



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OP-RPA (WILKES-BARRE INFLATABLE STRUCTURE)
03-01240-13

PN-06-51

Comment Period: **October 4, 2006** to **November 3, 2006**

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 a modification to the previously advertised application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act (33 U.S.C. 403) as described below:

APPLICANT: Luzerne County Flood Protection Authority
ATTN: Mr. Jim Brozena
Luzerne County Courthouse
Wilkes-Barre, PA 18711-1001

LOCATION: The project is located on the Susquehanna River, in the City of Wilkes-Barre, Larksville Borough, Edwardsville Borough, Kingston Borough, Forty-Fort Borough, and Plains Township, Luzerne County, Pennsylvania.

ORIGINAL WORK DESCRIPTION: To discharge dredged or fill material into the Susquehanna River, and adjacent wetlands, associated with the construction of an inflatable structure. The structure will be located (on the left bank of the Susquehanna River) off Gordon Avenue, behind the levee pump station, within the City of Wilkes-Barre and (on the right bank of the Susquehanna River) off S.R. 011 near its intersection with Riverside Road, in Larksville Borough. The inflatable structure, with a fully inflated height of 9.5 feet, will maintain the water surface level of the pool near elevation 517 feet (NGVD 1929). The water surface elevation of the river in the vicinity of the Market Street Bridge will be raised approximately 4 feet higher than average during the period when the structure is inflated. With the structure height, the recreational pool would be confined within the natural channel banks of the river. The recreational pool will extend approximately 4.5 miles upstream from the structure. The width of the pool will vary between 550 and 1,000 feet. The average depth of the pool will be approximately 8-10 feet, with the deepest area more than 25 feet.

PROPOSED MODIFICATIONS: The applicant has stated that the proposed inflatable structure will no longer incorporate a fish passage facility, but will be replaced by a wide range of 'operational flexibility' to address the passage of the American Shad and other anadromous fish. Operational flexibility is the term used to describe potential adjustments to the height of the structure as a result of various flow conditions or events. The proposed structure will be inflated on or about May 20 and will be deflated on or about September 30. However, during the period of May 20 through June 18, the structure will be operated to allow for unimpeded passage of the American Shad (allowing only a 2 foot or less head differential from the downstream side to the upstream side of the structure and at least 14 inches of water flowing over the structure). The

applicant has also stated that because the inflatable structure design is a continuous flow-through system, it is not expected to increase the threat to human health and safety in association with Combined Sewer Overflows (CSO).

Impacts associated with the structure include: 1.) Permanent impacts to 1.63 acres of the Susquehanna River associated with the construction of the service road and the inflatable structure foundation with rip-rap scour protection; 2.) permanent impacts to 0.13 acres of palustrine forested riparian wetland associated with the construction of the permanent portion of the structure; 3.) temporary impacts to 2.69 acres of the Susquehanna River due to construction activities associated with the inflatable structure foundation; 4.) temporary impacts to 0.77 acres of palustrine scrub-shrub riparian wetland associated with the contactors' staging area and construction activities; and 5.) seasonal inundation of 0.90 acres of palustrine forested riparian wetland and riverine habitat wetland associated with the proposed normal pool elevation of 517 feet (NGVD1929). Other potential impacts of the proposed structure that have been identified through scoping and public comments include issues related to water quality/CSOs, fish community impacts, acid mine drainage (AMD), elevated mercury levels in sediments, and historic/archaeological concerns.

The applicant's stated purpose is to 1.) mitigate the intangible negative socio-economic impacts caused by the levee raising project, 2.) provide economic development potential for the Wyoming Valley region, and 3.) provide river-based recreational opportunities.

All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Amy Elliott at (814)235-0573.

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 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 U.S. Army Corps of Engineers, Baltimore District, Attn: Amy Elliott, State College Field Office, 1631 South Atherton Street, Suite 102, State College, PA 16801, within the comment period specified above.

The applicant is required to obtain a water quality certification in accordance with Section 404 of the Clean Water Act from the Pennsylvania Department of Environmental Protection 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 404 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 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.

The evaluation of the impact of this project on the public interest will include applications 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, State College Field Office, 1631 South Atherton Street, Suite 102, 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.

