



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. 2017-1102

Date: September 22, 2017

Notice No. 17-47

Closing Date: October 13, 2017

PARTIAL AFTER THE FACT

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.
2. **APPLICANT:** Bay Front Realty L.P.
Walter Bender
P.O. Box 9098
Erie, PA. 16505
3. **LOCATION:** 133 East Dobbins landing, Presque Isle Bay, Lake Erie, Erie County, Erie, PA 16507
4. **PURPOSE AND DESCRIPTION OF WORK:** The applicant removed and replaced 550 linear feet of existing sea-wall. The wall was in disrepair. Additionally the applicant proposes the rehabilitation, reconfiguration and replacement of existing boat docks. The existing 3 fingers of the dock on the east side will be widened to 4 feet. All 3 fingers will be lengthened to 28.3 feet. The main dock that the fingers are attached to will be widened to 5 feet. The dock in the center will be widened to 5.5 feet. The 3 fingers on the west side will be removed. A 4 foot wide by 54.7 feet long dock section will be added 14.2 feet from the western boundary of the property. The adjacent property owner has agreed for work to be completed on his property for the removal of the 3 fingers. A location map and drawings of the proposed sea-wall and dock are attached to this notice.
5. **ENCROACHMENT PERMIT:** The applicant is obtaining a GP-11 (permit number GP112517608) from the:

Pennsylvania Department of Environmental Protection
Northwest Regional Office
6. **IMPACT ON NATURAL RESOURCES:** The District Engineer has consulted the most recently available information and has determined that the project will 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).
PNDI-623451

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.

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

CELRP-OP-F
Public Notice No. 17-47

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. Matthew Pook at the above address, by telephoning (412) 395-7141, or by e-mail at matthew.pook@usace.army.mil. Please refer to CELRP-OP-F 2017-1102 in all responses.

FOR THE DISTRICT ENGINEER:

//SIGNED//

Nancy Mullen
Northern Section Chief, Regulatory Branch

SITE LOCATION MAP

BAY FRONT REALTY LP DOCK / WALL REHAB

SCALE: 1"=2000'



THIS CERTIFICATE IS LIMITED TO THE INDIVIDUALS NAMED HEREON AND IS NOT VALID UNLESS SIGNED IN RED INK AND EMBOSSED WITH THE SURVEYOR'S SEAL, IF NOT, THIS CERTIFICATE SHALL BE ASSUMED TO CONTAIN FRAUDULENT INFORMATION AND BE INVALID. THE SURVEYOR SHALL NOT ASSUME ANY LIABILITY TO ANY PARTIES IN THE EVENT THIS SURVEY MAP IS USED IN CONJUNCTION WITH AN "AFFIDAVIT OF NO CHANGE" OR SIMILAR DOCUMENT OR INSTRUMENT.

DAVID LAIRD ASSOCIATES, Inc.

