

**U.S. Army Corps
of Engineers**

Baltimore District
PN-20-02

Public Notice

**In Reply to Application Number
NAB-2019-00598-P05 (Hanson Aggregates Pennsylvania
LLC Montoursville Sand and Gravel Mining Project)**

Comment Period: January 24, 2020 to February 23, 2020

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 (33 USC 1344), as described below:

APPLICANT:

Hanson Aggregates Pennsylvania LLC
c/o Andrew Gutshall
7660 Imperial Way
Allentown, Pennsylvania 18195

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed project is located in wetlands adjacent to the West Branch of the Susquehanna, in Montoursville Lycoming County, Pennsylvania (41.2378237, -76.918488)

OVERALL PROJECT PURPOSE:

To expand a sand and gravel mining operation to provide necessary construction material for local transportation and building markets.

PROJECT DESCRIPTION:

The applicant proposes to expand their existing sand and gravel mining operation by 32 acres, resulting in a total mining area of 950.05 acres. Proposed activities include using a loader and dozer to clear trees and remove stumps and roots where necessary. In areas that are currently above the water table, a loader would be used to load the material directly into off-road haul trucks. Once groundwater is encountered a dragline would be used to remove material to the banks where it would be temporarily piled until it can be loaded onto trucks. All dredged material would be loaded onto trucks and transported to the adjacent property where processing equipment sorts and washes the material for sale. The project would involve the mechanized clearing and excavation of 4.53 acres of wetlands. Proposed compensatory mitigation for wetland impacts involves the creation of 7.04 acres of wetlands located nearby within an existing open water area located within the mining area.

EFFECTS ON AQUATIC RESOURCES:

Activity (i.e. culvert)	Waters Impact (acres)	Wetland Impact (Acres.)	Authority (Section 10/404/408)
Sand & Gravel Mining		4.53 (0.56 Palustrine Forested (PFO), 3.9 acres of PFO/Scrub Shrub mix, and 0.07 Palustrine emergent)	404

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:

The applicant has stated that any alternative project would most likely create additional impacts since this project is expanding reserves of an existing operation. The applicant proposes to create 7.04 acres of wetlands within an existing nonjurisdictional open water area located at the mining site as compensatory mitigation for the permanent wetland impacts. Due to the poor topsoil in this area, the proposed wetland mitigation area will be graded 12-inches below the required depth, and then a high organic material topsoil will be placed on the substrate to provide a suitable growing medium. After grading, the mitigation area would be seeded with FACW wetland meadow mixture for Ernst Conservation Seeds, planted with 100 wetland shrubs (speckled alder, red chokeberry, buttonbush, red osier dogwood and silky dogwood) and 200 wetland trees (red maple, river birch, sycamore and pin oak).

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 on 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 is not within on EFH. The Baltimore District has made a preliminary determination that mitigative measures are not 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 no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. The Corps has made the preliminary determination that the proposed project has no potential to cause effects 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-2019-00598).

PUBLIC HEARING REQUESTS:

