



# 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. 2013-1107

Date: September 27, 2013

Notice No. 13-37

Closing Date: October 27, 2013

1. TO ALL WHOM IT MAY CONCERN: The following North Branch of Pigeon Creek Mitigation Bank (NBPCMB) has been submitted on July 16, 2013 by First Pennsylvania Resource, LLC (FPR) for approval under the FPR Pennsylvania Statewide Umbrella Mitigation Banking Instrument (PSUMBI). A Nationwide Permit 27 must be issued for the construction of the NBPCMB.

2. APPLICANT: Will Donaldson  
380 Southpointe Blvd.Suite 405  
Canonsburg, PA 15317

3. LOCATION: The proposed NBPCMB is located along Unnamed Tributaries to Pigeon Creek within Sub-basin 19 of the State Water Plan, located in Washington County, Pennsylvania.

4. PURPOSE AND DESCRIPTION OF WORK: The proposed NBPCMB encompasses 17.4 acres (1.46 acres of wetland, 15.94 acres of upland, and 2,893 linear feet (lf) of stream channel). FPR proposes to re-establish 4.8 acres of Palustrine Forested Wetland (PFO). In addition, FPR proposes to re-habilitate 2,519 lf of perennial stream channel.

5. ENCROACHMENT PERMIT: The applicant must obtain a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the:

*Pennsylvania Department of Environmental Protection  
Southwest Regional Office  
Waterways and Wetlands Program  
400 Waterfront Drive  
Pittsburgh PA 15222-4745*

*Telephone: 412-442-4000*

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project will have no effect on endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. While concurrence with this

determination is not required, 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).

7. **IMPACT ON CULTURAL RESOURCES:** 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 proposed RES Mitigation Bank Project. 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 NBPCMB.

10. **RESPONSES:** This project will be authorized under the existing FPR Pennsylvania Statewide Umbrella Mitigation Banking Instrument (PSUMBI) 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 approve as a mitigation bank project. All responses to this notice should be directed to the Regulatory Branch, attn Donald Bole at the above address, by telephoning (412) 395-7576, or by e-mail at [Donald.R.Bole@usace.army.mil](mailto:Donald.R.Bole@usace.army.mil). Please refer to File 2013-1107 in all responses. Please see the mitigation site plan for more information at the following link:

<http://www.lrp.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>

FOR THE DISTRICT ENGINEER:

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/SIGNED/

Jon T.Coleman  
Chief, Southern Section  
Regulatory Branch

