



# 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. 2010-238

Date: May 6, 2011

Notice No. 11-17

Closing Date: June 4, 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.
2. APPLICANT: Slippery Rock Materials, Incorporated  
704 Golf Course Road  
Volant, Pennsylvania 16156  
  
AGENT: Beran Environmental Services, Incorporated  
2322 West Sunbury Road  
Boyers, Pennsylvania 16020
3. LOCATION: Plaingrove Township, Lawrence County, Pennsylvania
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to mine sand and gravel material from under and around 5.69 acres of wetlands adjacent to an unnamed tributary to Taylor Run. The long term plan is to establish a mining area large enough to allow for mining with a dredge which in turn allows for sand and gravel removal as much as 100 feet below the water surface which ultimately minimizes the mining footprint. Of the wetlands proposed for impact, 1.62 acres are palustrine emergent (PEM) wetlands, 2.43 acres are palustrine shrub scrub (PSS) wetlands, and 1.64 acres are palustrine forested (PFO) wetlands. Wetland mitigation is being proposed in the amount of 11.4 acres of establishment in uplands surrounding existing wetlands immediately to the south of the proposed mining operation. Mitigation ratios of 1:1 for PEM, 2:1 for PSS, and 3:1 for PFO have been applied to obtain the proposed mitigation ratio. An additional 0.12 acre of temporary impact to the surrounding wetlands is proposed as a result of wetland mitigation work. Drawings of the proposed project are attached to this notice.
5. ENCROACHMENT PERMIT: The applicant must obtain a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection  
Knox District Mining Office  
P.O. Box 669  
Knox, Pennsylvania 16232

Telephone: 814-797-1191

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, 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. 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 Tyler Bintrim at the above address, by telephoning (412) 395-7115, or by e-mail at [tyler.j.bintrim@usace.army.mil](mailto:tyler.j.bintrim@usace.army.mil). Please refer to CELRP-OP-F 2010-238 in all responses.

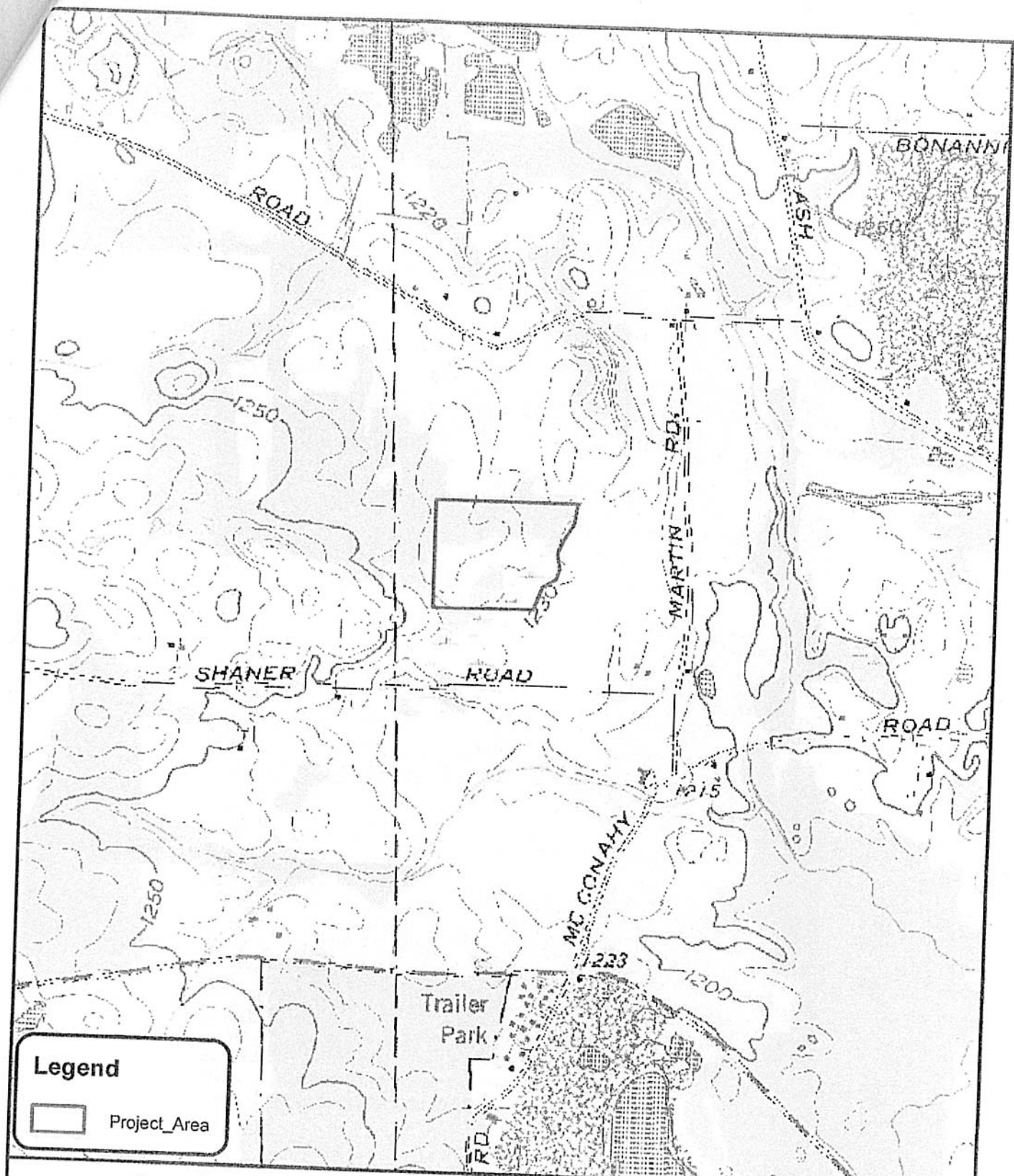
FOR THE DISTRICT ENGINEER:

//SIGNED//

By Scott Hans for

Nancy Mullen  
Chief, Northern Section  
Regulatory Branch

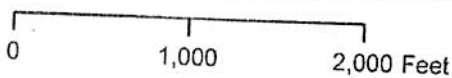




**Figure 1: Project Location Map for the Cress #3 Mine**

Municipality: Plain Grove Twp. County: Lawrence

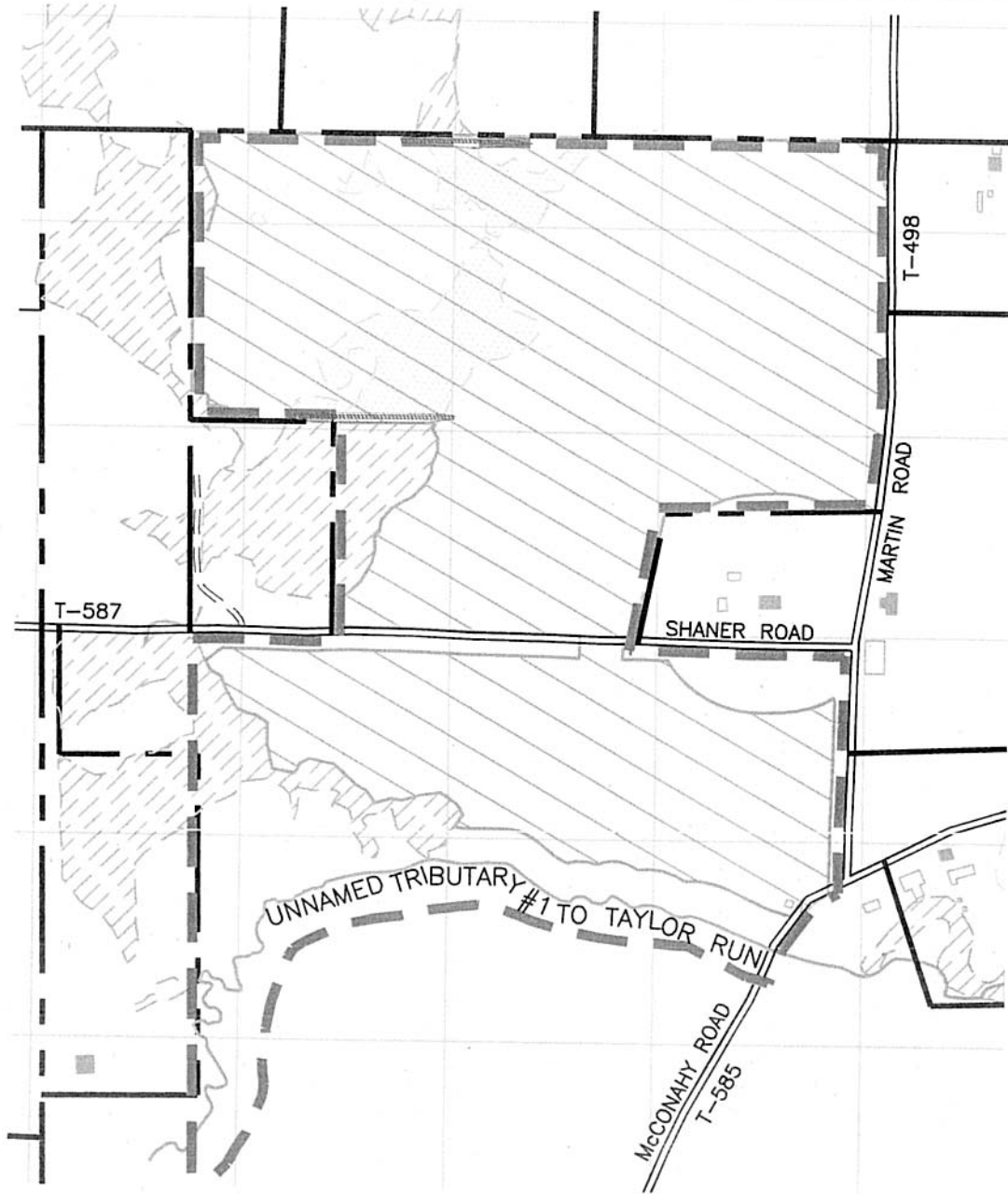
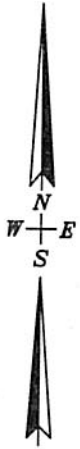
Source: Harlansburg  
USGS Quads








Prepared for:  
Slippery Rock Materials  
Volant, PA

Prepared by:

**BERAN**  
ENVIRONMENTAL SERVICES  
Boyers, PA 724-735-2766



-  PROPOSED SURFACE MINING PERMIT BOUNDARY (96.5 ACRES)
-  TOTAL AREA BONDED OR PROPOSED TO BE BONDED AND MINED AS OF APRIL, 2011 (74.5 ACRES)
-  WETLANDS PROPOSED TO BE IMPACTED (5.69 ACRES)
-  EXISTING WETLANDS IMMEDIATELY ADJACENT TO THE SMP AREA OR NOT TO BE IMPACTED
-  EARTHEN EMBANKMENT (TOP ELEVATION 1232.0)

