

APPENDIX J: Wetlands Technical Report

J.1 Existing Conditions

Pennsylvania

The Pennsylvania Department of Environmental Protection (PADEP) and the US Army Corps of Engineers jointly regulate wetland activities in the state. The federal Clean Water Act, Section 404 and the state Chapter 105 under the Dam Safety and Waterway Management Rules and Regulations govern wetland activities. Construction within areas that contain freshwater wetlands may require joint permit applications.

The proposed rail alignment is an existing maintained right-of-way and operating freight rail line from Slateford Junction in Northampton County to Scranton, Lackawanna County. Wetlands along the project corridor were initially identified using the US Fish and Wildlife Services National Wetlands Inventory (NWI) freshwater wetland maps. In Pennsylvania a small section of the alignment is an inactive rail right-of-way. This section of the alignment would connect to the existing freight right-of-way in Slateford Junction, Northampton County.

New Jersey

The U.S. Army Corps of Engineers (USACOE) and the U.S. Environmental Protection Agency (EPA) define wetlands as “Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.”

The New Jersey Department of Environmental Protections Land Use Regulation program primarily regulates wetlands in New Jersey. NJDEP has adopted the federal wetlands program and thus is the lead regulating agency. USACOE and NJDEP both have jurisdiction over tidal wetlands, navigable waters and wetlands located within a within 1000 feet of navigable waterways. The state protects wetlands and transition areas under the New Jersey Freshwater Wetlands Protection Act (N.J.S.A. 13:9B). The federal Clean Water Act, Section 404(33 U.S.C. 1344) is enforced by the US Army Corps of Engineers (USACOE) and regulates navigable waters, tributaries of navigable waters and wetlands.

The proposed rail alignment is along an existing railroad right-of-way that is currently abandoned from Port Morris yard in Roxbury Township, Morris County to Knowlton Township, Warren County, where it crosses the Delaware River into Northampton County, Pennsylvania. Wetland resources were initially identified adjacent to the right of way using the New Jersey Department of Environmental Protections (NJDEP) Geographic Information Systems freshwater wetlands mapping and aerial ortho-photography information.

J.2 Environmental Effects

Pennsylvania

The alignment in Pennsylvania is the existing Lackawanna freight rail line from Scranton to the connection point at Slateford Junction in Northampton County. The inactive right-of-way section is approximately 1 mile from the connection point at Slateford Junction to the Delaware Water Gap bridge

into Upper Mount Bethel Township. Construction and staging area activities will be contained within the existing right-of-way.

A right-of-way survey of the existing Lackawanna freight line was performed on May 15th 2003. Wetlands were not identified within the maintained right-of-way however several wetland complexes were identified adjacent to the existing right-of-way embankment toe of slope. On April 15th 2003 a field survey was performed on the inactive segment of the alignment from the alignments point of connection with the Lackawanna freight line in Slateford Junction, Northampton County to the Delaware Water Gap Bridge.

The following areas were identified as potential areas of concern along the project alignment. Construction activities within the existing right-of-way would unlikely have impacts on wetland complexes located adjacent to the right-of-way embankments toe of slope. Structures along the existing alignment including bridges, culverts and stone arches may have to be rehabilitated or replaced. Minor temporary disturbances may occur to surrounding wetlands areas during rehabilitation or replacement activities. The following locations along the project corridor are potential areas of concern:

- MP 117.76 Concrete arch culvert over brook, Minor disturbances may occur due to culvert rehabilitation and temporary stream diversion due to construction activities.
- MP 112.17 Concrete arch/box over stream/spillway, Rehabilitation activities may cause minor disturbances in rebuilding the headwall and wing wall of the concrete culvert.
- MP 107.39 Bridge over Tobyhanna creek. Construction activities may cause minor disturbances to surrounding areas due to rehabilitation of potential washout/scour areas.
- MP 90.05 Concrete Arch. Construction activities may cause minor disturbances to surrounding areas due to replacement of the concrete arch wall.
- MP 77.50 Bridge over stream. Wetlands associated with Cherry Creek were identified on the National Wetland Inventory maps as PFO1A wetlands.
- MP 73.10, Concrete arch Delaware Water Gap bridge, The areas surrounding the viaducts footings may have minor disturbances due to construction staging activities needed for rehabilitation activities.

