



**US Army Corps  
of Engineers**

Philadelphia District

## Public Notice

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Public Notice No.  
CENAP-PL-E-08-04

Date  
3 April 2008

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Internet Homepage <http://www.nap.usace.army.mil>

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In Reply Refer to: Environmental Resources Branch

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### **REHABILITATION OF DAMAGED FLOOD CONTROL WORKS LEHIGH RIVER WEISSPORT FLOOD PROTECTION PROJECT CARBON COUNTY, PENNSYLVANIA**

Pursuant to Section 404 of the Clean Water Act of 1977 and Section 10 of the Rivers and Harbors Act of 1899, NOTICE IS HEREBY GIVEN that the Philadelphia District, U.S. Army Corps of Engineers (Corps) proposes the repair of portions of a flood control embankment along the Lehigh River in the Borough of Weissport, Pennsylvania. As a result of a series of storms over a two-week period (23 June to 4 July 2006) three areas of the Lehigh River flood control structure are recommended for repair. The damaged areas will be repaired by removing displaced riprap, placement of geotextile fabric and a new layer of 35-inch riprap, reusing excavated riprap where appropriate, and repairing cracked grouting. A V-shaped toe 5 feet wide and 3 feet deep will be repaired for the entire length.

The flood control project consists of an earthen levee constructed in two increments to protect against flooding from the Lehigh River. Portions of the flood control structures were constructed by the CWA and the Commonwealth of Pennsylvania. The flood control structure was turned over to the Borough of Weissport for operations and maintenance in 1962. The USACE has authority under Public Law 84-99 to supplement local efforts in the repair of both Federal (Corps constructed, locally operated and maintained) and non-Federal (constructed by non-Federal interests or by the Work Projects Administration flood control projects damaged by flood.

In accordance with the National Environmental Policy Act, a draft Environmental Assessment (EA) has been developed for this project. The EA concludes that the proposed action would not have a significant adverse impact on the environment. Therefore, a draft Finding of No Significant Impact has been prepared. The EA is being coordinated with the U.S. Environmental Protection Agency, Region III, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the Pennsylvania State Historic Preservation Office, the Pennsylvania Department of Environmental Protection, and all other known interested parties.

A Section 404 (b)(1) evaluation has been prepared and is included in this Environmental Assessment. This evaluation concludes that the proposed action would not result in any significant environmental impacts relative to the areas of concern under Section 404 of the Federal Clean Water Act. This Environmental Assessment has concluded that the proposed

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project can be conducted in a manner which would not violate Pennsylvania's Water Quality Standards. A General Permit No. 11: GP 11-13-08-401 (Maintenance, Testing, Repair, Rehabilitation, or Replacement of Water Obstructions and Encroachments) has been issued and provides state authorization to complete the work.

Pursuant to Section 401 of the Clean Water Act, a 401 Water Quality Certificate has been requested from the Pennsylvania Department of Environmental Protection. There are no known properties listed on, or eligible for listing on, the National Register of Historic Places that would be affected by the proposed activity. The proposed project has been designed to avoid archaeologically sensitive areas, and is therefore not expected to impact any cultural resources.

This Environmental Assessment has determined that the proposed activity is not likely to jeopardize the continued existence of any species or the critical habitat of any fish, wildlife, or plant, which is designated as endangered or threatened pursuant to the Endangered Species Act of 1973, as amended by P.L. 96-159.

The decision whether to accomplish the work proposed in this public notice will be based on an evaluation of the probable impact of the proposed work on the public interest. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonable foreseeable detriments. All factors, which may be relevant to the proposal, will be considered. Among those are conservation, fish and wildlife, general environmental concerns, economics, historic values, recreation, safety, water quality, aesthetics, and in general, the needs and welfare of the people.

The public and all agencies are invited to comment on this proposal. Copies of the draft EA are available on the Philadelphia District project web page at:  
<http://www.nap.usace.army.mil>.

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 proposal. Requests for a public hearing shall state, in detail, the reasons for holding a public hearing.

All comments on the work described in this public notice should be directed to Mr. Minas M. Arabatzis, ATTN: Environmental Resources Branch, U.S. Army Corps of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390 by 15 April 2008.

Minas M. Arabatzis  
Chief, Planning Division  
Philadelphia District  
U.S. Army Corps of Engineers

**U.S. ARMY CORPS OF ENGINEERS  
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