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# Public Notice

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**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

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Application No. LRP-2007-1113

Date: July 30, 2015

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Notice No. PN #15-38

Closing Date: August 30, 2015

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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: Pennsylvania Department of Environmental Protection  
Bureau of Abandoned Mine Reclamation  
286 Industrial Park Road  
Ebensburg, Pennsylvania 15931  
(814) 472-1800
3. LOCATION: The proposed project is located about 10 miles west of Beaver Falls, south of state route 251, South Beaver Township, Beaver County, Pennsylvania (coordinates: 40.759464, -80.490856). The project is located on an unnamed tributary of Brush Run, a tributary to Little Beaver Creek, a tributary to Ohio River.
4. PURPOSE AND DESCRIPTION OF WORK: The Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation (BAMR) proposes to construct the Miskita Lake Far Southwest Abandoned Mine Land Reclamation project on an approximately 26-acre abandoned mine site. The applicant proposes to eliminate a total of 5,000 linear feet of dangerous highwall from two Priority 3 abandoned mine landforms in the noted Problem Area (PA 6279). The mitigation of the project would entail filling and replacing 1.266 acres of wetlands and constructing 0.5 acres of open water. Maps of the proposed project are attached.
5. PENNSYLVANIA WATER QUALITY CERTIFICATION: A Pennsylvania encroachment permit will be required for this project which includes State 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection  
Bureau of Abandoned Mine Reclamation, Attn: Pam Milavec  
286 Industrial Park Road  
Ebensburg, PA 15931

(814) 472-1800

6. IMPACT ON NATURAL RESOURCES: A Pennsylvania Natural Diversity Index (PNDI) survey was conducted on July 29, 2015 and resulted in no known impacts for the proposed project. The District Engineer has determined that the project will have no effect on endangered species or threatened species, nor will 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: The project will have no impact on any cultural or historic resource values. The reclamation site does not require Pennsylvania Historic and Museum Commission clearance in accordance with 36 CFR 800 because it is a strip mine reclamation project. The letter providing this information was signed by the project developer on April 4, 2008.
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 that reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors that 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, floodplain 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

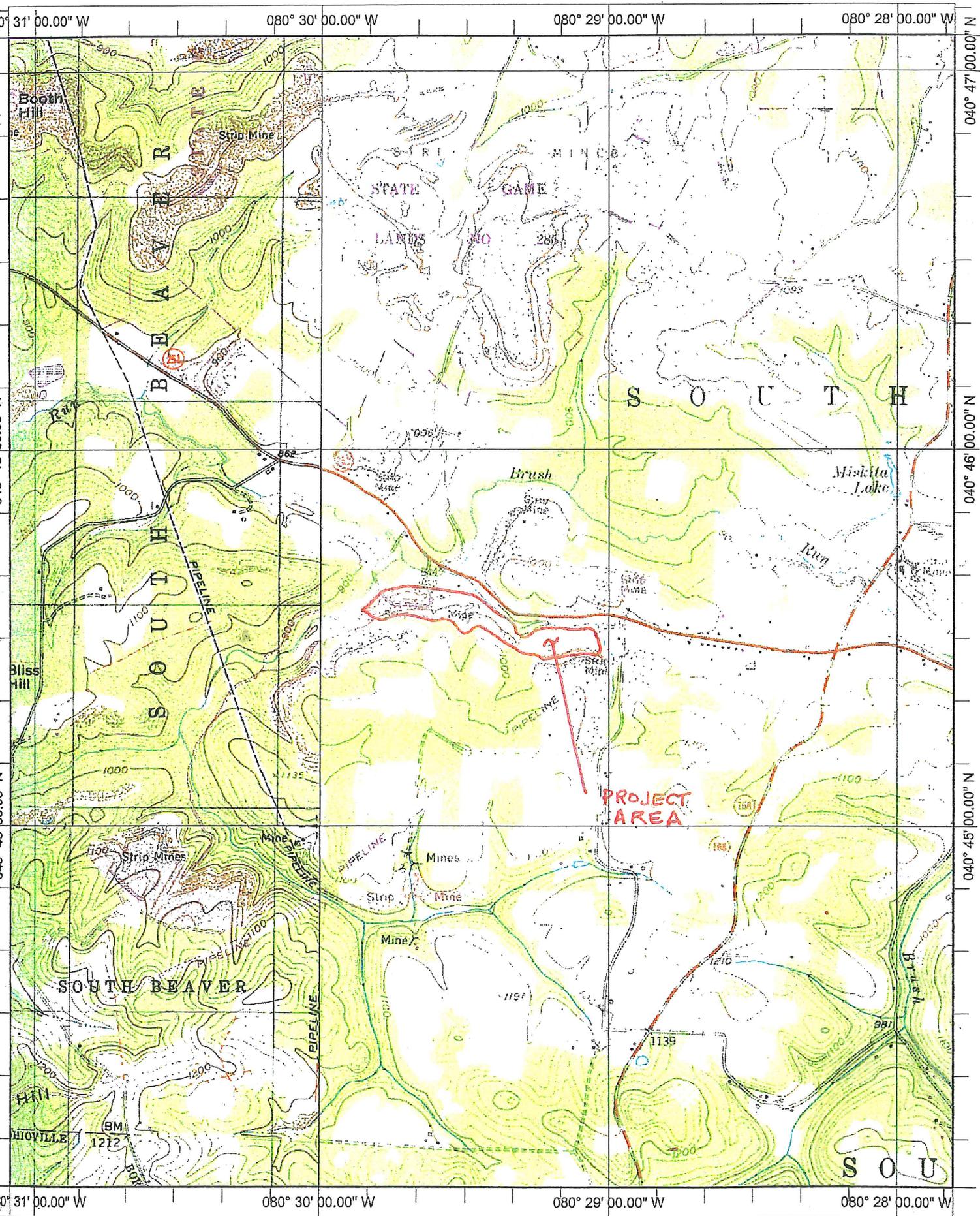
Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the 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. All responses to this notice should be directed to the Regulatory Branch, attn: Alani Taylor at the above address, by telephoning (412)395-7107, or by e-mail at [alani.taylor@usace.army.mil](mailto:alani.taylor@usace.army.mil). Please refer to CELRP-OP-F LRP-2007-1113 in all responses.

