



PUBLIC NOTICE

US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RPA(PA ROUTE
222/SIMCOX-PHIPPS FILL SITE)02-01619-2

Comment Period: May 20, 2002 to May June 4, 2002

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

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

APPLICANT *Dick Corporation*
Attn: *Brian J. Gilkey, Project Manager*
P.O. Box 10896
Pittsburgh, Pennsylvania 15236-0896

LOCATION: *Unnamed tributary to Wyomissing Creek, Spring Township, Berks County, Pennsylvania.*

PURPOSE: To construct a disposal site (i.e., fill site) for excess earthen fill materials obtained from the associated construction of PA Route 222.

WORK: *To discharge fill materials associated with construction of the disposal site, including;*

1. *A proposed enclosure of approximately 580-linear feet of an unnamed tributary to Wyomissing Creek within an 18-inch diameter thermo plastic pipe culvert. Approximately 75,000 cubic yards of fill materials will be discharged into the 2.7 acre disposal site. No jurisdictional wetlands will be impacted by the disposal site.*
2. *The proposed construction of a permanent sediment basin associated with the fill material disposal site, adversely impacting 200-linear feet of an unnamed tributary to Wyomissing Creek. No jurisdictional wetlands will be impacted by the permanent sediment basin.*

The work described above is proposed in conjunction with the PA Route 222 construction project which has received previous Corps Individual Permit (IP) authorization under CENAB-OP-RX(PA DOT - S.R. 0222, SEC 001 & SEC 002 WARREN STREET EXTENSION)95-0414-6, issued on December 23, 1999. Additionally, Section 003 of the project demonstrating independent utility was previously authorized by the Corps under the Pennsylvania State Programmatic General Permit-1 (PASPGP-1), CENAB-OP-RX(US ROUTE 222 WARREN STREET TO 724 SECTION 003)98-00815-5, issued on August 21, 1998. The cumulative adverse impacts permitted under the above referenced IP and PASPGP-1 include 5.65 acres of wetlands (PEM = 2.30, PFO = 1.82, POW = 0.13, PSS = 1.40), and 8,014 linear feet of stream channel. Compensatory wetland and stream channel mitigation has been required for the adverse impacts authorized under the IP and PASPGP-1. Final mitigation plans have been developed for these impacts (subject to Corps review and approval) which will provide for 24.25 acres of wetland mitigation (9.68 creation, 14.57 enhancement), and 15,050-linear feet of stream channel enhancement.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Michael Danko at (717) 249-8730.

The decision whether to issue a permit will be based on an evaluation of the probable impact 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, economics, 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 production, 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 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, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period specified above.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Department of Environmental Resources through the issuance of a Section 105 permit or through direct application to the Regional Office in the area of the proposed project. The Section 401 certifying agency has a statutory limit of one year in which to make its decision.

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 listed 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.

The evaluation of the impact of the work described above 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, P.O. Box 1715, Baltimore, Maryland 21203-1715, 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.

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 requested permit.

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

FOR THE DISTRICT ENGINEER



Paul R. Wettlaufer
Transportation Project Manager

Enclosure



(Encl 1)



OLD FRITZTOWN ROAD T393

PENNA. ROUTE 222 RELOCATION

Property of Jeffrey A. and Kelly L. Simcox

Prop. Gregor

EARTHEN BERM
TOP ELEV. 455.0
(5 FT. WIDE)

BASIN OUTLET PIPE
8" RCP 60 LF S=0.03
INV IN 446.0 (3") 444.0
outlet onto R-5 P10 road

EMERGENCY SPILLW.
R-5 ROCK, 20 FT.

END SECTION
Legal Right of Way Line INV. 444.0
and limit of construction
per approved Penn DOT
plans

