

U.S. Army Corps of Engineers Baltimore District

Public Notice

In Reply to Application Number CENAB-OPR-P-2016-00168-P24 (Lime Spring Run)

PN-17-16

Comment Period: April 3, 2017 to May 3, 2017

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 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

APPLICANT:

Mr. Eric Scott Oak Tree Development Group 2450 Marietta Ave Lancaster, Pennsylvania 17601

WATERWAY AND LOCATION OF THE PROPOSED WORK:

Brubaker Run located in East Hempfield Township, Lancaster County, Pennsylvania, near the east side of Running Pump Road, south of Noll Drive and to the west of Rohrerstown Road.

PURPOSE AND PROPOSED WORK:

Oak Tree Development Group is proposing the development of a 98 acre tract of land to be known as Lime Spring Square. The proposed development will contain a mixture of industrial, commercial, retail, office space and a community park. The site currently consists of agricultural fields, maintained lawns, and partially forested riparian floodplains along Brubaker Run. The project is located on the Lime Spring Farm in East Hempfield Township, Lancaster County, Pennsylvania.

Floodplain restoration is proposed for an approximately 4,444 linear foot section of Brubaker Run, a tributary to the Little Conestoga Creek. Oak Tree Development proposes to remove approximately 8 acres of legacy sediment and restore the floodplain to conditions that resemble as close of an approximation of the pre-settlement conditions of Brubaker Run as is reasonably possible. The floodplain restoration project will address stormwater best management practices and serve to manage the additional stormwater runoff volume and peak rates associated with the proposed development and improve water quality of site runoff. Additional nutrient and sediment load reductions beyond those required for the Lime Spring Square Land Development Project will be applied to East Hempfield Township's MS4 Pollutant Reduction Plan (PRP).

Impacts Summary

A. The discharge of dredged and/or fill material into, and/or grading of, approximately 4,444 linear feet of stream channel associated with the stream and floodplain restoration of Brubaker Run

- and adjoining tributaries. The work includes approximately 3,772 linear feet of permanent stream impact and 672 linear feet of temporary steam impact, 0.019 acre of permanent wetland impact and 0.049 acre of temporary wetland impact.
- B. The placement of approximately 1,400 linear feet of log sills at multiple locations within the floodplain restoration, all placed subsurface for grade control.
- C. The placement of a total of approximately 750 linear feet of toe wood to be installed at multiple locations within the floodplain restoration, all placed in the proposed stream banks for bank protection and habitat enhancement.
- D. Disturbance 1 Running Pump Road Culvert Replacement replacement of the existing culverts on Running Pump Road in Brubaker Run with a 40 linear foot (20' span) bottomless Eco-Span Arch with endwalls and 10-linear feet of R-7 riprap transitions upstream and downstream of the culvert replacement.
- E. Disturbances 2, 3, and 5 three separate disturbances associated with the installation of 36-inch stormwater outfalls.
- F. Disturbance 4 Sanitary Sewer LSS-4 to MH-SR11 the placement of 14 linear feet of 8" sanitary sewer line in concrete encasement under Brubaker Run.
- G. Disturbance 6 Sanitary Sewer Lateral A the placement of 15 linear feet of 6" sanitary sewer line.
- H. Disturbance 7 Water Main the placement of 14 linear feet of 8" water line under Brubaker Run.
- I. Disturbance 8 Sanitary Sewer LSS-1 to LSS-2 the placement of 17 linear feet of 8" sanitary sewer line in concrete encasement under Brubaker Run.
- J. Disturbance 9 Sanitary Sewer Lateral B the placement of 17 linear feet of 8" sanitary sewer line in concrete encasement under Brubaker Run.
- K. Temporary Stream Crossing Station 4+25 the placement of a temporary stream crossing to facilitate construction access during the installation of the floodplain restoration.
- L. Temporary Stream Crossing Station 12+00 the placement of a temporary stream crossing to facilitate construction access during the installation of the floodplain restoration.
- M. Temporary Stream Crossing Station 18+25 the placement of a temporary stream crossing to facilitate construction access during the installation of the floodplain restoration.

Mitigation

The applicant is proposing compensatory mitigation to replace the functions and services being lost as a result of the 0.019 acre of permanent PEM wetland impact. The mitigation area is 0.077 acre in size, and consists of the establishment of PEM wetlands. Construction of the floodplain restoration project is anticipated to result in an overall net gain of 8.420 acres of PEM wetlands on site. The newly created stream channel will replace the functions and services of the existing stream.

All proposed work is proposed be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Ms. Brittany Seguin, (814) 235-1765.

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, Ms. Brittany Seguin, 1601 South Atherton Street, Suite 201, State College, Pennsylvania 16801, within the comment period specified above.

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 (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). The Corps has determined this project will not affect any EFH.

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 (CZM) 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 CZM 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, Ms. Brittany Seguin, 1601 South Atherton Street, Suite 201, State College, Pennsylvania 16801, 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.

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.

BRUBAKER RUN FLOODPLAIN RESTORATION PLAN SET

EAST HEMPFIELD TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA



SITE MAP 1" = 600"

IN COOPERATION WITH:

EAST HEMPFIELD TOWNSHIP 1700 NISSLEY ROAD LANDISVILLE, PA 17536 PHONE: (717) 898-3103



CLIENT ADDRESS:

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LOCATION MAP

1" = 2,000"

