

U.S. Army Corps of Engineers Baltimore District PN-20-10

Public Notice

In Reply to Application Number NAB-2019-00498-P02 (Bowman Road - Warehouse)

Comment Period: February 11, 2020 to March 12, 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: Mr. Gary Stewart

Bowman Road, LLC 950 Smile Way

York, Pennsylvania 17404

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located in unnamed tributaries to Honey Run, including adjacent wetlands, in Jackson Township, York County, Pennsylvania (39.938171 N, -76.841177 W).

OVERALL PROJECT PURPOSE: To construct an economically viable, regional scale, commercial warehouse distribution facility to serve the southcentral Pennsylvania market region.

PROJECT DESCRIPTION: The applicant proposes to construct a 1,075,200 square foot warehouse distribution facility on an approximately 100.22 acre parcel currently utilized as an 18-hole golf course which is a component of the 36-hole Briarwood Golf Club. The building envelope for the proposed warehouse distribution facility includes 11 stormwater management basins, internal access roadways, employee parking area, loading docks, retaining walls, and associated utilities. The project would result in permanent intermittent stream channel impacts of 1,441 linear feet (0.11 acre); temporary intermittent stream channel impacts of 30 linear feet (0.003 acre); permanent open water pond impacts of 8,748 square feet (0.20 acre); and permanent emergent wetland impacts of 9,269 square feet (0.21 acre). Please refer to the table below for a summary of aquatic resource impacts.

EFFECTS ON AQUATIC RESOURCES:

	Open Water	Stream Impact	Wetland Impact	Authority (Section
Activity	(Sq. Ft.)	(l.f.)	(Sq. Ft.)	10/404/408)
Stream channel relocation and				
enclosure and pad fill -				
Permanent Impact (Permanent				
Loss)		1,441		404
Road crossing – Temporary				
Impact		30		404
Pad fill – Permanent Impact				
(Permanent Loss)	8,748			404
Pad fill, rip rap check dam -				
Permanent Impact (Permanent				
Loss)			9,269	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 STATEMENT OF PROPOSED AVOIDANCE, MINIMIZATION, AND **COMPENSATORY MITIGATION**: The Applicant proposes to redevelop an existing golf course and construct a warehouse distribution facility encompassing approximately 1,075,200 square feet. The Applicant has evaluated numerous site configurations to avoid and minimize aquatic resources on the subject site. These measures have been achieved by reducing the size of the proposed warehouse, eliminating site access from Bowman Road, redesigning stormwater management facilities from four large ponds to 11 smaller ponds, and constructing a retaining wall along the northern edge of the warehouse. Impacts to aquatic resources are unavoidable due to site grading, redirecting an existing culvert and incised stream channel bisecting the golf course, and constructing a stream crossing for site access. To mitigate for unavoidable impacts to aquatic resources, the Applicant proposes to restore approximately 1,216 linear feet of stream by restoring an incised stream channel within the golf course, recreating the former stream channel within an in-line golf course pond, and removing an existing culvert and restoring the stream channel. The Applicant also proposes to construct approximately 0.31 acre of emergent riparian wetlands along the restored stream channel.

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.

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 would have no effecton 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.

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-2019-00498-P02 (Bowman Road - Warehouse).

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 Danko

<u>mike.danko@usace.army.mil</u>

U.S. Army Corps of Engineers, Baltimore District

Regulatory Branch

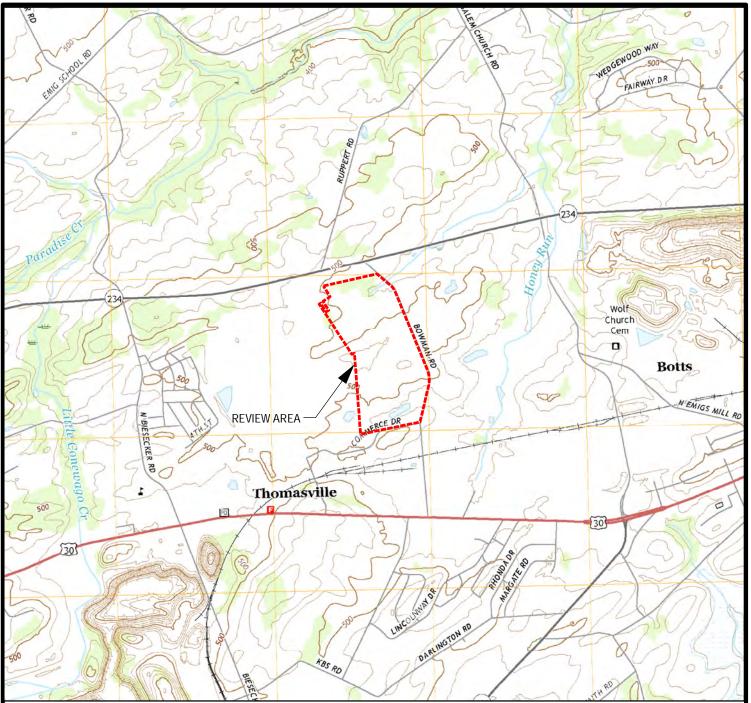
Carlisle Field Office

401 East Louther Street, Suite 205

Carlisle, PA 17013-2657

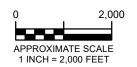
It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested, who did not receive a copy of this notice.

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 Mr. Michael Danko at 717-249-8730 or mike.danko@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.



SOURCE: UNITED STATES GEOLOGICAL SURVEY, ABBOTTSTOWN, WEST YORK, PA QUADRANGLE, 7.5 MINUTES TOPOGRAPHIC MAP SERIES. DATED 2016.







