

U.S. Army Corps of Engineers Baltimore District PN-24-22

# **Public Notice**

In Reply to Application Number NAB-2023-00451-P12 (Hanover Locust Point)

Comment Period: July 24, 2024 to August 23, 2024

THE PURPOSE OF THIS PUBLIC NOTICE IS TO INFORM INTERESTED PARTIES OF THE PROPOSED ACTIVITY AND TO SOLICIT COMMENTS. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344),as described below:

#### APPLICANT:

Locust Point York PA Holdings, LLC 1780 South Post Oak Lane Houston, Texas 77056

## WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed project is located in and along various tributaries to Poplar Run, on the northwest side of Locust Point Road (SR1021), North, approximately 2,550 feet south of the intersection of Bowers Bridge Road (SR 1013), Conewago Township, York County, Pennsylvania. (40.070536 Latitude/-76.754257 Longitude).

## **OVERALL PROJECT PURPOSE:**

The applicant's stated purpose is the construction of a 400,000 to 500,000 square foot cross-docked industrial warehouse in York County, within a couple of miles of an interstate highway entrance and exit, on land that is zoned industrial, and has access to public water and sewer; use any excess land available for a 200,000 to 300,000 square foot single-side load industrial warehouse.

#### PROJECT DESCRIPTION:

Hanover Company is proposing the construction of two industrial warehouses and associated infrastructure on a +/- 67.2-acre project. The plans for this facility include the construction of two industrial warehouses: 423,000 cross-docked warehouse and a 285,200 single-side load warehouse, truck/vehicle parking lots, stormwater management facilities and associated infrastructure.

## **EFFECTS ON AQUATIC RESOURCES:**

Summary of Project Wetlands and Impacts				
Wetland	Wetland Size	Wetland Size	e Proposed Impacts Proposed Imp	
	(Sq. Ft.)	(Acres)	(Sq. Ft.)	(Acres)
1	16,829	0.39	None	None
2	36,453	0.84	None	None
3	2,935	0.07	None	None
4	2,764	0.06	None	None
5	1,554	0.04	1,554 perm direct	0.04 perm direct
6	12,953	0.30	12,953 perm direct	0.30 perm direct
7	51,681	1.19	39,814 perm direct	0.91 perm direct
			1,836 temp	0.04 temp
TOTAL	125,169	+/-2.89	54,321 perm direct	+/-1.25 perm direct
			1,836 temp	0.04 temp

Summary of Project Streams and Impacts			
Stream Channel	Stream Channel Size	Wetland Size	
	(linear feet)	(Acres)	
1	+/-720	0	
2	+/-2,350	79 perm/93 temp	
3	+/-290	218 perm (Waiver #2)	
4	+/-322	252 perm (Waiver #2)	
TOTAL	3,682	549 perm/93 temp	

The+/- 67.2-acre Hanover Locust Point Industrial Park Project area contains seven wetland areas, two perennial stream channels, and two intermittent stream channels. The proposed impacts associated with the Hanover Locust Point Industrial Park Project include 54,321 square feet (1.25 acre) of permanent direct wetland impacts, 1,836 square feet (0.04 acre) of temporary wetland impacts, 6,661 square feet (0.15 acre) of permanent stream channel impacts, 905 square feet (0.02 acre) of temporary stream channel impacts.

## **LEAD FEDERAL AGENCY:**

The United States Army Corps of Engineers, as the lead federal agency, is responsible for all coordination pursuant to applicable federal authorities.

## APPLICANT'S PROPOSED AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION:

The applicant evaluated off-site alternatives, as well as various on-site alignments and their selected alternative, they felt, provides for the least impacts to the aquatic environment while still allowing for the project to full fill their purpose and need.

The applicant has proposed to mitigate for the wetland and stream impacts by purchasing credits from the East Branch of Codorus Creek Mitigation Bank as shown below.

Resource	Type of	Wetland	Wetland	Wetland	Mitigation
	Impact	Impact	Impact	Mitigation	Credits
	•	(Sq. Ft.)	(Acres)	Ratio	Needed
PEM Wetland	Fill/Permanent	56,628.0	1.25	1:1	1.25

Resource	Type of Impact	Stream	Stream	Stream	Mitigation
		Impact	Impact	Mitigation	Credits
		(Sq. Ft.)	(Acres)	Ratio	Needed
Stream	Culvert/Permanent	N/A	549.00	1:1	549.00

#### **CORPS EVALUATION REQUIREMENTS:**

This project will be evaluated pursuant to Corps Regulatory Program Regulations (33) CFR Parts 320-332). The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonable may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economic, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, 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 and in general, the needs and welfare of the people. The evaluation of the impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, United States Environmental Protection Agency.

#### **ENDANGERED SPECIES:**

A preliminary review of this application indicates that the proposed work will have no effect federally listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

## **ESSENTIAL FISH HABITAT:**

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH), including species of concern, life cycle habitat, or Habitat Areas of Particular Concern. The project site lies in or adjacent to EFH as described under MSFCMA for managed species under the MSFCMA. The Baltimore District has made a preliminary determination that the project will have no adverse effect on EFH. The Baltimore District has made a preliminary determination that mitigative measures are not required to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise.

#### HISTORIC RESOURCES:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 and applicable guidance, the Corps has reviewed the latest published version of the National Register of Historic Places and initially determined that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. The Corps has made the preliminary determination that the proposed project would have no effect on historic properties. The Corps final eligibility and effect determination will be based on coordination with the State Historic Preservation Office as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps' identified permit area.

## TRIBAL RESOURCES:

Section 106 of the National Historic Preservation Act also requires federal agencies to consult with federally recognized American Indian tribes that attach religious and cultural significance to historic properties that may be affected by the agency's undertaking. Corps Tribal Consultation Policy mandates an open, timely, meaningful,

collaborative, and effective deliberative communication process that emphasizes trust, respect, and shared responsibility. The policy further emphasizes that, to the extent practicable and permitted by law, consultation works toward mutual consensus and begins at the earliest planning stages before decisions are made and actions taken. The Corps final eligibility and effect determination will be based on coordination with interested tribes, in accordance with the Corps current tribal standard operating procedures as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on tribal resources.

