

March 8, 2023

To: All Bidders

From: Kate Bailey  
Director of Procurement

Re: **ADDENDUM NO. 2**  
**Project# 23-007.9**  
**Emergency Request for Pricing – Emergency Dredging at PhilaPort Piers**

This Addendum No. 2 is issued to:

1. Provide a revised Bid Form. (attached)
2. Provide Water Quality Certificates. (attached)

All other terms and conditions remain unchanged.

Bidders shall acknowledge receipt of this addendum by immediately emailing a copy of the completed acknowledgment to Kate Bailey at [procurement@philaport.com](mailto:procurement@philaport.com)

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**ACKNOWLEDGMENT OF RECEIPT OF ADDENDUM NO. 2**  
**Project #23-007.9**  
**Emergency Request for Pricing – Emergency Dredging at PhilaPort Piers**

Date \_\_\_\_\_

By \_\_\_\_\_

Company \_\_\_\_\_

Telephone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_



Philadelphia Regional Port Authority  
3460 North Delaware Ave. 2<sup>nd</sup> Floor  
Philadelphia, PA 19134

## **REVISED BID FORM**

PROJECT #23-007.9  
EMERGENCY DREDGING AT VARIOUS PHILAPORT PIERS  
BID FORM

| ITEM 1 |                                                                        |                                         |                                               | NJ Disposal                                          |  |
|--------|------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|------------------------------------------------------|--|
|        |                                                                        |                                         |                                               | Lump Sum Price, written in numbers                   |  |
| a      | Mobilization/demobilization for a single event at PhilaPort facilities | LS                                      |                                               |                                                      |  |
|        | Locations                                                              | Estimated Volume of Dredge Material, CY | Unit Price Per Cubic yard, written in numbers | Extended Price in numbers (Unit Price x CY material) |  |
| b      | Tioga Bulk Liquids Terminal, Slip Berth                                | 6,000                                   |                                               |                                                      |  |
| i      | Dredging                                                               |                                         |                                               |                                                      |  |
| ii     | Disposal                                                               |                                         |                                               |                                                      |  |
| c      | Pier 82 South, South Berth                                             | 20,000                                  |                                               |                                                      |  |
| i      | Dredging                                                               |                                         |                                               |                                                      |  |
| ii     | Disposal                                                               |                                         |                                               |                                                      |  |
| d      | Packer Avenue Marine Terminal                                          | 82,000                                  |                                               |                                                      |  |
| i      | Dredging                                                               |                                         |                                               |                                                      |  |
| ii     | Disposal                                                               |                                         |                                               |                                                      |  |
| e      | Tioga Marine Terminal                                                  | 2,000                                   |                                               |                                                      |  |
| i      | Dredging                                                               |                                         |                                               |                                                      |  |
| ii     | Disposal                                                               |                                         |                                               |                                                      |  |
| f      | Pier 80 South, North and South Berths                                  | 18,000                                  |                                               |                                                      |  |
| i      | Dredging                                                               |                                         |                                               |                                                      |  |
| ii     | Disposal                                                               |                                         |                                               |                                                      |  |
| g      | Pier 84 South, North Berth                                             | 6,500                                   |                                               |                                                      |  |
| i      | Dredging                                                               |                                         |                                               |                                                      |  |
| ii     | Disposal                                                               |                                         |                                               |                                                      |  |
| h      | Pier 122 South, south berth, dredging and disposal                     | 30,000                                  |                                               |                                                      |  |
| i      | Dredging                                                               |                                         |                                               |                                                      |  |
| ii     | Disposal                                                               |                                         |                                               |                                                      |  |
|        | <b>Total Estimated Volume</b>                                          | <b>164,500</b>                          |                                               |                                                      |  |

\*Total Bid Price on next page

|                                                                   |  | Total Price, Written in Numbers |
|-------------------------------------------------------------------|--|---------------------------------|
| TOTAL BID PRICE (Total of Items 1a(i,ii) through 1h(i,ii) above): |  |                                 |

| ITEM 2 | Guaranteed Unit Pricing | Unit          |
|--------|-------------------------|---------------|
| a      | Standby Time            | Cost per hour |
|        |                         |               |



Philadelphia Regional Port Authority  
3460 North Delaware Ave. 2<sup>nd</sup> Floor  
Philadelphia, PA 19134

## **WATER QUALITY CERTIFICATES**



**STATE OF NEW JERSEY**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**WATERSHED & LAND MANAGEMENT**  
 Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420  
 Telephone: (609) 777-0454 or Fax: (609) 777-3656  
 www.nj.gov/dep/landuse



## PERMIT

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                       | Approval Date:                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       | <b>Modification</b>                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       | Expiration Date:<br><b>June 07, 2023</b>                        |
| <b>Permit Number(s):</b><br>0000-18-0002.1<br>CDT230001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Type of Approval(s):</b><br>Consistency Determination<br>Water Quality Certificate<br>Acceptable Use Determination | <b>Governing Rule(s):</b><br>N.J.S.A. 12:5-3<br>N.J.S.A. 58:10A |
| <b>Permittee:</b><br>PhilaPort<br>c/o Lisa Magee<br>3460 N. Delaware Avenue, 2 <sup>nd</sup> Floor<br>Philadelphia, PA 19134                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Site Location:</b><br>Municipality: Philadelphia<br>County: Philadelphia<br>State: Pennsylvania                    |                                                                 |
| <b>Description of Authorized Activities:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                       |                                                                 |
| <p>This <b>permit modification</b> authorizes maintenance dredging of PhilaPort's Pier 80 located in Philadelphia, Pennsylvania. Approximately 15,134 cubic yards of material is authorized to be dredged to a project depth of thirty-two feet below mean lower low water (-32' MLLW) plus two feet (2') of allowable over-dredge. Dredging shall occur by mechanical method using a closed-clamshell environmental bucket. Dredged material will be managed at the Weeks Marine Whites Basin dredged material management facility located in Logan Township, Gloucester County. Subsequent dredging events may be authorized during the 5-year permit term subject to the conditions of the Acceptable Use Determination.</p> <p><u>All construction shall conform to the requirements, conditions and limitations of this permit and all approved drawings.</u></p> <p>This permit includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.).</p> <p>This permit is authorized under and in compliance with the Coastal Zone Management Rules, N.J.A.C. 7:7-1.1 et seq., as amended through October 05, 2021.</p> |                                                                                                                       |                                                                 |
| <b>Prepared by:</b><br><br><b>Katherine R. Todoroff</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Received and/or Recorded by</b><br><b>County Clerk:</b>                                                            |                                                                 |
| If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                                                 |
| <b>This permit is not valid unless authorizing signature appears on the last page.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                       |                                                                 |

## STANDARD CONDITIONS:

### 1. **Extent of approval:**

- a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
- b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
- c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.