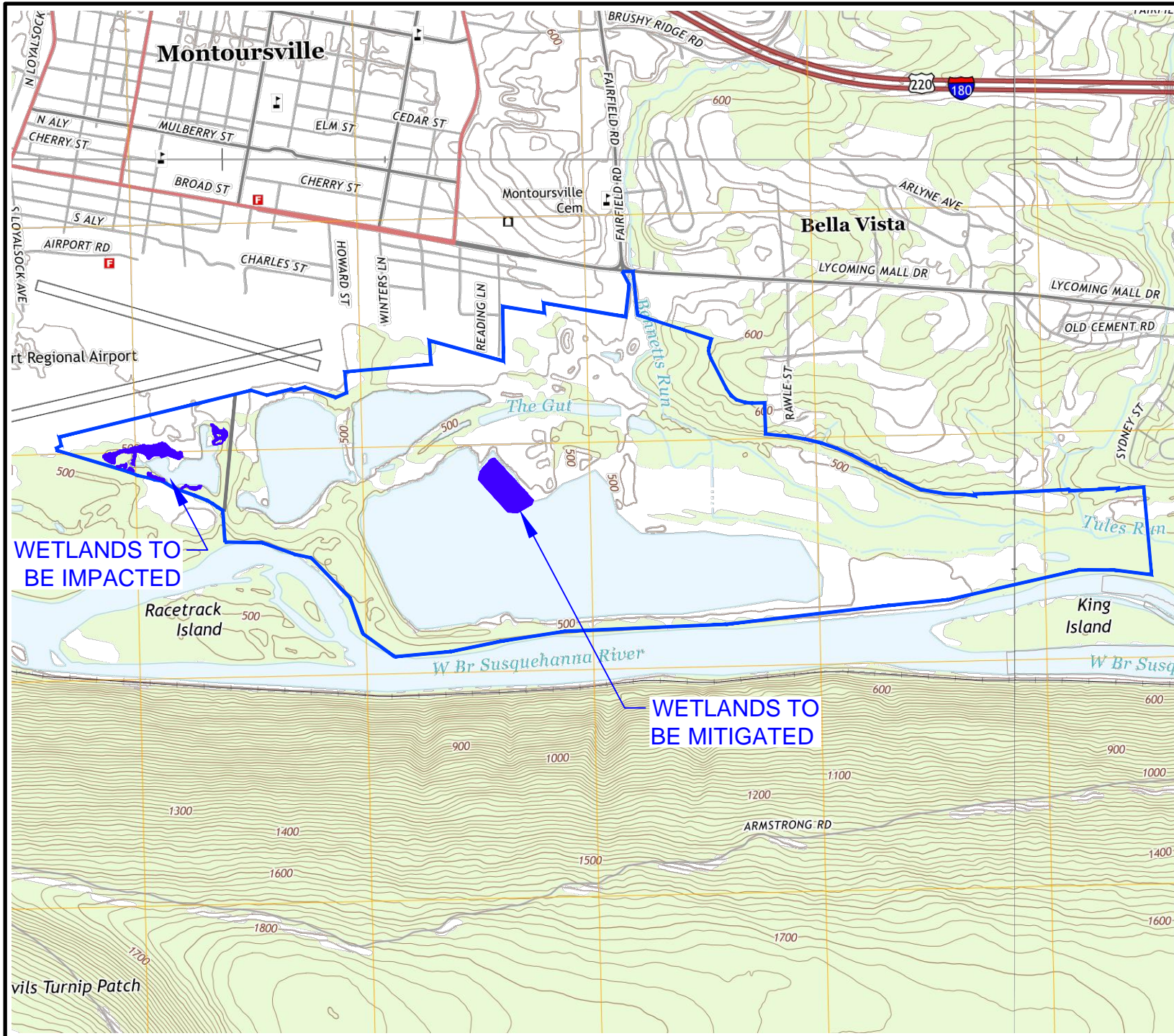
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which 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:

Marion Gall
(marion.gall@usace.army.mil)
U.S. Army Corps of Engineers, Baltimore District
State College Field Office
1631 South Atherton Street, Suite 101
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 (Marion Gall, 814-235-1761, marion.gall@usace.army.mil). This public notice is issued by the Chief, Regulatory Branch.



DATE:	MAY 15, 2019
DRAWN BY:	MSI
SCALE:	1" = 2000'
SHEET:	1 OF 1

TOPOGRAPHIC MAP

MONTOURSVILLE SAND & GRAVEL
FAIRFIELD TOWNSHIP & MONTOURSVILLE BOROUGH,
LYCOMING COUNTY, PA

Akens Engineering Associates, Inc.
 219 EAST MAIN STREET
 SHIREMANSTOWN, PA 17011



WETLAND
MITIGATION
AREA
(7.04 ACRES)

CONSERVATION
AREA
(16.53 ACRES)

