

PUBLIC NOTICE

REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

TITLE: City of Bethlehem, Pennsylvania – Minsi Trail Inverted Siphon Access Improvements - Proposed Construction of Upland Concrete Pads and Aluminum Stairs in the Slope of the Bethlehem Levee at the Lehigh River in the City of Bethlehem, Northampton County, Pennsylvania

PUBLIC NOTICE IDENTIFICATION NUMBER: NAP-2021-408-0003

PUBLIC NOTICE COMMENT PERIOD:

Begins: **27 May 2021**

Expires: **28 June 2021**

Interested parties are hereby notified that an application has been received for a Department of the Army Section 408 permission for certain work at or near a federal project of the United States, as described below and shown on attached figures. Written comments are being solicited from anyone having an interest in the requested alteration. Comments will become part of the U.S. Army Corps of Engineers' (USACE's) administrative record and will be considered in determining whether to approve the request. Comments supporting, opposing, or identifying concerns that should be considered by the USACE in its decision process are all welcome.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply USACE endorsement of the project as described.

- 1. REQUESTER:** In compliance with 33 USC 408 (Section 14 of the Rivers and Harbors Act of 1899; hereinafter Section 408), the City of Bethlehem, PA has requested permission to construct upland access improvements in the slope of the Bethlehem Levee at the Lehigh River.
- 2. LOCATION:** The proposed project is located landward of the ordinary high water line (uplands) at the Bethlehem Levee along the south bank of the Lehigh River in the City of Bethlehem, Northampton County, Pennsylvania; approximate center coordinates: 40.617222, -75.357979.
- 3. LOCATION MAP(S)/DRAWING(S):** See attached Drawings: Sheets 1 and 2.

4. REQUESTER'S PROPOSED ACTION: Construction of upland access improvements in the slope of the Bethlehem Levee at the Lehigh River, as per the enclosed drawings. The City of Bethlehem, PA owns and operates an inverted siphon, which crosses under the Lehigh River approximately 125.0-linear feet downstream of the Minsi Trail Bridge. On the southern bank of the Lehigh River there are three access points (manholes), two of which are located within the slope of the levee, and one located immediately upland of the levee slope. The proposed modifications consist of construction of concrete pads next to the two manholes in the slope of the levee to provide a level slip-resistant working area. Access to these concrete pads will be by the proposed installation of aluminum stairs. The stairs will start at the existing access point at the top of the levee slope and continue down to the concrete pad at the first manhole in the levee slope. From there, a second set of aluminum stairs will continue down to the concrete pad at the second manhole in the levee slope.

5. REGULATORY AUTHORITY: This request will be reviewed according to the provisions of Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408). A requestor has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 404 of the Clean Water Act (33 USC Section 1344) and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413). Any Section 10/404/103 permit decision associated with the proposed alteration is separate from and will not be included in the Section 408 permission decision. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

6. ENVIRONMENTAL COMPLIANCE: A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While ensuring compliance is the responsibility of USACE, the requester is providing all information that the Philadelphia District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and ordinances. Based on information provided by the applicant to date, current Corps regulations governing NEPA implementation, and/or the contents of existing NEPA documentation if available, it is likely that the proposed action will be determined to be categorically excluded from the need to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). This determination will be finalized following completion of agency coordination and prior to issuance of the Section 408 Permission Decision.

7. EVALUATION: As part of its evaluation, USACE will first make a determination that the submittal from the requestor is complete. The Philadelphia District is working closely with the requestor to ensure that all required technical plans, maps, drawings, and specifications are provided and are complete. Once the package is complete, a District-led review will be conducted to determine, in accordance with Engineering Circular (EC) 1165-2-216, whether the proposed alteration will impair the usefulness of the USACE Project or be injurious to the public interest, as follows:

- A. *Impair the Usefulness of the Project Determination.* The Philadelphia District's Section 408 review team will determine if the proposed alteration will limit the ability

of the federally authorized project to function as authorized, or will compromise or change any authorized project conditions, purposes or outputs.

B. Injurious to the Public Interest Determination. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Evaluation of the probable impacts that the proposed alteration to the USACE project may have on the public interest requires a careful weighing of all those factors that are relevant in each particular case. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

8. SOLICITATION OF COMMENTS: The USACE 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 the proposed activity. Any comments received will be considered by USACE to determine whether to issue, modify, condition, or deny a permission for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are considered in making a final determination whether the proposed action will be categorically excluded from the need to prepare further NEPA documentation. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

A. It should be noted that materials submitted as part of the Section 408 request become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to the Philadelphia District Corps of Engineers, Office of Counsel to obtain copies of said materials under the FOIA.

