

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. LRP-2008-670

Date: December 2, 2021

Notice No. 21-47

Closing Date: January 1, 2021

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 8th Street
Erie, PA 16505
3. LOCATION: At the confluence of Marshall Run and Lake Erie
Millcreek Township, Erie County, PA (42.10886, -80.16782)
4. 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 would be 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 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.
5. ENCROACHMENT PERMIT: The applicant may be required to obtain a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the:

*Pennsylvania Department of Environmental Protection
Northwest Regional Office
Waterways and Wetlands Section
230 Chestnut Street
Meadville, PA 16335
Telephone: 814-332-6945*

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project would have no effect on endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. While concurrence with this determination is not required, 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. Public comments may be subject to release under the Freedom of Information Act (FOIA). All responses to this notice should be directed to the Regulatory Division, attn. Nick Franke, at the above address, by telephoning (412) 395-7575, or by e-mail at nicholas.a.franke@usace.army.mil. Please refer to CELRP-RG-N LRP-2008-00670 in all responses.

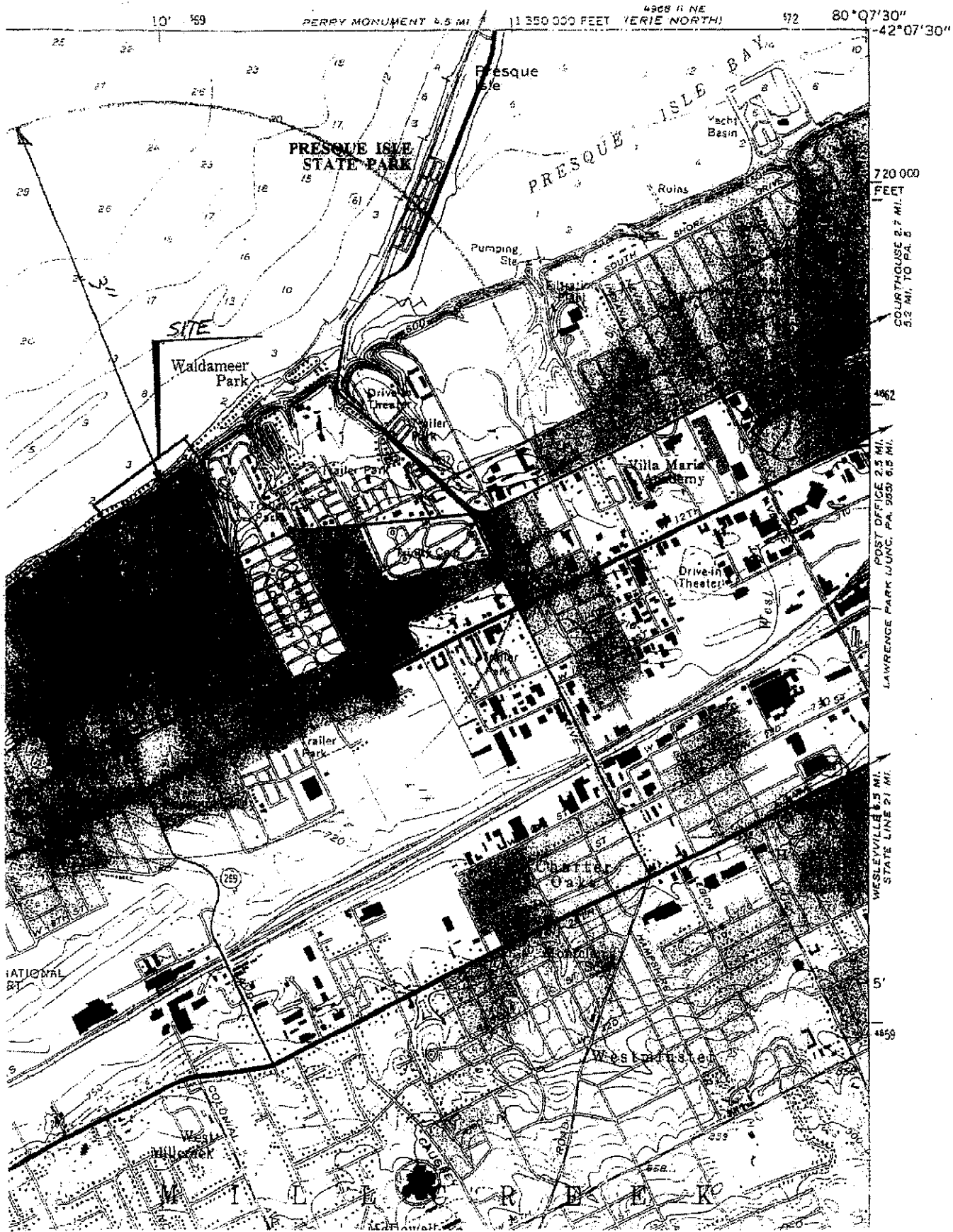
//SIGNED//

Cassandra P. Forsyth
Acting Chief, North Branch
Regulatory Division

A
DES

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

4928 11 NE
(ERIE NORTH)

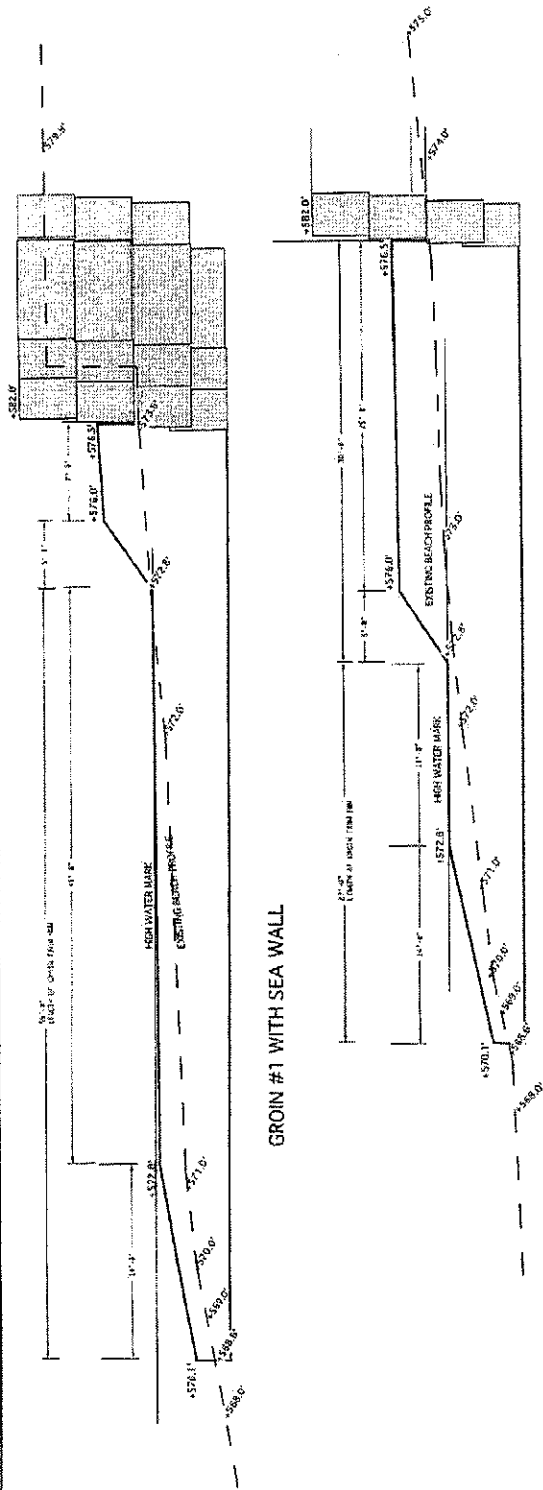


720 000
FEET
COURTHOUSE 2.7 MI.
5.2 MI. TO PA. S.

4962
POST OFFICE 2.5 MI.
LAWRENCE PARK JUNC. PA. 5923 6.5 MI.

WESLEYVILLE 4.5 MI.
STATE LINE 21 MI.