2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, do not begin construction. You are entitled to request an appeal within a limited time as detailed on the attached Administrative Hearing Request Checklist and Tracking Form.

3. **Notice of construction:** You must notify the Department in writing prior to beginning any work approved by this permit.

4. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)

### 5. **Rights of the State:**

- a. This permit is revocable and subject to modification by the State with due cause.
- b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
- c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.

6. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work.

## CONSISTENCY DETERMINATION AND WATER QUALITY CERTIFICATE:

The Coastal Zone Management Rules (N.J.A.C. 7:7) constitute New Jersey's enforceable policies under its federally approved Coastal Zone Management Program. This maintenance dredging project has been reviewed for consistency with the Coastal Zone Management Rules, and for potential water quality impacts.

Based on the information provided in the application, the Division of Land Resource Protection hereby certifies that the subject project is consistent with the Coastal Zone Management Rules and has determined that the project is not likely to cause a violation of New Jersey's Surface Water Quality Standards (N.J.A.C. 7:9B-1.1 et seq.), provided that the specific conditions noted below are met. Therefore, this consistency determination includes the State's Water Quality Certification pursuant to

Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.) subject to specific conditions listed below.

This determination and certification is contingent upon compliance with the following conditions:

1. The permittee shall comply with the conditions specified in the United States Army Corps of Engineering (USACOE) authorization (CENAP-OP-R-2013-0695-46) issued November 26, 2014, and any amendments thereto, or renewal of said authorization by the USACOE.
2. All necessary local, Federal, and other State approvals must be obtained by the applicant prior to the commencement of the authorized activities.
3. To minimize impacts to migrating and spawning of anadromous fish, in water work or sediment generating disturbance is prohibited from **March 15** to **May 31** of each year in accordance with the Delaware Basin Fish and Wildlife Management Cooperative, as currently modified.
4. Dredging shall be limited to an authorized project depth of thirty-two feet below mean lower low water (-32' MLLW) plus two feet (2') of allowable overdredge.
5. Sediment sampling shall be required prior to each subsequent dredging event. See Acceptable Use Determination condition No. 3 below.
6. Dredging shall occur using a closed clamshell environmental bucket.
7. The dredge shall be operated so as to control the rate of descent of the bucket so as to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e. overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract.
8. All barges or scows used to hold or transport dredged material or decent water shall be of solid hull construction or be sealed with concrete.
9. Dredged material shall be deliberately placed within barges in order to prevent spillage of material overboard.
10. The discharge (i.e. "overflow") of water from the barge/scow into which dredged material is placed is prohibited.
11. The gunwales of the dredge scows shall not be rinsed or hosed during dredging except to the extent necessary to ensure the safety of workers maneuvering on the dredge scows.
12. Pre- and post-dredge surveys shall be performed for each dredging event. The results of these surveys and a calculation of the quantity of dredged material removed shall be submitted to the Division of Land Resource Protection within ninety (90) days of completion of each dredging event.
13. Violations of any of the conditions of this Water Quality Certificate will be considered violation of the New Jersey Water Pollution Control Act, NJSA 58:1-A-1 et seq., and subject to the penalties included therein.

**ACCEPTABLE USE DETERMINATION:**

1. The in-situ volume of sediment to be dredged for this maintenance dredging project is fifteen thousand one hundred thirty-four cubic yards (15,134 yds<sup>3</sup>) based on the hydrographic survey dated October 17, 2022, and October 19, 2022.
2. This permit authorizes the placement of fifteen thousand one hundred thirty-four cubic yards (15,134 yds<sup>3</sup>) of dredged material at the Weeks Marine, Inc. Whites Rehandling Basin located in Logan Township, Gloucester County, in accordance with the letter of acceptance dated January 18, 2023. Subsequently, the dredged material will be hydraulically pumped into one of the adjacent upland confined disposal facilities (Area 1 or Area II) for final placement. This quantity is approximated based on existing hydrographic surveys and anticipated sedimentation rates. Actual volumes will be calculated by pre- and post-dredge surveys.
3. Subsequent maintenance dredging events may be authorized under this permit subject to the following conditions:
  - a. Written authorization for each subsequent maintenance dredging event, in the form of a minor technical modification to this Acceptable Use Determination, must be obtained from the Division of Land Resource Protection prior to said event.
  - b. Requests for authorization for subsequent maintenance dredging events shall include the following:
    - i. Sediment sampling results obtained in accordance with a sampling plan approved by the Division of Land Resource Protection;
    - ii. Current hydrographic survey including a calculation of the quantity of sediment to be dredged; and
    - iii. Written consent from the proposed dredged material management site to accept the specified quantity of dredged material.
4. Any alternate disposal/use location must obtain all required state, local and federal permits.

**APPROVED PLANS:**

The drawings hereby approved are two (2) sheets prepared by S.T. Hudson Engineers, Inc., dated January 23, 2023, unrevised and entitled:

- **“PROPOSED MAINTENANCE DREDGING AT PIER 80 SOUTH PHILADELPHIA, PA COUNTY OF PHILADELPHIA COUNTY APPLICATION BY PHILAPORT”**, dwg. No. 1 and 2 of 2.

Please contact Katherine Todoroff with any questions regarding this permit modification via email at [Katherine.Todoroff@dep.nj.gov](mailto:Katherine.Todoroff@dep.nj.gov). Please reference the above file number.

