

**U.S. Department of the Interior
National Park Service, Northeast Region**

FINDING OF NO SIGNIFICANT IMPACT

**APPROVE SPECIAL USE AND RIGHT OF WAY PERMITS FOR THE
CONSTRUCTION AND OPERATION OF AN EXTRACTION WELL AND INJECTION
WELL AT ALLEGHENY PORTAGE RAILROAD NATIONAL HISTORIC SITE
CAMBRIA AND BLAIR COUNTIES, PENNSYLVANIA**

INTRODUCTION

The Pennsylvania Department of Environmental Protection (PADEP) is seeking a Special Use Permit and Right of Way Permit from the National Park Service (NPS) for the construction and operation of extraction and injection wells to treat Acid Mine Drainage (AMD) at Allegheny Portage Railroad National Historic Site (the Park). The NPS has to decide whether to approve the permits and prepared an environmental assessment (EA) to assist in the decision making process.

The EA evaluated a no-action alternative, two action alternatives, and analyzed the potential impacts these alternatives would have on the natural and human environment. The *Cresson AMD Treatment Plant Environmental Assessment* (2015) was prepared in accordance with the National Environmental Policy Act (NEPA) and its implementing regulations (40 CFR 1500-1508), and NPS Director's Order #12, *Conservation Planning, Environmental Impact Analysis, and Decision-Making* (DO-12, 2011) and accompanying DO-12 Handbook (2001).

BACKGROUND

PADEP proposes to place an extraction well and an injection well on NPS land to facilitate a larger project to treat AMD and return treated water to the West Branch and then to the mainstem of the Susquehanna River. The project involves construction on multiple sites: the Argyle Stone Bridge Mine Pool, which underlies NPS property and is within NPS jurisdiction, and three sites outside of NPS jurisdiction; the Cresson AMD treatment plant, the Cresson No.9 Mine Pool which underlies Cresson, and the Gallitzin Shaft Mine Pool, which underlies Gallitzin, Pennsylvania.

The Cresson AMD treatment plant will be constructed and begin treating AMD from the three different mine pools. The mine pools will be treated like reservoirs to supplement flow to the Susquehanna River during periods of low flow. The mine pools will be drawn down initially to eliminate the three discharges originating from the underground mine complexes. They will then be maintained at a certain elevation within the mines. Water will be extracted from the mines and pumped to the treatment plant location which is planned to be located on an old Bureau of Abandoned Mine Reclamation project site in Sankertown, Pennsylvania. Following treatment using hydrated lime and hydrogen peroxide, the mine water will be discharged into Trapp Run, a tributary of Clearfield Creek.

DECISION

The NPS has decided to approve Special Use and Right of Way permits to allow the construction of an extraction well and injection well on National Park Service property. The selected action was described as a component of Alternative 3 on pages 19-24 of the EA.

Under this alternative, the section of the project within NPS jurisdiction involves the construction of an extraction well and injection well on Park land to extract water from the Argyle Stone Bridge Mine Pool. The project will involve a total of 1.14 acres of Park land, and include the construction of underground wells, 70 feet of pipeline, and improvements to the access road leading to the site.

Untreated AMD will be pumped from a mine pool beneath the Park, through the extraction and injection wells and piped to a treatment facility constructed off park property. Water will be pumped from the Argyle Stone Bridge Mine Pool in the Lower Kittanning seam and discharged into an injection well into the Tunnel Coaling Mine in the Upper Freeport seam. The injection well into the Tunnel Coaling Mine will be located approximately 70 feet from the Argyle Stone Bridge extraction well. The extraction well and injection well will be located on property owned by the National Park Service. The Tunnel Coaling injection well is located up dip of the Gallitzin Shaft and Cresson Mines. Water injected into the Tunnel Coaling Mine is expected to flow by gravity through the abandoned mine workings into the Gallitzin Shaft mine pool.

It should be noted the alternative description in the EA contained dates. Due to scheduling complexities, the dates were removed and updated in Appendix C, the Errata Sheet. After the FONSI is signed and permits issued, the project will be implemented as soon as possible.

