

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

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# Public Notice

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In Reply Refer to  
Notice No. below

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

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Application No. LRP-2019-421

Date: August 26, 2021

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Notice No. 21-36

Closing Date: September 27, 2021

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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: Andrew C. Virostek  
3481 Treeline Drive  
Murrysville, PA 15668
3. LOCATION: The proposed project is located along the left-descending bank of the Allegheny River (approximate River Mile 106.0). The property address is 510 South Tunnel Road, Kennerdell, PA 16374 which is in Rockland Township, Venango County, Pennsylvania (41.270264, -79.826466).
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to create a private recreational fishing area and river access point along the left descending bank of the Allegheny River in Venango County, Pennsylvania via the installation of a boat access channel, boat ramp, fishing hole, and fishing jetty. The project (aka The Virostek Property Water Access Improvement Project) will permanently and directly impact 0.19 acre of the Allegheny River due to the proposed fishing hole, boat channel excavation, boat ramp and fishing jetty installation. The project will have a direct, temporary impact on 0.28 acre of the Allegheny River due to equipment movement within the limit of disturbance below the Ordinary High Water Mark. Additionally, a mussel salvage and relocation effort will be performed in approximately 0.5 acre of the Allegheny River. There will also be 1.65 acres of indirect, temporary impact to the Allegheny River corridor due to project sedimentation. Mitigation for impact to mussel habitat will be in the form of utilizing conservation measures for mussels as described in the Mussel Salvage and Relocation Plan that has been prepared for the project.

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 may affect, and is likely to adversely affect endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. 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). This additional information will be utilized in continuing informal consultation and preparation of a Biological Assessment.

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.

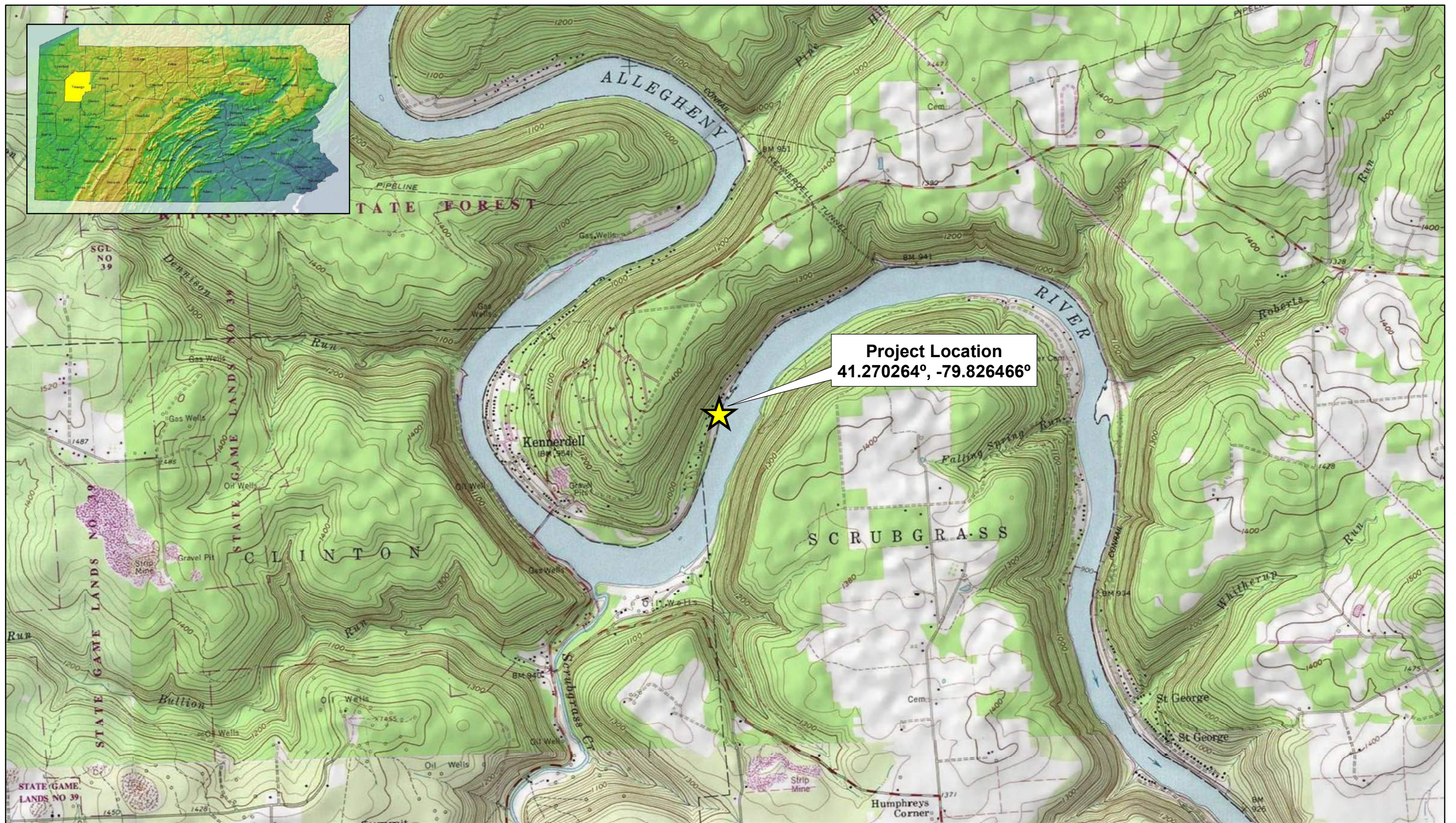
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine 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. Kristina M. Tarasan at the above address, by telephoning (412) 395-7153, or by e-mail at [Kristina.M.Tarasan@usace.army.mil](mailto:Kristina.M.Tarasan@usace.army.mil). Please refer to CELRP-RG LRP-2019-421 in all responses.