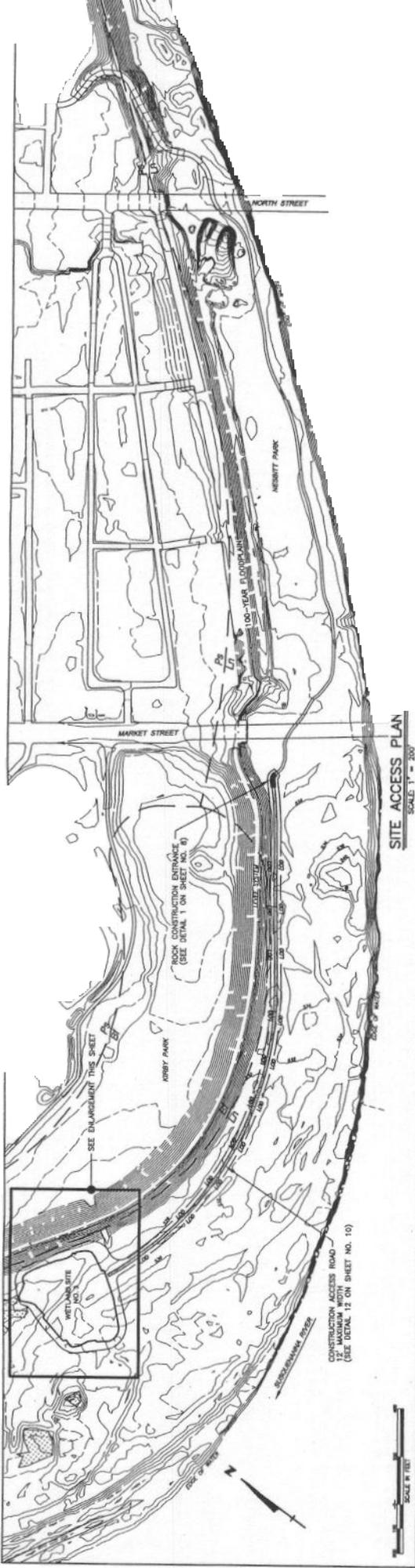
It is requested that you communicate this information concerning the proposed work to any persons know by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER



Vance G. Hobbs
Acting Chief, Regulatory Branch

Enclosures



SITE ACCESS PLAN
SCALE 1" = 200'

SHEET NOTES

- REFER TO SHEET NOS. 9 THROUGH 8 FOR THE EROSION AND SEDIMENT POLLUTION CONTROL PLAN, IMPROVEMENT AND ASSOCIATED DETAILS.
- A HORIZONTAL DRAIN OF 1/2" AND A VERTICAL DRAIN OF 1/2" DIA. IS TO BE INSTALLED AT THE END OF EACH CONSTRUCTION ACCESS ROAD.
- FINAL LOCATION OF CONSTRUCTION ACCESS ROAD MAY BE ADJUSTED IN THE FIELD. ACCESS ROAD SHALL BE MAINTAINED IN PLACE AT THE COMPLETION OF THE PROJECT. ACCESS ROAD SHALL BE MAINTAINED IN PLACE AT THE COMPLETION OF THE PROJECT.
- ONLY PLANTING ACTIVITIES (OR GRADING ACTIVITIES) SHALL OCCUR WITHIN THE FOREST ENHANCEMENT AREA.

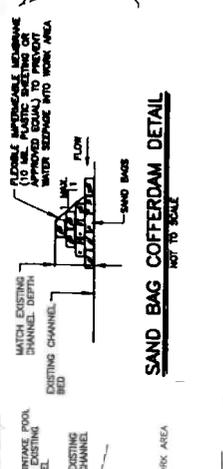
EROSION CONTROL LEGEND

- ROCK CONSTRUCTION ENTRANCE
- LIMIT OF DISTURBANCE AND APPLICABLE PERMIT BOUNDARY
- EROSION CONTROL MATTING
- REINFORCED SILT FENCE (30" HEIGHT)
- SUPER SILT FENCE
- PROTECTIVE FENCE
- SOIL SERIES MAP UNIT
- TEMPORARY COVER DAM
- PAVED ACCESS (100 FOOT WIDTH)
- PREPARED CONTROL (100 FOOT WIDTH)
- PUMPED WATER FLOOD BAG

