

**Notice of Finding of No Significant Impact  
Bear Creek Community Charter School/Bear Creek Foundation**

The USDA Rural Development has received an application for financial assistance from the Bear Creek Foundation, Luzern County, Pennsylvania. The proposal involves the construction of an approximately 60,000 square foot, one-story structure for the Bear Creek Community Charter School to be located along State Route 115 (Bear Creek Boulevard) to the area east of the Forest Park residential development. The building will contain administrative offices, a student medical office, general classrooms, gymnasium, meeting areas and cafeteria facilities. The project will also include parking, a playground, maintenance/garage/restroom pavilion, a basketball court, a soccer field, a softball field and a baseball field. The area of disturbance within the 97 acre site will be approximately 30 acres.

As required by the National Environmental Policy Act, and agency regulations, the USDA Rural Development has assessed the potential environmental effects of this proposal. Upon consideration of the applicant's proposal, comments from federal and state environmental regulatory and natural resource agencies and public input, the agency has determined that the Proposal will not have a significant effect on the human environment and for which an Environmental Impact Statement will not be prepared. The basis of this determination is that the construction of a one-story school building will not convert important farmland, wetland or floodplain.

In order to avoid or minimize any adverse environmental impacts to the floodplain, wetland, cultural resources and endangered species, the USDA Rural Development will require the applicant to incorporate the following mitigating measures: (1) The contractor will follow a Soil Erosion and Sedimentation Control Plan as approved by the Luzerne County Conservation District, (2) No fill will be placed in floodplains and/or wetland areas, (3) Tree-cutting activities will be carried out froth October 15 to March 31 for all trees greater than or equal to 5 inches in diameter at breast height. (4) Retaining of shagbark hickory trees, dead and dying trees; and large diameter trees (greater than 12 inches diameter at breast height). (5) Retaining of forested riparian corridors and forested wetland. (6) Should the project not move forward in the timeframe that is defined for tree-clearing activities, the applicant will be required to contact USDA Rural Development immediately and have a qualified surveyor conduct an Indiana bat survey in accordance with the Mist Netting Guidelines provided by U.S. FWS. The completed survey must also be submitted to U.S. FWS for review and comment. (7) Should the applicant become aware, from any source, that unidentified historic resources are located at the project sire, or that project activities will have an effect on these properties, work shall cease and the Bureau for Historic Preservation and USDA Rural Development will be contacted immediately. (8) Should the scope of the project change to include additional ground disturbance that was not reviewed, the applicant will contact the Bureau for Historic Preservation and USDA Rural Development for review.

Copies of the Environmental Assessment can be reviewed or obtained at Rural Development, 21 Hollow Crest Road, Tunkhannock, Pennsylvania 18657. The phone number is (570) 836-5111.

For further information please contact Michael Angerson at 570-836-5111. Any person interested in commenting on this proposal should submit comments to the address below by Friday, December 7, 2012.

A general location map of the proposed project is located at the office of Rural Development, 21 Hollow Crest Rd., Tunkhannock, PA. 18657.