantial funds (in relation to the cost of the project) in reliance upon such approval. An approval may be extended or renewed by the Executive Director upon application.

7. This docket includes a special use permit under Section 6.3.4 of the Commissions' Flood Plain Regulations for structures within floodway and flood fringe areas described in this docket.

8. The bridge and inspection records shall be available at all times for inspection by the DRBC.

9. Sound practices of excavation, backfill and reseeding shall be followed to minimize erosion and deposition of sediment in streams from any new facilities or repair related construction.

10. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

11. The docket holder is permitted to construct and/or replace structures and trailways approved in this docket to the areas included in Section A.3. Area Served of this docket. Any expansion beyond those included in Section A.3. Area Served is subject to DRBC review and approval in accordance with Section 3.8 of the *Compact*.

12. The docket holder shall be subject to applicable DRBC regulatory program fees, in accordance with duly adopted DRBC resolutions and/or regulations. (see 18 CFR 401.43).

13. This approval is transferable by request to the DRBC Executive Director provided that the project purpose and area served approved by the Commission in this docket will not be materially altered because of the change in project ownership. The request shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.43).

14. The docket holder shall request a name change of the entity to which this approval is issued if the name of the entity to which this approval is issued changes its name. The request for name change shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.43).

15. The issuance of this docket approval shall not create any private or proprietary rights in the water of the Basin, and the Commission reserves the rights to amend, alter or rescind any actions taken hereunder to ensure the proper control, use and management of the water resources of the Basin.

16. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.

17. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the *Rules of Practice and Procedure*. In accordance with Section 15.1(p) of the *Delaware River Basin Compact*, cases and controversies arising under the *Compact* are reviewable in the United States district courts.

**BY THE COMMISSION**

**APPROVAL DATE: December 7, 2022**