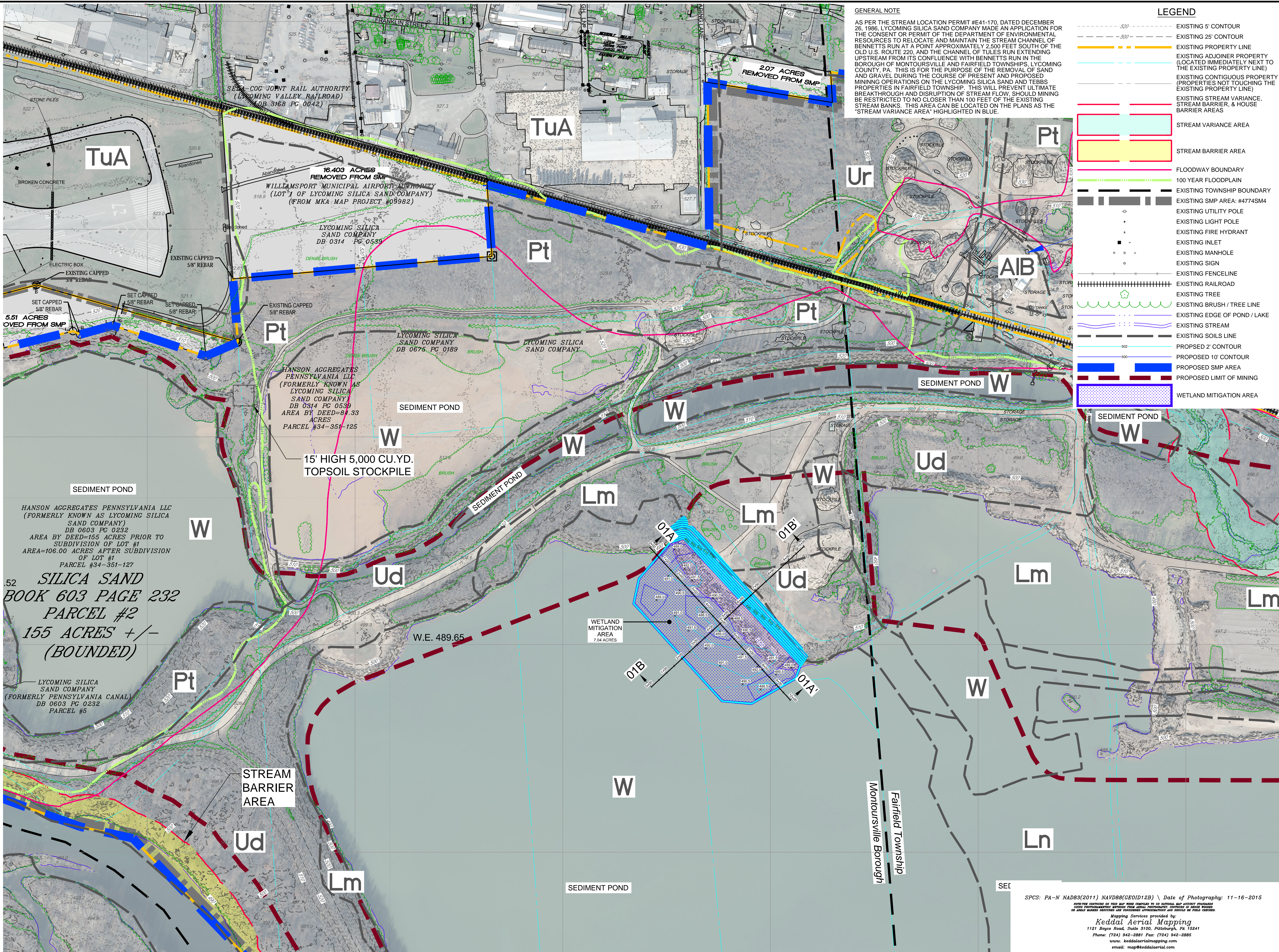


EXHIBIT A - OVERALL MITIGATION AREA

MONTOURVILLE SAND & GRAVEL
FAIRFIELD TOWNSHIP & MONTOURVILLE BOROUGH,
LYCOMING COUNTY, PA

DATE:	MAY 30, 2019
DRAWN BY:	MSI
SCALE:	1" = 2000'
SHEET:	1 OF 2

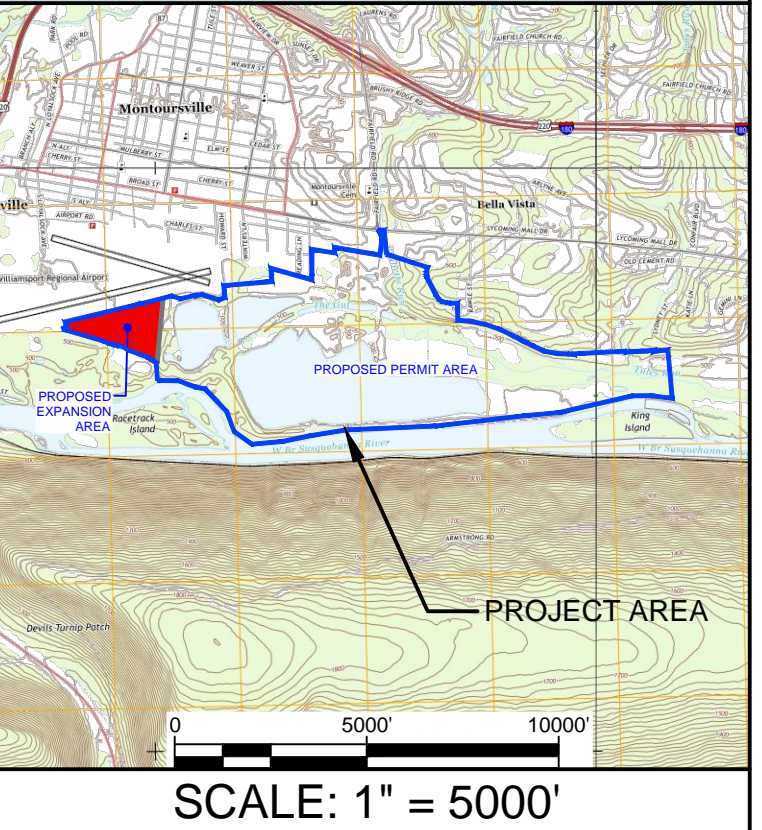
**Akens Engineering
Associates, Inc.**
219 EAST MAIN STREET
SHIREMANSTOWN, PA 17011