MITIGATION MEASURES

Best Management Practices (BMPs) will be implemented to minimize the degree and severity of adverse impacts. Mitigation measures listed on pages 19, 24, 49-54, 56, 57, 59, 60, and Attachment 8. Erosion and Sediment Controls for National Park Service of the EA are included in the selected action and incorporated into the FONSI by reference.

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As described in the EA, the selected action has potential for adverse impacts on Park land to water hydrology, quality and quantity, vegetation, fish and wildlife resources, soils, recreational resource values, geology and geohazards and noise; however, no potential for significant adverse impacts was identified through the analysis of impacts or the results of agency and public comment.

Minimal adverse impacts to water quality and quantity, vegetation, fish and wildlife resources, soils, and wetlands, recreational resource values, geology and geohazards and noise are expected to occur due to construction related activities. The impacts to these resources are expected to be minimal as the project site is in a previously disturbed area, BMPs will be implemented, and the area of disturbance is small.

Mine voids exist beneath the Park. When dealing with underground mining there is always a chance for subsidence to occur in the overlying areas of the mine. The mined area beneath the Park underlies historic buildings, but the mine workings are presently dry, contain no mine pools to be withdrawn, and should not be affected by this project. Studies concluded there is a low probability that subsidence will occur on National Park Service property from the associated activities of this project. Because there is the chance for subsidence, there is a small potential for uncertain or unknown risks. However, the NPS believes PADEP did sufficient work to determine that uncertain or unknown risks are low.

No new development will occur in wetlands located within the project area. Wetlands will be avoided and protected from sedimentation during construction. Water analysis of the wetlands located down slope of the project site and the underlying mine complex determined there is no hydrologic connection of the two water bodies and there is no connection between the discharge from the Argyle Stone Bridge Mine Pool and Park resources.

While there may be adverse impacts to visitor experience during construction, impacts are expected to be temporary. Given the area is unseen, unused, and inaccessible by park visitors as it is located on the edge of the existing right of way for First Energy's power line and the small footprint of the proposed underground pump station (0.34 acres) the project will have no lasting effect on the Park's long term recreational activities.

The selected alternative will result in beneficial impacts to the West Branch Susquehanna River watershed to reduce pollution from acid mine drainage and low-flow conditions. Installing the wells on Park lands will assist with the elimination of three uncontrolled AMD discharges and will help restore up to 21 miles of streams and provide clean, treated water to the West Branch Susquehanna River during low flow conditions.

Other past, present, or reasonably foreseeable actions were analyzed for their potential to contribute to cumulative impacts in association with implementation of the selected alternative. The selected alternative seeks to ameliorate adverse effects associated with proposed actions so the overall level of cumulative impact under each impact topic would either be arrested or would decline compared to existing conditions. The effects of the selected alternative would contribute a very small component of these cumulative impacts, given the short-term nature of the construction disturbances and the long-term beneficial improvements to stream water quality. Overall, the impacts of the selected alternative, combined with the cumulative beneficial and adverse impacts from other past, present, and reasonably foreseeable future actions, would not result in significant adverse cumulative impacts.

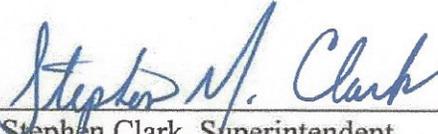
The selected alternative will not have a significant adverse effect on the human environment. There are no significant adverse impacts to public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No controversial impacts, unique risks, significant cumulative effects, or elements of precedence were identified. Implementation of the NPS selected alternative will not violate any federal, state, or local environmental protection law.

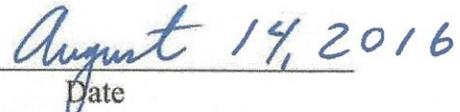
Based on the foregoing, it has been determined that an EIS is not required for this action and thus will not be prepared.