## **MODIFICATION OF CIVIL WORKS PROJECTS: 33 USC 408 (SECTION 408):**

All Section 408 proposals will be coordinated internally at the United States Army Corps of Engineers. The Section 408 decision will be issued along with the Section 404 and/or Section 10 decision. Please see the following link for more information regarding Section 408:

https://www.nab.usace.army.mil/Missions/Regulatory/Section-408-Requests/.

#### WATER QUALITY CERTIFICATION:

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act.

#### COASTAL ZONE MANAGEMENT PROGRAMS:

Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The applicant must obtain any state or local government permits which may be required.

## **SUBMISSION OF COMMENTS:**

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 provided will become part of the public record for this action and are subject to release to the public through the Freedom of Information Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the United States Army Corps of Engineers, Baltimore District within the comment period specified above through postal mail at the address below or electronic submission to the project manager email address below. Written comments should reference the Application Number NAB-2023-00451-P12.

#### **PUBLIC HEARING REQUESTS:**

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also, it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected. The public hearing request may be submitted by electronic mail or mailed to the following address:

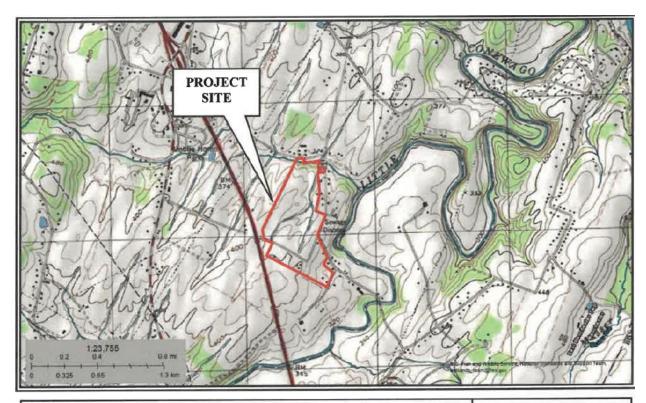
Mr. Michael Dombroskie

mike.dombroskie@usace.army.mil

United States Army Corps of Engineers, Baltimore District
Regulatory Branch
1631 South Atherton Street, Suite 101
State College, Pennsylvania 16801

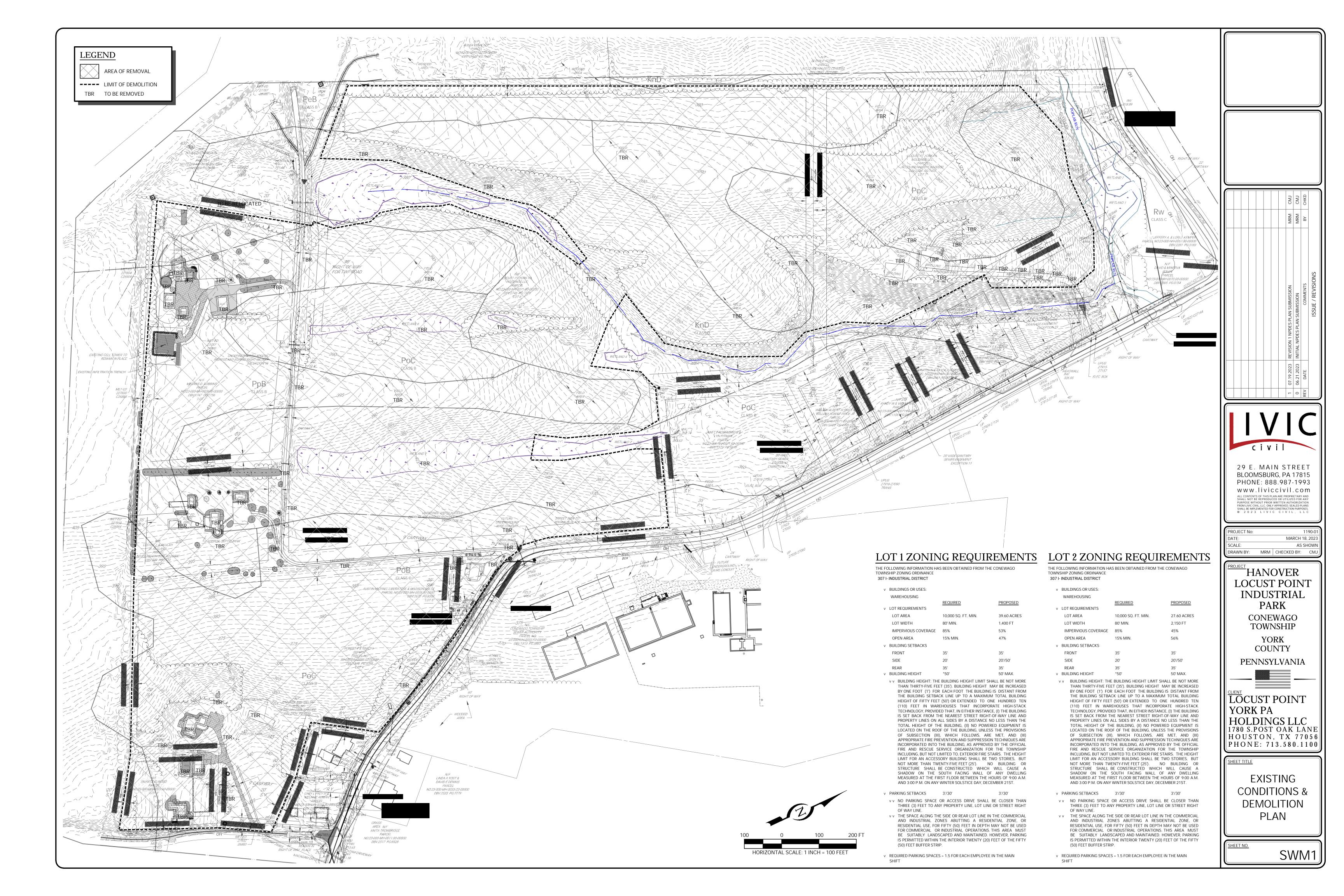
It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested, who did not receive a copy of this notice.

