



**US Army Corps
of Engineers**
Philadelphia District

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

Public Notice

Public Notice No. CENAP-OPR-2018-00868-91	Date August 23, 2021
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Application No.	File No.
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In Reply Refer to:
REGULATORY BRANCH

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1988 (33 U.S.C. 403) and 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: Tobyhanna Township
105 Government Center Way
Pocono Pines, PA 18350

AGENT: Mr. Dennis Strouse
Rettew Associates, Inc.
130 Court Street, Suite 200
Williamsport, PA 17701

WATERWAY: Upper Tunkhannock Creek

LOCATION: Approximately 540 feet northwest of the intersection Stillwater Drive and State Route 940 (Latitude/Longitude: 41.108292°N, 75.401865°W)

ACTIVITY: Tobyhanna Township is proposing a project to relocate Stillwater Drive as part of an overall project to realign the southbound Interstate-380 (I-380) exit ramp at the intersection of State Route 940 (SR-940) and I-380 South. The relocated Stillwater Drive will include a signalized intersection, access to a residential community and to commercial properties. A second access road ("Road B") is proposed to be constructed to a commercial property to improve access that was lost by the construction of the median. Construction of the new access roads would require impacts to a forested wetland (Plan Sheet: "Stillwater Drive Relocation Project Impact Plan"). Additional road work will include the construction of a median that will affect access to commercial properties near the realigned exit ramp.

Currently, vehicles looking to access Long Pond Road from the I-380 South exit must take a right turn followed by an immediate left turn across two lanes of traffic. Stillwater Drive is located directly west of the I-380 South exit ramp and provides exclusive access to the Stillwater Estates Development.

The proposed work would realign Stillwater Drive further to the west to allow for the eventual realignment of the I-380 South exit ramp directly across from Long Pond Road. The realigned Stillwater Drive would end directly across from Fed Ex Drive. It would continue to provide access to the residential community as well as the commercial properties on the north side of State Route 940. The second access road, identified as "Road B", is proposed to provide fuel trucks at the gas station a safe exit from the gas station.

The location and condition of existing infrastructure, positioning of the commercial and residential structures, and extent of wetlands in the project area would make complete avoidance impossible. The proposed alignment was chosen to minimize wetland impacts while meeting the needs of all interested parties.

PURPOSE: The stated purpose of the project is to improve safety and traffic flow at the I-380/SR940 interchange. The applicant states that the current I-380 South exit ramp alignment creates an unsafe interchange due to its location relative to the intersection of SR940, Long Pond Road and Stillwater Drive. Vehicles exiting, I-380 South with the intent to head south on Long Pond Road currently need to immediately cross two lanes of traffic to enter the turning lane. With the traffic light at the intersection of Long Pond Road, SR940 and Stillwater Drive, this area becomes congested, resulting in an unsafe travel scenario.

A review of this application indicates that the proposed work will have no effect on listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. Clearance was provided through a Pennsylvania Natural Diversity Inventory (PNDI) receipt.

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.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), 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 affect Essential Fish Habitat (EFH). The project is located on the Pocono Plateau in the Lehigh River Watershed, upstream of the F.E. Walter Dam. Therefore, no anadromous fish species are able to utilize this stretch of the Lehigh River for any of their life-stages. As such the project will have no effect on EFH.

To compensate for unavoidable adverse impacts/affects, and/or loss of 0.62 acre of Palustrine Forested wetlands, the applicant has proposed 1.41 acres of permittee responsible mitigation. The proposed mitigation site is located along Tamaque Lake Road, Tobyhanna Township, Monroe County, PA (Parcel Numbers: 19-6334-00-48-612 and 19-6334-00-57-2993). The proposed wetland mitigation site is within the same watershed as the project site (Stillwater Lake – Upper Tunkhannock Creek (HUC 12 020401060101) Watershed). The proposed wetland mitigation area is composed of uplands located adjacent to an existing large forested wetland complex that was delineated and identified as W-191115-0820 (Plan Sheet: “Proposed Conditions for Pocono Summit West Route 940 Improvement Project Mitigation Site, Tobyhanna Township, Monroe County, Pennsylvania”).