complete surveying &
land development services

1557 WEST 26TH STREET ERIE, PA 16508
PHONE: (814) 456-0330 EMAIL: INFO@LAIRDSURVEY.NET

**SITE LOCATION MAP FOR:
BAY FRONT REALTY LP**

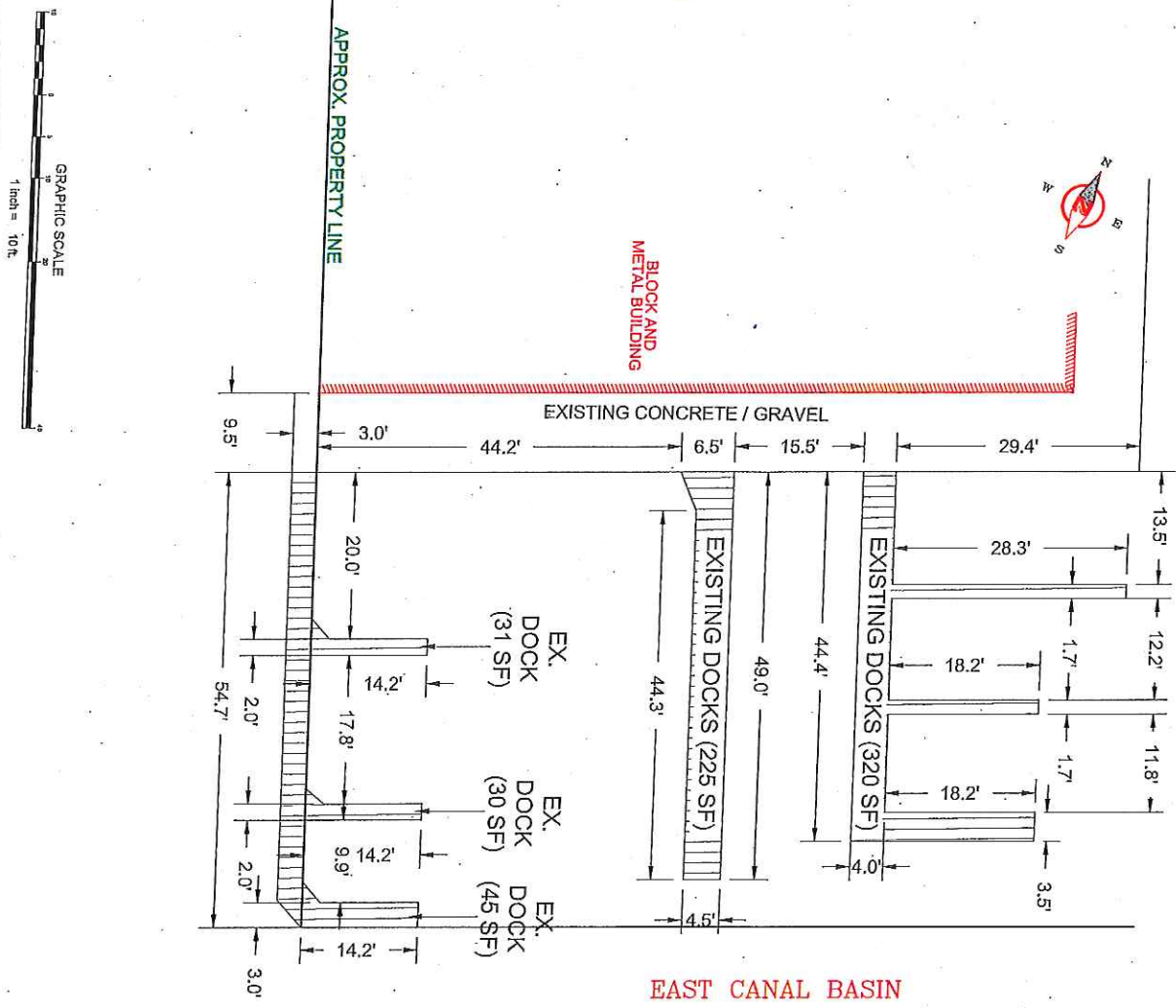
LOCATION:

**133 EAST DOBBINS LANDING
CITY OF ERIE
ERIE COUNTY, PENNSYLVANIA**

DATE: 2-15-17	SCALE: 1"=2000'	F.B. N/A	PG. N/A	DRN. SEK	S. E. NO. 17-27715	
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existing 2017-1102



EAST CANAL BASIN

NO.	DATE	REVISION DESCRIPTION

EXISTING DOCK DIMENSIONAL SKETCH

BAY FRONT REALTY LP DOCK / WALL REHAB
TRACT MUNICIPALITY
ERIE COUNTY - PENNSYLVANIA

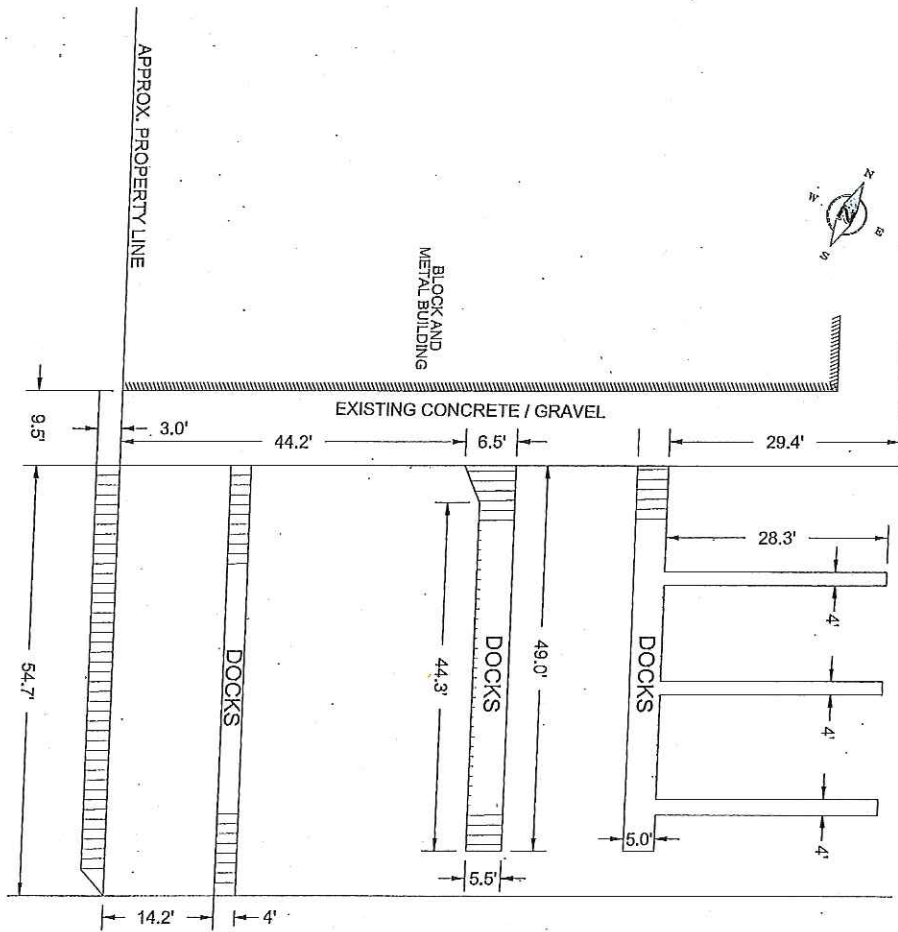
DATE: 8-15-17 SCALE: 1"=10' DRAWN BY: SEK