Potential Station and Yard Area Locations:

- Scranton Yard, Lackawanna County – This proposed yard facility site does not have any wetlands present within its potential footprint of disturbance.
- Scranton Station, Lackawanna County – This proposed station site does not have any wetlands present within its potential footprint of disturbance.
- Tobyhanna Station, Coolbaugh Township, Monroe County – This proposed station site has a small area of wetlands present within its potential footprint of disturbance. The property includes a former railroad station building adjacent to the right-of-way.
- Pocono Mountain Station, Coolbaugh Township, and Monroe County - This proposed station location is adjacent to wetland complexes identified as deciduous wooded wetland areas. Wetlands do not appear to be present within its potential footprint of disturbance.
- Analomink Station, Stroud Township, Monroe County - This proposed station site does not have any wetlands present within its potential footprint of disturbance.
- East Stroudsburg Station, East Stroudsburg Borough, Monroe County - This proposed station site does not have any wetlands present within its potential footprint of disturbance. It is located in the town of East Stroudsburg adjacent to the rail right-of-way and is sited on an open grass field.

- Delaware Water Gap Station, Smithfield Township, Monroe County – This proposed station site does not have any wetlands present within its potential footprint of disturbance. The site is adjacent to active recreational fields for the township.

Approximately 0.2 acres of wetlands will be disturbed at the potential Tobyhanna candidate station location. The exact amount of disturbed acreage will not be known until a formal wetland delineation and survey is performed during the preliminary engineering phase.

New Jersey

Wetlands along the project corridor were identified during a preliminary field survey performed by Edwards and Kelcey engineering and environmental professionals between April 2nd and April 15th 2003. The following areas were identified as potential areas of concern where wetland disturbances may occur along the project corridor. Construction activities within the existing right-of-way would unlikely disturb any wetland complexes located adjacent to or present at the right-of-way embankments toe of slope. Disturbances may occur where linear wetlands have formed within the boundaries of the right-of-way.

Structures along the existing alignment including bridges, culverts and stone arches may have to be rehabilitated or replaced. Wetland disturbances may occur to surrounding wetland complexes and transition areas during rehabilitation or replacement activities. The amount of wetlands affected and exact location will not be known until a formal wetland delineation and survey are performed along the project corridor. The following locations along the project corridor are potential areas of concern:

- MP 73, Delaware Water Gap Viaduct. The NJDEP Warren County freshwater wetlands mapping indicates 8.84 acres of deciduous wooded wetlands (PFO1C and PFO1A) are located to the north and south of the viaduct parallel to the Delaware River. Minimal disturbances surrounding the viaducts footings may occur due to construction staging activities needed for the viaducts rehabilitation.
- MP 72 (approximately) Stark Road/Hainesburg River Road. Linear wetlands parallel the right of way near Stark Road / Hainesburg River Road in Knowlton Township, Warren County. Approximately 0.1 acres of wetlands will potentially be impacted.
- MP 69, Paulins Kill Viaduct. Between milepost 69 and 70, the NJDEP Warren County freshwater wetlands mapping identifies approximately 18 acres of deciduous wooded wetlands (PFO1A, PFO1B and PFO1C) associated with the Paulins Kill. Minor disturbances may occur in the areas surrounding the viaducts footings due to possible scaffolding staging areas needed for the viaducts rehabilitation.
- MP 66.25 Concrete arch culvert. The north side wing wall of the culvert may need to be replaced. The stream may be associated with deciduous wooded wetlands in the area.
- MP 64.5 linear wetlands east of Blairstown candidate station. Approximately 0.3 acres of wetlands will potentially be impacted.
- Between MP 62 and 63, Frelinghuysin Township, Lanning Road Bridge between milepost 62 and 63 Disturbances may occur in this area where a small stream wetland area exists near the Lanning Road Bridge parallel and within the railroad right of way. The NJDEP freshwater wetlands mapping indicates a 3.47-acre deciduous wooded wetland (PFO1B) area and 1.76 acres of deciduous scrub/shrub wetland (PSS1B/PEM1B) complexes are present to the east and west of Lanning Road. Approximately 0.4 acres of wetlands will potentially be impacted.
- MP 61, West of Mott Road. Located between milepost 61 and 62 additional linear wetlands exist adjacent to and within the right-of way. Standing water was present on both sides of right-of way approximately 12 inches deep. Approximately 0.1 acres of wetlands will potentially be impacted.