STAGING OF EARTHMOVING ACTIVITIES

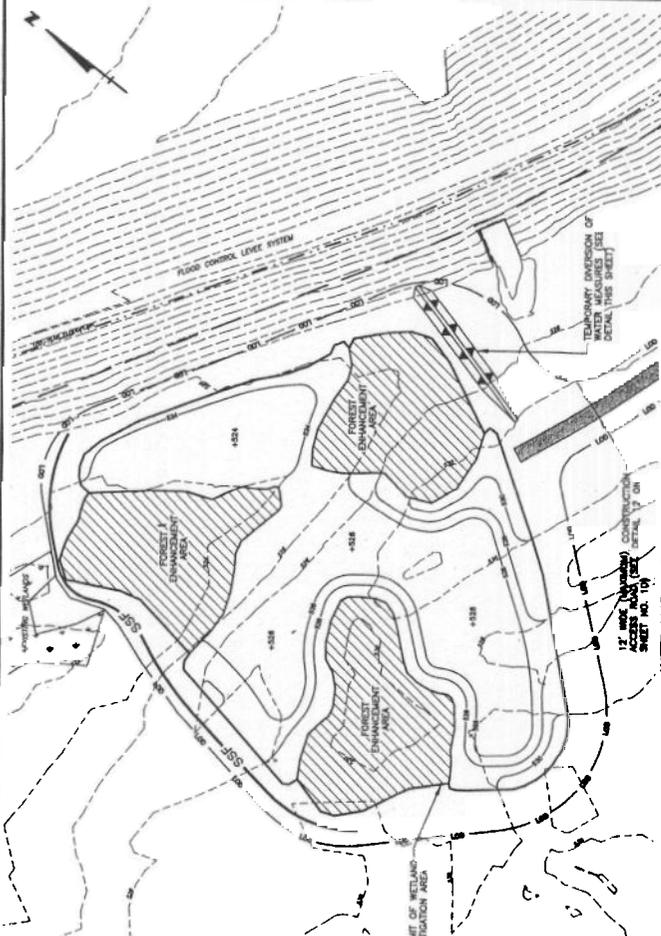
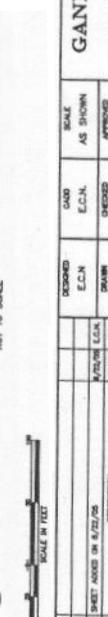
- REFER TO SHEET NO. 8 FOR THE PRECONSTRUCTION ACTIVITIES.
- INSTALL ROCK CONSTRUCTION ENTRANCE AND GRASS ACCESS ROAD TO SITE.
- INSTALL MATTING OF EITHER MATTING AROUND WETLAND REPLACEMENT AREA.
- INSTALL MATTING LOCATIONS.

