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June 11, 2024

**CERTIFIED MAIL NO. 9589 0710 5270 0699 5561 37**  
**RETURN RECEIPT REQUESTED**

City of Allentown City Council  
435 Hamilton Street  
Allentown, PA 18101

RE: Lehigh County Authority – Allentown Division  
30" and 36" East Side Transmission Main Repairs  
City of Allentown, Lehigh County, PA  
Act 14 and Acts 67/68/127 Notification

Dear City Council Members:

This letter is to inform you that Gannett Fleming, Inc. is preparing to submit, on behalf of the Lehigh County Authority – Allentown Division, a permit application to the Pennsylvania Department of Environmental Protection (DEP) for the following project:

Project Name: 30" and 36" East Side Transmission Main Repairs

Project Location: City of Allentown, Lehigh County, PA

**Project Description:** The Lehigh County Authority – Allentown Division proposes to repair leaks detected along their existing 30-inch and 36-inch East Side transmission mains. A total of six (6) leak sites were identified along two transmission mains. The existing transmissions mains are located along Martin Luther King Jr. Boulevard, Little Lehigh Creek, and the Lehigh River. The proposed project is located in the City of Allentown, Lehigh County. There are four (4) study areas. The coordinates for the Run 1, Leak 1 project study area are 40° 35' 47.24" N; 75° 28' 51.47" W. The coordinates for the Run 1, Leak 2 and Run 1, Leak 3 project study area are 41° 35' 56.51" N; 75° 27' 48.48" W. The coordinates for the Run 1, Leak 4 and Run 1, Leak 5 project study area are 40° 36' 01.47" N; 75° 27' 34.95" W. The coordinates for the Run 2, Leak 1 project study area are 40° 36' 22.79" N; 75° 27' 16.66" W.

**Permits Applied for:** DEP Section 105 General Permit 5 for Utility Line Stream Crossings  
Lehigh County Chapter 102 Erosion and Sediment Control Plan Approval  
U.S. Army Corps of Engineers Section 408 Permission

Section 1905-A of the Commonwealth Administrative Code, as amended by Act 14, requires that each applicant for a DEP permit must give written notice to the municipalities and the counties in which the permitted activity is located. The municipalities and counties shall receive the written notices at least 30 days before the DEP may issue or deny the permit application.



Acts 67, 68, and 127, which amended the Municipalities Planning Code, direct state agencies to consider comprehensive plans and zoning ordinances when reviewing applications for permitting of facilities and infrastructure, and specify that state agencies may rely upon comprehensive plans and zoning ordinances under certain conditions as described in Sections 619.2 and 1105 of the Municipalities Planning Code. DEP's Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure (DEP's Land Use Policy) provides direction and guidance to DEP staff, permit applicants, and local and county governments for the implementation of Acts 67, 68, and 127 of 2000. This policy can be found at [www.dep.pa.gov](http://www.dep.pa.gov); keyword: Land Use.

In accordance with DEP's Land Use Policy, enclosed please find a Municipal Land Use Letter that is to be submitted with our environmental permit applications to DEP. Please complete the attached form and return within 30 days to:

**Name of Permitting Agent:** Gannett Fleming, Inc., Attn: Steven C. Smith

**Address of Permitting Agent:** 207 Senate Avenue, Camp Hill, PA 17011

**Please do not send this form to DEP**, as we must include the Municipal Land Use Letter with our permit application. If we do not receive a response from you within 30 days, we shall proceed with submission of our permit application to DEP without the Municipal Land Use Letter. If the Municipal Land Use Letter is not submitted with our permit applications and we provide proof to DEP that we attempted to obtain it, DEP will assume there are no substantive land use conflicts and proceed with the normal application review process.

Additional enclosures include a copy of the General Permit Registration Form and location maps for this application. If you have any other questions or require additional information, please feel free to contact me at (717) 886-5413 or by email at [scsmith@gfnet.com](mailto:scsmith@gfnet.com).

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven C. Smith".

Steven C. Smith  
Senior Project Environmental Scientist/Permit Coordinator  
GANNETT FLEMING, INC.

