



The Diamond State
Port Corporation
(DSPC) Wetlands &
Subaqueous Lands
Review

Presented by the Delaware
Department of Natural Resources
and Environmental Control, Division
of Water

Katie Esposito, Wetlands &
Subaqueous Lands Section (WSLS)

Virtual Public Hearing

September 29, 2020



Subaqueous Lands Review

The Diamond State Port Corporation (DSPC) has applied for a Subaqueous Lands Permit pursuant to the provisions of 7 Del. C., §7205, and the Department's Regulations Governing the Use of Subaqueous Lands.

The Delaware Subaqueous Lands Act requires that the Department shall consider the public interest in any proposed activity which might affect the use of subaqueous lands.

Water Quality Certification



The Diamond State Port Corporation (DSPC) has applied for a Federal Permit – U.S. Army Corps of Engineers (USACE) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

Subsequently, this will require a Water Quality Certification from the Department for such activities.



Proposed Activity

The DSPC proposes to construct a new container port on the Delaware River at DSPC's Edgemoor property, 4600 Hay Road, Edgemoor, New Castle County, DE 19809, Tax Parcel ID 0615300006 and 0615300003.

Port of Wilmington Edgemoor Delaware – Diamond State Port Corporation (DSPC) proposes to construct a new container port on the Delaware River at DSPC's Edgemoor property located at 4600 Hay Road, Edgemoor, New Castle County, DE. This project will include the construction of an approximately 2,600-foot long wharf structure, dredging of 3.3 million cubic yards of river sediments, excavating the berth and access channel to a depth of -45 feet mean lower low water, bulkheading 3,200 linear feet of shoreline, and occupying approximately 5.5 acres of subaqueous lands. The majority of the dredged materials will be stored in existing Army Corps of Engineer-owned confined disposal facilities with a portion retained on-site to be used as fill material. Shoaling fans are being proposed to reduce the frequency of future maintenance dredging.

Regulatory Timeline



March 13, 2020 – DSPPC submitted to the WSLS:

- Wetlands and Subaqueous Lands Section Permit Application Form
- Copy of the USACE Permit Application, CENAP-OP-R-278
- Environmental Assessment Technical Document (EATD) and Appendices



Regulatory Timeline

June 11, 2020 - DSPC submitted to the WSLS:

- Revised Application, EATD and Appendices to reflect the possible beneficial reuse of Strata B, to be stored onsite in a dedicated Confined Disposal Facility (CDF).



Regulatory Timeline

June 19, 2020 - DSPC submitted
an:

- Entrainment Impact
Assessment Report dated
July, 2014

Regulatory Timeline



August 23, 2020 – the WSLS, in accordance with 7 Del. C., §7208, provided public notice of the proposed activity and invited public participation in the review by issuing a public notice of the receipt of the Subaqueous Lands Permit and Water Quality Certification Application and advertisement of the date of the scheduled Public Hearing.

Public Participation



Written comments may be submitted to the Hearing Officer via the online comment form at de.gov/dnrecomments, via email to DNRECHearingComments@delaware.gov, or via USPS to the below address. The Department will accept public comment through Sunday, November 1, 2020.

Lisa A. Vest, Hearing Officer
Office of the Secretary
Department of Natural Resources and Environmental
Control
89 Kings Highway
Dover, DE 19901



This concludes the Wetlands & Subaqueous Lands portion of the presentation.

Thank you.