In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management (CZM) Program. The project is located outside of the coastal zone. Therefore, CZM is not required.

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.

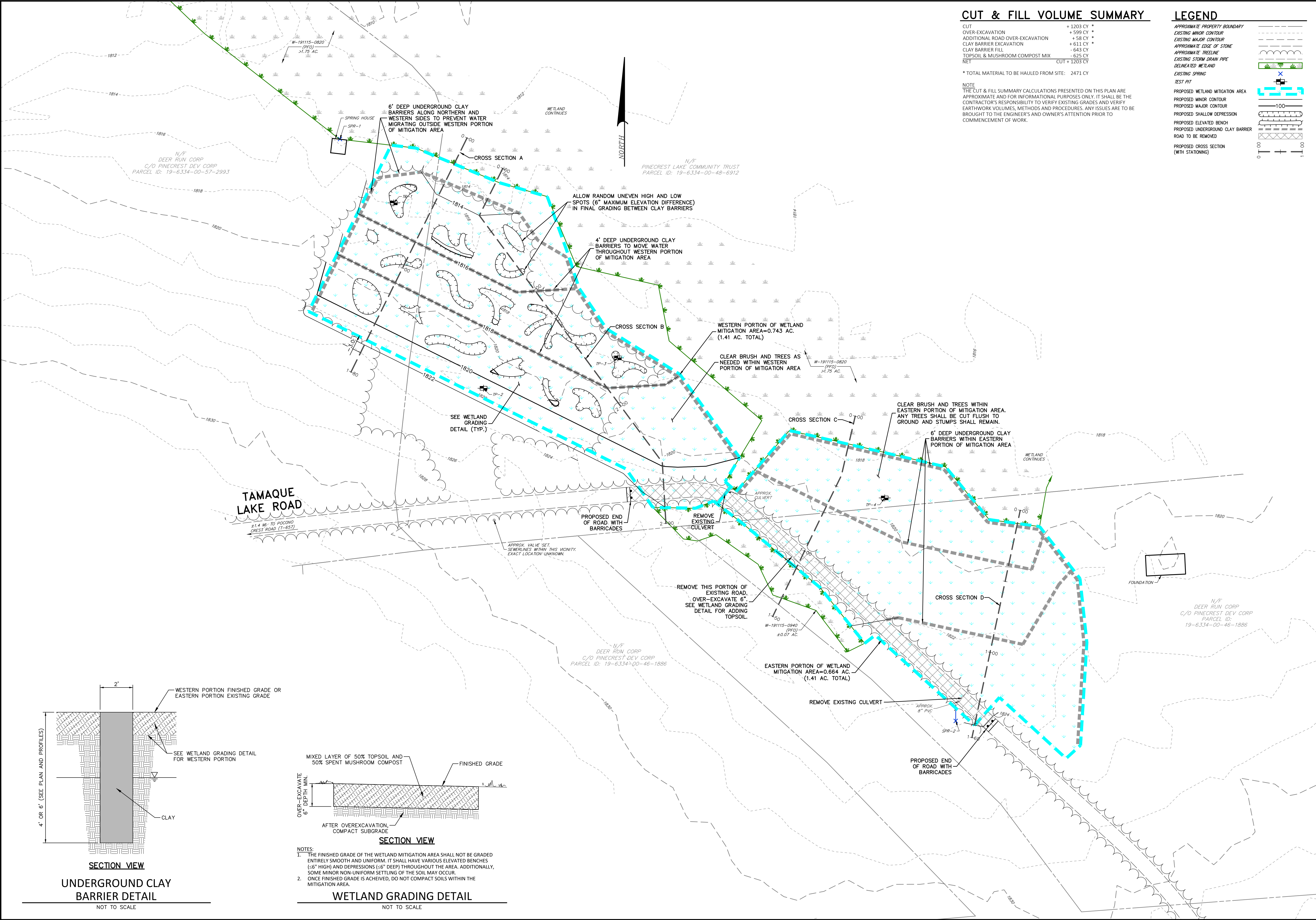
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

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 public notice may be obtained by contacting Nathan Fronk at 267-284-6564, via email at nathan.r.fronk@usace.army.mil.



