

U.S. Army Corps
of Engineers
Baltimore District
PN 10-53

Public Notice

In Reply to Application Number
CENAB-OP-RPA-2010-00631-P23 (Hershey Park Maintenance Dredging)

Comment Period: October 18, 2010 to November 2, 2010

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. 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 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

APPLICANT:

Mr. Kent Bachman
Hershey Entertainment & Resorts Company
300 Park Boulevard
Hershey, Pennsylvania 17033

WATERWAY AND LOCATION OF PROPOSED WORK:

The proposed work will be conducted in a man-made impoundment, approximately 555 feet long and 114 feet wide (1.51 acres), which is fed by Spring Creek, located in Derry Township, Dauphin County, Pennsylvania.

PROPOSED WORK AND PURPOSE:

The purpose and intended use of the project is to remove accumulated sediments from an impoundment associated with Hershey Park, thereby maintaining the impoundment's aesthetic value to the park. To accomplish this project, the applicant must obtain Department of the Army (DA) authorization for the discharge of dredged and/or fill material into waters of the United States.

Work would be completed in accordance with the enclosed plans. The proposed work would be performed during low flow in two stages with approximately 1.51 acres of permanent impacts to waters of the United States resulting from mechanized activities associated with the dredging of the impoundment to its original bottom elevation and with the permanent enlargement of two existing stone causeway ramps in the footprint of the impoundment. The footprint of the two enlarged stone ramps would be approximately 24 feet by 30 feet each (1,440 square feet). Temporary impacts would occur within the area of proposed dredging, and include the placement of flow deflectors, coffer dams, wood chip filter berms, 36-inch concrete barriers, and a temporary low-flow channel-crossing consisting of a R-3 and R-6 rock causeway with three 18-inch culvert pipes. Dimensions of the temporary low flow channel crossing and causeway would be approximately 30 feet by 50 feet (1,500 square feet). Streambed material would not be used for fill. Total volume of dredged material proposed to be removed would be 4,573 cubic yards.

The applicant also intends to use DA authorization to perform additional maintenance dredging as necessary to maintain the original bottom elevation over the next 10 years. The applicant would notify the Corps' Pennsylvania Regulatory Field Office prior to initiating additional dredging.

The applicant proposes to implement the following measures to minimize impacts to the aquatic environment:

- All work would be done during periods of low flow condition.
- All stream flow would be diverted around the active dredge site via use of flow deflectors and temporary cofferdam.
- Low pressure excavators would be used to scoop the sediment directly from the bottom of the impoundment to the bed of a watertight truck. There would be no stockpiling of sediment within the active dredge site.
- The proposed dredging would be limited to the removal of accumulated sediment within the impoundment and would not involve any deepening or enlargement of the impoundment.
- A low flow channel and a rock causeway with pipes would be utilized and maintained.
- All continuous flow through the private dam would pass through a particle curtain to trap and prevent sediment from discharging to waters of the United States.

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 production, and in general, the needs and welfare of the people.

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. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Pennsylvania Regulatory Field Office, 1631 South Atherton Street, Suite 101, State College, Pennsylvania 16801 with the comment period specified above.

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 (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). The Corps has determined this project will not affect any EFH.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Pennsylvania Department of Environmental Protection. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

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 (CZM) Program. By this public notice, we are requesting the state concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months to make its consistency determination.

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

A preliminary review of the proposed work indicates there will be no effect to federally-listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended.

A letter, dated August 30, 2010, from the Pennsylvania Historical and Museum Commission-Bureau for Historic Preservation, indicates that there are no National Register eligible or listed historic or archaeological properties in the area of this proposed project.

