



**U.S. Army Corps
of Engineers**
Baltimore District
PN-22-06

Public Notice

**In Reply to Application Number
NAB-2021-00243-P12 (Enola Grade Trail)**

Comment Period: April 11, 2022 to May 11, 2022

THE PURPOSE OF THIS PUBLIC NOTICE IS TO INFORM INTERESTED PARTIES OF THE PROPOSED ACTIVITY AND TO SOLICIT COMMENTS. 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 404 of the Clean Water Act as described below:

APPLICANT:

Bart Township
46 Quarry Road
Quarryville, Pennsylvania 17566-9454

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed project will impact various tributaries to the South Fork of Big Beaver Creek, in Quarryville, Bart and Eden Townships, Lancaster County, Pennsylvania (39.900194N/-76.149167W). The section of the rail trail, is approximately 3.10 miles in length, starting in the borough of Quarryville and follows an east direction through Bart and Eden Townships.

OVERALL PROJECT PURPOSE:

The purpose of the project is to improve drainage within a 1.20-mile segment and resurface 3.10-miles of the Enola Low Grade Rail Trail (ELGRT).

PROJECT DESCRIPTION:

Two drainage ditches (WC 6a and 6 b) were constructed parallel to the railroad when it was first built. The railroad ceased operation in 1989. These drainage ditches not only carry runoff from the adjacent uplands, but they also intercept groundwater, and several small tributaries outlet into WC 6a and 6b as well. Since the railroad operation has ceased, WC 6a and 6b have not been maintained. They have filled with sediment, and as such, minor storm events cause the flooding of the rail trail in this area. Improvements include modifying WC 6a and 6b (removing sediment and reshaping of the channels) to increase drainage capacity to improve year-round access to the rail trail.

Several of the tributaries and drainage channels that flow into WC 6a and 6b have blown out and contribute a lot of sediment to the two main channels. The re-establishing of these existing channels and construction of new drainage features will decrease the amount of erosion occurring by directing water to stabilized areas specifically designed for drainage.

In addition, to control the sediment load, the applicant is proposing a new basin with stilling areas to allow for sediment from the upstream farm fields to drop out in areas that are easily accessible and can be cleaned out during future maintenance projects. Allowing the sediment to drop out of the water in this basin will improve the quality of the water by removing the sediment load.

EFFECTS ON AQUATIC RESOURCES:

Table S1.1
Watercourse Impact Table

Watercourse	Flow Regime	Permanent Direct Impacts Linear Feet (Square Feet)	Temporary Direct Impacts Linear Feet (Square Feet)
WC 7	Perennial	14 (56)	21 (210)
WC 6a	Perennial	5,359 (17,165)	0 (0)
WC 6b	Perennial	5,377 (13,427)	0 (0)
WC 5	Perennial	14 (140)	10 (100)
WC 4	Perennial	14 (56)	33 (56)
WC 2	INT	600 (2,280)	0 (0)
WC 1	INT	413 (1,652)	0 (0)
Total		11,791 (34,776)	64 (366)

There are no wetlands proposed to be impacted by this proposal.

LEAD FEDERAL AGENCY:

The U.S. Army Corps of Engineers, as the lead federal agency, is responsible for all coordination pursuant to applicable federal authorities.

APPLICANT'S PROPOSED AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION:

Avoidance and Minimization Measures

During the installation of the basin within the floodway of Watercourse 2 and the stream enclosure of Watercourse 1, proper Erosion and Sedimentation (E&S) controls will be utilized. During the construction of the encroachments within Watercourse 2 and the stream enclosure within Watercourse 1, work construction will be halted during significant rainfall events to minimize downstream sedimentation. Additionally, for

construction associated with these watercourses, adequate and stable bypass systems will be emplaced to allow upstream flow to reach its current (and final) discharge point. Once earth disturbances are completed, disturbed areas will be seeded (with appropriate seed i.e. riparian, basin mixes) and stabilized.

Temporary protective fencing will be installed along the Limit of Disturbance adjacent to or through the wetlands located in the project area to prevent additional impacts from occurring to the wetlands outside of the Limit of Disturbance.

PROJECT REPAIR, RELOCATION, AND RESTORATIVE MEASURES:

Description of On-site Repair, Rehabilitation, and Restoration Measures

The Repair, Relocation, and Restorative Measures are described as follows:

- a. Repair – Currently, the conditions of the drainage infrastructure surrounding the ELGRT has severely deteriorated creating circumstances that permits minimal rain events to cause substantial damage to the gravel trail, restrict use within the trail, and endanger users of the trail. Additionally, resurfacing of the trail is proposed for the entire 3.10-mile stretch. This resurfacing will ensure recreational activities can continue well into the future;
- b. Rehabilitation – Existing watercourses and drainage features, impacted by this proposal, will be temporary stabilized by the placement of erosion control liners to stabilize and rehabilitate the banks; and
- c. Restoration – All E&S Pollution Control Plan Best Management Practices will be removed from the watercourses and around the wetlands upon completion of the project and/or stabilization of the disturbed areas. These areas are expected to return to preconstruction conditions.

Preservation and Maintenance

The applicant feels that the proposed project avoids and minimizes wetland and stream impacts to the greatest extent practicable. There are no wetland impacts associated with the project, therefore no compensatory wetland mitigation is proposed. The proposed watercourse impacts are associated with sedimentation removal and trail crossings over existing encroachments. No additional maintenance instruments or agreements are considered necessary for the project.

COMPENSATORY MITIGATION:

The applicant is not proposing any compensatory mitigation for project impacts to watercourses.

CORPS EVALUATION REQUIREMENTS:

This project will be evaluated pursuant to Corps Regulatory Program Regulations (33 CFR Parts 320-332). 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 evaluation of the impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency.

ENDANGERED SPECIES:

A preliminary review of this application indicates that the proposed work will have no effect federally 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.

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 on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH), including species of concern, life cycle habitat, or Habitat Areas of Particular Concern. The project site lies in or adjacent to EFH as described under MSFCMA for managed species under the MSFCMA. The Baltimore District has made a preliminary determination that the project will have no effect on EFH. The Baltimore District has made a preliminary determination that mitigative measures Section 404 of the Clean Water Act required to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise.

HISTORIC RESOURCES:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 and applicable guidance, the Corps has reviewed the latest published version of the National Register

of Historic Places and initially determined that registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. The trail project is located on the Pennsylvania Railroad Enola Low Grade Freight Line Pennsylvania Historic Museum Commission Key # 12413 which was deemed eligible by the keeper. No standing structures associated with the railroad will be altered as a result of the project and only slight adjustments will be made to the existing rail grade. Thus, because no structures will be altered, the Enola Low Grade project meets the exemption list and therefore no further evaluation is required, according to the Pennsylvania Department of Transportation, Engineering 8-0 Archeologist. The Corps has made the preliminary determination that the proposed project would have no effect on historic properties. The Corps final eligibility and effect determination will be based on coordination with the State Historic Preservation Office as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps' identified permit area.

TRIBAL RESOURCES:

Section 106 of the National Historic Preservation Act also requires federal agencies to consult with federally recognized American Indian tribes that attach religious and cultural significance to historic properties that may be affected by the agency's undertaking. Corps Tribal Consultation Policy mandates an open, timely, meaningful, collaborative, and effective deliberative communication process that emphasizes trust, respect, and shared responsibility. The policy further emphasizes that, to the extent practicable and permitted by law, consultation works toward mutual consensus and begins at the earliest planning stages, before decisions are made and actions taken. The Corps final eligibility and effect determination will be based on coordination with interested tribes, in accordance with the Corps current tribal standard operating procedures as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on tribal resources.

MODIFICATION OF CIVIL WORKS PROJECTS: 33 USC 408 (SECTION 408):

All Section 408 proposals will be coordinated internally at USACE. The Section 408 decision will be issued along with the Section 404 and/or Section 10 decision. Please see the following link for more information regarding Section 408:

<https://www.nab.usace.army.mil/section408/>.

WATER QUALITY CERTIFICATION:

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act.

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 Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

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

SUBMISSION OF COMMENTS:

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 and are subject to release to the public through the Freedom of Information 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 within the comment period specified above through postal mail at the address below or electronic submission to the project manager email address below. Written comments should reference the Application Number (NAB-2021-00243-P12).

PUBLIC HEARING REQUESTS:

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 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. The public hearing request may be submitted by electronic mail or mailed to the following address:

Michael Dombroskie
Mike.dombroskie@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
State College Field Office
1631 South Atherton Street, Suite 102
State College, Pennsylvania 16801

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

General information regarding the Corps' permitting process can be found on our website at <https://www.nab.usace.army.mil/Missions/Regulatory.aspx>. This public notice has been prepared in accordance with Corps implementing regulations at 33 CFR 325.3. If you have any questions concerning this specific project or would like to request a paper copy of this public notice, please contact Michael Dombroskie, 814-235-0571, at mike.dombroskie@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.