

NOAA AWARD NO. NA90AA-D-CZ515
DER CONTRACT NO. CZ1:90.03PE
ME # 91041
GRANT TASK NO. CZ1:90-PE.03

PENNSYLVANIA COASTAL ZONE MANAGEMENT PROGRAM

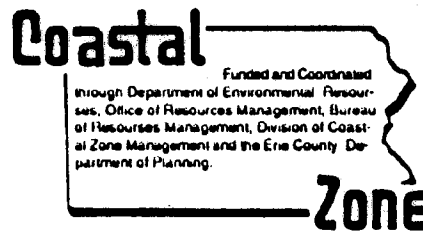
LAKESIDE RECREATION AREA PHASE III IMPROVEMENTS PROJECT

FINAL REPORT

LAWRENCE PARK TOWNSHIP
ERIE COUNTY, PENNSYLVANIA

PREPARED BY:

ERIE COUNTY DEPARTMENT OF PLANNING
JUNE 30, 1992



This project was financed in part through a Federal Coastal Zone Management Grant from the Pennsylvania Department of Environmental Resources with funds provided by the National Oceanic and Atmospheric Administration.

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The preparation of this report was funded and coordinated through the Pennsylvania Department of Environmental Resources, Office of Resources Management, Bureau of Resources Management, Division of Coastal Zone Management and the Erie County Department of Planning.



A report of the Pennsylvania Department of Environmental Resources to the National Oceanic and Atmospheric Administration pursuant to NOAA Award No. NA90AA-D-CZ515.

GC 1021
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1. PROJECT LOCATION

The Lakeside Recreation Area is located along the Lake Erie shoreline in the Lake Cliff Park Subdivision of Lawrence Park Township (see Project Location Map). This 9.25 acre facility, which is known locally as Lakeside Park, is presently under the ownership of Lawrence Park Township. The Park's facilities are actually situated on two separate parcels of land, one located north of Lakeside Drive (6.55 acres) and one located south of Lakeside Drive (2.7 acres). The improvements which were undertaken in conjunction with the Lakeside Recreation Area Phase III Improvements Project are located entirely on the 6.55 acre parcel (see Site Map). The project site is bounded by Lake Erie on the north; five residential properties on the east (Merski, Beaver, Kilgore, Dworakowski and Rutkowski); Lakeside Drive on the south; and four residential properties on the west (Kreger, Peterson, Ferraro and Wawrzyniak). The site slopes moderately northward from Lakeside Drive toward Lake Erie. Grass constitutes the majority of the vegetation, with some scattered trees on the west side of the parcel. The dominant physical feature of the site is a steep, 25 foot high bluff vegetated with grass. The beach below the bluff averages 50 feet in width and is composed of natural sand and gravelly outwash deposited due to the shallow cove configuration and the existing groin. The areas surrounding the site are made up entirely of residential uses. It should be noted that this site has been identified as a Geographic Area of Particular Concern within the Lake Erie Coastal Zone as included in the State's adopted Coastal Zone Management Program.