GENERAL NOTE
 AS PER THE STREAM LOCATION PERMIT #E41-170, DATED DECEMBER 26, 1986, LYCOMING SILICA SAND COMPANY MADE AN APPLICATION FOR THE CONSENT OR PERMIT OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES TO RELOCATE AND MAINTAIN THE STREAM CHANNEL OF BENNETTS RUN AT A POINT APPROXIMATELY 2,500 FEET SOUTH OF THE OLD U.S. ROUTE 220, AND THE CHANNEL OF TULES RUN EXTENDING UPSTREAM FROM ITS CONFLUENCE WITH BENNETTS RUN IN THE BOROUGH OF MONTOURSVILLE AND FAIRFIELD TOWNSHIPS, LYCOMING COUNTY, PA. THIS IS FOR THE PURPOSE OF THE REMOVAL OF SAND AND GRAVEL DURING THE COURSE OF PRESENT AND PROPOSED MINING OPERATIONS ON THE LYCOMING SILICA SAND AND TEBBS PROPERTIES IN FAIRFIELD TOWNSHIP. THIS WILL PREVENT ULTIMATE BREAKTHROUGH AND DISRUPTION OF STREAM FLOW, EXISTING MINING BE RESTRICTED TO NO CLOSER THAN 100 FEET OF THE EXISTING STREAM BANKS. THIS AREA CAN BE LOCATED ON THE PLANS AS THE 'STREAM VARIANCE AREA' HIGHLIGHTED IN BLUE.

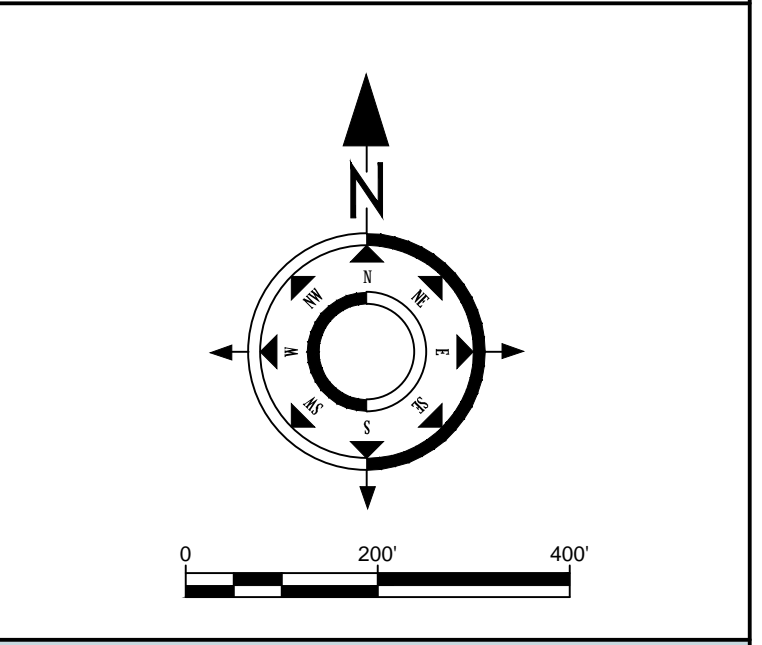
- LEGEND**
- 520 --- EXISTING 5' CONTOUR
 - 500 --- EXISTING 25' CONTOUR
 - EXISTING PROPERTY LINE
 - EXISTING ADJOINER PROPERTY (LOCATED IMMEDIATELY NEXT TO THE EXISTING PROPERTY LINE)
 - EXISTING CONTIGUOUS PROPERTY (PROPERTIES NOT TOUCHING THE EXISTING PROPERTY LINE)
 - EXISTING STREAM VARIANCE, STREAM BARRIER, & HOUSE BARRIER AREAS
 - STREAM VARIANCE AREA
 - STREAM BARRIER AREA
 - FLOODWAY BOUNDARY
 - 100 YEAR FLOODPLAIN
 - EXISTING TOWNSHIP BOUNDARY
 - EXISTING SMP AREA: #4774SM4
 - EXISTING UTILITY POLE
 - EXISTING LIGHT POLE
 - EXISTING FIRE HYDRANT
 - EXISTING INLET
 - EXISTING MANHOLE
 - EXISTING SIGN
 - EXISTING FENCELINE
 - EXISTING RAILROAD
 - EXISTING TREE
 - EXISTING BRUSH / TREE LINE
 - EXISTING EDGE OF POND / LAKE
 - EXISTING STREAM
 - EXISTING SOILS LINE
 - 500 --- PROPOSED 2' CONTOUR
 - 500 --- PROPOSED 10' CONTOUR
 - PROPOSED SMP AREA
 - PROPOSED LIMIT OF MINING
 - WETLAND MITIGATION AREA

Akens Engineering Associates, Inc.
 219 E. Main St. Shiremanstown, Pa. 17011
 (P) 717-975-9933 (F) 717-975-5507
 www.akensengineering.com
 "Providing Quality Engineering & Surveying Services since 1983."



