



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA DISTRICT
1650 ARCH STREET, FIFTH FLOOR
PHILADELPHIA PA 19103-2004

Reply To
Attention Of

June 12, 2026

Regulatory Division
Applications Branch - North

SUBJECT: Nationwide Permit 35 Verification NAP-2024-00345-46
NAVAL RESERVE BASIN DREDGING
NJDEP Permit #s: 0000-19-0021.1 CDT240001
Central Coordinates: Latitude: 39.894461°; Longitude: -75.185770°

Captain Eugene Dawson
United States Navy
Commanding Officer, MSA Mechanicsburg
5450 Carlisle Pike Building 306C
Mechanicsburg, Pennsylvania 17050

Dear Captain Dawson:

This letter is written in regard to your proposal to perform mechanical maintenance dredging of the existing naval reserve basin and access channel. A maximum of 96,611 cubic yards of materials are to be dredged from 16.6 acres of basin and access channel bottom to a design depth of 30 feet below mean lower low water with 2 foot allowance of over-dredging. This project is located in the Philadelphia Naval Reserve Basin (a.k.a. the Philadelphia Navy Yard), in the City of Philadelphia, Pennsylvania. Dredged materials are to be disposed at either the Weeks Marine White's Basin Rehandling Facility (Logan township, Gloucester County, New Jersey) or the Biles Island disposal facility (Morrisville, Falls Township, Bucks County, Pennsylvania). Based upon our review of the information that has been provided, it has been determined that the proposed work is authorized by Department of the Army Nationwide Permit (NWP) 35 Marina Basin Maintenance Dredging pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403).

This verification of authorization under NWP 35, described in the Federal Register at 91 FR 768, is based on your agreement to comply with the general conditions, regional conditions and project specific special conditions listed in this letter. Additionally, this approval is conditioned upon compliance with the regional conditions as described in the link below. Copies of the NWP descriptions, NWP general conditions and the NWP regional conditions for New Jersey can be found at:

2026 NWP Descriptions, General Conditions, and Definitions:
<https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits/>

2026 Pennsylvania Regional Conditions:
<https://www.nap.usace.army.mil/Missions/Regulatory/Permits/NWP.aspx>

Federal permits require determination from the State that the activities are consistent with the State's coastal zone management (CZM) program if the activity is located within the State's coastal zone. Federal permits also require the State's certification of compliance with section 401 of the Clean Water Act through the receipt of a 401 Water Quality Certification (WQC) if the activity involves a Section 404 discharge. A WQC is not required because this activity does not involve Section 404 discharges of dredge or fill material into waters of the US. An individual CZM consistency concurrence is required and has been issued by the NJDEP. Therefore, no further action is needed as part of the Federal review of your project, provided that you comply with all the terms and conditions of this NWP.

This verification of NWP authorization is valid until the 2026 Nationwide Permits expire on **March 15, 2031**, unless the NWP authorization is modified, suspended, or revoked prior to this date. In the event that the NWP authorization is modified during that time period, this expiration date will remain valid, provided the activity complies with any subsequent modification of the NWP authorization.

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

Special Conditions:

1. All work performed in association with the subject project shall be conducted in accordance with the enclosed project plans E-1 through E-5 which includes a 3-page plan set prepared by Naval Facilities Engineering Command (NAVFAC) and entitled "SITE PLAN FOR: FY 2026 MAINTENANCE DREDGING of RESERVE BASIN PHILADELPHIA NAVY YARD - PHILADELPHIA, PA," Work Order Number 1783178, computer plotted May 20, 2026, including Sheets V-001 (un-revised), -002 (last revised 5-20-26), -101 (last revised 5-20-26).
2. Construction activities shall not result in the disturbance or alteration of greater than 16.6 acres of navigable waters of the United States for the dredging of 96,611 cubic yards of sediment from the basin and access channel to a design depth of 30 feet below mean lower low water with 2 foot allowance of over-dredging.
3. Any deviation in construction methodology or project design from that shown on the enclosed project plans must be approved by this office, in writing, prior to performance of

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

4. This office shall be notified prior to the commencement of authorized work by completing and signing the **enclosed** "Notification of Commencement" form. This office shall also be notified within 10 days of the completion of the authorized work by completing and signing the **enclosed** "Notification of Completion" form. Notification is required each time maintenance work is to be done under the terms of this Corps of Engineers permit.
5. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your general permit.
7. Any conditions in your State authorization required for compliance with the State CZM program and 401 WQC are conditions of this authorization by reference.
8. This approval is limited to a single dredging event.
9. To protect diadromous fish migrations and spawning, in-water work shall be avoided from **March 1 to June 30**.
10. No dredged materials shall be disposed at the Waste Management of Pennsylvania Biles Island dredged material disposal facility (Morristown, Falls Township, Bucks County, Pennsylvania) until this office has received copy of a final approval letter from the Pennsylvania Department of Environmental Protection (Waste Management).
11. An as-built dredging survey shall be submitted to this office within 6 months of the completion of the approved dredging.
12. During all basin dredging operations, a turbidity curtain shall be deployed to minimize turbidity to the Schuylkill River and the Franklin Delano Roosevelt Park Shedbrook-Hollander Creeks tidal inlet along the northern edge of the Naval Reserve Basin. Such curtain shall be operated in functional condition during all periods dredging.

Also **enclosed** with this NWP verification letter is a form seeking any comments, positive or otherwise, on the procedures, timeliness, fairness, etc. of the permit process. You may forward your comments along with the signed "Notification of Commencement" form or "Notification of Completion" form, following the directions provided on the form. If you should have any questions or concerns, please contact me at 215-656-6731 (office), 215-605-7029 (mobile) or david.j.caplan@usace.army.mil.

Sincerely,

David J.
Caplan



Digitally signed by David J. Caplan
Date: 2026.06.12 11:40:35 -04'00'

David J. Caplan
Senior Staff Biologist

Enclosures

Copies furnished:

Ms. Courtney Pacelli (EA Engineering)
Division of Land Resource Protection, NJDEP (Todoroff)
Greater Atlantic Region Field Office, NMFS HESD, NOAA
Greater Atlantic Region Field Office, NMFS PRD, NOAA
Wetlands Branch, USEPA Region 3
USCG, Fifth District
Nautical Data Branch, NOAA
PADEP, Southeastern Regional Office (Ashberry)
PADEP, CZMA (Walderon)
Waste Management of PA (Kucowski)
Weeks Marine (Dickerson)