

U.S. Army Corps of Engineers

Baltimore District PN-20-17

Public Notice

In Reply to Application Number NAB-2019-00114-P13 (Throop Borough/Sulfur Creek Stream Stabilization Project)

Comment Period: March 10, 2020 to April 9, 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:

Throop Borough 436 Sanderson Street Throop, Pennsylvania 18512

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located off Sanderson Street, in Sulfur Creek, before the confluence with the Lackawanna River, in Throop Borough, Lackawanna County, Pennsylvania (Latitude: 41° 27′ 9″ N; Longitude 75° 37′ 23″ W).

OVERALL PROJECT PURPOSE: To stabilize and rehabilitate approximately 1,700 linear feet of Sulfur Creek and to protect it from further erosion.

PROJECT DESCRIPTION: To remove accumulated sediments from the lower reaches of Sulfur Creek, re-grade the stream channel, and armor the stream banks with existing riprap stone to prevent future erosion. All excavated material will be disposed of at an approved location.

EFFECTS ON AQUATIC RESOURCES: The proposed work will impact approximately 1,700 linear feet (2.7 acres) of the existing stream. Approximately 3,600 cubic yards of accumulated sediments will be removed from the existing stream channel. In addition, of the approximate 7,635 square feet of existing R-7 riprap in the stream, an estimated 5,609 square feet of this riprap will be removed from the site, while the remaining 2,026 square feet will be relocated and reused at specific locations along the existing stream banks. Lastly, six (6) proposed rock vanes, impacting approximately 360 square feet of stream, will be statically placed within the stream channel to limit stream channel erosion. No impacts to wetlands are proposed as a result of this project.

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: Steps were taken to ensure avoidance and minimization of impacts to waters of the United States to the maximum extent possible. Removing accumulated sediment from the stream channel will create more stream capacity to hold the 2-year and 100-year storm events. In turn, this will decrease the imminent threat of flooding to the homes down grade of the existing Sulfur Creek levee system. Compensatory mitigation is not being proposed by the applicant for impacts to the approximate 1,700 linear feet of stream.

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.

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 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.

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-2019-00114-P13.

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:

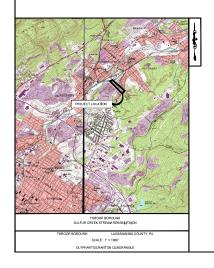
amy.h.elliott@usace.army.mil
Mrs. Amy Elliott
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
State College Field Office
1631 South Atherton Street
State College, PA 16801

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 Mrs. Amy Elliott, at 814-235-0573, or at amy.h.elliott@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.

JOINT PERMIT APPLICATION DRAWINGS FOR THROOP BOROUGH SULFUR CREEK STREAM STABILIZATION

THROOP BOROUGH, LACKAWANNA COUNTY, PA



FEBRUARY 2018

REV AUGUST 2019 REV JANUARY 2020 REV FEBRUARY 2020



SHEET NO:	SHEET NAME:
G001	COVER SHEET
C001	CIVIL STANDARDS
C101	EXISTING SITE AND DEMOLITION PLAN
C102	EXISTING SITE AND DEMOLITION PLAN
C103	GRADING PLAN AND PROFILE
C104	GRADING PLAN AND PROFILE
C105	GRADING PLAN AND PROFILE
C201	GRADING SECTIONS
C202	GRADING SECTIONS
C203	GRADING SECTIONS
C204	GRADING SECTIONS
C301	CIVIL DETAILS
C302	CML DETAILS

SHEET INDEX



