

To compensate for the proposed impacts, upon completion of the mining operation, the operator will reconstruct the stream in its former location. In addition to the re-establishment of the stream channel, the operator will contribute to a restoration project on McKee Run, which is located nearby. This restoration project is being prepared and permitted by the U.S. Fish & Wildlife Service. The design of the restoration area has not been completed at this time however the restoration will restore approximately 850 feet of stream.

The Location Map and Wetlands/Stream Delineation Map may be found at the following website by clicking on Public Notice number 17-52.

<https://lrp.usace.afpims.mil/Missions/Regulatory/Public-Notices/>

5. ENCROACHMENT PERMIT: The applicant has obtained Mining/Coal Refuse Disposal Permit No. 22807-37140301-E-3 which included Clean Water Act Section 401 Water Quality Certification dated October 23, 2017 from the:

Pennsylvania Department of Environmental Protection
Knox District Mining Office
P.O. Box 669
Knox, Pennsylvania 16232-0669
Telephone Number: 814-797-1191

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. Response dated May 9, 2017 indicates that the project is Not Likely to Adversely Affect the Indiana bat. In addition, an email dated March 31, 2017 from the US Fish and Wildlife Service Hadley Massachusetts office states that if they conduct overburden blasting within 0.5 miles of a known bald eagle nest between August 1 and December 31 and it does not conduct any project activity at any time within 660 feet of the nest, the project work will be unlikely to disturb the nesting pair and a federal eagle disturbance permit application will not be recommended. 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. The Pennsylvania Historical and Museum Commission Bureau of Historical Preservation has indicated that there are No Historic Properties in the area of potential effect dated February 23, 2016. 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.

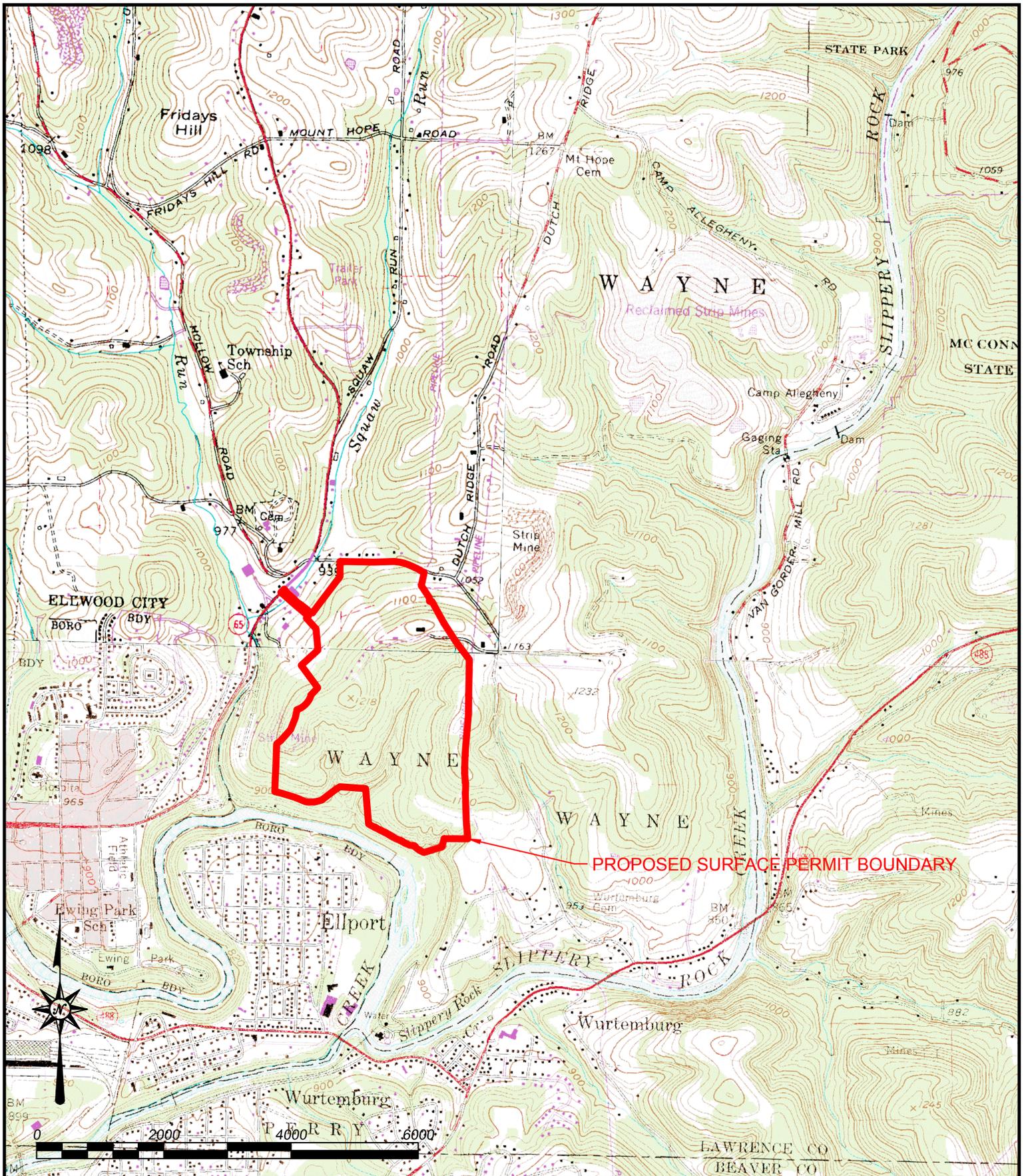
9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect 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 Matthew Mason at the above address, by telephoning (412) 395-7129, or by e-mail at Matthew.R.Mason@usace.army.mil. Please refer to CELRP-OP-F 2013-2279 in all responses.