**Approved By:**



Digitally signed by Janet Stewart  
Date: 2023.03.02 08:59:00 -05'00'

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Janet Stewart, Manager  
Bureau of Coastal Permitting  
Division of Land Resource Protection





**STATE OF NEW JERSEY**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**DIVISION OF LAND RESOURCE PROTECTION**  
 Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420  
 Telephone: (609) 777-0454 or Fax: (609) 777-3656  
 www.nj.gov/dep/landuse



## PERMIT

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                       |                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                       | Approval Date:<br><b>February 04, 2022</b><br><b>Modification</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                       | Expiration Date:<br><b>May 28, 2023</b>                           |
| <b>Permit Number(s):</b><br>0000-11-0041.2<br>CDT220001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Type of Approval(s):</b><br>Consistency Determination<br>Water Quality Certificate<br>Acceptable Use Determination | <b>Enabling Statute(s):</b><br>N.J.S.A. 12:5-3<br>N.J.S.A. 58:10A |
| <b>Permittee:</b><br>PhilaPort<br>c/o Lisa Magee<br>3460 N. Delaware Avenue, 2 <sup>nd</sup> Floor<br>Philadelphia, PA 19134                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Site Location:</b><br>Municipality: Philadelphia<br>County: Philadelphia<br>State: Pennsylvania                    |                                                                   |
| <b>Description of Authorized Activities:</b><br><p>This <b>permit modification</b> authorizes maintenance dredging of PhilaPort's Pier 82 south berth located in Philadelphia, Pennsylvania. Approximately 14,467 cubic yards of material is authorized to be dredged to a project depth of thirty-two feet below mean low water (-32' MLW) plus two feet (2') of allowable over-dredge. Dredging shall occur by mechanical method using a closed-clamshell environmental bucket. Dredged material will be managed at the Weeks Marine Whites Basin dredged material management facility located in Logan Township, Gloucester County.</p> <p>Subsequent dredging events may be authorized during the 5-year permit term subject to the conditions of the Acceptable Use Determination.</p> <p><u>All construction shall conform to the requirements, conditions and limitations of this permit and all approved drawings.</u></p> <p>By issuance of this permit, the State of New Jersey does not relinquish tidelands ownership or claim to any portion of the subject property or adjacent properties.</p> <p>This permit includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.). This permit is authorized under and in compliance with the Rules on Coastal Zone Management, N.J.A.C. 7:7-1.1 et seq., as amended through October 05, 2021.</p> <p>To minimize impacts to migrating and spawning of anadromous fish, in water work or sediment generating disturbance is prohibited from <b>March 15</b> to <b>May 31</b> of each year in accordance with the Delaware Basin Fish and Wildlife Management Cooperative.</p> |                                                                                                                       |                                                                   |
| <b>Prepared by:</b><br><br><b>Katherine R. Todoroff</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Received and/or Recorded by</b><br><b>County Clerk:</b>                                                            |                                                                   |
| If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                       |                                                                   |
| <b>This permit is not valid unless authorizing signature appears on the last page.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                       |                                                                   |

## STANDARD CONDITIONS:

### 1. Extent of approval:

- a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
- b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
- c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.

2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, do not begin construction. You are entitled to request an appeal within a limited time as detailed on the attached Administrative Hearing Request Checklist and Tracking Form.

3. **Notice of Construction:** You must notify the Department in writing prior to beginning any work approved by this permit

4. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)

### 5. Rights of the State:

- a. This permit is revocable and subject to modification by the State with due cause.
- b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
- c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.

6. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work

## CONSISTENCY DETERMINATION AND WATER QUALITY CERTIFICATE:

The Rules on Coastal Zone Management (N.J.A.C. 7:7) constitute New Jersey's enforceable policies under its federally approved Coastal Zone Management Program. This maintenance dredging project has been reviewed for consistency with the Rules on Coastal Zone Management, and for potential water quality impacts.

Based on the information provided in the application, the Office of Dredging and Sediment Technology hereby certifies that the subject project is consistent with the Rules on Coastal Zone Management and has determined that the project is not likely to cause a violation of New Jersey's Surface Water Quality

Standards (N.J.A.C. 7:9B-1.1 et seq.), provided that the specific conditions noted below are met. Therefore, this consistency determination includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.) subject to specific conditions listed below. This determination and certification is contingent upon compliance with the following conditions:

1. All necessary local, Federal, and other State approvals must be obtained by the applicant prior to the commencement of the authorized activities.
2. Prior to the initiation of dredging the permittee shall receive United States Army Corps of Engineering authorization for the project. A copy of said authorization shall be forwarded to this office upon receipt.
3. Dredging shall comply with the restricted time periods specified in the Delaware Basin Fish and Wildlife Management Cooperative's dredging schedule, as currently modified.
4. Dredging shall be limited to an authorized project depth of thirty-two feet below mean low water (-32' MLW) plus two feet (2') of allowable overdredge.
5. Sediment sampling shall be required prior to each subsequent dredging event. See Acceptable Use Determination condition No. 3 below.
6. Dredging shall occur using a closed clamshell environmental bucket.
7. The dredge shall be operated so as to control the rate of descent of the bucket so as to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e. overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract.
8. Dredged material shall be deliberately placed within barges in order to prevent spillage of material overboard. The gunwales of the dredge scows shall not be rinsed during dredging.
9. Pre- and post-dredge surveys shall be performed for each dredging event. The results of these surveys and a calculation of the quantity of dredged material removed shall be submitted to the Office of Dredging and Sediment Technology within ninety (90) days of completion of each dredging event.
10. Violations of any of the conditions of this Water Quality Certificate will be considered violation of the New Jersey Water Pollution Control Act, NJSA 58:1-A-1 et seq., and subject to the penalties included therein.

**ACCEPTABLE USE DETERMINATION:**

1. The in-situ volume of sediment to be dredged for this maintenance dredging project is fourteen thousand four hundred and sixty-seven cubic yards (14,467 yds<sup>3</sup>) based on the hydrographic survey dated August 18, 2021, and August 19, 2021.
2. This permit authorizes the placement of fourteen thousand four hundred and sixty-seven cubic yards (14,467 yds<sup>3</sup>) of dredged material at the Weeks Marine, Inc. Whites Rehandling Basin located in Logan Township, Gloucester County. Subsequently, the dredged material will be hydraulically pumped into one of the adjacent upland confined disposal facilities (Area I or Area II) for final placement. This quantity is approximated based on existing hydrographic surveys and anticipated sedimentation rates. Actual volumes will be calculated by pre- and post-dredge surveys.

3. Subsequent maintenance dredging events may be authorized under this permit subject to the following conditions:
  - a. Written authorization for each subsequent maintenance dredging event, in the form of a minor technical modification to this Acceptable Use Determination, must be obtained from the Office of Dredging and Sediment Technology prior to said event.
  - b. Requests for authorization for subsequent maintenance dredging events shall include the following:
    - i. Sediment sampling results obtained in accordance with a sampling plan approved by the Office of Dredging and Sediment Technology;
    - ii. Current hydrographic survey including a calculation of the quantity of sediment to be dredged; and
    - iii. Written consent from the proposed dredged material management site to accept the specified quantity of dredged material.
4. Any alternate disposal/use location must obtain all required state, local and federal permits.