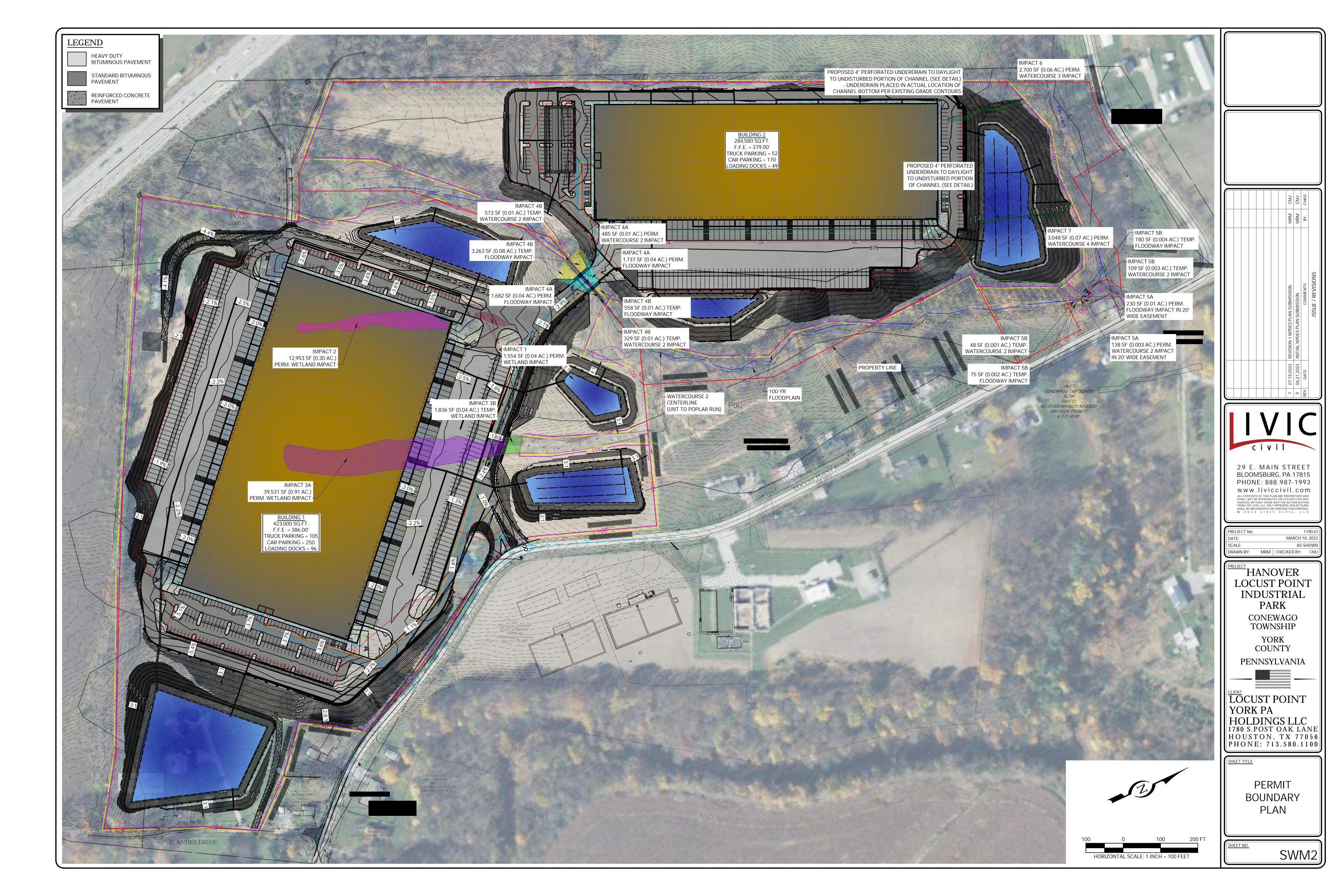
General information regarding the Corps' permitting process can be found on our website at <a href="https://www.nab.usace.army.mil/Missions/Regulatory.aspx">https://www.nab.usace.army.mil/Missions/Regulatory.aspx</a>. This public notice has been prepared in accordance with Corps implementing regulations at 33 CFR 325.3. If you have any questions concerning this specific project or would like to request a paper copy of this public notice, please contact Mr. Michael Dombroskie at (814) 235-0571 or at <a href="mike.dombroskie@usace.army.mil">mike.dombroskie@usace.army.mil</a> with NAB-2023-00451-P12 in the subject line. This public notice is issued by the Chief, Regulatory Branch.