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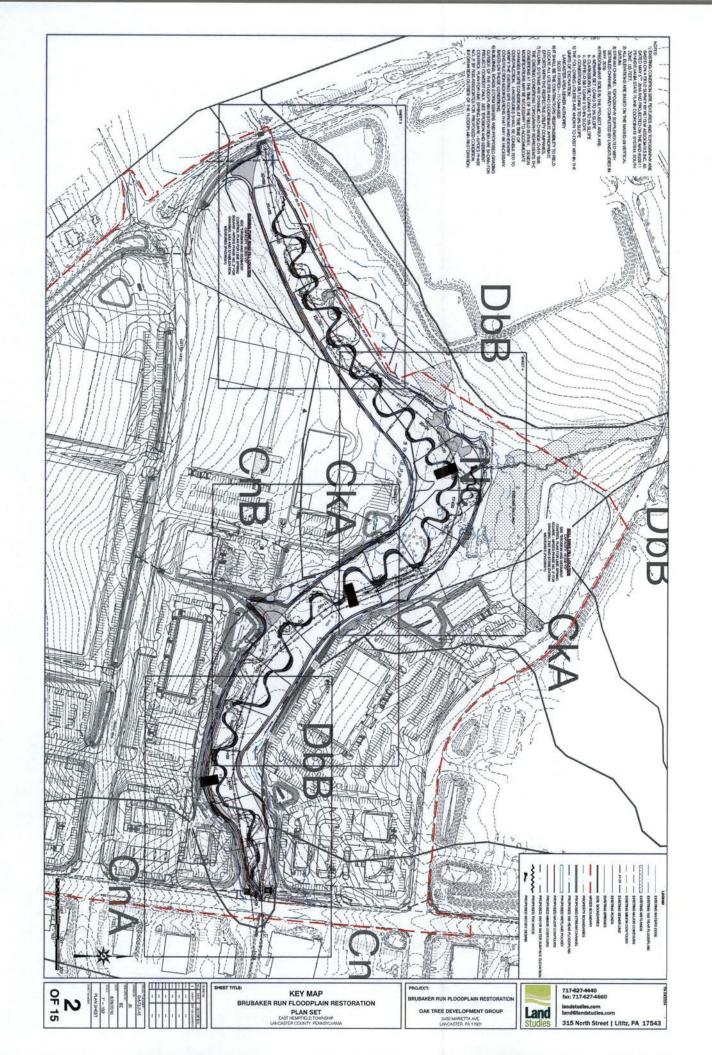
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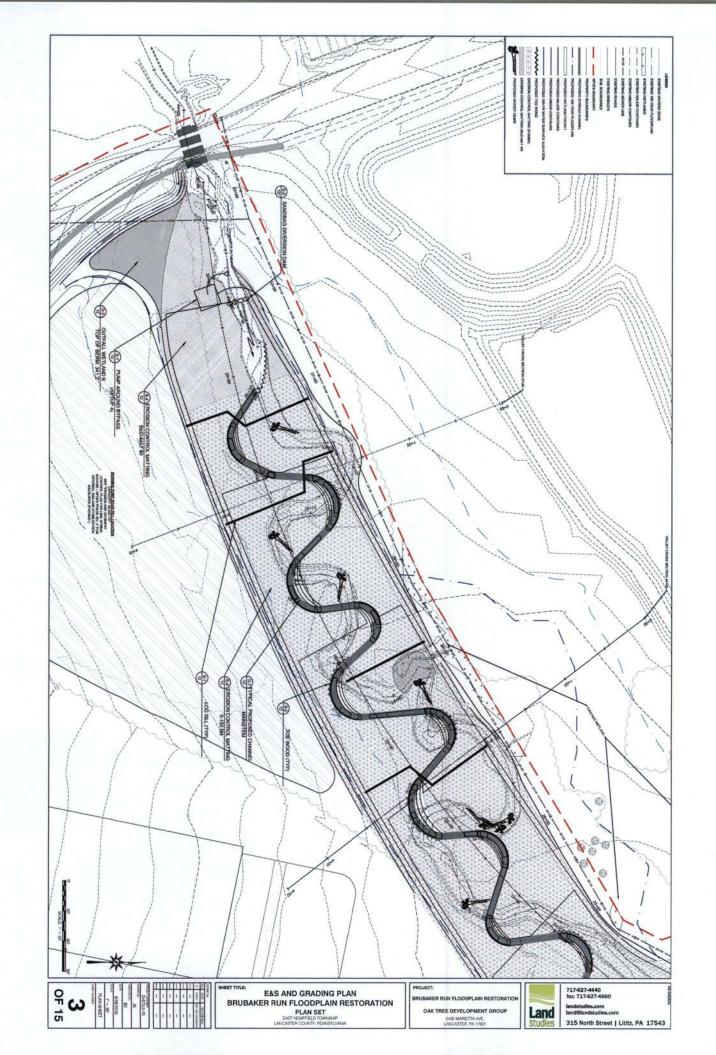
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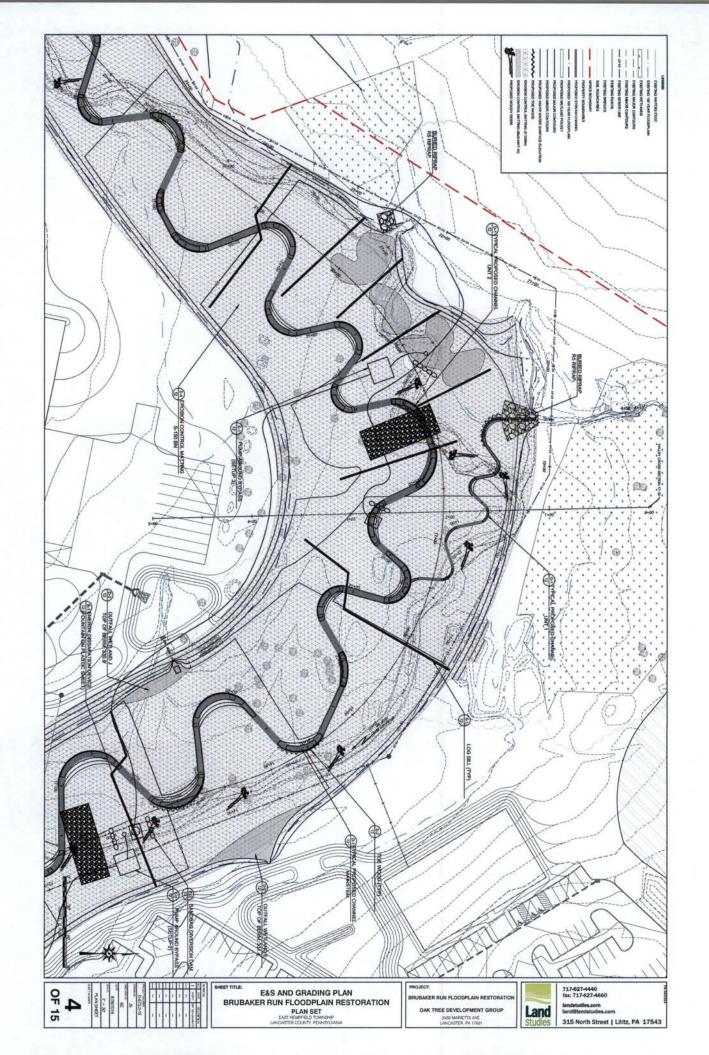