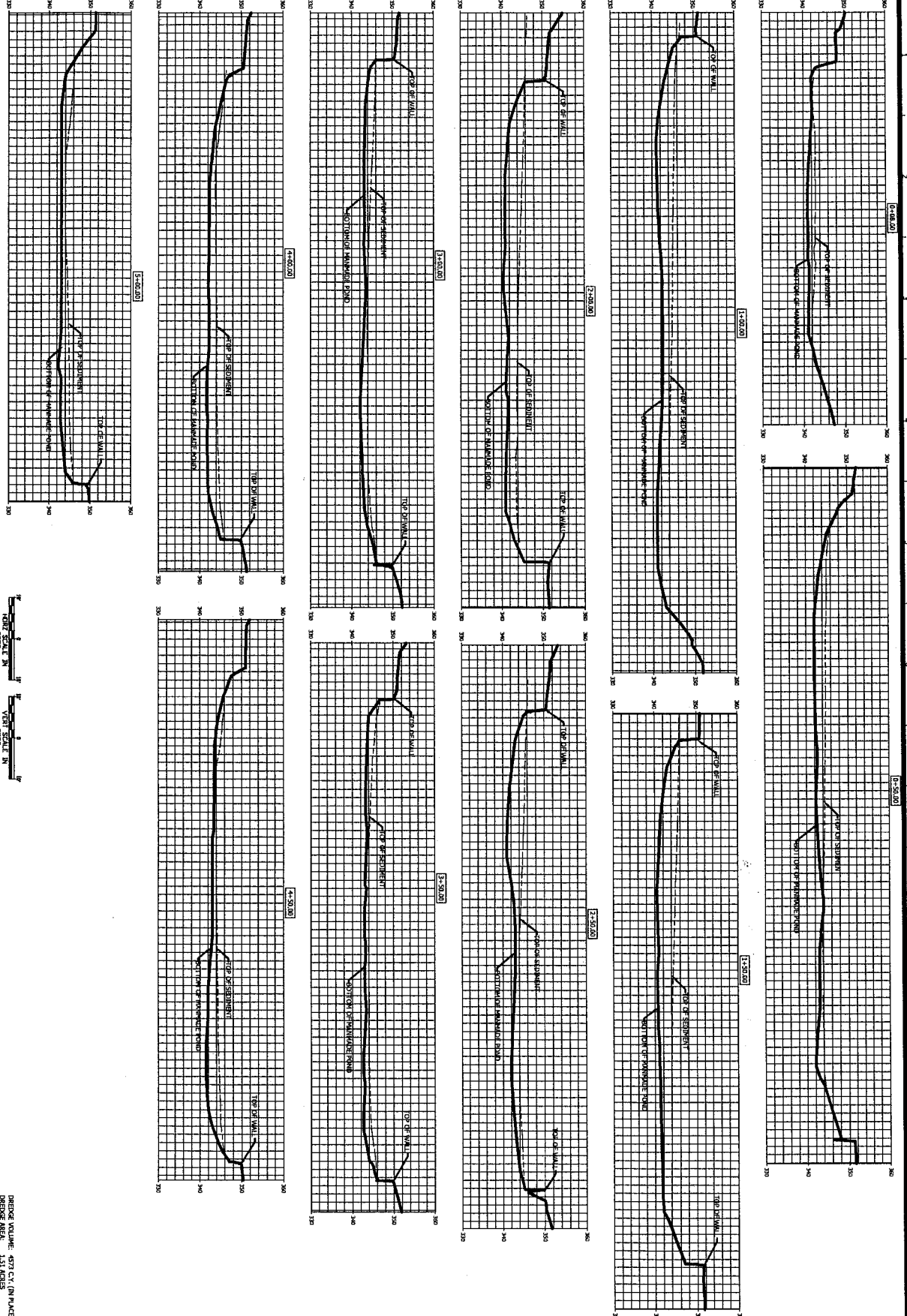
The evaluation of the impact of this project on the public interest will include applications of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Pennsylvania Regulatory Field Office, 1631 South Atherton Street, Suite 101, State College, Pennsylvania 16801 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.

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

If you have any questions concerning this matter, please contact Mr. Jason Randolph at (814) 235-1764 or jason.d.randolph@usace.army.mil.

