



Public Notice

U.S. Army Corps of Engineers

Pittsburgh District

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. LRP-2022-78

Date: February 28, 2022

Notice No. 22-15

Closing Date: March 30, 2022

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act.
2. APPLICANT: Allegheny Mineral Corporation
One Glade Park East, P. O. Box 1022
Kittanning, PA 16201
3. LOCATION: The existing Mine 37 site located immediately north of Slippery Rock Creek in Slippery Rock Township, Lawrence County, Pennsylvania (41.031667, -80.158889).
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct an expansion of the existing Mine 37 limestone and aggregate mine on property currently owned by the applicant, to recover additional material reserves. The project, as proposed, would result in the permanent loss of 1.87 acres of non-forested wetland, and proposes to compensate for this loss by constructing 1.87 acres of non-forested wetland (a ratio of 1:1) at a nearby depleted mine site owned by the applicant.
5. ENCROACHMENT PERMIT: The applicant is required to obtain a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection
Northwest Regional Office
Waterways and Wetlands Section
230 Chestnut Street
Meadville, PA 16335

Telephone: 814-332-6945
6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project may affect, but is not likely to adversely affect endangered species or threatened species, or result in

destruction or adverse modification of habitat of such species which has been determined to be critical. The project site is within the range of the Indiana bat, Northern long-eared bat, and Eastern massasauga rattlesnake (EMR); however, there is no suitable habitat for the EMR and tree clearing would only be conducted outside the bat roosting season. This Public Notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended). If the U.S. Fish and Wildlife Service concurs with the may affect, not likely to adversely affect determination please respond with written concurrence.

7. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact 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 reasonably may be expected to accrue from the proposals 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, economics, aesthetics, general environmental concerns, wetlands, historic properties, 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 and fiber production, mineral needs, considerations of property ownership 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 overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. Public comments may be subject to release under the Freedom of Information Act (FOIA). All responses to this notice should be directed to the Regulatory Division, attn. Nick Franke, at the above address, by telephoning (412) 395-7575 or by e-mail at Nicholas.A.Franke@usace.army.mil. Please refer to CELRP-RG 2022-78 in all responses.