**APPROVED PLANS:**

The drawings hereby approved are two (2) sheets prepared by S.T. Hudson Engineers, Inc., dated January 10, 2022, unrevised and entitled:

- **“PROPOSED MAINTENANCE DREDGING AT PIER 82 SOUTH PHILADELPHIA, PA COUNTY OF PHILADELPHIA COUNTY APPLICATION BY PHILAPORT”**, dwg. No. 1 of 2, and,
- **“PROPOSED MAINTENANCE DREDGING AT PIER 82 SOUTH PHILADELPHIA, PA COUNTY OF PHILADELPHIA COUNTY APPLICATION BY PHILAPORT”**, dwg. No. 2 of 2.

Please contact Katherine Todoroff with any questions regarding this permit action via email at [Katherine.Todoroff@dep.nj.gov](mailto:Katherine.Todoroff@dep.nj.gov). Please reference the above file number.

**Approved By:**

---

Suzanne U. Biggins, Supervisor  
Office of Dredging & Sediment Technology  
Division of Land Resource Protection

Original Sent to Agent to record

c: USACE, Philadelphia District-Regulatory Branch



**STATE OF NEW JERSEY**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**DIVISION OF LAND RESOURCE PROTECTION**  
 Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420  
 Telephone: (609) 777-0454 or Fax: (609) 777-3656  
 www.nj.gov/dep/landuse



## PERMIT

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                       |                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| <p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                       | Approval Date:                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                       | <b>Modification</b>                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                       | Expiration Date:<br><b>June 12, 2023</b>                        |
| <b>Permit Number(s):</b><br>0000-13-0003.1<br>CDT230001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Type of Approval(s):</b><br>Consistency Determination<br>Water Quality Certificate<br>Acceptable Use Determination | <b>Governing Rule(s):</b><br>N.J.S.A. 12:5-3<br>N.J.S.A. 58:10A |
| <b>Permittee:</b><br>PhilaPort<br>c/o Lisa Magee<br>3460 N. Delaware Avenue, 2 <sup>nd</sup> Floor<br>Philadelphia, PA 19134                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Site Location:</b><br>Municipality: Philadelphia<br>County: Philadelphia<br>State: Pennsylvania                    |                                                                 |
| <b>Description of Authorized Activities:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                       |                                                                 |
| <p>This <b>permit modification</b> authorizes maintenance dredging of PhilaPort's Pier 84 located in Philadelphia, Pennsylvania. Approximately 6,122 cubic yards of material is authorized to be dredged to a project depth of thirty-two feet below mean lower low water (-32' MLLW) plus two feet (2') of allowable over-dredge. Dredging shall occur by mechanical method using a closed-clamshell environmental bucket. Dredged material will be managed at the Weeks Marine Whites Basin dredged material management facility located in Logan Township, Gloucester County. Subsequent dredging events may be authorized during the 5-year permit term subject to the conditions of the Acceptable Use Determination.</p> <p><u>All construction shall conform to the requirements, conditions and limitations of this permit and all approved drawings.</u></p> <p>This permit includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.).</p> <p>This permit is authorized under and in compliance with the Rules on Coastal Zone Management, N.J.A.C. 7:7-1.1 et seq., as amended through October 05, 2021.</p> |                                                                                                                       |                                                                 |
| <b>Prepared by:</b><br><br><b>Katherine R. Todoroff</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Received and/or Recorded by</b><br><b>County Clerk:</b>                                                            |                                                                 |
| <p>If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                       |                                                                 |
| <b>This permit is not valid unless authorizing signature appears on the last page.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                                                 |

## STANDARD CONDITIONS:

1. **Extent of approval:**
  - a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
  - b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
  - c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.
2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, do not begin construction. You are entitled to request an appeal within a limited time as detailed on the attached Administrative Hearing Request Checklist and Tracking Form.
3. **Notice of construction:** You must notify the Department in writing prior to beginning any work approved by this permit.
4. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)
5. **Rights of the State:**
  - a. This permit is revocable and subject to modification by the State with due cause.
  - b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
  - c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.
6. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work.

## CONSISTENCY DETERMINATION AND WATER QUALITY CERTIFICATE:

The Rules on Coastal Zone Management (N.J.A.C. 7:7) constitute New Jersey's enforceable policies under its federally approved Coastal Zone Management Program. This maintenance dredging project has been reviewed for consistency with the Rules on Coastal Zone Management, and for potential water quality impacts.

Based on the information provided in the application, the Division of Land Resource Protection hereby certifies that the subject project is consistent with the Rules on Coastal Zone Management and has determined that the project is not likely to cause a violation of New Jersey's Surface Water Quality

Standards (N.J.A.C. 7:9B-1.1 et seq.), provided that the specific conditions noted below are met. Therefore, this consistency determination includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.) subject to specific conditions listed below.

This determination and certification is contingent upon compliance with the following conditions:

1. The permittee shall comply with the conditions specified in the United States Army Corps of Engineering (USACOE) authorization (CENAP-OP-R-2013-0695-46) issued November 26, 2014, and any amendments thereto, or renewal of said authorization by the USACOE.
2. All necessary local, Federal, and other State approvals must be obtained by the applicant prior to the commencement of the authorized activities.
3. To minimize impacts to migrating and spawning of anadromous fish, in water work or sediment generating disturbance is prohibited from **March 15** to **May 31** of each year in accordance with the Delaware Basin Fish and Wildlife Management Cooperative, as currently modified.
4. Dredging shall be limited to an authorized project depth of thirty-two feet below mean lower low water (-32' MLLW) plus two feet (2') of allowable overdredge.
5. Sediment sampling shall be required prior to each subsequent dredging event. See Acceptable Use Determination condition No. 3 below.
6. Dredging shall occur using a closed clamshell environmental bucket.
7. The dredge shall be operated so as to control the rate of descent of the bucket so as to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e. overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract.
8. All barges or scows used to hold or transport dredged material or decent water shall be of solid hull construction or be sealed with concrete.
9. Dredged material shall be deliberately placed within barges in order to prevent spillage of material overboard.
10. The discharge (i.e. "overflow") of water from the barge/scow into which dredged material is placed is prohibited.
11. The gunwales of the dredge scows shall not be rinsed or hosed during dredging except to the extent necessary to ensure the safety of workers maneuvering on the dredge scows.
12. Pre- and post-dredge surveys shall be performed for each dredging event. The results of these surveys and a calculation of the quantity of dredged material removed shall be submitted to the Division of Land Resource Protection within ninety (90) days of completion of each dredging event.
13. Violations of any of the conditions of this Water Quality Certificate will be considered violation of the New Jersey Water Pollution Control Act, NJSA 58:1-A-1 et seq., and subject to the penalties included therein.