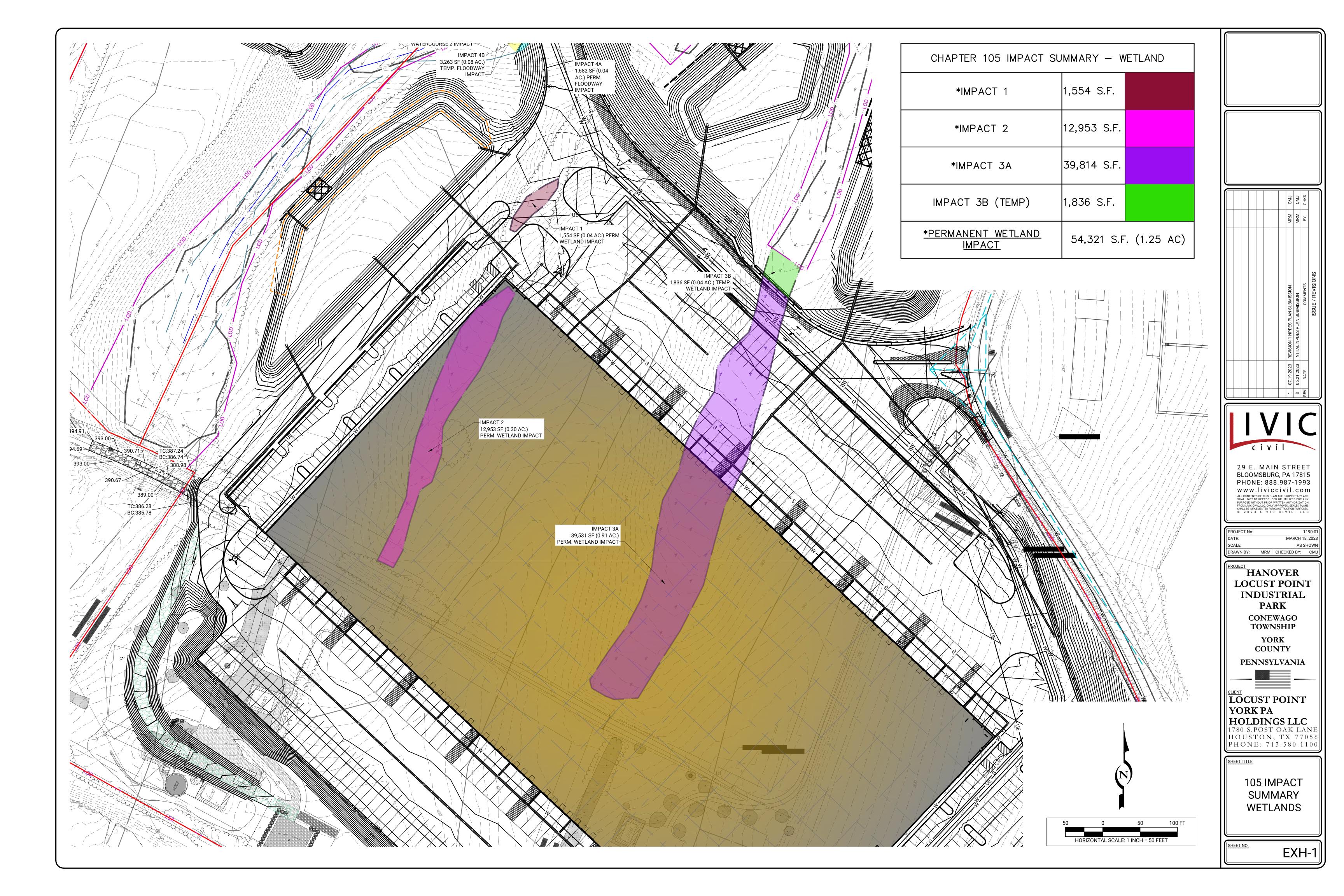


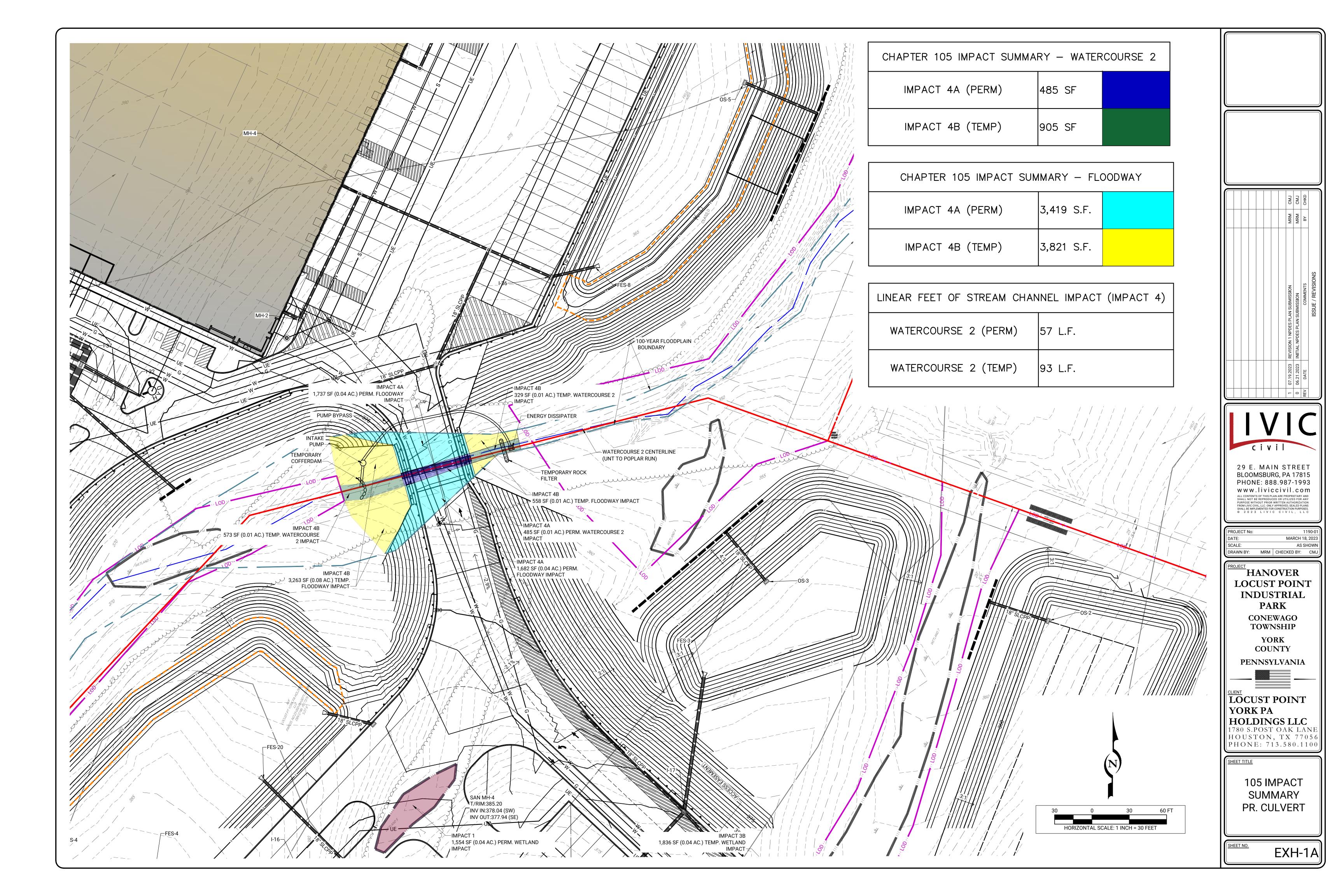
Legend: Not to Scale
Property Boundary ————

