



Public Notice

**U S Army Corps
of Engineers**

Huntington District
Regulatory Division
North Branch

In reply refer to Public Notice No.
LRH-2018-00738-OHR

Issuance Date: October 19, 2018

Stream:

Closing Date: November 5, 2018

Pigeon Creek

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-RD-N Public Notice No. (*reference above*)

502 8th Street

Huntington, WV 25701-2070

Phone: (304) 399-5210

NOTICE OF COMMENT PERIOD EXTENSION: The United States Army Corps of Engineers published on September 21, 2018 for public comment United Mineral Company, LLC's proposal to discharge dredged and/or fill material into waters of the United States associated with the construction, operation and reclamation of the Seven Hills Mine. The public comment period on this proposal has been extended until November 5, 2018. All aspects of the proposal, described in the original public notice, remain unchanged and may be referenced at: <https://www.lrl.usace.army.mil/Missions/Regulatory/Public-Notices/Article/1641269/lrh-2018-00738/>.

PUBLIC INTEREST REVIEW AND COMMENT: This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Program of the Corps, and other pertinent laws, regulations, and executive orders. The Huntington District is providing technical assistance to the Great Lakes and Ohio River Division on this application review. The Division Engineer's 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 the protection and the utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including the cumulative effects thereof; among those factors are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain 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.

SOLICITATION OF COMMENTS: The Corps is soliciting comments from the public, the Federal, state, and local agencies and officials, the Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any person may request, in writing, within the comment period specified in the notice, that a public hearing be held to consider the

application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Any comments received will be considered by the Corps 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 statements received in this office on or before the expiration date of this Public Notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to the:

United States Army Corps of Engineers
ATTN: CELRH-RD-N
Public Notice No. LRH-2018-00738-OHR
502 Eighth Street
Huntington, West Virginia 25701-2070.

Please note names and addresses of those who submit comments in response to this Public Notice become part of our administrative record and, as such, may be available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning this Public Notice, please contact Teresa Spagna of the North Branch at (304) 399-5210, by mail at the above address, or by email at: teresa.d.spagna@usace.army.mil.