//SIGNED//
Tyler J. Bintrim
Chief, North Branch
Regulatory Division

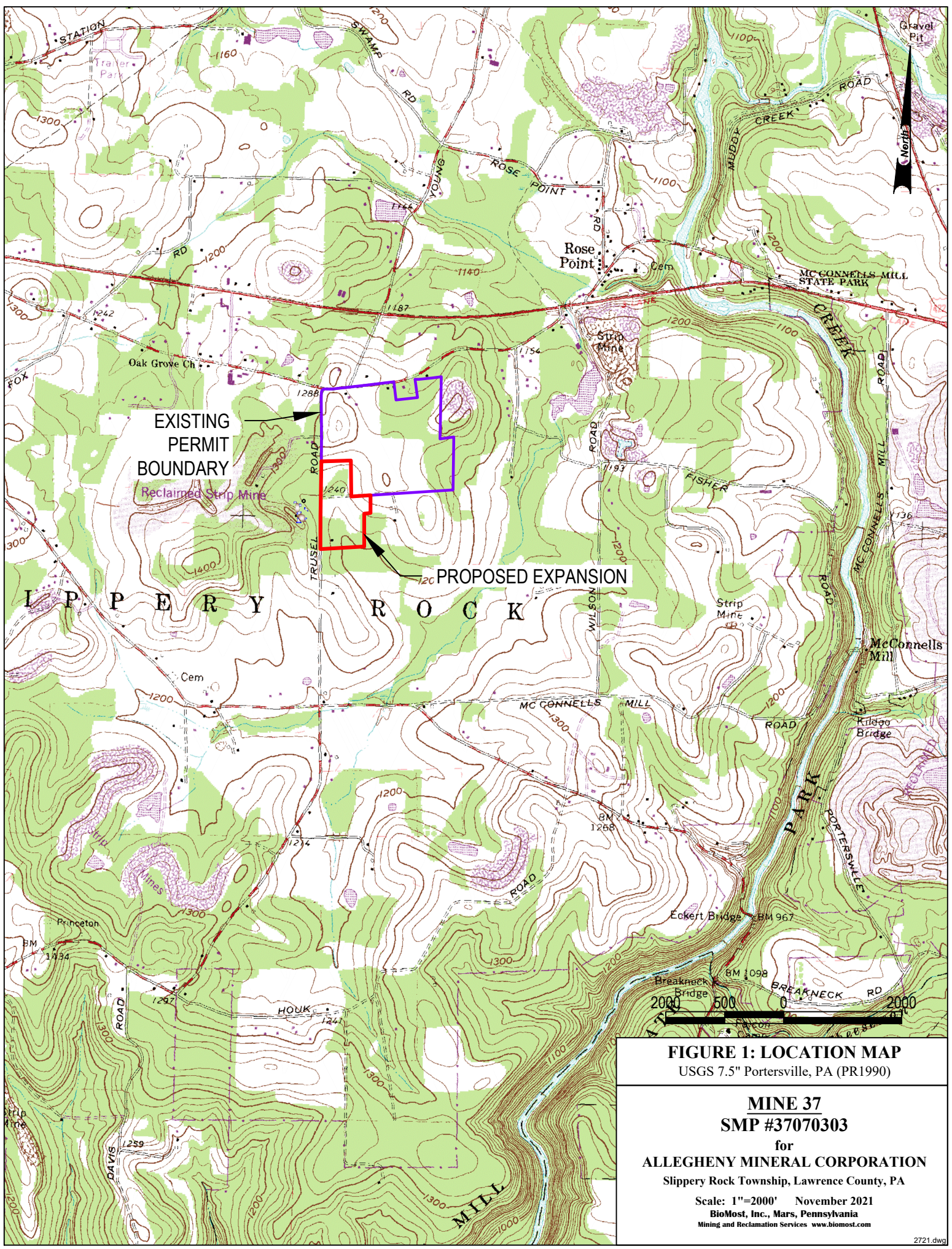