SEDIMENT BASIN
BOTTOM AT 444.0
PERMANENT POOL
EL. 446.0
CLEANOUT EL. 445.0

PROPOSED 18"
RCP 110 LF
CULVERT PIPE
S=0.067

DRAINAGE AREA
LIMIT TO SEDIMENT
BASIN 9.9 ACRES

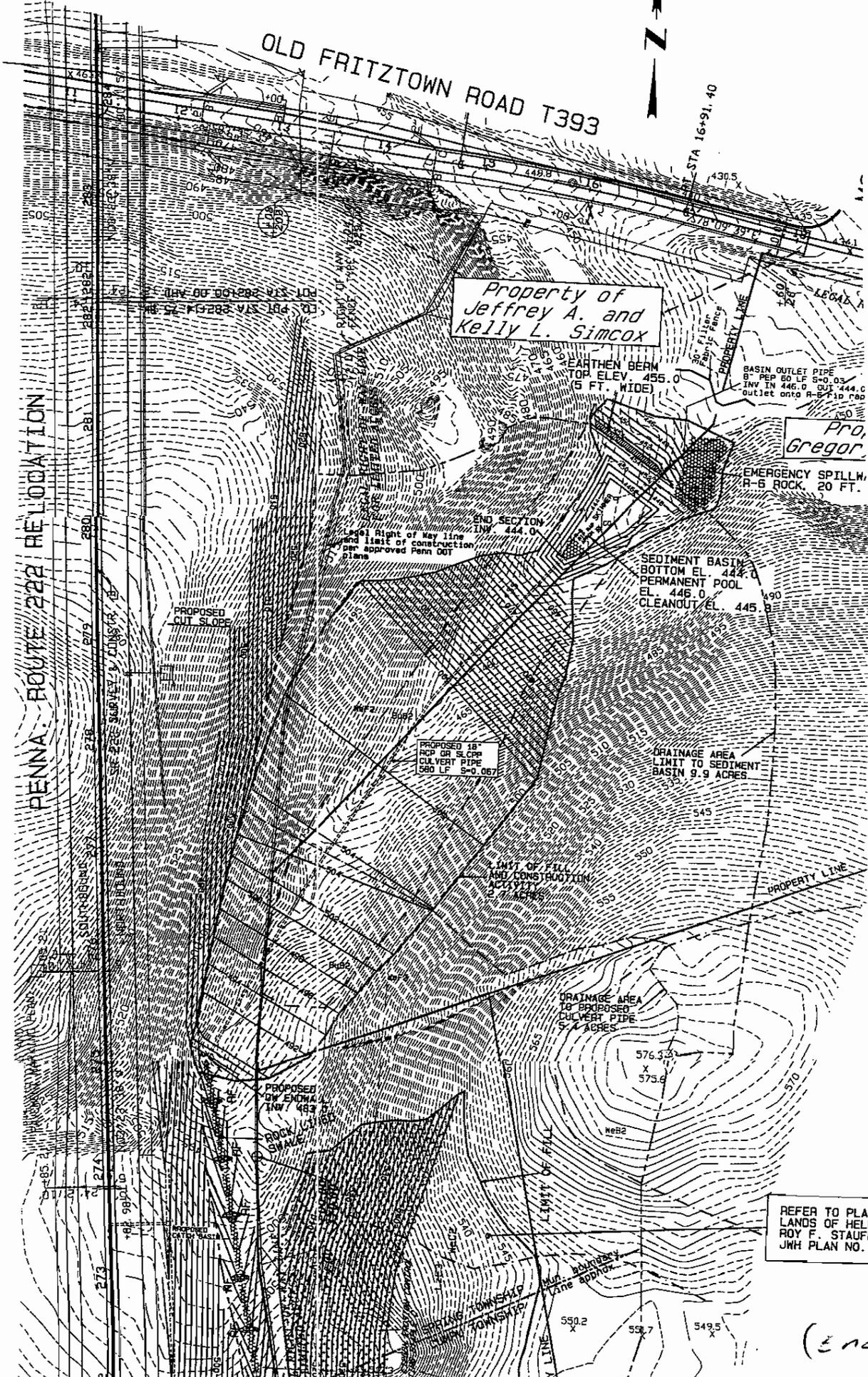
LIMIT OF FILL
AND CONSTRUCTION
ACTIVITY
2.7 ACRES