//SIGNED//

Tyler J. Bintrim  
Chief, North Branch  
Regulatory Division

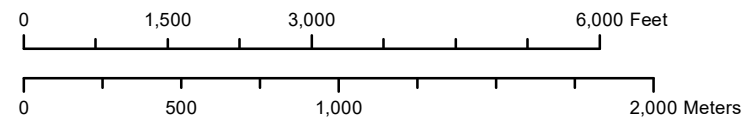




**Project Location**  
 41.270264°, -79.826466°

Figure 1. Virostek Property  
 Water Access Improvement Project Location Map  
 Allegheny River  
 Venango County, Pennsylvania

 **Project Location**



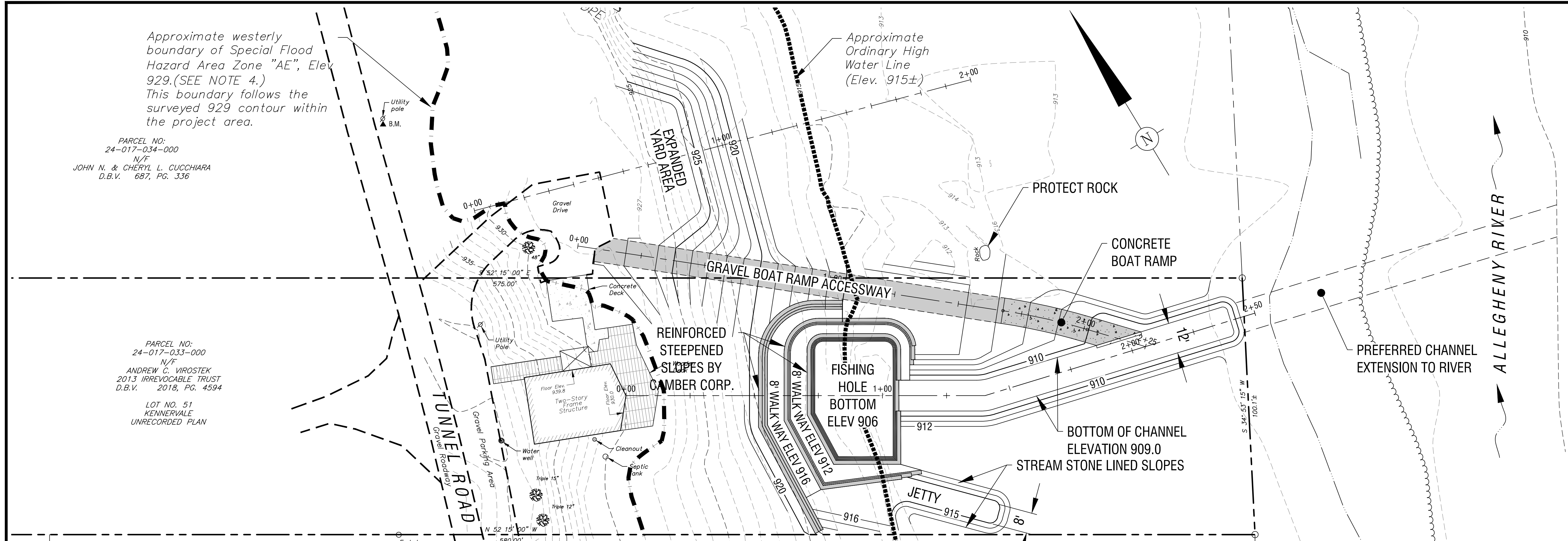


Approximate westerly boundary of Special Flood Hazard Area Zone "AE", Elev 929. (SEE NOTE 4.) This boundary follows the surveyed 929 contour within the project area.