DECISION REACHED AND RATIONALE

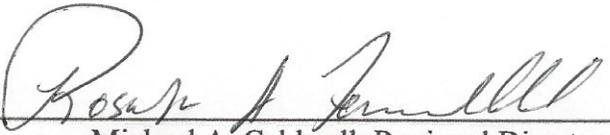
The NPS has decided to approve a Special Use permit and Right Of Way permit to allow construction of an extraction well and injection well on NPS property at Allegheny Portage Railroad National Historic Site, a component of Alternative 3: Construct the Cresson AMD Treatment Plant with an extraction well on NPS property, described on pages 19-24 of the EA and referenced in this FONSI. The support for the project indicates a willingness by the NPS to partner with other agencies to reduce the impact of mining legacy on NPS and other discharge properties. The NPS supports PADEP's project because it addresses a long standing problem that extends beyond NPS boundaries. The project will treat a contaminated mine pool and decrease AMD on NPS land and reduce impacts to NPS resources without having a large impact on NPS resources. It will also introduce fresh water into the West Branch of the Susquehanna River. The NPS supports siting the facilities on NPS land, in a location that will provide the best means to control levels in the Argyle Stone Bridge Mine Pool and allow the most efficient extraction and transfer of water from this mine pool to the treatment facility.

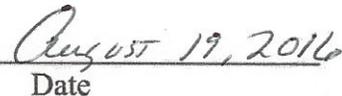
Recommended:


Stephen Clark, Superintendent
Allegheny Portage Railroad National Historic Site


Date

Approved:


for Michael A. Caldwell, Regional Director
Northeast Region, National Park Service


Date

- Appendix A Agency Consultation
- Appendix B Public Involvement
- Appendix C Errata Sheet
- Appendix D Non-Impairment Determination

APPENDIX A

Agency Consultation

Section 7 of the Endangered Species Act Consultation

NPS reviewed species data for the project area through the Pennsylvania Natural Diversity Inventory (PNDI). Search results from the Pennsylvania Game Commission, Pennsylvania Department of Conservation and Natural Resources, Pennsylvania Fish and Boat Commission and U.S. Fish and Wildlife Service indicated there are no known impacts to federally listed threatened and endangered species and/or species of special concern or resources in the project area and no further review was required. The NPS determined that the action would have “no effect” on federally listed species and no additional consultation is required.

Section 106 National Historic Preservation Act Consultation

The PA SHPO was consulted on effects to the project sites, which included the Argyle Stone Bridge site on Park land. The SHPO identified high probability that significant archeological sites are located inside the Park in the project area around Argyle Stone Bridge Pipeline Injection Well & Extraction Well, which could be adversely affected by project activities. The SHPO required PADEP to conduct a Phase I investigation to locate potentially significant archaeological resources around the injection and extraction wells. The Phase I investigation resulted in zero Phase I sites and archeological resources was dismissed in the EA. The Park also completed archeological testing on the pipeline in the immediate vicinity of the proposed construction site. The testing resulted in negative results as no evidence of significant archeological evidence was found. The SHPO noted that although Allegheny Portage Railroad National Historic Site, a National Register of Historic Places property is located near the project area, in their opinion, the proposal would have no effect on historic structures. The SHPO and NPS concurred that the proposed project has no adverse effect on historic or archeological resources.

APPENDIX B

Public Involvement

The environmental assessment was made available for public review and comment during a 30-day review period from September 22, 2015, through October 22, 2015. Availability of the EA was announced on the NPS Planning, Environment, and Public Comment (PEPC) website and through a press release, which was published on September 28, 2015. At the conclusion of the public comment period on October 22, 2015, no public comments had been received.

APPENDIX C

Errata Sheet

This errata sheet is a revision to the Cresson AMD Treatment Plant Environmental Assessment at Allegheny Portage Railroad National Historic Site due to further NPS review to correct errors.

The revisions are listed below, noted by page and paragraph with deleted text shown in strikeout and added text in italics. Topography was an impact topic initially retained for further analysis. It was later dismissed but left in certain parts of the EA. It has been removed. The selected alternative description originally had construction dates. The dates have passed and been removed from the document.

Page 11, 2nd paragraph:

~~—Topography~~

Page 15, 2nd paragraph and Page 21, 2nd paragraph:

Should the proposed project be implemented, ~~the current timeline would have the bid package out by July /August of 2015 with construction beginning in late 2015 or early 2016. the bid package would be sent out and construction will begin as soon as possible.~~

Page 19, 3rd paragraph:

The mine pools will be treated like reservoirs to supplement flow to the *West Branch and then to the mainstem of the Susquehanna River* during periods of low flow.

