



Public Notice

U.S. Army Corps
of Engineers
Baltimore District

In Reply to Application Number:
NAB-2006-10784-P08 (The Clearfield Foundation/
Clearfield Firemen's Industrial Park)

PN-07-77

Comment Period: December 3, 2007 to December 17, 2007

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

APPLICANT: The Clearfield Foundation
125 East Market Street
Clearfield, Pennsylvania 16830

LOCATION: In wetlands adjacent to and in an unnamed tributary to the West Branch Susquehanna River in Lawrence Township, Clearfield County, Pennsylvania

WORK: To discharge dredged or fill material into approximately 3.4 acres of PFO/PSS/PEM wetlands (Wetland No. 9) and 1,200 linear feet of ephemeral/intermittent stream channel, averaging 2-3 feet wide. The channel originates in a previously mined area and the flows are highly acidic due to acid mine drainage (AMD). Portions of the adjacent wetlands are also acidic due primarily from offsite runoff.

The purpose of the project is twofold. The proposed filling of the wetlands and stream channel are part of an overall project plan to develop approximately 178 acres, consisting mostly of strip and deep mined property, "to provide 'pad-ready' industrial and commercial sites." Regarding the second purpose, the applicant is proposing to enclose the existing stream channel with a perforated 12-inch diameter ADS corrugated polyethylene pipe "to allow gravity collection of any shallow AMD seepage now entering the channel as base flow." During grading of the South Parcels, which encompass approximately 87 acres and include Wetland No. 9, roughly 10,000 tons of alkaline material will be incorporated into the existing spoils (i.e., the proposed fill material) to neutralize the formation of AMD in the completed fill area. These actions are expected to improve water quality by increasing the pH of the stream flows leaving the site.

Mitigation is proposed at an approximate 3:1 ratio. Approximately 18 acres of wetlands will be created on two sites: (1) 13.75 acres will be constructed on State Game Lands 34 in Benetzette Township, Elk County and (2) 4.25 acres of wetlands will be restored on DCNR property near the S. B. Elliot State Park in Pine Township, Clearfield County.

On December 15, 2006, this office verified a Nationwide Permit (NWP) #21 (Surface Coal Mining Operations) for wetlands located on the northern portion of this industrial park. Approximately 1.8 acres wetlands (mostly AMD affected) were authorized to be filled; replacement at a 3:1 ratio was required by this office.

All work will be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Dr. Tom Pluto at (814) 235-0574.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 reasonable may be expected to accrue from the proposal, 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, economic, aesthetics, general environmental concerns, wetlands, cultural values, 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 production, 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 need for a public hearing and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, State College Field Office, 1631 South Atherton Street, Suite 102, State College, PA 16801, within the comment period specified above.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Pennsylvania Department of Environmental Protection through the issuance of a Section 105 permit or through direct application to the Regional Office in the area of the proposed project. The Section 401 certifying agency has a statutory limit of one year in which to make its decision.

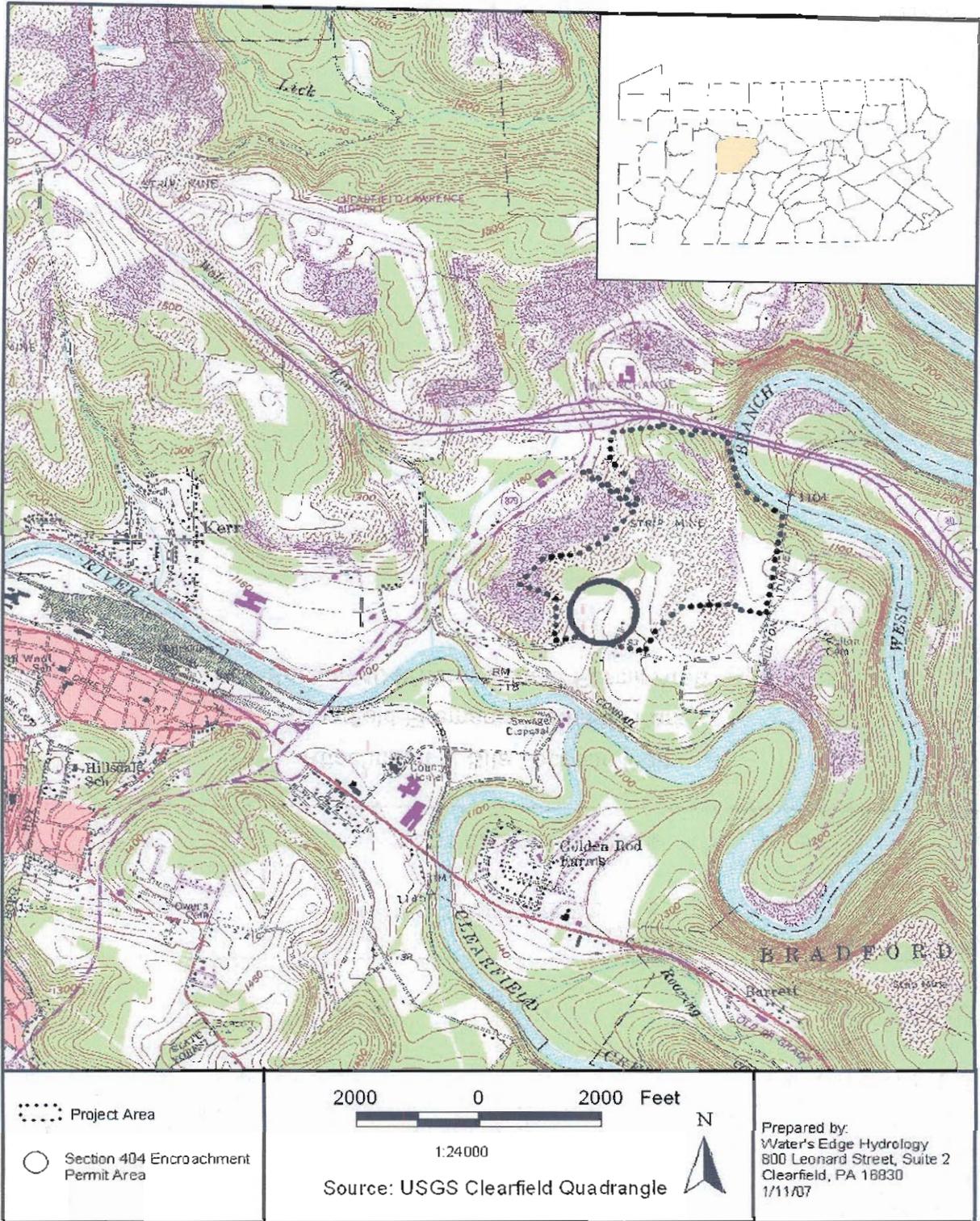
The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archaeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

The evaluation of the impact of this project on the public interest will include applications of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, State College Field Office, 1631 South Atherton Street, Suite 102, State College, PA 16801, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons know by you to be interested and not being known to this office, who did not receive a copy of this notice.



Attachment 1: Site Location Map
Clearfield Fireman's Industrial Park
Section 404 Encroachment Permit Area

2006-10784-P08

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Sheet 1 of 2

w10-01
w10-02
w10-03
w10-04
WETLAND AREA 10
AREA = 834 SF

w11-02
w11-03
w11-04
w11-05
WETLAND AREA 11
AREA = 850 SF

WETLAND AREA 9
AREA = 148,192 SF

WETLAND AREA 12
AREA = 4530 SF

EXISTING PERENNIAL STREAM

w9-57 UPLAND INCLUSION

N/
CLEARFIELD
FIRE DEPT.

1" = 150'