Enclosures: Municipal Land Use Letter  
General Permit Registration Form  
Location Maps

cc: Jason Peters, LCA - Allentown Division  
Edward Smith, GF  
Jessica Weron, GF

MUNICIPAL LAND USE LETTER

Date: \_\_\_\_\_

To: Gannett Fleming, Inc.  
Attn: Steve Smith  
207 Senate Avenue  
Camp Hill, PA 17011

From: City of Allentown City Council

Re: Lehigh County Authority – Allentown Division  
30" and 36" East Side Transmission Main Repairs

The municipality of City of Allentown states that it:  
\_\_\_\_\_ has adopted a municipal or multi-municipal comprehensive plan.

If yes, please provide date of adoption: \_\_\_\_\_

\_\_\_\_\_ has not adopted a municipal or multi-municipal comprehensive plan.

The municipality of City of Allentown states that it:  
\_\_\_\_\_ has adopted a county zoning ordinance, or a municipal or joint-municipal zoning ordinance.  
\_\_\_\_\_ has not adopted a county zoning ordinance, or a municipal or joint-municipal zoning ordinance.

If applicable:

The municipality of City of Allentown states that it's zoning ordinance is generally consistent with its municipal comprehensive plan and the county comprehensive plan.

The above referenced proposed project  
\_\_\_\_\_ meet the provisions of the local zoning ordinance

If zoning approval is required for the project to proceed, the above referenced project:  
\_\_\_\_\_ has received zoning approval.  
\_\_\_\_\_ has not received zoning approval.

*If the proposed project has not received zoning approval:*

What is the status of the zoning request for the proposed project? (e.g., Special Exception Approval from the Zoning Hearing Board required, Conditional Use approval from the Governing Body required)

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Is there a legal challenge by the applicant with regard to zoning for the proposed project?

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Name and Contact Information for Municipal Zoning Officer:

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Additional Comments (attach additional sheets if necessary):

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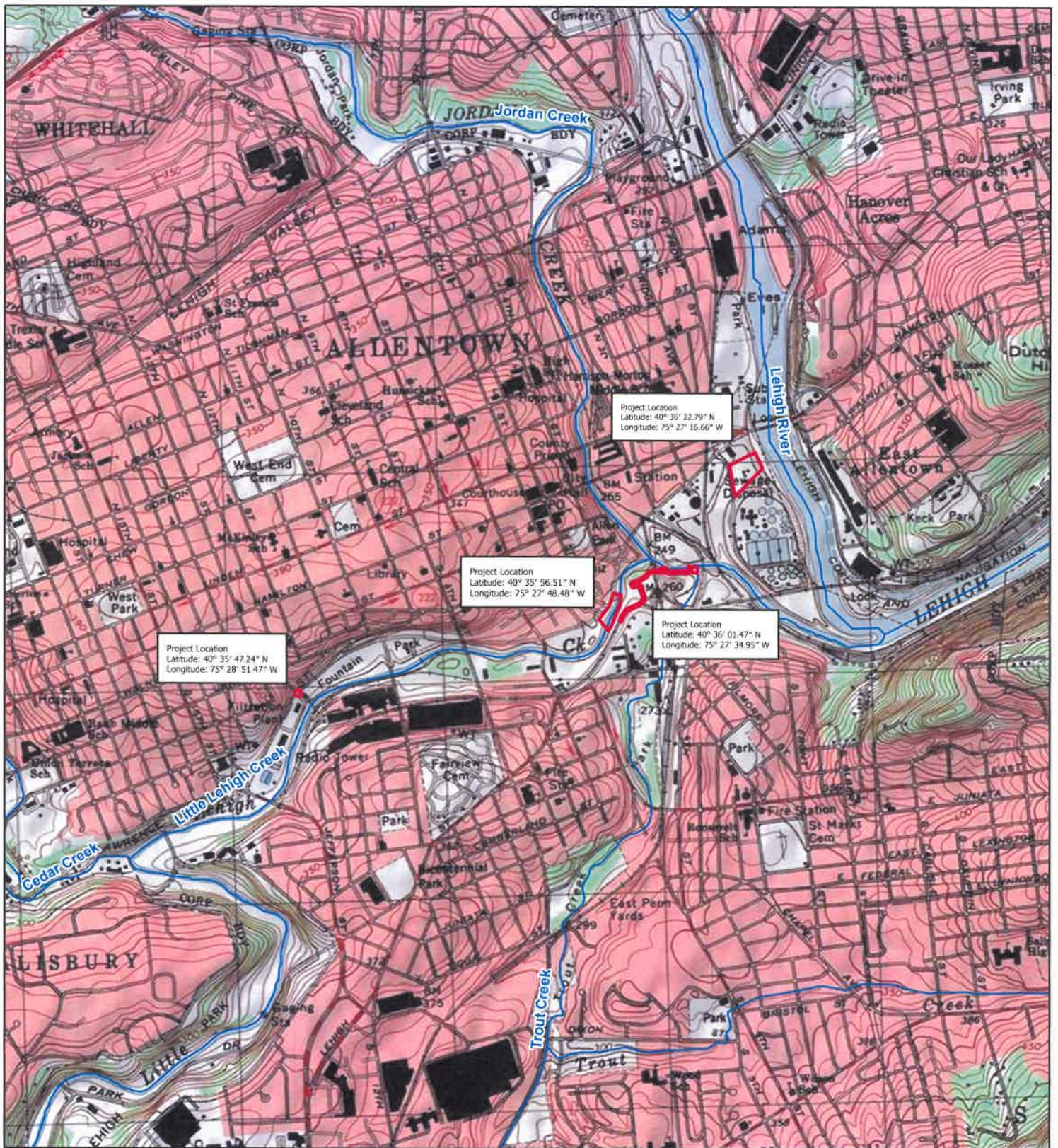
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Submitted By:

Name	
Title	
Contact Information (Address & Phone)	
Signature	
Date	





**Figure 1: USGS Topographic Location Map**

**Lehigh County Authority - Allentown Division**  
**30" and 36" East Side**  
**Transmission Main Repairs**

City of Allentown  
 Lehigh County, Pennsylvania

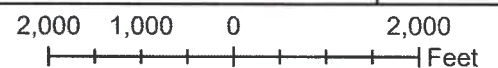
**OVERVIEW MAP:**



**Legend**

- PA Chapter 93 Streams
- Project Study Area

**GANNETT FLEMING**











COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WATERWAYS ENGINEERING AND WETLANDS

## CHAPTER 105 WATER OBSTRUCTIONS AND ENCROACHMENT GENERAL PERMIT REGISTRATION

SECTION A. APPLICANT INFORMATION					
<input type="checkbox"/> FERC Natural Gas Activity		Docket Number _____		Type of Facility _____	
Has a Water Quality Certification (WQC) request been sent to DEP? <input type="checkbox"/> Yes <input type="checkbox"/> No					
<input type="checkbox"/> Activity Subject to FERC approval and/or Oil & Gas Exploration, Production, Storage or Transmission if the activity is regulated by FERC and provide the FERC docket number.					
Applicant's Name / Client Lehigh County Authority - Allentown Division		DEP Client ID# (if known)		Employer ID# (EIN)	
Client Information - Please select Client Type / Code from drop down box under the correct entity shown below. (or may be written in) ↓					
Government		Non-Government		Individual	
AUTH Authority					
Mailing Address 1300 Martin Luther King Jr. Drive		City Allentown		State PA	ZIP + 4 18102
Contact Person – Last Name Peters		First Jason	MI	Suffix	Telephone (610) 972-0619
Email Address jasonpeters@lehighcountyauthority.org					
SECTION B. CONSULTANT INFORMATION (If applicable) <input type="checkbox"/> N/A					
Contact Person – Last Name Smith		First Steven	MI C	Suffix	Consultants Title Sr. Environmental Scientist
				Consulting Firm Gannett Fleming, Inc.	
Mailing Address 207 Senate Avenue		City Camp Hill		State PA	ZIP + 4 17011
Telephone (717) 886-5413		Fax ( )		Employer ID# (EIN) 25-1613591	
Email scsmith@gfnet.com					
SECTION C. PROJECT INFORMATION					
Project / Site Name LCA - Allentown Division 30" and 36" Transmission Repair			DEP Site ID# (if known or leave blank)		
Client Relationship - Please select Site-to-Client Relationship / Code from drop down box to the right. (or may be written in) →			Double-click on shaded area below to select correct Site-to-Client Relationship / Code ↓ <b>OWNOP Owner/Operator</b>		
County Lehigh	Municipality Allentown	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Borough	<input type="checkbox"/> Township	Note: Municipal & County Notification is Required
Site Location / Address Martin Luther King Jr. Drive		City Allentown		State PA	ZIP + 4 18102
Collection Method: <input type="checkbox"/> EMAP <input type="checkbox"/> HGIS <input type="checkbox"/> GISDR* <input type="checkbox"/> ITPMP <input checked="" type="checkbox"/> GPS <input type="checkbox"/> WAAS <input type="checkbox"/> LORAN					
Check the horizontal reference datum (or projection datum) employed in the collection method.					
EMAP and HGIS (PNDI) have known datum and do not require checking here. <input type="checkbox"/> NAD27 <input type="checkbox"/> NAD83 <input type="checkbox"/> WGS84					
(GEO84) LAT.: 40° 35' 47.24" N LONG.: 75° 28' 51.47" W					