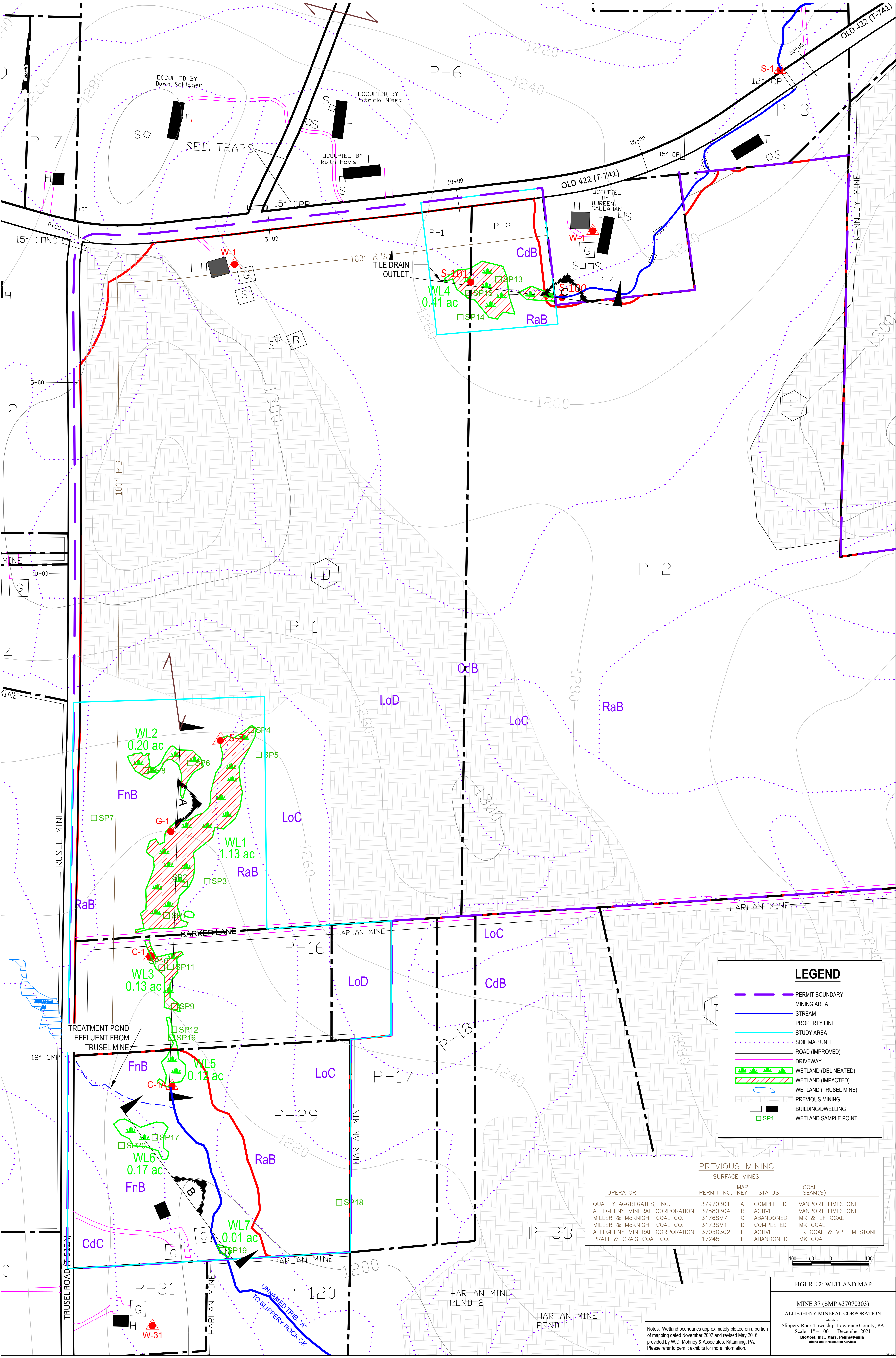
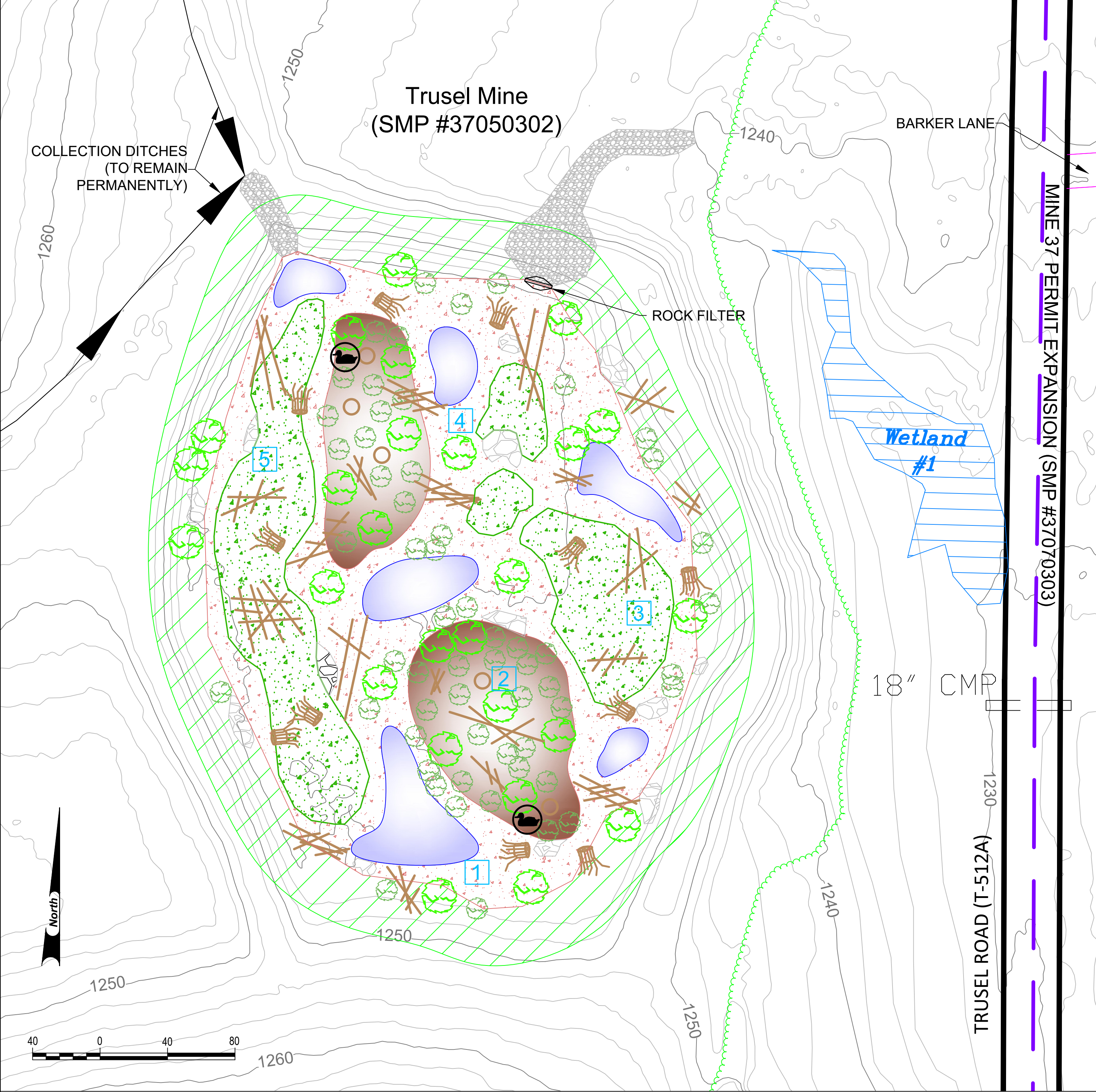