Wade B. Chandler
Chief, Pennsylvania Section

Enclosure



DREDGE VOLUME: 4577 C.Y. (IN PLACE)
DREDGE AREA: 131 SQUARE FEET

C-605	DREDGE PLAN - CROSS SECTIONS	
	REVISION	DATE
NO.	DESCRIPTION	DATE
1	ADDED SCALES	08/26/10
2	REVISION DESCRIPTION	

HERSHEYPARK

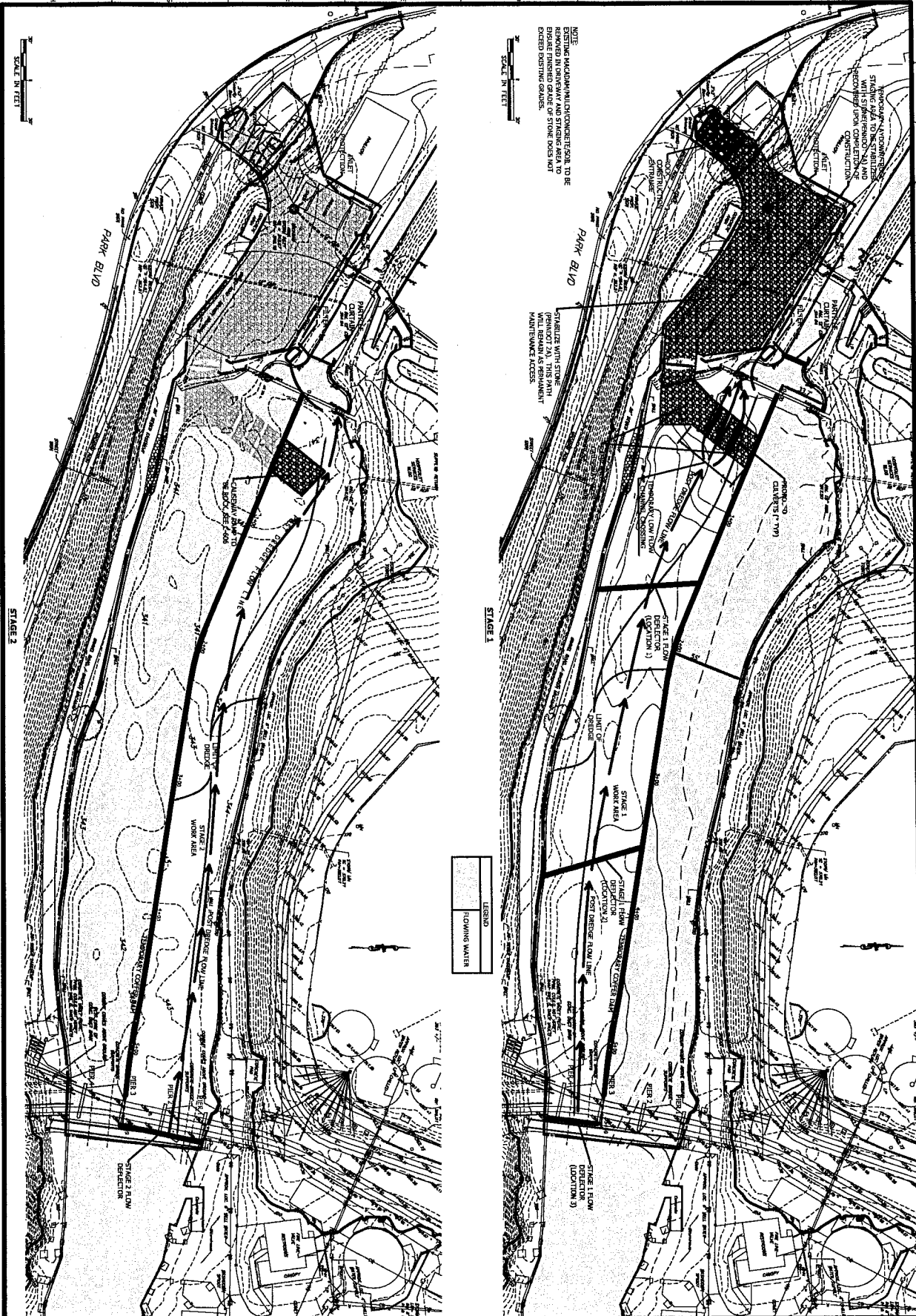
ATTRACTION 2012



NO./REV.	DATE

HORIZONTAL DIMENSION = 1/4" = 1'-0"
 VERTICAL DIMENSION = 1/8" = 1'-0"
 CONVERSION: 1" = 1'-0"