Todd A. Schaible
Chief, Regulatory Branch



CUT & FILL VOLUME SUMMARY

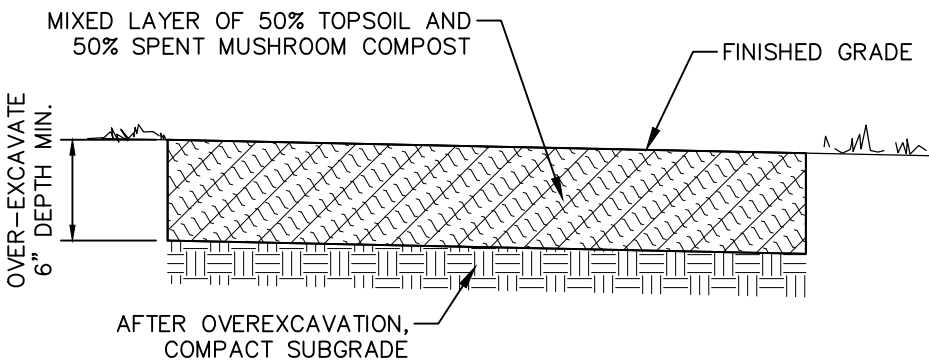
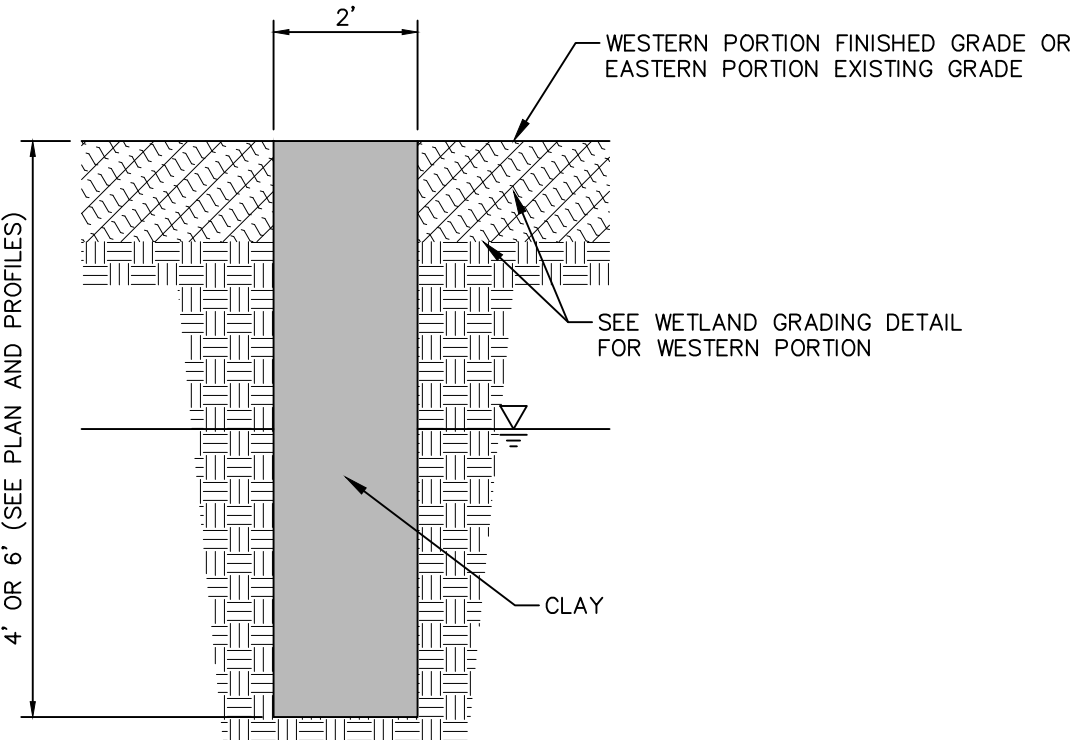
CUT	+ 1203 CY *
OVER-EXCAVATION	+ 599 CY *
ADDITIONAL ROAD OVER-EXCAVATION	+ 58 CY *
CLAY BARRIER EXCAVATION	+ 611 CY *
CLAY BARRIER FILL	- 643 CY
TOPSOIL & MUSHROOM COMPOST MIX	- 625 CY
NET	CUT + 1203 CY