**BERAN ENVIRONMENTAL SERVICES, INC.**

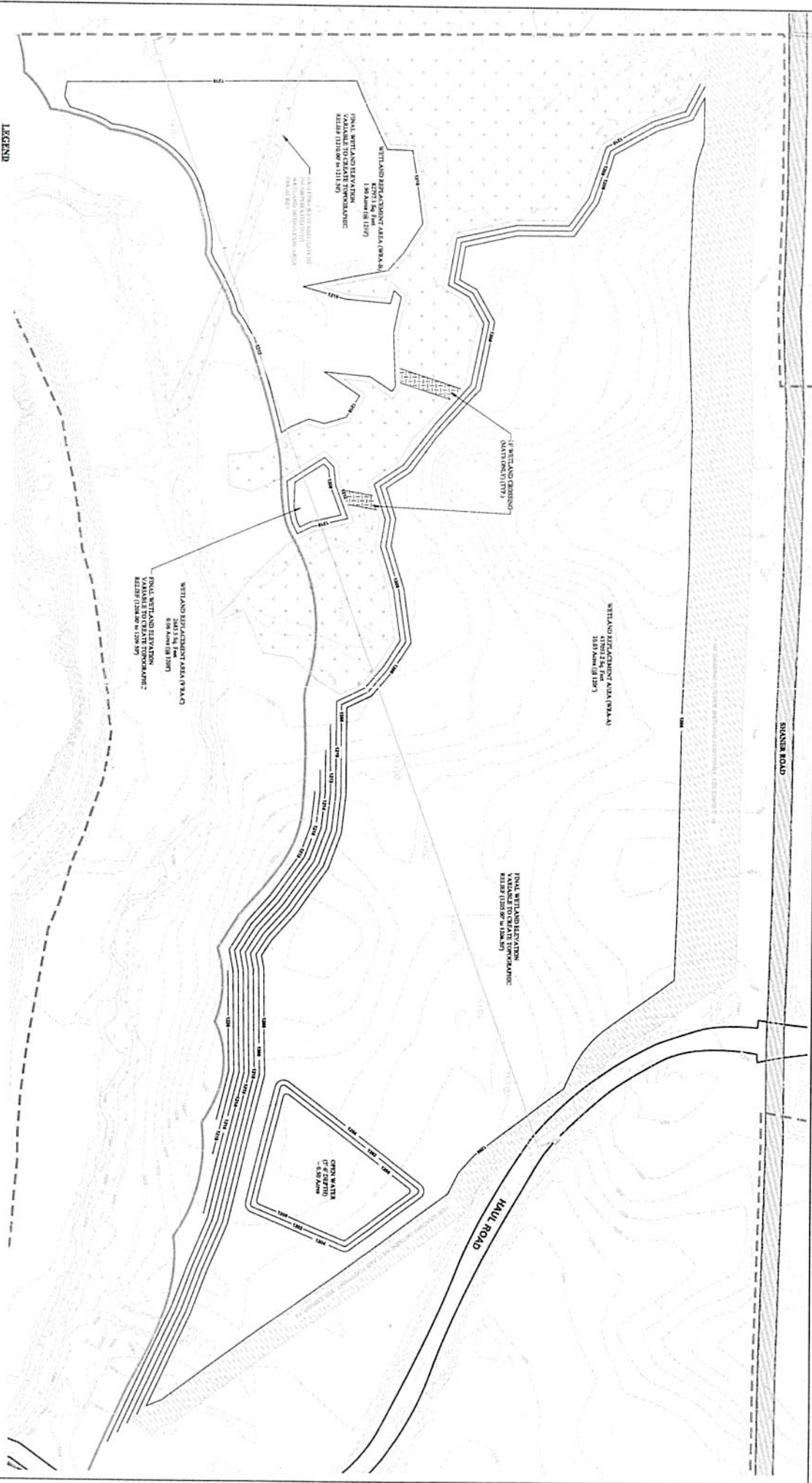
2322 WEST SUNBURY ROAD, BOYERS, PA 16020

**SLIPPERY ROCK MATERIALS, INC.  
CRESS III MINE**

SCALE 1" = 500'

DATE: 4-11-11

4/12/2011



- LEGEND**
- EXISTING CONTOURS
  - APPROX. PROPOSED CONTOURS
  - STREAM BARRIER
  - WATER COURSE
  - HAUL ROAD
  - GRADE CONSIDERATION WETLAND
  - 25' STREAM BUFFER (DEMAN WETLANDS)
  - WETLAND MAT CROSSING
  - SURFACE MINE PERMIT BOUNDARY
  - CROSS SECTION

ALL WETLAND DATA  
 PROVIDED TO THE  
 STATE OF ALABAMA  
 BY THE  
 SURVEYOR  
 JACK R. CHAMBERLIN  
 PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. 15032-AL-1178

Survey Information Provided By:

PLANNING  
 JACK R. CHAMBERLIN  
 PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. 15032-AL-1178

Scale: 1" = 40' 25' 50' 100'

REVISIONS

NO.	DATE	DESCRIPTION
1	1/25/11	ISSUED FOR PERMIT

CESS III MITIGATION PLAN  
 Plan for Township 1, Lawrence County  
 Shiloh Road, Marietta, Ga. 30067, Va.  
 Prepared by  
 Environmental Services, Inc.  
 Marietta, GA  
 February 2011

SHEET 1 of 2