HORIZONTAL DATUM = NAVD 83
 VERTICAL DATUM = NAVD 88
 CONVERSION TO NAD90 = 4.27'



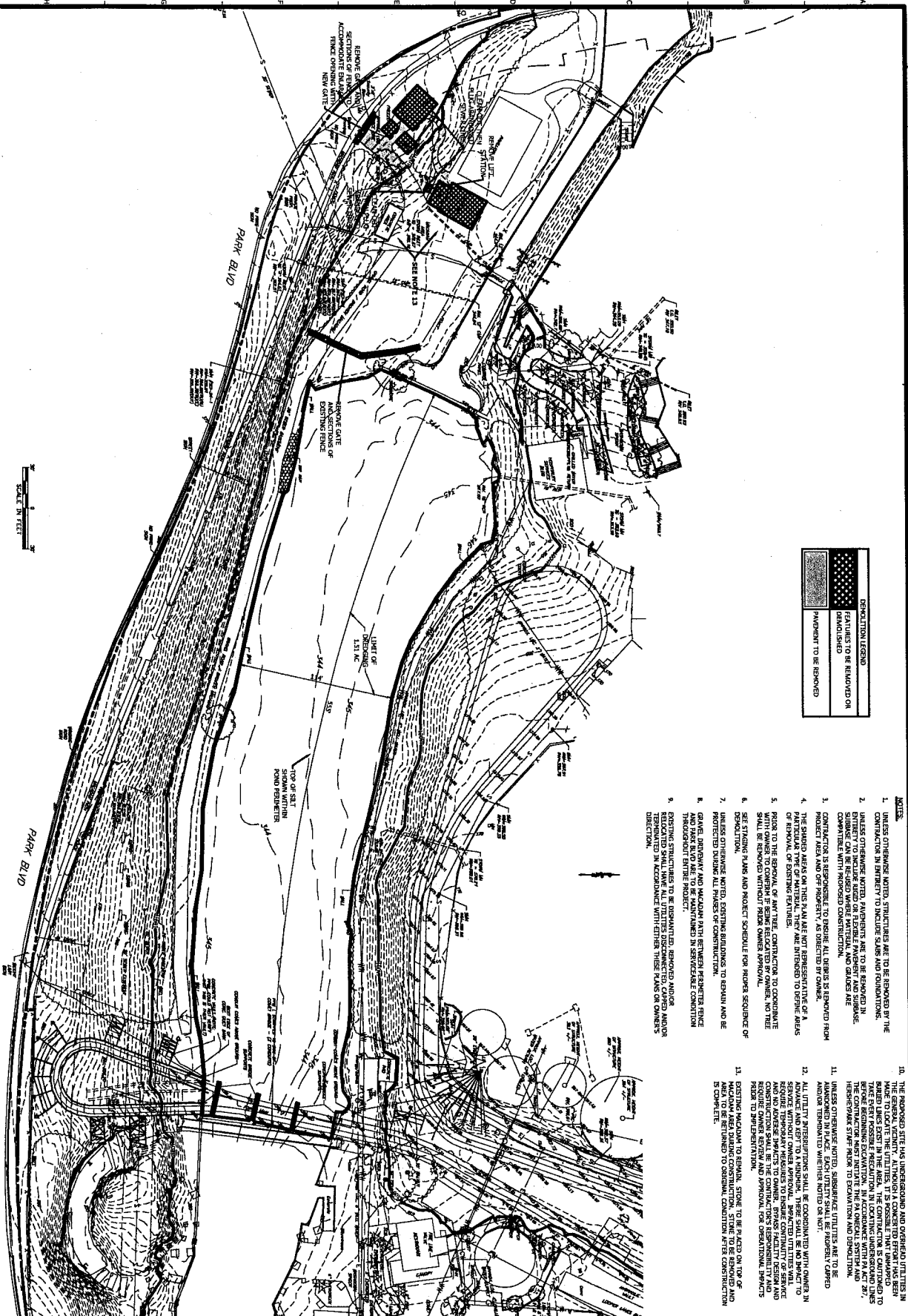
C-603
 DREDGE PLAN -
 PROPOSED CONDITIONS
 AND E&S PLAN