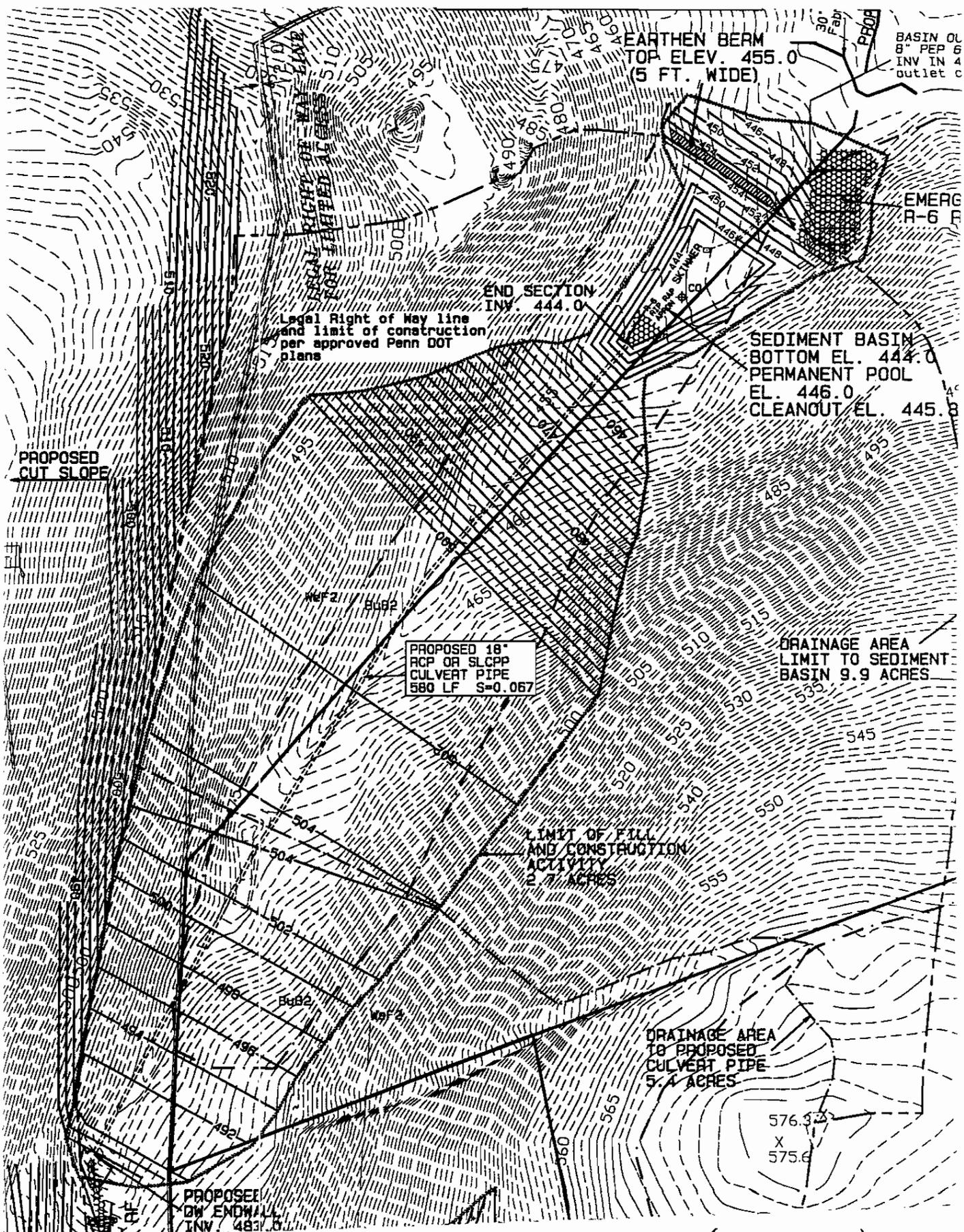
DRAINAGE AREA
TO PROPOSED
CULVERT PIPE
5.7 ACRES

PROPOSED
DRY ENDWALL
INV. 443.0

REFER TO PLAN
LANDS OF HELEN
ROY F. STAUFFE
JWH PLAN NO. C

(Sheet 2)