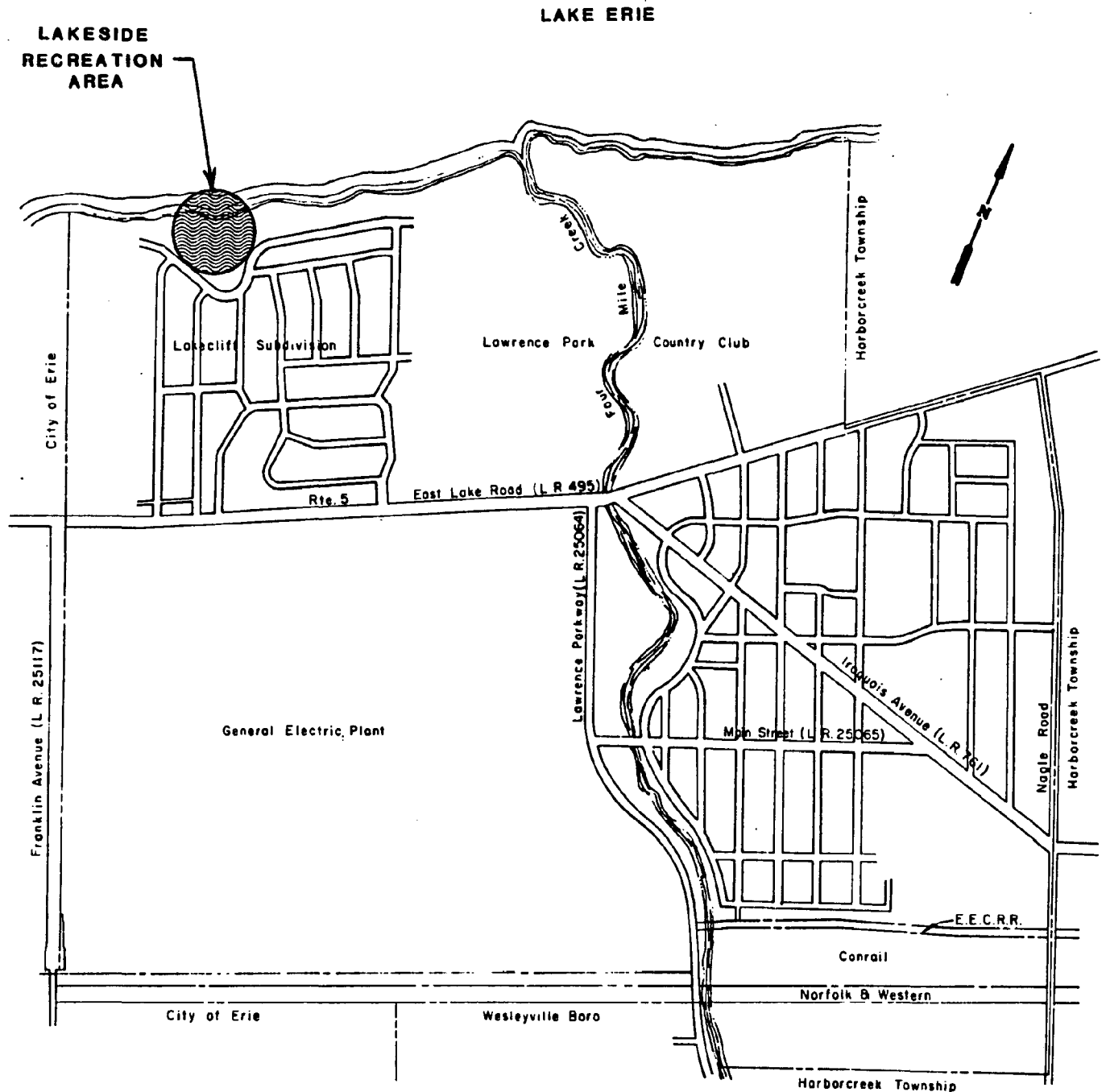
2. BACKGROUND OF THE PROJECT

The property on which the Lakeside Recreation Area is located was originally owned by Jesse A. and Zella B. Root. Mr. and Mrs. Root conveyed the property to Lawrence Park Township in 1955. According to the deed of conveyance, the property was to be "specifically reserved and dedicated for park and public purposes." Over the next 25 years, Lawrence Park Township constructed a number of public facilities at the Lakeside Recreation Area. Specific activities included:

1. Construction of a sanitary sewage lift station to serve the residents of the Lake Cliff Park Subdivision (1955).
2. Construction of a gravel access road (1955).
3. Construction of a small limited boat launch ramp (1974).
4. Construction of a 60 foot long by 3 foot wide precast concrete groin to protect the boat launch ramp and the beach area (1974).
5. Installation of an entrance gate for the access road in order to control noise, littering, trespassing and vandalism, particularly during the evening hours (1980).