**ACCEPTABLE USE DETERMINATION:**

1. The in-situ volume of sediment to be dredged for this maintenance dredging project is six thousand one hundred twenty-two cubic yards (6,122 yds<sup>3</sup>) based on the hydrographic survey dated October 18, 2022.
2. This permit authorizes the placement of six thousand one hundred twenty-two cubic yards (6,122 yds<sup>3</sup>) of dredged material at the Weeks Marine, Inc. Whites Rehandling Basin located in Logan Township, Gloucester County, in accordance with the letter of acceptance dated January 18, 2023. Subsequently, the dredged material will be hydraulically pumped into one of the adjacent upland confined disposal facilities (Area 1 or Area II) for final placement. This quantity is approximated based on existing hydrographic surveys and anticipated sedimentation rates. Actual volumes will be calculated by pre- and post-dredge surveys.
3. Subsequent maintenance dredging events may be authorized under this permit subject to the following conditions:
  - a. Written authorization for each subsequent maintenance dredging event, in the form of a minor technical modification to this Acceptable Use Determination, must be obtained from the Division of Land Resource Protection prior to said event.
  - b. Requests for authorization for subsequent maintenance dredging events shall include the following:
    - i. Sediment sampling results obtained in accordance with a sampling plan approved by the Division of Land Resource Protection;
    - ii. Current hydrographic survey including a calculation of the quantity of sediment to be dredged; and
    - iii. Written consent from the proposed dredged material management site to accept the specified quantity of dredged material.
4. Any alternate disposal/use location must obtain all required state, local and federal permits.

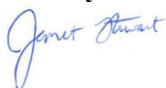
**APPROVED PLANS:**

The drawings hereby approved are two (2) sheets prepared by S.T. Hudson Engineers, Inc., dated January 17, 2023, unrevised and entitled:

- **“PROPOSED MAINTENANCE DREDGING AT PIER 84 SOUTH COUNTY OF PHILADELPHIA COUNTY APPLICATION BY PHILAPORT”**, dwg. No. 1 and 2 of 2.

Please contact Katherine Todoroff with any questions regarding this permit action via email at [Katherine.Todoroff@dep.nj.gov](mailto:Katherine.Todoroff@dep.nj.gov). Please reference the above file number.

**Approved By:**



Digitally signed by Janet Stewart  
Date: 2023.03.02 16:49:31 -05'00'

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Janet Stewart, Manager  
Bureau of Coastal Permitting  
Division of Land Resource Protection





**STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATERSHED & LAND MANAGEMENT**  
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420  
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## PERMIT

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                       |                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| <p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                       | Approval Date:                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                       | <b>Modification</b>                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                       | Expiration Date:<br><b>February 15, 2027</b>                    |
| <b>Permit Number(s):</b><br>0000-11-0041.3<br>CDT230001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Type of Approval(s):</b><br>Consistency Determination<br>Water Quality Certificate<br>Acceptable Use Determination | <b>Governing Rule(s):</b><br>N.J.S.A. 12:5-3<br>N.J.S.A. 58:10A |
| <b>Permittee:</b><br>PhilaPort<br>c/o Lisa Magee<br>3460 N. Delaware Avenue, 2 <sup>nd</sup> Floor<br>Philadelphia, PA 19134                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Site Location:</b><br>Municipality: Philadelphia<br>County: Philadelphia<br>State: Pennsylvania                    |                                                                 |
| <b>Description of Authorized Activities:</b><br><br><p>This <b>permit modification</b> authorizes maintenance dredging of PhilaPort's Pier 122 located in Philadelphia, Pennsylvania. Approximately 30,500 cubic yards of material is authorized to be dredged to a project depth of thirty-six feet below mean lower low water (-36' MLLW) plus two feet (2') of allowable over-dredge. Dredging shall occur by mechanical method using a closed-clamshell environmental bucket. Dredged material will be managed at the Weeks Marine Whites Basin dredged material management facility located in Logan Township, Gloucester County. Subsequent dredging events may be authorized during the 5-year permit term subject to the conditions of the Acceptable Use Determination.</p> <p><u>All construction shall conform to the requirements, conditions and limitations of this permit and all approved drawings.</u></p> <p>This permit includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.).</p> <p>This permit is authorized under and in compliance with the Rules on Coastal Zone Management, N.J.A.C. 7:7-1.1 et seq., as amended through October 05, 2021.</p> |                                                                                                                       |                                                                 |
| <b>Prepared by:</b><br><br><b>Katherine R. Todoroff</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Received and/or Recorded by<br/>County Clerk:</b>                                                                  |                                                                 |
| If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                       |                                                                 |
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- c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.

2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, do not begin construction. You are entitled to request an appeal within a limited time as detailed on the attached Administrative Hearing Request Checklist and Tracking Form.

3. **Notice of construction:** You must notify the Department in writing prior to beginning any work approved by this permit.

4. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)

### 5. **Rights of the State:**

- a. This permit is revocable and subject to modification by the State with due cause.
- b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
- c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.

6. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work.

## CONSISTENCY DETERMINATION AND WATER QUALITY CERTIFICATE:

The Rules on Coastal Zone Management (N.J.A.C. 7:7) constitute New Jersey's enforceable policies under its federally approved Coastal Zone Management Program. This maintenance dredging project has been reviewed for consistency with the Rules on Coastal Zone Management, and for potential water quality impacts.

Based on the information provided in the application, the Division of Land Resource Protection hereby certifies that the subject project is consistent with the Rules on Coastal Zone Management and has determined that the project is not likely to cause a violation of New Jersey's Surface Water Quality

Standards (N.J.A.C. 7:9B-1.1 et seq.), provided that the specific conditions noted below are met. Therefore, this consistency determination includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.) subject to specific conditions listed below.

