



# 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. 2019-1081

Date: May 11, 2021

Notice No. 21-22

Closing Date: June 10, 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 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.
2. APPLICANT: Pennsylvania Department of Transportation, District 12-0  
825 North Gallatin Avenue  
P.O. Box 459  
Uniontown, PA 15401
3. LOCATION: The proposed project is located along State Route (SR) 0070 Section E10 in Rostraver and South Huntingdon Townships, Westmoreland County, Pennsylvania.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to discharge clean fill into waters of the United States in conjunction with the reconfiguration of the SR 0070 interchange with SR 0051 in Rostraver and South Huntingdon Townships, Westmoreland County, Pennsylvania. The scope-of-work includes the reconstruction of 2.1 miles of SR 0070 beginning approximately 1 mile west of SR 0051 and ending at the eastern end of the Smithton High-Level Bridge over the Youghiogheny River. The project includes the reconfiguration of the SR 0070 interchange with SR 0051 (Exit 46) and reconstruction of approximately 1.0 mile of SR 0051 beginning approximately 600 feet south of Ridge Road and ending just north of the Concord Lane intersection (this is the first signalized intersection north of the interchange). The project area also includes: Ridge Road (Township road intersecting SR 0051), Finley Road (Township road intersecting SR 0051), SR 0981 (intersecting SR 0051), Smithton High-Level Bridge (SR 0070 over Youghiogheny River) preservation, Wheeling & Lake Erie Railroad Bridge over SR 0051 replacement, SR 0051 Bridge over SR 0070 replacement and numerous smaller structures including the Cedarbrook Golf Course Tunnel (SR 0070 east of SR 0051). The applicants preferred alternative results in approximately 4,924 linear feet (LF) of permanent and 4,573 LF of temporary stream channel impacts. The temporary disturbances will occur due to construction access to construct bridges, drainage facilities, stream relocations, culvert replacements, fill slopes, and installation of erosion and sediment pollution control measures.

The proposed project results in approximately 1,878 LF of channel loss that will

require compensatory mitigation. Additionally, approximately 4.913 acres of permanent and 0.312 acre of temporary wetland impacts are expected to occur as a result of the proposed project. A portion of the unavoidable wetland impacts (2.24 acres) have been previously accounted for at the SR 0070, Section L10/L20 mitigation project in South Huntingdon Township. The remainder of the unavoidable wetland impacts (2.673 ac.) will be mitigated at State Game Lands 297 in North Bethlehem Township, Washington County. On-site stream mitigation totaling 1,079 LF will occur throughout the project as indicated in the form of: relocations, approach channel realignments, and stream daylighting (i.e. channel grading, bank grading and seeding & mulching). Off-site stream mitigation totaling approximately 2,700 LF (900 LF along Cedar Creek and 1,800 LF along Little Daniels Run,) is being proposed to mitigate for the channel loss associated with the project.

A drawing showing the limits of the project is attached to this notice. Additional drawings of the proposed project and mitigation can be found at <https://www.lrp.usace.army.mil/Missions/Regulatory/Public-Notices/> by clicking on PN 21-22. If you don't have access to the above URL you may request a hard copy be sent to you directly by calling the number at the bottom of this notice.

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 will have no effect on 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).

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.

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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

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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. Allen R. Edris at the above address, by telephoning (412) 395-7158, or by e-mail at [allen.r.edris@usace.army.mil](mailto:allen.r.edris@usace.army.mil). Please refer to CELRP-RGS 2019-1081 in all responses.

FOR THE DISTRICT ENGINEER:

Jon T. Coleman  
Chief, South Branch  
Regulatory Division