SAND BAG COFFERDAM DETAIL
NOT TO SCALE



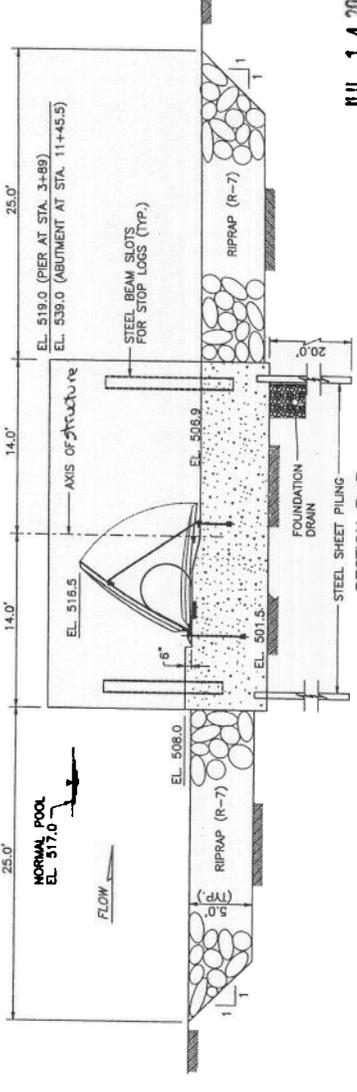
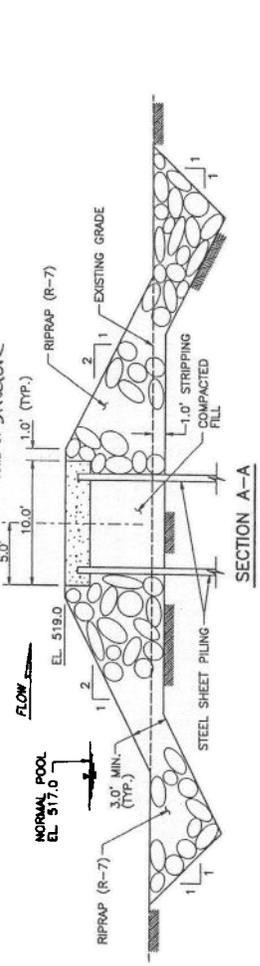
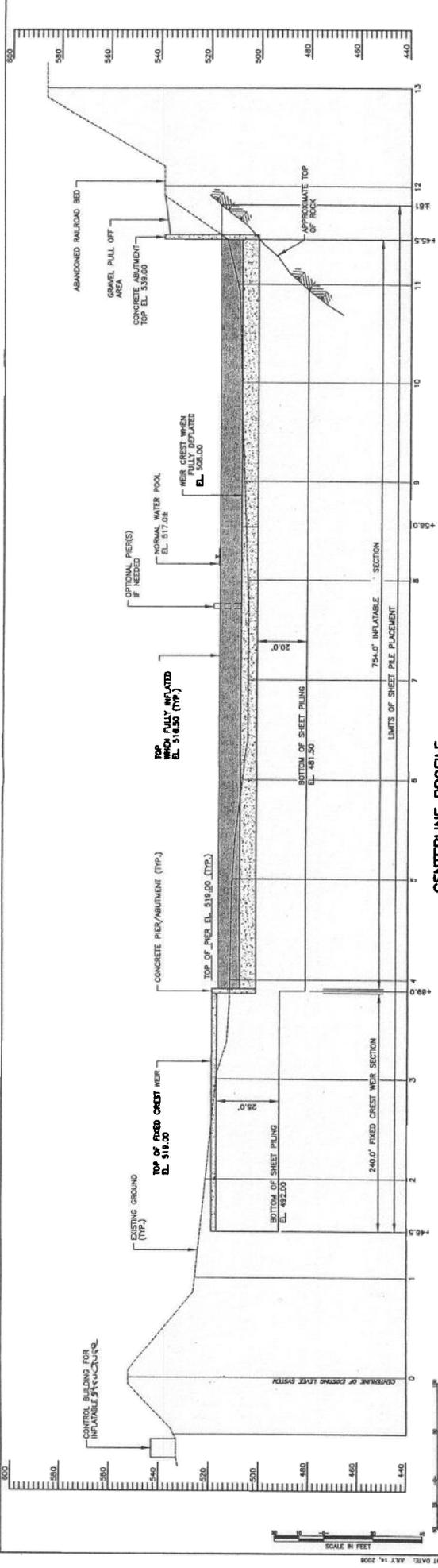
- STAGION DIVERSION NOTES**
- GRAVITY FLOW THROUGH THE PROJECT WORK AREA MAY BE USED AS A DIVERSION MEASURE UPON APPROVAL BY THE LUZIZNE COUNTY CONSTRUCTION DIVISION.
 - PLACE SAND BAG COFFERDAM BY HAND TO MINIMIZE DISTURBANCE OF FORTUNE CREEK CHANNEL.