GEO-TECHNOLOGY ASSOCIATES, INC. GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

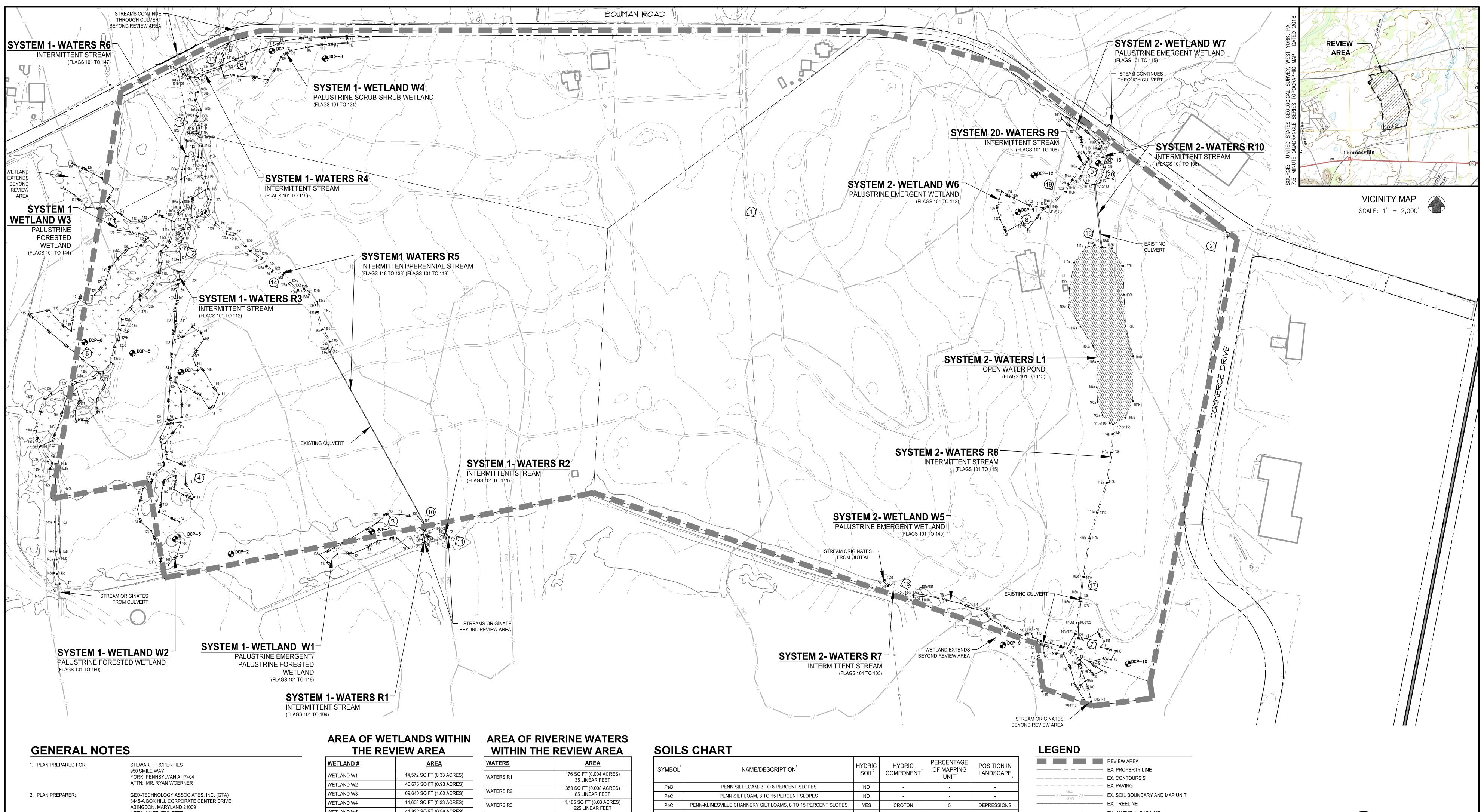
3445-A BOX HILL CORPORATE CENTER DRIVE ABINGDON, MARYLAND 21009 410-515-9446 FAX: 410-515-4895 WWW.GTAENG.COM

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TOPOGRAPHIC MAP **BOWMAN ROAD, LLC**

YORK COUNTY, PENNSYLVANIA

JOB NO. 31180156 SCALE: 1" = 2000' DATE: DECEMBER 5, 2018 DRAWN BY: RJM REVIEW BY: TAS FIGURE: 2



ATTN: MATT JENNETTE

PHONE: 410-515-9446

EMAIL: MJENNETTE@GTAENG.COM

3. REVIEW AREA ACREAGE: 100.19± ACRES

4. THE EXISTING CONDITIONS SHOWN ON THIS PLAN WERE PROVIDED BY WAREHAUS IN APRIL 2019.

5. A WETLAND DELINEATION OF THE REVIEW AREA WAS PERFORMED BY GTA IN DECEMBER 2018. WETLAND AND WATERWAY FLAG LOCATIONS WITHIN THE REVIEW AREA WERE SURVEY LOCATED AND PROVIDED BY WAREHAUS IN APRIL 2019.

6. AS A RESULT OF THE REVIEW OF THE SITE, IT IS GTA'S PROFESSIONAL OPINION THAT THERE ARE JURISDICTIONAL "WATERS OF THE U.S.", INCLUDING WETLANDS, PRESENT WITHIN THE REVIEW AREA.

7. THE REVIEW AREA DRAINS TOWARDS HONEY RUN. HONEY RUN IS A TRIBUTARY TO THE LITTLE CONEWAGO CREEK, WHICH CONTRIBUTES TO THE CONEWAGO CREEK. THE LITTLE CONEWAGO CREEK BASIN IS DESIGNATED IN 25 PA CODE § 93 AS TSF (TROUT STOCKING) AND MF (MIGRATORY FISHES).

8. GTA'S CONCLUSIONS REGARDING THIS SITE HAVE BEEN BASED ON OBSERVATIONS OF EXISTING CONDITIONS, PROFESSIONAL EXPERIENCE, AND GENERALLY ACCEPTED PROFESSIONAL ENVIRONMENTAL PRACTICE UNDER SIMILAR CIRCUMSTANCES. SEASONAL VEGETATION CYCLES AND FLUCTUATIONS IN PRECIPITATION OR WEATHER CONDITIONS CAN RESULT IN DIFFERENCES IN THE PERCEPTION OF HYDROLOGIC CONDITIONS AND THE PRESENCE OF PREDOMINANTLY HYDROPHYTIC VEGETATION, WHICH CAN ALTER GTA'S EVALUATION OF WETLANDS/WATERWAYS.