In 1982, Lawrence Park Township decided to expand the existing recreational facilities along the shore of Lake Erie. With funds provided by the Pennsylvania Coastal Zone Management (CZM) Program,

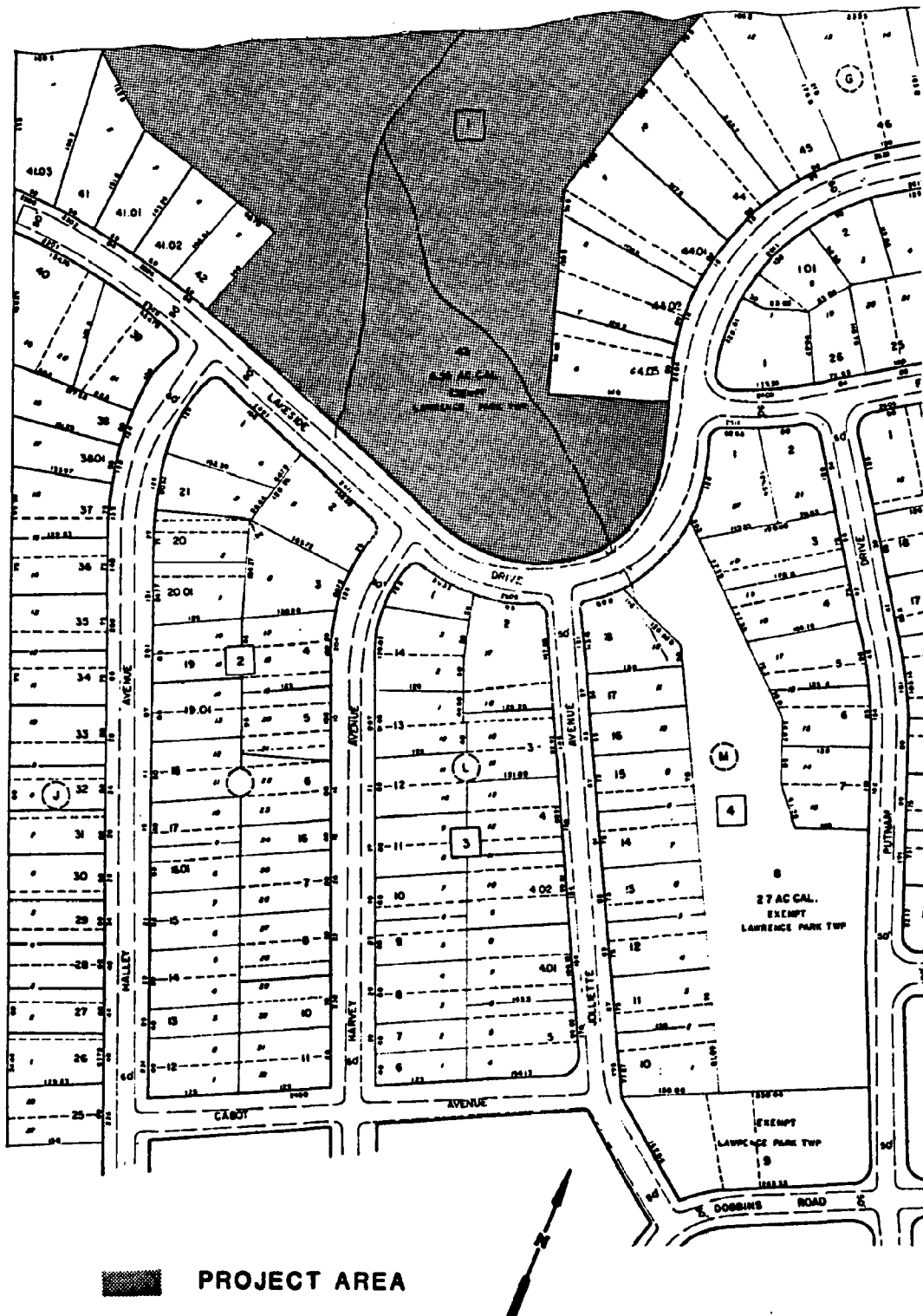
LAKESIDE RECREATION AREA PHASE 3 IMPROVEMENTS PROJECT PROJECT LOCATION MAP



LAWRENCE PARK TOWNSHIP
ERIE COUNTY, PENNSYLVANIA

LAKESIDE RECREATION AREA PHASE 3 IMPROVEMENTS PROJECT SITE MAP

LAKE ERIE



the Township entered into an agreement with Urban Engineers in order to develop a Recreation Master Plan for the Lakeside Recreation Area. This study, known as the Lakeside Recreation Area Feasibility and Design Study, evaluated the site with respect to the recreational needs of the Township, the physical features of the site, existing and future facilities, beach and bluff erosion problems, and the cost and implementation of the proposed developments.

Township officials also realized that steps needed to be taken to curtail the continual shoreline erosion experienced at the Lakeside Recreation Area. The erosion problems at the site were being caused by two factors:

1. the wind-induced wave action of Lake Erie; and
2. two large storm water sewer outfall pipes (30 and 36 inch diameter) located approximately 75 feet east of the existing boat launch ramp.

In order to address the shoreline erosion problems, Lawrence Park Township entered into an agreement with Urban Engineers to conduct an Erosion Protection Design Study for the Lakeside Recreation Area. This study was completed in 1985 with funds provided by the Pennsylvania CZM Program. Specific project activities included:

1. Evaluating the causes of the shoreline erosion.
2. Developing alternative erosion protection facilities.
3. Designing a cost effective erosion protection system.
4. Preparing final plans and specifications for construction.

When CZM announced that grant funds were available for construction projects in FY 1986, Lawrence Park Township developed a phased plan for constructing a number of the improvements which were recommended in the above-mentioned studies. The following phases were completed through September 1989:

Phase I (FY 1986) - This project, which was completed in September 1988 with funds provided by the CZM Program (\$80,000) and Lawrence Park Township (\$34,614), consisted of the following activities:

- Heberling Associates conducted a Phase I Archeological Survey at the project site in April of 1987. Upon reviewing the findings of the Survey, officials from the Pennsylvania Historical and Museum Commission concluded that the construction activities would have no effect on archeological resources within the project area.
- Construction of a grouted rock lined basin and channel in order to divert the existing storm sewer discharge.
- Construction of a new boat launch ramp.
- Construction of a new gravel access road adjacent to the boat launch ramp.
- Installation of storm sewer lines and three catch basins.
- Final landscaping and seeding.

Phase II (FY 1988) - This project, which was completed in September 1989 with funds provided by the CZM Program (\$42,585) and Lawrence Park Township (\$34,648), consisted of the following activities:

- Construction of asphalt roadways.
- Construction of an asphalt parking area.
- Installation of storm sewer lines and three catch basins.
- Reconstruction of an existing catch basin.
- Installation of a new entrance gate for the access road.
- Planting of shrubs to provide screening around the fenced perimeter of the lift station.
- Final site grading and landscaping.

When FY 1990 funds become available, Lawrence Park Township decided to submit an application in order to undertake additional improvements at the Lakeside Recreation Area.

3. SCOPE OF WORK

The construction activities associated with the Lakeside Recreation Area Phase III Improvements Project were completed in June 1992 with funds provided by the PA Department of Environmental Resources Coastal Zone Management (CZM) Program and Lawrence Park Township. The total project cost was \$38,150 with the CZM share being \$10,000. The project improvements provided for the construction of a precast concrete block groin in order to provide shoreline protection for the recreational and storm water drainage facilities that were previously constructed under Phases I and II.