(14) TYPICAL DIVERSION OF WATER AROUND WETLAND WORK AREA
NOT TO SCALE



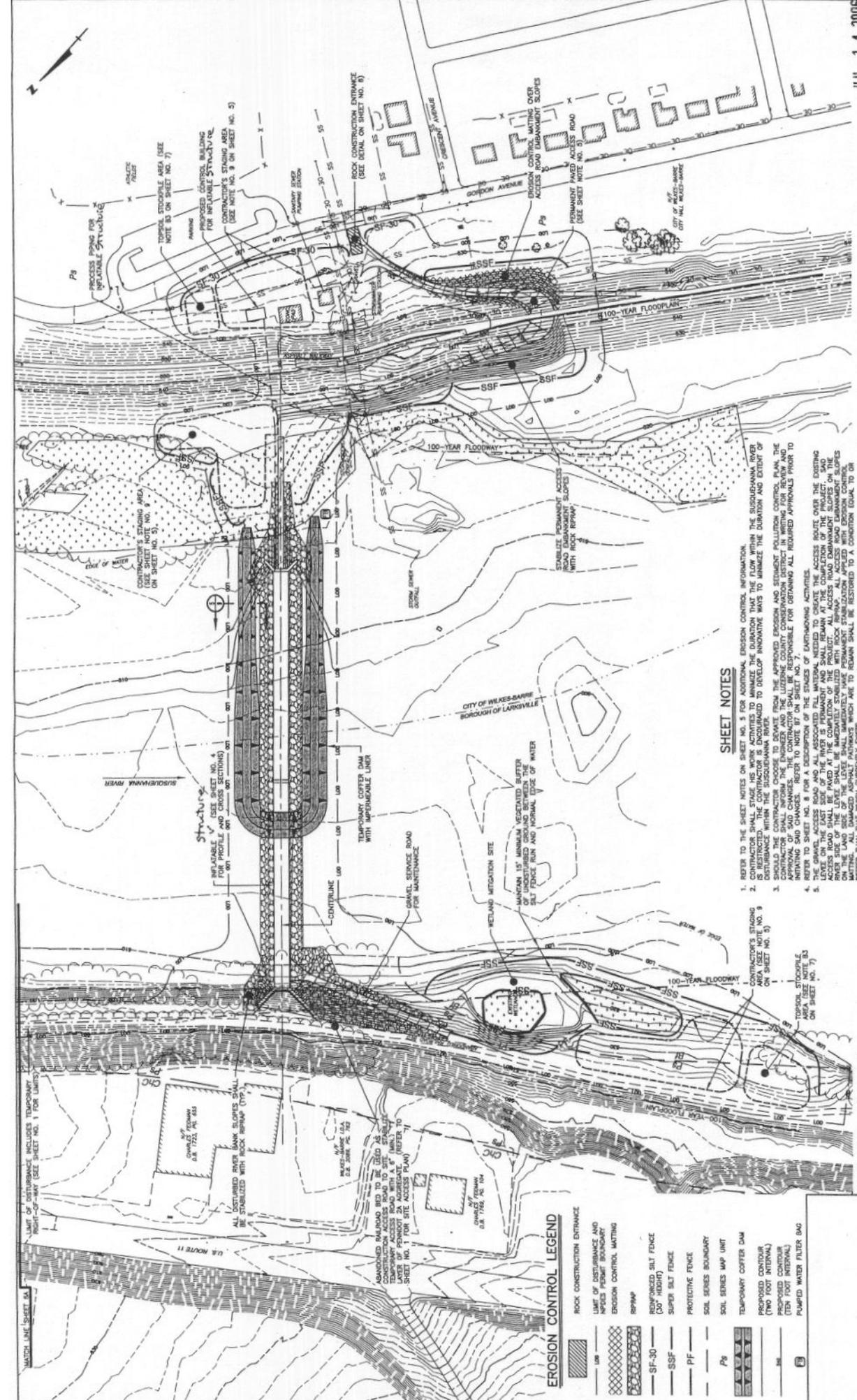
WETLAND NO. 3 SITE PLAN
SCALE 1" = 50'

LUZIZNE COUNTY FLOOD PROTECTION AUTHORITY DIVISION OF WETLANDS, PENNSYLVANIA		WETLAND MITIGATION SITE NO. 3		JUL 14 2006	
JOB NO.	43245	SHEET NO.	11	DATE	MAY 2005
GANNETT FLEMING, INC. HARRISBURG, PENNSYLVANIA		WETLAND MITIGATION SITE NO. 3		WETLAND MITIGATION SITE NO. 3	
DESIGNED	E.C.N.	SCALE	AS SHOWN	APPROVED	R.E.A.
DRAWN	E.C.A.	DATE	BY	REVISIONS	
CHECKED	E.C.N.	DATE	BY	REVISIONS	
IN CHARGE	E.C.A.	DATE	BY	REVISIONS	



- NOTES:**
1. THE ILLUSTRATIONS SHOWN ARE INTENDED TO REPRESENT CONCEPTUAL PHASE DESIGN ONLY.
 2. ALL ELEVATIONS ARE IN FEET NATIONAL GEODETIC (NAD 83) (MAY 1983).