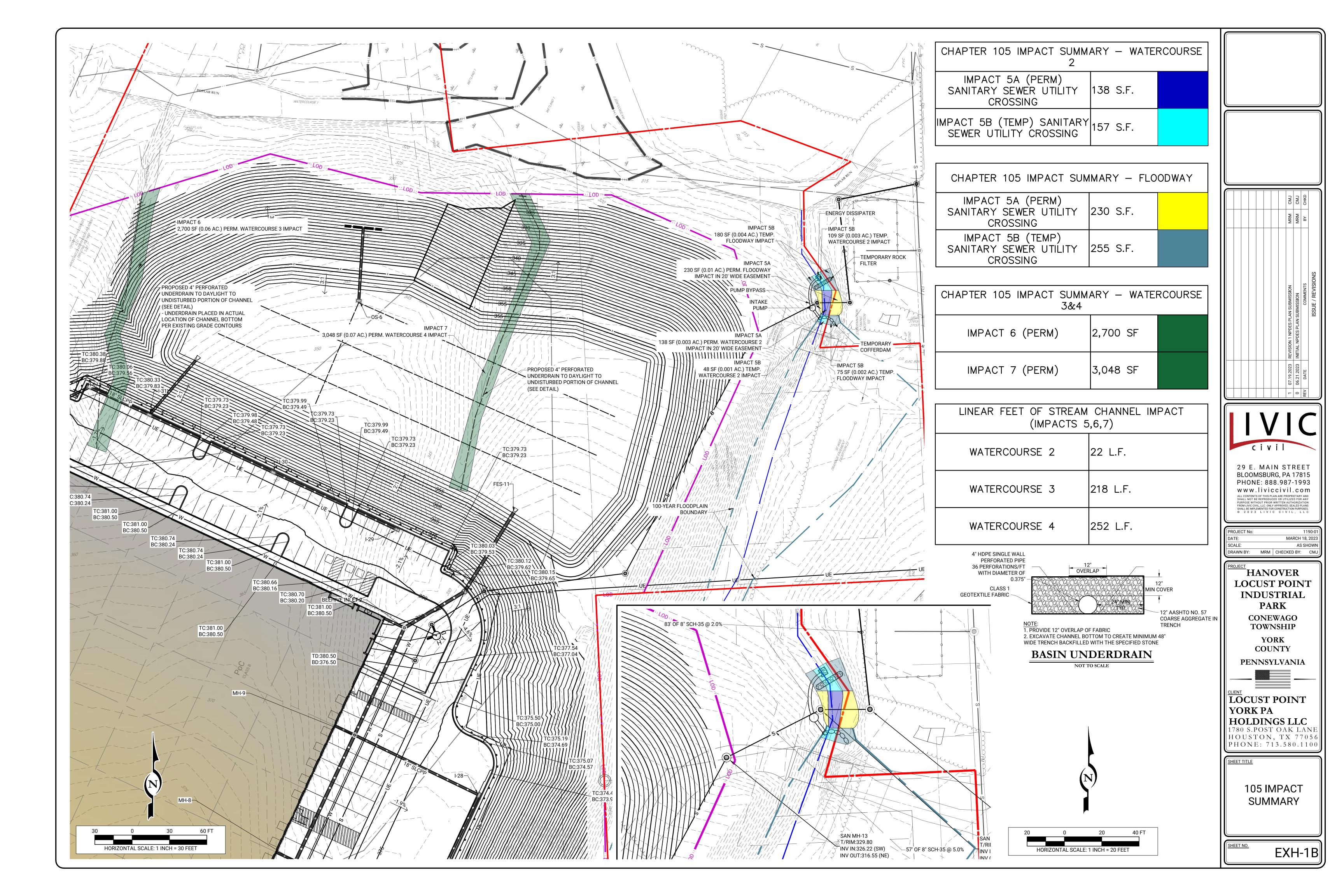
Figure 2: USGS Map for the Hanover Locust Point Industrial Park Project Dover, PA, 7.5-minute USGS Topographic Quadrangle 2019
Conewago Township, York County, Pennsylvania

