



Public Notice

U.S. Army Corps
of Engineers
Baltimore District

PN-17-03

In Reply to Application Number
CENAB-OPR-P-2015-01664-P06 (Pennsylvania Pipeline Project)

Comment Period: January 6, 2017 to January 21, 2017

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING A CHANGE IN ALIGNMENT FOR ONE OF THE TWO CROSSINGS IDENTIFIED IN PUBLIC NOTICE PN-16-45 REGARDING AN EXISTING APPLICATION. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

APPLICANT: Sunoco Pipeline, L.P.
535 Fritztown Road
Sinking Spring, Pennsylvania 19608

WATERWAY, LOCATION, AND IMPACTS ASSOCIATED WITH PROPOSED

CHANGE: The proposed revision to the alignment is located adjacent to Conodoguinet Creek in North Middleton Township, Cumberland County, Pennsylvania (Enclosure 1). The initial proposed alignment measured approximately 1298 linear feet, and would have resulted in approximately 1.98 acres of temporary impact to a palustrine emergent (PEM) wetland. The current proposed alignment measures approximately 1,635 linear feet, and would will result in approximately 1.924 acres of temporary impact to a PEM wetland (Enclosure 2), as a result of the placements of mats, for the purpose of providing access.

PURPOSE AND PROPOSED WORK: Sunoco Pipeline, L.P. is proposing to construct and operate the Pennsylvania Pipeline for the purpose of expanding existing pipeline systems, providing transportation of up to 700,000 barrels of natural gas liquids per day, and interconnecting with the existing Sunoco Mariner East pipelines. The applicant is proposing to the install parallel pipelines, one 20-inch diameter pipeline and one 16-inch pipeline. Details concerning the work associated with the overall pipeline construction can be found in the original Public Notice 16-45 issued on August 1, 2016 at <http://www.nab.usace.army.mil/Portals/63/docs/Regulatory/PN-16-45.pdf?ver=2016-08-04-080644-603>. If you have any questions concerning this matter; please contact Mrs. Deborah Nizer, at telephone (410) 962-6085, or by mail at USACE, Baltimore District, CENAB-OPR-P, 10 South Howard Street, Baltimore, Maryland, 21203.

The decision whether to issue a permit for this crossing 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, CENAB-OPR-P, 10 South Howard Street, Baltimore, Maryland 21201 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.

ENDANGERED SPECIES ACT: A preliminary review of this application indicates that the proposed work is not likely to or will insignificantly affect federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended, provided time of year restrictions and avoidance/conservation measures are implemented. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

NATIONAL HISTORIC PRESERVATION ACT: Currently, the Pennsylvania Historical and Museum Commission is reviewing information, including archeological surveys, to determine if the proposed project will impact sites that are eligible for listing or are included in the National Register of Historic Places. Unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

TRIBAL COORDINATION: A formal request for Government to Government consultation regarding the pipeline project was sent to sixteen federally recognized Tribes on June 2, 2016 in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended and U.S. Army Corps of Engineers' Tribal Policy. On June 24, 2016, additional information regarding the pipeline project, including the technical reports for the cultural resource investigations were provided to the Tribes that confirmed their interest in project review and coordination. At the current time the Tribes are reviewing the information submitted.

The evaluation of the impact for this crossing 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.

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



Wade B. Chandler
Chief, Pennsylvania Section
Regulatory Branch