This determination and certification is contingent upon compliance with the following conditions:

1. The permittee shall comply with the conditions specified in the United States Army Corps of Engineering (USACOE) authorization (CENAP-OP-R-2013-0695-46) issued November 26, 2014, and any amendments thereto, or renewal of said authorization by the USACOE.
2. All necessary local, Federal, and other State approvals must be obtained by the applicant prior to the commencement of the authorized activities.
3. To minimize impacts to migrating and spawning of anadromous fish, in water work or sediment generating disturbance is prohibited from **March 15** to **May 31** of each year in accordance with the Delaware Basin Fish and Wildlife Management Cooperative, as currently modified.
4. Dredging shall be limited to an authorized project depth of thirty-six feet below mean lower low water (-36' MLLW) plus two feet (2') of allowable overdredge.
5. Sediment sampling shall be required prior to each subsequent dredging event. See Acceptable Use Determination condition No. 3 below.
6. Dredging shall occur using a closed clamshell environmental bucket.
7. The dredge shall be operated so as to control the rate of descent of the bucket so as to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e. overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract.
8. All barges or scows used to hold or transport dredged material or decent water shall be of solid hull construction or be sealed with concrete.
9. Dredged material shall be deliberately placed within barges in order to prevent spillage of material overboard.
10. The discharge (i.e. "overflow") of water from the barge/scow into which dredged material is placed is prohibited.
11. The gunwales of the dredge scows shall not be rinsed or hosed during dredging except to the extent necessary to ensure the safety of workers maneuvering on the dredge scows.
12. Pre- and post-dredge surveys shall be performed for each dredging event. The results of these surveys and a calculation of the quantity of dredged material removed shall be submitted to the Division of Land Resource Protection within ninety (90) days of completion of each dredging event.
13. Violations of any of the conditions of this Water Quality Certificate will be considered violation of the New Jersey Water Pollution Control Act, NJSA 58:1-A-1 et seq., and subject to the penalties included therein.

### ACCEPTABLE USE DETERMINATION:

1. The in-situ volume of sediment to be dredged for this maintenance dredging project is thirty thousand five hundred cubic yards (30,500 yds<sup>3</sup>) based on the hydrographic survey dated October 18, 2022.
2. This permit authorizes the placement of thirty thousand five hundred cubic yards (30,500 yds<sup>3</sup>) of dredged material at the Weeks Marine, Inc. Whites Rehandling Basin located in Logan Township, Gloucester County, in accordance with the letter of acceptance dated January 18, 2023. Subsequently, the dredged material will be hydraulically pumped into one of the adjacent upland confined disposal facilities (Area 1 or Area II) for final placement. This quantity is approximated based on existing hydrographic surveys and anticipated sedimentation rates. Actual volumes will be calculated by pre- and post-dredge surveys.
3. Subsequent maintenance dredging events may be authorized under this permit subject to the following conditions:
  - a. Written authorization for each subsequent maintenance dredging event, in the form of a minor technical modification to this Acceptable Use Determination, must be obtained from the Division of Land Resource Protection prior to said event.
  - b. Requests for authorization for subsequent maintenance dredging events shall include the following:
    - i. Sediment sampling results obtained in accordance with a sampling plan approved by the Division of Land Resource Protection;
    - ii. Current hydrographic survey including a calculation of the quantity of sediment to be dredged; and
    - iii. Written consent from the proposed dredged material management site to accept the specified quantity of dredged material.
4. Any alternate disposal/use location must obtain all required state, local and federal permits.

### APPROVED PLANS:

The drawings hereby approved are two (2) sheets prepared by S.T. Hudson Engineers, Inc., dated January 18, 2023, unrevised and entitled:

- **“PROPOSED MAINTENANCE DREDGING AT PIER 122 SOUTH COUNTY OF PHILADELPHIA COUNTY APPLICATION BY PHILAPORT”**, dwg. No. 1 and 2 of 2.

Please contact Katherine Todoroff with any questions regarding this permit action via email at [Katherine.Todoroff@dep.nj.gov](mailto:Katherine.Todoroff@dep.nj.gov). Please reference the above file number.

### Approved By:



Digitally signed by Janet Stewart  
Date: 2023.03.02 12:19:18 -05'00'

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Janet Stewart, Manager  
Bureau of Coastal Permitting  
Division of Land Resource Protection



**STATE OF NEW JERSEY**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**DIVISION OF LAND RESOURCE PROTECTION**  
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## PERMIT

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                       | <b>Modification</b>                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                       | Expiration Date:<br><b>February 17, 2027</b>                      |
| <b>Permit Number(s):</b><br>0000-17-0003.1<br>CDT230001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Type of Approval(s):</b><br>Consistency Determination<br>Water Quality Certificate<br>Acceptable Use Determination | <b>Enabling Statute(s):</b><br>N.J.S.A. 12:5-3<br>N.J.S.A. 58:10A |
| <b>Permittee:</b><br>PhilaPort<br>c/o Lisa Magee<br>3460 N. Delaware Avenue, 2 <sup>nd</sup> Floor<br>Philadelphia, PA 19134                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Site Location:</b><br>Municipality: Philadelphia<br>County: Philadelphia<br>State: Pennsylvania                    |                                                                   |
| <p><b>Description of Authorized Activities:</b></p> <p>This permit authorizes maintenance dredging of PhilaPort's Packer Avenue Marine Terminal located in Philadelphia, Pennsylvania. Approximately 49,402 cubic yards of material is authorized to be dredged to a project depth of forty-five feet below mean lower low water (-45' MLLW) for Berths 1 through 5. Two feet (2') of allowable over-dredge is authorized for all areas. Dredging shall occur by mechanical method using a closed-clamshell environmental bucket. Dredged material will be managed at the Weeks Marine Whites Basin dredged material management facility located in Logan Township, Gloucester County. Subsequent dredging events may be authorized during the 5-year permit term subject to the conditions of the Acceptable Use Determination.</p> <p><u>All construction shall conform to the requirements, conditions and limitations of this permit and all approved drawings.</u></p> <p>This permit includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.).</p> <p>This permit is authorized under and in compliance with the Rules on Coastal Zone Management, N.J.A.C. 7:7-1.1 et seq., as amended through October 05, 2021.</p> |                                                                                                                       |                                                                   |
| <b>Prepared by:</b><br><br><b>Katherine R. Todoroff</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       | <b>Received and/or Recorded by</b><br><b>County Clerk:</b>        |
| <p>If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                       |                                                                   |
| <p><b>This permit is not valid unless authorizing signature appears on the last page.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                       |                                                                   |

## STANDARD CONDITIONS:

1. **Extent of approval:**
  - a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
  - b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
  - c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.
2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, do not begin construction. You are entitled to request an appeal within a limited time as detailed on the attached Administrative Hearing Request Checklist and Tracking Form.
3. **Notice of construction:** You must notify the Department in writing prior to beginning any work approved by this permit.
4. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)
5. **Rights of the State:**
  - a. This permit is revocable and subject to modification by the State with due cause.
  - b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
  - c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.
6. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work.

