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. 200402041 Date: June 17, 2005

Notice No. 05-42 Closing Date: July 8, 2005

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: Sewickley Creek Watershed Association
P.O. Box 322
Youngwood, PA 15697

3. LOCATION: in wetlands adjacent to Sewickley Creek, near Lowber, in Sewickley Township, Westmoreland County, Pennsylvania.

4. PURPOSE AND DESCRIPTION OF WORK: The purpose of the project is to construct a passive treatment system to remove and retrieve the iron from the Marchand Mine Discharge. The 23.4 acre site for the proposed treatment system will consist of 6 treatment /settling ponds and 7.5 acres of treatment wetlands. The treatment system is designed to allow for the retrieval of the iron oxide to be marketed as pigment. This abandoned deep mine discharges an average of 1,500 gallons of water per minute that contains an average of 70 mg/l of iron which equals an annual iron load of 230 tons into the Sewickley Creek, which drains into the Youghiogheny River, a major tributary to the Monongahela River.

The project will impact 1.42 acres of wetlands located in 8 areas on the project site and 0.79 acres of open water. Of the 1.42 acres of wetlands located on the site, 0.43 acres are palustrine emergent wetlands (PEM), 0.64 acres contain a shrub /scrub and forest component (PEM/PSS/PFO), and 0.35 acres are classified as PFO. The 0.79 acres of open water are degraded with iron, 58 - 69 mg/l, and two wetland areas containing 0.61 acres of the wetlands are degraded with elevated iron levels, 11 - 28 mg/l. Six of the wetland areas including the PFO and PSS wetlands located on the site, containing 0.81 acres, are not degraded with mine drainage. Excess soil will adversely impact 0.05 acres of PEM wetlands at the disposal site.

Proposed compensatory mitigation for the impacts to the degraded wetlands is the improved water quality in 2 miles of the Sewickley Creek due to the removal of 230 tons of iron annually. The final 1.7 acre-segment of the treatment wetland is proposed

as compensatory mitigation for the adverse impacts to the remaining wetlands. This area will be planted with emergent vegetation and contain 0.04 acres of a shrub component to be planted on the water control berm. Drawings of the proposed project are attached to this notice.

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
Southwest Regional Office
Soils and Waterways Section
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 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: In correspondence dated November 22, 2002, the Pennsylvania Historical and Museum Commission indicated that there are no known historic sites located in the project area and that the proposed project is not likely to negatively impact any 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 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