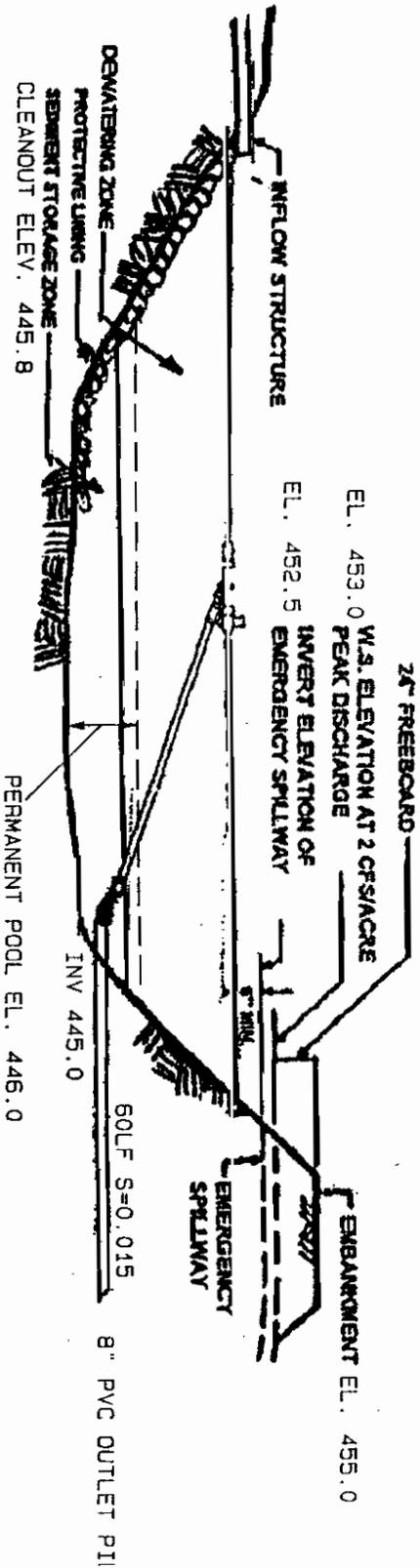




(Encl. 3)

SEDIMENT BASIN DETAIL

TYPICAL SECTION A-A



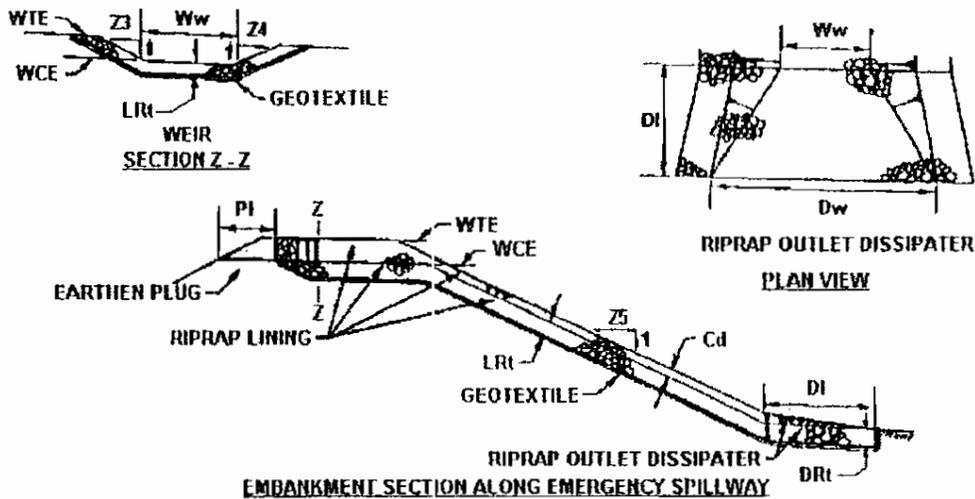
Guide stakes should be installed to prevent the skimmer from moving from side to side. A device (concrete block or equivalent) to prevent the skimmer from settling below the top of sediment storage zone should also be installed.

(Encl. 4)

JNS

SEDIMENT BASIN EMERGENCY SPILLWAY DETAIL

STANDARD CONSTRUCTION DETAIL #8
Sediment Basin Emergency Spillways



BASIN NO.	WEIR		TOP ELEV		WIDTH Ww (FT)	LINING		CHANNEL		DISSIPATER			
	Z3 (FT)	Z4 (FT)	WTE (FT)	WCE (FT)		RIPRAP SIZE (R-)	RIPRAP THICK. LRI (IN)	Z5 (FT)	DEPTH Cd (FT)	LENGTH DI (FT)	WIDTH Dw (FT)	RIPRAP SIZE (R-)	RIPRAP THICK. DRI (IN)
3	3	3	455.0	452.5	20	R-6	36	5	1	10	20	R-6	36

(Encl. 5)