



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 2015-1418

Date: December 18, 2015

Notice No. 15-57

Closing Date: January 18, 2016

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:** JD&D Enterprises
100 Ross Street
Pittsburgh, PA 15219
3. **LOCATION:** The project site is located approximately 3.2 miles northwest of the City of Uniontown, Pennsylvania in Franklin and Menallen Townships, Fayette County, Pennsylvania: N 39.958333 W -79.750556.
4. **PURPOSE AND DESCRIPTION OF WORK:** The applicant proposes construction and fill placement to expand the existing Franklin Commercial Park. The expansion would provide additional operational space for JMJS, Inc., dba COE distributing (COE). COE is a wholesale office furniture distributing company. The project would place fill to allow the construction of several new buildings, access roadways, parking areas, and expanded stormwater and utility systems.

Fill for the project will permanently impact 1.81 acres of wetlands, which breaks down to 0.26 acre Palustrine Emergent (PEM) wetland, 0.11 acre Palustrine Forested (PFO) wetland, and 1.44 acres of Palustrine Unconsolidated Bottom (PUB) "open water" wetland.

The applicant proposes mitigation to offset the wetland impacts by creating an additional 1.82 acres of wetland on-site by expanding an existing wetland, Wetland 1. This 1.82 acre Wetland expansion area would be comprised of 1.71 acres of interspersed PUB and PEM wetland and 0.11 acre of PFO wetland. Wetland 1 is a partly forested PFO wetland that comprises 11.6 acres, thus the new wetland area would comprise 13.42 acres. In addition, the Applicant proposes to protect the entire new wetland complex with a legal instrument to ensure there are no future impacts to this wetland.

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 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 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. 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

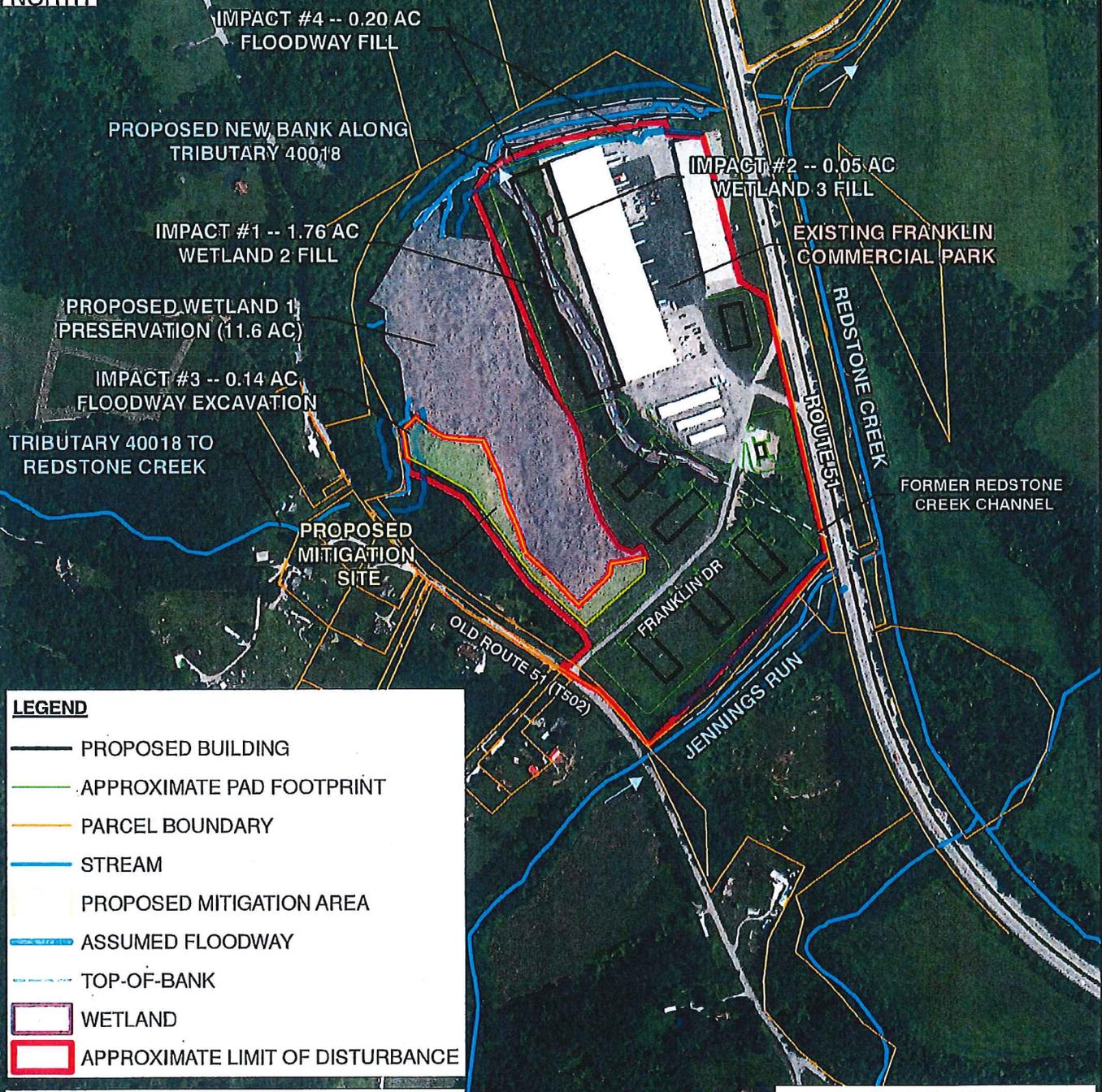
proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, 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. All responses to this notice should be directed to the Regulatory Branch, attn. Greg Currey at the above address, by telephoning (412) 395-7181, or by e-mail at Gregory.e.currey@usace.army.mil. Please refer to CELRP-OP-F 2015-1481 in all responses.

FOR THE DISTRICT ENGINEER:

/SIGNED/

Scott A. Hans
Chief, Regulatory Branch

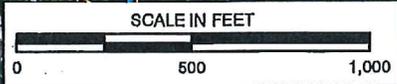


LEGEND

- PROPOSED BUILDING
- APPROXIMATE PAD FOOTPRINT
- PARCEL BOUNDARY
- STREAM
- PROPOSED MITIGATION AREA
- ASSUMED FLOODWAY
- TOP-OF-BANK
- WETLAND
- APPROXIMATE LIMIT OF DISTURBANCE

REFERENCE

ESRI WORLD IMAGERY / ARCGIS MAP SERVICE



Civil & Environmental Consultants, Inc.
 333 Baldwin Road - Pittsburgh, PA 15205-9072
 412-429-2324 · 800-365-2324
 www.cecinco.com

JD&D ENTERPRISES
 FRANKLIN COMMERCIAL PARK
 MENALLEN AND FRANKLIN TOWNSHIPS,
 FAYETTE COUNTY, PENNSYLVANIA

SITE OVERVIEW MAP

DRAWN BY:	JRF	CHECKED BY:	NBW	APPROVED BY: <small>* Hand signature on file</small>	JRF*	FIGURE NO:	2-2
DATE:	6/4/2015	SCALE:	1" = 500'	PROJECT NO:	143-372		

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