FIGURE 1: LOCATION MAP
USGS 7.5" Portersville, PA (PR1990)

MINE 37
SMP #37070303
for
ALLEGHENY MINERAL CORPORATION
Slippy Rock Township, Lawrence County, PA

Scale: 1"=2000' November 2021
BioMost, Inc., Mars, Pennsylvania
Mining and Reclamation Services www.biomost.com





SUGGESTED TREES FOR MITIGATION WETLAND & BUFFER					
Scientific Name	Common Name	Indicator Status	Spacing (ft OC)	Wildlife Value	
<i>Acer rubrum</i>	Red Maple	FAC	> 7	Food: cardinals, grosbeaks, bobwhite, yellow-bellied sapsucker, waterbirds, squirrels, chipmunks and hoofed browsers. Cover and nesting: robins, goldfinches and prairie warbler	
<i>Acer saccharinum</i>	Silver Maple	FACW	> 7	Food: cardinals, grosbeaks, bobwhite, oriole, goldfinch, and deer. Cover and nesting: orioles, goldfinches	
<i>Betula nigra</i>	River Birch	FACW	> 7	Food: grouse, redpoll, pine siskin, turkey, deer, beaver, rabbit, porcupine	
<i>Fraxinus pennsylvanica</i>	Green Ash	FACW	> 7	Food: wood duck, bobwhite, red-winged blackbird, quail, turkey, cardinal, purple finch, grosbeaks, yellow-bellied sapsucker, waxwing, beaver, mice, squirrels, and deer.	
<i>Picea glauca</i>	White Spruce	FACU	> 7	Food: squirrels, chipmunks, mice, shrews, voles, porcupines, song birds, black bears, woodpeckers, rabbit, moths. Cover: small mammals, deer, ruffed grouse, songbirds	
<i>Pinus strobus</i>	Eastern White Pine	FACU	> 7	Food: squirrels, chipmunks, mice, porcupine, song birds, black bear, woodpeckers, rabbits. Cover: small mammals, deer, ruffed grouse, songbirds	
<i>Platanus occidentalis</i>	Sycamore	FACW-	> 7	Food: songbirds, terrestrial furbearers, aquatic furbearers. Cover/Dens: wood duck, opossum, raccoon	
<i>Quercus palustris</i>	Pin Oak	FACW	> 7	Food: wood duck, mallard, turkey, grouse, bobwhite, blue jay, brown thrasher, towhee, woodpeckers, deer, fox, opossum, raccoon. Cover: scarlet tanager, grosbeaks	
<i>Salix nigra</i>	Black Willow	OBL	> 7	Food: wood duck, mallard, turkey, grouse, bobwhite, blue jay, brown thrasher, towhee, woodpeckers, elk, deer, fox, beaver, rabbits, squirrel, porcupine, muskrat, honey bees, butterflies. Cover: American crow, northern oriole, scarlet tanager, rose-breasted grosbeak	
<i>Tsuga canadensis</i>	Eastern Hemlock	FACU	> 7	Food: ruffed grouse, turkey, great horned own, song birds, squirrels. Cover: small mammals, deer, ruffed grouse, turkey, songbirds	
<i>Ulmus rubra</i>	Slippery Elm	FAC	> 7	Food: wood duck, wild turkey, ruffed grouse, rose-breasted grosbeak, goldfinch, purple finch, yellow-bellied sapsucker, rabbits, squirrels, chipmunk, deer, beaver, moths, and butterflies. Cover and nesting: red shouldered hawk, orioles, warbling vireo	

