



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. 200301725

Date: August 20, 2004

Notice No. 04-45

Closing Date: September 10, 2004

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 (33 U.S.C. 1344).
2. APPLICANT: Pennsylvania Department of Environmental Protection
Bureau of Abandoned Mine Reclamation
286 Industrial Road
Ebensburg, PA 15931
3. LOCATION: in wetlands adjacent to a tributary to Buffalo Creek, in West Franklin Township, Armstrong County, Pennsylvania.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant is proposing to restore a 48 acre abandoned surface mine site to its approximate original contour. This will be done by backfilling a 40 to 130 foot high and 3,875 foot long dangerous highwall with approximately 700,000 cubic yards of earthen material from adjacent spoil piles. As a result of backfilling, a 1.27 acre emergent wetland will be impacted. Other work at the site involves: installing erosion and sediment pollution controls, clearing and grubbing the grading area, constructing sub-surface drains, constructing a sediment pond, constructing a permanent collection ditch that will inlet into the mitigated wetland, and revegetating all disturbed areas with grasses and trees. Wetland mitigation will be constructed on-site. The replacement wetland will consist of 1.27 acres. The mitigation site will be used as a temporary erosion and sedimentation control basin during construction of the project. Upon completion of construction activities, the upslope of the basin, permanent stabilization of the area served by the basin and the top of the basin embankments will be graded into the bottom of the basin creating an irregular shaped area with a rough pockmarked bottom with varying depths of six to twenty-four inches.
5. ENCROACHMENT PERMIT: The applicant is required to obtain an encroachment permit which includes State 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection
Bureau of Abandoned Mine Reclamation
286 Industrial Park Road
Ebensburg, Pennsylvania 15931

Telephone: 814-472-1800

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. 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 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.

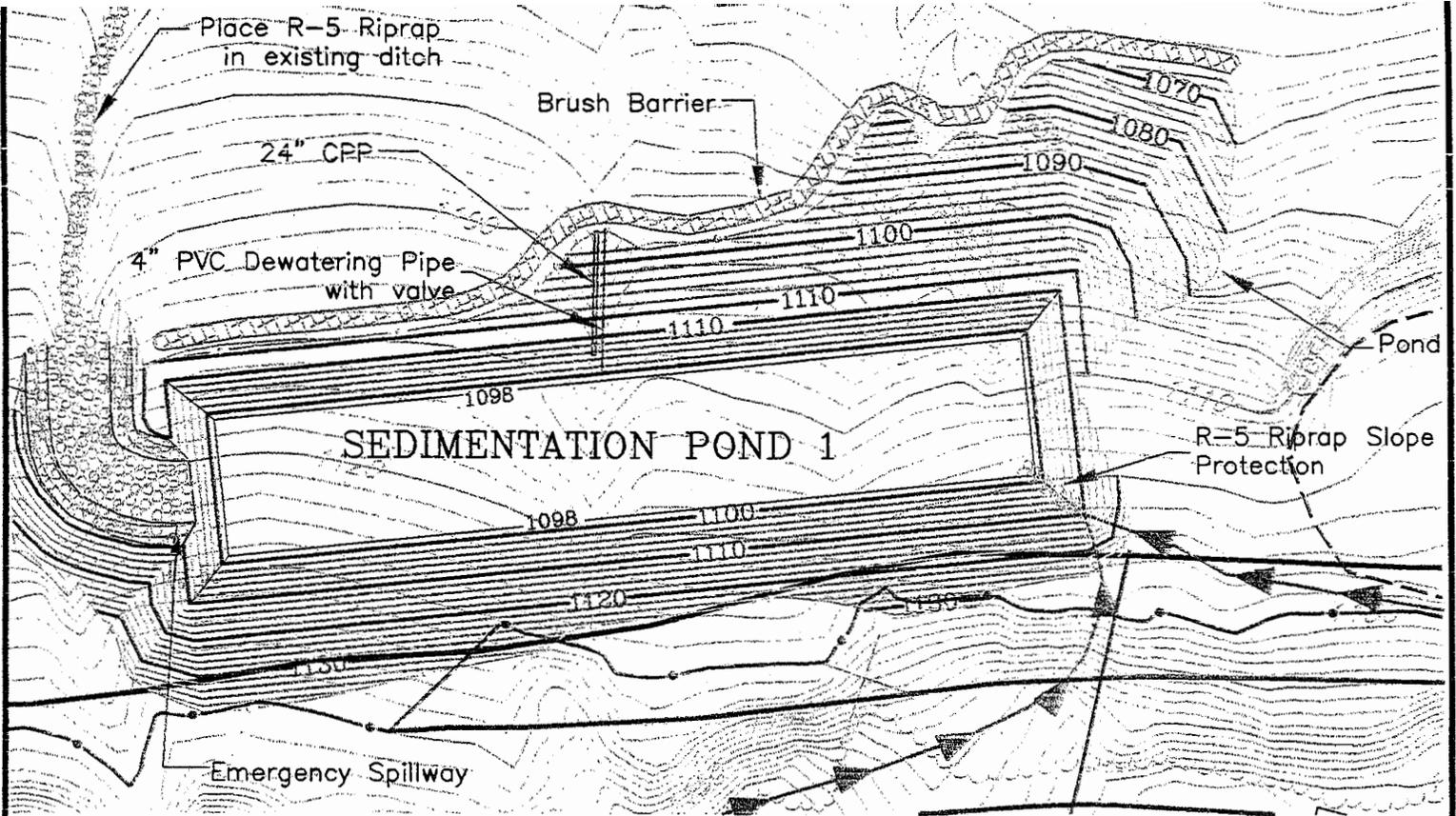
9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect 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. All responses to this notice should be directed to the Regulatory Branch, attn Nancy Mullen, at the above address, by telephoning (412) 395-7170, or by e-mail at Nancy.J.Mullen@lrp02.usace.army.mil. Please refer to CELRP-OR-F 200301725 in all responses.