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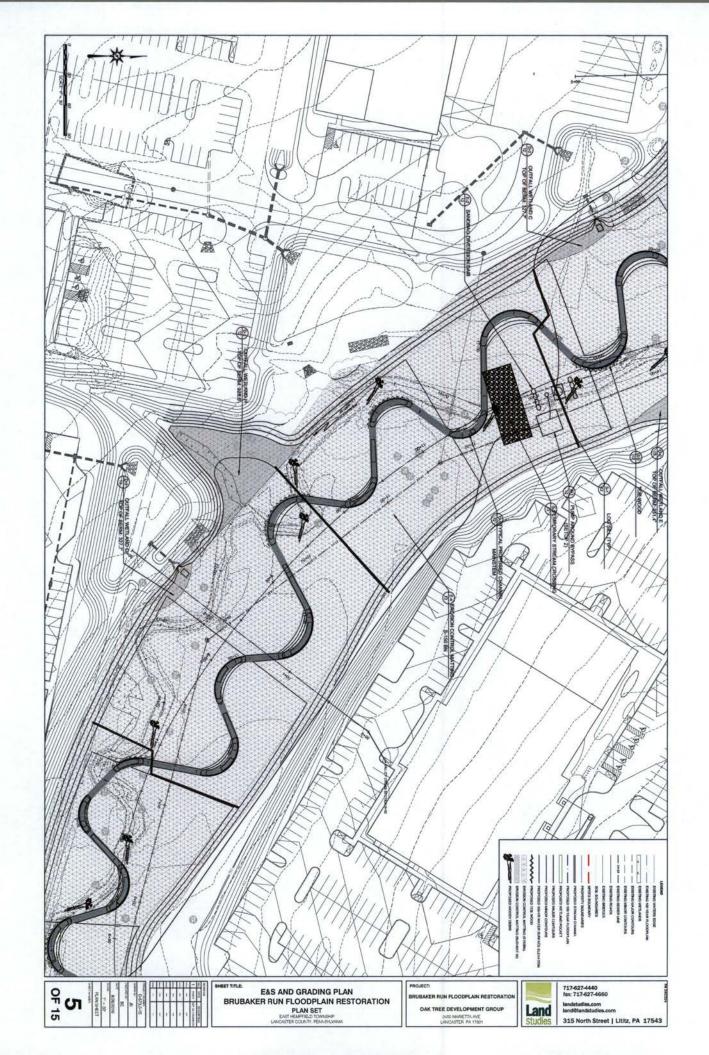
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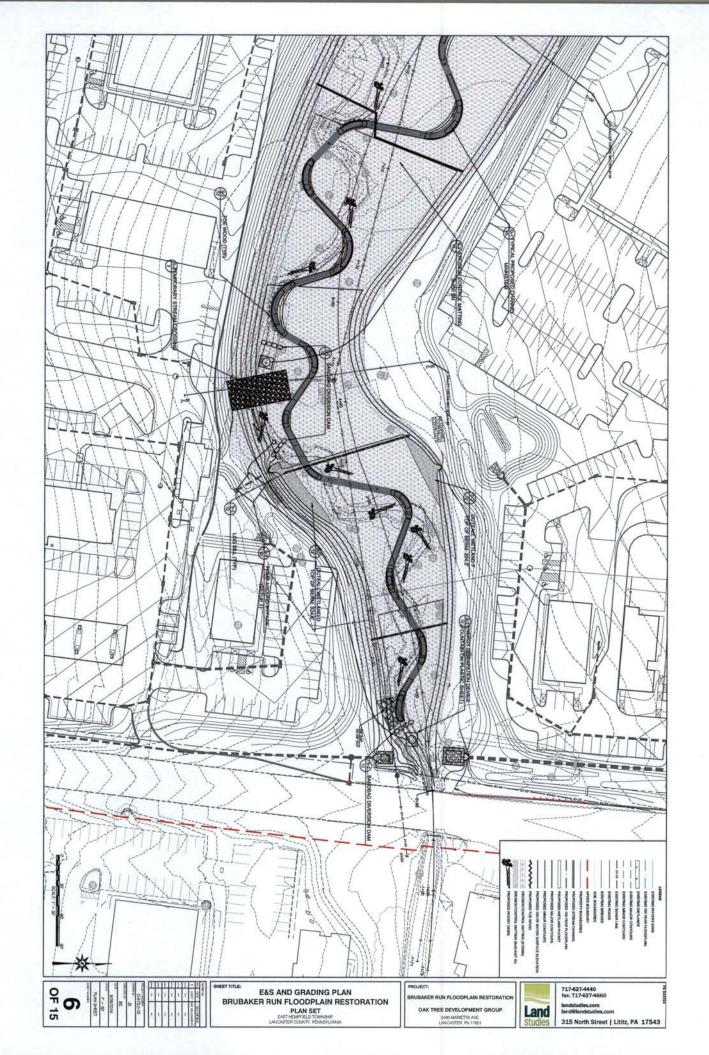
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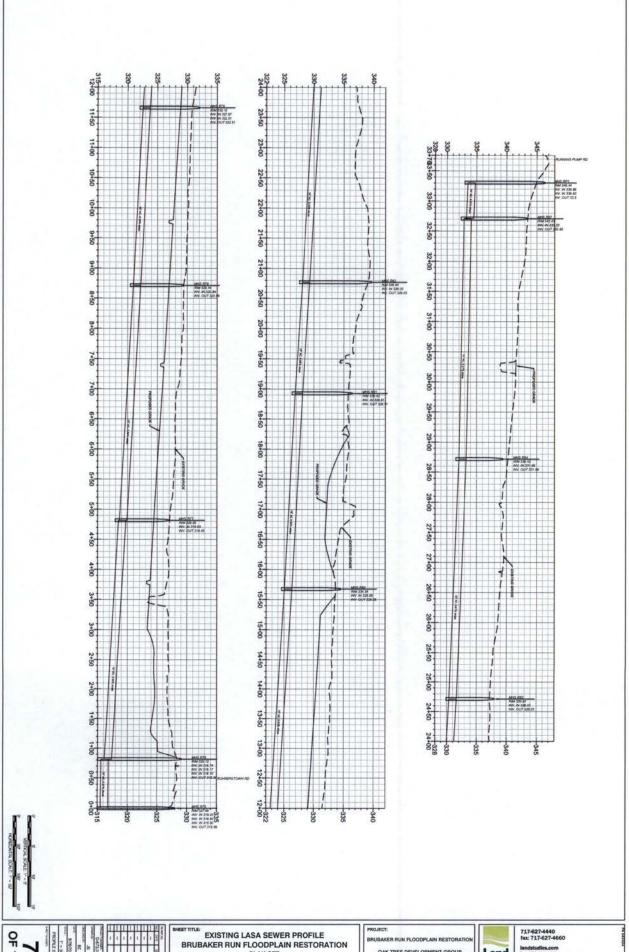












