

# 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. 2010-446

Date: **January 5, 2011**

Notice No. 10-66 **\*\*AMENDED**

Closing Date: **January 20, 2011**

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. **PLEASE NOTE: This Public Notice is amended to change the dates, opening on January 5, 2011 and closing on January 20, 2011.**

2. APPLICANT: Sidwell Materials, Inc.  
P.O. Box 192  
White Cottage, OH 43791

3. LOCATION: The site is located approximately one mile northeast of Uniontown, in Wheeling Township, Belmont County, Ohio. The coordinates at the entrance of the site are 40° 8.8068' N, 80° 59.0870' W.

4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to quarry limestone from the project area by means of contour mining using the box cut method. The proposed limestone quarrying would impact 170 linear feet of perennial (100 linear feet with an HHEI of 46) and intermittent (70 linear feet with an HHEI of 21) tributaries to Crabapple Creek and 85 linear feet of ephemeral channel (HHEI of 19), as a result of limestone extraction, overburden removal, drainage controls, construction of a temporary haul road with stream crossing, removal and stockpiling of re-soiling material, grading, backfilling, re-soiling, and re-vegetation. In addition, 0.63 acres of wetland (scoring as category 2 or less on ORAM) are proposed to be impacted (0.10 acres of wetland have already been impacted, as well as 185 linear feet of stream).

Mitigation for proposed wetland and stream impacts will occur on-site. At the time of final reclamation, 200 linear feet of intermittent stream channel will be reconstructed and the 100 foot long stream crossing will be removed and re-graded to blend into up- and down-stream contours, stabilized with rip-rap and vegetation. A 0.33 acre pond will also be constructed to serve as a supplemental headwater source for an on-site stream. Wetland mitigation will be constructed at two locations on-site, for a total of 0.96 acres. A half-acre will be constructed at the time of permit issuance, and 0.46 acres will be constructed at the time of reclamation. In addition, an environmental covenant will be placed on mitigation areas to provide long term protection. Drawings of the proposed project are attached. They can also be found at the following website by clicking on Public Notice 10-. [http://www.lrp.usace.army.mil/or.or-f/public\\_notice.htm](http://www.lrp.usace.army.mil/or.or-f/public_notice.htm)

5. WATER QUALITY CERTIFICATION: A Permit will not be granted until Water Quality Certification is received or waived from:

Ohio Environmental Protection Agency (Ohio EPA)  
Section 401 Coordinator  
PO Box 1049  
Columbus, Ohio 43266-0149  
Telephone Number: (614) 644-2001

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the 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).

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, pre-historical, 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

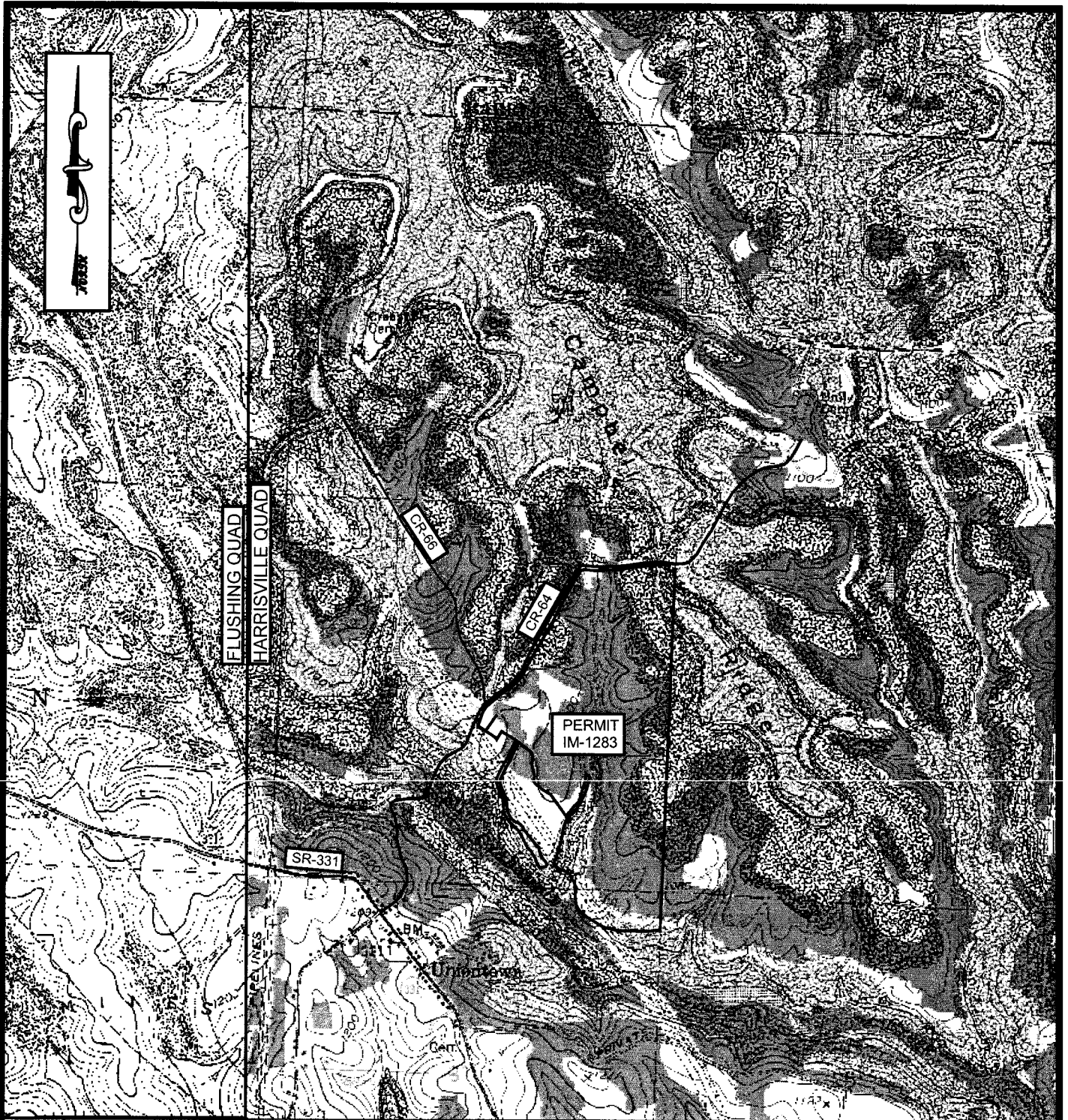
other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess 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 Branch, attn Nicole Marisavljevic at the above address, by telephoning (412) 395-7592, or by e-mail at nicole.marisavljevic@usace.army.mil. Please refer to CELRP-OP-F 2010-446 in all responses.