FOR THE DISTRICT ENGINEER:

/Signed/

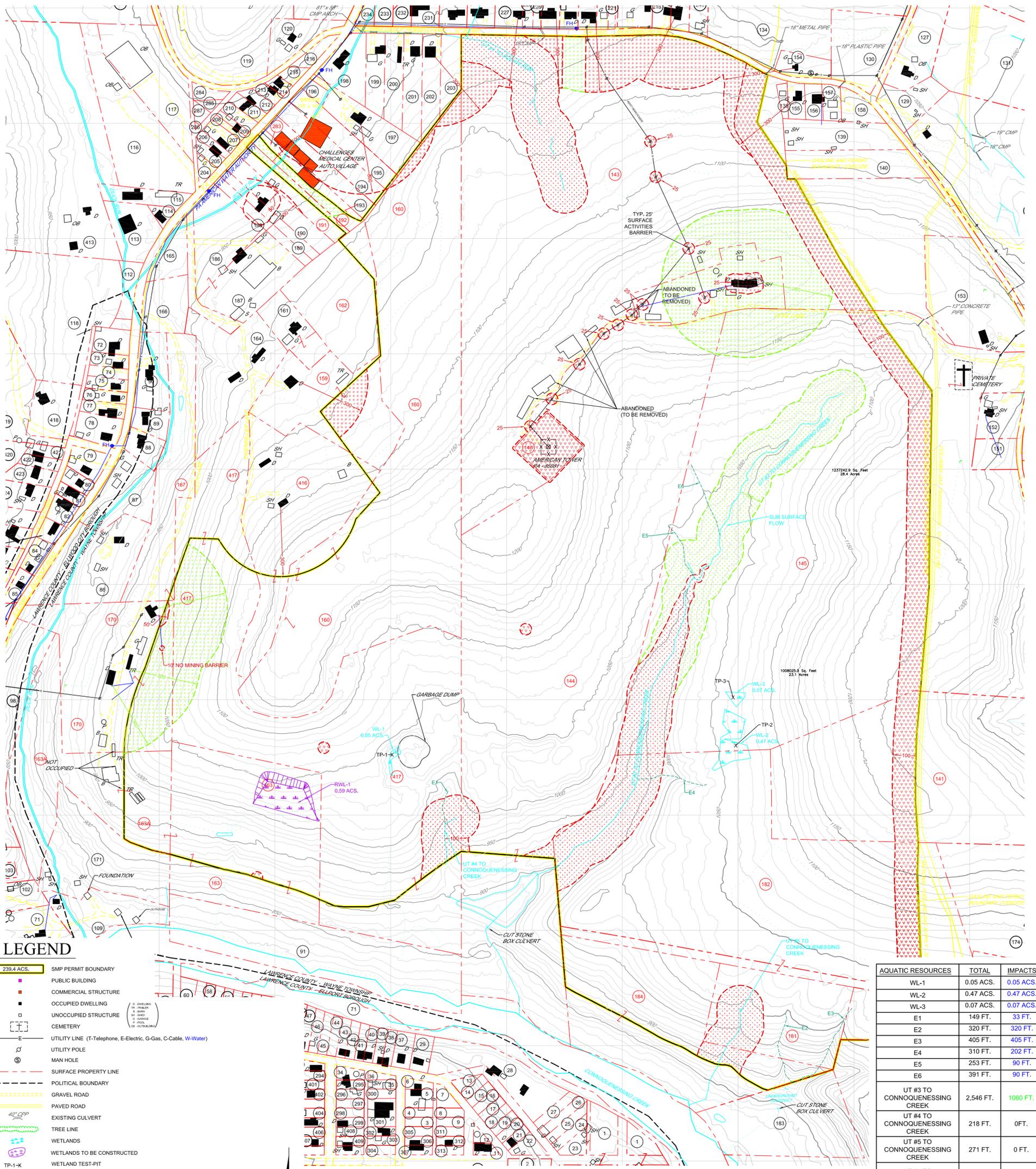
Scott A. Hans
Chief, Regulatory Branch



Drawn By:	JRS
Checked By:	SWH
Date:	1-22-2015
Scale:	1" = 2000'
Project No.:	0211-L801
File Name:	Gardner I Base Map.dwg
Drawing:	1 of 1


CME
 ENGINEERING LP
 CME ENGINEERING LP
 975 Georges Station Rd, Ste 100, Greensburg, PA 15601
 724-672-4800 FAX: 724-672-4801

EXHIBIT 1: SITE LOCATION MAP
Amerikohl Aggregates, Inc.
GARDNER MINE
 VANPORT LIMESTONE/MIDDLE KITTANNING
 SMP # 37140301
 WAYNE TOWNSHIP
 LAWRENCE COUNTY, PENNSYLVANIA



LEGEND

- 239.4 ACS. SMP PERMIT BOUNDARY
- PUBLIC BUILDING
- COMMERCIAL STRUCTURE
- OCCUPIED DWELLING
- UNOCCUPIED STRUCTURE
- CEMETERY
- UTILITY LINE (T-Telephone, E-Electric, G-Gas, C-Cable, W-Water)
- UTILITY POLE
- MAN HOLE
- SURFACE PROPERTY LINE
- POLITICAL BOUNDARY
- GRAVEL ROAD
- PAVED ROAD
- EXISTING CULVERT
- TREE LINE
- WETLANDS
- WETLANDS TO BE CONSTRUCTED
- WETLAND TEST-PIT
- TP-1-X
- BARRIER - NO MINING (Stream)
- VARIANCE AREA (Stream)
- BARRIER - NO MINING (Utility)
- VARIANCE AREA (Utility)