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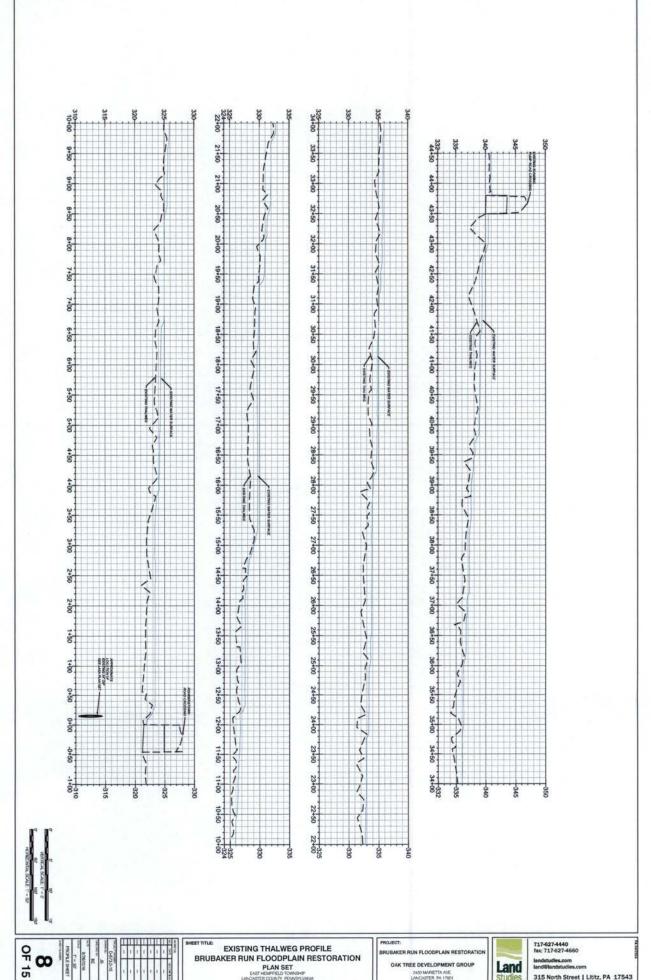
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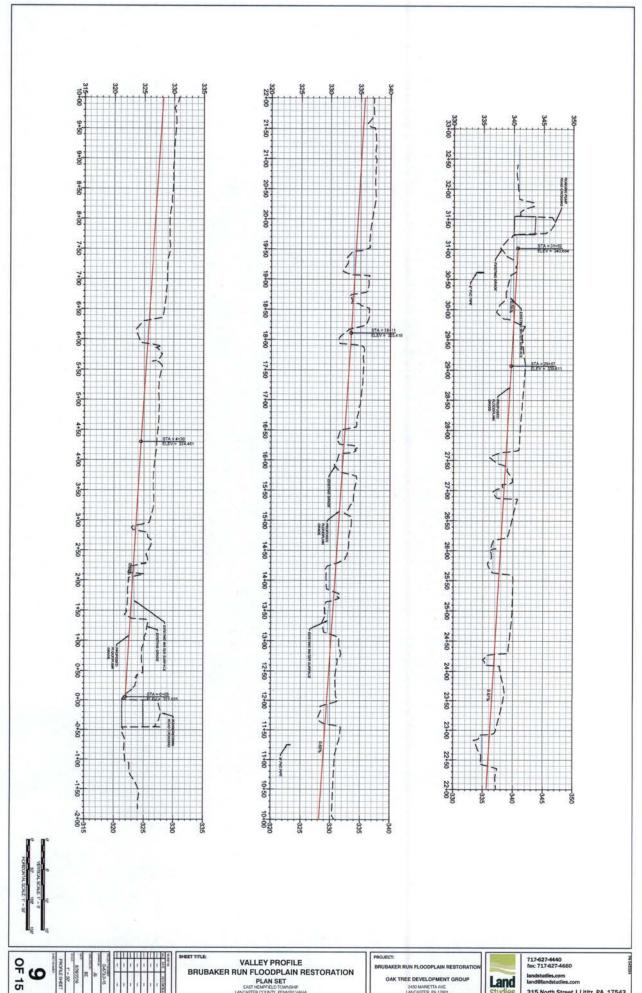
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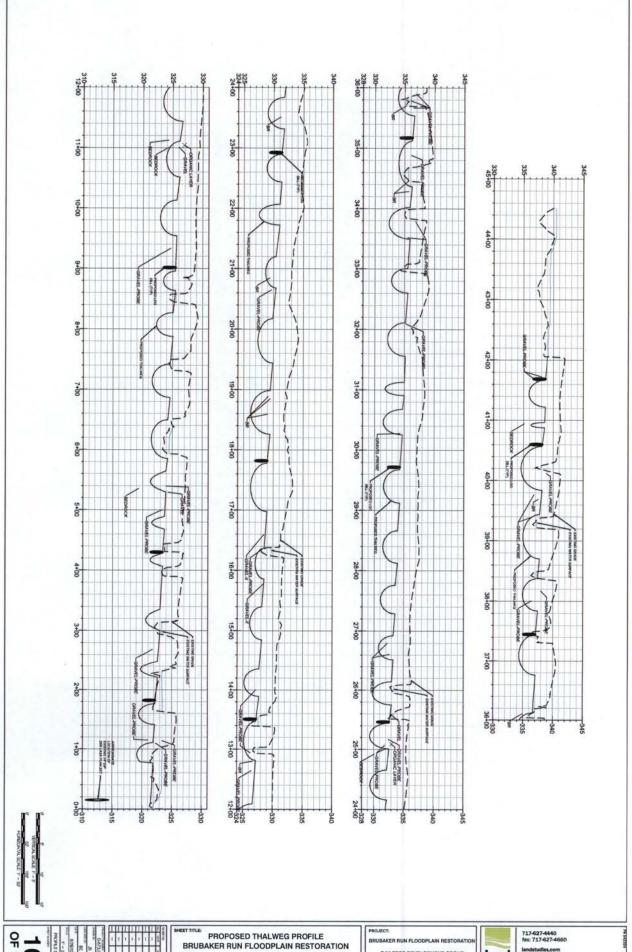