9. IT IS IMPORTANT TO NOTE THAT THIS EVALUATION IS GTA'S PROFESSIONAL OPINION, ONLY. DECISIONS REGARDING THE OFFICIAL JURISDICTIONAL STATUS OF WETLANDS/WATERWAYS ARE MADE BY FEDERAL, STATE, AND/OR LOCAL REGULATORY AGENCIES.

10. THIS PLAN WAS PREPARED BY GTA FOR THE SOLE AND EXCLUSIVE USE OF STEWART PROPERTIES. ANY REPRODUCTION OF THIS PLAN BY ANY OTHER PERSON WITHOUT THE EXPRESSED WRITTEN PERMISSION OF GTA AND STEWART PROPERTIES IS UNAUTHORIZED, AND SUCH USE IS AT THE SOLE RISK OF THE USER.

WETLAND #	AREA
WETLAND W1	14,572 SQ FT (0.33 ACRES)
WETLAND W2	40,676 SQ FT (0.93 ACRES)
WETLAND W3	69,640 SQ FT (1.60 ACRES)
WETLAND W4	14,608 SQ FT (0.33 ACRES)
WETLAND W5	41,932 SQ FT (0.96 ACRES)
WETLAND W6	8,048 SQ FT (0.18 ACRES)
WETLAND W7	7,333 SQ FT (0.17 ACRES)
TOTAL	196,809 SQ FT (4.52 ACRES)

AREA OF LACUSTRINE WATERS WITHIN THE REVIEW AREA

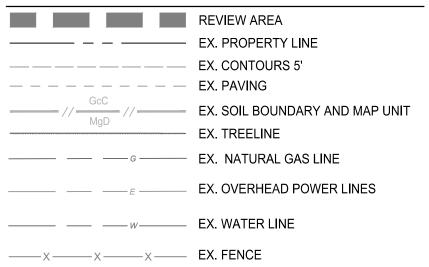
441111114 111L	IVE AILAA VIVEV		
WATERS	AREA		
WATERS L1	56,312 SQ FT (1.29 ACRES)		

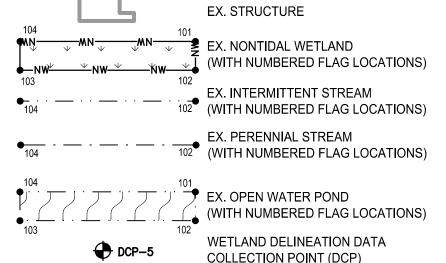
WATERS	<u>AREA</u>		
WATERS R1	176 SQ FT (0.004 ACRES) 35 LINEAR FEET		
WATERS R2	350 SQ FT (0.008 ACRES) 85 LINEAR FEET		
WATERS R3	1,105 SQ FT (0.03 ACRES) 225 LINEAR FEET		
WATERS R4	752 SQ FT (0.02 ACRES) 164 LINEAR FEET		
WATERS R5	5,526 SQ FT (0.13 ACRES) 986 LINEAR FEET		
WATERS R6	8,493 SQ FT (0.19 ACRES) 1,493 LINEAR FEET		
WATERS R7	605 SQ FT (0.01 ACRES) 122 LINEAR FEET		
WATERS R8	3,309 SQ FT (0.08 ACRES) 799 LINEAR FEET		
WATERS R9	231 SQ FT (0.005 ACRES) 823 LINEAR FEET		
WATERS R10	615 SQ FT (0.01 ACRES) 128 LINEAR FEET		
TOTAL	20,810 SQ FT (0.48 ACRES) 4,860 LINEAR FEET		

SUILS CHART					
SYMBOL	NAME/DESCRIPTION ¹	HYDRIC SOIL ²	HYDRIC COMPONENT ²	PERCENTAGE OF MAPPING UNIT ²	POSITION IN LANDSCAPE 2
PeB	PENN SILT LOAM, 3 TO 8 PERCENT SLOPES	NO	-	-	-
PeC	PENN SILT LOAM, 8 TO 15 PERCENT SLOPES	NO	-	-	-
PoC	PENN-KLINESVILLE CHANNERY SILT LOAMS, 8 TO 15 PERCENT SLOPES	YES	CROTON	5	DEPRESSIONS
ReA	READING SILT LOAM, 0 TO 3 PERCENT SLOPES	YES	CROTON	3	DEPRESSIONS
ReB	READING SILT LOAM, 3 TO 8 PERCENT SLOPES	NO	-	-	-
Rw	ROWLAND SILT LOAM	YES	BOWMAN	3	FLOOD PLAINS
	NOWLAND SILT LOAW		LAMINGTON	2	TERRACES
Uc	URBAN LAND	NO	-	-	-

1. SOURCE: THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE'S WEB SOIL SURVEY, CONSULTED ON JANUARY 25, 2018, AVAILABLE ON-LINE AT <HTTP://WEBSOILSURVEY.NRCS.USDA.GOV/APP/HOME PAGE.HTM>. 2. HYDRIC SOILS INFORMATION AVAILABLE FROM THE STATE SOIL DATA ACCESS HYDRIC SOILS LIST, AT

<HTTPS://WWW.NRCS.USDA.GOV/INTERNET/FSE_DOCUMENTS/NRCSEPRD1316619.HTML#REPORTREF>. ACCESSED DECEMBER 5, 2018.





NUMBERED PHOTOGRAPH LOCATION







REVISIONS:

3445-A BOX HILL CORPORATE CENTER DRIVE

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WETLAND DELINEATION PLAN

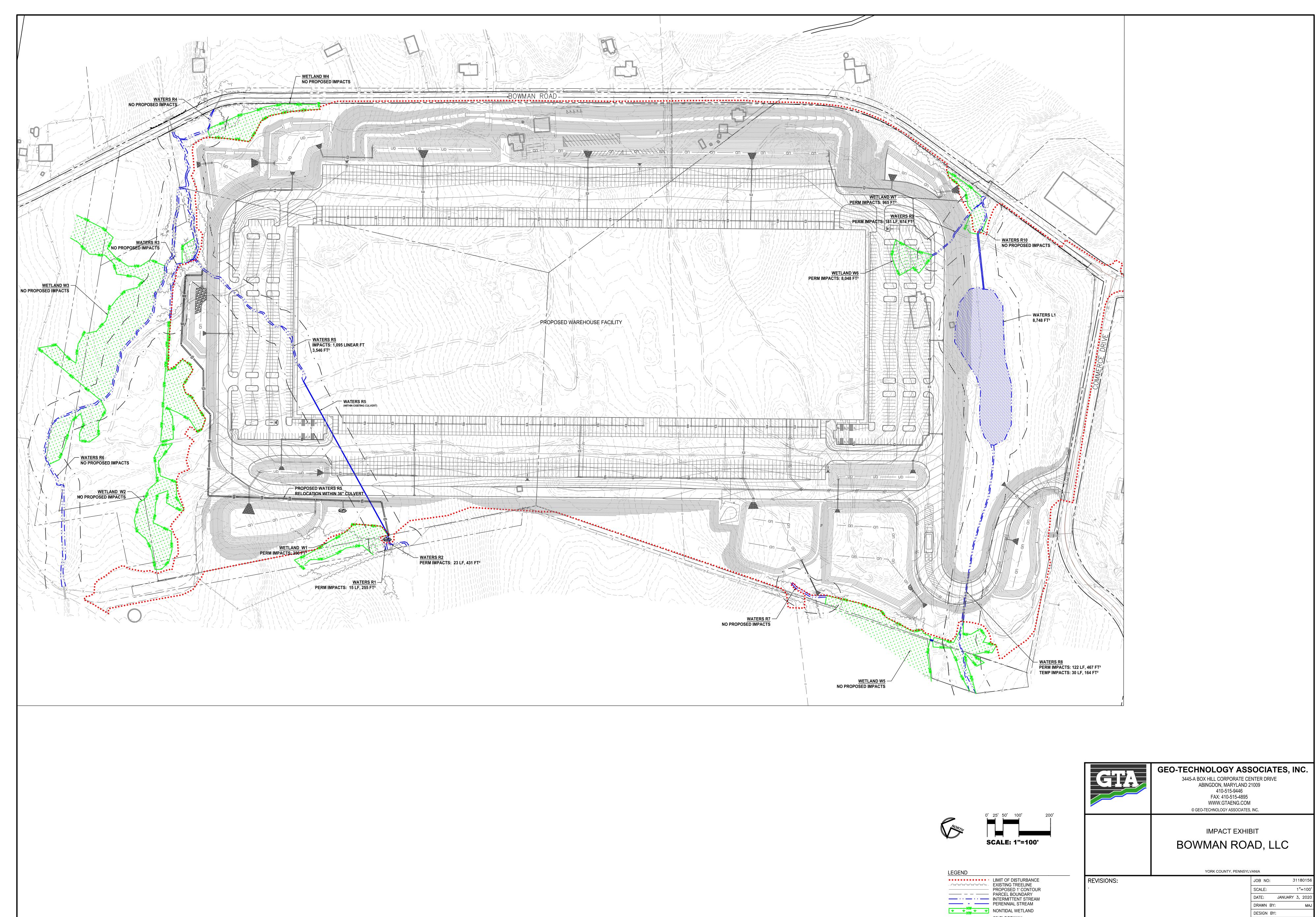
BRIARWOOD WEST

YORK COUNTY, PENNSYLVANIA

SHEET:

1 OF 1

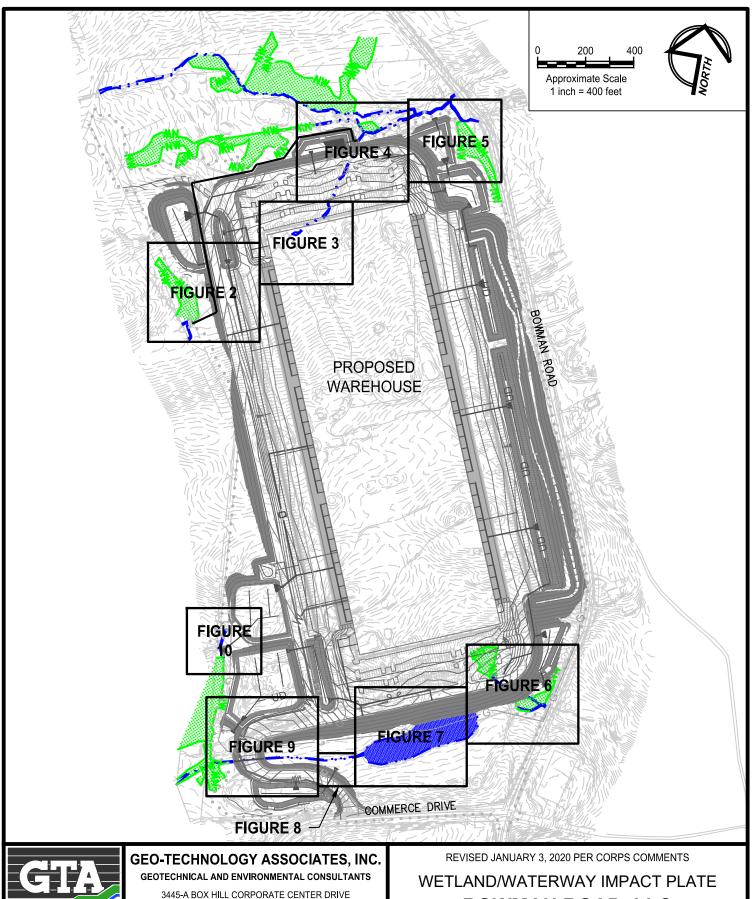
12/23/2019 - UPDATED REFERENCE TO "WATERS OF THE US". SCALE: 1" = 100' JULY 11, 2019 DATE: DRAWN BY: DESIGN BY: REVIEW BY:



DESIGN BY:

REVIEW BY: SHEET:

50' FLOODWAY





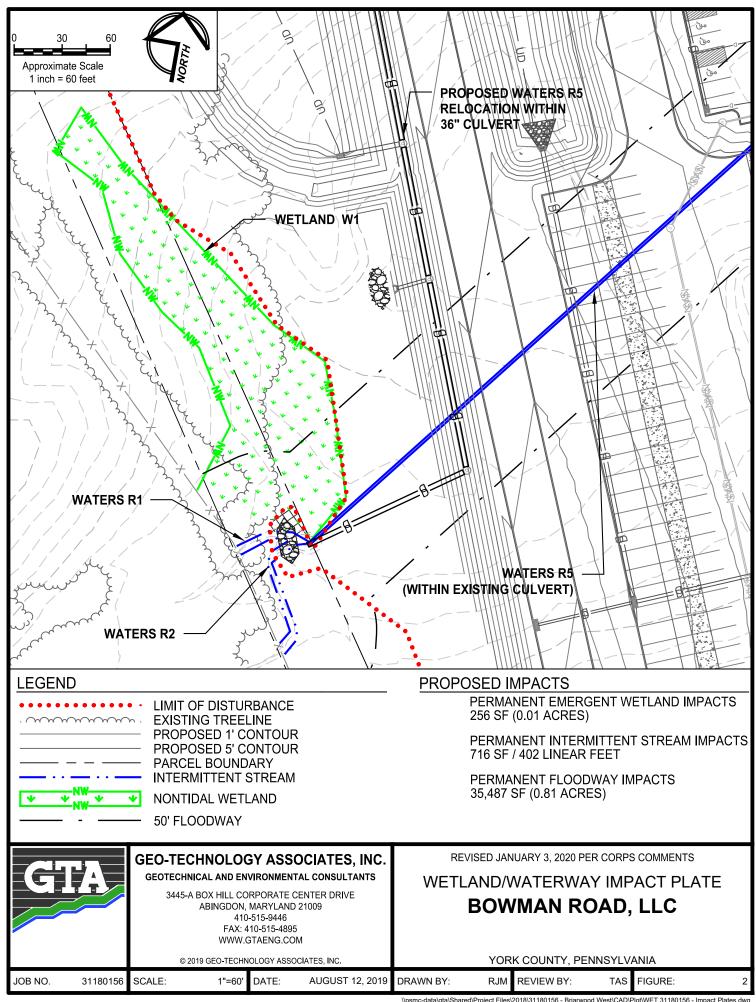
ABINGDON, MARYLAND 21009 410-515-9446 FAX: 410-515-4895 WWW.GTAENG.COM

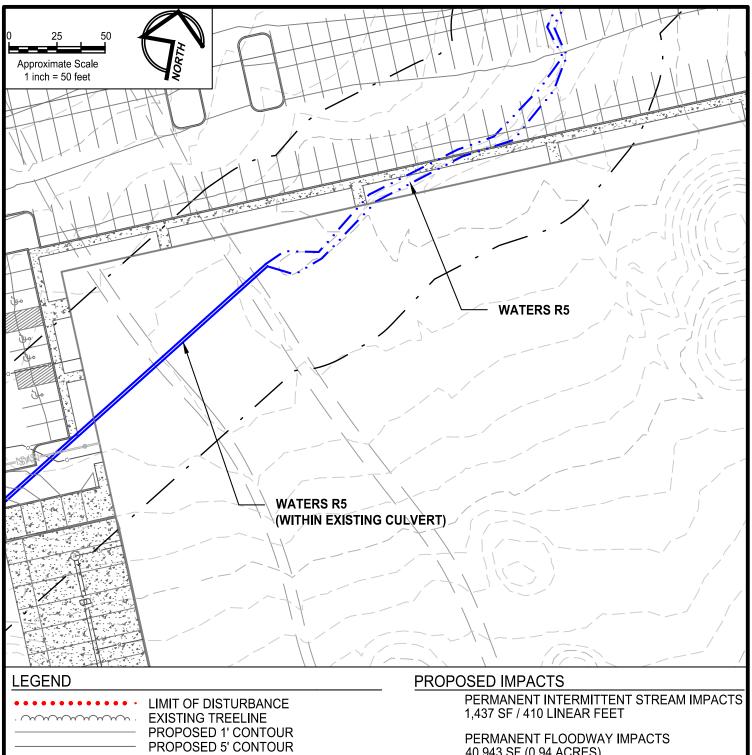
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BOWMAN ROAD, LLC

YORK COUNTY, PENNSYLVANIA

JOB NO. 31180156 SCALE: 1"=400' DATE: AUGUST 12, 2019 DRAWN BY: REVIEW BY: FIGURE:





PARCEL BOUNDARY INTERMITTENT STREAM

NONTIDAL WETLAND

50' FLOODWAY

40,943 SF (0.94 ACRES)



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REVISED JANUARY 3, 2020 PER CORPS COMMENTS

WETLAND/WATERWAY IMPACT PLATE **BOWMAN ROAD, LLC**

YORK COUNTY, PENNSYLVANIA

JOB NO.

31180156

SCALE:

1"=50'