HERSEYPARK
 ATTRACTION 2012

THIRD CENTURY
 ENGINEERS & ARCHITECTS

REV	DESCRIPTION	DATE

HORIZONTAL DIMENSION = INCH
 VERTICAL DIMENSION = INCH
 CONVERSION TO METERS = 0.3048



DEMOLITION LEGEND

	DEMOLISHED
	TO BE REMOVED

- NOTES:**
- UNLESS OTHERWISE NOTED, STRUCTURES ARE TO BE REMOVED BY THE CONTRACTOR IN THE PRESENCE OF THE GENERAL CONTRACTOR AND SUPERVISOR. DEMOLITION SHALL BE ACCORDING TO THE DEMOLITION PLAN AND SUBMITTALS. DEMOLITION SHALL BE ACCORDING TO THE DEMOLITION PLAN AND SUBMITTALS. DEMOLITION SHALL BE ACCORDING TO THE DEMOLITION PLAN AND SUBMITTALS.
 - CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL PERMITS TO BE REMOVED FROM THE CITY OF HERSHEY, PENNSYLVANIA.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN.
 - EXISTING UTILITIES TO BE REMOVED SHALL BE REMOVED IN ACCORDANCE WITH THE DEMOLITION PLAN AND SUBMITTALS.
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C-602