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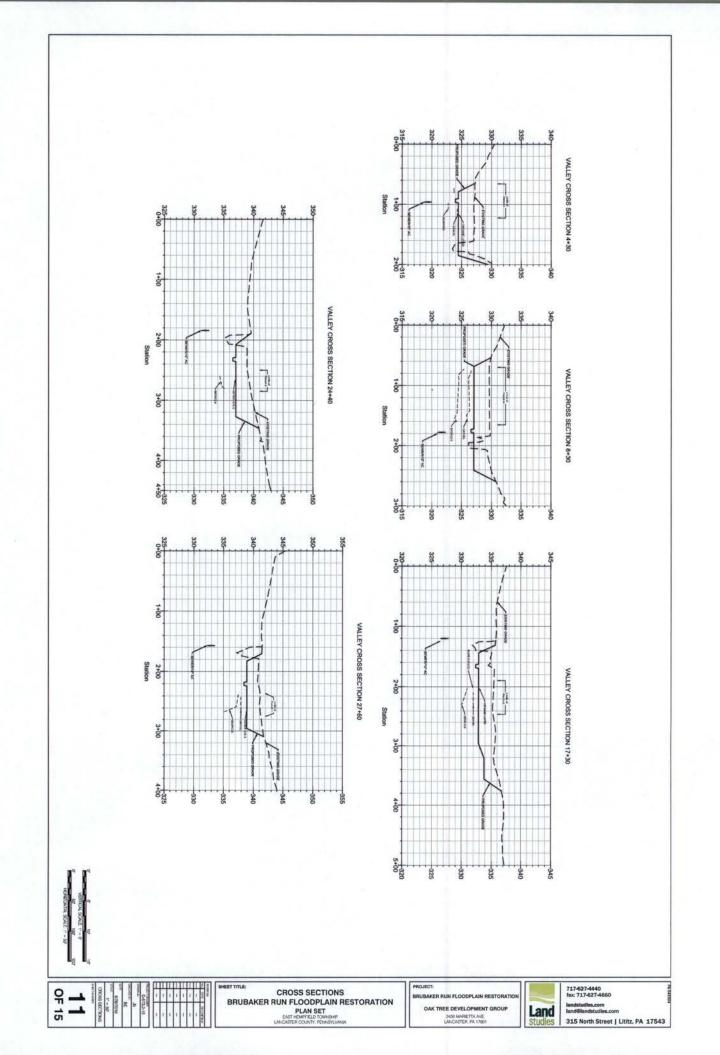
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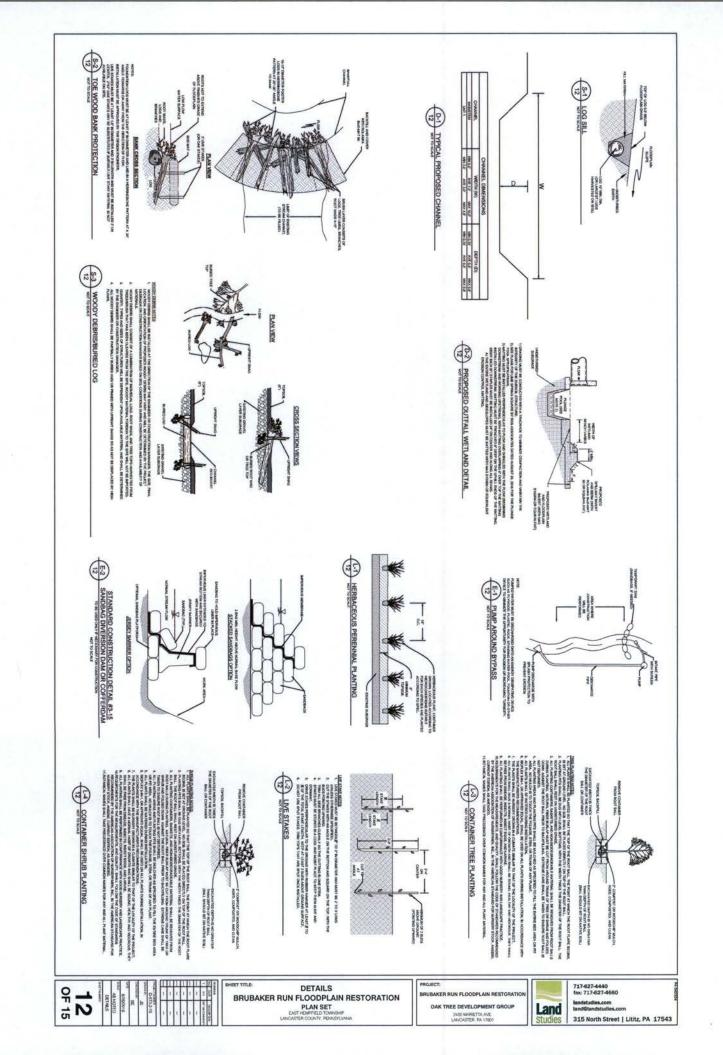
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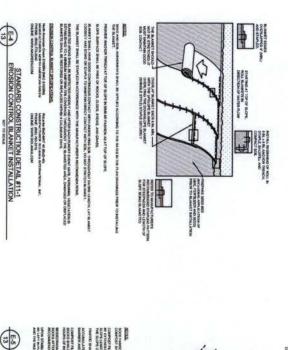
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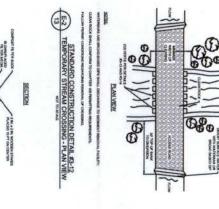