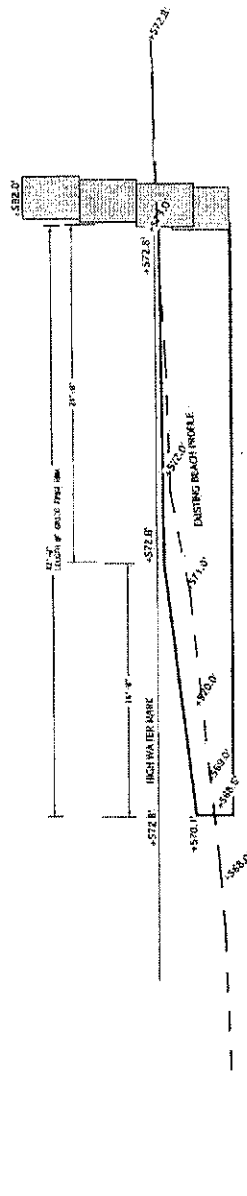
4659



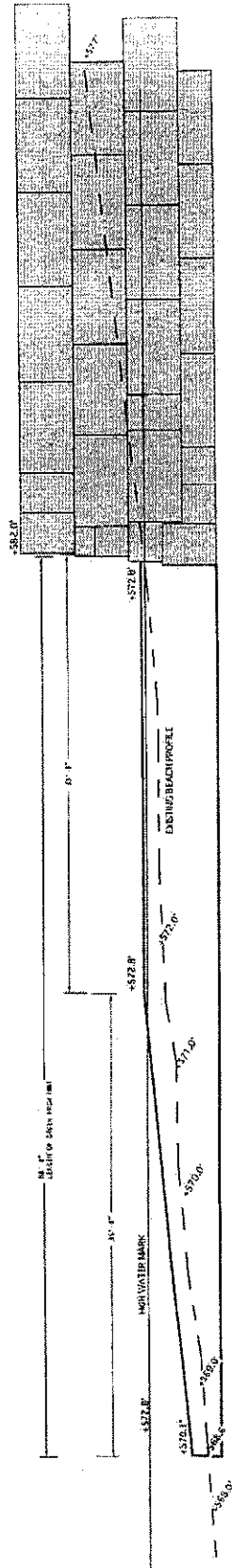
GROIN #1 WITH SEA WALL

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.

GROIN #2 WITH SEA WALL



GROIN #3 WITH SEA WALL



GROIN #4 WITH SEA WALL



E&M
Engineering & Architecture
1275 S. 17th St., Suite 200
Tulsa, Oklahoma 74106
Tel: 918.437.8200
Fax: 918.437.8201
www.eandm.com

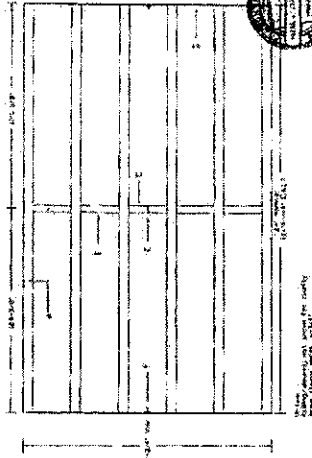
1. This is a preliminary plan and is not to be used for construction purposes. It is intended for informational purposes only. All dimensions and quantities are approximate and subject to change without notice.
2. The bridge is to be constructed of reinforced concrete. All concrete shall be placed in accordance with the specifications for concrete in the project manual.
3. The bridge shall be constructed on existing foundations. All foundations shall be inspected and approved by the engineer prior to construction.
4. The bridge shall be constructed to meet the design speed of 35 mph.
5. The bridge shall be constructed to meet the design wind speed of 120 mph.
6. The bridge shall be constructed to meet the design flood level of 100 years.
7. The bridge shall be constructed to meet the design seismicity of Zone 2.
8. The bridge shall be constructed to meet the design scour of 10 feet.
9. The bridge shall be constructed to meet the design erosion of 10 feet.
10. The bridge shall be constructed to meet the design vegetation of 10 feet.