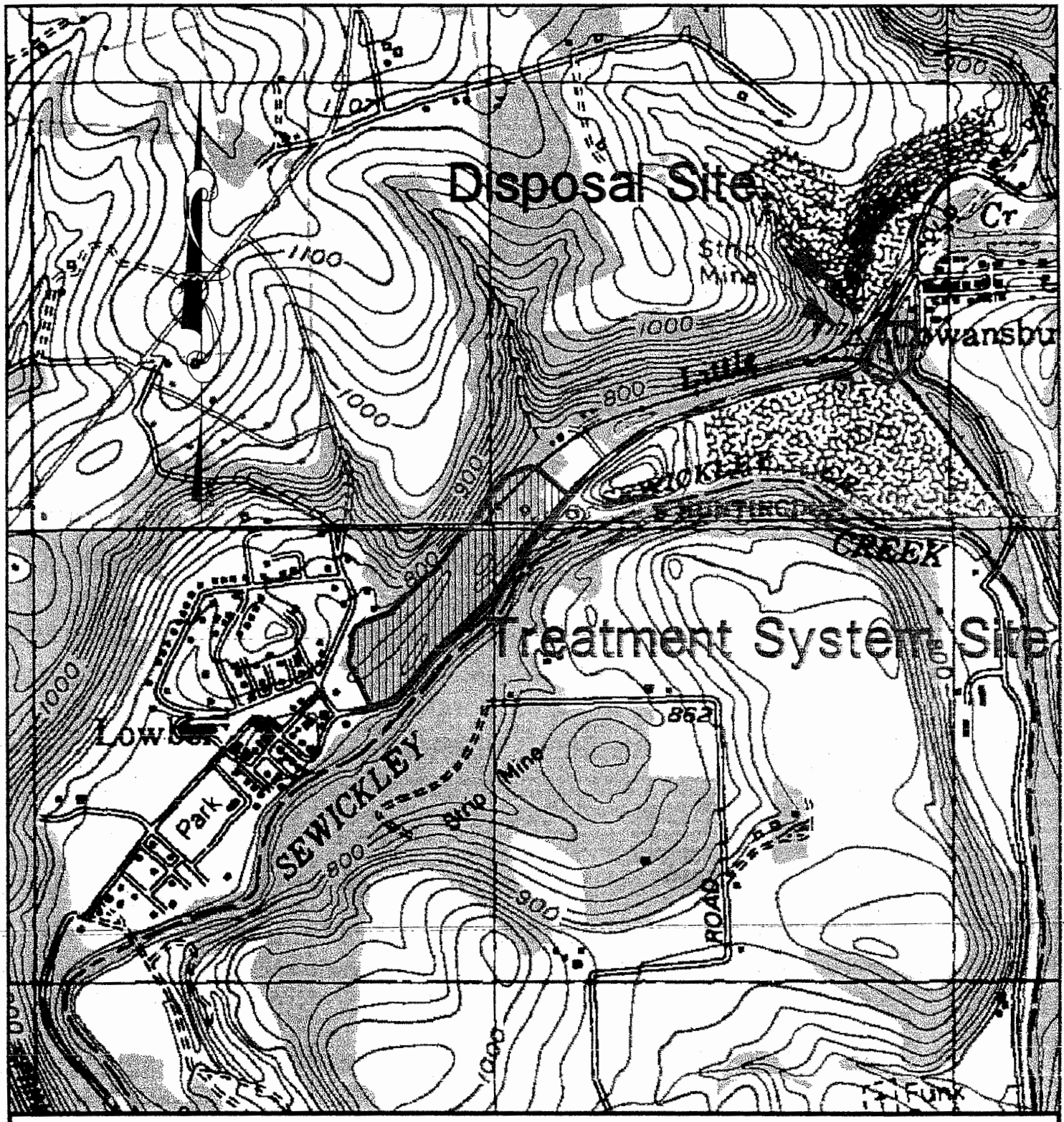
probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against 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 Marcia H. Haberman, at the above address, by telephoning (412) 395-7361, or by e-mail at Marcia.H.Haberman@usace.army.mil. Please refer to CELRP-OR-F 200402041 in all responses.

CELRP-OP-F
Public Notice No. 05-42

FOR THE DISTRICT ENGINEER:

Michael J. Cummings, Jr.
Chief, Regulatory Branch



Location Map

Scale is 1 inch = 1,000 feet

McKeesport, PA
Donora, PA

USGS 7 1/2' topo quadrangles

Location Map

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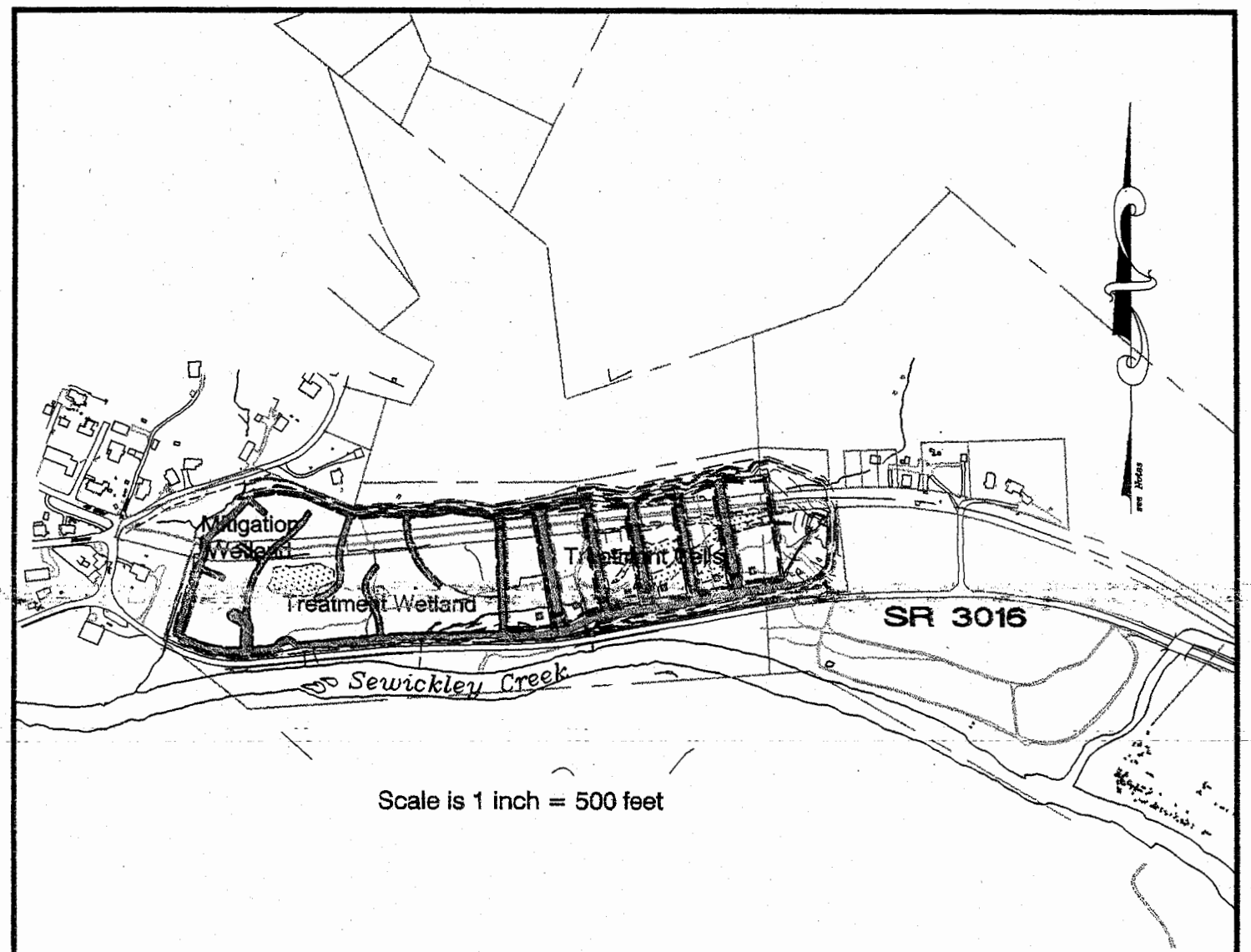

Scale is 1 inch = 500 feet

Treatment System Site
Plan View

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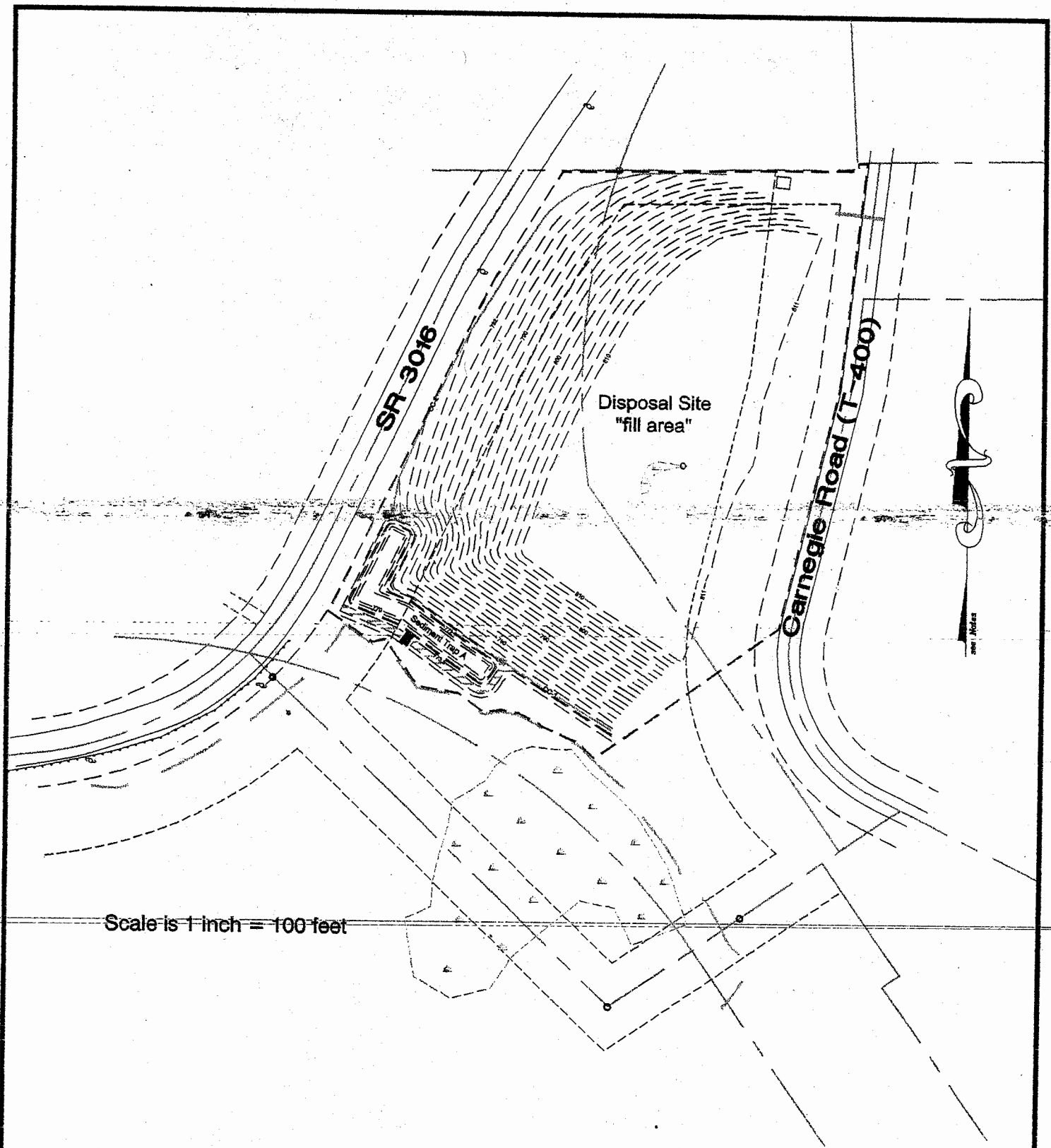