Note: All trees should be planted in Hummock/Island Habitat and on the outer edge of the wetland except for *Salix nigra*, which can also be planted within the Marsh Zone. Spacing for the above tree species are based on container-grown plants with a minimum height of 24 inches. Bare root trees or container seedlings (also with a minimum height of 24 inches) may be substituted at half the spacing distance.

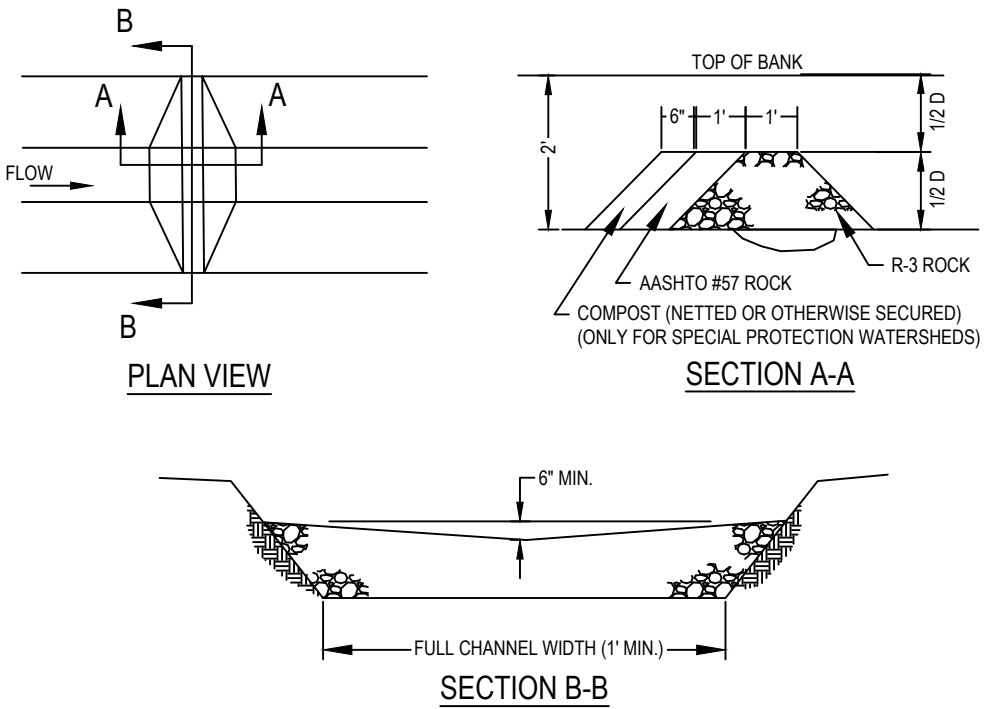
SUGGESTED SHRUBS FOR MITIGATION WETLAND & BUFFER					
Scientific Name	Common Name	Indicator Status	Inundation Depth	Zone	Spacing (ft OC)
<i>Alnus rugosa</i>	Speckled Alder	FACW+	S	H/HM	> 5
<i>Aronia melanocarpa</i>	Black Chokeberry	FAC	S	H	> 5
<i>Cephalanthus occidentalis</i>	Buttonbush	OBL	up to 3'	HM/LM/P	> 5
<i>Cornus amomum</i>	Silky Dogwood	FACW	S	H/HM	> 5
<i>Cornus sericea</i>	Red-osier Dogwood	FACW+	S	H/HM	> 5
<i>Physocarpus opulifolius</i>	Ninebark	FACW-	S	H	> 5
<i>Salix discolor</i>	Pussy Willow	FACW	S	H	> 5
<i>Salix sericea</i>	Silky Willow	OBL	S	HM/H	> 5
<i>Spiraea tomentosa</i>	Steeplebush	FACW	S	H/HM	> 5
<i>Viburnum lentago</i>	Nannyberry	FAC	S	H	> 5