- BARRIER - NO MINING (Dwelling)
- VARIANCE AREA (Dwelling)
- POND
- PERENNIAL STREAM
- INTERMITTENT STREAM
- EPHEMERAL STREAM
- DRAINAGE COURSE
- SURFACE CONTOURS FROM LIDAR (10FT INTERVAL)

AQUATIC RESOURCES	TOTAL	IMPACTS
WL-1	0.05 ACS.	0.05 ACS.
WL-2	0.47 ACS.	0.47 ACS.
WL-3	0.07 ACS.	0.07 ACS.
E1	149 FT.	33 FT.
E2	320 FT.	320 FT.
E3	405 FT.	405 FT.
E4	310 FT.	202 FT.
E5	253 FT.	90 FT.
E6	391 FT.	90 FT.
UT #3 TO CONNOQUEENESSING CREEK	2,546 FT.	1060 FT.
UT #4 TO CONNOQUEENESSING CREEK	218 FT.	0 FT.
UT #5 TO CONNOQUEENESSING CREEK	271 FT.	0 FT.
UT #1 TO SQUAW RUN	912 FT.	0 FT.

*PREVIOUS AQUATIC IMPACTS
*PROPOSED AQUATIC IMPACTS

NOT FOR CONSTRUCTION

Drawn By:	DJP
Checked By:	BJF
Date:	09-07-2017
Scale:	1" = 200'
Project No.:	0546-L501
File Name:	Gardner I - Stream Relocation.dwg
Drawing:	1 of 1

CME
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724-672-4800 FAX: 724-672-4801

EXHIBIT 4: WETLANDS/ STREAM DELINEATION MAP
Amerikohl Aggregates, Inc.
GARDNER MINE
VANPORT LIMESTONE/MIDDLE KITTANNING
SMP # 37140301
WAYNE TOWNSHIP
LAWRENCE COUNTY, PENNSYLVANIA