The following is a list of specific activities which took place during the completion of the project effort:

- 1) Final Project Specifications and Engineering Drawings - Completed by Urban Engineers in May 1990.
- 2) Entrance Gate Issue - On June 5, 1990, officials from the Federal Office of Ocean and Coastal Resource Management (OCRM), the PA Division of Coastal Zone Management (DCZM), the Erie County Department of Planning, and Lawrence Park Township met to discuss OCRM's concerns at Lakeside Park regarding the Township's policy of keeping the entrance gate locked at all times. According to OCRM, the gate was restricting public access to a recreational facility which was improved over the last few years with \$122,585 in CZM funds. Township officials stated that access to the site was not restricted as members of the public could purchase a key to open the entrance gate for a nominal fee. Following several months of negotiations, a compromise was reached in September 1990 whereby OCRM would not require the Township to repay past CZM expenditures from Phases I and II if the Township agreed to the following conditions:

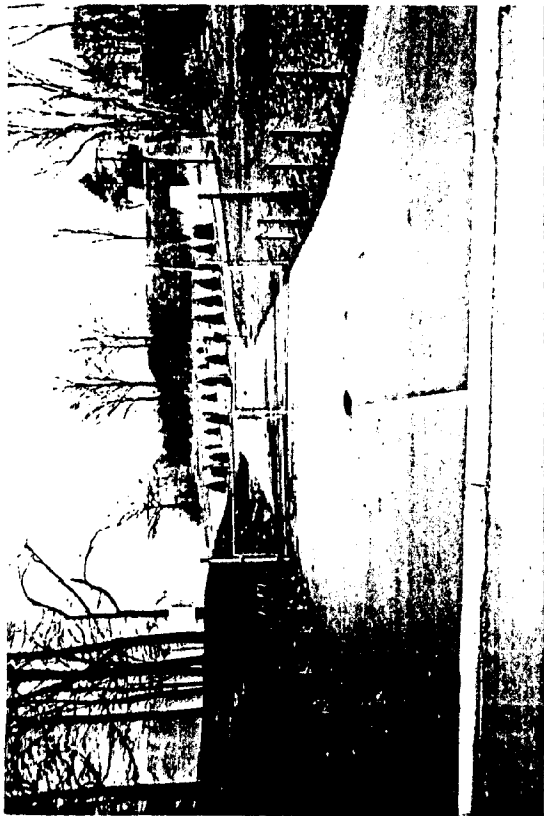
- Install a sign at Lakeside Park with information on how to obtain a key for the entrance gate. Cost for the key would be \$3.00 for both residents and non-residents of Lawrence Park Township.
 - Install a sign at the Park which explains the Park rules.
 - Provide two (2) handicapped parking spaces (with appropriate signage) in the existing parking lot.
 - Install two (2) directional signs along PA Route 5 which identify the location of the Lakeside Park boat launch ramp.
- 3) Application Withdrawn - After further discussions with DCZM officials, the Township decided to withdraw their application for the construction of the second groin at Lakeside Park. The Township was informed that they could re-apply for CZM funds when all the public access issues had been resolved. (Note: According to a previous agreement between the Township and DCZM, the Township was required to construct the second groin by October 1, 1990. DCZM agreed to extend this deadline while the Township was working on satisfying OCRM's conditions).
 - 4) Re-instatement of Application - By February 1990, the Township had complied with all of OCRM's conditions and also agreed to keep the entrance gate open from dawn to dusk during the primary boating season (1st Saturday of May through the 1st Saturday of November). The Township subsequently requested that CZM funds be appropriated for the construction of the second groin at Lakeside Park. OCRM agreed to re-instate the application in the Fiscal Year 1990 grant cycle.
 - 5) Project Administration - During the next several months, Lawrence Park Township, DCZM, and the Erie County Department of Planning executed the State and local contracts.
 - 6) First Bid Opening - The first bid opening was held at the Lawrence Park Township Municipal Building on September 10, 1991. Unfortunately, the lone bid received was higher than the amount of funds available for construction. Lawrence Park Township subsequently rejected the bid and requested a contract extension through June 30, 1992. DCZM approved the contract extension. Township Officials decided to re-bid the project during the winter months.
 - 7) Second Bid Opening - The second bid opening was held at the Lawrence Park Township Municipal Building on February 25, 1992. Unfortunately, the lone bid received was higher than the amount of funds available for construction. Lawrence Park Township subsequently rejected the bid.
 - 8) Revision to Project Specifications - The Township Engineer contacted a number of contractors that specialize in groin construction in order to find out why the bids were much higher than the Engineer's estimate. Based on recommendations provided by the contractors, the Township Engineer deleted the de-watering requirements from the project specifications.