EXISTING CONDITIONS AND DEMOLITION PLAN

DATE	08/20/10
SCALE	1" = 30'
PROJECT	HERSHEY PARK
DATE	08/20/10

HERSHEYPARK

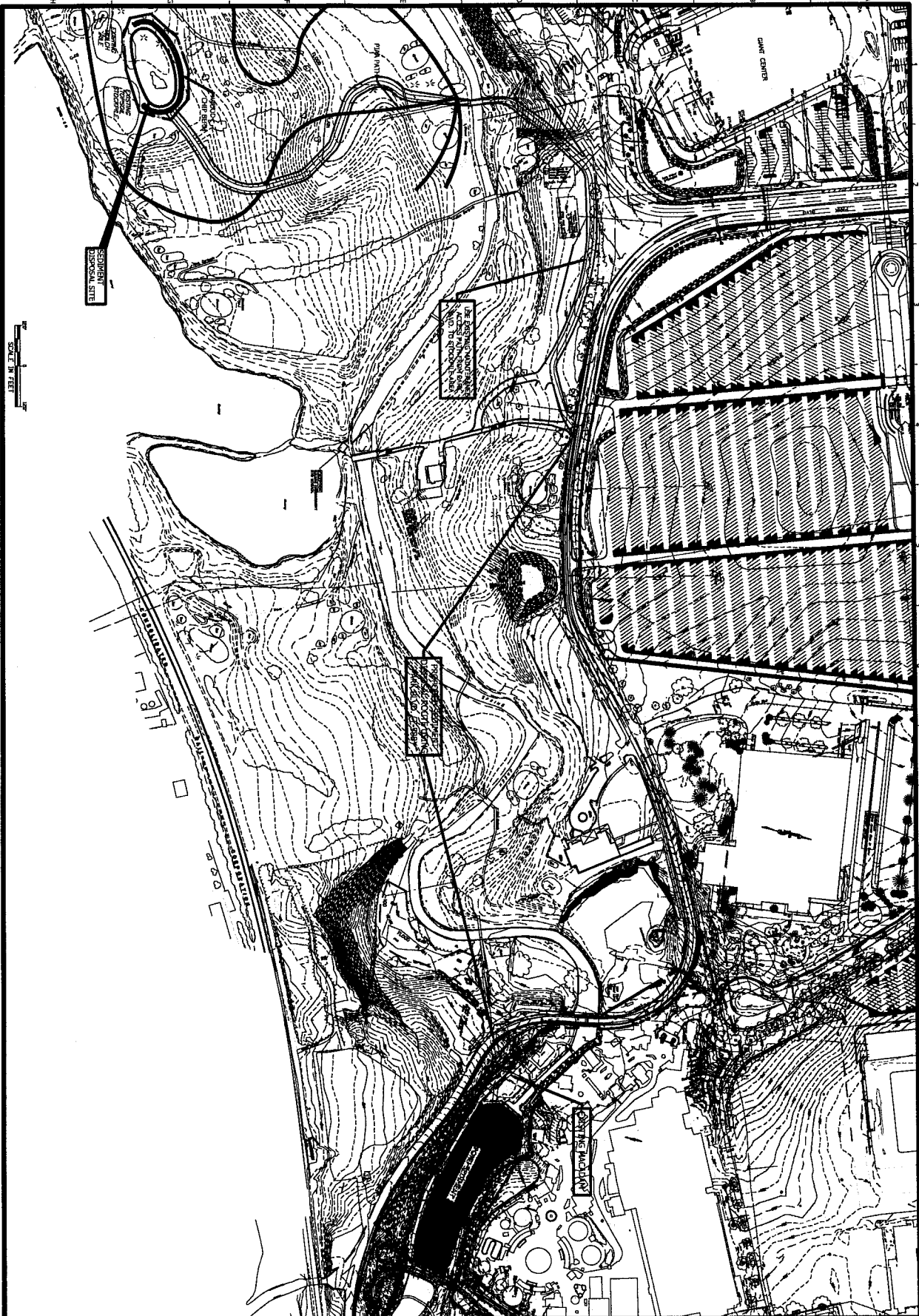
Attraction 2012

THIRD CENTURY

ARCHITECTURE

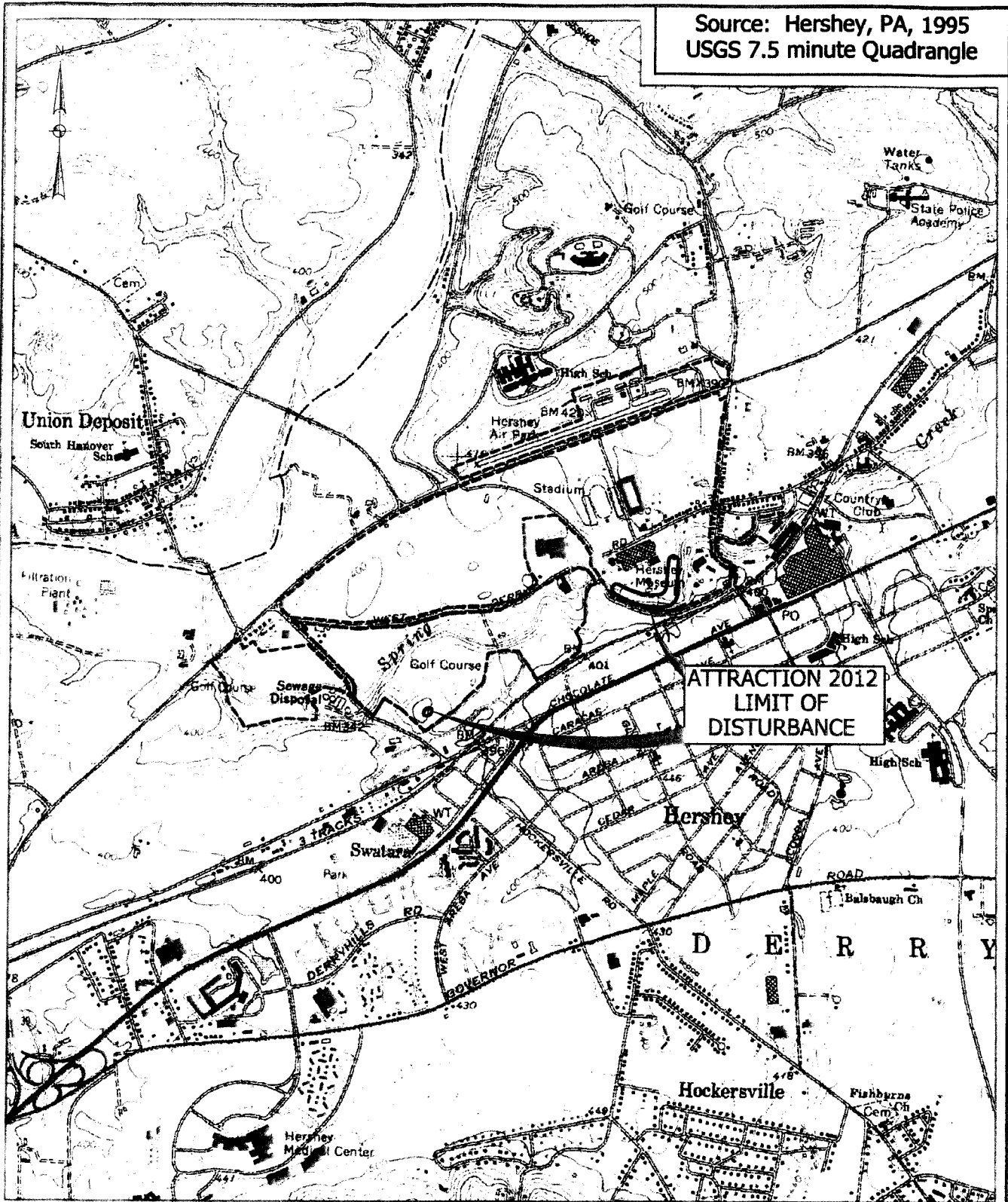
NO.	REVISION DESCRIPTION	DATE

HORIZONTAL DATUM = NAD 83
 VERTICAL DATUM = NAVD 83
 CONVERSION TO NAD03 = 4.27'



C-601	SEDIMENT DISPOSAL PLAN	HERSHEYPARK			
	<small>DRAWN BY: RHH CHECKED BY: TJP SCALE: 1"=120' DATE: 08/20/2012</small>	ATTRACTION 2012			
				<small>REV</small>	<small>REVISION DESCRIPTION</small>
				<small>DATE</small>	<small>DATE</small>

