

US Army Corps of Engineers®

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

Public Notice

Public Notice No.

Date

CENAP-OP-R-2008-0958

October 7, 2019

Application No.

File No.

In Reply Refer to:

REGULATORY BRANCH

This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: East Goshen Township

AGENT: Gannett Fleming, Inc.

207 Senate Avenue, Camp Hill, PA 17011

WATERWAY: Ridley Creek (tributary)

LOCATION: Northeast of the intersection of Greenhill and Hershey Mill Roads, in

East Goshen Township, Chester County, Pennsylvania

ACTIVITY: To breach the existing Hershey's Mill Dam, which has been de-watered since 2011, and convert the approximate 2-acre reservoir to waterways, pond, and wetlands within a park setting. The work includes restoration and re-configuration of the 563 foot long main tributary and 340 linear feet of smaller tributaries. The work also includes the construction of a 5,242 square foot pond within the waterway and wetlands with an outfall weir to the reconfigured stream channel. The project would also involve the placement of a pedestrian boardwalk on reinforced concrete piles through the impoundment area. A parking area for the park would be constructed along Hershey Mill Road. A total of 1.10 acre of wetland (largely palustrine emergent) and 0.18 acre of stream would be impacted for the total project which would result in loss of 0.18 acre of wetlands and enhancement of 1.78 acre of wetlands as well as 0.28 acre of stream restoration/creation (940 linear feet of re-configured and enhanced channel) and 338 linear feet (0.07 acre) of stream channel loss.

The applicant has indicated that the project would also include temporary impacts to waters and wetlands for site de-watering by cofferdam construction, erosion and sediment control measures, temporary construction access, and temporary soil stockpile areas.

PURPOSE: The applicant's stated purposes for the project are to decommission the existing dam and to create a public recreational area and environmental enhancements in the impoundment with safe public access and use.

A preliminary review of this application indicates that species listed under the Endangered Species Act or their critical habitat pursuant to Section 7 of the ESA as amended, may be present in the action area. The ACOE will forward this PN to the US Fish and Wildlife Service or National Marine Fisheries Service with a request for technical assistance on whether any ESA listed species or their critical habitat maybe present in the area which would be affected by the proposed activity. The Philadelphia District will evaluate the potential effects of the proposed actions on ESA listed species or their critical habitat and will consult with NOAA Fisheries as appropriate. ESA Section 7 consultation will be concluded prior to the final decision on this permit application.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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 are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

The USACE Cultural Resource Specialist has determined the proposed work would not affect historic or cultural resources and will not require coordination with the State Historic Preservation Office, the Tribes and or other consulting parties.

The Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with the NOAA Fisheries all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat

(EFH). A preliminary review of this application indicates that EFH is not present within the project area.

Compensatory mitigation: The project would involve the loss of aquatic resources (wetlands and open waters) and on-site mitigation is proposed as described above. However, the mitigation activities discussed herein constitute the avoidance and minimization measures proposed by the applicant. No compensatory mitigation is recommended at this time.

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling David J. Caplan at 215-656-6731, via email at David.J.Caplan@usace.army.mil, or writing this office at the above address.

Edward E. Bonner

Chief, Regulatory Branch

Attachment 2 - Impact and Mitigation Summary

	Wetland Impacts	Requiring Mitigation	
Wetland Impacts Requiring Mitigation	Existing Feature	Proposed Feature	Impact Area (SF)
<u>Permanent Loss of Wetland</u> Conversion of Wetland to Waterway	PEM Wetland (RA # 4 - Wetland 5)	Perennial Stream (New Stream 5)	7,639
Conversion of Wetland to Structure	PEM Wetland (RA # 17 - Wetland 5)	59 Reinforced Concrete Piles (Boardwalk Support Posts)	106
		Total	7,745
	Wetland	l Mitigation	
Wetland Impacts Proposed as Mitigation	Existing Feature	Proposed Feature	Area Proposed as Mitigation (SF)
	PEM Wetland (RA # 5 - Wetland 5)	PSS/PFO Wetland & Riparian Corridor Park Setting	17,505
	PEM Wetland (RA # 6 - Wetland 5)	Small PUB/Pond Feature	5,487
Wetland Functional Uplift	PEM Wetland (RA #1, 2, 3, 7, 8, 9 - Wetland 5)	PSS/PFO Wetland & Riparian Corridor Park Setting	17,310
	PEM Wetland (Wetland 5) Planting Areas Not Impacted by Construction Activities	PSS/PFO Wetland Plantings and Riparian Corridor Park Setting	34,059
Conversion of Waterway to Wetland	Perennial Stream (RA # 10 - Stream 5)	Wet Meadow PEM Wetland (Wetland 5)	2,984
		Total	77,345