- 9) Third Bid Opening - The third bid opening was held at the Lawrence Park Township Municipal Building on April 13, 1992. The low bid submitted by Houser Excavating, Inc. was subsequently accepted by the Township.
- 10) Project Administration - During the next several weeks, Lawrence Park Township, DCZM, and the Erie County Department of Planning finalized all paperwork in conjunction with this project. DCZM issued a notice to proceed with construction activities in May of 1992.
- 11) Completion of Construction Activities - Houser Excavating started construction activities in May 1992 and completed the project by the June 30, 1992 contract deadline. Specific activities which were undertaken as part of this project effort included:
 - Construction of a precast concrete block groin extending 50 feet into Lake Erie
 - Reconstruction of the lower section of the storm sewer diversion channel
 - A plaque identifying the Lakeside Phase III Project was attached to the existing project sign.

4. PRE-CONSTRUCTION PHOTOGRAPHS

LAKESIDE RECREATION AREA PHASE III IMPROVEMENTS PROJECT

APRIL, MAY 1992



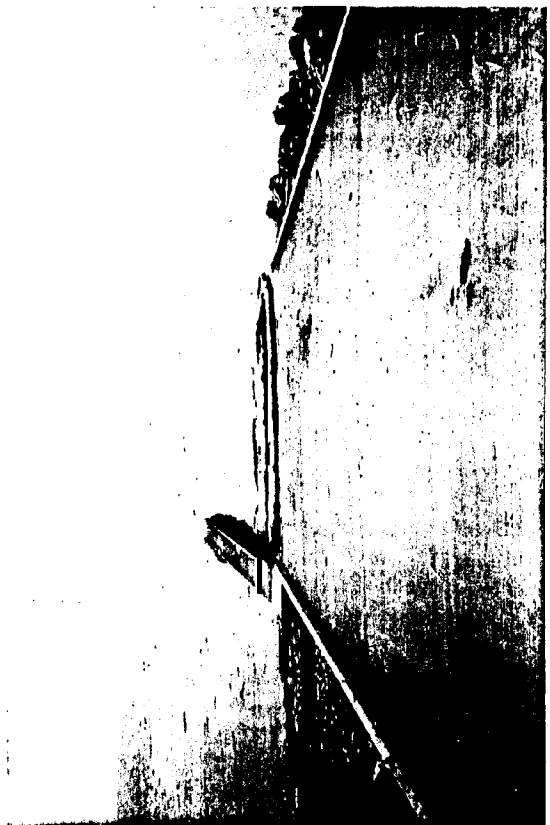
1. View of the entrance to Lakeside Park
(Entrance gate closed during off-season).