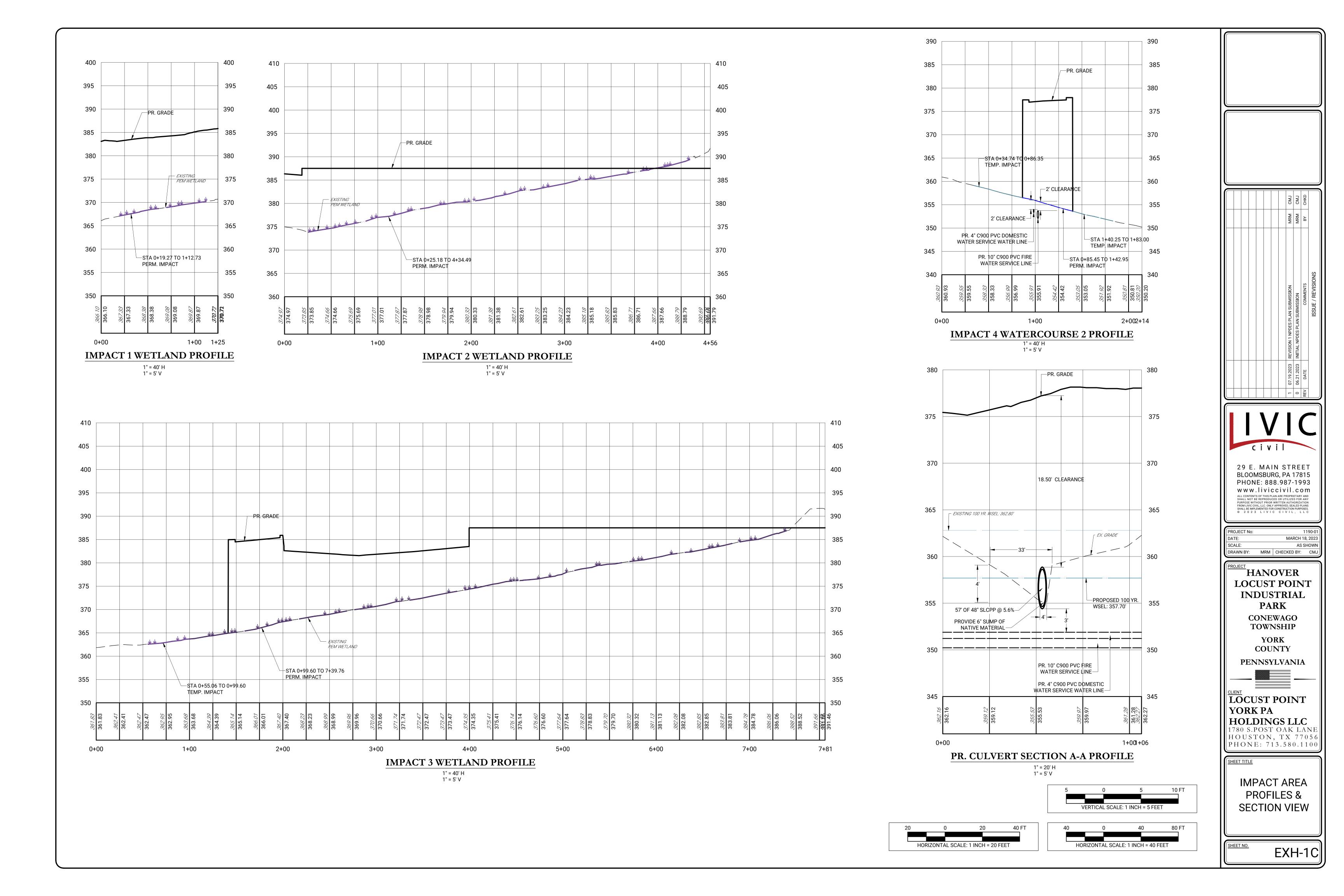


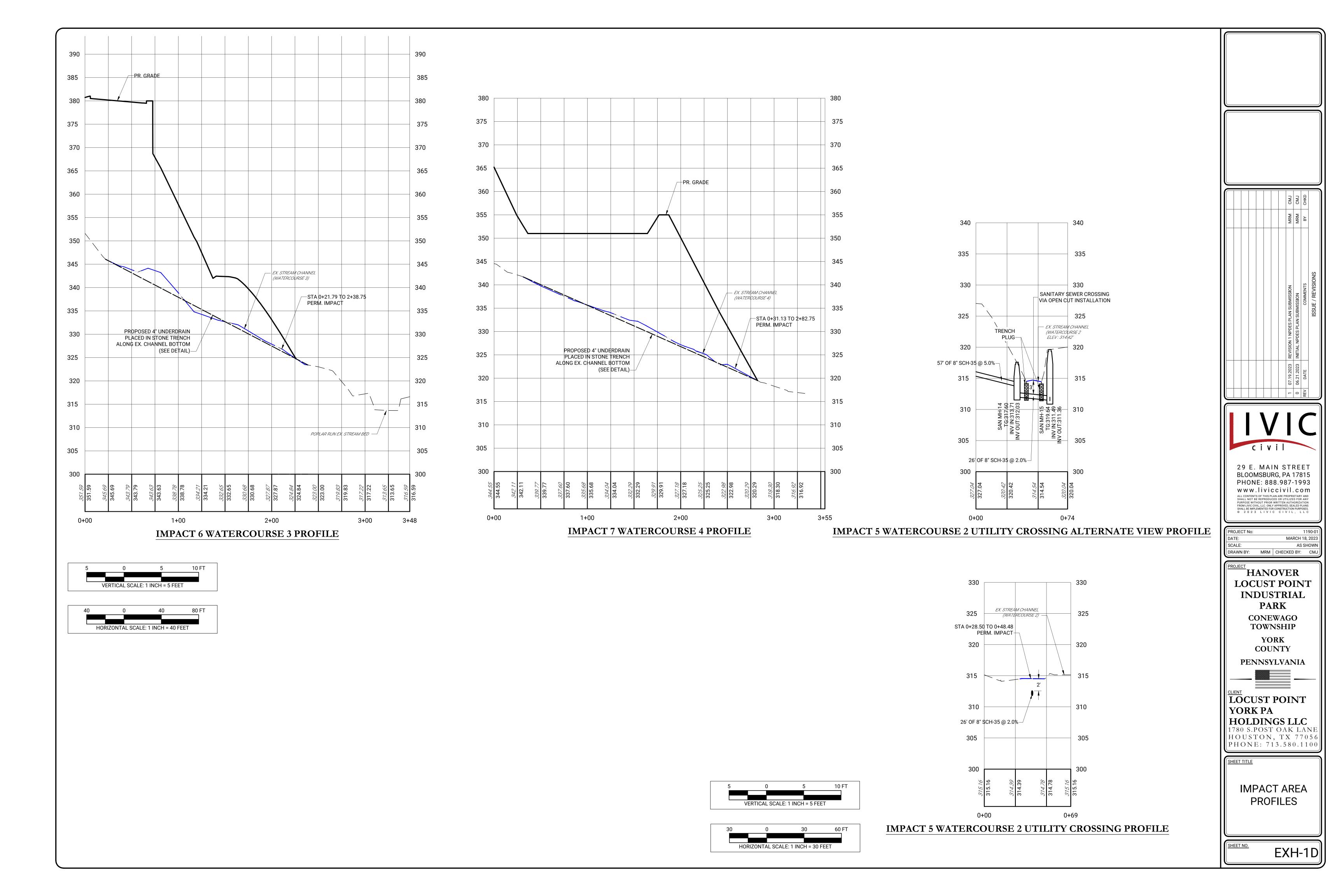


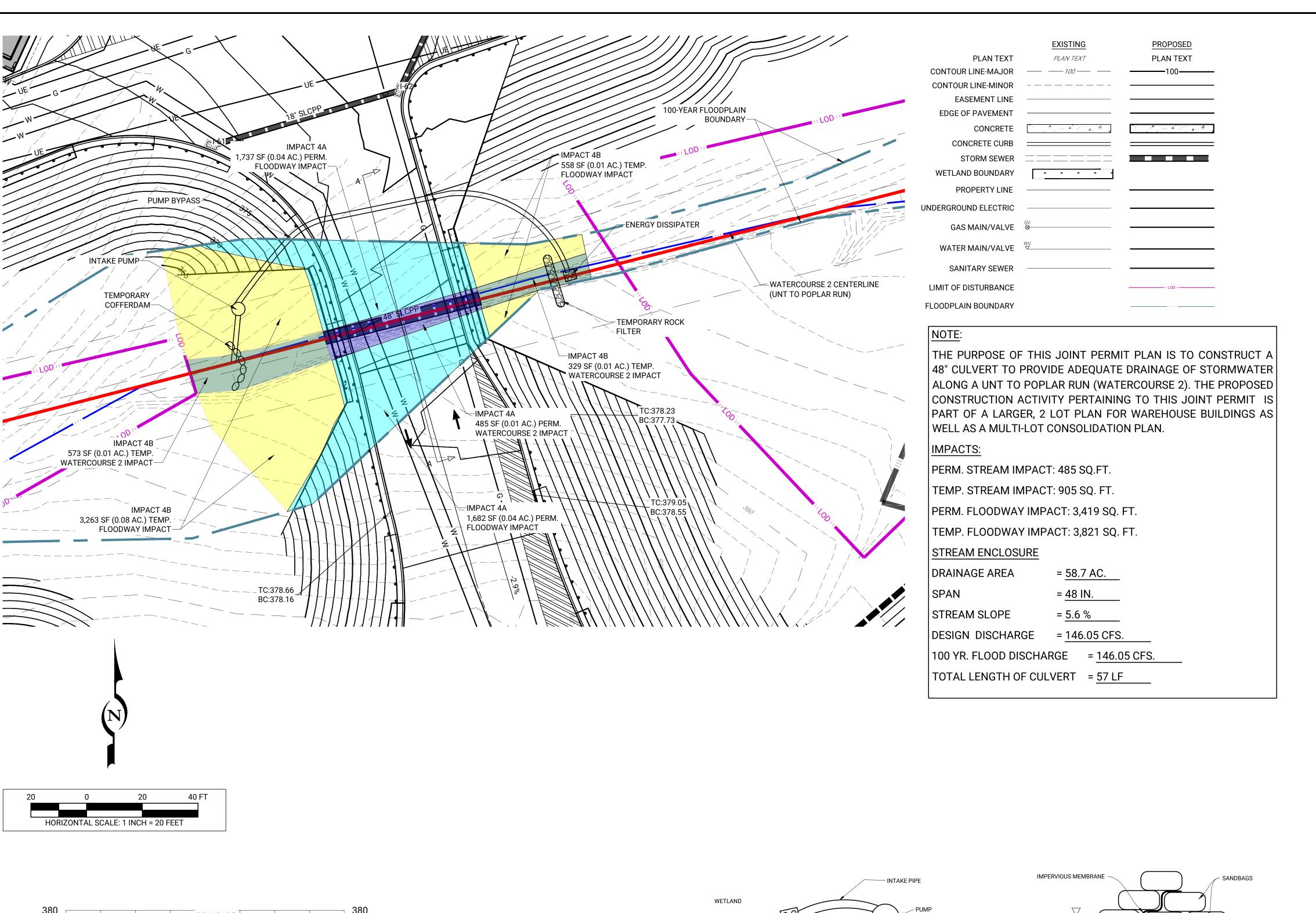












57 LF CULVERT \

ROCK FILTER -

TEMPORARY COFFERDAM AND PUMP BYPASS

AROUND IN-CHANNEL WORK AREA

■ DISCHARGE PIPE

PUMP DISCHARGE TO ENERGY

DISSIPATER OR STABLE AREA

WITHIN CHANNEL

375

PROPOSED 100 YR. WSEL

EXISTING 100 YR. WSEL

– *EX. STREAM CHANNEI* 

PROVIDE 6" SUMP OF NATIVE MATERIAL-

— (WATERCOURSE 2)

-57' OF 48" SLCPP @ 5.6%

-STREAMBED

APRON

INV OUT:353.48 \_\_\_

– EXISTING 100 YR. WSEL

-PROPOSED 100 YR. WSEL

2+00

VERTICAL SCALE: 1 INCH = 5 FEET