Disposal Site
Plan View

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Wetland Samples

Map Number	Description	Date	Lab pH	Lab Alk (mg/L)	Cond (uS/cm)	Field pH	Field Alk (mg/L)	TSS (mg/L)	Fe (mg/L)	Mn (mg/L)	Al (mg/L)	Net Acid (mg/L)	SO4 (mg/L)
6	Wetland #1	3/6/2003	6.8	203	1,410	***7.0***	192	30	***10.9***	0.4	**0.5**	<0	319
1	Wetland #2	3/6/2003	6.4	159	1,116	***6.8***	153	16	***2.8***	0.4	**0.5**	<0	666
7	Wetland #3 NE arm	3/6/2003	6.0	352	2,300	6.6	288	182	63.0	2.6	**0.5**	<0	1,039
7	Wetland #3 NE arm	5/2/2003	6.4	370	2,940	7.6	291	134	53.8	3.5	**0.5**	<0	134
8	Wetland #3 SE arm	3/6/2003	6.6	356	2,340	6.9	346	26	8.8	6.6	**0.5**	<0	855
8	Wetland #3 SE arm	5/2/2003	6.6	368	2,540	7.5	369	32	10.9	7.0	**0.5**	<0	804
11	Wetland #3 at midpoint	3/6/2003	7.0	247	791	7.8	250	3	0.8	1.2	**0.5**	<0	161
13	Wetland #3 at NW end	3/6/2003	6.7	254	995	7.5	247	8	4.0	0.9	**0.5**	<0	228
13	Wetland #3 at NW end	5/2/2003	6.6	325	2,470	7.8	298	30	27.0	2.8	**0.5**	<0	760
14	Wetland #3 at SW end	5/2/2003	6.5	322	2,980	7.2	243	104	53.0	1.3	**0.5**	<0	1,057
3	Wetland #5	3/6/2003	7.2	40	212	***7.2***	56	3	***0.3***	0.1	**0.5**	<0	26
2	Wetland #6	3/6/2003	7.3	221	705	***7.7***	225	3	***0.3***	0.3	**0.5**	<0	104
12	Wetland #8	3/6/2003	7.3	228	825	***7.3***	230	8	***0.3***	0.1	**0.5**	<0	70
	Wetland #4	3/6/2003	no standing water; could not collect sample										
	Wetland #7	3/6/2003	no standing water; could not collect sample										