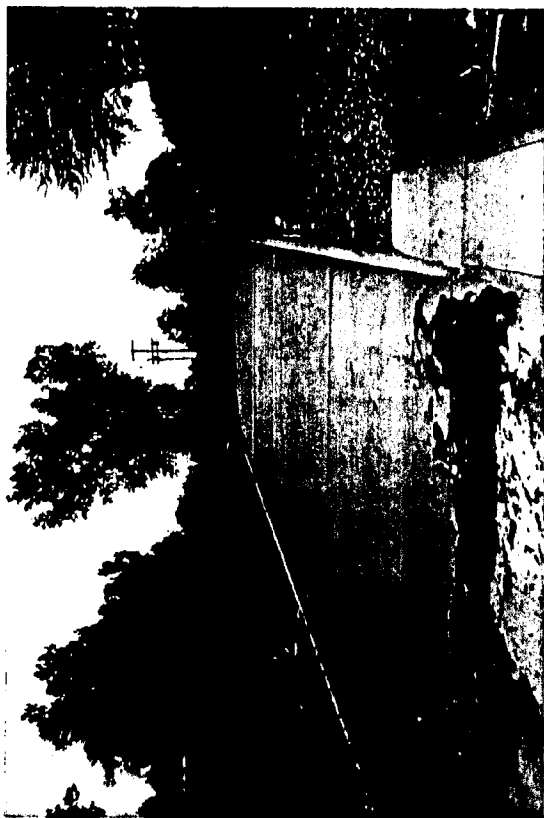
2. Northeast view of the access road which leads
to the boat launch ramp.



3. Southwest view of the parking area.



4. Northward view of the boat launch ramp.



5. Southward view of the approach to the
boat launch ramp.



6. View of the existing concrete groin.



7. View of the storm sewer outfall pipes
emptying into the diversion channel.



8. Northeast view along the storm water diversion
channel.

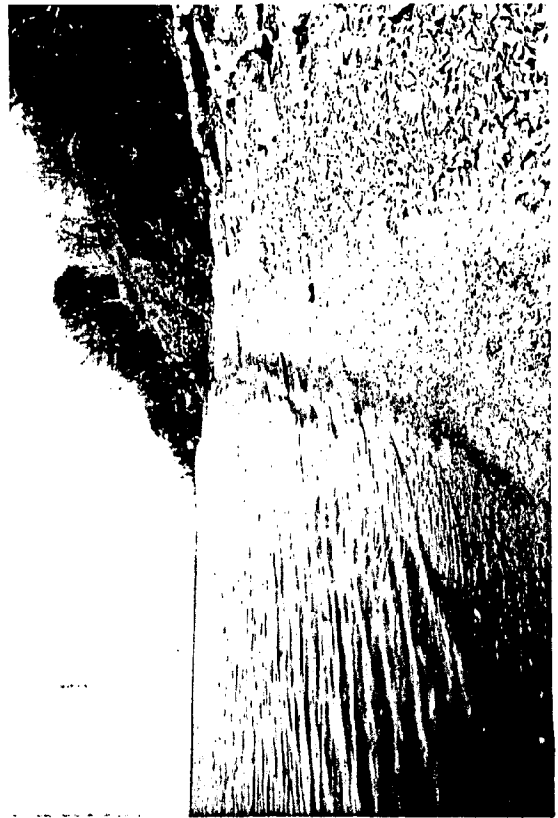
May
1992



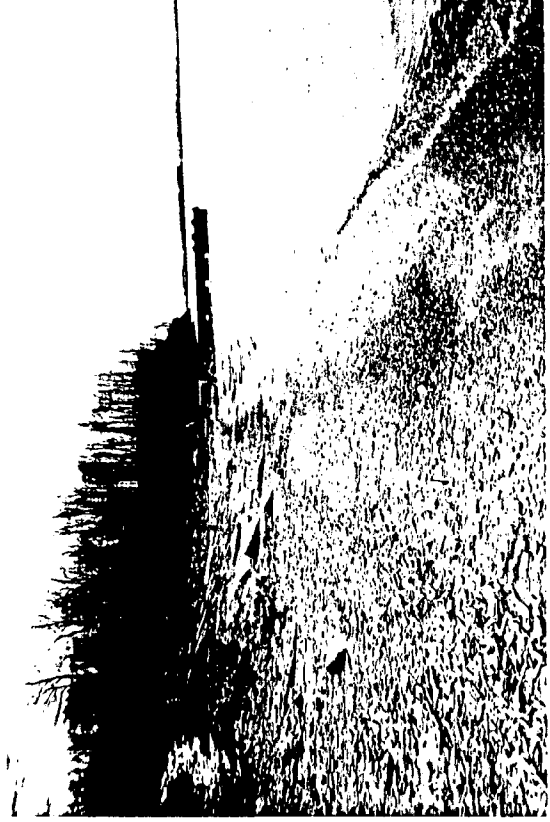
9. View of the wave-induced damage at the lower end of the storm sewer diversion channel (5/92).



