



U.S. Army Corps  
of Engineers  
Baltimore District

# Public Notice

In Reply to Application Number  
CENAB-OPR-P-2016-01006-P05 (Renovo Natural Gas Powered Power  
Plant)

PN- 16-60 Comment Period: November 4 to December 3, 2016

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**THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.**

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below:

**APPLICANT:** Renovo Energy Center LLC  
c/o Richard Franzese  
12011 Sunset Hills Road, Suite 110  
Reston, Virginia 20190

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** In and adjacent to Shintown Run, Brewery Run and the West Branch of the Susquehanna River, in Renovo, Clinton County, Pennsylvania

**PROPOSED WORK AND PURPOSE:** The applicant proposes, in accordance with the attached plans, to develop a two-unit, gas-fired power plant with expected net output of approximately 950 megawatts (MW). The power plant will be located in Renovo Borough, Pennsylvania, several hundred yards north of the West Branch of the Susquehanna River (WBSR). Components of the project include the water intake and discharge on the WBSR, a waterline from the river to the power plant, the main power plant site, transmission lines, switchyards, and the natural gas pipeline with associated compressor and metering stations. The limit of disturbance (LOD) for all project components is approximately 170 acres. The proposed project will temporarily impact 2,933 linear feet (0.39 ac) of streams across 15 stream channels and permanently impact 2,892 linear feet (0.38 ac) of streams across nine stream channels. Of the total temporary and permanent stream impacts, 3,772 will be associated with repairs and replacement of culverts onsite. The proposed project will also temporarily impact two emergent wetlands for a total of 4,252 sf (0.1 ac), permanently impact two forested wetlands for a total of 2,222.82 square feet (0.05 acres), and permanently impact one scrub-shrub wetland for a total of 1,795.66 square feet (0.04 acres). The applicant is proposing to complete compensatory mitigation for the project by enhancing 5,825 linear feet of Kettle Creek, which was conceptualized by a partnership between U.S. Fish and Wildlife Service, Clinton County Soil and Water Conservation District, the Kettle Creek Watershed Association, and the United States Army Corps of Engineers. The project would include cross vanes, in-stream structures to create habitat for hellbenders, which exist just downstream, and riparian plantings of existing riparian wetlands.

All work is proposed to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact (Marion Gall at [marion.gall@usace.army.mil](mailto:marion.gall@usace.army.mil), 814-235-1761, 1631 South Atherton Street, Suite 101 State College, Pennsylvania 16801).

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonable may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economic, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments provided will become part of the public record for this action. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, (Regulatory Field Office, 1631 South Atherton Street, Suite 101, State College, PA 16801) within the comment period specified above.

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). The Corps has determined this project will not affect any EFH.

**WATER QUALITY CERTIFICATION:** The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Pennsylvania Department of Environmental Protection. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

**COASTAL ZONE MANAGEMENT PROGRAMS:** Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, (Regulatory Field Office, 1631 South Atherton Street, Suite 101, State College, PA 16801), within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons know by you to be interested and not being known to this office, who did not receive a copy of this notice.

Wade B. Chandler  
Chief, Pennsylvania Section  
Regulatory Branch