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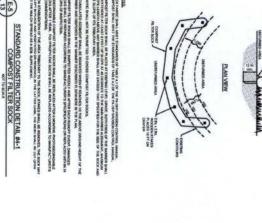


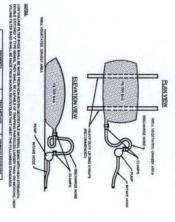




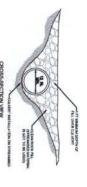
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OAK TREE DEVELOPMENT GROUP 2450 MARIETTA AVE LANCASTER PA 17601

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717-627-4440 fax: 717-627-4660 315 North Street | Lititz, PA 17543

EROSION AND SEDIMENT CONTROL PLAN NOTES

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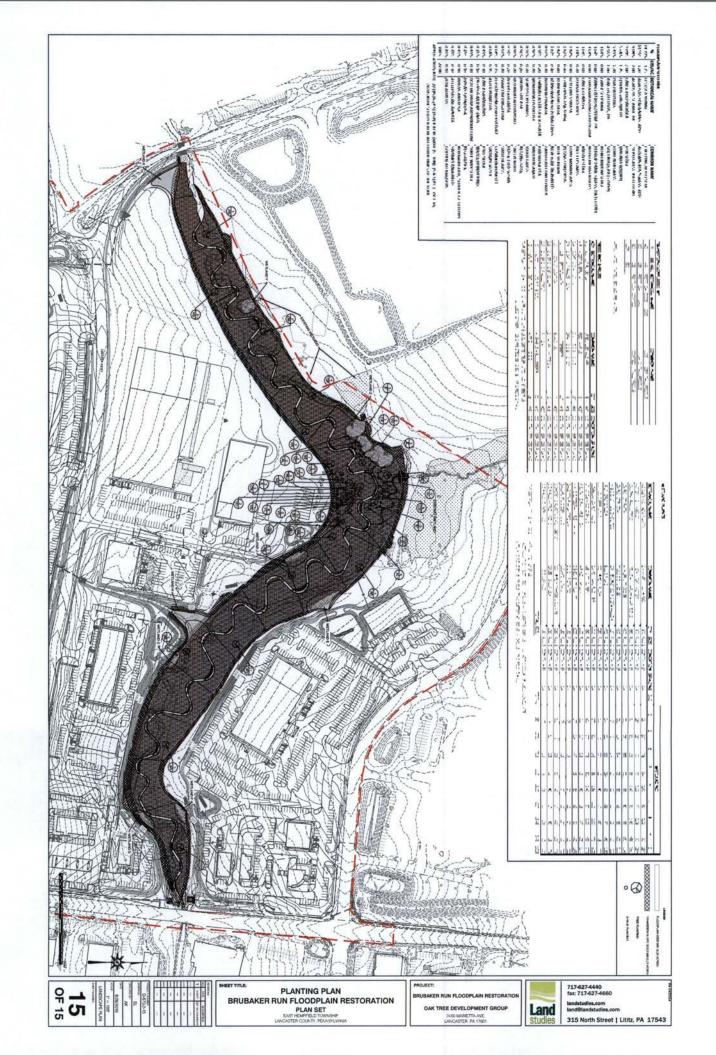
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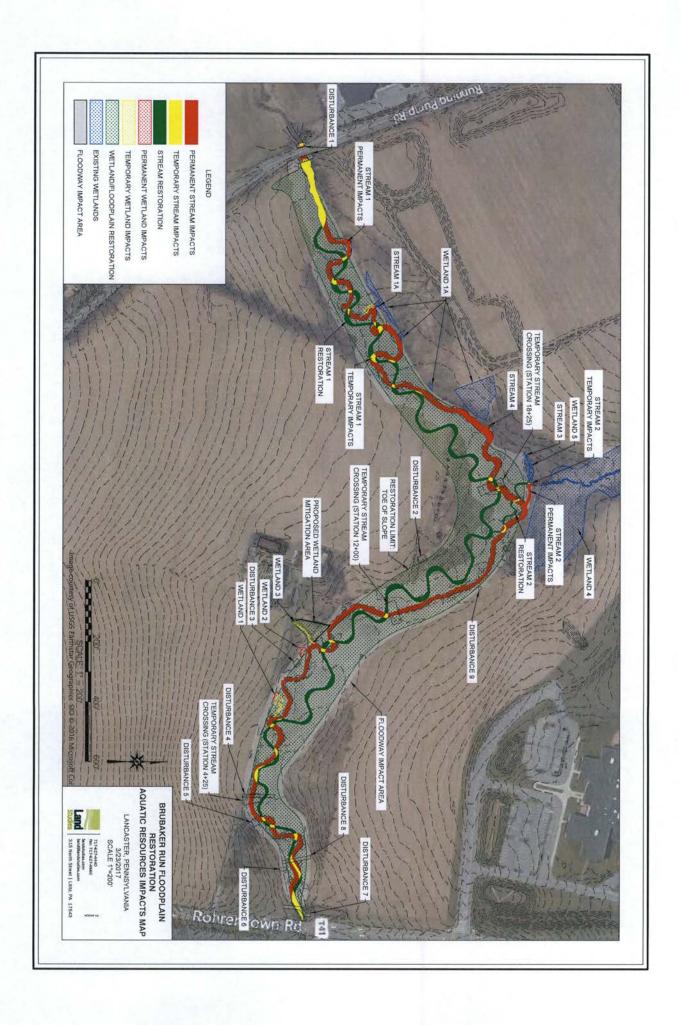
OAK TREE DEVELOPMENT GROUP