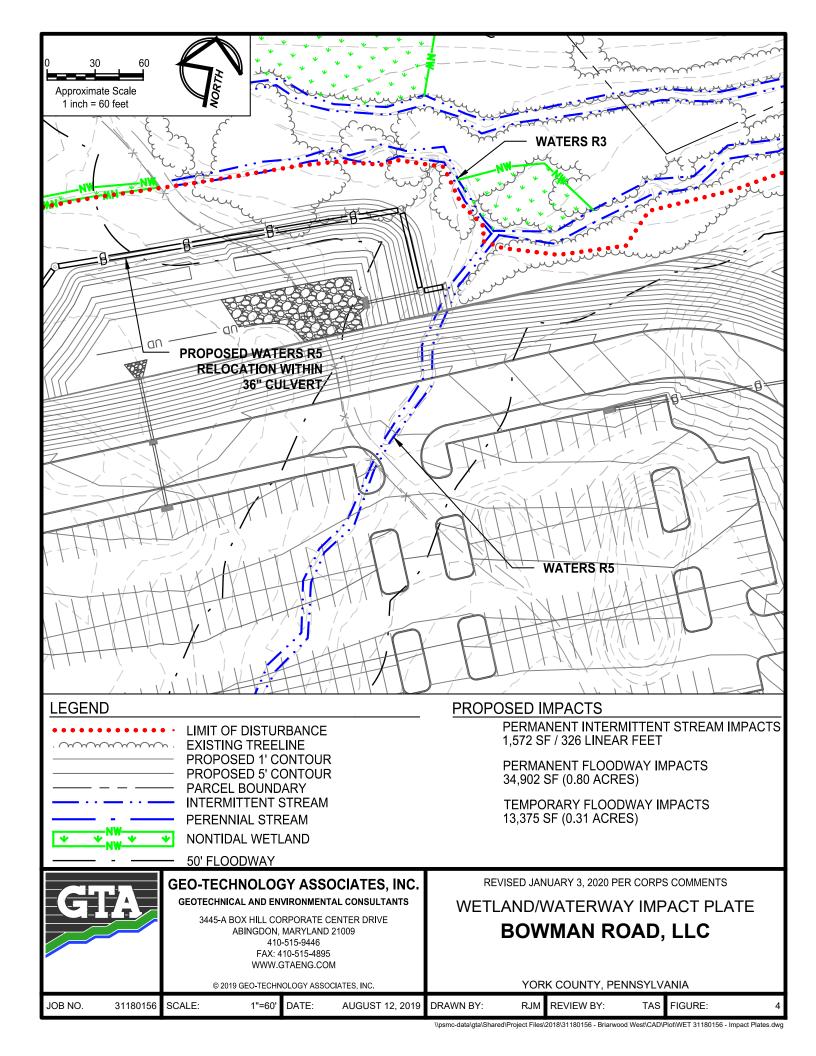
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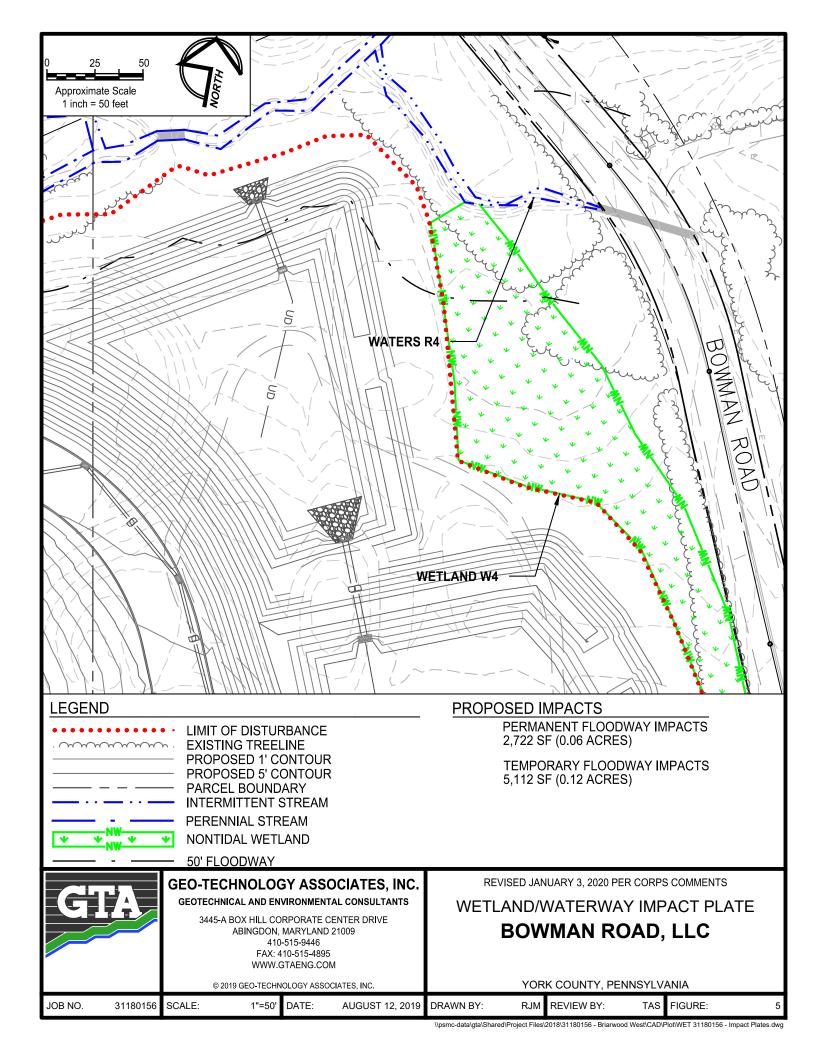
AUGUST 12, 2019