B. It is presumed that all parties viewing this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

9. COMMENT SUBMISSION AND ADDITIONAL INFORMATION: Written comments on the described work should reference the USACE Public Notice Identification Number found on the first page of this notice. Comments must reach this office no later than the stated expiration date of the Public Notice to become part of the record and be considered in the decision. Comments or requests for additional information should be emailed or mailed to the following address:

Email: JuanCarlos.Corona@usace.army.mil

Mailing Address:

U.S. Army Corps of Engineers

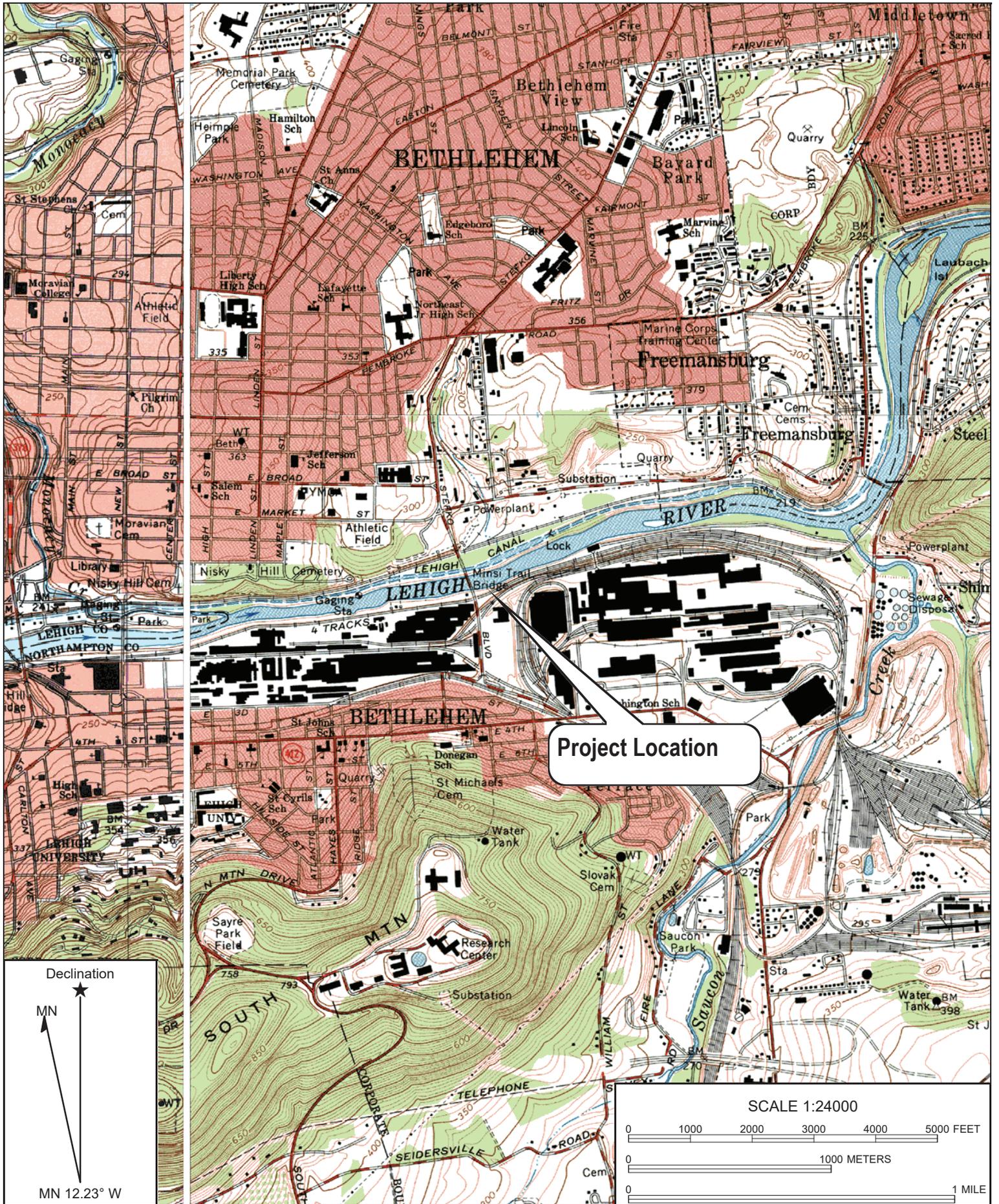
Philadelphia District

ATTN: Juan Carlos Corona