I hereby certify that this plan is correct and accurate to the best of my knowledge.

SCOTT W. AKENS
 Professional Engineer, PE073141
 Submitted on this 20 day
 of November, 2018.



REVISIONS:

Monday, October 15, 2018 2:24:34 PM

WETLAND MITIGATION PLAN

Hanson Aggregates Pennsylvania LLC

MONTOURSVILLE SAND & GRAVEL

FAIRFIELD TOWNSHIP & MONTOURSVILLE BOROUGH
 LYCOMING COUNTY, PENNSYLVANIA

SCALE:	SHEET NUMBER:
1" = 200'	1 of 2
PLAN DATE:	
JULY 24, 2018	
FILE NAME:	

SEDIMENT POND
 HANSON AGGREGATES PENNSYLVANIA LLC
 (FORMERLY KNOWN AS LYCOMING SILICA SAND COMPANY)
 DB 0603 PC 0232
 AREA BY DEED=155 ACRES PRIOR TO SUBDIVISION OF LOT #1
 AREA=106.00 ACRES AFTER SUBDIVISION OF LOT #1
 PARCEL #34-351-127
 52 **SILICA SAND BOOK 603 PAGE 232 PARCEL #2 155 ACRES +/- (BOUNDED)**

LYCOMING SILICA SAND COMPANY
 (FORMERLY PENNSYLVANIA CANAL)
 DB 0603 PC 0232
 PARCEL #5

SEDIMENT POND

SEDIMENT POND

