

# 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. 2008-670

Date: July 13, 2012

Notice No. 12-42

Closing Date: August 12, 2012

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 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

2. APPLICANT: Gary T. Brotherson  
1801 West 8<sup>th</sup> Street,  
Erie, PA 16505

3. AGENT: Anthony S. Gingrich  
Dahlkemper Landscape Architects & Contractors  
1650 Norcross Road  
Erie, PA 16510

4. LOCATION: At the confluence of Marshall Run and Lake Erie.  
Millcreek Township, Erie County.  
N: 42°, 6', 17.8"; W: 80°, 10', 2.3"

5. PURPOSE AND DESCRIPTION OF WORK:

The applicant proposes to construct and maintain seven (7) lower-profile groin structures, at elevations below the Ordinary High Water Mark (OHWM), but not extending below the Ordinary Low Water Mark (OLWM), on several properties in the Forest Park Beach Subdivision. The low profile groins would be constructed of 2 foot high by 2 foot wide by 6 foot long concrete blocks, and pinned to the shale bedrock.

Additionally, the applicant proposes the construction and placement of approximately 180 feet of concrete seawall that will be placed at or near the OHWM at the western half of the project area, and an additional approximately 190 feet of concrete seawall to be placed landward of the OHWM at the eastern half of the project area. The landward ends of Proposed Groins 1, 2, 3 and 4 will attach to the proposed sea wall.

The applicant further proposes to demolish an existing 11 foot wide and 12 foot long wooden timber bridge span that crosses Marshall Run, and re-construct a 14 foot wide and 20 foot long bridge span constructed of 2" lumber stock installed on edge over a steel frame, approximately 100 feet south of the confluence of Marshall Run and Lake Erie.

The project proposes streambank stabilization measures on Marshall Run and the establishment of public access beach between the subdivision and Lake Erie through formation from the groin structures.

Drawings of the proposed subdivision are attached to this notice.

6. 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  
Northwest Regional Office  
Permits and Technical Services  
230 Chestnut Street  
Meadville, PA 16335

Telephone: 814-332-6984

7. IMPACT ON NATURAL RESOURCES: Pennsylvania Natural Diversity Index (PNDI) screening, dated February 28, 2012, discloses the proposed project would have no known impacts to federally-listed species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. Project search ID: 20120228341326. 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).

8. 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).

9. 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.

10. 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).

11. 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 Michael Fodse at the above address, by telephoning (412) 395-7575, or by e-mail at Michael.M.Fodse@usace.army.mil. Please refer to CELRP-OP-F 2008-670 in all responses.

FOR THE DISTRICT ENGINEER:

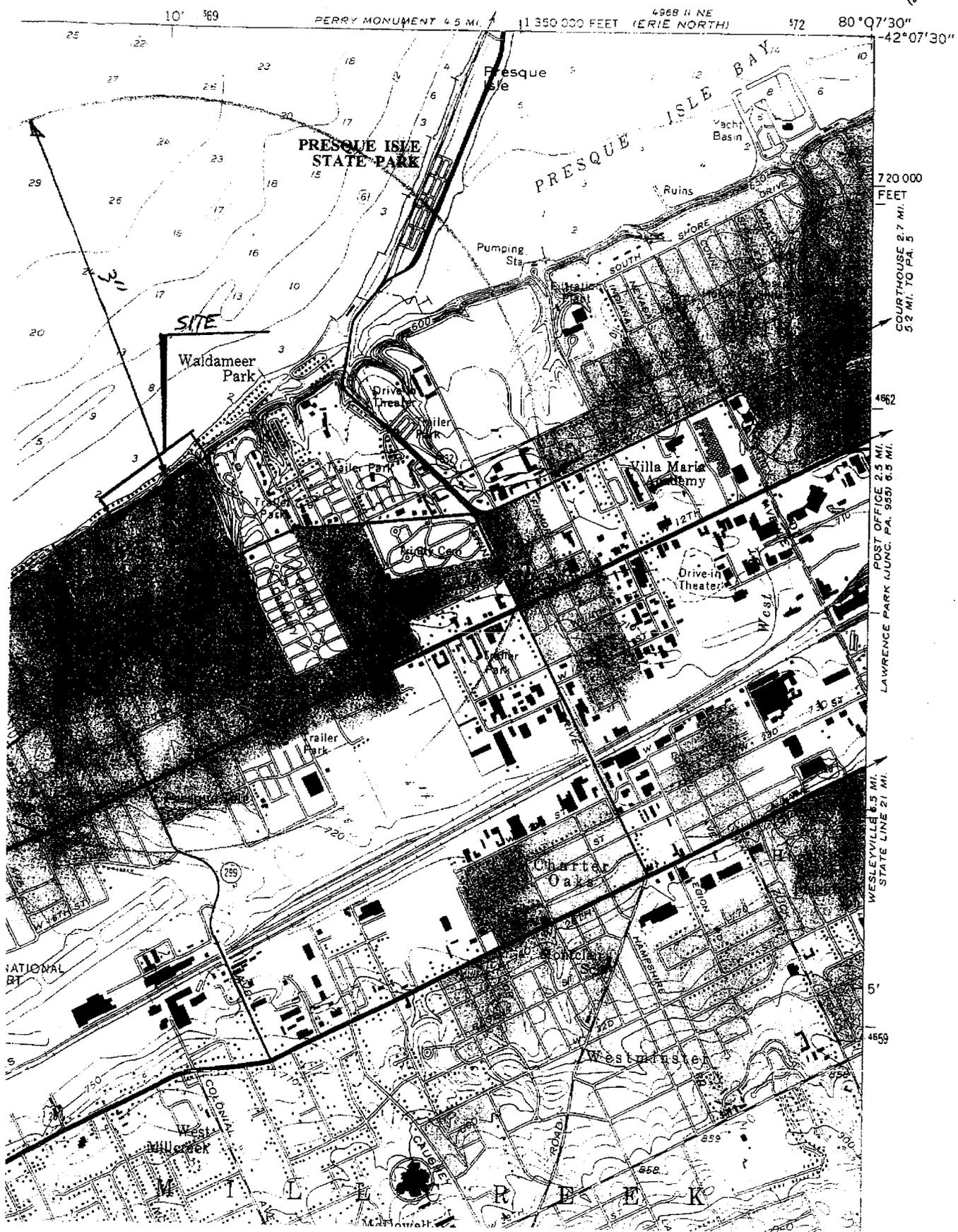
//Signed//

Nancy Mullen  
North Section Chief, Regulatory Branch

1  
DES

SWANVILLE QUADRANGLE  
PENNSYLVANIA-ERIE CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)

4968 11 NE  
(ERIE NORTH)