**NOTE: A Submerged Lands License Agreement (SLLA) with an annual fee, if applicable, may also be required for your project. You will be notified if an SLLA is required.**

The [Aquatic Resources Impact Table \(SECTION E. PROPOSED IMPACTS\)](#) must be completed or equivalent submitted for this registration to be complete.

**SECTION D. REGISTRATION CHECKLIST AND REQUIREMENTS**

Please place an "X" next to each item (1-9) to ensure it is completed and/or provided.

Unless otherwise specified, all items are **required** to ensure a complete Registration package.

**\*\*Provide ONE (1) ORIGINAL and ONE (1) COPY of the Registration package\*\***

**Please provide a copy of the Registration form to the Municipality & County in which the work will be performed. Proof of receipt is not required to be provided to DEP.**

**1. REGISTERING A GENERAL PERMIT (GP) check all that apply**

Federal, State, county or municipal agencies or municipal authorities:

☒ **EXEMPT from fees**

<input type="checkbox"/> GP-1	Fish Habitat Enhancement Structures.....Per Project	\$ 50	= \$ _____
<input type="checkbox"/> GP-2	Small Docks and Boat Launching Ramps..... Per Dock / Ramp _____ (#) x	\$ 175	= \$ _____
<input type="checkbox"/> GP-3	Bank Rehabilitation, Bank Protection and Gravel Bar Removal.....Per Project _____ (#) x	\$ 250	= \$ _____
<input type="checkbox"/> GP-4	Intake and Outfall Structures.....Per Structure <u>1</u> (#) x	\$ 200	= \$ _____
<input checked="" type="checkbox"/> GP-5	Utility Line Stream Crossings.....Per Individual Utility _____ (#) x _____ (#) x	\$ 250	= \$ _____
<input type="checkbox"/> GP-6	Agricultural Crossings and Ramps..... Per Crossing / Ramp _____ (#) x	\$ 50	= \$ _____
<input type="checkbox"/> GP-7	Minor Road Crossings <sup>2</sup> ..... Per Crossing _____ (#) x	\$ 350	= \$ _____
<input type="checkbox"/> GP-8	Temporary Road Crossings <sup>2</sup> ..... Per Crossing _____ (#) x	\$ 175	= \$ _____
<input type="checkbox"/> GP-9	Agricultural Activities.....Per Project	\$ 50	= \$ _____
<input type="checkbox"/> GP-10	Abandoned Mine Reclamation..... Per Project	\$ 500	= \$ _____
<input type="checkbox"/> GP-11	Maintenance, Testing, Repair, Rehabilitation, or Replacement of Water Obstructions and Encroachments <sup>1</sup> .....	\$ 750	+
<input type="checkbox"/>	Temporary Disturbance (\$400/0.1ac)..... _____ acres x \$4,000 =	\$ _____	+
<input type="checkbox"/>	Permanent Disturbance (\$800/0.1ac)..... _____ acres x \$8,000 =	\$ _____	= \$ _____
<input type="checkbox"/> GP-15	Private Residential Construction in Wetlands <sup>1</sup> .....	\$ 750	+
<input type="checkbox"/>	Temporary Disturbance (\$400/0.1ac)..... _____ acres x \$4,000 =	\$ _____	+
<input type="checkbox"/>	Permanent Disturbance (\$800/0.1ac)..... _____ acres x \$8,000 =	\$ _____	= \$ _____
		<b>GP(s) FEE subtotal (b)</b>	<b>\$ _____</b>