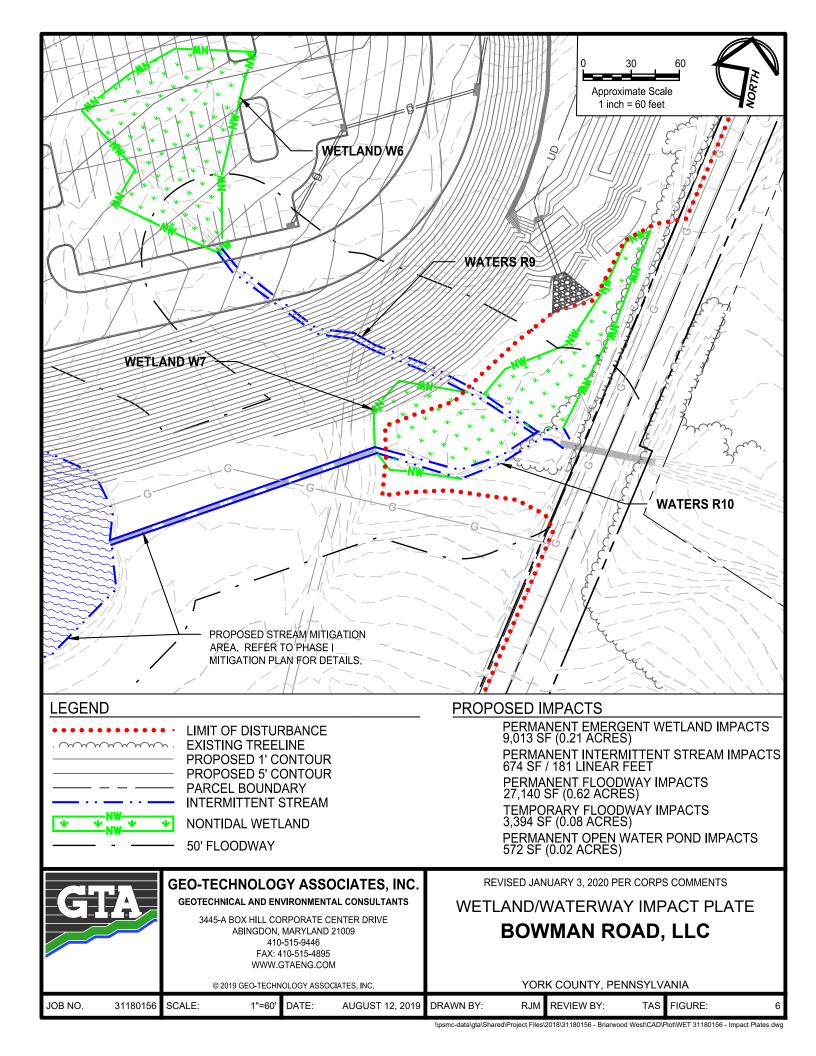
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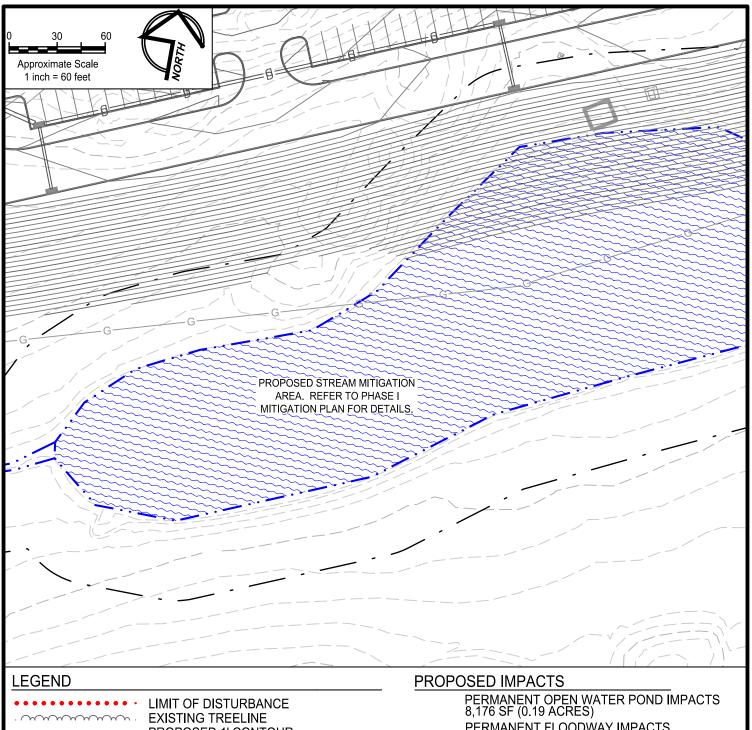
REVIEW BY:

FIGURE:









PROPOSED 1' CONTOUR PROPOSED 5' CONTOUR PARCEL BOUNDARY INTERMITTENT STREAM

NONTIDAL WETLAND

50' FLOODWAY

PERMANENT FLOODWAY IMPACTS 16,589 SF (0.38 ACRES)



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WETLAND/WATERWAY IMPACT PLATE **BOWMAN ROAD, LLC**

YORK COUNTY, PENNSYLVANIA

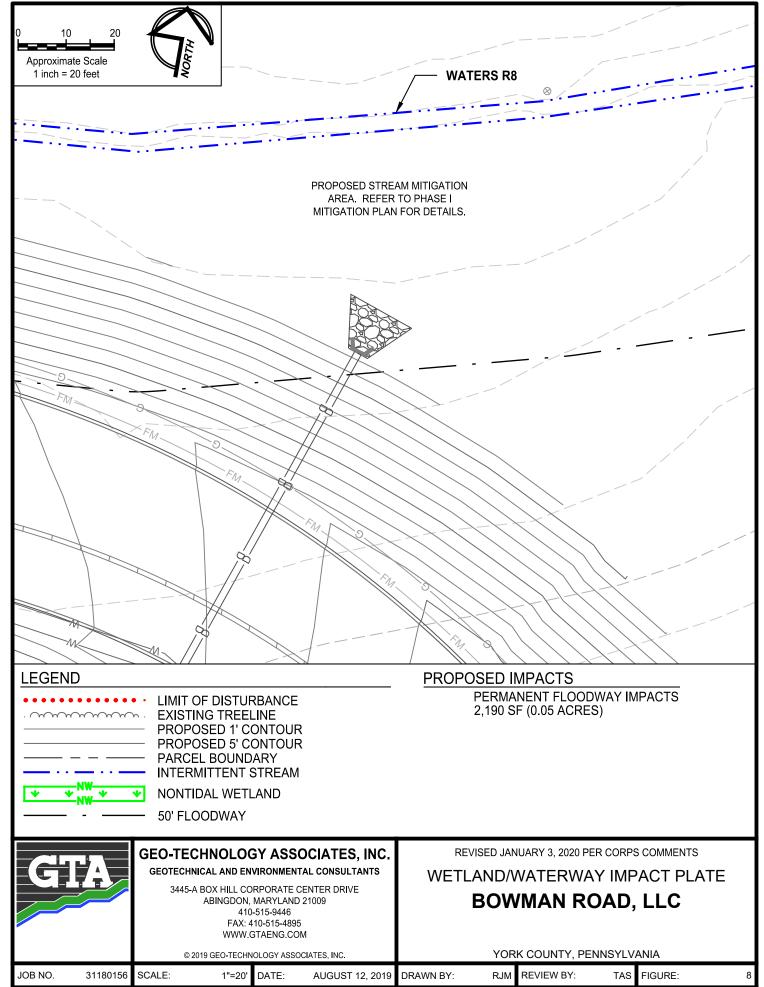
JOB NO. 31180156 SCALE: DATE: AUGUST 12, 2019 1"=60' DRAWN BY:

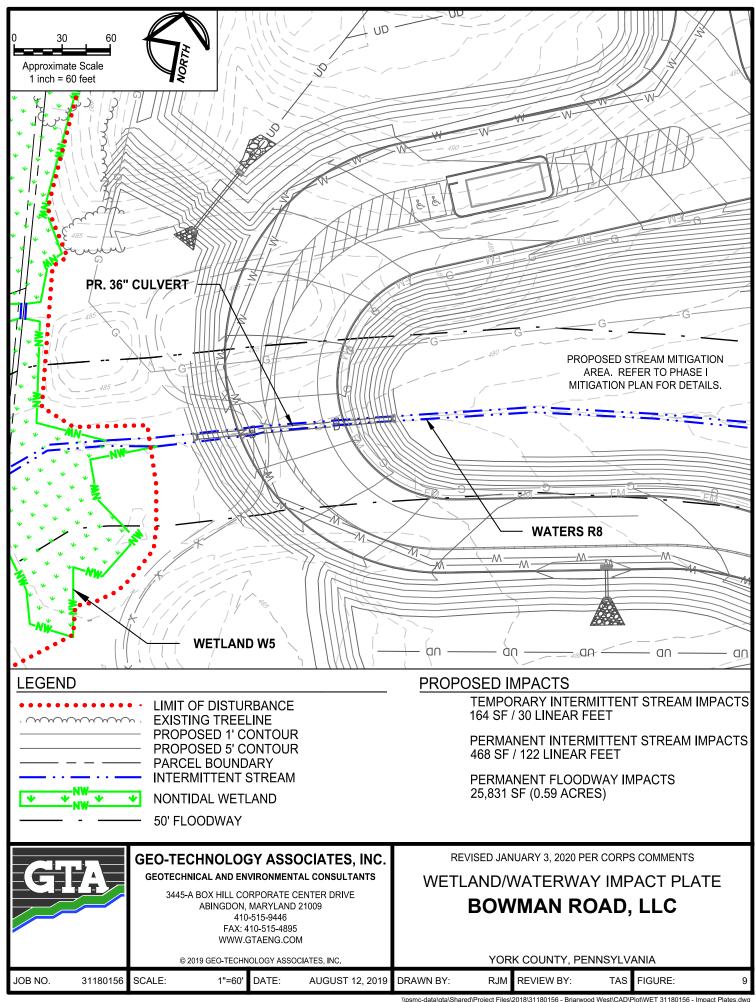
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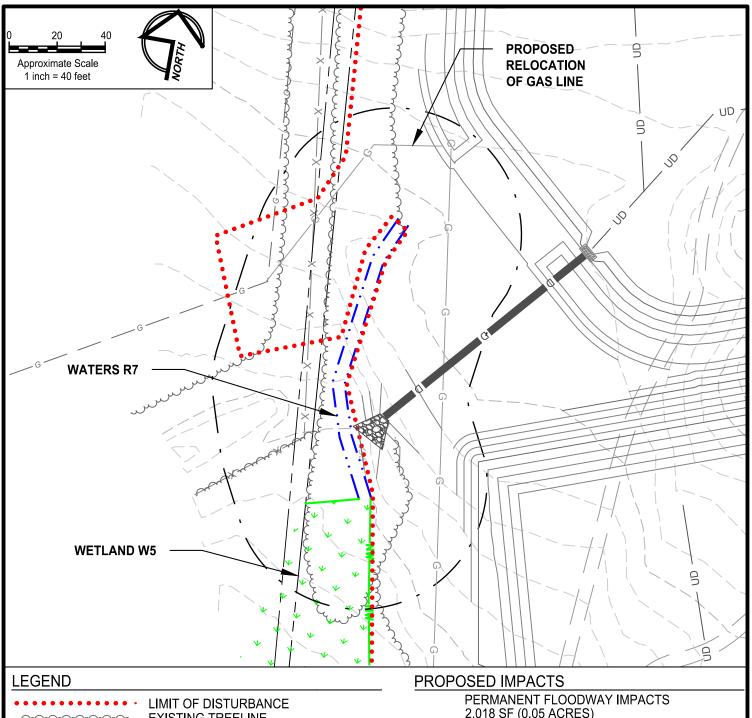
FIGURE:

TAS

REVIEW BY:







EXISTING TREELINE PROPOSED 1' CONTOUR PROPOSED 5' CONTOUR PARCEL BOUNDARY INTERMITTENT STREAM NONTIDAL WETLAND

50' FLOODWAY

2,018 SF (0.05 ACRES)

TEMPORARY FLOODWAY IMPACTS 11,179 SF (0.26 ACRES)



31180156

JOB NO.

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DATE:

AUGUST 12, 2019

DRAWN BY:

1"=40'

REVISED JANUARY 3, 2020 PER CORPS COMMENTS

WETLAND/WATERWAY IMPACT PLATE **BOWMAN ROAD, LLC**

YORK COUNTY, PENNSYLVANIA

SCALE:

REVIEW BY:

FIGURE:

TAS

SUMMARY OF IMPACTS		
INTERMITTENT STREAM CHANNELS		
PERMANENT INTERMITTENT CHANNEL IMPACTS =	4,867 SF (0.11 AC)	
	1,441 LINEAR FT	
TEMPORARY INTERMITTENT CHANNEL IMPACTS =	164 SF (0.003 AC)	
	30 LINEAR FT	
TOTAL INTERMITTENT STREAM IMPACTS	5,031 SF (0.12)	
	1,471 LINEAR FT	
OPEN WATER POND		
PERMANENT OPEN WATER IMPACTS =	8,748 SF (0.20 AC)	
NONTIDAL WETLANDS		
PERMANENT EMERGENT WETLAND IMPACTS =	9,269 SF (0.21 AC)	
FLOODWAY IMPACTS		
PERMANENT FLOODWAY IMPACTS	187,822 SF (4.31 AC)	



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TEMPORARY FLOODWAY IMPACTS

TOTAL FLOODWAY IMPACTS

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REVISED JANUARY 3, 2020 PER CORPS COMMENTS

33,059 SF (0.76 AC)

220,881 (5.07 AC)

WETLAND/WATERWAY IMPACT PLATE **BOWMAN ROAD, LLC**

YORK COUNTY, PENNSYLVANIA

JOB NO. 31180156 SCALE: DATE: AUGUST 12, 2019 DRAWN BY: RJM REVIEW BY: TAS FIGURE: