

## **Public Notice**

U.S. Army Corps of Engineers Baltimore District PN 19-11 In Reply to Application Number CENAB-OPR-P-2018-02437-PO7 (PA DOT – SR 220 Section 122)

Comment Period: February 27, 2019 to March 29, 2019

## 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 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

APPLICANT: Pennsylvania Department of Transportation, Engineering District 3-0 Attn: Chris Neidig, P.E. 715 Jordan Avenue Montoursville, Pennsylvania 17754

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** In Larry's Creek, Pine Run, Quenshukney Run, and associated unnamed tributaries and adjacent wetlands from the interchange of 4<sup>th</sup> Street and U.S. Route 220 in Williamsport, Pennsylvania west along Route 220 to the intersection of State Route 287 with U.S. Route 220, in Woodward and Piatt Townships, Lycoming County, Pennsylvania.

**PROPOSED WORK AND PURPOSE:** The Pennsylvania Department of Transportation (PennDOT) is undertaking a highway improvement project including the replacement of several road crossings and widening travel lanes to address documented safety issues. The work will include the discharge of dredged and/or fill material in waters and wetlands, permanently affecting 890 linear feet of perennial and intermittent streams, 0.517 acre of palustrine emergent wetlands and 0.047 acre of palustrine shrub wetlands; and temporarily impacting 1,336 linear feet of perennial and intermittent streams and 0.501 acre of wetlands. Additional details may be found at:

https://www.penndot.gov/RegionalOffices/district-3/ConstructionsProjectsAndRoadwork/Pages/220-122.aspx

**MITIGATION STATEMENT:** Compensatory wetland mitigation for the unavoidable permanent wetland impacts is proposed be accomplished at the Vargo Wetland Mitigation Bank in Northumberland County. Documented emergent and shrub wetland credits will be deducted from the Vargo Bank. The Vargo Bank is owned and operated by PennDOT. Unavoidable impacts to 520 linear feet of streams is proposed to be mitigated by purchasing verified stream credits from the Upper Susquehanna River Mitigation Bank Phase 1 operated by First Pennsylvania Resource, LLC. This bank has been authorized by the Baltimore District and a reservation of credit letter was received from the banker.

All work is proposed to be completed in accordance with the enclosed plan(s) (Enclosure 1).

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, 401 East Louther Street, Suite 205, Carlisle, Pennsylvania 17013 within the comment period specified above

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act, 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. The Corps has determined this project will not affect any Essential Fish Habitat.

**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 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 Coastal Zone Management 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, Attn: John Gibble, 401 East Louther Street, Suite 205, Carlisle, Pennsylvania 17013, 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.

If you have any questions concerning this matter, please contact: Mr. John Gibble, Transportation Program Manager, U.S. Army Corps of Engineers, Baltimore District, 401 East Louther Street, Suite 205, Carlisle, Pennsylvania 17013, email at john.gibble@usace.army.mil, or by telephone (717) 249-9457.

It is requested that you communicate this 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:

Wade B. Chandler Chief, Pennsylvania Section Regulatory Branch









