SEDIMENT POND

15' HIGH 5,000 CU.YD. TOPSOIL STOCKPILE

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W.E. 489.65

WETLAND MITIGATION AREA 7.04 ACRES

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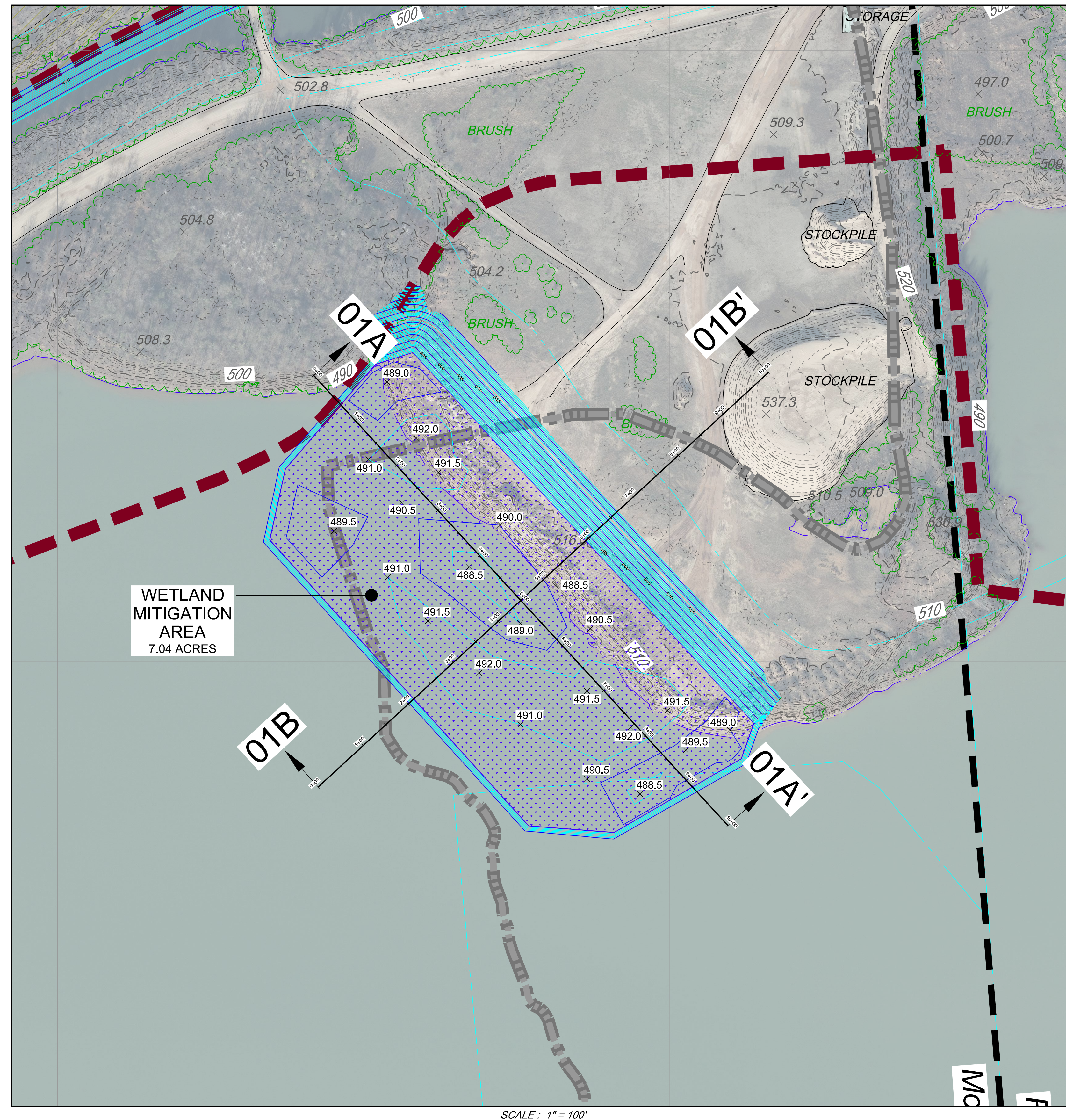
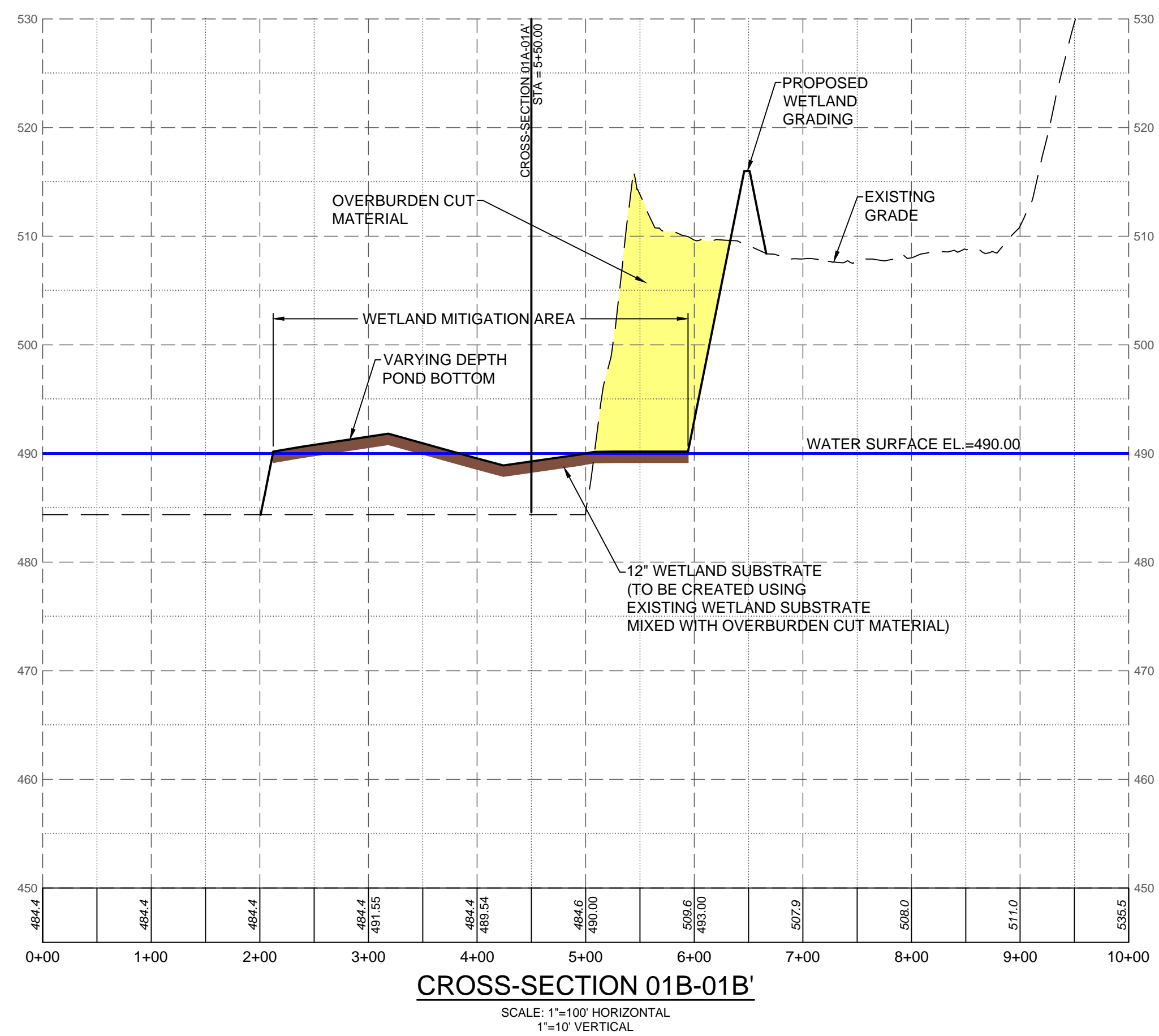
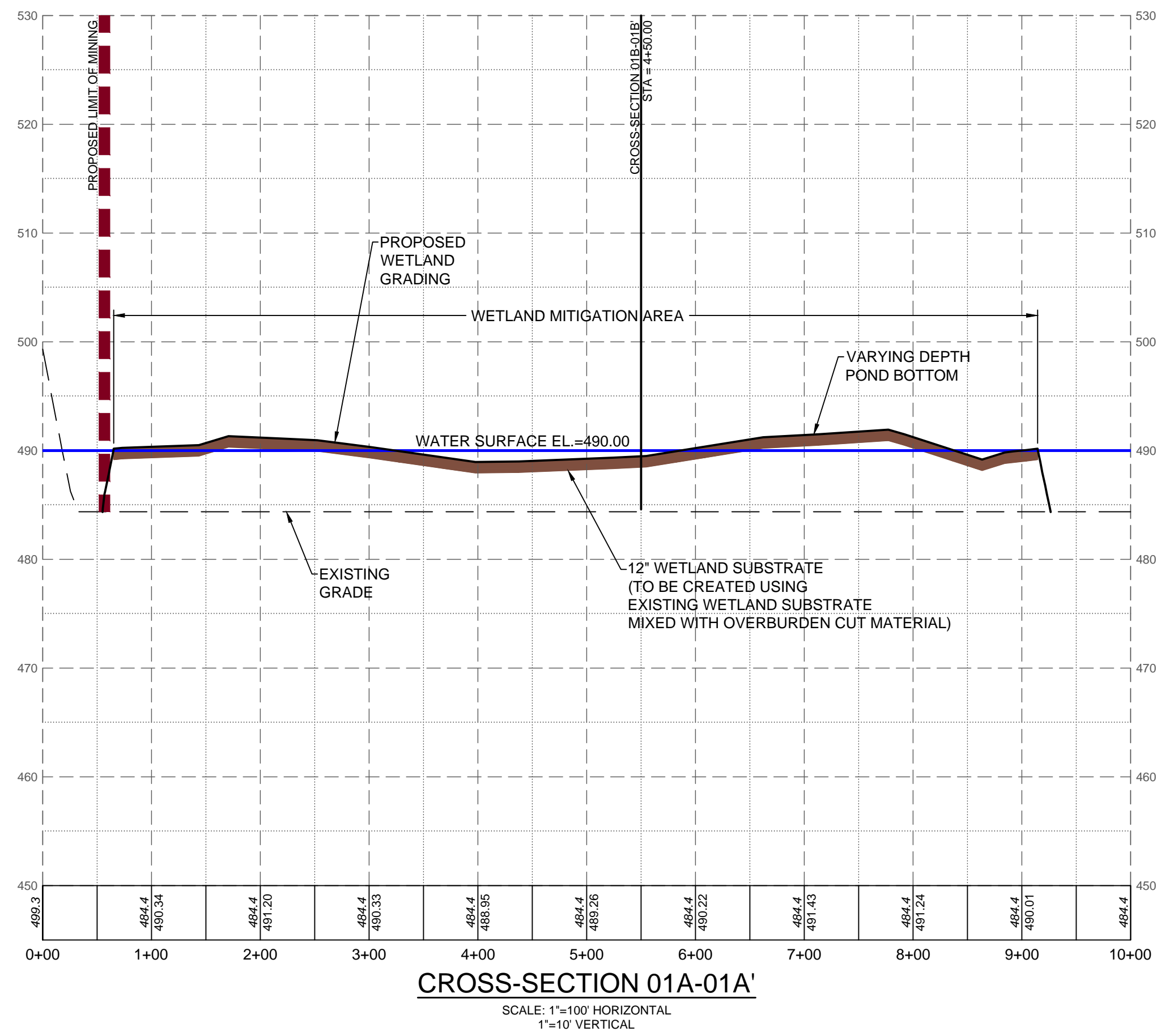
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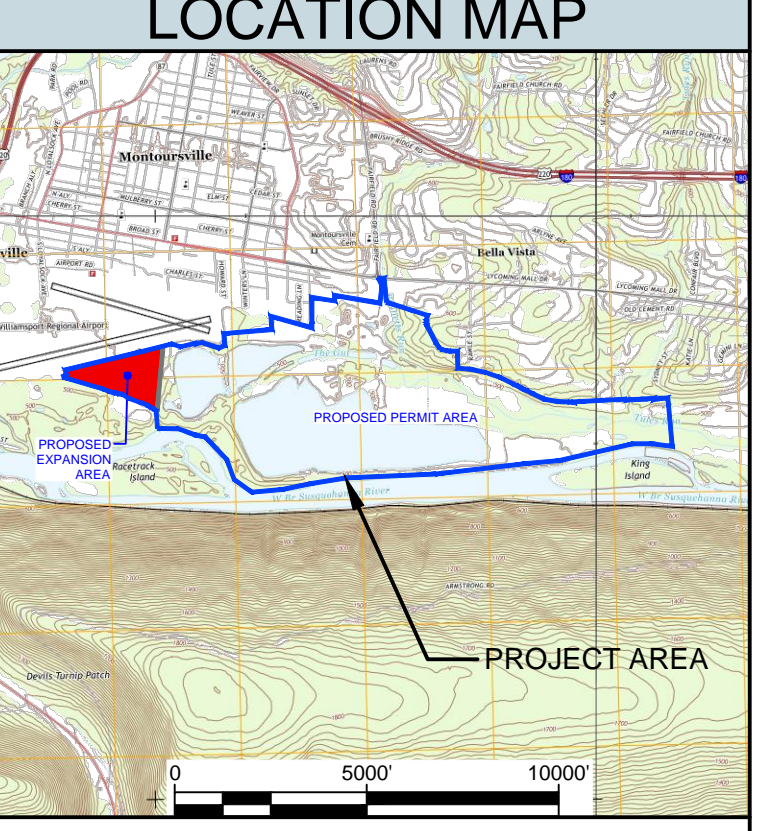
SEDIMENT POND

