



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 2020-329

Date: November 16, 2021

Notice No. 21-44

Closing Date: December 16, 2021

- 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.
- APPLICANT:** Pennsylvania Turnpike Commission
700 S. Eisenhower Blvd
Middletown, PA 17057
- LOCATION:** Wetlands and Unnamed Tributaries to the Monongahela River along an alignment from PA Route 51 in Jefferson Hills to I-376 in Monroeville, Allegheny County, Pennsylvania (40.314229, -79.905753).
- PURPOSE AND DESCRIPTION OF WORK:** The Pennsylvania Turnpike Commission (PTC) is designing a new 4-lane, limited-access, tolled expressway from PA Route 51 in Jefferson Hills to Duquesne, Allegheny County, Pennsylvania; eventually allowing continuous travel from I-68 in West Virginia north to I-376, the Parkway East, in Allegheny County. The PA Route 51 to Duquesne project begins at PA Route 51 and will extend SR 0043 northward to a new interchange that will end SR 0043 just south and west of PA Route 837 at a relocated Commonwealth Avenue in Duquesne. Project impacts were originally estimated at greater than 22,500 linear feet of stream impact and 13 acres of wetland impact. The final environmental impact statement was reassessed, and impacts were recalculated using a June 2019 engineering design snapshot and again using a February 2020 engineering design snapshot. Impacts will continue to be refined as final design progresses. The impact calculations from the most recent assessment are shown in the two tables below:

Wetland Type	Impact (acres) June 2019	Impact (acres) February 2020
PEM	3.170	4.782
PSS	0.234	0.741
PFO	0.62	1.476
PUB	1.892	2.072
Mixed Type	3.6	N/A*
Total	9.518	9.071

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Stream Type	Impact (linear feet) June 2019	Impact (linear feet) February 2020
Ephemeral	7,931	5,489
Intermittent	4,792	2,900
Perennial	11,278	6,617
Total	23,941	15,006

The project will be constructed in a phased process, with seven separate sections. This public notice is for the 53A1 section:

Mon/Fayette Construction Section	Stream Credits	Wetland Credits
MFE 53C2	159	N/A
MFE 53C3	410	N/A
MFE 53A1	5,055	2.196
MFE 53A2	755	0.449
MFE 53B1A	1,334	3.615
MFE 53B2	71	1.031
MFE 53C1	475	1.780
Totals:	8,256	9.071

The PTC will be utilizing a Corps approved mitigation bank for unavoidable permanent impacts associated with the Mon/Fayette Expressway, PA Route 51 to Duquesne Project. The applicant intends to purchase credits from the Laurel Hill Creek Mitigation Bank, which serves the Monongahela River Subbasin:

Impact Location	Resource	Anticipated Mitigation Need	LHCMB Credit Generation
Monongahela River Subbasin	Streams (linear feet)	15,000	22,351.42
	Wetlands (acres)	9.20	21.77

5. **ENCROACHMENT PERMIT:** The applicant may be required to obtain a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection
Regional Permit Coordination Office
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

Phone: (717) 783-2300

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. Public comments may be subject to release under the Freedom of Information Act (FOIA). All responses to this notice should be directed to the Regulatory Division, attn. Jeremy Roberts at the above address, by telephoning (412) 395-7181, or by e-mail at jeremy.n.roberts@usace.army.mil. Please refer to CELRP-RG 2020-329 in all responses.

FOR THE DISTRICT ENGINEER:



Jon T. Coleman
Chief, Southern Branch
Regulatory Division