



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. 2001-1811

Date: January 18, 2013

Notice No. 13-05

Closing Date: February 4, 2013

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: Erie –Western Pennsylvania Port Authority
208 East Bayfront Parkway, Suite 201
Erie, Pennsylvania 16507
3. LOCATION: Lake Erie, Erie County, Pennsylvania at the following locations: Perry's Landing Marina, Bay Harbor Marina, Commodore Perry Yacht Club, Cherry Street Marina, Walnut Street Marina, Jolly Rodgers Marina, Chestnut Street Marina, Sassafras Street Pier, West Canal Basin, East Canal Basin, Holland Street Pier, Grain Elevator Slip, Graving Dock (Dry Dock), Access for Dry Dock, Coal/Ore Dock, Capt. John E. Lampe Marina, East Avenue Boat Launch, Erie International Marine/Mountfort Terminal and Dobbins Landing.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant is requesting reauthorization of nineteen areas currently permitted for maintenance dredging, with some with minor revisions. A table outlining the areas proposed for dredging, approximate depths and cubic yardage is attached. In total nineteen areas would be authorized for maintenance dredging covering approximately 151 acres. Areas will be dredged between 8 and 27 feet below mean low water datum, with a total of approximately 163,000 cubic yards of material being removed for a period of ten years. The proposed dredge materials will be sampled and tested prior to dredging to determine appropriate disposal methods. During dredging floating turbidity barriers will be utilized and all dredged material will be excavated and dewatered prior to placement in a final disposal area.
5. ENCROACHMENT PERMIT: The applicant currently has a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the Pennsylvania Department of Environmental Protection that expires December 31, 2017.
6. IMPACT ON NATURAL RESOURCES: Pennsylvania Natural Diversity Index (PNDI) screening, dated January 16, 2013, 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: 20130116386738. 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 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 2001-1811 in all responses.

FOR THE DISTRICT ENGINEER:

/signed/

Nancy Mullen
North Section Chief, Regulatory Branch

CELRP-OP-F
Public Notice No.13-05

Presque Isle Bay/Lake Erie Dredging Site	Approximate Area to be Dredged	Approximate Depth of Dredging	Estimated Amount to be Dredged From Each Location
Perry's Landing Marina	10 acres	8' below mean LWD*	2,000 cu.
Bay Harbor Marina	6 acres	8' below mean LWD	3,000 cu.
Commodore Perry Yacht Club	14 acres	8' below mean LWD	10,000 cu. yds.
Cherry Street Marina	9 acres	8' below mean LWD	10,000 cu. yds.
Walnut Street Marina	7 acres	8' below mean LWD	7,000 cu.
Jolly Rodgers Marina	14 acres	8' below mean LWD	2,000 cu.
Chestnut Street Marina	4 acres	8' below mean LWD	8,000 cu.
Sassafras Street Pier	6 acres	8' below mean LWD	7,000 cu.
West Canal Basin	7 acres	8' below mean LWD	2,000 cu.
East Canal Basin	12 acres	8' below mean LWD	3,000 cu.
Holland Street Pier	3 acres	27' below mean LWD	10,000 cu. yds.
Grain Elevator Slip	5 acres	27' below mean LWD	10,000 cu. yds.
Graving Dock (Dry Dock)	3 acres	27' below mean LWD	5,000 cu.
Access for Dry Dock	10 acres	27' below mean LWD	5,000 cu.
Coal/Ore Dock	4 acres	27' below mean LWD	30,000 cu. yds.
Capt. John E. Lampe Marina	7 acres	8' below mean LWD	15,000 cu. yds.
East Avenue Boat Launch	2 acres	8' below mean LWD	4,000 cu.
E.I.M.T./Mountfort Terminal	14 acres	27' below mean LWD	20,000 cu. yds.
Dobbins Landing	14 acres	15' below mean LWD	10,000 cu. yds.
*LWD- Low Water Datum (569.2')			



DATE :	June, 2001
DRAWN BY :	EGL
CHECKED BY :	AJOT
UEI No.	2000401.01



URBAN ENGINEERS OF ERIE, INC.
 13-9 Sassafras Street
 Erie, Pennsylvania 16501
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Erie-Western Pennsylvania Port Authority
 Presque Isle Bay and Lake Erie
 Maintenance Dredging Locations
 City of Erie, Erie County, Pennsylvania