Page 19, 4rd paragraph:

The treatment facility will be located on property ~~currently owned by~~ *purchased from Pristine Resources, Inc. and currently owned by the Commonwealth of PA*, on Cresson Shaft Road in Cresson Township.

Page 20, 2nd paragraph:

The Pennsylvania Department of Environmental Protection, ~~Bureau of Conservation and Restoration (PADEP-BCR)~~ *Bureau of Abandoned Mine Reclamation (PADEP-BAMR)* will operate the Cresson AMD Treatment Plant and will report 30-day average and peak flows of groundwater withdrawal from three mine pools: Argyle/Stone Bridge Mine Pool, Cresson No. 9 Mine Pool and Gallitzin Shaft Mine Pool for treatment of mine water, as well as the peak into-basin diversion to the West Branch Susquehanna River, Cresson Township, Cambria County, Pennsylvania to the Susquehanna River Basin Commission.

Page 23, 4th paragraph:

A well pump will be installed into the Cresson No.9 (E) seam mine workings, at a location along Plank Road near Sankertown, on ~~property currently owned by Pristine Resources purchased from the Pristine Resources and currently owned by the Commonwealth.~~

Page 23, 5th paragraph:

To mitigate this impact, ~~PADEP-BCR plans to construct two waterlines, PADEP-BAMR intends to construct one waterline and drill replacement wells for two residents located along SR53. The waterline will extend one~~ from the Cresson Township Municipal Authority (CTMA) water distribution system to the residents and businesses along Vampire Road supplied by residential groundwater wells within the extent of the Gallitzin Shaft mine pool. ~~The other one will extend from the end of the current public waterline in Gallitzin down along State Route 53.~~

Page 40, 2nd paragraph:

~~i-1. National Park Service Topography~~

~~The project site located on National Park Service property consists of an access road and a 40 foot by 40 foot gravel lot. The relief of this section extends from approximately 2,420 feet to 2,360 feet. This area is located south of Gallitzin and east of Cresson and falls within the Allegheny Front section of Pennsylvania.~~

Page 40, 4th paragraph:

~~i) — Topography~~

APPENDIX D

Non-Impairment Determination

By enacting the NPS Organic Act of 1916 (Organic Act), Congress directed the U.S. Department of Interior and the NPS to manage units “to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations” (16 USC § 1). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that NPS must conduct its actions in a manner that will ensure no “derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress” (16 USC 1a-1).

NPS Management Policies 2006, Section 1.4.4, explains the prohibition on impairment of park resources and values:

While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the Nation Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

The NPS has discretion to allow impacts on Park resources and values when necessary and appropriate to fulfill the purposes of a Park (NPS 2006 sec. 1.4.3). However, the NPS cannot allow an adverse impact that would constitute impairment of the affected resources and values (NPS 2006 sec 1.4.3). An action constitutes an impairment when its impacts “harm the integrity of Park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values” (NPS 2006 sec 1.4.5). To determine impairment, the NPS must evaluate “the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts” (NPS 2006 sec 1.4.5).

This determination on impairment has been prepared for the selected alternative described in this finding of no significant impact. An impairment determination is made for natural and cultural resource impact topics analyzed for the selected alternative. An impairment determination is not made for visitor use and experience, socioeconomics, and park operations and facilities because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values.

Historic and Cultural Resources

The PA SHPO was consulted on effects to the project sites, which included the Argyle Stone Bridge site on Park land. The SHPO identified high probability that significant archeological

sites are located inside the Park in the project area around Argyle Stone Bridge Pipeline Injection Well & Extraction Well, which could be adversely affected by project activities. The SHPO required PADEP to conduct a Phase I investigation to locate potentially significant archeological resources around the injection and extraction wells. The Phase I investigation resulted in zero Phase I sites and archeological resources was dismissed in the EA. The Park also completed archeological testing on the pipeline in the immediate vicinity of the proposed construction site. The testing resulted in negative results as no evidence of significant archeological evidence was found. The SHPO noted that although Allegheny Portage Railroad National Historic Site, a National Register of Historic Places property is located near the project area, in their opinion the proposal would have no effect on historic structures. The SHPO and NPS concurred that the proposed project has no adverse effect on historic or archeological resources.