7th Floor

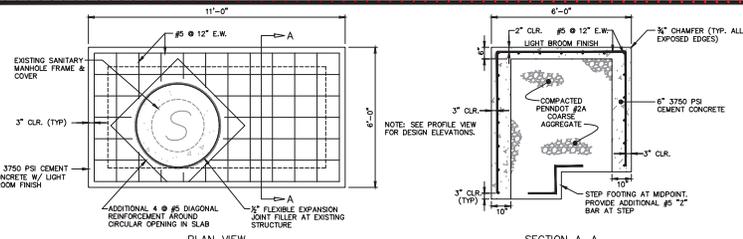
100 Penn Square East

Philadelphia, PA 19107-3390

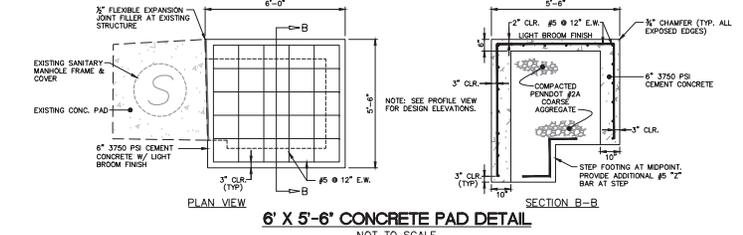


Map Name: HELLERTOWN, PA
 Contour Interval: 10 Feet
 Scale: 1 inch = 2,000 ft.

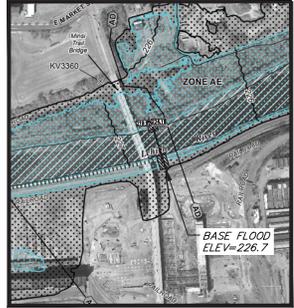
LOCATION MAP
MINSI TRAIL INVERTED SIPHON ACCESS IMPROVEMENTS
CITY OF BETHLEHEM, NORTHAMPTON COUNTY, PENNSYLVANIA



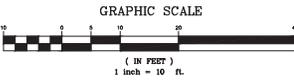
11' X 6' CONCRETE PAD DETAIL
NOT TO SCALE



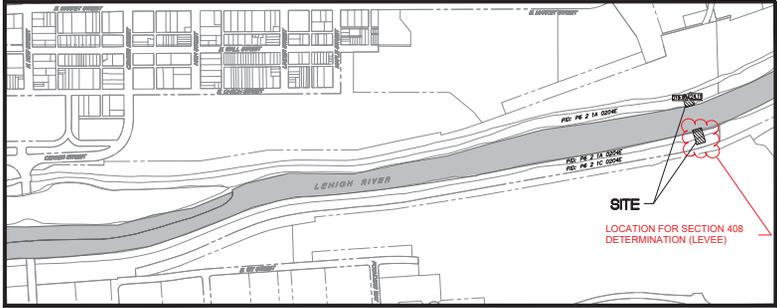
6' X 5'-6" CONCRETE PAD DETAIL
NOT TO SCALE



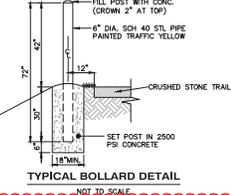
FLOOD ZONES
SCALE: 1" = 500'



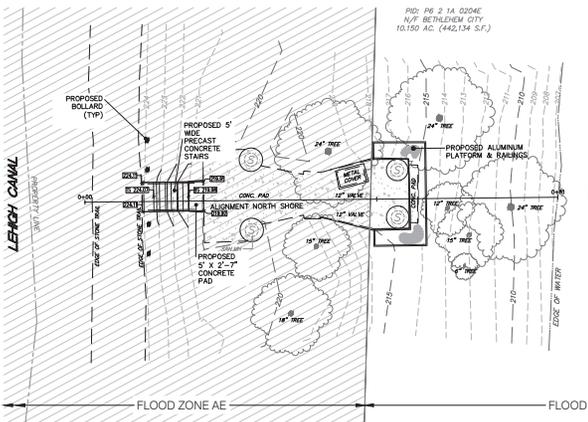
PROPOSED WORK FOR SECTION 408 DETERMINATION



