



**U.S. Army Corps
of Engineers**
Pittsburgh District

Public Notice

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 2003-704

Date: July 18, 2007

Notice No. 07-32

Closing Date: August 18, 2007

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 404 of the Clean Water Act (13 U.S.C. 1344).
2. AGENT/ APPLICANT: John J. Kraeuter
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 8554
Harrisburg, PA 17105-8554
3. LOCATION: Carter's Dam spans across the Conewango Creek within the downtown city of Warren, Warren County, Pennsylvania. The Conewango Creek empties into the Allegheny River. The dam to be removed is found within Conewango Creek River Miles 0.3 and 0.4.
4. PURPOSE AND DESCRIPTION OF WORK: The Pennsylvania Department of Environmental Protection is proposing to remove Carter's Dam that spans the Conewango Creek in downtown Warren. The purpose of breaching and removing this dam is to eliminate a public safety threat while restoring 3,100 feet of stream channel. The structure is a concrete overflow dam that is approximately 1.52 meters high and 120 meters wide. Currently, there are small breaches at the crest of the dam from water erosion. Extremely swift flow along the right descending bank of the stream exists that creates a flume, heavily scouring the stream channel. This flume area is around 20 meters in width and runs from the base of the dam to approximately 10 meters above Pennsylvania Ave. Bridge. The rest of the dam has more moderate flows. This dam has altered the natural hydrology and sediment movement to the point that shallow cobble shoals and sharp sloping depositional pools exist. With time, removal of the dam would help recover the upstream section of the creek becoming a more suitable pool/ riffle habitat which is currently laden with a sand and silt substrate. Only minimum removal of this silt and sediment load would be required prior to removing the dam. The east and west side stream banks would be stabilized where they will be disturbed in the removal process with rock riprap protection. Grade would be restored as well as seeding and mulching of all disturbed areas.

Drawings of the proposed work are attached to this notice.

5. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project, as proposed, is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. Though the Fish and Wildlife Service supports the removal of this dam, there is a population of endangered northern riffleshell (*Epioblasma torulosa rangiana*) that was documented about 200 yards downstream of the dam. Initially, sediment release, changes in flow, and other side effects of the removal may negatively impact this species, however the long term effects would benefit the species of mussel. 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).

6. 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).

7. 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.

8. 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.

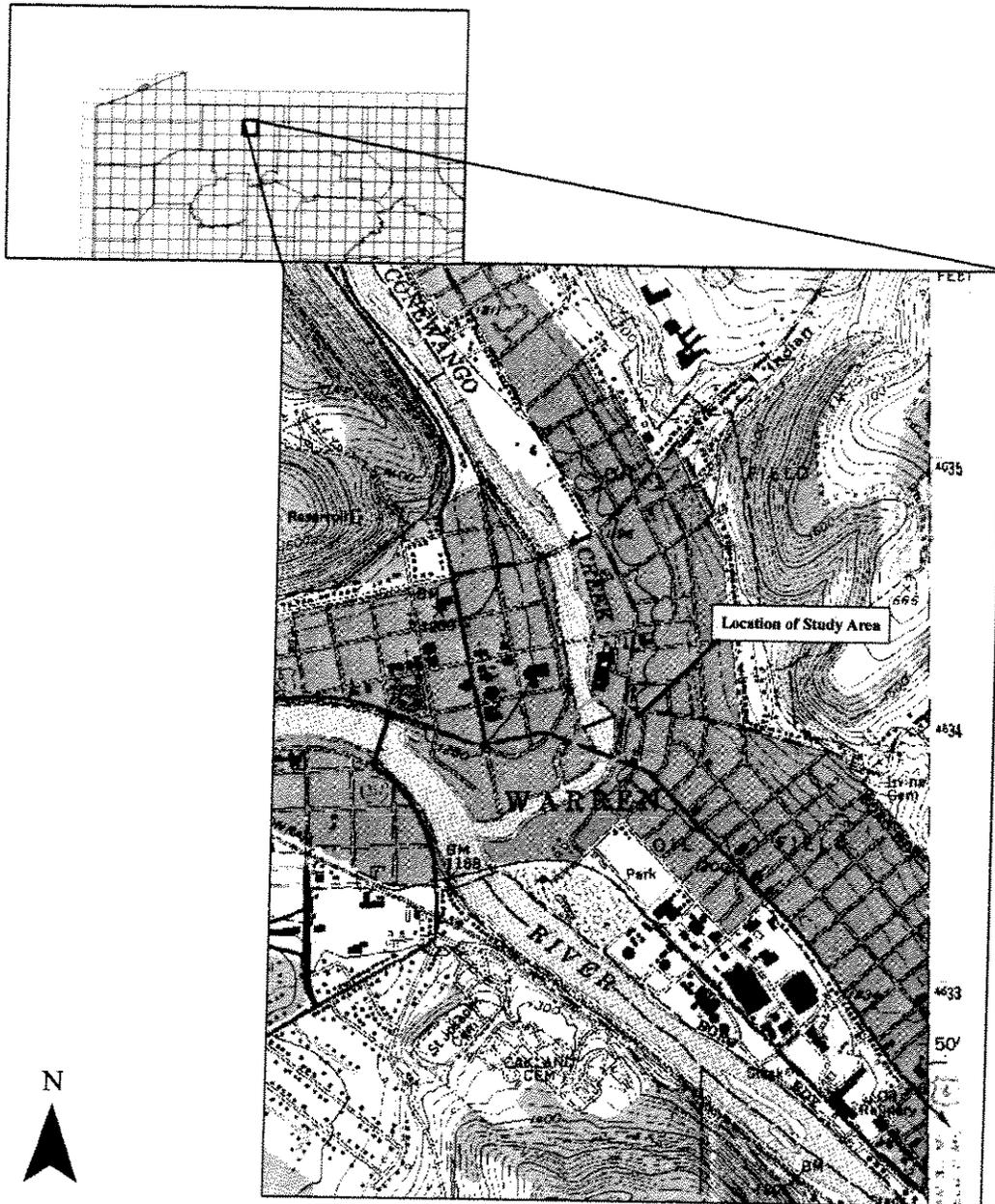
9. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered 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: Christine Schroeder. Please refer to CELRP-OP-F 2003-704 in all responses.

FOR THE DISTRICT ENGINEER:

/SIGNED/

Scott A. Hans
Acting Chief, Regulatory Branch

Figure 1. Carter's Dam study area, Warren County, Pennsylvania.



**Warren USGS Quadrangle
Warren County, PA**



Pennsylvania Natural Heritage Program

