

## ENVIRONMENTAL REVIEW FOR CHAPTER 105 APPLICATIONS

Permittee Pennsylvania-American Water Company App. No. D10-001EA

### Environmental Recommendation:

Approval ☒  
Denial ☐ Reviewer V. Humenay Date September 10, 2010  
Withdrawal ☐  
Concur ☐ Super. Initials \_\_\_\_\_ Date \_\_\_\_\_  
Not Concur ☐  
Special Conditions See approval letter

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### I. Environmental Assessment and Record of Decision

Has any portion of the regulated work already occurred? \_\_\_ Yes \_\_\_ X No

Initial Proposed Acreage to be Impacted 0 (ac.)

Final Wetland Area Impacted 0 (ac.) Wetland Area Replaced 0 (ac.)

Length of Channel Impacted (restored) 3500 (feet)

Area of Open Water Impacted 24 (ac.)

#### A. Review of Application –

Project proposes to breach and remove Boydstown Dam across Connoquenessing Creek (HQ-WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. Project proposes to restore approximately 3500 feet of stream channel. The project will also involve the construction of a v-notch monitoring weir at the site. The dam is located approximately 1000 feet northeast of the intersection of SR38 and Mahood Rd (SR4002) (East Butler, PA Quadrangle; Latitude: 40° 56' 21", Longitude: -79° 50' 35")

The construction of the v-notch monitoring weir will be authorized under §105.12(a)(12).

Because the dam is situated in the tail water of Lake Oneida, there is little concern for sediment transport downstream. Any sediment that is mobilized will drop out in the upstream end of Lake Oneida.

#### PNDI -

Two potential conflicts logged involving species under the jurisdiction of the Pennsylvania Fish and Boat Commission. PFBC was notified February 6, 2008 with project details. PFBC replied March 17, 2008, with a seasonal restriction for the eastern massasauga. All drawdown and earth disturbance activities are to be conducted from May 1 to November 15.

Based on a review of information submitted, field review of site on November 15, 2007, and comments from other resource agencies, project will not have a significant adverse impact on aquatic resources; therefore, recommend approval.

☒ Additional sheets attached.

|                                                                      | <u>YES</u>                          | <u>NO</u>                           |
|----------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| B. <u>Potential Project Impacts</u>                                  |                                     |                                     |
| 1. Potential Threats to Life or Property                             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Potential Threats to Safe Navigation                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Riparian Rights Above, Below or Adjacent to Project               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4. Regimen and Ecology of                                            |                                     |                                     |
| a. Watercourse                                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Body of Water                                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 5. National/State Natural Areas, Wildlife Sanctuary/Refuge           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6. National/State/Local Park or Recreation Area                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 7. National/State/Local Cultural, Archaeological, or Historical Site | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 8. Public Water Supply                                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 9. Non-compliance with Applicable laws                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 10. Non-water Dependent Project                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 11. Future Development Potential                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 12. State Water Plan Program Area                                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 13. Coastal Zone Management Program Area                             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 14. Scenic River Corridor Status: no designation                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 15. Chapter 93 Designated Use: HQ-WWF                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| a. Exceptional Value Watershed                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. High Quality Watershed                                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 16. Secondary Impacts                                                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 17. Cumulative Impacts (temporary and permanent impacts)             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 18. Wetlands                                                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| a. Vegetation (NWI Designation): <u>POWz</u>                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Soils (NRCS Designation): <u>unknown</u>                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. Hydrology: <u>open water</u>                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 19. Exceptional Value Wetlands                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 20. Stocked Trout Stream                                             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 21. Wild Trout Stream                                                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 22. Threatened or Endangered Species                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 23. Other Species of Special Concern                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

C. Record of Decision for Project Impacts (Any adverse findings must be documented in the Record of Decision.)

1. Exceptional Value Wetlands - (check the criteria that makes the wetland EV):

- ☐ natural or wild areas      ☐ wild or scenic river      ☐ wild trout stream  
☐ public water supply      ☐ EV waters      ☐ threatened or endangered species habitat  
☐ threatened or endangered species (results of PNDI search)

a. Describe the primary function(s) or value(s) of the wetland: \_\_\_\_\_

N/A - activity reviewed under § 105.16

b. Will the project have an adverse impact on the wetlands functions or values?

☐      ☐

Explain: N/A - activity reviewed under § 105.16

If Yes, has applicant affirmatively demonstrated that project is necessary to abate a substantial threat to the public health and safety?