DAVID LAIRD ASSOCIATES, Inc.
complete surveying & land development services

1557 WEST 28th STREET ERIE, PA 16508
PHONE: (814) 458-0330 EMAIL: INFO@LAIRDSSURV.NET

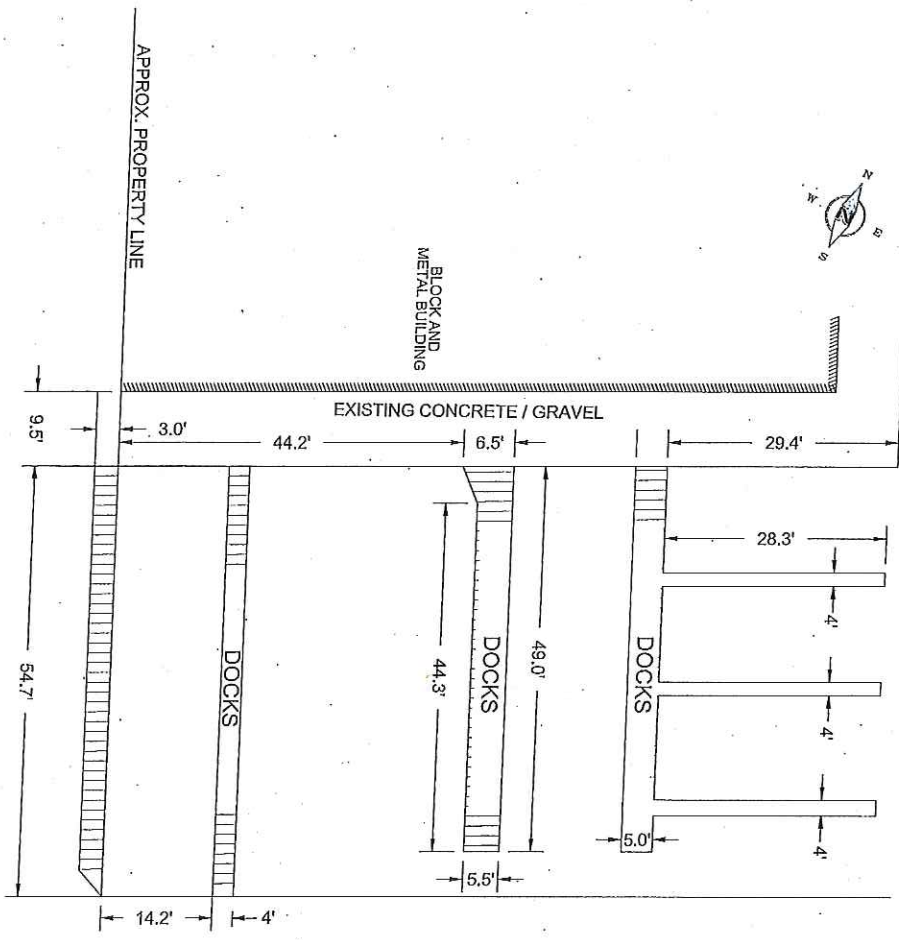
SHEET NUMBER: 14-010-046-G-102.00
GP-11-3

proposed 2017-1102



EAST CANAL BASIN

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