HORIZONTAL SCALE: 1 INCH = 40 FEET

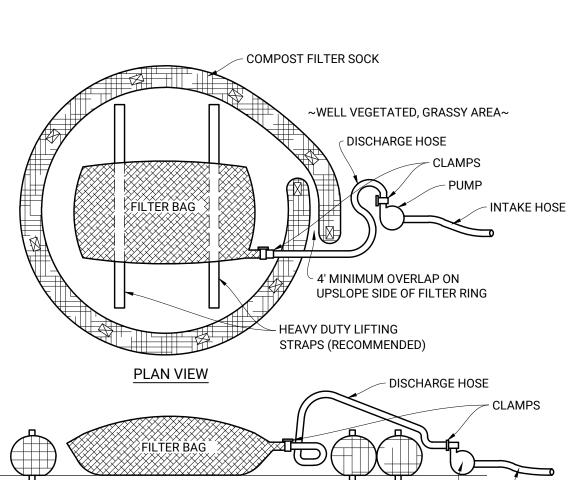
-STREAMBED

- INV IN:356.70

1+00

PR. CULVERT PROFILE

"I, CATHERINE A. PRINCE, P.E., DO HEREBY CERTIFY PURSUANT TO THE PENALTIES OF 18 Pa. C.S.A Sec. 4904 TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THE INFORMATION CONTAINED IN THE ACCOMPANYING PLANS, SPECIFICATIONS, AND REPORTS HAS BEEN PREPARED IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICE, IS TRUE AND CORRECT, AND IS IN CONFORMANCE WITH CHAPTER 105 OF THE RULES AND REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION."