FOR THE DISTRICT ENGINEER:

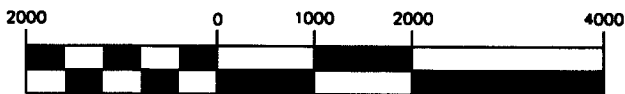
**//SIGNED//**

Scott A. Hans  
Chief, Regulatory Branch



81°00' 2 470 000 FEET (NORTH) 501 502 503

**FIG. 1**  
**LOCATION MAP**  
**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 2000ft.

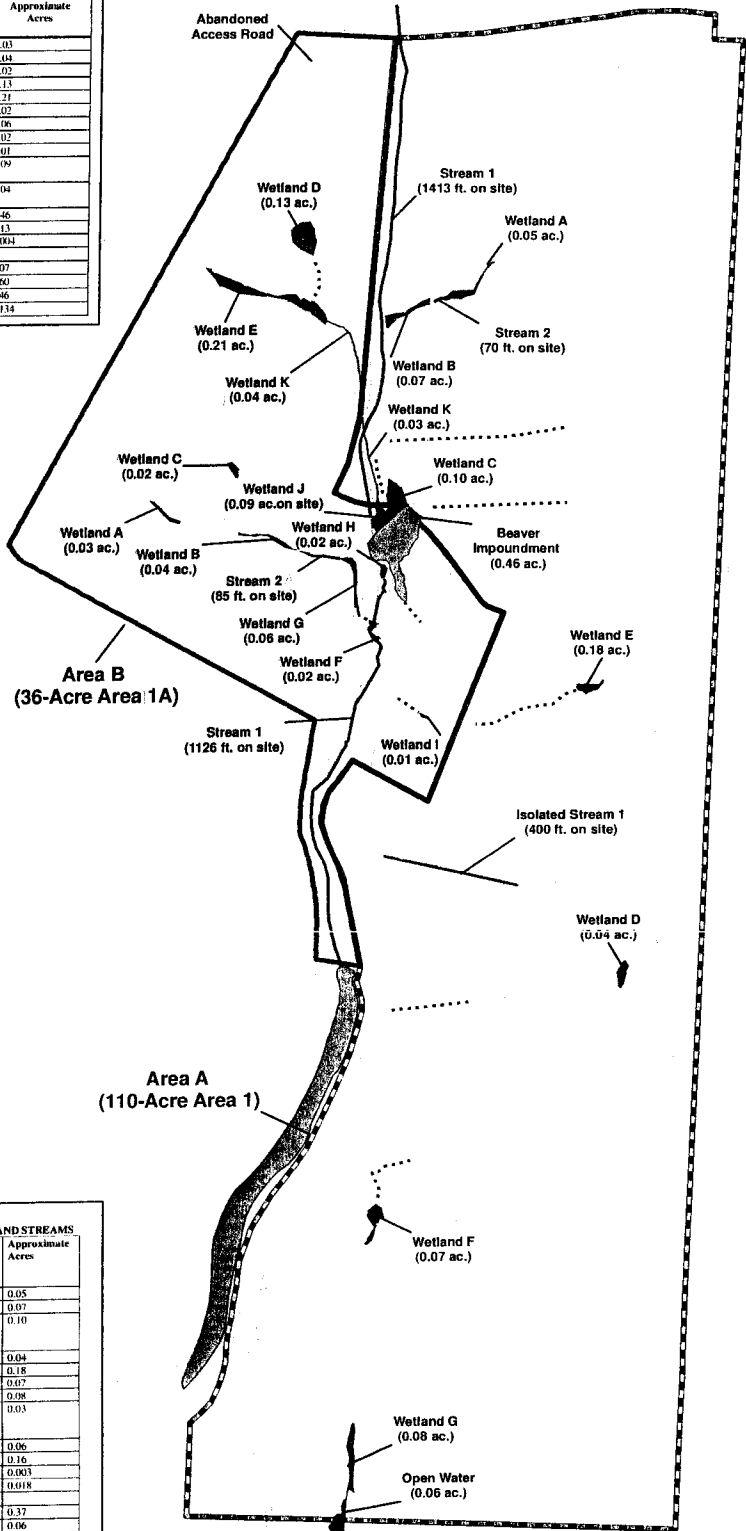
*SIDWELL MATERIALS, INC.*  
 PERMIT IM-1283 (UNIONTOWN)  
 SECTION 31 & 32  
 WHEELING TOWNSHIP  
 BELMONT COUNTY