Note: Spacing for the above shrub species are based on container-grown plants with a minimum height of 18 inches. Bare root shrubs (also with a minimum height of 18 inches) may be substituted at half the spacing distance. Abbreviations: S-Saturated, H-Hummock/Island Habitat, HM-High Marsh, LM-Low Marsh, P-Deep Pool

PROPOSED WETLAND CLASSIFICATION

Size (ac)				
Total	PEM	PSS	PFO	
1.87	1.62	0.25	0.00	

SUGGESTED WETLAND SEED MIX			SUGGESTED BUFFER SEED MIX		
Scientific Name	Common Name	% by Mass	Scientific Name	Common Name	% by Mass
<i>Carex vulpinoidea</i>	Fox Sedge	30	<i>Panicum virgatum</i>	Shelter Switch Grass	20
<i>Panicum clandestinum</i>	Deertongue	20	<i>Schizachyrium scoparium</i>	Little Bluestem, PA Ecotype	20
<i>Poa palustris</i>	Fowl Bluegrass	15	<i>Sorghastrum nutans</i>	Indiangrass, PA Ecotype	17
<i>Cornus amomum</i>	Silky Dogwood	5	<i>Elymus virginicus</i>	Virginia Wild Rye	15
<i>Viburnum Dentatum</i>	Arrowwood	5	<i>Andropogon gerardii</i>	Niagara Big Bluestem	10
<i>Verbena hastata</i>	Blue Vervain	5	<i>Chamaecrista fasciculata</i>	Partridge Pea	6
<i>Bidens aristosa</i>	Showy Tickseed Sunflower	5	<i>Panicum amarum</i>	Atlantic Coastal Panic Grass	5
<i>Echinochloa muricata</i>	Barryard Grass	5	<i>Poa palustris</i>	Fowl Bluegrass	3
<i>Cephalanthus occidentalis</i>	Buttonbush	5	<i>Rudbeckia hirta</i>	Black Eyed Susan	3
<i>Polygonum sagittatum</i>	Arrowleaf Tearthumb	3	<i>Coreopsis tinctoria</i>	Plains Coreopsis	1
<i>Eleocharis palustris</i>	Creeping Spikerush	2			



SEDIMENT SHALL BE REMOVED WHEN ACCUMULATIONS REACH 1/2 THE HEIGHT OF THE FILTER.
IMMEDIATELY UPON STABILIZATION OF EACH CHANNEL, INSTALLER SHALL REMOVE ACCUMULATED SEDIMENT, REMOVE ROCK FILTER, AND STABILIZE DISTURBED AREAS.

ROCK FILTER DETAIL

Horizontal Scale: None Vertical Scale: None

PROPOSED HYDROLOGIC ZONES

Hydrologic Zone	Abbreviation	Depth Range (ft)	Water Regime
Hummock/Island Habitat	H	0 to +3.0	Seasonally saturated
High Marsh	HM	-0.5 to +1.5	Temporary inundation/seasonal saturation to ground surface with many small hummocks
Low Marsh	LM	-0.5 to -1.5	Semipermanently flooded
Deep Pool	P	0 to -4.0	Permanent/seasonal inundation

Notes:

Topographic contours provided by Allegheny Mineral Corporation, Kittanning, PA using images collected on 1/6/2021 with UAV and photogrammetrically processed using Drone Deploy software. Coordinate system: PA State Plane South (NAD83) - Foot. Due to interference with trees, portions of the map within forested areas (see treeline) were obscured and contours were combined with bare-earth digital surface model constructed from LIDAR (Spring 2006) data developed as part of the PA MAP program.