INTAKE HOSE

LOW VOLUME FILTER BAGS SHALL BE MADE FROM NON-WOVEN GEOTEXTILE MATERIAL SEWN WITH HIGH STRENGTH, DOUBLE STITCHED "J" TYPE SEAMS. THEY SHALL BE CAPABLE OF TRAPPING PARTICLES LARGER THAN 150 MICRONS. HIGH VOLUME FILTER BAGS SHALL BE MADE FROM WOVEN GEOTEXTILES THAT MEET THE FOLLOWING STANDARDS:

WELL VEGETATED, GRASSY AREA				
	PROPERTY			

2 BAG MIN. HEIGHT ABOVE NORMAL BASE FLOW

STACKED SANDBAG OPTION

JERSEY BARRIER OPTION

SANDBAG DIVERSION DAM OR COFFERDAM

STANDARD CONSTRUCTION DETAIL 3-15

NOT TO SCALE

WORK AREA ~

SANDBAG TO HOLD IMPERVIOUS LINER IN

STREAM BOTTOM AND SECURED WITH

NORMAL STREAM FLOW

IMPERVIOUS LINER EXTENDED TO

SANDBAG (TYP)

OPTIONAL SANDBAG PLATFORM ~

SANDBAGS

JERSEY BARRIER

PROPERTY	TEST METHOD	MINIMUM STANDARD
AVG. WIDE WIDTH STRENGTH	ASTM D-4884	60 LB/IN
GRAB TENSILE	ASTM D-4632	205 LB
PUNCTURE	ASTM D-4833	110 LB
MULLEN BURST	ASTM D-3786	350 PSI
UV RESISTANCE	ASTM D-4355	70%
AOS % RETAINED	ASTM D-4751	80 SIEVE

**ELEVATION VIEW** 

A SUITABLE MEANS OF ACCESSING THE BAG WITH MACHINERY REQUIRED FOR DISPOSAL PURPOSES SHALL BE PROVIDED. FILTER BAGS SHALL BE REPLACED WHEN THEY BECOME 1/2 FULL OF SEDIMENT. SPARE BAGS SHALL BE KEPT AVAILABLE FOR REPLACEMENT OF THOSE THAT HAVE FAILED OR ARE FILLED. BAGS SHALL BE PLACED ON STRAPS TO FACILITATE REMOVAL UNLESS BAGS COME WITH LIFTING STRAPS ALREADY ATTACHED.

BAGS SHALL BE LOCATED IN WELL-VEGETATED (GRASSY) AREA, AND DISCHARGE ONTO STABLE, EROSION RESISTANT AREAS. WHERE THIS IS NOT POSSIBLE, A GEOTEXTILE UNDERLAYMENT AND FLOW PATH SHALL BE PROVIDED. BAGS MAY BE PLACED ON FILTER STONE TO INCREASE DISCHARGE CAPACITY. BAGS SHALL NOT BE PLACED ON SLOPES GREATER THAN 5%. FOR SLOPES EXCEEDING 5%, CLEAN ROCK OR OTHER NON-ERODIBLE AND NON-POLLUTING MATERIAL MAY BE PLACED UNDER THE BAG TO REDUCE SLOPE STEEPNESS.

NO DOWNSLOPE SEDIMENT BARRIER IS REQUIRED FOR MOST INSTALLATIONS. COMPOST BERM OR COMPOST FILTER SOCK SHALL BE INSTALLED BELOW BAGS LOCATED IN HQ OR EV WATERSHEDS, WITHIN 50 FEET OF ANY RECEIVING SURFACE WATER OR WHERE GRASSY AREA IS NOT AVAILABLE.

THE PUMP DISCHARGE HOSE SHALL BE INSERTED INTO THE BAGS IN THE MANNER SPECIFIED BY THE MANUFACTURER AND SECURELY CLAMPED. A PIECE OF PVC PIPE IS RECOMMENDED FOR THIS PURPOSE.

THE PUMPING RATE SHALL BE NO GREATER THAN 750 GPM OR 1/2 THE MAXIMUM SPECIFIED BY THE MANUFACTURER, WHICHEVER IS LESS. PUMP INTAKES SHALL BE FLOATING AND SCREENED.

FILTER BAGS SHALL BE INSPECTED DAILY. IF ANY PROBLEM IS DETECTED, PUMPING SHALL CEASE IMMEDIATELY AND NOT RESUME UNTIL THE PROBLEM IS CORRECTED.

PUMPED WATER FILTER BAG (SCD #3-16)



© 2 0 2 3 L I V I C C I V I L , L L C MARCH 18, 2023 AS SHOWN DRAWN BY: MRM | CHECKED BY: CM.

BLOOMSBURG, PA 17815 PHONE: 888.987-1993 www.liviccivil.com

ALL CONTENTS OF THIS PLAN ARE PROPRIETARY AND SHALL NOT BE REPRODUCED OR UTILIZED FOR ANY PURPOSE WITHOUT PRIOR WRITTEN AUTHORIZATION FROM LIVIC CIVIL, LLC. ONLY APPROVED, SEALED PLANS CHALL BE MIDE SEMENTED FOR CONTENTIO

**HANOVER LOCUST POINT INDUSTRIAL PARK** 

> **CONEWAGO TOWNSHIP**

COUNTY **PENNSYLVANIA** 

**LOCUST POINT** 

YORK PA HOLDINGS LLC 1780 S.POST OAK LANE HOUSTON, TX 77056 PHONE: 713.580.1100

**E&S CONTROL** AND SITE SPECIFIC JOINT PERMIT PLAN

EXH-2