**Linn Engineering, Inc.** 740-452-7434  
*Civil Engineering Consultants*  
 P.O. Box 2086 Zanesville, Ohio 43702-2086

**AREA B (36-Acre Area 1A)**  
SUMMARY OF ON-SITE ISOLATED/JURISDICTIONAL WETLANDS AND STREAMS

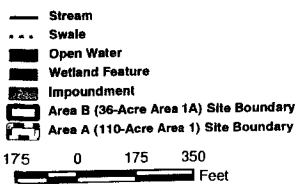
ID	Wetland Habitat Type or Stream Type	Isolated or Jurisdictional	Stream Length (linear feet)/width	Approximate Acres
Wetland A	Emergent	Isolated	N/A	0.03
Wetland B	Emergent	Jurisdictional	N/A	0.04
Wetland C	Emergent	Isolated	N/A	0.02
Wetland D	Emergent	Jurisdictional	N/A	0.13
Wetland E	Emergent	Jurisdictional	N/A	0.21
Wetland F	Emergent	Jurisdictional	N/A	0.02
Wetland G	Emergent	Jurisdictional	N/A	0.06
Wetland H	Forested	Isolated	N/A	0.02
Wetland I	Emergent	Jurisdictional	N/A	0.01
Wetland J (Wetland C on Area A)	Emergent	Jurisdictional	N/A	0.09
*Wetland K (Linear Wetland Swale)	Emergent	Jurisdictional	N/A	0.04
Beaver Impoundment	Open Water	Jurisdictional	N/A	0.46
Stream 1	Perennial	Jurisdictional	1126/5	0.13
Stream 2	Ephebneral	Jurisdictional	85/2	0.004
Approximate Total Extent of On-Site Isolated Wetlands				0.07
Approximate Total Extent of On-Site Jurisdictional Wetlands				0.60
Approximate Total Extent of On-Site Jurisdictional Open Water				0.46
Approximate Total Extent of Jurisdictional Streams				0.134



**AREA A (110-Acre Area 1)**  
SUMMARY OF ON-SITE ISOLATED/JURISDICTIONAL WETLANDS AND STREAMS

ID	Wetland Habitat Type or Stream Type	Isolated or Jurisdictional	Stream Length (linear feet)/width	Approximate Acres
Wetland A	Emergent	Jurisdictional	N/A	0.05
Wetland B	Emergent	Jurisdictional	N/A	0.07
Wetland C (Wetland J on Area B)	Emergent	Jurisdictional	N/A	0.10
Wetland D	Scrub/Shrub/Emergent	Isolated	N/A	0.04
Wetland E	Forested/Emergent	Isolated	N/A	0.18
Wetland F	Scrub/Shrub/Emergent	Isolated	N/A	0.07
Wetland G	Scrub/Shrub/Emergent	Isolated	N/A	0.08
*Wetland K (Linear Wetland Swale)	Emergent (Linear Wetland Swale)	Jurisdictional	N/A	0.03
Open Water	N/A	Isolated	N/A	0.06
Stream 1	Intermittent	Jurisdictional	1413/5	0.16
Stream 2	Intermittent	Jurisdictional	70/2	0.003
*Isolated Stream 1	Intermittent	Isolated	400/2	0.018
Approximate Total Extent of On-Site Isolated Wetlands				0.37
Approximate Total Extent of On-Site Isolated Open Water				0.06
Approximate Total Extent of On-Site Jurisdictional Wetlands				0.25
Approximate Total Extent of Jurisdictional Streams				0.163
Approximate Total Extent of Isolated Stream				0.018

\* New area added by ACOE



SOURCE: AUTOCAD DRAWING TITLED MAP TO CEC 100907.DWG

**Civil & Environmental Consultants, Inc.**  
Cincinnati, OH  
(513) 985-0226 (800) 759-5814

Pittsburgh, PA    Chicago, IL    Cleveland, OH    Columbus, OH    Detroit, MI  
Export, PA    Indianapolis, IN    Nashville, TN    St. Louis, MO