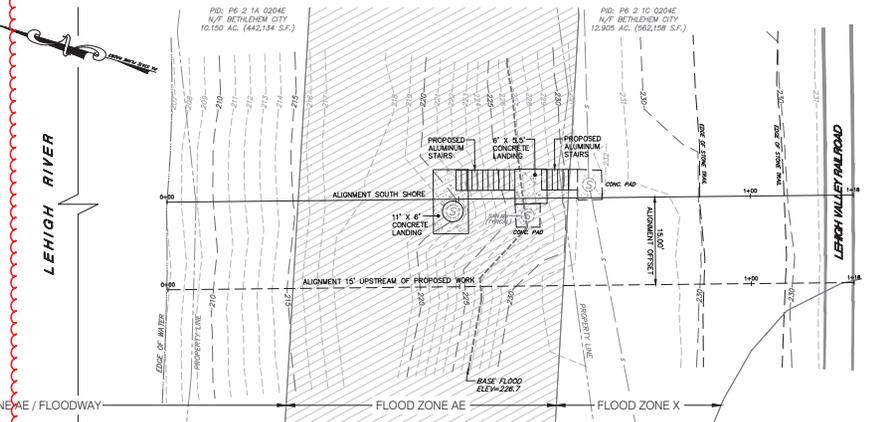
SITE LOCATION MAP
SCALE: 1" = 500'



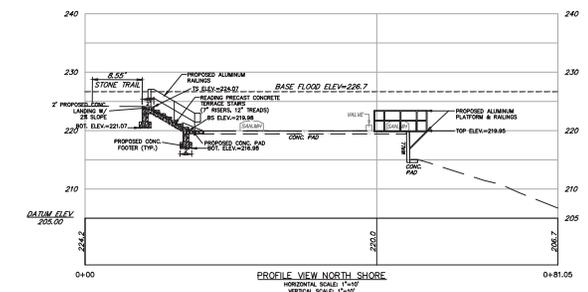
TYPICAL BOLLARD DETAIL
NOT TO SCALE



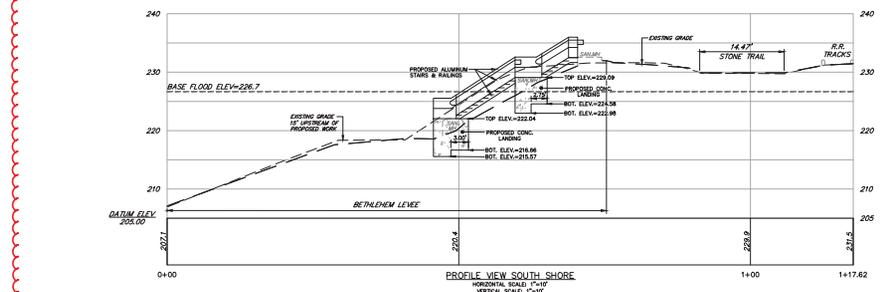
PLAN VIEW NORTH SHORE
SCALE: 1" = 10'



PLAN VIEW SOUTH SHORE
SCALE: 1" = 10'



PROFILE VIEW NORTH SHORE
VERTICAL SCALE: 1" = 10'



PROFILE VIEW SOUTH SHORE
VERTICAL SCALE: 1" = 10'