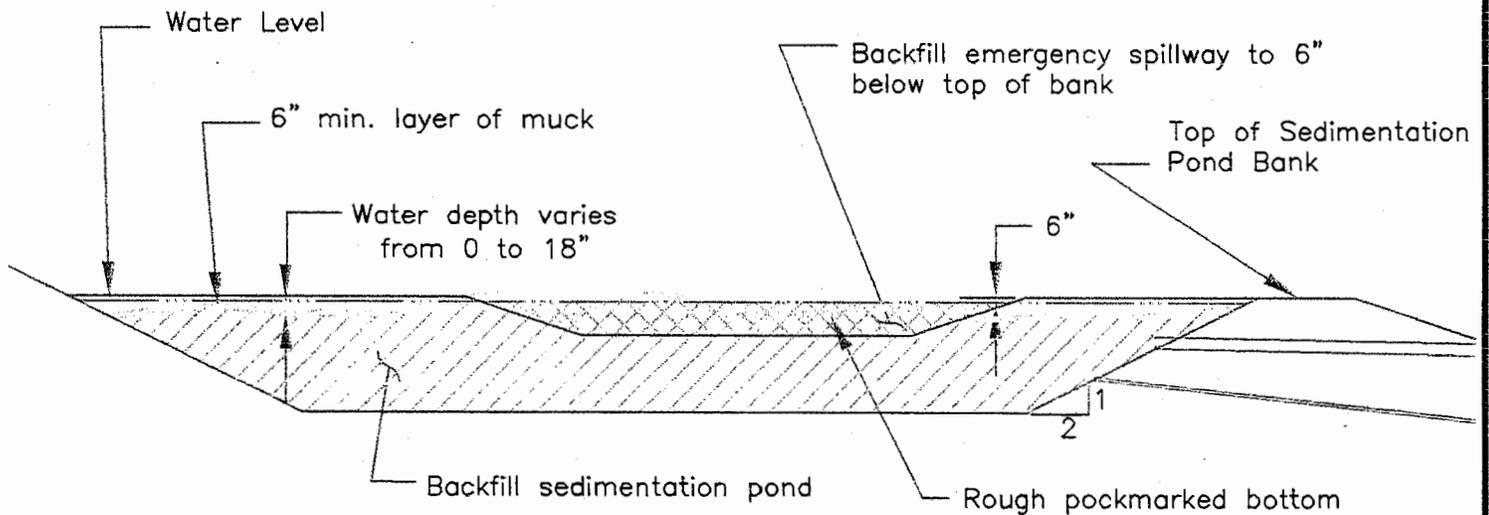
FOR THE DISTRICT ENGINEER:


Scott A. Hans
Acting Chief,
Regulatory Branch



REPLACEMENT WETLAND PLAN

Scale: 1" = 100'



REPLACEMENT WETLAND TYPICAL SECTION

Scale: 1" = 20'

NOTE:

Once the site has been permanently stabilized as approved by the Department's Representative, Sedimentation Pond 1 shall be backfilled in accordance with the Wetland Mitigation Plan.

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION			
CONTRACT NO. OSM 03(3902)101.1		CRAIGSVILLE SOUTHWEST	
ABANDONED MINE RECLAMATION PROJECT			
WETLAND MITIGATION PLAN			
WEST FRANKLIN TOWNSHIP		ARMSTRONG COUNTY	
DRAWN BY: JAK	CHECKED BY:	ACAD DRAWING NO. 03(3902)-03	SCALE: AS SHOWN
DATE: May 24, 2004	DRAWING NUMBER 1 OF 1		

200301725