JUL 14 2006 JOB NO. 43245 SHEET NO. 4 DATE DRAWING NO. MAY 2006	
INFLATABLE STRUCTURE PROFILE CROSS SECTIONS AND DETAILS	
LUZERNE COUNTY FLOOD PROTECTION AUTHORITY BOROUGH OF LANCASTER AND THE CITY OF WAKES-Barre LUZERNE COUNTY, PENNSYLVANIA WYOMING VALLEY LEVEE RAISING PROJECT INFLATABLE STRUCTURE	
GANNETT FLEMING, INC. HARRISBURG PENNSYLVANIA	SCALE AS SHOWN APPROVED R.E.K. REVISIONS
DESIGNED P.G.S. DRAWN E.C.N. CHECKED P.G.S. APPROVED R.E.K.	REVISIONS NO. 1. CHECK THE COVER FOR THE USE OF THE... DATE BY



JUL 14 2006
 SHEET NO. 6
 DATE MAY 2005

**EROSION AND SEDIMENT POLLUTION CONTROL PLAN
 SITE PLAN - STAGE 3**

LUZERNE COUNTY FLOOD PROTECTION AUTHORITY
 BOROUGH OF LANCASTER AND THE CITY OF WILKES-BARRE
 LANCER COUNTY, PENNSYLVANIA
WYOMING VALLEY LEVEE RAISING PROJECT
 Inflatable Structure

GANNETT FLEMING, INC.
 HARRISBURG, PENNSYLVANIA

SCALE	AS SHOWN
APPROVED	F.L.P.

DESIGNED	E.C.N.
DRAWN	E.C.N.

NO.	DATE	DESCRIPTION	REVISIONS
1	7/14/05	ISSUED FOR PERMIT	
2	7/14/05	ISSUED FOR PERMIT	

SHEET NOTES

- REFER TO THE SHEET NOTES ON SHEET NO. 5 FOR ADDITIONAL EROSION CONTROL INFORMATION.
- CONTRACTOR SHALL STAKE AND MARK LOCATIONS TO MINIMIZE THE DISTURBANCE TO THE SURROUNDING ENVIRONMENT AND TO MINIMIZE THE DISTURBANCE TO THE SUSQUEHANNA RIVER.
- SHOULD THE CONTRACTOR CHOOSE TO DEVIATE FROM THE APPROVED EROSION AND SEDIMENT POLLUTION CONTROL PLAN, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED APPROVALS PRIOR TO INITIATING SAID CHANGES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED APPROVALS PRIOR TO INITIATING SAID CHANGES. REFER TO NOTE 17 ON SHEET NO. 7.
- THE GRADER ACCESS ROAD AND ALL ASSOCIATED PLE MATERIALS NEEDED TO CREATE THE ACCESS ROUTE OVER THE EXISTING LEVEE ON THE EAST SIDE OF THE RIVER IS PERMANENT AND SHALL REMAIN AT THE COMPLETION OF THE PROJECT. SAID ROAD SHALL BE PERMANENTLY MAINTAINED AND SHALL BE BACKFILLED WITH ROCK MATERIAL. ALL ACCESS ROAD EMBANKMENT SLOPES ON THE LAND SIDE OF THE LEVEE SHALL BE BACKFILLED AND STABILIZED WITH ROCK MATERIAL. ALL ACCESS ROAD EMBANKMENT SLOPES SHALL BE PERMANENTLY MAINTAINED AND SHALL REMAIN AT THE COMPLETION OF THE PROJECT. SAID ROAD SHALL BE PERMANENTLY MAINTAINED AND SHALL BE BACKFILLED WITH ROCK MATERIAL. ALL ACCESS ROAD EMBANKMENT SLOPES SHALL BE PERMANENTLY MAINTAINED AND SHALL REMAIN AT THE COMPLETION OF THE PROJECT. SAID ROAD SHALL BE PERMANENTLY MAINTAINED AND SHALL BE BACKFILLED WITH ROCK MATERIAL. ALL ACCESS ROAD EMBANKMENT SLOPES SHALL BE PERMANENTLY MAINTAINED AND SHALL REMAIN AT THE COMPLETION OF THE PROJECT.

EROSION CONTROL LEGEND

- ROCK CONSTRUCTION ENTRANCE
- LIMIT OF DISTURBANCE AND IMPROVED FOOTING
- EROSION CONTROL MATTING
- RFPMP
- REINFORCED SILT FENCE (6" HIGH)
- SUPER SILT FENCE
- PROTECTIVE FENCE
- SOIL SERIES BOUNDARY
- SOIL SERIES MAP UNIT
- TEMPORARY COFFER DAM
- PROPOSED CONTOUR (TWO FOOT INTERVAL)
- PROPOSED CONTOUR (TEN FOOT INTERVAL)
- PUMPED WATER FILTER BAG