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717-627-4440 fax: 717-627-4660

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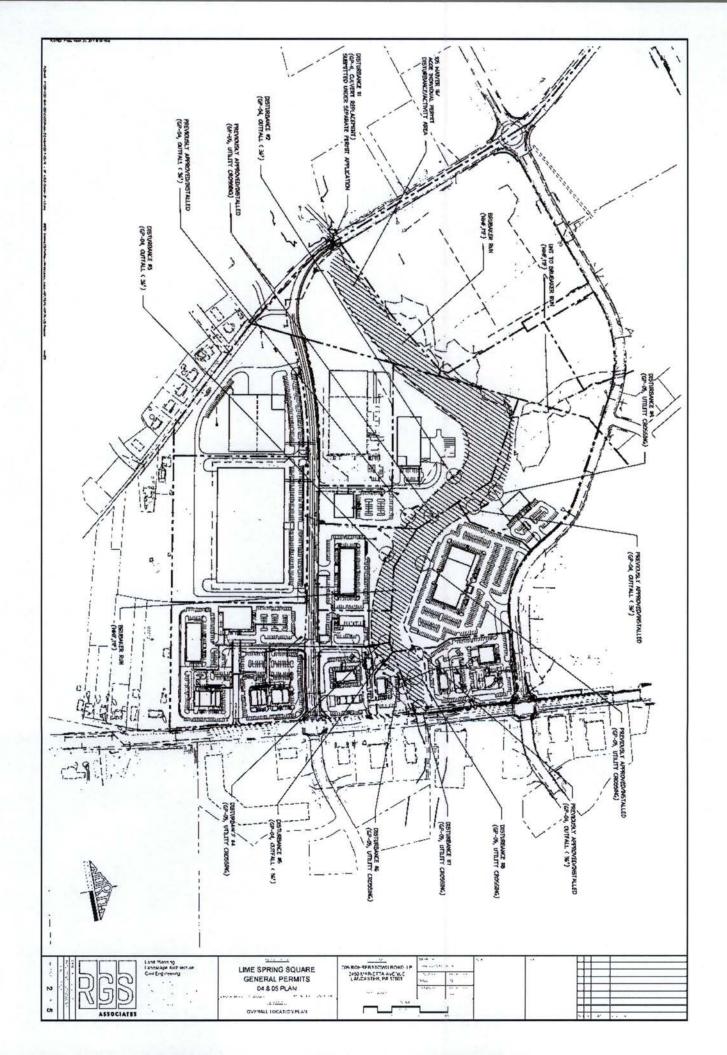
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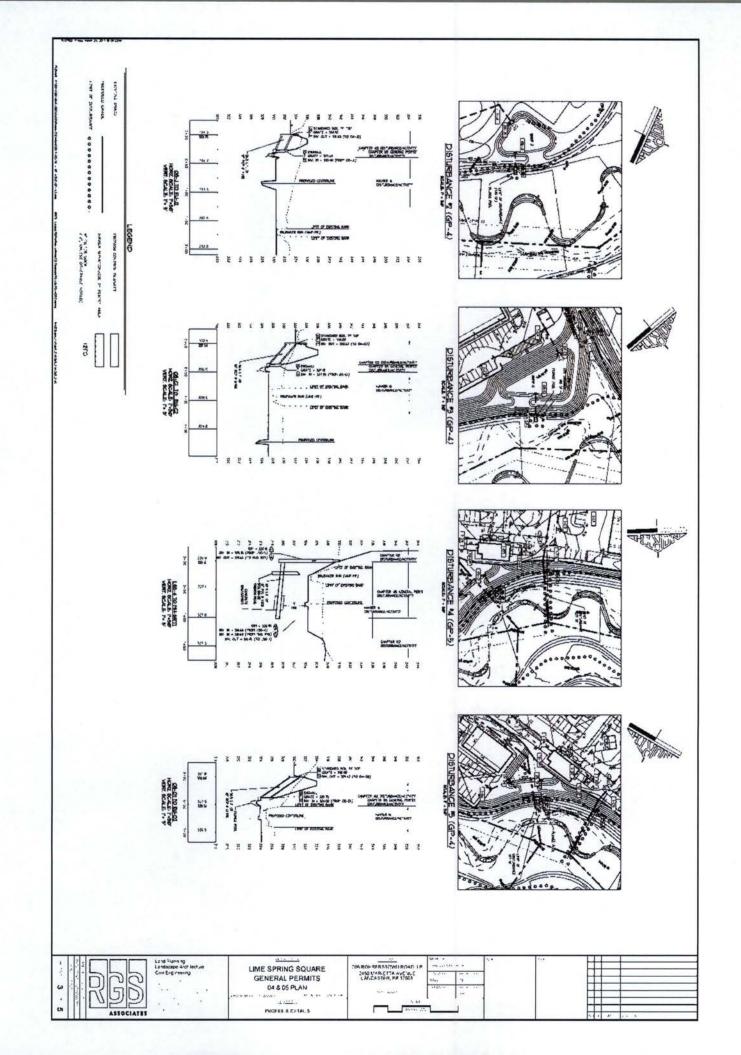