## CONSISTENCY DETERMINATION AND WATER QUALITY CERTIFICATE:

The Rules on Coastal Zone Management (N.J.A.C. 7:7) constitute New Jersey's enforceable policies under its federally approved Coastal Zone Management Program. This maintenance dredging project has been reviewed for consistency with the Rules on Coastal Zone Management, and for potential water quality impacts.

Based on the information provided in the application, the Division of Land Resource Protection hereby certifies that the subject project is consistent with the Rules on Coastal Zone Management and has determined that the project is not likely to cause a violation of New Jersey's Surface Water Quality Standards (N.J.A.C. 7:9B-1.1 et seq.), provided that the specific conditions noted below are met.

Therefore, this consistency determination includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.) subject to specific conditions listed below.

This determination and certification are contingent upon compliance with the following conditions:

1. The permittee shall comply with the conditions specified in the United States Army Corps of Engineering (USACOE) authorization (CENAP-OP-R-2013-0695-46) issued November 26, 2014, and any amendments thereto, or renewal of said authorization by the USACOE.
2. All necessary local, Federal, and other State approvals must be obtained by the applicant prior to the commencement of the authorized activities.
3. To minimize impacts to migrating and spawning of anadromous fish, in water work or sediment generating disturbance is prohibited from **March 15** to **May 31** of each year in accordance with the Delaware Basin Fish and Wildlife Management Cooperative, as currently modified.
4. Dredging shall be limited to an authorized project depth of forty-five feet below mean lower low water (-45' MLLW). Two feet (2') of allowable overdredge is authorized for all areas.
5. Sediment sampling shall be required prior to each subsequent dredging event. See Acceptable Use Determination condition No. 3 below.
6. Dredging shall occur using a closed clamshell environmental bucket.
7. The dredge shall be operated so as to control the rate of descent of the bucket so as to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e. overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract.
8. All barges or scows used to hold or transport dredged material or decent water shall be of solid hull construction or be sealed with concrete.
9. Dredged material shall be deliberately placed within barges in order to prevent spillage of material overboard.
10. The discharge (i.e. "overflow") of water from the barge/scow into which dredged material is placed is prohibited.
11. The gunwales of the dredge scows shall not be rinsed or hosed during dredging except to the extent necessary to ensure the safety of workers maneuvering on the dredge scows.
12. Pre- and post-dredge surveys shall be performed for each dredging event. The results of these surveys and a calculation of the quantity of dredged material removed shall be submitted to the Division of Land Resource Protection within ninety (90) days of completion of each dredging event.
13. Violations of any of the conditions of this Water Quality Certificate will be considered violation of the New Jersey Water Pollution Control Act, NJSA 58:1-A-1 et seq., and subject to the penalties included therein.

### ACCEPTABLE USE DETERMINATION:

1. The in-situ volume of sediment to be dredged for this maintenance dredging project is forty-nine thousand four hundred two cubic yards (49,402 yds<sup>3</sup>) based on the hydrographic survey dated September 21, 2022, and October 24, 2022.
2. This permit authorizes the placement of forty-nine thousand four hundred two cubic yards (49,402 yds<sup>3</sup>) of dredged material at the Weeks Marine, Inc. Whites Rehandling Basin located in Logan Township, Gloucester County, in accordance with the letter of acceptance dated January 18, 2023. Subsequently, the dredged material will be hydraulically pumped into one of the adjacent upland confined disposal facilities (Area I or Area II) for final placement. This quantity is approximated based on existing hydrographic surveys and anticipated sedimentation rates. Actual volumes will be calculated by pre- and post-dredge surveys.
3. Subsequent maintenance dredging events may be authorized under this permit subject to the following conditions:
  - a. Written authorization for each subsequent maintenance dredging event, in the form of a minor technical modification to this Acceptable Use Determination, must be obtained from the Division of Land Resource Protection prior to said event.
  - b. Requests for authorization for subsequent maintenance dredging events shall include the following:
    - i. Sediment sampling results obtained in accordance with a sampling plan approved by the Division of Land Resource Protection;
    - ii. Current hydrographic survey including a calculation of the quantity of sediment to be dredged; and
    - iii. Written consent from the proposed dredged material management site to accept the specified quantity of dredged material.
4. Any alternate disposal/use location must obtain all required state, local and federal permits.

### APPROVED PLANS:

The drawings hereby approved are one (1) sheet prepared by S.T. Hudson Engineers, Inc., dated January 16, 2023, unrevised and entitled:

- **“PROPOSED MAINTENANCE DREDGING AT PACKER MARINE TERMINAL - BERTH 1-5 COUNTY OF PHILADELPHIA COUNTY APPLICATION BY PHILAPORT,”** sheet 1 of 1.

Please contact Katherine Todoroff with any questions regarding this permit action via email at [Katherine.Todoroff@dep.nj.gov](mailto:Katherine.Todoroff@dep.nj.gov). Please reference the above file number.

### Approved By:

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Janet Stewart, Manager  
Bureau of Coastal Permitting  
Division of Land Resource Protection





**STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF LAND RESOURCE PROTECTION**

Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420  
Telephone: (609) 777-0454 or Fax: (609) 777-3656  
www.nj.gov/dep/landuse