☐      ☐

Has applicant demonstrated that requirements of Section 105.18a(b)(2)-(7) are met?

☐      ☐

c. Is project water-dependent? (A project is water dependent when the project requires access or proximity to or siting within the wetland or waters to fulfill the basic purpose of the project.)

☐      ☐

Explain: N/A - activity reviewed under § 105.16

d. Is project the least environmentally damaging alternative?

☐      ☐

List alternatives considered and provide rationale that the least damaging alternative has been selected.

N/A - activity reviewed under § 105.16

|                                                                                                                                                 | <u>YES</u>               | <u>NO</u>                |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| e. Will project violate a State water quality standard?                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> |
| Explain: <u>N/A - activity reviewed under § 105.16</u>                                                                                          |                          |                          |
| <hr/>                                                                                                                                           |                          |                          |
| f. Will project contribute to the pollution of groundwater or surface water or diminution of resources sufficient to interfere with their uses? | <input type="checkbox"/> | <input type="checkbox"/> |
| Explain: <u>N/A - activity reviewed under § 105.16</u>                                                                                          |                          |                          |
| <hr/>                                                                                                                                           |                          |                          |
| g. Will the cumulative effect of this project and other projects result in impairment to exceptional value wetland resources?                   | <input type="checkbox"/> | <input type="checkbox"/> |
| Explain: <u>N/A - activity reviewed under § 105.16</u>                                                                                          |                          |                          |
| <hr/>                                                                                                                                           |                          |                          |
| h. List which compensatory replacement method was used.                                                                                         |                          |                          |
| List: <u>N/A - activity reviewed under § 105.16</u>                                                                                             |                          |                          |
| <hr/>                                                                                                                                           |                          |                          |
| 2. Other Wetlands                                                                                                                               |                          |                          |
| a. Describe the primary function(s) or value(s) of the wetland: _____                                                                           |                          |                          |
| Explain: <u>N/A - activity reviewed under § 105.16</u>                                                                                          |                          |                          |
| <hr/>                                                                                                                                           |                          |                          |
| b. Will the project have an adverse impact on the wetland's functions or values?                                                                | <input type="checkbox"/> | <input type="checkbox"/> |
| Explain: <u>N/A - activity reviewed under § 105.16</u>                                                                                          |                          |                          |
| <hr/>                                                                                                                                           |                          |                          |
| c. Will the project have a significant adverse impact on the wetland's functions or values?                                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Explain: <u>N/A - activity reviewed under § 105.16</u>                                                                                          |                          |                          |
| <hr/>                                                                                                                                           |                          |                          |
| If Yes, has applicant affirmatively demonstrated that project is necessary to abate a substantial threat to the public health and safety?       | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Have adverse impacts been avoided or reduced to maximum extent possible?                                                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Explain: <u>N/A - activity reviewed under § 105.16</u>                                                                                          |                          |                          |
| <hr/>                                                                                                                                           |                          |                          |

**YES**   **NO**

- e. Is project the least environmentally damaging alternative?

☐   ☐

List alternatives considered and provide rationale that the least damaging alternative has been selected.

N/A - activity reviewed under § 105.16

- f. Will project violate a State water quality standard?

☐   ☐

Explain: N/A - activity reviewed under § 105.16

- g. Will project contribute to the pollution of groundwater or surface water or diminution of resources sufficient to interfere with their uses?

☐   ☐

Explain: N/A - activity reviewed under § 105.16

- h. Will the cumulative effect of this project and other projects result in impairment to wetland resources?

☐   ☐

Explain: N/A - activity reviewed under § 105.16

- i. List which compensatory replacement method was used.

List: N/A - activity reviewed under § 105.16

3. Watercourses (check all that apply)

☐ TSF   ☒ HQ   ☐ CWF   ☐ Wild Trout   ☐ EV   ☒ WWF

- a. Name of watercourse Connoquenessing Creek

- b. Will the project have an impact on the following values of the environment?

