



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. 200301836

Date: March 10, 2004

Notice No. 04-9

Closing Date: March 31, 2004

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 (33 U.S.C. 1344).
2. APPLICANT: Forest County Historical Society
P.O. Box 546
Tionesta, PA 16353

AGENT:

Stone Consulting & Design, Inc.
324 Pennsylvania Avenue West
PO Box 306
Warren, PA 16365
3. LOCATION: in the Back Channel Left Descending bank in Allegheny River, Mile 151.4, and the mouth of Tionesta Creek, in Tionesta, Forest County, Pennsylvania.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant is proposing to restore the timber crib dam to its original historical condition. The project will involve reconstruction of the damaged or breached portions of the dam. The dam was constructed in 1893 and is reportedly the last of its kind in the United States. The Forest County Historical Society has made application to the State Historical Preservation Officer (SHPO) for listing on the State and National Historic Registers. A drawing of the proposed project is attached to this notice.
5. ENCROACHMENT PERMIT: The applicant is required to obtain an encroachment permit which includes State 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection
Northwest Regional Office
Soils and Waterways Section
230 Chestnut Street
Meadville, Pennsylvania 16335
Telephone: 814-332-6942

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the one state endangered/federal threatened species, the bald eagle, is known in the vicinity of the project area. The projected work is scheduled outside the nesting season (July 31 and January 15) and will not likely affect the continued existence of this species, or result in the destruction or adverse modification of habitat of this species which has been determined to be critical. The clubshell and northern riffleshell, both state and federal endangered species, are known to exist in the Allegheny River. It has been recommended that a mussel survey be conducted to determine if either of these species occur in the project area. 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 Tionesta Timber Crib Dam is a resource eligible for the National Register of Historic Places. The National Register 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).

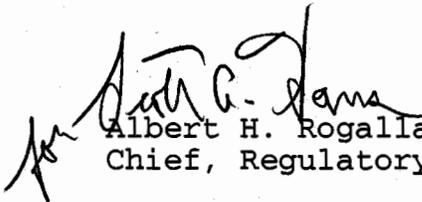
8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

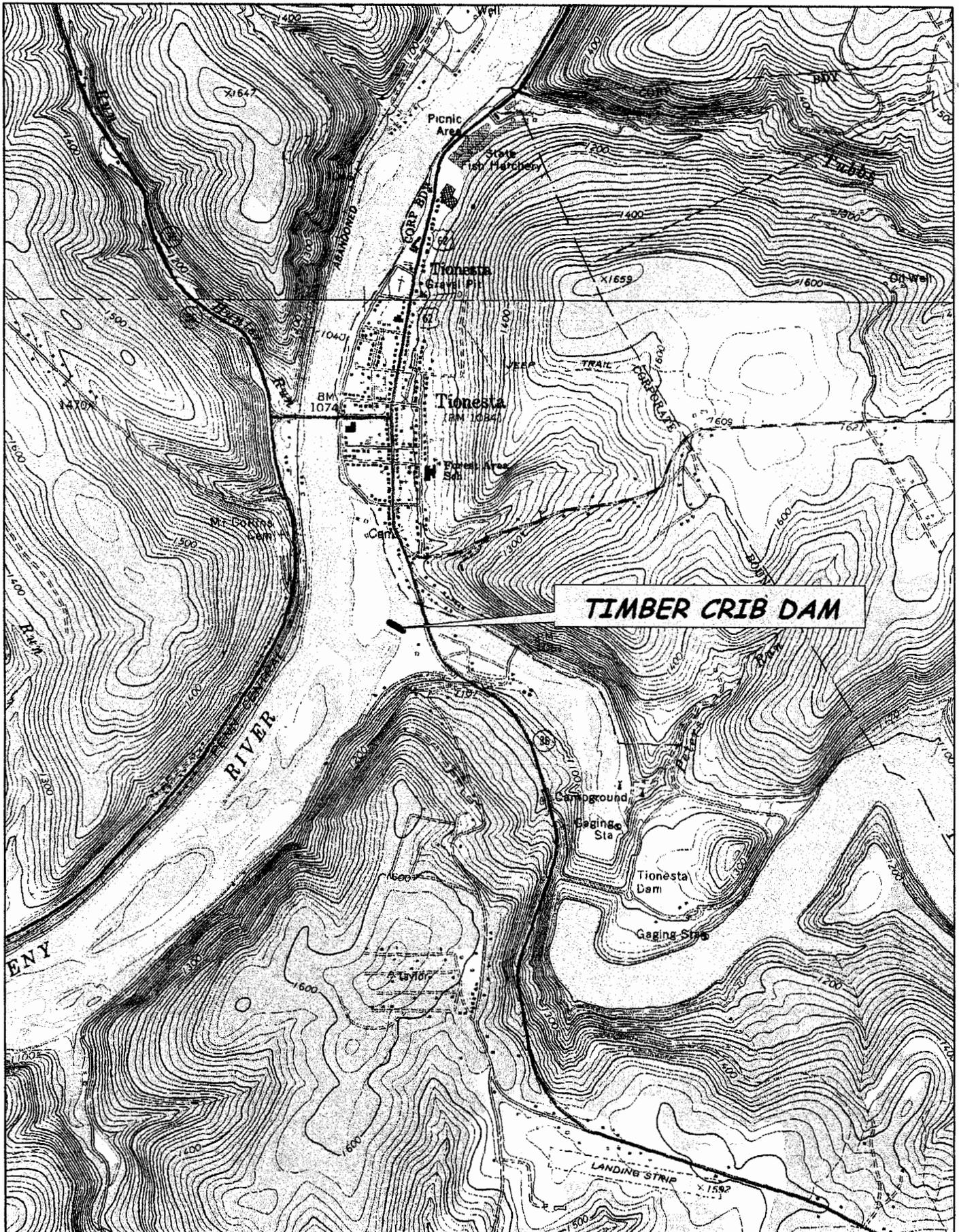
9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect 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 Nancy Mullen, at the above address, by telephoning (412) 395-7170, or by e-mail at Nancy.J.Mullen@lrp02.usace.army.mil. Please refer to CELRP-OR-F 200301836 in all responses.

FOR THE DISTRICT ENGINEER:


Albert H. Rogalla
Chief, Regulatory Branch



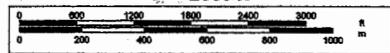
DELORME

Tionesta Quad

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www.delorme.com

Scale 1 : 24,000

1" = 2000 ft



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