BRIDGE FOUNDATION DETAILS

BRIDGE NOTES:

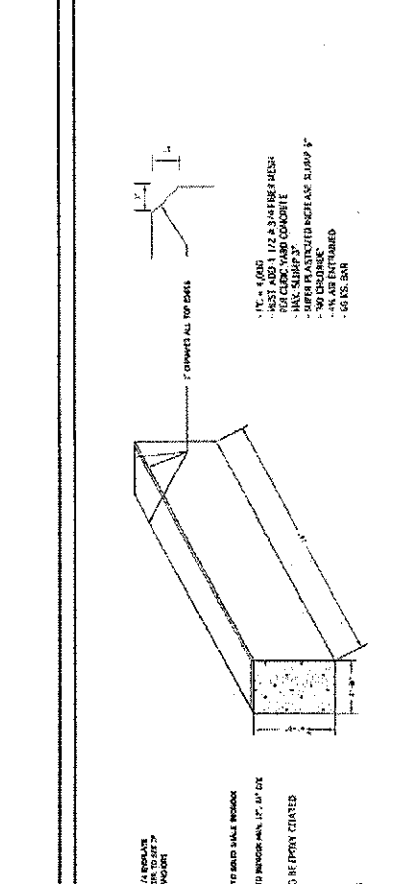
1. MAINTAIN EXISTING WATERWAY LAYOUT
2. MAINTAIN EXISTING BRIDGE FOUNDATIONS
3. MAINTAIN EXISTING BRIDGE APPROACHES
4. MAINTAIN EXISTING BRIDGE PAVEMENT AS MUCH AS POSSIBLE
5. MAINTAIN EXISTING BRIDGE UTILITIES AS MUCH AS POSSIBLE
6. MAINTAIN EXISTING BRIDGE STRUCTURE AS MUCH AS POSSIBLE
7. MAINTAIN EXISTING BRIDGE DECK AS MUCH AS POSSIBLE
8. MAINTAIN EXISTING BRIDGE CURBS AS MUCH AS POSSIBLE
9. MAINTAIN EXISTING BRIDGE LIGHTING AS MUCH AS POSSIBLE
10. MAINTAIN EXISTING BRIDGE SIGNAGE AS MUCH AS POSSIBLE



CENTER LINE PROFILE OF BRIDGE AND APPROACH DRIVE

BRIDGE NOTES:

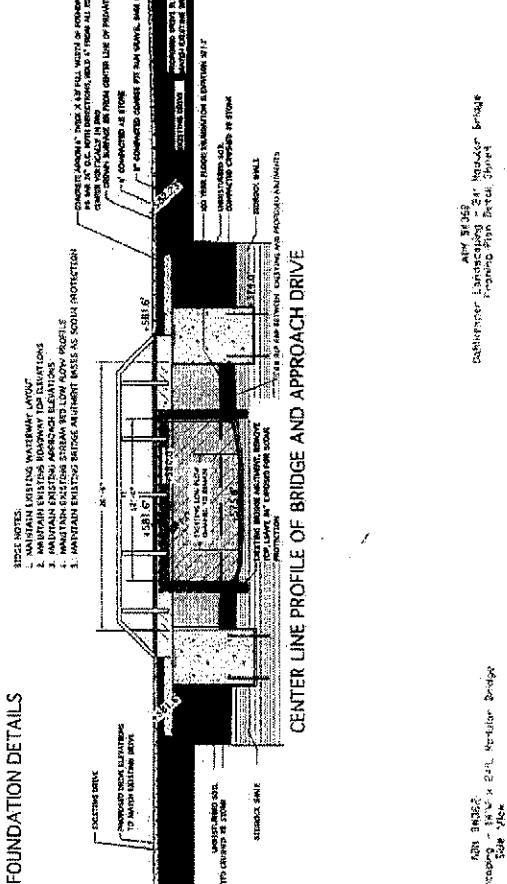
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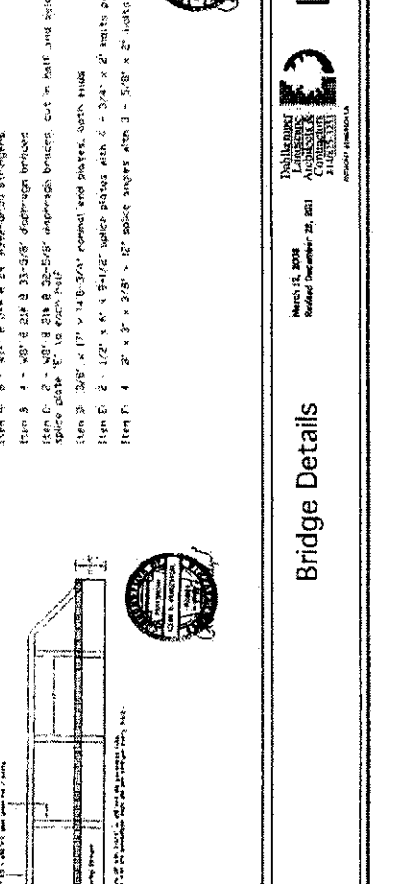
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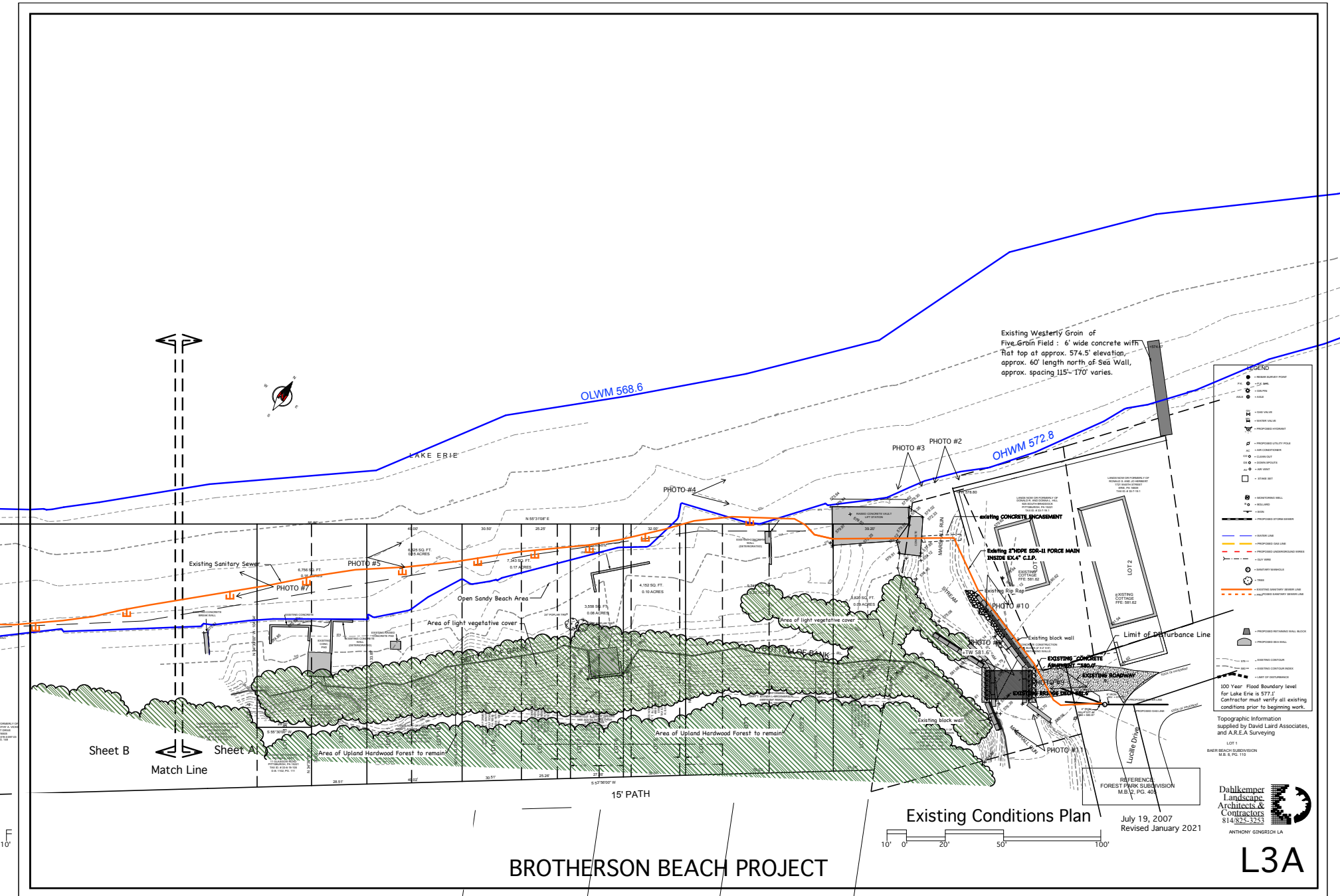
E&M
Engineering & Architecture
1275 S. 17th St., Suite 200
Tulsa, Oklahoma 74106
Tel: 918.437.8200
Fax: 918.437.8201
www.eandm.com