	Stream Impacts I	Requiring Mitigation		145 ASS
Impact Requiring Mitigation	Existing Feature	Proposed Feature	Impact Area (SF)	Impact Length (LF)
<u>Permanent Loss of Waterway</u> Conversion of Waterway to Wetland	Perennial Stream (RA # 10 - Stream 5)	PEM Wetland	2,984	338
MANAGEMENT OF THE SECOND	AND ELECTRICAL SERVICE	Total	2,984	338
	Stream	Mitigation		
Form or Mitigation	Existing Feature	Proposed Feature	Area (SF)	Length (LF)
	Perennial Stream (RA # 11 - Stream 5)	Restore & Improve Existing Perennial Channel	2,550	193
Stream Restoration and	Perennial Stream (RA #12 - Stream 5)	Step-Pool Stream Reach through the Breach Opening	191	26
Improvement	Perennial Stream (RA # 13 - Stream 4)	Restore & Improve Existing Perennial Channel	1,506	238
	Intermittent Stream (RA # 14 - Stream 3)	Improve Confluence with Perennial Stream	94	17
Perennial Stream Creation	PEM Wetland (RA # 4 - Wetland 5)	Natural Channel Design Perennial Stream Creation	7,639	466
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EAST GOSHEN TOWNSHIP

1580 PAOLI PIKE

WEST CHESTER, PENNSYLVANIA

DECOMMISSIONING OF HERSHEY'S MILL DAM

(DEP ID NO. D15-125)

EAST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIÁ







PENNSYLVANIA STATE MAP

LIST OF DRAWINGS

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CONTACT INFORMATION

PENNSYLVANIA ONE CALL SYSTEM

	EXISTING CONDITIONS - OVERALL SITE PLAN
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	EXISTING CONDITIONS - ENLARGED PLAN OF RESERVOIR
ı	ALIGNMENT LAYOUT AND SURVEY CONTROL PLAN (1 OF 3)
	ALIGNMENT LAYOUT AND SURVEY CONTROL PLAN (2 OF 3)
	ALIGNMENT LAYOUT AND SURVEY CONTROL PLAN (3 OF 3)
	DEMOLITION PLAN
	PROPOSED CONDITIONS - LANDSCAPE PLAN - SITE DETAILS
	PROPOSED CONDITIONS - GRADING PLAN
	CROSS SECTIONS (1 OF 2)
	CROSS SECTIONS (2 OF 2)
	TYPICAL STREAM CROSS SECTIONS
	STREAM PROFILES (1 OF 2)
	STREAM PROFILES (2 OF 2)
	STREAM DETAILS (1 OF 2)
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SEMERAL NOTES, LEGEND AND ABBREVATIONS	ES2	_
EXISTING CONDITIONS - OVERALL SITE PLAN	ES3	
EXISTING CONDITIONS - ENLARGED PLAN OF DAM	ES4	_
EXISTING CONDITIONS - ENLARGED PLAN OF RESERVOIR	C83	_
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ALIGNMENT LAYOUT AND SURVEY CONTROL PLAN (3 OF 3)		-1-
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CALL BEFORE YOU DIG PENNSYLVANA LAW REQUIRES 3 W CONSTRUCTION PHASE AND 10 WC STOP CALL	CALL BEFORE YOU DIG PENISYLYMA LAW REQUESS 3 WORKING DAYS NOTICE FOR STOP CALL.	PA 1
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