



COUNTY OF NORTHAMPTON

OFFICE OF ADMINISTRATION

NORTHAMPTON COUNTY GOVERNMENT CENTER

669 WASHINGTON STREET
EASTON, PENNSYLVANIA 18042-7499

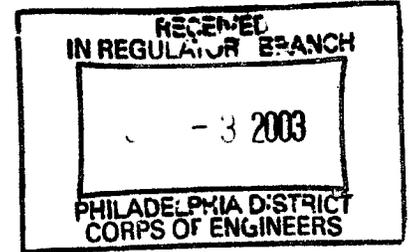
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JAMES A. HICKEY, Esq.
DIRECTOR OF ADMINISTRATION

May 28, 2003

District Engineer
US Army Engineer District, Philadelphia
Wanamaker Building, 100 Penn Square East
Philadelphia, Pa, 19107-3390



Dear Sir:

In accordance with the provisions of Section 206 of the Water Resources Development Act of 1996, which authorizes the Federal government to carry out projects for aquatic restoration, Northampton County Council makes application for a study of Bushkill Creek, Northampton County.

Bushkill Creek has been degraded by natural and induced subsidence due to human activities that have impacted the creek bed and banks, eliminated riparian vegetation, riffle and pool habitat, removed woody debris, reduced channel flow diversity and low flow channel areas. Several reaches have been impacted by subsidence activity to a degree that at certain times and in specific areas, no water is observable in low flow conditions.

We also understand that contributions of cash, funds, materials and services from other than the non-Federal sponsor may be accepted for this Section 206 ecosystem restoration project under the provisions of Section 203 of the WRDA of 1992. However, such contributions, including work by volunteers, will not be included in the costs to be shared but instead applied to the total project costs. Therefore, these contributions will reduce both Federal and non-Federal shares of the project costs.

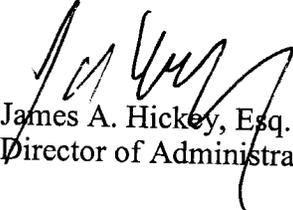
Northampton County, upon approval by Northampton County Council, in conjunction with the neighboring municipalities and private entities involved can provide 35 percent of the cost of the remediation plan and the following local cooperation and participation items:

1. Provide without cost to the United States all lands, easements, rights-of-way, including suitable borrow and dredged material disposal areas, required for the construction of the project. These will count toward local project share costs.

2. Provide without cost to the United States all necessary relocations and alterations of buildings and utilities, highways and highway bridges, sewers, related and special facilities. These may also count toward local cost share.
3. Hold and save the United States free from claims for damages which may result from the construction and subsequent maintenance of the project, except damages due to the fault or negligence of the United States or its contractors
4. Maintain and operate the project works after completion without cost to the United States as required to serve the project's intended purpose. O&M requirements will be negotiated during project development.
5. Assume responsibility for all costs in excess of the Federal cost limitation of \$5 million.
6. Provide during the period of implementation a cash contribution in the amount necessary to make the non-Federal cost share of 35% if the value of such lands, easements, relocations, and disposal areas (LERRD) and in kind services represents less than 35% of the total project costs.
7. Comply with applicable provisions of the Uniform Relocation Assistance and Real property Acquisition Policies Act of 1970 (PL 91-646) and implementing regulations.
8. Comply with Title VI of the Civil Rights Act of 1964 (PL 88-352).

The sponsor is aware that this letter constitutes an expression of intent and not a contractual obligation. The sponsor or the Corps may opt to discontinue the project development process at anytime prior to execution of a project cooperation agreement which occurs just prior to beginning construction.

Sincerely,


James A. Hickey, Esq.
Director of Administration

cc: Northampton County Council
Senator Lisa Boscola
Soheila Rahbari, Schoor DePalma
Brookwood Group
Bushkill Stream Conservancy