March 15, 2008
Revised December 29, 2011

BROTHERSON BEACH PROJECT

Bridge Details

LD-5



Existing Westerly Groin of Five-Groin Field : 6' wide concrete with 'Raft' top at approx. 574.5' elevation, approx. 60' length north of Sea Wall, approx. spacing 115'-170' varies.

- | LEGEND | |
|----------|--|
| [Symbol] | ● BOUNDARY POINT |
| [Symbol] | ⊙ C.P. MARK |
| [Symbol] | ○ TIE PIN |
| [Symbol] | ▲ MARK |
| [Symbol] | - DATA VALUE |
| [Symbol] | + WATER VALUE |
| [Symbol] | ⊞ PROPOSED CONTOUR |
| [Symbol] | ⊞ PROPOSED UTILITY POLE |
| [Symbol] | ⊞ CONDUIT |
| [Symbol] | ⊞ CONDUIT ENTRANCE |
| [Symbol] | ⊞ CONDUIT EXIT |
| [Symbol] | ⊞ CONDUIT |
| [Symbol] | ⊞ STAKE SET |
| [Symbol] | ⊞ HORIZONTAL BELL |
| [Symbol] | ⊞ ISLAND |
| [Symbol] | ⊞ ROAD |
| [Symbol] | ⊞ PROPOSED STAKE POSITION |
| [Symbol] | --- WATER LINE |
| [Symbol] | --- PROPOSED WATER LINE |
| [Symbol] | --- PROPOSED UNDERGROUND UTILITY LINE |
| [Symbol] | --- SLOTTED |
| [Symbol] | --- SANITARY MANHOLE |
| [Symbol] | ○ TREE |
| [Symbol] | --- EXISTING SANITARY SEWER LINE |
| [Symbol] | --- EXISTING CONTOUR BOUNDARY |
| [Symbol] | ⊞ PROPOSED REMOVED BRICK BLOCK |
| [Symbol] | ⊞ PROPOSED BRICK WALL |
| [Symbol] | ⊞ EXISTING CONTOUR |
| [Symbol] | ⊞ EXISTING CONTOUR BOUNDARY |
| [Symbol] | ⊞ LIMIT OF DISTURBANCE |
| [Symbol] | --- 100 YEAR FLOOD BOUNDARY LEVEL FOR LAKE ERIE IS 577.1' |
| [Symbol] | --- CONTRACTOR MUST VERIFY ALL EXISTING CONDITIONS PRIOR TO BEGINNING WORK |

Topographic Information
supplied by David Land Associates,
and A.R.E.A. Surveying

LOT 1
BAKER BEACH SUBDIVISION
M.B. & P.G. 110

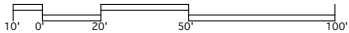
Dahlkemper
Landscape
Architects &
Contractors
814-925-3253
ANTHONY GINGRICH LA

L3A

BROTHERSTON BEACH PROJECT

Existing Conditions Plan

July 19, 2007
Revised January 2021



F
10'

Sheet B ← Sheet A
Match Line



PHOTO #4

PHOTO #3 PHOTO #2

Existing Sanitary Sewer

Open Sandy Beach Areas

Area of light vegetative cover

Area of light vegetative cover

Area of Upland Hardwood Forest to remain

Area of Upland Hardwood Forest to remain

Existing block wall

Existing block wall

Existing block wall

15' PATH

Limit of Disturbance Line

Existing concrete enclosure

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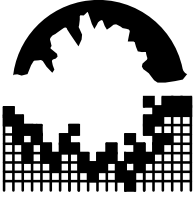
Existing concrete enclosure



Seawall at OHWM Site lake @ 571.5' east

BROTHERSON BEACH PROJECT

Alternative H Fig. 23



Dahlkemper
Landscape
Architects &
Contractors
814/825-3253