PARCEL NO:  
24-017-034-000  
N/F  
JOHN N. & CHERYL L. CUCCHIARA  
D.B.V. 687, PG. 336

PARCEL NO:  
24-017-033-000  
N/F  
ANDREW G. VIROSTEK  
2013 IRREVOCABLE TRUST  
D.B.V. 2018, PG. 4594

LOT NO. 51  
KENNERVALE  
UNRECORDED PLAN



FISHING HOLE AND CHANNEL PROFILE

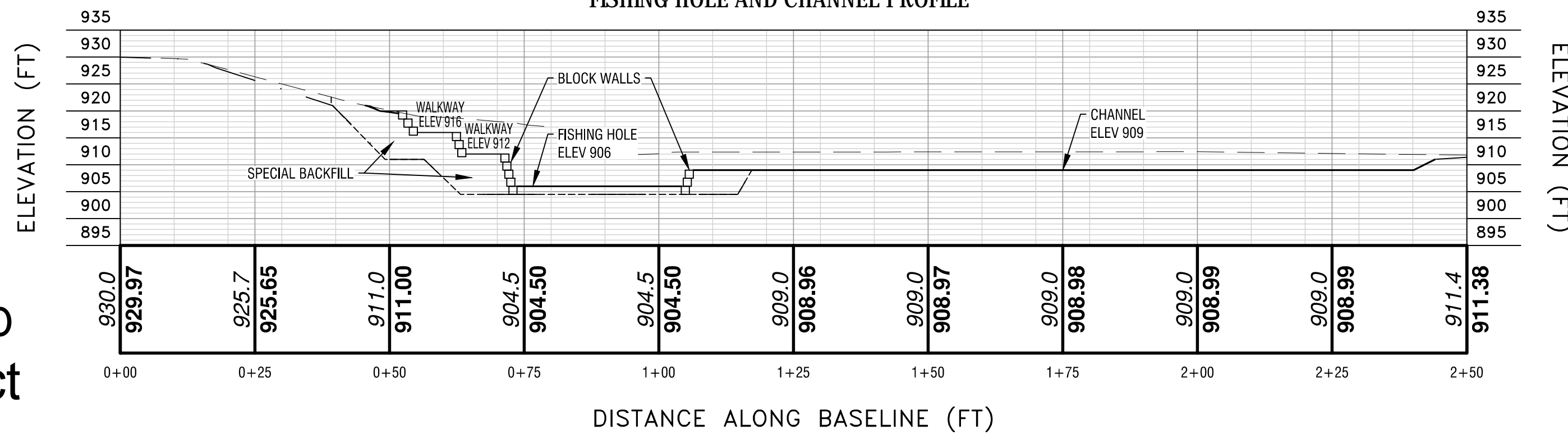
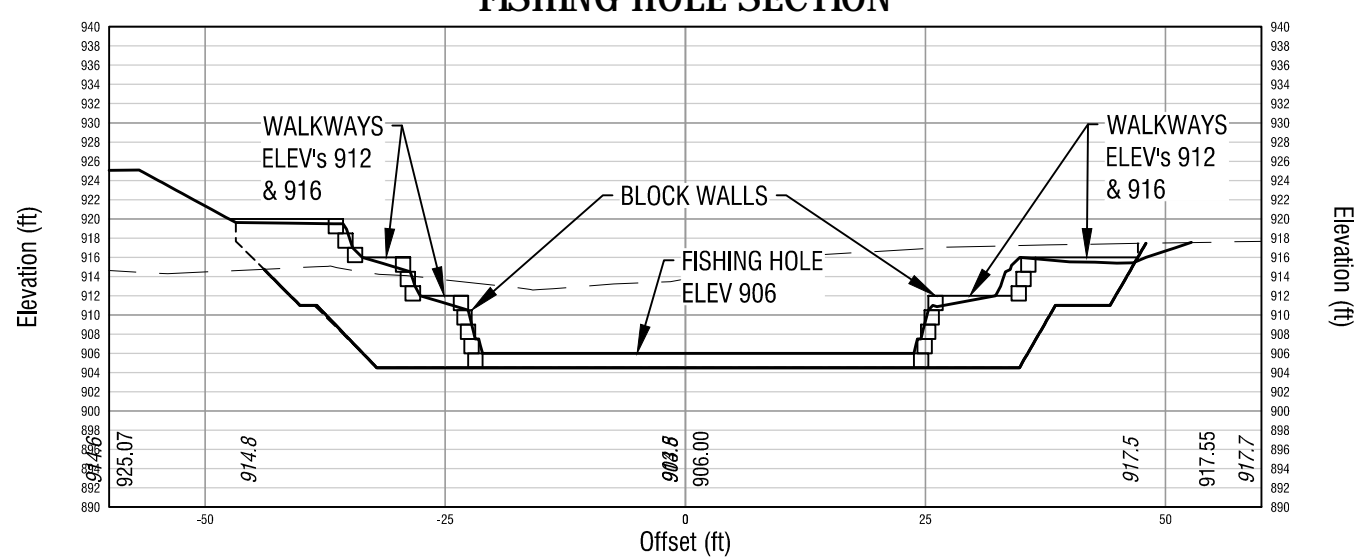


Figure 2. Virostek Property Design Map  
Water Access Improvement Project  
Allegheny River  
Venango County, Pennsylvania