|           |                          |                                     |
|-----------|--------------------------|-------------------------------------|
| Natural   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Scenic    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Historic  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Aesthetic | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

|                                                                                                                                                         | <u>YES</u>                          | <u>NO</u>                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| c. Have impacts been avoided and minimized?                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Explain: <u>impacts have been avoided and minimized where possible.</u>                                                                                 |                                     |                                     |
| <hr/>                                                                                                                                                   |                                     |                                     |
| d. Is project the least environmentally damaging alternative?                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| List alternatives considered and provide rationale that the<br>Least damaging alternative has been selected.                                            |                                     |                                     |
| <u>Project will restore portions of Connoquenessing Creek to a natural free flowing condition</u>                                                       |                                     |                                     |
| <hr/>                                                                                                                                                   |                                     |                                     |
| <hr/>                                                                                                                                                   |                                     |                                     |
| <hr/>                                                                                                                                                   |                                     |                                     |
| e. Has the applicant demonstrated that the public benefits of the proposed project out weigh the harm to the environment?                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Public benefits include:                                                                                                                                |                                     |                                     |
| 1. Correction and prevention of pollution.                                                                                                              |                                     |                                     |
| 2. Protection of public health and safety.                                                                                                              |                                     |                                     |
| 3. Reduction of flood damages.                                                                                                                          |                                     |                                     |
| 4. Development of energy resources.                                                                                                                     |                                     |                                     |
| 5. Creation or preservation of significant employment.                                                                                                  |                                     |                                     |
| 6. Provision of public utility services.                                                                                                                |                                     |                                     |
| 7. Other essential social and economic development which                                                                                                |                                     |                                     |
| benefits a substantial portion of the public.                                                                                                           |                                     |                                     |
| Explain: <u>project will eliminate a threat to public safety and have environmental benefits</u>                                                        |                                     |                                     |
| <hr/>                                                                                                                                                   |                                     |                                     |
| <hr/>                                                                                                                                                   |                                     |                                     |
| <hr/>                                                                                                                                                   |                                     |                                     |
| f. Is the project located in or within 100 feet of a watercourse or body of water that has been designated as a National or State wild or scenic river? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g. Is the project located in or within 100 feet of a Federal wilderness area?                                                                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h. Is the project located within an area which serves as a habitat of a threatened or endangered species?                                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| i. Is the project located in waters classified as exceptional value in Chapter 93?                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

- |                                                                                                                                                  | <u>YES</u>               | <u>NO</u>                |
|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| j. If yes to any "f" thru "i", has the applicant demonstrated that the project will not have an adverse impact upon the public natural resource? | <input type="checkbox"/> | <input type="checkbox"/> |

N/A

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D. Sources Utilized for Review

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|--------------------------------------------------------|-------------------------------------|-------------------------------------|
| 1. East Butler, PA Quadrangle                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2. National Wetlands Inventory Map                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 3. Special Protection Watersheds Map                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 4. Scenic Rivers Candidates Map                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5. Coastal Zone Management Map                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6. County Soil Survey                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 7. P.N.D.I. (Search Area <u>22.1</u> ac.)              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 8. State Water Plan                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 9. Other Agencies' Reviews (See E)                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 10. Environmental Review Committee (See F)             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 11. Other: PFBC wild and stocked trout lists           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 12. Site Inspection <u>November 15, 2007</u><br>(date) | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 13. Jurisdictional Determination from ACOE             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 14. Applicants Environmental Assessment                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

| <b>Recommendations</b> |                                         |                      |                               |
|------------------------|-----------------------------------------|----------------------|-------------------------------|
| <b><u>Approve</u></b>  | <b><u>*Approve<br/>w/Conditions</u></b> | <b><u>**Deny</u></b> | <b><u>No<br/>Comments</u></b> |

E. Other Agencies' Comments

|                                                |                                     |                                     |                          |                                     |
|------------------------------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 1. Pennsylvania Fish & Boat Commission         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| 2. Pennsylvania Game Commission                | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Pennsylvania Historical & Museum Commission | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            |
| 4. U.S. Fish & Wildlife Service                | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. U.S. Army Corps of Engineers                | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. National Marine Fisheries                   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Environmental Protection Agency             | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. County Conservation District                | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. NWRO                                        | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

\* Provide explanation of how agency comments were addressed, and attach letters, memos, etc.:

PFBC recommended seasonal restrictions on the construction period to minimize impacts to the eastern massasauga. These restrictions were included in the approval letter.

\*\* If "Deny" is checked, provide response to agency recommendation:

F. Environmental Review Committee Comments

Date Presented \_\_\_\_\_

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☐ Minutes attached

Do minutes accurately reflect discussion?

☐ Yes

☐ No

G. Attach Meeting Minutes if available or provide a Summary of Preapplication Meeting - Include dates and attendees

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