* TOTAL MATERIAL TO BE HAULED FROM SITE: 2471 CY

NOTE:
THE CUT & FILL SUMMARY CALCULATIONS PRESENTED ON THIS PLAN ARE APPROXIMATE AND FOR INFORMATIONAL PURPOSES ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY EXISTING GRADES AND VERIFY EARTHWORK VOLUMES, METHODS AND PROCEDURES. ANY ISSUES ARE TO BE BROUGHT TO THE ENGINEER'S AND OWNER'S ATTENTION PRIOR TO COMMENCEMENT OF WORK.

LEGEND

APPROXIMATE PROPERTY BOUNDARY	
EXISTING MINOR CONTOUR	
EXISTING MAJOR CONTOUR	
APPROXIMATE EDGE OF STONE	
APPROXIMATE TREELINE	
EXISTING STORM DRAIN PIPE	
DELINEATED WETLAND	
EXISTING SPRING	
TEST PIT	
PROPOSED WETLAND MITIGATION AREA	
PROPOSED MINOR CONTOUR	
PROPOSED MAJOR CONTOUR	
PROPOSED SHALLOW DEPRESSION	
PROPOSED ELEVATED BENCH	
PROPOSED UNDERGROUND CLAY BARRIER	
ROAD TO BE REMOVED	
PROPOSED CROSS SECTION (WITH STATIONING)	



- NOTES:
- THE FINISHED GRADE OF THE WETLAND MITIGATION AREA SHALL NOT BE GRADED ENTIRELY SMOOTH AND UNIFORM. IT SHALL HAVE VARIOUS ELEVATED BENCHES (≤6" HIGH) AND DEPRESSIONS (≤6" DEEP) THROUGHOUT THE AREA. ADDITIONALLY, SOME MINOR NON-UNIFORM SETTLING OF THE SOIL MAY OCCUR.
 - ONCE FINISHED GRADE IS ACHIEVED, DO NOT COMPACT SOILS WITHIN THE MITIGATION AREA.

FOR RETTEW ASSOCIATES BY:

MANAGER: DENNIS STROUSE
DESIGN BY: DWS/JME
DRAWN BY: JME
SURV. CHIEF: JME

CLIENT: TOBYHANNA TOWNSHIP
105 GOVERNMENT CENTER WAY
POCONO PINES, PA 18350
PHONE: (570) 646-1212

DATE: MARCH 16, 2020
SHEET NO. 2 OF 8
DWG. NO. 0988822008

PROPOSED CONDITIONS

FOR
POCONO SUMMIT WEST
ROUTE 940 IMPROVEMENT PROJECT
MITIGATION SITE

TOBYHANNA TOWNSHIP
MONROE COUNTY, PA

NO. DATE

4 5/6/21 PER USACE COMMENT
3 3/22/21 UPDATED FOR NPDES SUBMISSION
2 11/18/20 ADDED MITIGATION AREA
1 5/1/20 ADDED MITIGATION AREA

REVISION

NO. DATE

4 5/6/21 PER USACE COMMENT
3 3/22/21 UPDATED FOR NPDES SUBMISSION
2 11/18/20 ADDED MITIGATION AREA
1 5/1/20 ADDED MITIGATION AREA

REVISION

MANAGER: DENNIS STROUSE
DESIGN BY: DWS/JME
DRAWN BY: JME
SURV. CHIEF: JME

CHKD BY: DWS/MAM
CHKD BY: DWS
FIELDBOOK NO. DATA COLLECTOR

RETEW
RETEW Associates, Inc.
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Engineers • Planners • Surveyors • Landscape Architects
Environmental Consultants

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