- MP 56, Located between milepost 56 and 57, linear wetlands exist parallel to and within the existing right-of way boundary. Approximately 1.0 acre of wetlands will potentially be impacted.
- MP 52.50, Byram Township and Andover Township east of the proposed Andover station location. In Byram Twp. between milepost 52 and 53 additional linear wetland complexes exists adjacent to and within the existing right-of way. The stream/wetland complex appears to be flowing west into the Kymer Brook, a tributary to Hemlock Lake. The Kymer Brooks existing culverts north headwall, which was built in 1911, may need to be replaced. Approximately 0.5 acres of wetlands will potentially be impacted.
- MP 52, Byram Township, Between Roseville Rd. and Roseville Tunnel. Disturbances to wetland complexes may occur along this portion of the right-of way. The New Jersey Department of Environmental Protection (NJDEP) freshwater wetlands mapping identified wetland complexes adjacent to the right-of-way as 10.3 acres of deciduous wooded wetlands (PFO1B), 1.36 acres of deciduous wooded wetlands (PFO1B) and 3.37 acres of deciduous scrub / shrub wetlands (PSS1E/PFO1E). During the field survey wetland delineation flags were present adjacent to and within the right-of-way near the Roseville Road overpass and milepost 52. These linear wetlands may possibly be connected to the larger adjacent wetland complexes identified by NJDEP Sussex County freshwater wetland mapping. Standing water was also identified within the right-of-way boundary. Approximately 2.0 acres of wetlands will potentially be impacted.
- MP 50.26, Concrete pipe/culvert. The south side headwall may need to be replaced in order to remove of some large existing rocks. The stream is a tributary to Lake Lackawanna. Deciduous wooded wetland complexes (PFO1B) exist within close proximity, therefore minimal impacts may occur.
- MP 49.30, Concrete arch and culvert. The arches headwall may need to be replaced causing minor temporary disturbances to surrounding resources. This stream is a tributary to Lake Lackawanna.
- MP 47.80, Stanhope Borough and Byram Township near Old Stanhope/Sparta Road Bridge. Wetlands disturbances may occur along this portion of the right-of way. Unmapped linear wetlands were identified parallel to and within the right-of-way near the Old Stanhope/Sparta Road bridge. During the field survey wetland delineation flags were present along the right-of-way delineating wetland boundaries. Approximately 1.6 acres of wetlands will potentially be impacted.

Potential Station Locations:

- Blaiirstown Station, Blaiirstown Township, Sussex County – No wetlands were present within the potential area of disturbance at this proposed station location.
- Andover Station, Andover Township - Roseville Road, Sussex County – This proposed station location has a small isolated linear wetland area present within the potential area of disturbance. The wetland area, identified during a preliminary site investigation, was a linear area situated between the rail right of-way and Roseville Road. The wetland area begins approximately 90 feet to the west of the small ATV access trail and is approximately 12 feet wide tapering down to approximately 3 feet wide. The wetland area is most likely under an acre in size although the exact amount will not be known until a formal wetland delineation and survey are performed at the site. Approximately 0.2 acres of wetlands will be impacted.

Approximately 6.2 acres of wetlands may be disturbed along the New Jersey portion of the alignment. The exact amount of disturbed acreage will not be known until a formal wetland delineation and survey is performed during the preliminary engineering phase.

J.3 Mitigation

Pennsylvania

In Pennsylvania Title 25, Chapter 105 provides wetland permitting guidance, criteria and mitigation requirements. State wetland mitigation criteria include area ratios, function and value replacement and siting criteria. Area ratio criteria states that the wetland shall be replaced at a minimum area of replacement acres to affected acres of 1:1 ratio. The PADEP may require the area ratio to exceed 1:1 based on the determination of the area and how the functions and values of the particular wetland that will be destroyed. A 2:1 ratio may be required based on the determination of the area affected and the wetland resources function and values. PADEP may additionally require the area ratio to exceed 2:1 based on the determination of the affected wetlands functions and values.

Minor disturbances to surrounding wetlands may occur due to bridge and culvert replacement along the right-of-way. No impacts are expected to occur within the existing alignment.

New Jersey

Permitting required for impacts to wetlands along the project corridor in New Jersey would fall under one single Individual Permit application to the NJDEP Land Use Regulation Program. Pre-application meetings are strongly encouraged by the NJDEP prior to final site plan design to assure that design engineers are aware of what would be permissible under the Individual Permit. These meetings would also establish mitigation requirements and help to avoid lengthy design changes and setbacks during the application process.

The use of an Individual Permit for any project generally implies that wetland mitigation would be required. The area of land required for mitigating for lost wetlands is generally calculated through a ratio of 2:1 to as high as 4:1, i.e. creating 2 to 4 acres of wetland for every one acre destroyed. Mitigation ratios may depend upon the severity of the impact to the wetland, size of the wetland and the resource value classification.

Mitigation would need to be performed within the same U.S. Geologic Survey designated HUC 11 watershed or within the same Watershed Management area. Because the project would span multiple HUC 11 watersheds and more than one watershed management area (WMA) multiple wetland mitigation sites may be required.

Wetland complexes are designated a resource value classification depending on the value and function the wetland demonstrates, i.e. the threatened and endangered species that the area may be habitat for and the trout production status of the surface water the wetland may be associated with. Exceptional resource value wetlands are designated a 150-foot transition area buffer and Intermediate resource value wetlands receive a 50-foot transition area buffer. Wetlands that are of Ordinary resource value have no transition area buffer.

Wetland disturbances may occur within the existing right-of-way. Permitting applications would need to be applied for along the entire alignment in New Jersey. Formal wetland delineations would need to be performed to calculate the exact amount of wetland acreage disturbed.