GENERAL SPECIFICATIONS

- MATERIALS**
1. ALL PLATFORMS, STEPS, AND GUARDRAILS ARE TO BE CONSTRUCTED OF MILL FINISH ALUMINUM EXTRUSIONS AND MILL FINISH ALUMINUM SHEET EXTRUSIONS ARE TO BE EITHER 6061-T6, 6063-T52, OR 6005-T5 ALUMINUM ALLOY AND ALL ALUMINUM SHEET IS TO BE 5052-H32, WELDED ASSEMBLIES ARE TO BE FABRICATED IN ACCORDANCE WITH WELDING STANDARD AWS D12.2/D12.2M:2003 - STRUCTURAL WELDING CODE FOR ALUMINUM.
 2. ALL MECHANICAL FASTENERS ARE TO BE 18-8 STAINLESS STEEL.
- ENGINEERING**
1. THE STEP AND PLATFORM SYSTEM IS TO BE DESIGNED TO BE A RIGID, FREE STANDING STRUCTURE. ALL FOOTPLATES SHOULD BE FASTENED SECURELY TO A CONCRETE SURFACE IN ORDER TO ACHIEVE FULL STRUCTURAL INTEGRITY.
 2. ALL WALKING SURFACES ARE TO BE DESIGNED TO CARRY A UNIFORM LIVE LOAD OF 100 POUNDS PER SQUARE FOOT AND A CONCENTRATED VERTICAL LOAD OF 300 POUNDS IN AN AREA OF ONE SQUARE FOOT.
 3. HANDRAILS AND PLATFORM AND STEP GUARDRAILS ARE DESIGNED TO WITHSTAND A CONCENTRATED LOAD OF 200 POUNDS APPLIED IN ANY DIRECTION ON THE TOP OF THE RAIL.
 4. ALL PLATFORM WALKING SURFACES ARE DESIGNED TO HAVE A COEFFICIENT OF FRICTION NO LESS THAN 0.50 IN ALL DIRECTIONS OF ALL STEP WALKING SURFACES ARE DESIGNED TO HAVE A COEFFICIENT OF FRICTION NO LESS THAN 0.50 IN THE NORMAL DIRECTION OF TRAVEL.
- DIMENSIONAL CODE COMPLIANCE**
1. ALL STAIRS ARE TO BE DESIGNED TO ALLOW A CLEARANCE OF 36" BETWEEN HANDRAILS.
 2. ALL PLATFORMS ARE DESIGNED TO BE WIDER THAN THE STEP LEADING UP TO THEM AND AT LEAST 60" LONG IN THE DIRECTION OF TRAVEL.
 3. PLATFORM GUARDRAILS ARE TO BE DESIGNED TO BE 42" HIGH MEASURED VERTICALLY FROM THE STEPPING SURFACE TO THE TOP OF THE RAIL. STEPS ARE ALSO TO BE DESIGNED TO HAVE A 42" GUARDRAIL MEASURED FROM THE TOP OF THE STEP NOING TO THE TOP OF THE RAIL.
 4. GUARDRAILS AND HANDRAILS ARE TO BE PROVIDED ON BOTH SIDES OF ALL STEPS. HANDRAILS ARE NOT TO BE INTERRUPTED BY POSTS OR OTHER OBSTRUCTIONS.
 5. ALL HANDRAILS ARE TO HAVE A CLEARANCE OF 1-1/4" BETWEEN THE HANDRAIL AND POST. HANDRAILS ARE TO BE CONSTRUCTED OF 1-1/4" SCH 40 PIPE WITH AN OUTSIDE DIAMETER OF 1.66".
 6. STEPS ARE TO BE DESIGNED TO BE 36" HIGH MEASURED VERTICALLY FROM THE 3RD OF THE STEP NOING TO THE TOP OF THE RAIL. STEP HANDRAILS EXTEND 12" PAST THE TOP STEP NOING PARALLEL TO THE GROUND SURFACE AND RETURN TO THE CLOSEST RAIL. POST HANDRAILS SHALL ALSO EXTEND ONE HEAD WITH PAST THE BOTTOM STEP HEAD (11") AND RETURN TO THE CLOSEST RAIL FOOT.
 7. STEP HANDRAILS ARE TO BE DESIGNED TO HAVE A UNIFORM DEPTH OF 12" WITH A 1" NOING FOR AN EFFECTIVE RUN OF 11" PER STEP.
 8. ALL STEP NOSINGS HAVE A UNIFORM RADIUS OF 1/4" AND AN UNDERSIDE ANGLE OF 60° FROM THE HORIZONTAL.

PLAN NOTATION

THIS PLAN HAS BEEN SPECIFICALLY PREPARED FOR THE OWNER DESIGNATED HERON. ANY MODIFICATION, REVISION, DUPLICATION OR USE WITHOUT THE WRITTEN CONSENT OF VAN CLEEF ENGINEERING ASSOCIATES IS PROHIBITED. RELIANCE ON THIS PLAN FOR ANY PURPOSE OTHER THAN THAT WHICH IS INTENDED SHALL BE AT THE SOLE DISCRETION AND LIABILITY OF THE APPLICABLE PARTY.

DATE:	11/20/2020
SCALE:	1" = 10'
DESIGNED BY:	J.C.B.
DRAWN BY:	K.E.W.
CHECKED BY:	M.J.G.
REVISIONS	AUTH DATE JOB NO. 20-03-BCI

BY: Missing or invalid reference File: C:\Users\jcordano\Desktop\CAD Stuff\SIGNATURES\JC_Sig

BY: MARK A. BAHNICK, PA PE NO. PE-037877-E



SECTION 408 DETERMINATION PLAN
PREPARED FOR
MINSI TRAIL SIPHON ACCESS
SITUATED IN
CITY OF BETHLEHEM
NORTHAMPTON COUNTY, PENNSYLVANIA