



**US Army Corps  
of Engineers.**  
Philadelphia District

Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3390  
ATTN: CENAP-OP-R

# Public Notice

Public Notice No.  
**CENAP-OP-R-200600984-26**

Date  
**SEP 26 2006**

Application No.

File No.

In Reply Refer to:  
**REGULATORY BRANCH**

## FEDERAL PUBLIC NOTICE

The Philadelphia District has received a prospectus to establish a compensatory wetland mitigation bank for Department of the Army permits as described below:

### APPLICANT:

Delaware Department of Transportation  
Environmental Studies Office  
P.O. Box 778  
Dover, Delaware 19903

WATERWAY: Red Clay Creek & Hershey Run

### LOCATION OF THE PROPOSED WORK:

The site of the proposed mitigation bank, known as the Glenville Wetland Mitigation Bank, consists of approximately 57 acres located south of the intersection of Route 4 and the Red Clay Creek, Stanton, Delaware (Figures 1, 2, 3 & 4.)

Red Clay Creek forms the Western boundary of the "Glenville Community" while palestrine shrub-scrub and emergent wetland communities and tributary to Hershey Run and the First State Industrial Park form the eastern boundary. The Red Clay Creek and the tributary to Hershey Run flow into White Clay Creek. The immediate watershed is dominated on the north, east and west by residential housing and small business commercial development. The entire watershed, which extends north into Pennsylvania, is evenly occupied by urban wooded and agricultural development.

### PROPOSED WORK AND PURPOSE:

The Bank Sponsor, the Delaware Department of Transportation (DelDOT), proposes to establish, design, develop, construct, and operate a compensatory wetland mitigation bank, by creating and preserving wetlands and restoring and preserving contiguous riparian forest in the Coastal Plain Drainage Basin in immediate proximity to the Piedmont Drainage Basin at the Glenville Site.

The Bank would be used for compensating for impacts to waters of the United States, including wetlands, associated with the issuance of Department of the Army Individual and Nationwide Permits for DelDOT's transportation projects in New Castle County, Delaware.

The primary focus of the compensatory wetland mitigation bank is to create palustrine forested, and emergent wetlands/seasonally inundated open waters and associated forested floodplain/floodway, and to preserve an existing stream and its riparian corridor as well as contiguous riparian forested wetlands. The proposed wetland creation activities involve lowering grades, filling ditches, soil stabilization and reforestation.

The principal goal for the bank is to establish the maximum amount of cost effective and ecologically appropriate wetland mitigation credit for future DelDOT projects that require Department of the Army Individual and Nationwide Permits in New Castle County, Delaware. The use of the Bank would be restricted to projects where on-site and individual off-site compensation options for unavoidable freshwater non-tidal wetland impacts can be shown to be impracticable and not ecologically preferable.

DelDOT would establish the Bank through creating wetlands over approximately 15 to 20 acres of disturbed/developed and recently excavated land, preserving an additional approximately 21 acres of existing wetlands, and restoring additional upland floodplain surrounding the created wetlands (approximately 20 acres). All Banking Lands would be placed into a permanent conservation easement.

Specific wetland compensation goals and objectives for this palustrine, non-tidal Bank are:

- A. Establishment of approximately 15 to 20 acres of wetlands, predominately palustrine forest with some emergent and open water elements to maximize habitat diversity (the total area of created wetlands would be available for bank crediting);
- B. Establishment of approximately 21 acres of preservation of adjacent/contiguous existing wetlands;
- C. Establishment of approximately 20 acres of transitional/upland riparian forested buffer areas on the periphery of the Bank as enhancements to the wetland system;
- D. Establishment of surveyed permanent conservation easement for the above Bank. This conservation easement will include acreage for items A, B, and C described above. The total acreage under the conservation easement would be approximately 57 acres.

Oversight of this wetland compensatory wetland mitigation bank would be by a group of federal and state agency representatives known as the Delaware Wetlands Banking Task Force (DWBTF). The Philadelphia District of the U.S. Army Corps of Engineers

(USACE) would chair the DWBTF. Agencies that have been invited to participate include the DNREC, the U.S. Fish and Wildlife Service (FWS), the U.S. National Marine Fisheries Service (NMFS), the U.S. Environmental Protection Agency Region III (EPA), the U.S. Federal Highway Administration (FHWA), DelDOT, and other interested parties.

This compensatory wetland mitigation bank may be one of a number of practicable options available to DelDOT to compensate for unavoidable wetland impacts associated with permits issued for its public transportation projects under the authority of Section 404 of the Clean Water Act in Delaware. The actual approval of the use of this compensatory wetland mitigation bank for a specific project is the decision of the USACE pursuant to Section 10 of Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

The USACE provides no guarantee that any particular individual or general permit would be granted authorization to use this wetland compensatory mitigation bank to compensate for unavoidable wetland impacts associated with a proposed permit, even though compensatory mitigation credit may be available in the bank.

AUTHORITY: A Public Notice is recommended pursuant to Federal Guidance for the establishment, Use and operation of Mitigation Banks (60 Federal Register Number 228).

FEDERAL EVALUATION OF PROPOSAL: The U.S. Army 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 this proposed compensatory wetland mitigation bank. Any comments received will be considered by the U.S. Army Corps of Engineers in evaluating this proposal.

Comments are used to assess impacts on endangered species, historic properties, water quality, conservation, economics, aesthetics, general environmental concerns, wetlands, fish and wildlife values, flood hazards, flood plain values, land use classification, 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.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species listed as endangered or threatened under the Endangered Species Act of 1973 will be adversely affected; and (3) archaeological and architectural sites considered eligible or potentially eligible for listing on the National Register of Historic Places have not been found within the project area. Additional information may change these preliminary findings.