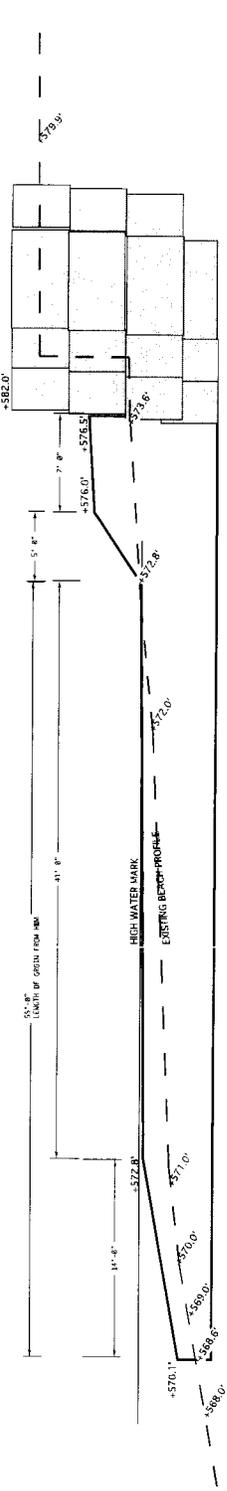


720 000  
FEET  
COURT HOUSE 2.7 MI.  
5.2 MI. TO PA. 3

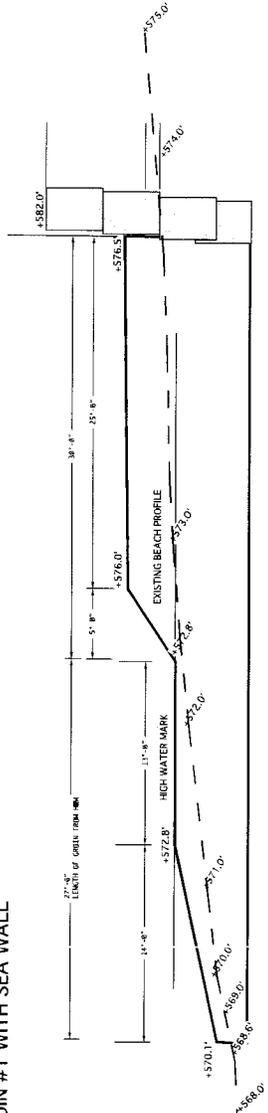
4662  
POST OFFICE 2.5 MI.  
LAWRENCE PARK JUNC. PA. 3.5 MI.

WESLEYVILLE 6.5 MI.  
STATE LINE 21 MI.

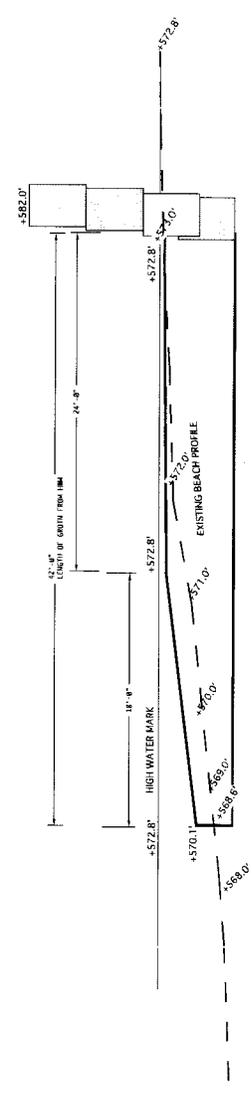
5'  
4653



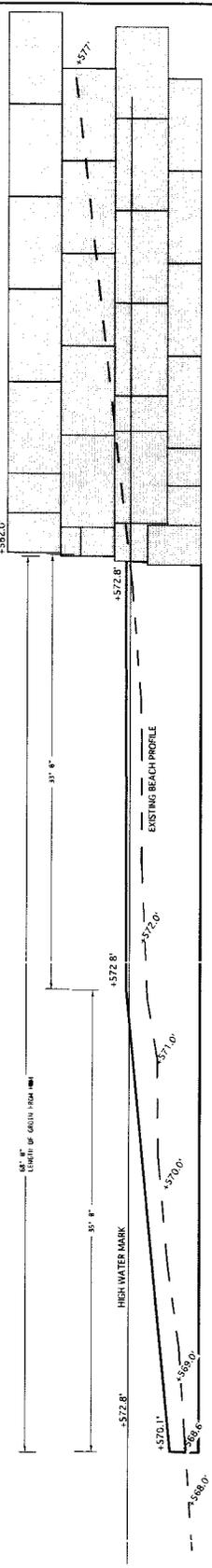
GROIN #1 WITH SEA WALL



GROIN #2 WITH SEA WALL



GROIN #3 WITH SEA WALL



GROIN #4 WITH SEA WALL

TABLE OF EXCAVATIONS FROM BELOW HWM	
MATERIAL IS TO BE SIDE CAST TO WEST SIDE OF EACH GROIN IN ORDER TO PRE-FILL THE GROIN AND ENSURE A NET BALANCE OF MATERIAL IN THE LITTORAL SYSTEM. ANY EXCESS MATERIAL SHALL BE PLACED TO THE EAST SIDE OF THE GROINS.	
GROIN #1	80 CU. YDS.
GROIN #2	41 CU. YDS.
GROIN #3	53 CU. YDS.
GROIN #4	88 CU. YDS.



Engineering and Surveying  
10000 Wilshire Blvd., Suite 1000  
Beverly Hills, CA 90210  
Tel: 310.274.1111  
Fax: 310.274.1112  
www.eandm.com