SEDIMENT POND

SPCS: PA-N NAD83(2011) NAVD83(GEIOD12B) \ Date of Photography: 11-16-2015
 NOTE: THE CONTOURS ON THIS MAP WERE CORRECTED TO US NATIONAL MAP ACTUARY STANDARDS
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Kedall Aerial Mapping
 1121 Bayou Road, Suite 3100, Pittsburgh, PA 15241
 Phone: (724) 942-2881 Fax: (724) 942-2885
 www.kedallairmapping.com
 email: map@kedallair.com

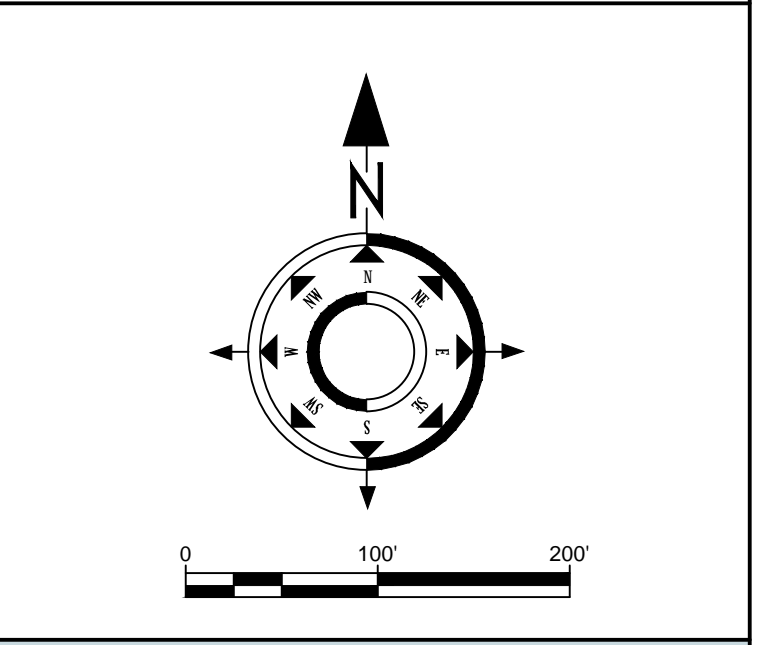


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I hereby certify that this plan is correct and accurate to the best of my knowledge.

SCOTT W. AKENS
Professional Engineer, PE079141
Submitted on this 20th day of November, 2019.



REVISIONS:	
Monday, October 15, 2018 2:29:01 PM	
WETLAND MITIGATION CROSS-SECTIONS	
<i>Hanson Aggregates Pennsylvania LLC</i>	
MONTOURSVILLE SAND & GRAVEL	
FAIRFIELD TOWNSHIP & MONTOURSVILLE BOROUGH LYCOMING COUNTY, PENNSYLVANIA	
SCALE:	SHEET NUMBER:
1" = 100'	2 of 2
PLAN DATE:	JULY 24, 2018
FILE NAME:	X:\249-21-1 Montoursville Sand\Drawing\249-21-2 Base.dwg