**Revised Combined Jurisdictional Waters Map**  
LINN ENGINEERING, INC.

**Area A and Area B**  
Uniontown, Belmont County, Ohio

DWN. BY: MJB	SCALE: 1" = 300'	DATE: 04/09/2009	PROJECT NO: 072-252.0003
CHKD. BY: JCD			APPENDIX: A

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AQUATIC RESOURCE RECONSTRUCTION  
AND MITIGATION MAP  
LEGEND

1

2

3

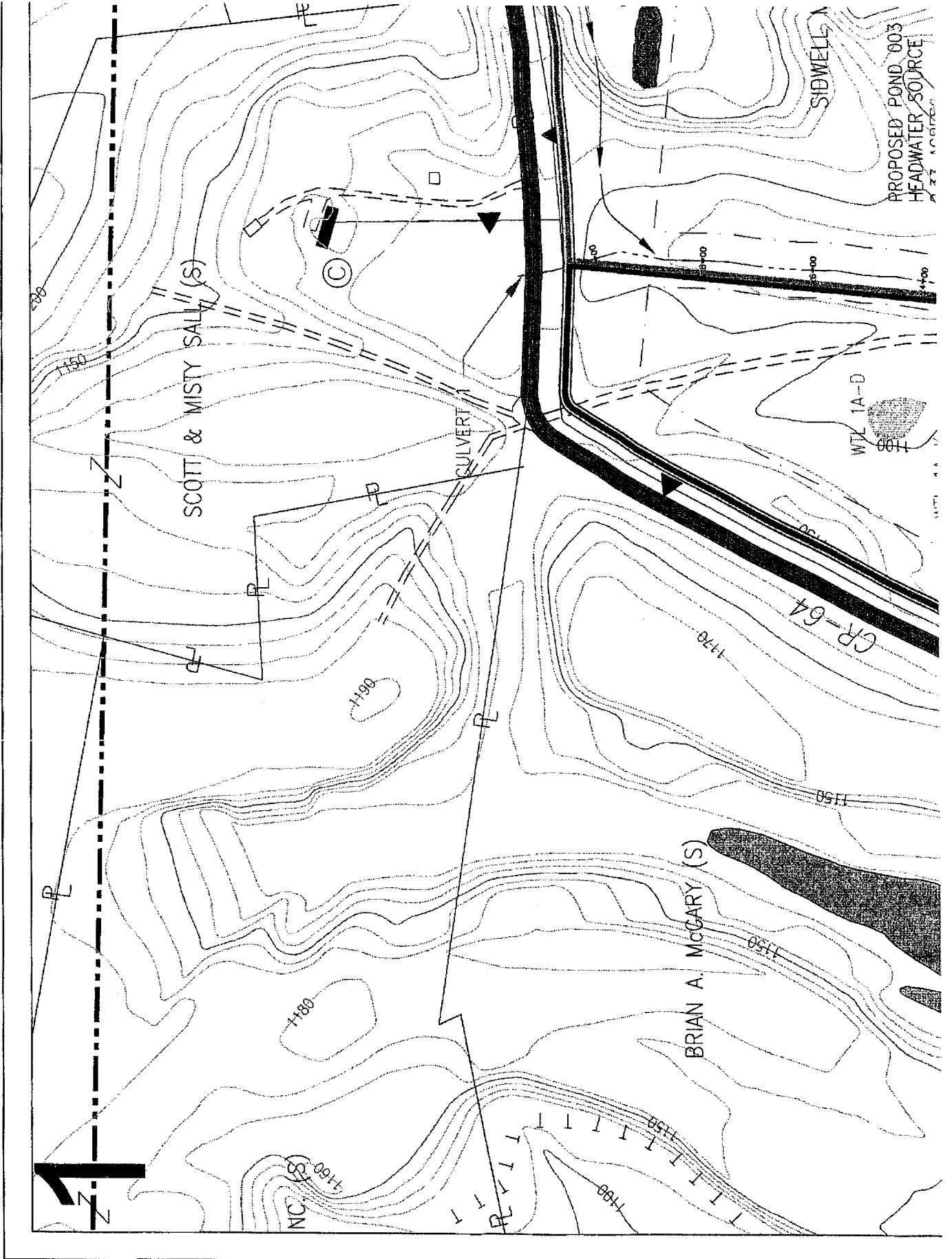
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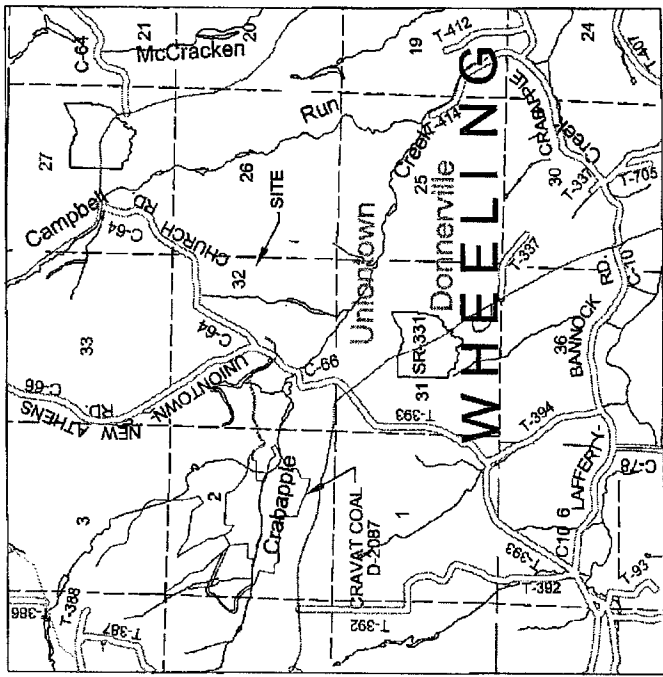
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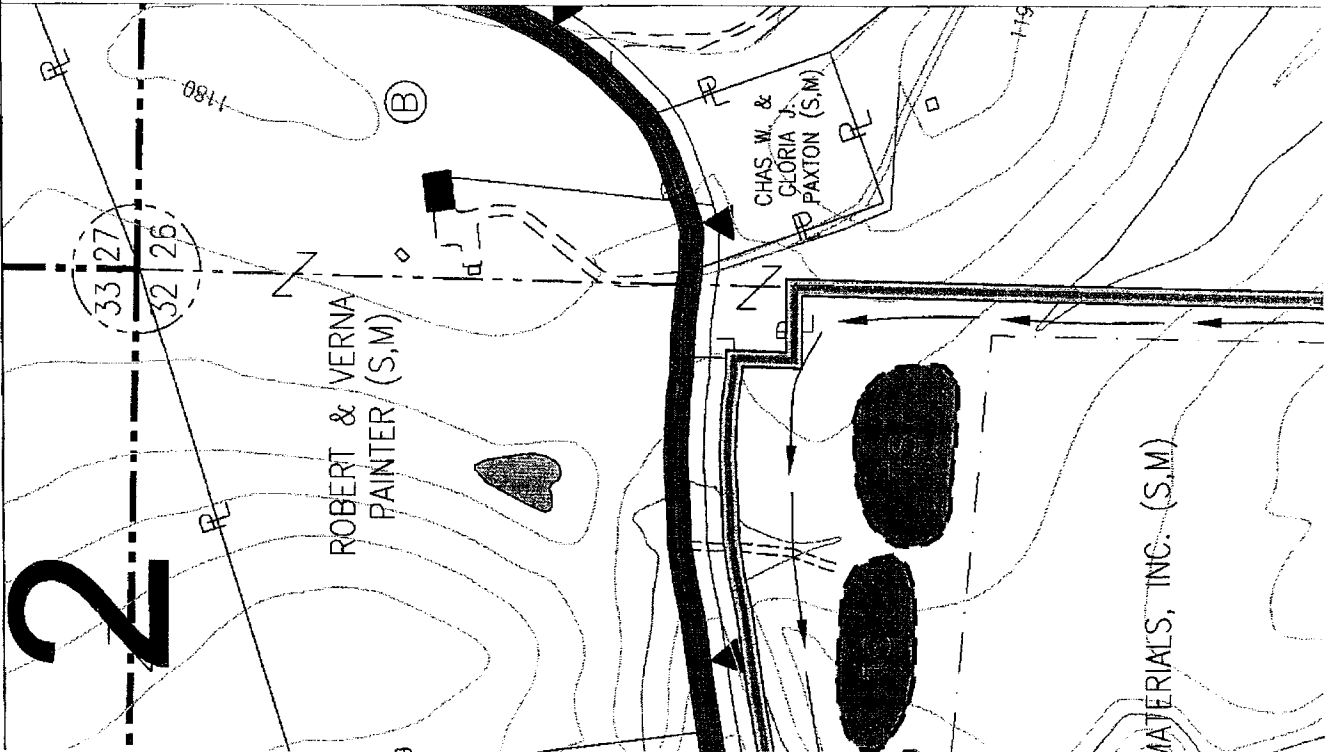