## PERMIT

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                       |                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                       | Approval Date:<br><b>May 2, 2022</b>                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                       | Expiration Date:<br><b>May 1, 2027</b>                            |
| <b>Permit Number(s):</b><br>9999-21-0002.1<br>CDT220001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Type of Approval(s):</b><br>Consistency Determination<br>Water Quality Certificate<br>Acceptable Use Determination | <b>Enabling Statute(s):</b><br>N.J.S.A. 12:5-3<br>N.J.S.A. 58:10A |
| <b>Permittee:</b><br>PhilaPort<br>c/o Lisa Magee<br>3460 N. Delaware Avenue, 2 <sup>nd</sup> Floor<br>Philadelphia, PA 19134                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Site Location:</b><br>Municipality: Philadelphia<br>County: Philadelphia<br>State: Pennsylvania                    |                                                                   |
| <b>Description of Authorized Activities:</b><br><p>This permit authorizes maintenance dredging of PhilaPort's Tioga Marine Terminal located in Philadelphia, Pennsylvania. Approximately 27,292 cubic yards of material is authorized to be dredged to a project depth of forty feet below mean low water (-40' MLW) plus two feet (2') of allowable over-dredge. Dredging shall occur by mechanical method using a closed-clamshell environmental bucket. Dredged material will be managed at the Weeks Marine Whites Basin dredged material management facility located in Logan Township, Gloucester County.</p> <p>Subsequent dredging events may be authorized during the 5-year permit term subject to the conditions of the Acceptable Use Determination.</p> <p><u>All construction shall conform to the requirements, conditions and limitations of this permit and all approved drawings.</u></p> <p>By issuance of this permit, the State of New Jersey does not relinquish tidelands ownership or claim to any portion of the subject property or adjacent properties.</p> <p>This permit includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.). This permit is authorized under and in compliance with the Rules on Coastal Zone Management, N.J.A.C. 7:7-1.1 et seq., as amended through October 05, 2021.</p> <p>To minimize impacts to migrating and spawning of anadromous fish, in water work or sediment generating disturbance is prohibited from <b>March 15</b> to <b>May 31</b> of each year in accordance with the Delaware Basin Fish and Wildlife Management Cooperative.</p> |                                                                                                                       |                                                                   |
| <b>Prepared by:</b><br><br><b>Katherine R. Todoroff</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                       | <b>Received and/or Recorded by<br/>County Clerk:</b>              |
| If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                                                   |
| <b>This permit is not valid unless authorizing signature appears on the last page.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                                                   |

## STANDARD CONDITIONS:

### 1. Extent of approval:

- a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
- b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
- c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.

2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, do not begin construction. You are entitled to request an appeal within a limited time as detailed on the attached Administrative Hearing Request Checklist and Tracking Form.

3. **Notice of Construction:** You must notify the Department in writing prior to beginning any work approved by this permit.

4. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)

### 5. Rights of the State:

- a. This permit is revocable and subject to modification by the State with due cause.
- b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
- c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.

6. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work

## CONSISTENCY DETERMINATION AND WATER QUALITY CERTIFICATE:

The Rules on Coastal Zone Management (N.J.A.C. 7:7) constitute New Jersey's enforceable policies under its federally approved Coastal Zone Management Program. This maintenance dredging project has been reviewed for consistency with the Rules on Coastal Zone Management, and for potential water quality impacts.

Based on the information provided in the application, the Office of Dredging and Sediment Technology hereby certifies that the subject project is consistent with the Rules on Coastal Zone Management and has determined that the project is not likely to cause a violation of New Jersey's Surface Water Quality Standards (N.J.A.C. 7:9B-1.1 et seq.), provided that the specific conditions noted below are met. Therefore, this consistency determination includes the State's Water Quality Certification pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.) subject to specific conditions listed below. This determination and certification are contingent upon compliance with the following conditions:

1. All necessary local, Federal, and other State approvals must be obtained by the applicant prior to the commencement of the authorized activities.
2. Prior to the initiation of dredging the permittee shall receive United States Army Corps of Engineering authorization for the project. A copy of said authorization shall be forwarded to this office upon receipt.
3. Dredging shall comply with the restricted time periods specified in the Delaware Basin Fish and Wildlife Management Cooperative's dredging schedule, as currently modified.
4. Dredging shall be limited to an authorized project depth of forty feet below mean low water (-40' MLW) plus two feet (2') of allowable overdredge.
5. Sediment sampling shall be required prior to each subsequent dredging event. See Acceptable Use Determination condition No. 3 below.
6. Dredging shall occur using a closed clamshell environmental bucket.
7. The dredge shall be operated so as to control the rate of descent of the bucket so as to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e. overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract.
8. Dredged material shall be deliberately placed within barges in order to prevent spillage of material overboard. The gunwales of the dredge scows shall not be rinsed during dredging.
9. Pre- and post-dredge surveys shall be performed for each dredging event. The results of these surveys and a calculation of the quantity of dredged material removed shall be submitted to the Office of Dredging and Sediment Technology within ninety (90) days of completion of each dredging event.
10. Violations of any of the conditions of this Water Quality Certificate will be considered violation of the New Jersey Water Pollution Control Act, NJSA 58:1-A-1 et seq., and subject to the penalties included therein.

**ACCEPTABLE USE DETERMINATION:**

1. The in-situ volume of sediment to be dredged for this maintenance dredging project is twenty-seven thousand two hundred and ninety-two cubic yards (27,292 yds<sup>3</sup>) based on the hydrographic survey dated August 18, 2021, and August 19, 2021.
2. This permit authorizes the placement of twenty-seven thousand two hundred and ninety-two cubic yards (27,292 yds<sup>3</sup>) of dredged material at the Weeks Marine, Inc. Whites Rehandling Basin located

in Logan Township, Gloucester County. Subsequently, the dredged material will be hydraulically pumped into one of the adjacent upland confined disposal facilities (Area 1 or Area II) for final placement. This quantity is approximated based on existing hydrographic surveys and anticipated sedimentation rates. Actual volumes will be calculated by pre- and post-dredge surveys.

3. Subsequent maintenance dredging events may be authorized under this permit subject to the following conditions:
  - a. Written authorization for each subsequent maintenance dredging event, in the form of a minor technical modification to this Acceptable Use Determination, must be obtained from the Office of Dredging and Sediment Technology prior to said event.
  - b. Requests for authorization for subsequent maintenance dredging events shall include the following:
    - i. Sediment sampling results obtained in accordance with a sampling plan approved by the Office of Dredging and Sediment Technology;
    - ii. Current hydrographic survey including a calculation of the quantity of sediment to be dredged; and
    - iii. Written consent from the proposed dredged material management site to accept the specified quantity of dredged material.
4. Any alternate disposal/use location must obtain all required state, local and federal permits.

**APPROVED PLANS:**

The drawings hereby approved are two (2) sheets prepared by S.T. Hudson Engineers, Inc., dated January 06, 2022, last revised April 12, 2022, and entitled:

- **“PROPOSED MAINTENANCE DREDGING AT TIOGA MARINE TERMINAL COUNTY OF PHILADELPHIA APPLICATION BY PHILAPORT”**, dwg. No. 1 and 2 of 2.

Please contact Katherine Todoroff with any questions regarding this permit action via email at [Katherine.Todoroff@dep.nj.gov](mailto:Katherine.Todoroff@dep.nj.gov). Please reference the above file number.

**Approved By:**

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Suzanne U. Biggins, Supervisor  
Office of Dredging & Sediment Technology  
Division of Land Resource Protection

Original Sent to Agent to record

c: USACE, Philadelphia District-Regulatory Branch