



Public Notice

U.S. Army Corps
of Engineers
Baltimore District

Date October 20, 2008

Special Public Notice # 08-69

Subject: Revision to the Pennsylvania State Programmatic General Permit (PASPGP-3) Bog Turtle Habitat Clearance Process and Nationwide Permit Regional Condition.

This Public Notice is issued jointly by the Philadelphia, Pittsburgh, and Baltimore Districts of the U.S. Army Corps of Engineers (Corps).

In accordance with the procedures for implementing the Pennsylvania State Programmatic General Permit-3 (PASPGP-3), the Corps is hereby providing notification to the public regarding updates to the list of counties requiring screening procedures for endangered species. This notice affects proposed projects that may be authorized by the Corps or Pennsylvania Department of Environmental Protection through the PASPGP-3.

Effective immediately, habitat screenings for the Bog Turtle (*Clemmys muhlenbergii*), as required for proposed activities that are Federally regulated under Section 404 of the Clean Water Act, are now also required in the Aquashicola Creek Watershed, Carbon County, Pennsylvania. This requirement is made by the Corps with concurrence from the U.S. Fish and Wildlife Service (USFWS). The USFWS, the agency responsible for implementing the Federal Endangered Species Act, has determined that Bog Turtles occur in the Aquashicola Creek Watershed, Carbon County, Pennsylvania.

This revision is in accordance with the procedures for implementing the PASPGP-3 which provides for periodically updating the list of counties requiring screening in conjunction with information provided by the USFWS for the purpose of ensuring compliance with Section 7 of the Endangered Species Act.

This revision has been made to the PASPGP-3 Permit, Part III. C. 3.b. *Activities Which May Affect Threatened or Endangered Species or Their Critical Habitat*. The PASPGP-3 permit may be viewed on the Baltimore District Regulatory Internet Web page located at <http://www.nab.usace.army.mil/Regulatory/permits.htm>

Also modified by this Public Notice are the Regional Conditions for the 2007 Nationwide Permits, Enclosure A, Regional Condition 27a, issued on September 11, 2007, which currently indicate that a Pre-construction Notification (PCN) is required for all counties in Pennsylvania where Bog Turtles are known to occur. This condition is being modified today to add the Aquashicola Creek Watershed, Carbon County, Pennsylvania to this list. The NWP regional conditions can be viewed at: <http://www.nab.usace.army.mil/Regulatory/permits.htm>

In addition, the *Primary Contact List by County* for Bog Turtle habitat assessments has also been updated as listed below:

Adams and Cumberland Counties

Debby Nizer

U.S. Army Corps of Engineers, Baltimore District Regulatory Branch, PA Section

P.O. Box 1715

Baltimore, MD 21203-1715

Phone: 410-962-6085 Fax: 410-962-6024

Berks, Bucks, Carbon (Aquashicola Creek Watershed only), Chester, Delaware, Montgomery, and Monroe Counties (Philadelphia District)

Bill Jenkins, Chief, Applications Section

U.S. Army Corps of Engineers, Philadelphia District, Regulatory Branch

100 Penn Square East

Philadelphia, PA 19107-3390

Phone: 215-656-6726 Fax: 215-656-6724

Lehigh, Northampton, Schuylkill (Swatara Creek Watershed only) Counties

Bonnie Dershem

U.S. Fish and Wildlife Service

315 South Allen Street

State College, PA 16801

Phone: 814-234-4090 (ext 234) Fax: 814-234-0748

Berks (Baltimore District), York Counties

Mike Danko

U.S. Army Corps of Engineers, Carlisle Regulatory Field Office

401 Louthier Street, Suite 205

Carlisle, PA 17013

Phone: 717-249-8730 Fax: 717-240-0523

Chester (Baltimore District), Lancaster, Lebanon Counties

Patricia Strong

U.S. Army Corps of Engineers, Baltimore District, Regulatory Branch

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Baltimore, MD 21203-1715

Phone: 410-962-1847 Fax: 410-962-6024

Monroe County

Victor Motts

Monroe County Conservation District

8050 Running Valley Road

Stroudsburg, PA 18360-8841

Phone: 570-629-3060 Fax: 570-629-3063

It is requested that you communicate the foregoing information 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. If you have any questions regarding this matter, please contact Ms. Patricia Strong, Baltimore District Corps of Engineers, P.O. Box 1715, Pennsylvania Section, Baltimore, Maryland 21203 or via e-mail at pat.strong@usace.army.mil.