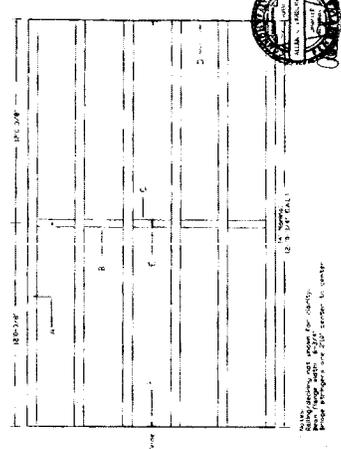
BRIDGE FOUNDATION

1. The bridge is to be constructed in accordance with the 2012 U.S. AASHTO Standard Specifications for Highway Bridges. The bridge shall be constructed in accordance with the following conditions and exceptions:
  1. The bridge shall be constructed in accordance with the 2012 U.S. AASHTO Standard Specifications for Highway Bridges.
  2. The bridge shall be constructed in accordance with the 2012 U.S. AASHTO Standard Specifications for Highway Bridges.
  3. The bridge shall be constructed in accordance with the 2012 U.S. AASHTO Standard Specifications for Highway Bridges.
2. The bridge shall be constructed in accordance with the 2012 U.S. AASHTO Standard Specifications for Highway Bridges.
3. The bridge shall be constructed in accordance with the 2012 U.S. AASHTO Standard Specifications for Highway Bridges.

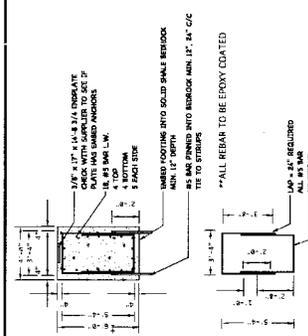


Professional Engineer  
Alexis M. Madhoun, P.E.  
No. 10000  
State of California  
Civil  
10000 Wilshire Blvd., Suite 1000  
Beverly Hills, CA 90210  
Tel: 310.274.1111  
Fax: 310.274.1112  
www.eandm.com

ADK BR302  
Dankemper Landscaping 14'V x 24'U Modular Bridge  
Framing Plan

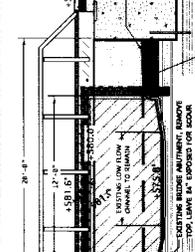


10' x 10' (21' x 21')

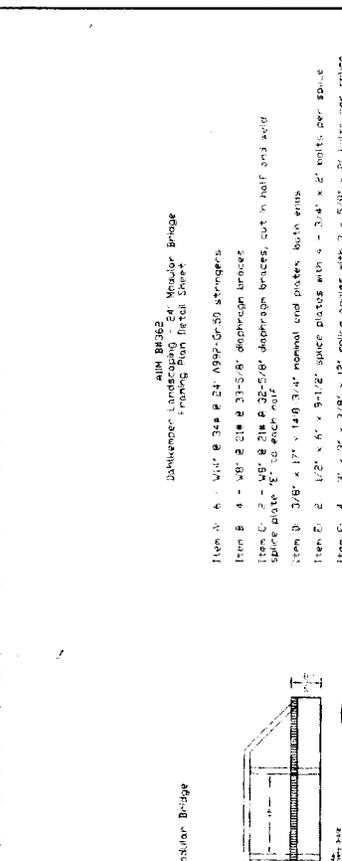


BRIDGE FOUNDATION DETAILS

1. MAINTAIN EXISTING WATERWAY LAYOUT
2. MAINTAIN EXISTING ROADWAY TOP ELEVATIONS
3. MAINTAIN EXISTING STREAM BED AND FLOW PROFILES
4. MAINTAIN EXISTING STREAM BED AND FLOW PROFILES
5. MAINTAIN EXISTING BRIDGE ABUTMENT BASES AS SCOUR PROTECTION



CENTER LINE PROFILE OF BRIDGE AND APPROACH DRIVE



BROTHERSON BEACH PROJECT

Bridge Details

LD-5



March 15, 2008  
Revised December 28, 2011

Dankemper Landscaping 14'V x 24'U Modular Bridge  
Framing Plan Detail Sheet

- Item A: 6" x 12" @ 36" @ 24' A992-G-50 Stringers
- Item B: 4" x 8" @ 24" @ 31'-5/8" diaphragm braces
- Item C: 2" x 6" @ 24" @ 32'-5/8" diaphragm braces, cut in half and add splice plates 5' to each end
- Item D: 3/8" x 12" x 14' @ 3/4" nominal and plates, both ends
- Item E: 2" x 12" x 4' x 9'-1/2" splice plates with 4" x 3/4" x 2" bolts per splice
- Item F: 4" x 3" x 3" x 3/8" x 12" splice angles with 3" x 5/8" x 2" bolts per splice