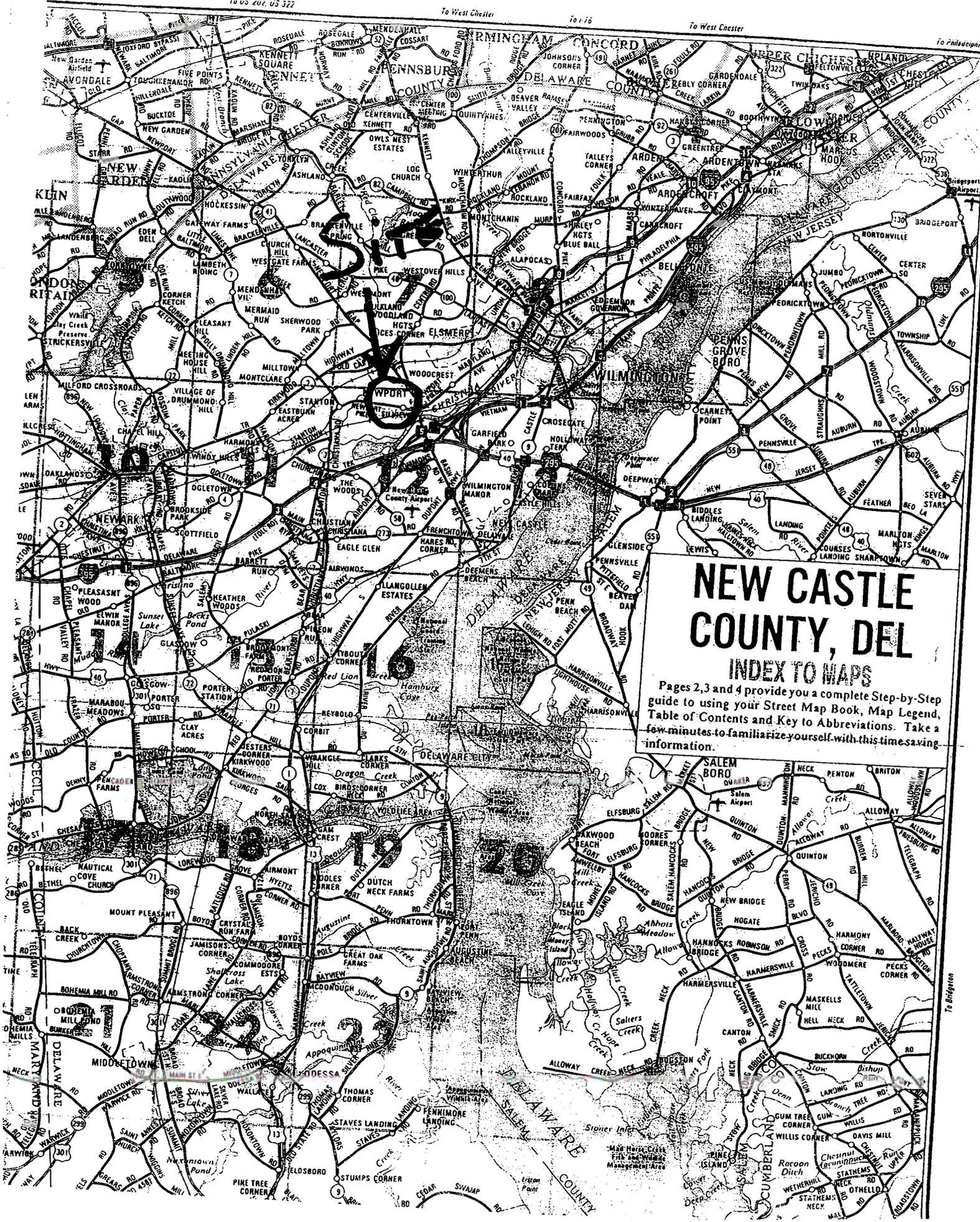
COMMENT PERIOD: Comments or request for copies of the bank prospectus should be made in writing, addressed to the Philadelphia District, Corps of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3390, and must be submitted within 30 days of the date of this public notice.

If you have any questions about the Mitigation Bank, call Kevin E. Faust of this office at 302-736-9763 or William H. Jenkins at (215) 656-6726.

FOR THE DISTRICT ENGINEER:



Frank J. Cianfrani  
Chief, Regulatory Branch  
Philadelphia District



# NEW CASTLE COUNTY, DEL

## INDEX TO MAPS

Pages 2,3 and 4 provide you a complete Step-by-Step guide to using your Street Map Book, Map Legend, Table of Contents and Key to Abbreviations. Take a few minutes to familiarize yourself with this time-saving information.

To Bridgeton





NOTE:  
 THIS MAP WAS ADAPTED FROM NEW CASTLE COUNTY, DELAWARE,  
 INFRARED AERIAL PHOTOGRAPHS, 2002.

DATE:  
 17 JANUARY 2005

SCALE:  
 1" = 500'

W.O. NO.  
 5303.TE

SHEET:  
 FIGURE 5E

AERIAL PHOTOGRAPH  
 GLENNVILLE WETLANDS

MILL CREEK HUNDRED - NEW CASTLE COUNTY - DE

DESIGNED BY:

DRAWN BY: CHM

CHECKED BY: JME

FILE: GDWLFeaseFigs

 **DUFFIELD ASSOCIATES**  
*Consultants to the Governor*

5400 LIMESTONE ROAD  
 WILMINGTON, DE 19806-1252  
 TEL. (302)239-6634  
 FAX (302)239-8483

1528 WALNUT STREET, SUITE 725  
 PHILADELPHIA, PA 19102

E-MAIL: DUFFIELD@DUFFIELD.COM

