

RPI III



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Washington, D.C. 20235

NOV 26 1986

Mr. E. James Tabor, Chief
Division of Coastal Zone Management
Bureau of Water Resources Management
Department of Environmental Resources
P.O. Box 1467
Harrisburg, Pennsylvania 17120

Dear Mr. Tabor:

We have reviewed your request of October 29, 1986 to include in the Pennsylvania Coastal Management Program: Chapter 106, Floodplain Management Regulations under Policy 1-B; three new Geographical Areas of Particular Concern designations; and a change of name for an area on the GAPC inventory. We have also reviewed the substitute language which you provided to this office by letter on November 21, 1986.

We concur with your conclusion that these changes are routine program implementations under 15 CFR 928.84. Federal consistency will apply when you publish notice of our approval.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter Tweedt".

Peter L. Tweedt
Director



RPI III

PROPOSED ROUTINE PROGRAM IMPLEMENTATION CHANGES TO PENNSYLVANIA'S COASTAL ZONE MANAGEMENT PROGRAM

Introduction:

The following are proposed Routine Program Implementation (RPI) changes to the Commonwealth of Pennsylvania Coastal Zone Management Program and Final Environmental Impact Statement (FEIS). These changes concern the Coastal Hazard Areas/Floodplains Policy (contained in Chapter 2), and Geographic Areas of Particular Concern (contained in Chapter 3).

For a clear comparison, the original statement is presented first, followed by the revised statement. All changes contained in the revised statement appear in boldface print. The RPI will present a justification for the change and a statement on the impact the change would have on Pennsylvania's CZM Program and why the proposed change constitutes an RPI and not a Program Amendment as defined by the Federal Regulations.

Proposed RPI Changes:

- I. Citation Change, Part II, Chapter 2, page II-2-8, Policy I-B: Coastal Hazard Areas/Floodplains; Regulation(s). This section originally read:

Regulation(s): 16 PA Code, Chapter 38, confers on the Department of Community Affairs, the Department of Environmental Resources, and municipalities authority to develop floodplain management programs. 25 PA Code, Chapter 105, confers on the Department of Environmental Resources authority to regulate dams, water obstructions and encroachments in waters of the Commonwealth.

With changes, this section will read:

Regulation(s): 16 PA Code, Chapter 38, confers on the Department of Community Affairs, the Department of Environmental Resources and municipalities authority to develop floodplain management programs. 25 PA Code, Chapter 105, confers on the Department of Environmental Resources authority to regulate dams, water obstructions, and encroachments in waters of the Commonwealth. **25 PA Code, Chapter 106, Floodplain Management, confers on the Department of Environmental Resources authority to regulate public-infrastructure in floodplains of the Commonwealth that are not already regulated by Chapter 105.**

The citing of 25 PA Code, Chapter 106, Floodplain Management Regulations is a formality. These regulations, which were thoroughly reviewed by FOCRM, were proposed during the Program's development and it has always been our intention to formally cite them in the Floodplain Policy authorities once they were adopted.

The addition of these regulations expands the scope of the authorities to regulate the construction of or substantial improvement to various types of structures and obstructions in floodplains by including the following obstructions in areas of the floodplain not regulated by the Chapter 105 Regulations: (1) Any highway obstruction or obstruction constructed, owned or maintained by the Commonwealth or a political subdivision thereof; and (2) any obstruction constructed, owned or maintained by a public utility. These newly regulated areas of the floodplain are those "still water" areas within designated floodplains that are beyond the main flow channel (floodway) of the 100 year flood waters and, therefore, not regulated by the Chapter 105 Regulations. The obstructions regulated in these "still water" areas of the floodplain by the Chapter 106 Regulations are otherwise regulated in the floodway by the Chapter 105 Regulations.

These regulations further clarify the intent and purpose of Policy I-B by providing the means to regulate the construction of or substantial improvement to various types of structures and obstructions in floodplains, as stated in this policy. Therefore, this change is determined an RPI and not a Program Amendment as it furthers the implementation of the Coastal Hazard Areas/Floodplains Policy.

II. Changes relevant to Geographic Areas of Particular Concern (GAPC), Part II, Chapter 3, Special Management Concerns.

A. Pages II-3-8 to II-3-12; Revisions to the Inventory of GAPC.

1. Delaware Estuary Coastal Zone, Delaware County GAPC, Page II-3-9.

a. Natural Value Areas originally read:

<u>Identification No.</u>	<u>Natural Value Areas</u>	<u>Approx. Size (Acres)</u>
NV-1	Little Tinicum Island	103
With the change, this section will read:		
*NV-1	Little Tinicum Island	103

Little Tinicum Island is now State owned land, purchased in 1982 by the Department of Environmental Resources with the aid of Coastal Energy Impact Program (CEIP) funding. It is now managed by the Pennsylvania Bureau of Forestry. This area is given "designated" GAPC status by virtue of its State ownership; in accordance with the Program's guidelines (page II-3-1 of the Pennsylvania CZM Program and FEIS). Therefore, this change is determined an RPI and not a Program Amendment because Pennsylvania's Program includes procedures for APC designation.

b. Recreational, Cultural, Historic Value Areas originally read:

<u>Identification No.</u>	<u>Recreational, Cultural, Historic Value Areas</u>	<u>Approx. Size (Acres)</u>
R-1	McClure Park	.5
R-2	Commodore Barry Bridge Area	10
R-3	Chester Creek Mouth	5
R-4	Essington Waterfront	84
R-5	Folcroft Landfill	41

With changes, this section will read:

<u>Identification No.</u>	<u>Recreational, Cultural, Historic Value Areas</u>	<u>Approx. Size (Acres)</u>
R-1	Market Square Memorial Park and Saint Martin's Church	5.7
R-2	Commodore Barry Bridge Area	10
R-3	Chester Creek Mouth	5
R-4	Essington Waterfront	84
R-5	Folcroft Landfill	41

Market Square Memorial Park, formerly known as McClure Park, has been expanded by the Borough of Marcus Hook. The additional property has been acquired with the aid of CEIP funding, in order to accommodate the high recreational demands of the area. Saint Martin's Church (the second oldest Episcopal Church in Pennsylvania) is included under this site in anticipation of further Park expansion. This would include areas presently separating these two public sites. The Church itself is located near the corner of Market Lane and Church Street. This change is determined an RPI and not a Program Amendment because Pennsylvania's Program includes procedures for APC designation.

2. Delaware Estuary Coastal Zone, Philadelphia County GAPC, page II-3-9.

a. Recreational, Cultural, Historic Value Areas originally read:

<u>Identification No.</u>	<u>Recreational, Cultural, Historic Value Areas</u>	<u>Approx. Size (Acres)</u>
R-6	Fort Mifflin	25
R-7	Schuylkill River Park	50
R-8	Penn Treaty Park	2
R-9	Mouth of Pennypack Creek	180
R-10	Pleasant Hill Park	27

With changes, this section will read:

<u>Identification No.</u>	<u>Recreational, Cultural, Historic Value Areas</u>	<u>Approx. Size (Acres)</u>
R-6	Fort Mifflin	25
R-7	Schuylkill River Park	50
R-8	Penn Treaty Park	2
*R-9	Frankford Arsenal Boat Area	21.63
*R-10	Tacony Boat Launch Area	3.73
R-11	Mouth of Pennypack Creek	180
R-12	Pleasant Hill Park	27

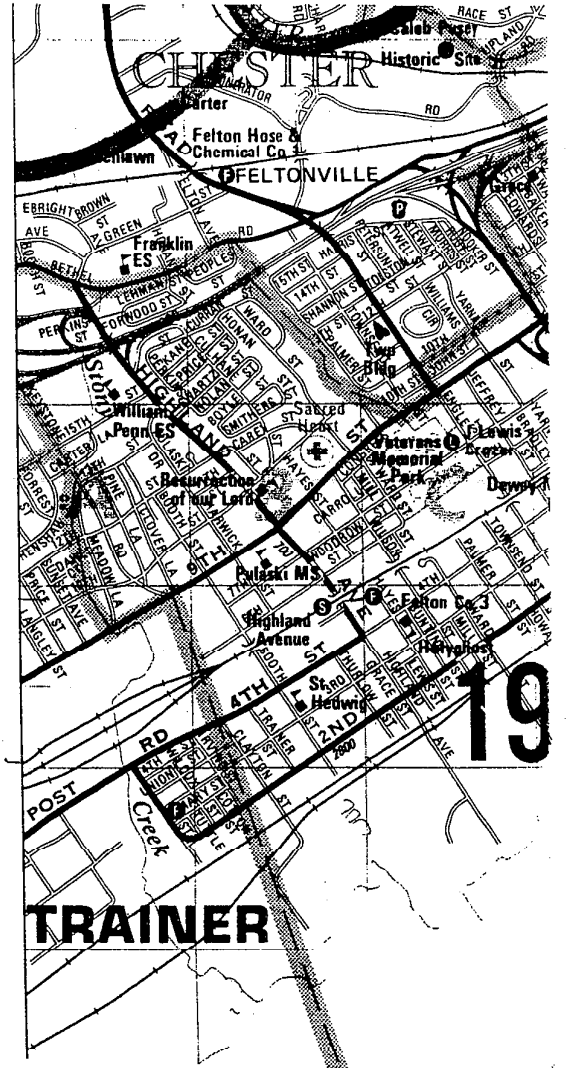
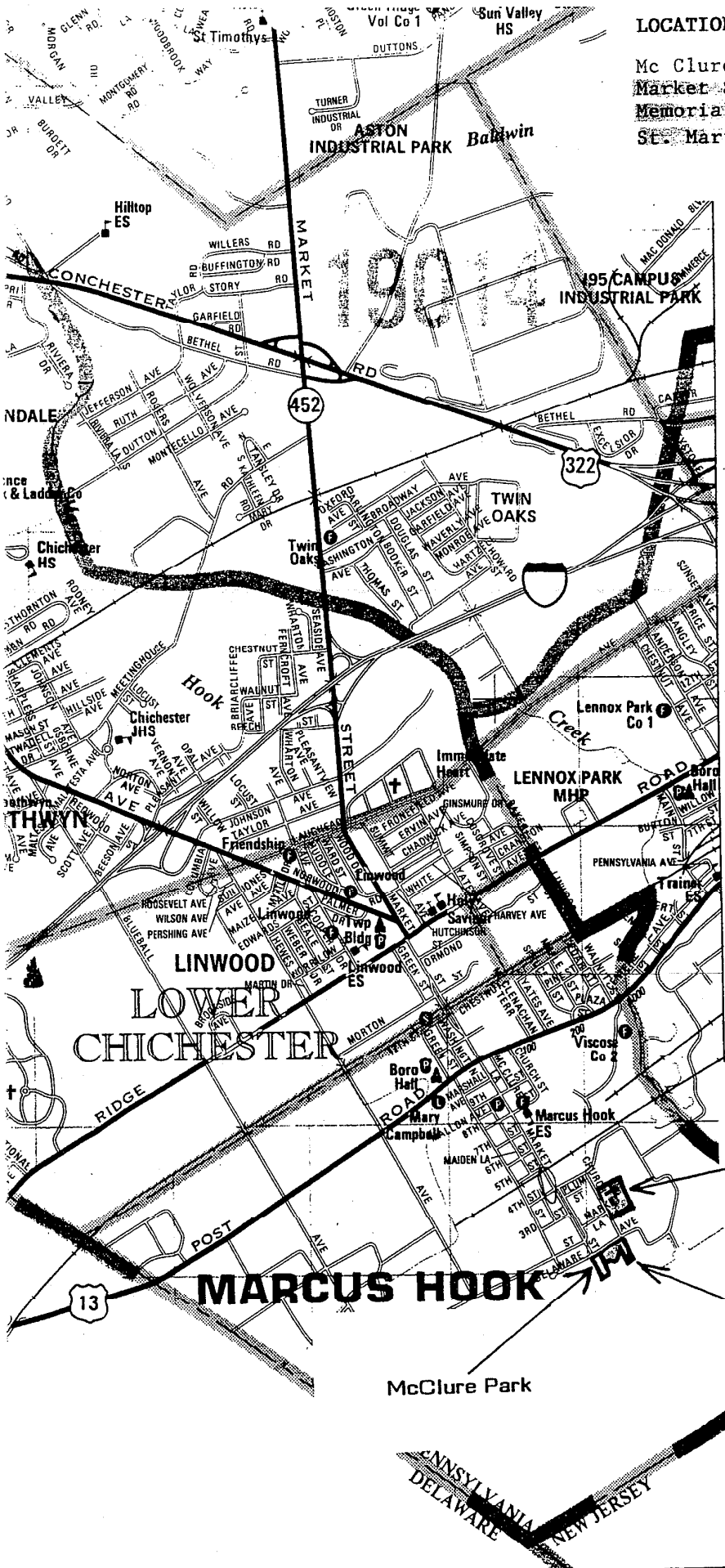
Frankford Arsenal Boat Area is added, making it R-9. Since this area was Federal property during program development, it was exempted from GAPC identification. At present, the Pennsylvania Fish Commission owns a 21.63 acre parcel, including the arsenal itself. Even though this site is in the renovation process, it has partially opened as a public recreation area with river access (1,000 feet of river frontage). It is given "designated" status by virtue of its State ownership; in accordance with this Program's guidelines (Page II-3-1 of the FEIS). This change is determined an RPI and not a Program Amendment because Pennsylvania's Program includes procedures for APC designation.

Tacony Boat Launch Area is added making it R-10. The area is a 3.73 acre site, formerly included in the Federally owned Frankford Arsenal Annex site. The Pennsylvania Fish Commission presently owns 3.05 acres of this area while leasing the remaining .68 acre. Renovations have been completed and it is being used by the public, particularly for river access. By virtue of its State ownership and control, it is given "designated" GAPC status; in accordance with this Program's guidelines (Page II-3-1 of the FEIS). This change is determined an RPI and not a Program Amendment because Pennsylvania's Program includes procedures for APC designation.

The identification numbers for the Mouth of Pennypack Creek and Pleasant Hill Park have been revised to reflect the additions of Frankford Arsenal Boat Area and Tacony Boat Launch Area.

LOCATION MAP A

Mc Clure Park & Market Square Memorial Park
St. Martin's Church



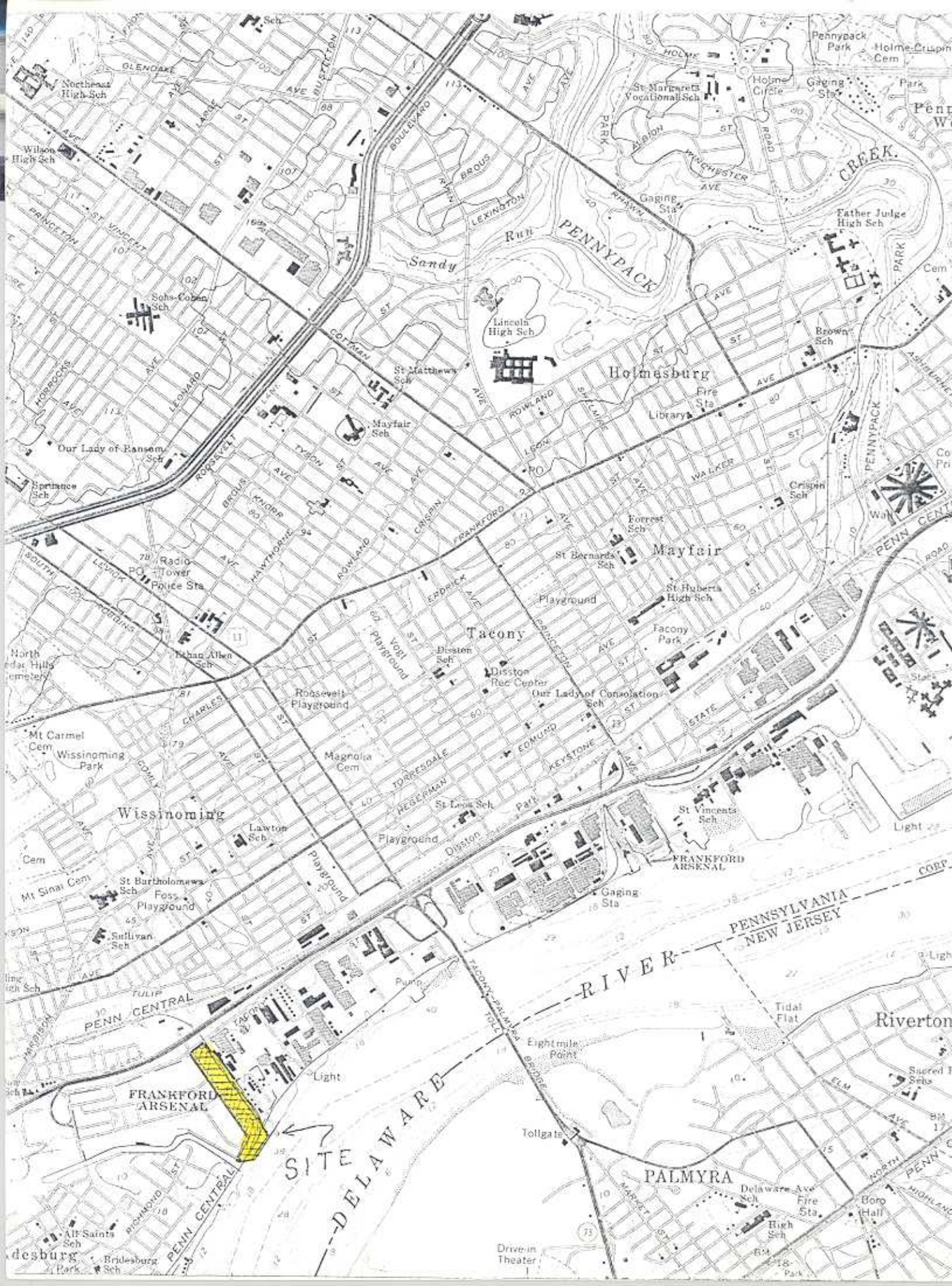
St. Martin's Church

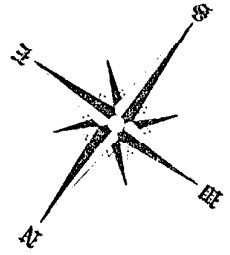
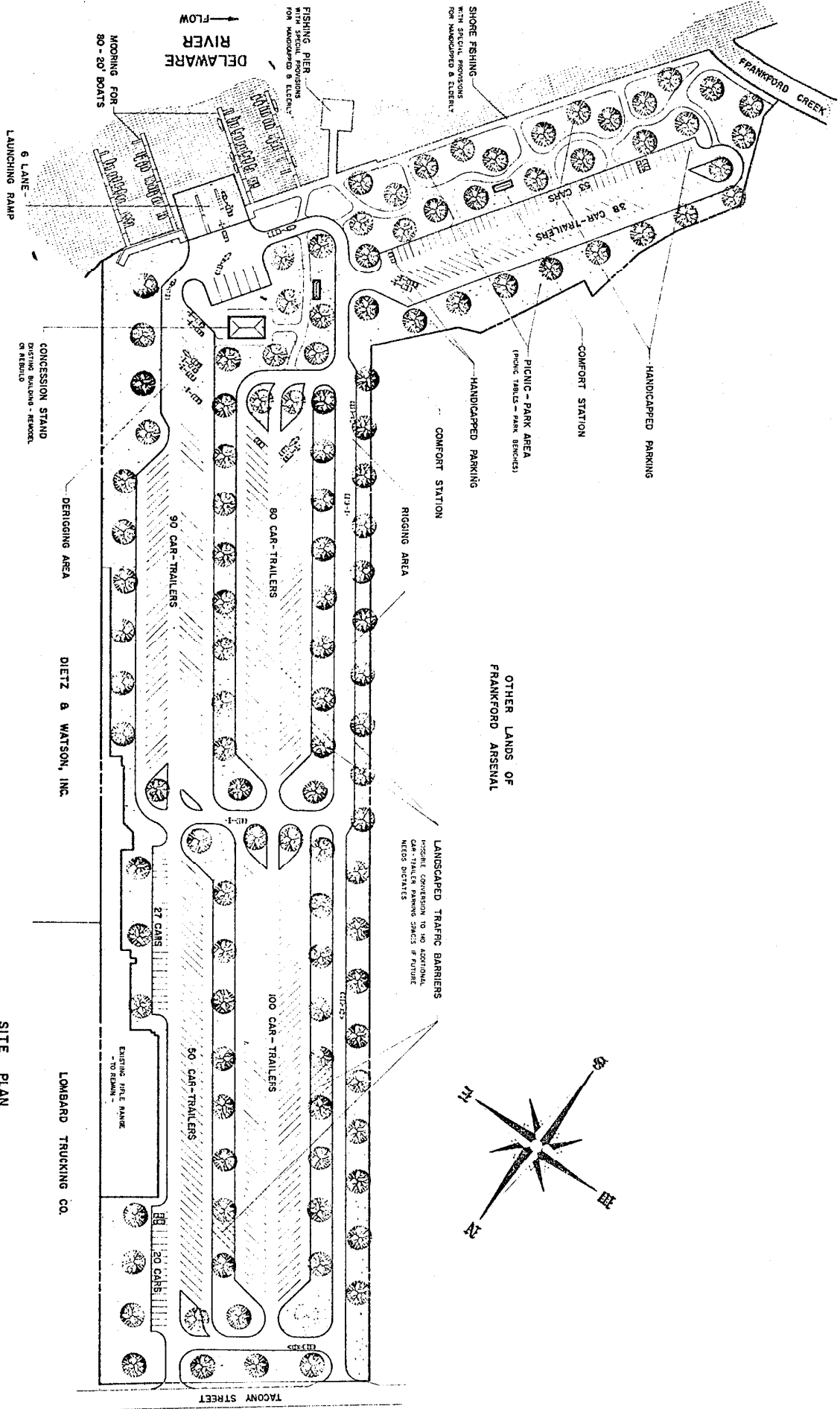
Market Square Memorial Park

McClure Park

PENNSYLVANIA
DELAWARE
NEW JERSEY

COUNTY
COUNTY





PENNSYLVANIA FISH COMMISSION
 DATE MAY 9, 1975

FRANKFORD ARSENAL ACCESS

SITE PLAN
 PROPOSED



LOMBARD TRUCKING CO.

DIETZ & WATSON, INC.