FISHING HOLE SECTION

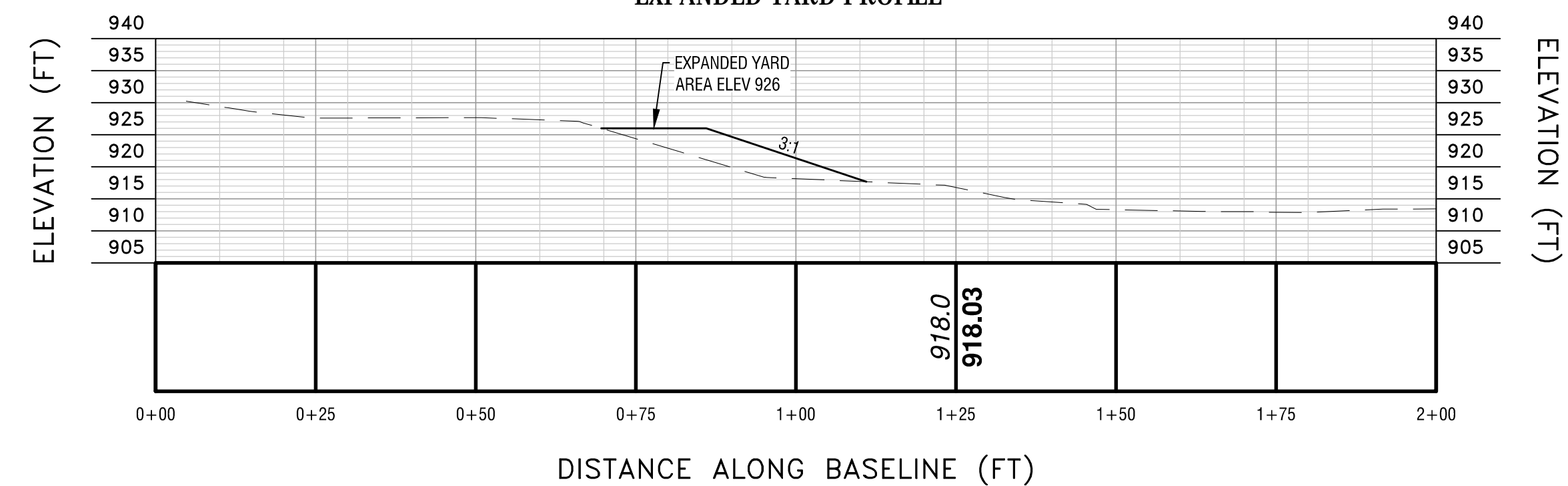


PLAN, PROFILE & SECTION SCALES:

HORIZONTAL SCALE: 1" = 20'

VERTICAL SCALE: 1" = 20'

EXPANDED YARD PROFILE



URBAN ENGINEERS  
1319 Sassafras Street, Erie, PA 16501-1720  
814.453.5702 (ph) 814.453.2020 (fax)

No.	DATE	REVISION NOTE

**ANDREW VIROSTEK PROPERTY**  
PROPOSED WATER ACCESS IMPROVEMENTS  
ROCKLAND TOWNSHIP, VENANGO COUNTY, PENNSYLVANIA  
ALTERNATE 13 - SITE PLAN, PROFILE & SECTIONS

JOB No. 2019620099.001  
DRAWN BY: D.J.K.  
CHECKED BY: T.M.P.  
DATE: MARCH 2021  
SCALE: H&V: 1" = 20'

DRAWING No. **SPPS-1**





Figure 3. Action Area and Limits of Disturbance  
 Virostek Property  
 Water Access Improvement Project  
 Allegheny River, Venango County, PA

- Action Area
- Limits of Disturbance

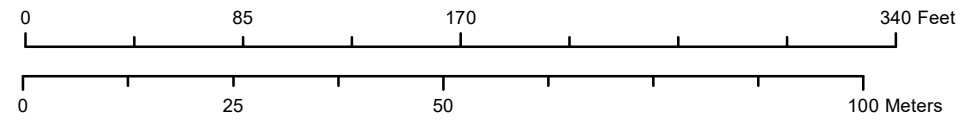












Figure 4. Direct and Indirect Impact Areas  
 Virostek Property  
 Water Access Improvement Project  
 Allegheny River, Venango County, PA

- |  |  |
|--|--|
|  Permanent Direct Impact Area |  Indirect Impact Area     |
|  Temporary Direct Impact Area |  Ordinary High Water Mark |
|  Permanent Upland Impact Area |  |
|  Temporary Upland Impact Area |  |

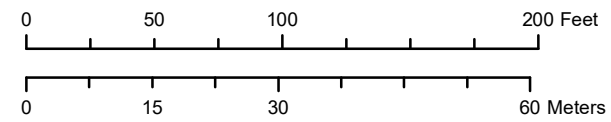








Figure 5. Freshwater Mussel Salvage Area  
 Virostek Property  
 Water Access Improvement Project  
 Allegheny River, Venango County, PA

-  Direct Impact Area/Salvage Area
-  Salvage Buffer

