



**U.S. Army Corps
of Engineers**
Pittsburgh District

Public Notice

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. LRP 2012-572

Date: February 7, 2019

Notice No. 19-05

Closing Date: March 8, 2019

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: The Nature Conservancy in Ohio
6375 Riverside Drive, Suite 100
Dublin, Ohio 43017-5045

3. LOCATION: Wetlands and unnamed tributaries to Piney Creek in the Upper Ohio Wheeling Watershed (HUC 05030106) in Wayne Township, Beallsville, Belmont County, Ohio (39.869806/-81.040421)

4. PURPOSE AND DESCRIPTION OF WORK: The applicant has submitted a Mitigation and Monitoring Plan for the Raven Rocks In-Lieu Fee (ILF) Mitigation Site to the Ohio Interagency Review Team. The proposal is to generate in kind mitigation credits to replace advanced mitigation credits that have been sold in the Upper Ohio Wheeling Watershed (HUC 05030106). These credits will be used as compensation for activities authorized by the United States Army Corps of Engineers and the Ohio Environmental Protection Agency. Specifically, the Raven Rocks ILF Mitigation Site proposes restoration, rehabilitation, reestablishment, rehabilitation, and preservation on streams and wetlands. See the table below for proposed amounts of each work type. This mitigation plan is a modification to the ILF Program Final Instrument dated October 2014. A location map and drawings are attached to this notice.

	Reestablishment	Rehabilitation	Restoration	Preservation
Stream			1,201'	808'
Wetland	2.2 acre	2.4 acre		
Riparian Buffer	2,261'	1,315'		

5. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project may affect but will not likely 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. While concurrence with this determination is not required, 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).

6. 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).

7. 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.

8. 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.

9. 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 Matthew Gilbert at the above address, by telephoning (412) 395-7189, or by e-mail at matthew.c.gilbert@usace.army.mil. Please refer to CELRP-RG 2012-572 in all responses.

FOR THE DISTRICT ENGINEER:

/signed/

Jon T. Coleman
Acting Chief, Regulatory Division

PROPOSED MITIGATION WORK PLAN AND CREDIT ESTIMATES

*Note – the distances, acreages, and credits are for planning purposes only. They are expected to change based on IRT comments and the final site evaluations.

MITIGATION WORK PLAN

This project proposes to complete a work plan that incorporates stream and riparian buffer restoration and rehabilitation, along with wetland re-establishment and rehabilitation (Table 3). Figure 4 on page 5 illustrates the proposed mitigation work plan.

DETERMINATION OF CREDITS

Table 3 provides the work plan and credit estimates for each of the resource types. Figure 4 on page 5 illustrates the proposed mitigation work plan.

Table 3: Credit Estimates for the Mitigation Work Plan

Wetland Type	Method of Compensation	Acres /LF	Estimated Credit Ratio	Estimated Wetland Credits	Estimated Stream Credits
Emergent Wetland (PEM)	Re-establish	2.55	1:1	2.55	--
Emergent Wetland (PEM) Wetlands A and B	Rehabilitate	1.21	1:2	0.61	--
Scrub-Shrub Wetland (PSS) Wetland A	Rehabilitate	0.25	1:2	0.12	--
Wetland Buffer	Re-establish	0.99	1:4	0.25	--
Wetland Buffer	Rehabilitate	6.3	1:4	1.58	--
Ephemeral Stream Stream 1.1	Type 2, Level 2	511	1:6	--	85
Ephemeral Streams Stream 1 and 3.1	Type 3, Rehabilitation	1153	1:4	--	288
Intermittent Streams Stream 2 and 3	Type 3, Buffer Re-establishment	375	1:2	--	188
Intermittent Streams Stream 2 and 3	Type 3, Rehabilitation	1121	1:4	--	280
Intermittent Stream Piney Fork Creek	Type 1, Level 4	537	1:1	--	537
Intermittent Stream Stream 3 and Piney Fork Creek	Type 1, Level 2	1877	1.75:1	--	3285
Perennial Piney Creek	Type 1, Level 4	2107	1:1	--	2107
Streams Extra Buffer (23%)	Re-establishment	1866	1:4	--	467
Streams Extra Buffer (65%)	Rehabilitation	5286	1:8	--	661
Stream Extra Buffer (12%)	Preservation	960	1:16	--	60
TOTAL:				5.11	7,958

Raven Rocks and Reed Properties Proposed Aquatic Restoration

