



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. CELRP-RG-S 2021-00331

Date: 2 December 2021

Notice No. 21-45 A

Closing Date: 16 December 2021

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:

SunCap Property Group, LLC
6101 Carnegie Blvd., Ste. 180
Charlotte, North Carolina 28209

3. LOCATION:

City/State: New Stanton, Pennsylvania
County: Westmoreland
Waterway: UNTs to Sewickley Creek
Lat/Long: 40.226096, -79.625018

4. PURPOSE AND DESCRIPTION OF WORK:

UPDATE: THIS PUBLIC NOTICE AMENDS PN 21-45 POSTED ON 16 NOVEMBER 2021. IN THE PREVIOUS DESCRIPTION OF WORK, LINEAR IMPACT VALUES FOR TEMPORARY AND PERMANENT WATERWAY IMPACTS WERE ERRONEOUSLY SWITCHED WITH EACH OTHER. THE NEW DESCRIPTION BELOW ASSIGNS THE CORRECT VALUES TO EACH IMPACT TYPE:

The applicant proposes to construct a 1 million square foot warehousing area, 20,000 square foot office appendage, parking areas, access driveways, improve existing roadways, and install/extend utility & stormwater appurtenances. The project would permanently impact 1,147 square feet of wetland & 1,509 linear feet of waterway and temporarily impact 20,455 square feet of wetland & 70 linear feet of waterway.

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
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 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-S 2021-00331 in all responses.



Jon T. Coleman
Chief, South Branch
Regulatory Division

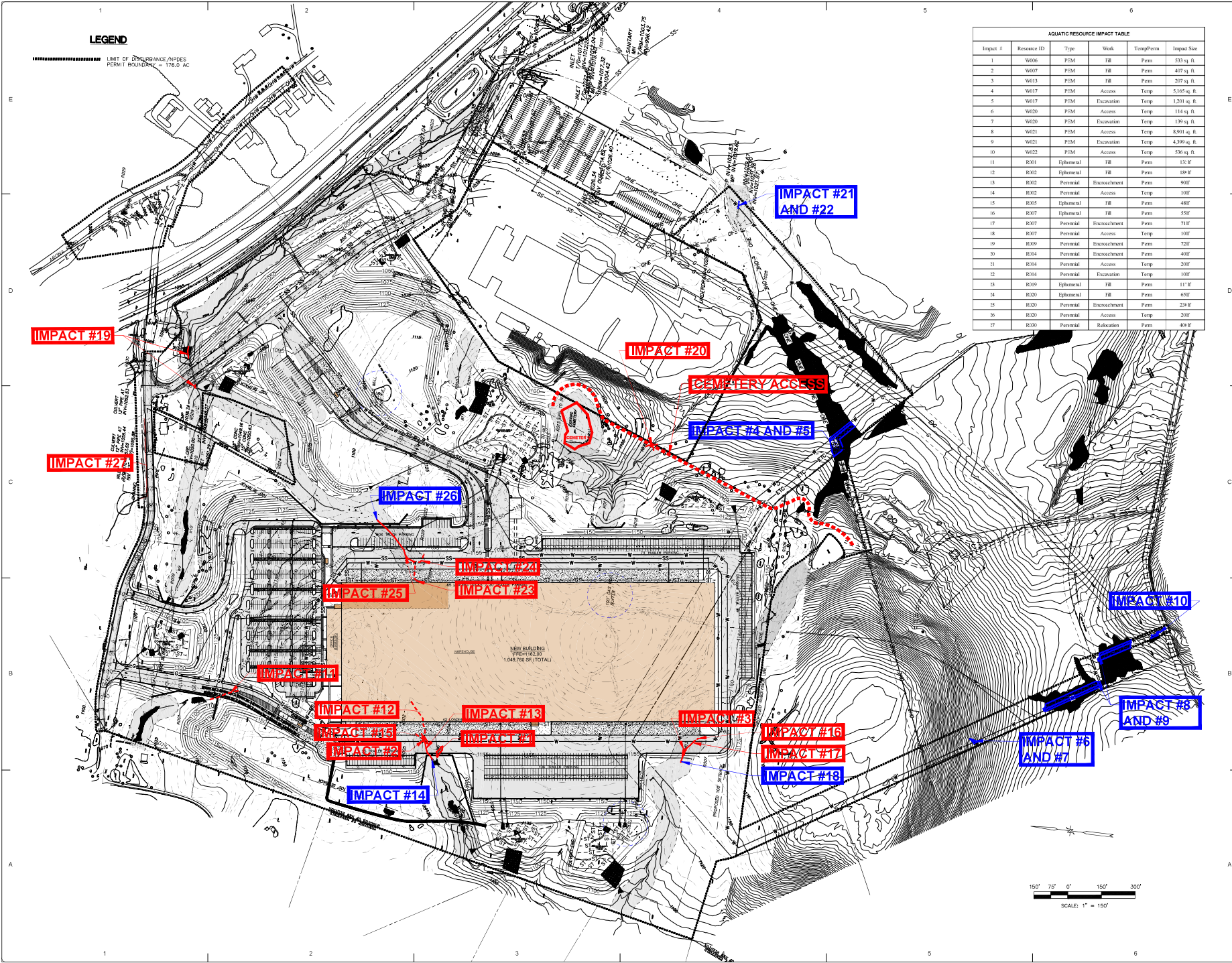


**Figure 2 – Glenn Fox Road Site
Aerial Location Map (2019 Google Earth)**



Ecotune
ENVIRONMENTAL CONSULTANTS
215 EXECUTIVE DRIVE, SUITE 204
CRANBERRY TOWNSHIP, PA 16066
VOICE (724) 779-9010
FAX (724) 779-9011

AQUATIC RESOURCE IMPACT TABLE					
Impact #	Resource ID	Type	Work	Temp/Perm	Impact Size
1	W006	PJM	IB	Perm	533 sq. ft.
2	W007	PJM	IB	Perm	407 sq. ft.
3	W013	PJM	IB	Perm	207 sq. ft.
4	W017	PJM	Access	Temp	5,165 sq. ft.
5	W017	PJM	Excavation	Temp	1,201 sq. ft.
6	W020	PJM	Access	Temp	114 sq. ft.
7	W020	PJM	Excavation	Temp	139 sq. ft.
8	W021	PJM	Access	Temp	4,961 sq. ft.
9	W021	PJM	Excavation	Temp	4,399 sq. ft.
10	W022	PJM	Access	Temp	536 sq. ft.
11	R001	Ephemeral	IB	Perm	13' F
12	R002	Ephemeral	IB	Perm	189' F
13	R002	Perennial	Encroachment	Perm	969' F
14	R002	Perennial	Access	Temp	100' F
15	R005	Ephemeral	IB	Perm	400' F
16	R007	Ephemeral	IB	Perm	55' F
17	R007	Perennial	Encroachment	Perm	710' F
18	R007	Perennial	Access	Temp	100' F
19	R009	Perennial	Encroachment	Perm	720' F
20	R014	Perennial	Encroachment	Perm	40' F
21	R014	Perennial	Access	Temp	20' F
22	R014	Perennial	Excavation	Temp	10' F
23	R019	Ephemeral	IB	Perm	15' F
24	R020	Ephemeral	IB	Perm	65' F
25	R020	Perennial	Encroachment	Perm	239' F
26	R020	Perennial	Access	Temp	20' F
27	R030	Perennial	Reclamation	Perm	404' F



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