FOR THE DISTRICT ENGINEER:

**[SIGNED]**

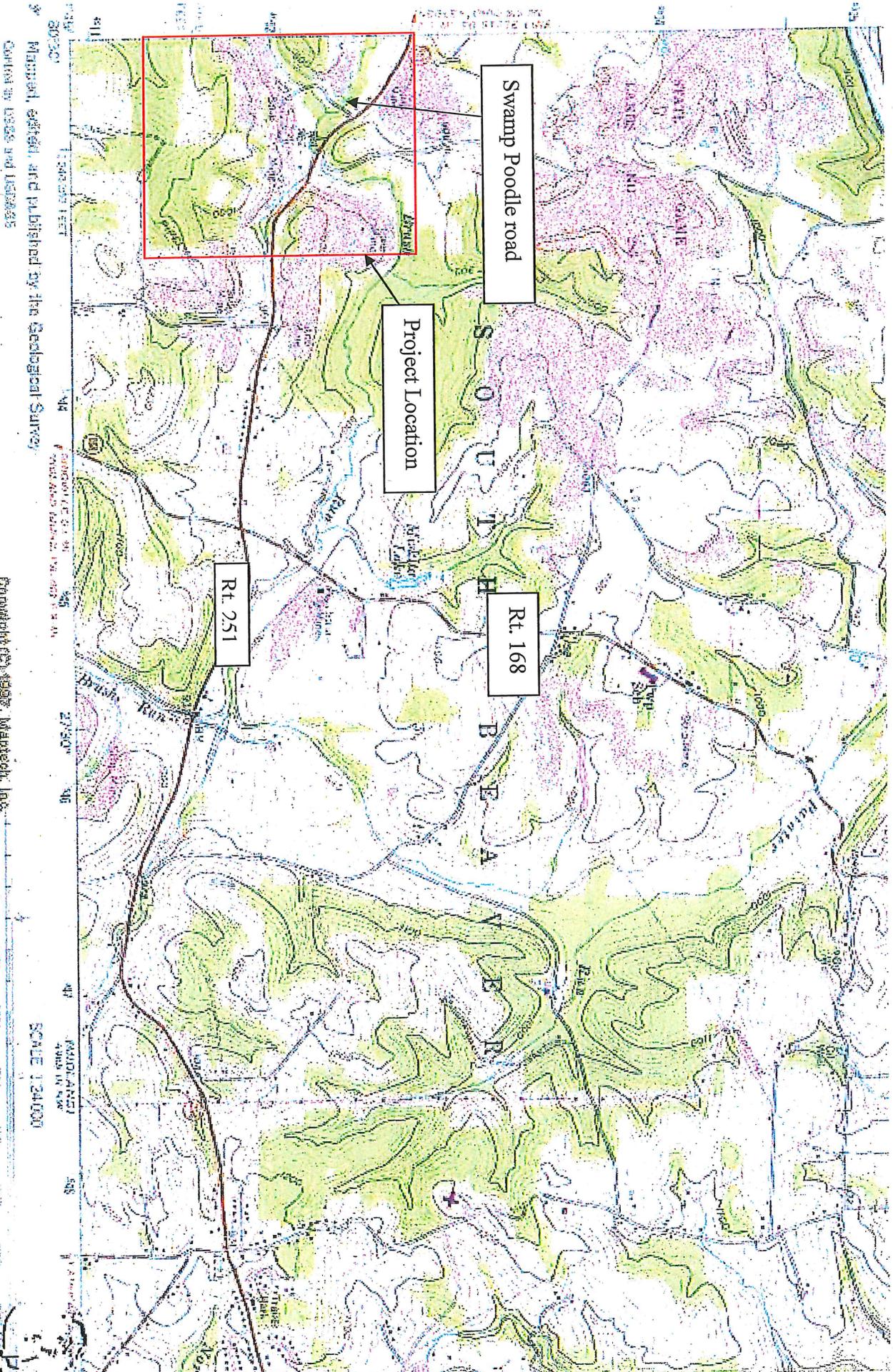
Karen Kochenbach  
South Section Chief, Regulatory Branch



Name: NEW GALILEE  
 Date: 1/30/2008  
 Scale: 1 inch equals 2000 feet

**P.N. 15-38**

Location: 040° 45' 34.07" N 080° 29' 27.08" W  
 Caption: OSM 04(6279)101.1  
 Miskita Lake Far SW  
 South Beaver Township



Swamp Poodle road

Project Location

Rt. 168

Rt. 251

Miskita Lake Far Southwest  
OSM 04(6279)101.1  
South Beaver Township  
Beaver County  
New Galilee Quad

P.N. 15-38

Map not edited and published by the Geological Survey  
Contact by USGS and USFWS

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