	Applicant Entry	DEP Use Only
2. <b>Location Map</b> (USGS quad map) with project site marked:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. <b>Color Photographs</b> with dates, locations, and descriptions: <input type="checkbox"/> GP-3 <input type="checkbox"/> GP-11 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. <b>Project Description:</b> (Example: Linear pipeline project using multiple GP-5's and GP-8's; One GP-7 for an access road to my property) The Lehigh County Authority – Allentown Division proposes to repair leaks detected along their existing 30-inch and 36-inch East Side transmission mains. A total of six (6) leak sites were identified along two transmission mains. The existing transmissions mains are located along Martin Luther King Jr. Boulevard, Little Lehigh Creek, and the Lehigh River.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. <b>Site Specific and/or Standard Drawings</b> are (required for all) project's GP activities.  For Activities that qualify for GP-7 or GP-11  Plans, specifications, and reports for bridges and culverts across a stream which are to be used by the general public such as an access to an industrial, commercial or residential development, etc., shall be prepared by a registered professional engineer and shall be affixed with their seal and certification which shall read as follows on the drawings:  If the project includes a bridge or culvert replacement or the proposed work will change the waterway opening, please complete and provide the <u>Bridge and/or Culvert Replacement Projects or Projects That Change the Waterway Opening (3150-PM-BWEW0552B)</u> worksheet. If the project consists of similar work (replacement or change in waterway opening) on more than one structure, provide the data requested for each structure included in this Registration package.  <i>"I (name) 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."</i>	<input type="checkbox"/>	<input type="checkbox"/>
6. <b>Proposed Project Purpose</b> depicting the site of the projects GP activities and impacts. Briefly discuss the need for the authorization.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. <b>Erosion &amp; Sediment Control Plan (E&amp;S Plan)</b> (Required for all GP's but specifically required with submission with a registration of GP-11 or GP's for oil and gas related activities submitted to DEP.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. <b>Pennsylvania Natural Diversity Inventory (PNDI):</b> PNDI Search Receipt and clearance letters, if available. See additional requirements for submission with Avoidance Measures and/or Potential Impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. <b>Activities which impact wetlands: (For State Regulated Impacts)</b> <b>Please place an "X" next to the appropriate box indicating the information provided:</b>  ➤ N/A because no wetland impacts are proposed or no compensatory mitigation is necessary.  ➤ A wetland delineation with complete data sheets in accordance with the 1987 Corps of Engineers Wetland Delineation Manual AND the appropriate Regional Supplements to the Corps of Engineers Wetland Delineation Manual for use in Pennsylvania.....  ➤ If direct or indirect wetland impacts are greater than 0.05 acre, a compensatory mitigation plan in accordance with the Department's Replacement criteria which provides compensation for both affected acreage, and functions at a minimum of one to one ratio.  ➤ <b>If compensatory mitigation onsite is determined not feasible:</b> A check, number _____, in the amount of \$ _____ payable to the National Fish and Wildlife Foundation, N.A. 1237, as compensatory mitigation for _____ acres of impact in wetlands, in accordance with the Pennsylvania Wetland Replacement Project. ....  <b>(Additional Mitigation May Be Required by U.S. Army Corps)</b>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>NOTE:</b> If the Pennsylvania Wetland Replacement Fund is proposed to be used as compensatory mitigation for waters of the Commonwealth the U.S. Army Corps of Engineers may also require additional mitigation if the proposed activity impacts waters of the United States.		

