



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 2019-668

Date: June 13, 2019

Notice No. 19-43

Closing Date: July 13, 2019

1. TO ALL WHOM IT MAY CONCERN:

Land Reclamation Group, LLC (LRG) has submitted a prospectus to the Pittsburgh District Corps of Engineers to develop and operate the Furnace Run Mitigation Bank. This does not constitute an application for regulated work in Waters of the United States. The 2008 Mitigation Rule defines mitigation banks as a site, or suite of sites, where resources (e.g. wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing compensatory mitigation for impacts authorized by DA permits pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. In general, units of restored, established, enhanced, or preserved wetlands or streams are expressed as “credits” which may subsequently be withdrawn to offset “debits” incurred at a project development site(s). The Corps, in conjunction with input from the Interagency Review Team (IRT), is responsible for authorizing the use of a particular mitigation bank on a project specific basis and determining the number and availability of credits required to compensate for proposed impacts. The purpose of this Public Notice is to inform you of the proposed mitigation bank and to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

2. INTERAGENCY REVIEW TEAM: As indicated in the Corps regulations (33 CFR 332.8(b)), the district engineer will establish an IRT to review documentation for the establishment and management of mitigation banks and in-lieu fee (ILF) programs. The primary role of the IRT is to facilitate the establishment of mitigation banks and/or ILF programs through the development of mitigation banking or ILF program instruments. The IRT reviews draft prospectuses, prospectuses, instruments, and other documents and provides comments to the Corps.

3. SPONSOR: Land Reclamation Group, LLC
632 Hunt Valley Circle
New Kensington, PA 15068

4. LOCATION: The site on Municipal Authority of Westmoreland County (MAWC) property at the end of Ligonier Reservoir Road, Ligonier Township, Westmoreland County, Pennsylvania and was formerly operated as a water supply reservoir. Wetlands, Furnace Run, and unnamed tributaries flow through the site. The project is in the Upper Loyalhanna Creek HUC 12 (050100080104) and the Kiskimintas HUC 8 (05010008). Waters on the site drain to Laughlinton Run, to Loyalhanna Creek, to the Conemaugh River; which is a Traditionally

Navigable Waterway. The Project's approximate center coordinates are:

40.208943 -79.179579

5. **PURPOSE AND DESCRIPTION OF WORK:** The proposed Furnace Run Mitigation Bank aims to reestablish wetlands and streams at an inactive water supply reservoir on MAWC property. Furnace Run was historically manipulated and channelized. The channel was originally impounded in-line. Due to sediment accumulation, the stream was then moved off-line after the impoundments had been established for several years. Currently Furnace Run flows through a concrete trapezoid channel with an 8-10 foot drop at the end of the channel which impedes passage of aquatic species. Due to the failing integrity of the dam, as well as an order from the Pennsylvania Department of Environmental Protection, MAWC is tasked to remove it. The dam is in the original location of Furnace Run. When the dam is breached, continual low flow through the former facility could carry sediment downstream impacting Furnace Run and Laughlintown Run. In addition, MAWC is not required to restore the natural channel. Reestablishment of the stream channel objectives include eliminating both the existing impacts of the low flow channel through the breached dams, and the continual degradation of the unlined channel where Furnace Run flows. Upon draw down of the facility, the sponsor will design a stream channel using an upstream reach and a downstream reach as the reference sites. Valley wide structures will be installed to minimize and control any head cutting of the channel. Additionally, the stream will be able to move laterally. Wetlands will be reestablished from drained terrestrial areas. These reestablished wetlands, both in and out of the riparian corridor, are anticipated to develop as Palustrine Scrub Shrub and Palustrine Emergent wetlands. Hydrology for the wetlands is proposed from saturation of the soils provided by the reestablishment of the stream. The sponsor plans to connect the stream hydrology and the water table, providing a wetland buffer along the channel where the topography provides the opportunity. See the below tables for existing and proposed resource amounts and proposed work types:

| | Perennial | Palustrine Emergent | Palustrine Scrub/Shrub |
|-----------------|-----------|---------------------|------------------------|
| Reestablishment | 14,400' | 0.8 acres | 2.3 acres |
| Rehabilitation | | 0.7 acre | |

6. **ENCROACHMENT PERMIT:** For any potential work in Waters of the United States, the applicant must obtain a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the:

PA Department of Environmental Protection
 Bureau of Waterways Engineering and Wetlands
 PO Box 8460
 Harrisburg, PA 17105-8460

Telephone: 717-787-3411

7. 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.

8. 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 will be affected by the undertaking. The project, as proposed, will have no adverse effect on Historic or Cultural properties. 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).

9. PUBLIC INVOLVEMENT: Issuance of a public notice regarding proposed mitigation banks is required pursuant to the “Compensatory Mitigation for Losses of Aquatic Resources; Final Rule,” (Rule) as published in the April 10, 2008, Federal Register, Vol. 73, No. 70, Pages 19594-19705 (33 CFR Parts 332). The United States (U.S.) Army Corps of Engineers’ (Corps) 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 this proposed mitigation bank.

10. 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. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny approval 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.

11. RESPONSES: 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 approve or deny the request. All responses to this notice should be directed to the Regulatory Division, attn Matthew Gilbert at the below address, by telephoning (412) 395-7189, or by e-mail at matthew.c.gilbert@usace.army.mil.

Please refer to CELRP-OP-F 2019-668 in all responses.

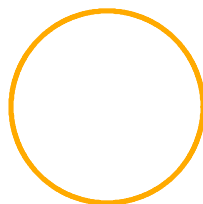
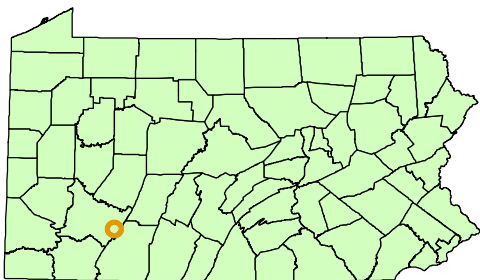
U.S. Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186
Re: Public Notice CELRP-OP-F No. 16-51

FOR THE DISTRICT ENGINEER:

/SIGNED/

Jon T. Coleman
Chief, South Branch, Regulatory Branch

Figure 1
Project Location
 Ligonier Reservoir
 Ligonier Township, Westmoreland County, Pennsylvania









Project Location



0 750 1,500 3,000
 Feet

Scale: 1:24,000
 Map Source: USGS
 Ligonier Quadrangle
 Created by:
 Hunt Valley Environmental, LLC



| | | |
|---|----------------------|-------------|
|  | Restored Furnace Run | (1200LF) |
|  | Property Line | |
|  | Furnace Run | (1700LF) |
|  | Intermittent Streams | (860LF) |
|  | Wetlands | (0.7 acres) |
|  | Proposed Wetlands | (3.8 acres) |

 Land Reclamation Group, LLC
632 Hunt Valley Circle
New Kensington, PA 15068

Furnace Run - Restoration

Ligonier Township, Westmoreland County