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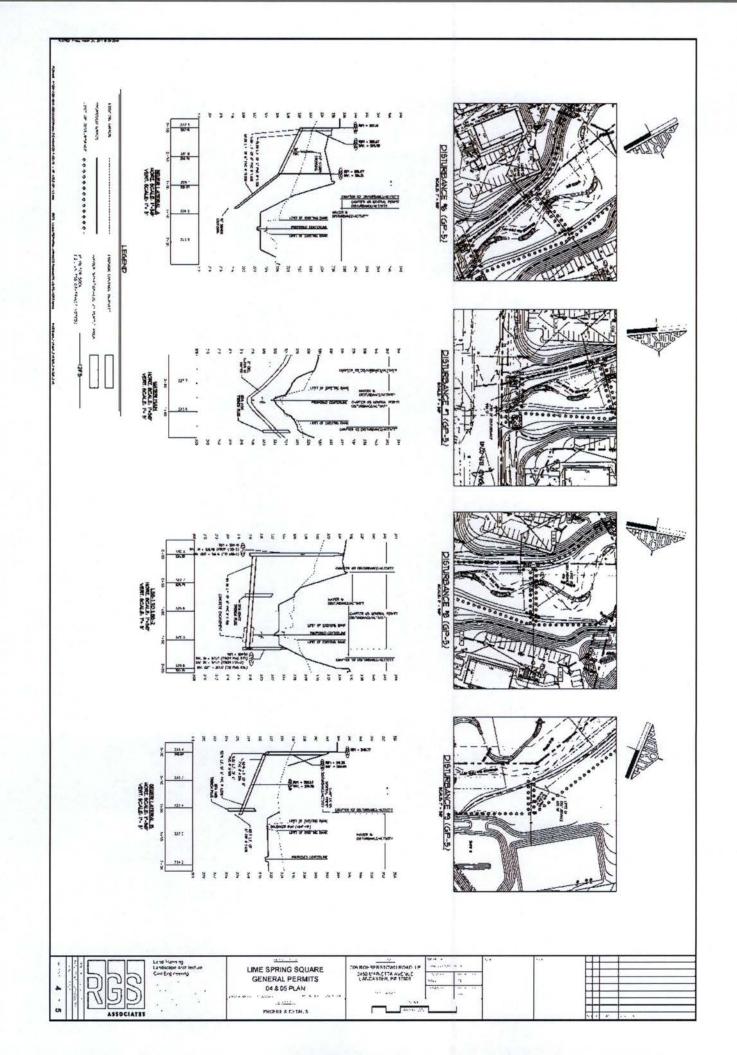
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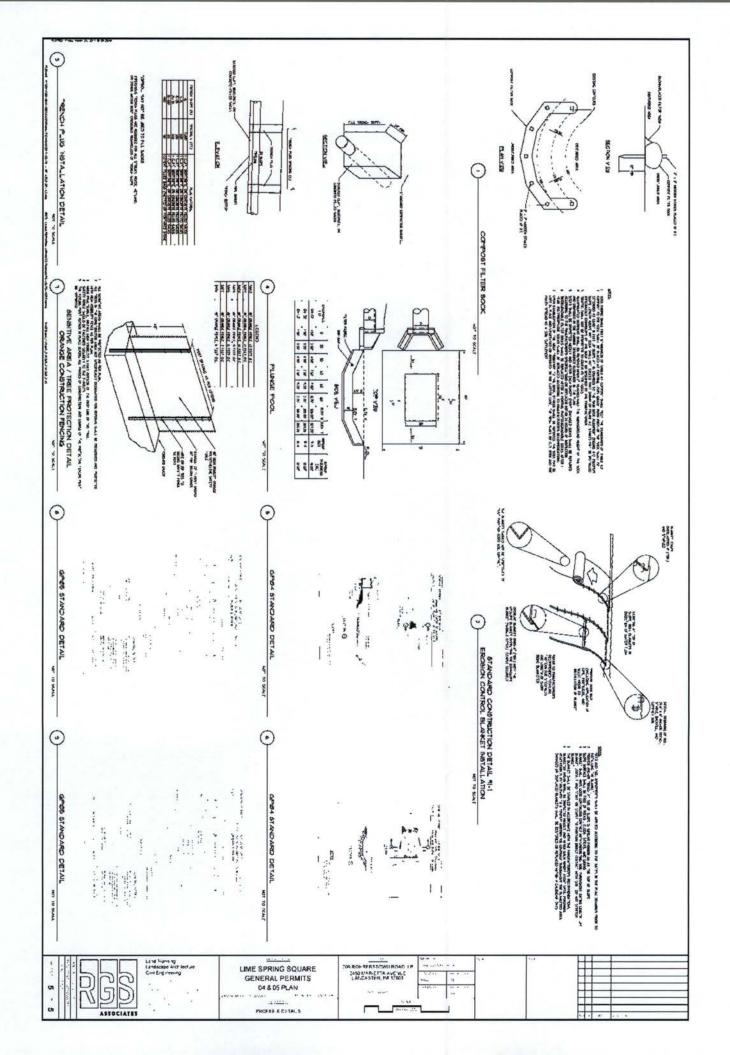
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