## SECTION E. PROPOSED IMPACTS

**NOTE: Form 3150-PM-BWEW0557 or equivalent must be printed and submitted under this Section.**

Applicant's Name / Client

**AQUATIC RESOURCE IMPACT TABLE  
FOR PENNSYLVANIA CHAPTER 105 WATER OBSTRUCTION AND ENCROACHMENT APPLICATION / REGISTRATION**

[illegible]

PADEF Impact Type: temporary or permanent.

**Permanent Impacts** are those areas affected by a water obstruction or encroachment that consist of both direct and indirect impacts that result from the placement or construction of a water obstruction or encroachment and include areas necessary for the operation and maintenance of the water obstruction or encroachment located in, along or across, or projecting into a watercourse, floodway or body of water.

**Temporary Impacts** are the areas affected during the construction of a water obstruction or encroachment that consists of both direct and indirect impacts located in, along or across, or projecting into a watercourse, floodway or body of water that are restored upon completion of construction. This does not include areas that will be maintained as a result of the operation and maintenance of the water obstruction or encroachment located in, along or across, or projecting into a watercourse, floodway or body of water (these are considered permanent impacts).



### SECTION F. CERTIFICATION

I certify under penalty of law that the information provided in this permit registration is true and correct to the best of my knowledge and information and that I possess the authority to undertake the proposed action. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (If any of the information and/or plans is found to be in error, falsified, and/or incomplete, this authorization/verification may be subject to modification, suspension, or revocation in accordance with applicable regulations.) I further certify that this project complies with all the conditions of the general permit.

\_\_\_\_\_  
Signature of Applicant / Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed / Printed Name

\_\_\_\_\_  
Typed / Printed Title

*This General Permit shall not be effective until the owner has had their E&S Plan reviewed by the appropriate Regional Office or District, and, where required, obtained an SLLA from DEP.*

**THIS ACKNOWLEDGED COPY OF THIS GENERAL PERMIT REGISTRATION PACKAGE AND THE E&S PLAN MUST BE AVAILABLE AT THE PROJECT SITE DURING CONSTRUCTION.**

### SECTION G. DECISION / DISPOSITION – COMPLETED BY DEP

#### Decision Review:

\_\_\_\_\_  
DEP / District Reviewer Signature

GP \_\_\_\_\_

\_\_\_\_\_  
Reviewer's Typed / Printed Name

GP \_\_\_\_\_

**NOTE: See Aquatic Resource Impact Table for any additional authorizations.**

#### Disposition Status

#### Comments

- |   |   |       |
|---|---|-------|
| <input type="checkbox"/> <b>ACKNOWLEDGED</b>            | Date _____  | _____ |
| SLLA Required   | <input type="checkbox"/> Yes Attached <input type="checkbox"/> No | _____ |
| <input type="checkbox"/> <b>INCOMPLETE / DEFICIENCY</b> | Date _____  | _____ |
| <input type="checkbox"/> <b>EXTENSION REQUEST</b>       | Date _____  | _____ |
| <input type="checkbox"/> <b>WITHDRAWN</b>               | Date _____  | _____ |

**NOTE: If the GP registration information is incomplete a copy of this registration form and requested additional information will be sent to the applicant. A copy of the returned registration form and additional information must be re-submitted within 60 calendar days unless extended by the extension date listed above.**

#### ☐ **FEDERAL AUTHORIZATION**

- ☐ Non-reporting PASPGP verification / authorization attached.
- ☐ Reporting – A copy of this General Permit registration package has been sent to the U.S. Army Corps of Engineers. Separate federal authorization may be required

**NOTE: Please be advised that if the reporting box is checked you do not have Federal authorization for this project and such authorization may be required prior to starting your project. In accordance with Section 404 of the Clean Water Act, a Department of the Army authorization is required for the discharge of dredged and/or fill material into waters of the United States, including jurisdictional wetlands. Section 10 of the Rivers and Harbors Act also requires Department of the Army authorization for any work in, over, or under a navigable water of the United States. In accordance with procedures established with the U.S. Army Corps of Engineers, you will be contacted directly by the Corps regarding Federal Authorization.**