Existing wetland based on Exhibit 9 of Trusel Mine (SMP #37050302) from Fike Associates, Inc., Clarion, PA. For additional site information, please refer to permit exhibits for more information.

Wetland mitigation property owned by Allegheny Mineral Corporation.

Wetland to be constructed prior to or concurrent with any wetland impacts.

Microrelief to be created within mitigation wetland. Elevations to vary no more than 3' and will average approximately 1.5'. Microrelief shown in typical section is a general representation.

Microrelief, islands, and hummocks to be constructed with loose organic soil material. Do not compact.

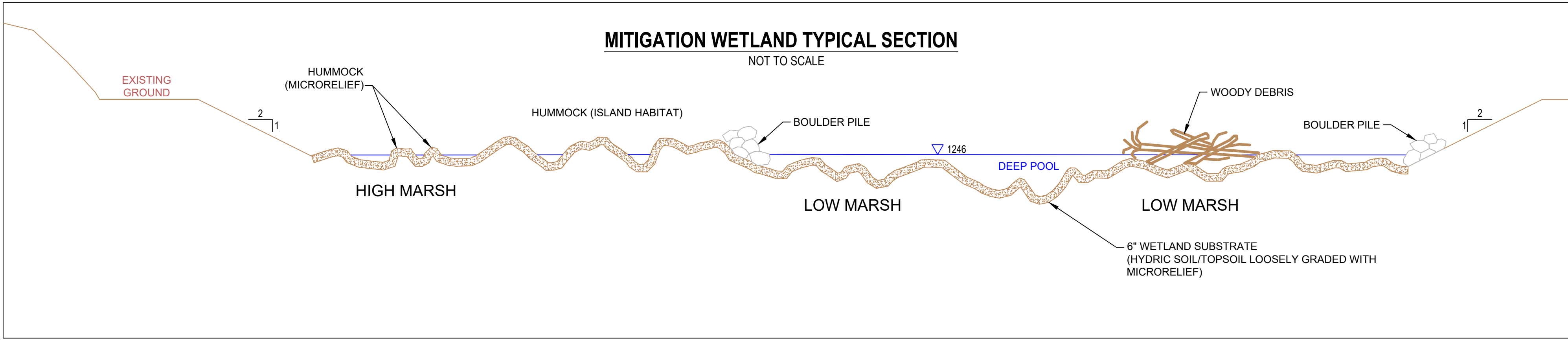
Wildlife structures, including snags, root wads, brush piles, woody debris, and boulder clusters, will be placed within and surrounding the mitigation wetland (locations shown are approximate). These habitat features will be placed throughout mitigation wetland following soil placement.

Boulder clusters to contain durable stone greater than 2' in diameter and arranged to create crevices for shelter and nesting.

Substitutions to the suggested plants and seed mixes that are native and provide equivalent value to wildlife are allowed.

LEGEND

- CONTOUR - INDEX (EXISTING)
- CONTOUR - INTERMEDIATE (EXISTING)
- PERMIT BOUNDARY
- TREELINE
- ROAD (IMPROVED)
- DEEP POOL
- HUMMOCK/ISLAND HABITAT
- HIGH MARSH
- LOW MARSH
- WETLAND BUFFER
- WETLAND (EXISTING)
- FALLEN LOG/WOODY DEBRIS
- ROOTWAD
- BOULDER PILE
- SNAG
- WOOD DUCK BOX
- TREE/SHRUB PLANTING AREA
- MONITORING POINT (PROPOSED)



MINE 37 WETLAND MITIGATION DESIGN PLAN

MINE 37

for
ALLGHENY MINERAL CORPORATION
situate in
Slippery Rock Township, Lawrence County, PA

Scale: 1" = 40' January 2022

BioMost, Inc., Mars, Pennsylvania
Mining and Reclamation Services www.bio-most.com