LOCATION MAP

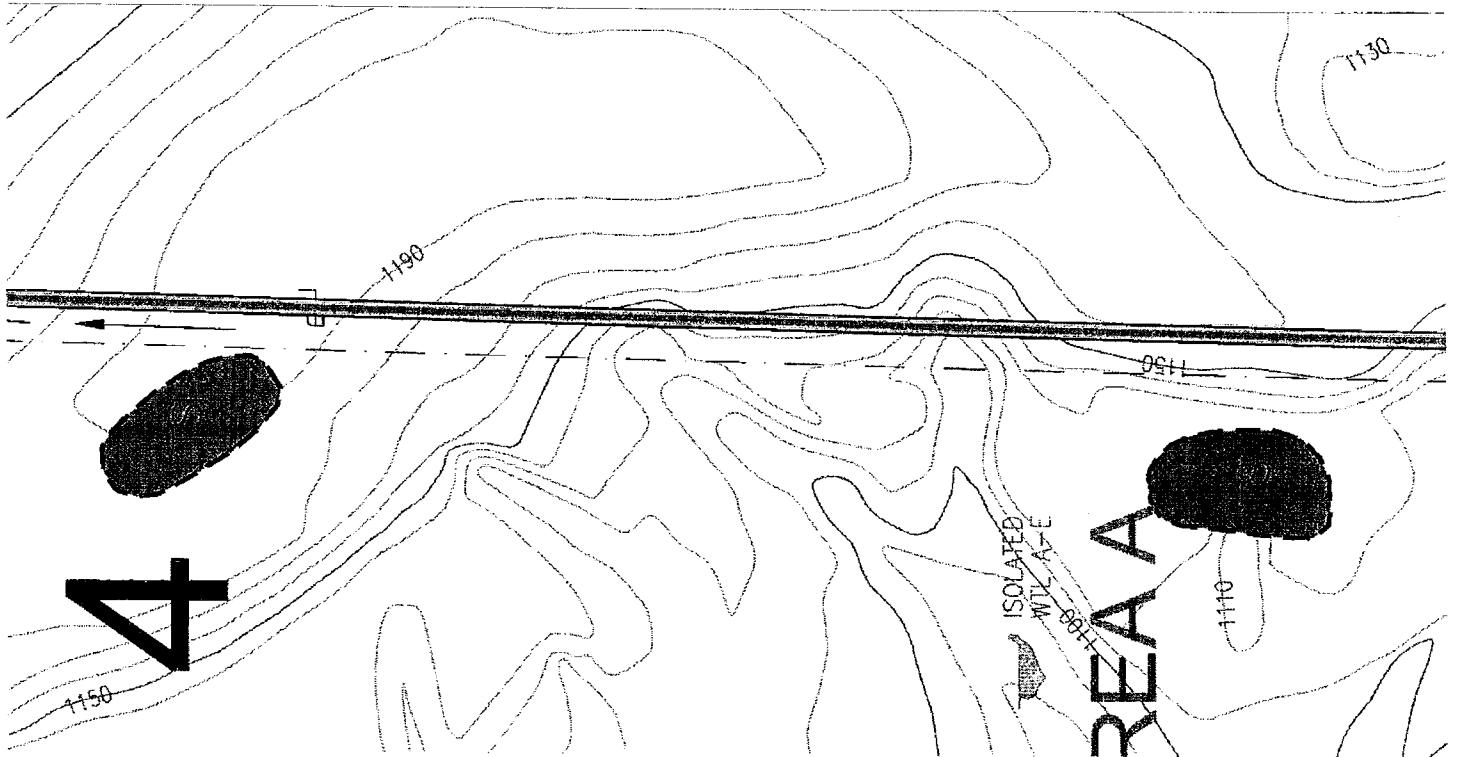
SCALE: 1" = 1 MILE

USGS QUAD HARRISVILLE  
 DRAINAGE BASIN WHEELING CREEK

















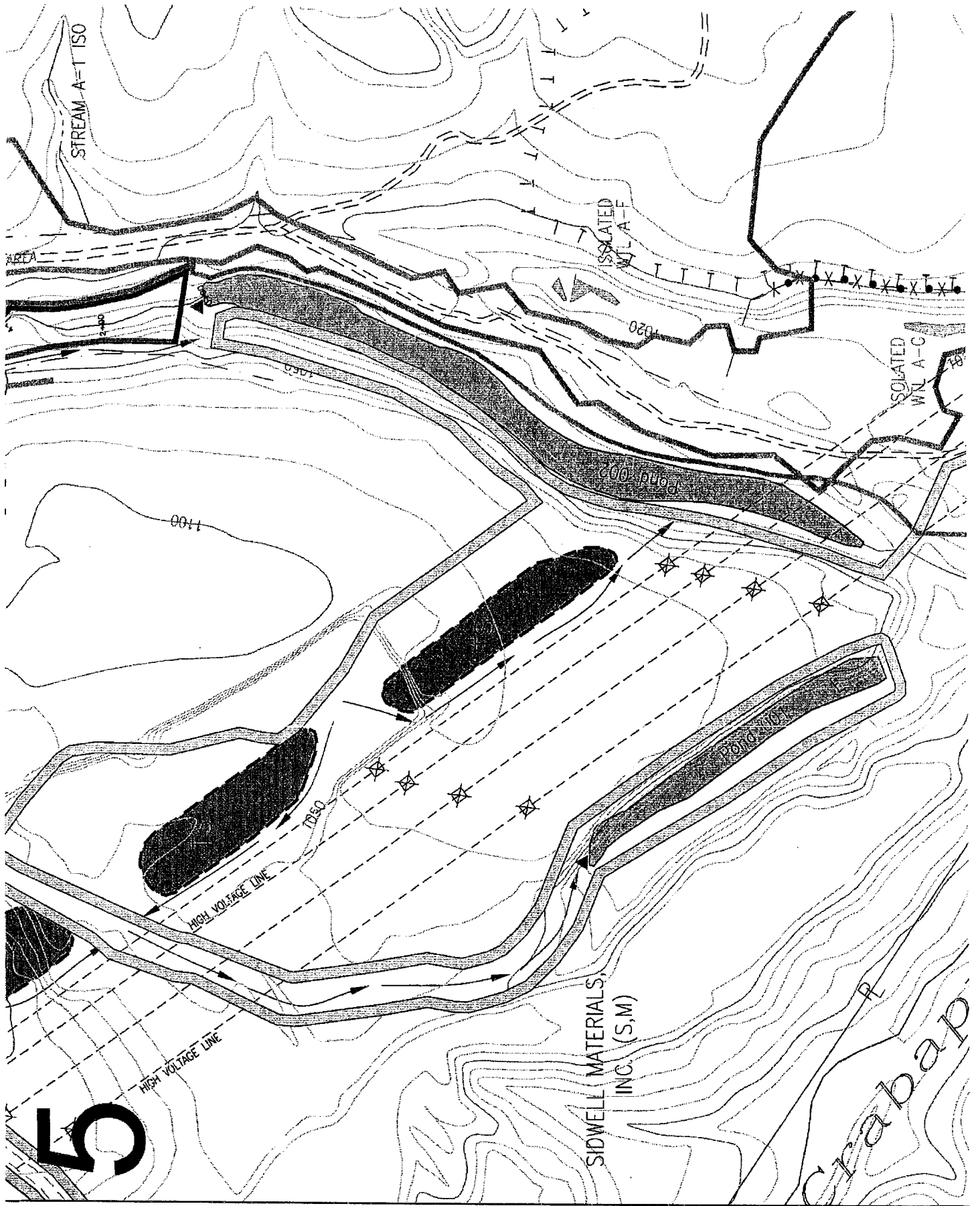


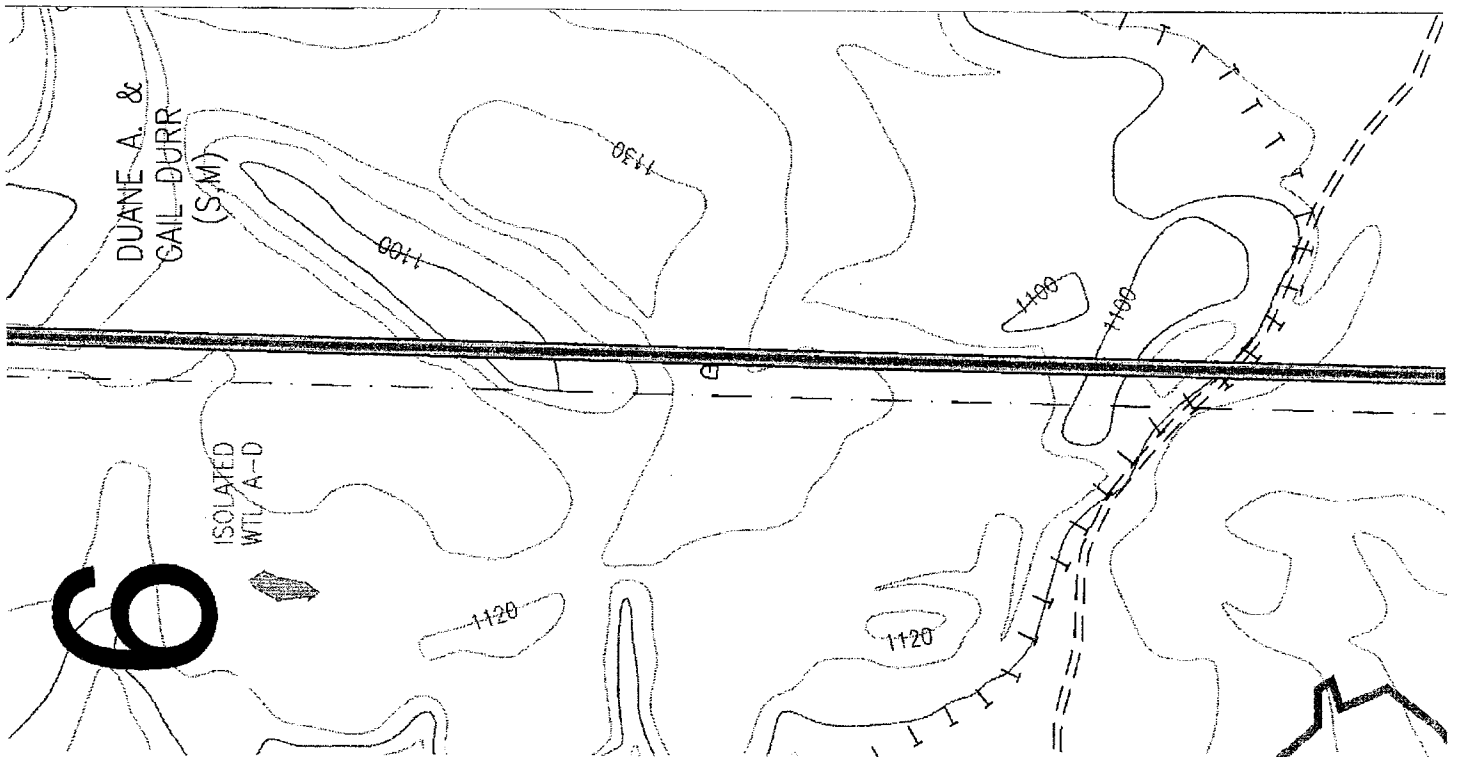




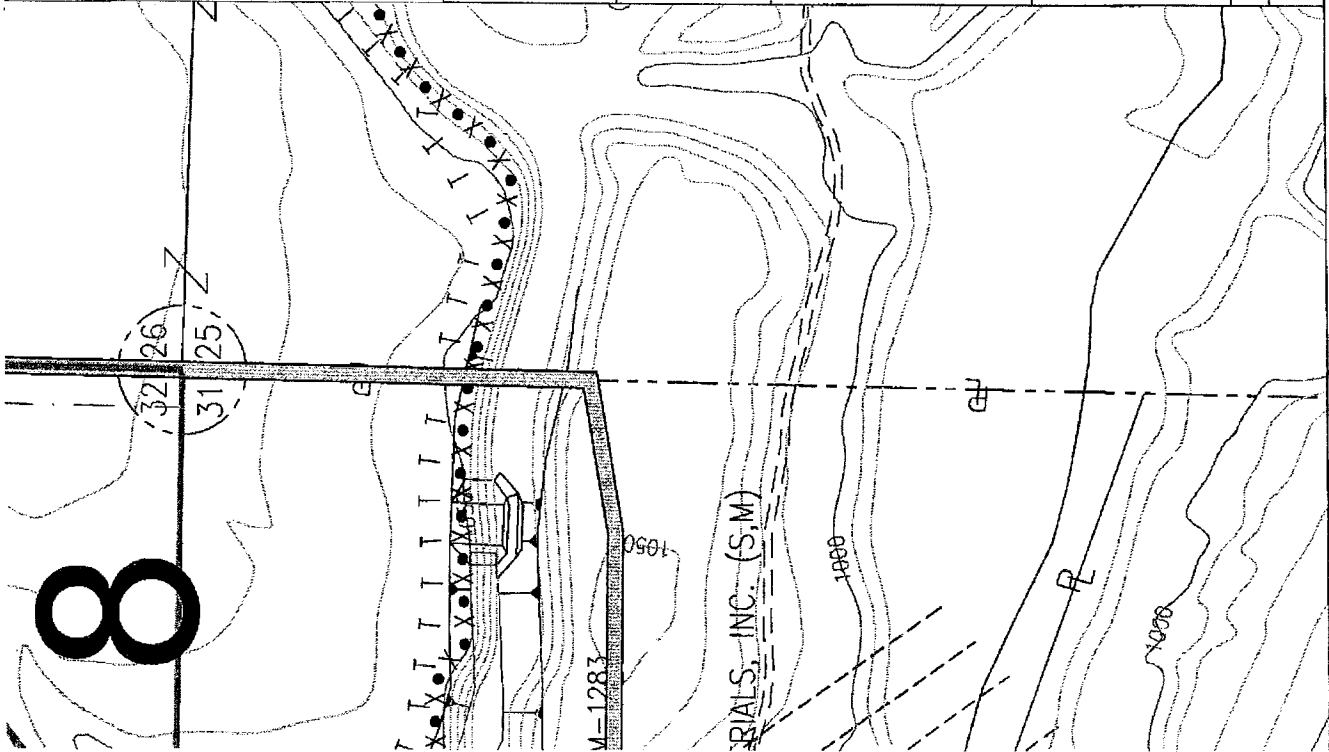
**LEGEND**

-  PERMIT AREA
-  AREA A: "WATERS" of the U.S. STUDY
-  AREA 1A: "WATERS" of the U.S. STUDY
-  AREA OF EXISTING IMPACT
-  WETLAND AREA
-  WETLAND MITIGATION AREA
-  PROPOSED POND-HEADWATER SOURCE
-  PREFERRED ALTERNATIVE MINING AREA 114 AC.
-  EXISTING IMPOUNDMENT
-  X.X.X.X EXISTING HIGHWAY
-  Y.Y.Y.Y PREVIOUSLY MINED AREA
-  PERENNIAL STREAM
-  INTERMITTENT STREAM
-  EPHEMERAL STREAM









# Linn Engineering, Inc.

534 Market Street  
Zanesville, Ohio  
P.O. Box 2086  
(740) 452-7434

SIDWELL MATERIALS, INC.  
P.O. BOX 192  
WHITE COTTAGE, OHIO 43792

## AQUATIC RESOURCE RECONSTRUCTION AND MITIGATION MAP

### MINE LOCATION

SECTION 32 T8 -N R4 -W  
TOWNSHIP WHEELING COUNTY BELMONT  
MINE UNIONTOWN STATE OF OHIO

PERMIT	APPLIC.	SCALE	CONTOUR	DATE	REVISED
M-1283		1"=200'	10'	8/10	9/10