Mine voids exist beneath the Park. When dealing with underground mining there is always a chance for subsidence to occur in the overlying areas of the mine. The mined area beneath the Park underlies historic buildings, but the mine workings are presently dry, contain no mine pools to be withdrawn, and should not be affected by this project. Studies concluded there is a low probability that subsidence will occur on National Park Service property due to the associated activities of this project.

The selected alternative will not constitute an impairment of historic and cultural resources because archeological testing concluded there is no evidence of significant archeological resources in the project area and the mined area beneath historic structures will not be affected by this project.

Water (Hydrology, Quality, and Quantity)

The NPS selected alternative will have negligible adverse impacts to water hydrology, quality, and quantity. During construction, the selected alternative may increase erosion during the construction and development of the site. BMPs and erosion and sediment controls will be used to mitigate water turbidity and the increase in suspended solids leaving the site, reducing the impact to water hydrology and quality.

Impacts to water quality from surface run-off due to precipitation and snow melt may increase slightly during the construction and development phase of the Argyle Stone Bridge site and during the long term operation of the site. The project site on Park land is approximately 1.14 acres. Portions of the project area will eliminate or restrict water infiltration and slightly increase surface runoff. However, because the impervious surface is small compared to permeable surfaces in the Park, these impacts are negligible.

No new development will occur in wetlands located within the project area. Wetlands will be avoided and protected from sedimentation during construction. Water analysis of the wetlands located down slope of the project site and the underlying mine complex determined there is no hydrologic connection of the two water bodies and there is no connection between the discharge from the Argyle Stone Bridge Mine Pool and Park resources, so actions from the selected alternative will not result in adverse impacts.

Water resources will not be impaired because adverse impacts will be short term in nature, reduced through BMPs and erosion and sediment controls or avoided altogether.

Vegetation

The selected alternative will have negligible impacts on vegetation. Most of the impacts will occur during construction. Vegetation will be removed from a 40 by 40 foot well pad, along a pipeline installation from the extraction well to the injection well (digging a ditch approximately 4 feet deep to house the pipeline from the extraction well to the injection well), from improvements to the existing gravel access road and from the construction entrance where a rock entranceway will be built. The only area that will be revegetated will be the pipeline from the extraction well to the injection well. The majority of the vegetation removal will be located in the power line right of way that consists of previously disturbed areas with grasses and shrubs. Routine operation and maintenance will have minimal impacts.

Actions implemented under the selected alternative will not constitute impairment because impacts will be minimal, occur in previously disturbed areas, and mitigation measures will be implemented to avoid and reduce impacts.

Fish and wildlife resources

Under the selected alternative, the construction, long term operation, and maintenance of the wells located on Park Service property will permanently displace wildlife from the extraction well location. Routine maintenance to the power line may also impact wildlife resources around the extraction and injection wells, however, given the already disturbed nature and small size of the area that will be affected by the selected alternative, the actions will have no more than a long term minimal impact on fish and wildlife resources. The selected alternative will not result in impairment of fish and wildlife resources because the area is previously disturbed and routine activities are already taking place to maintain the power line right of way, therefore, any additional adverse impacts to fish and wildlife resources will be minimal.

Soils

Under the selected alternative, soil removed from digging the underground wells and pipeline will be used to refill the holes when the construction of the pipeline and extraction well pumps and motors are complete. The remaining soil will be spread over the site. Given that the site has been previously disturbed, most of the soil will be replaced, and BMPs and erosion and sediment controls will be utilized to prevent any excess soil erosion and sediment from leaving the site, the permanent development of the site should have no more than a long term negligible impact on the National Park Service soils and will not result in impairment.

Geology

The selected alternative has a low risk of subsidence above the mine pools. The potential for mine subsidence always exists in areas anytime underground mining has occurred. The Argyle Stone Bridge area is classified as an area where subsidence may have occurred or may occur in the future. Studies concluded there is currently a low risk of subsidence above the Argyle Stone Bridge. Because the risk is low, the selected alternative will not constitute an impairment of geologic resources.