Source: Hershey, PA, 1995
USGS 7.5 minute Quadrangle



H:\HersheyPark\Attraction2012\Civil\Draw\Exhibits\Location Map.dwg

DESIGN:
DRAWN:
SCALE: 1"=2000'
PROJECT: 103016

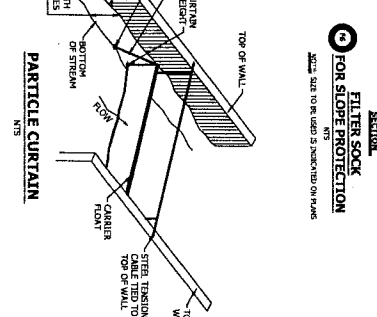
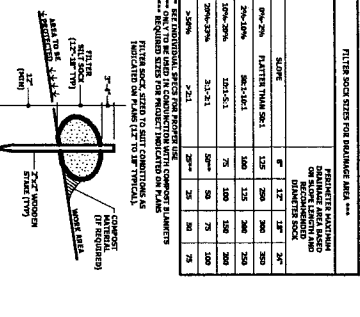
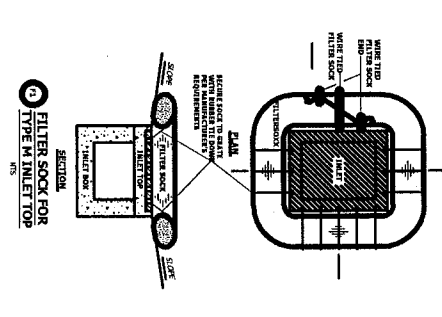
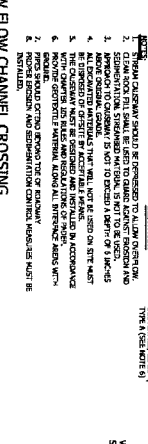
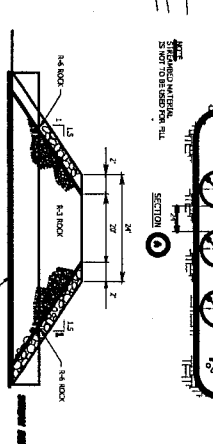
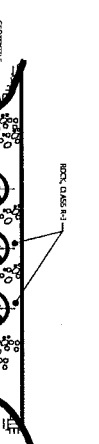
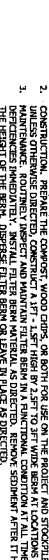
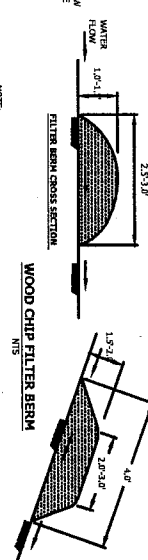
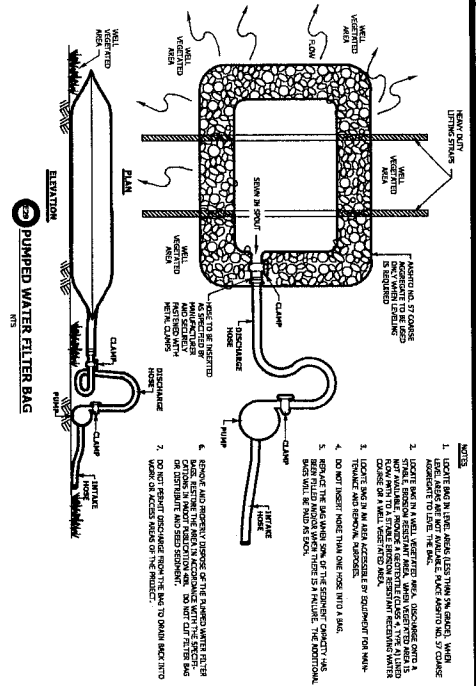
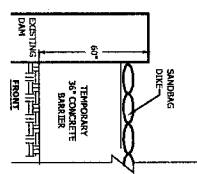
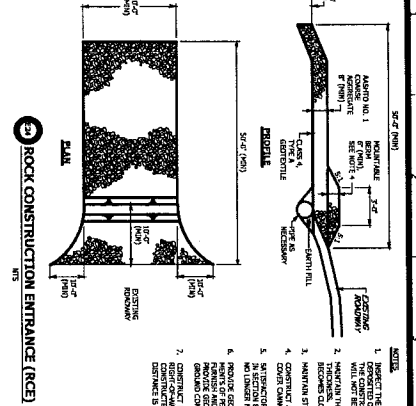
MM CENTURY ENGINEERING

200 Airport Road, Capital City Airport
New Cumberland, PA 17070
717-901-7055 Fax 717-901-7059

LIMIT OF DISTURBANCE

Attraction 2012
Derry Township
Dauphin County, PA

DATE August 2010	FIGURE 1
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SPECIES	% OF MATURITY	% OF MATURITY			% WEED SEED
		% MATURITY	% GERMINATION	% WEED SEED	
GRASS	20	20	20	10	
LEGUMES	20	20	20	10	
WOODED SPECIES	20	20	20	10	

SPECIES	% OF MATURITY	% OF MATURITY			% WEED SEED
		% MATURITY	% GERMINATION	% WEED SEED	
GRASS	20	20	20	10	
LEGUMES	20	20	20	10	
WOODED SPECIES	20	20	20	10	