10. Waves have undercut the storm water diversion channel (4/92).



11. Eastward view along the beachfront (4/92).

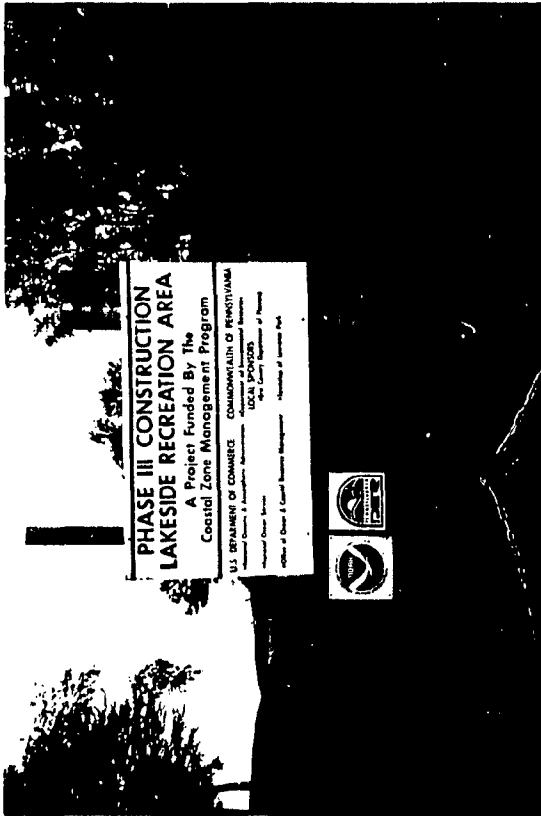


12. Westward view along the beachfront (4/92).

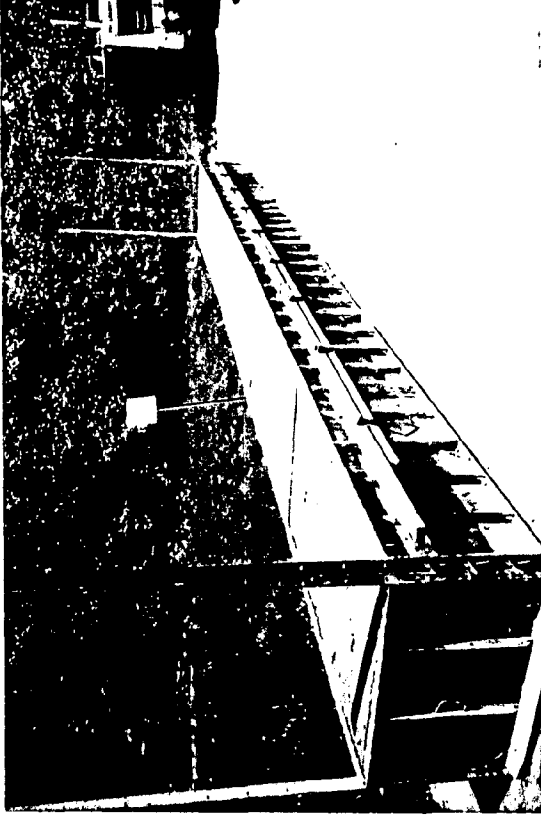
5. CONSTRUCTION PHOTOGRAPHS

LAKESIDE RECREATION AREA PHASE III IMPROVEMENTS PROJECT

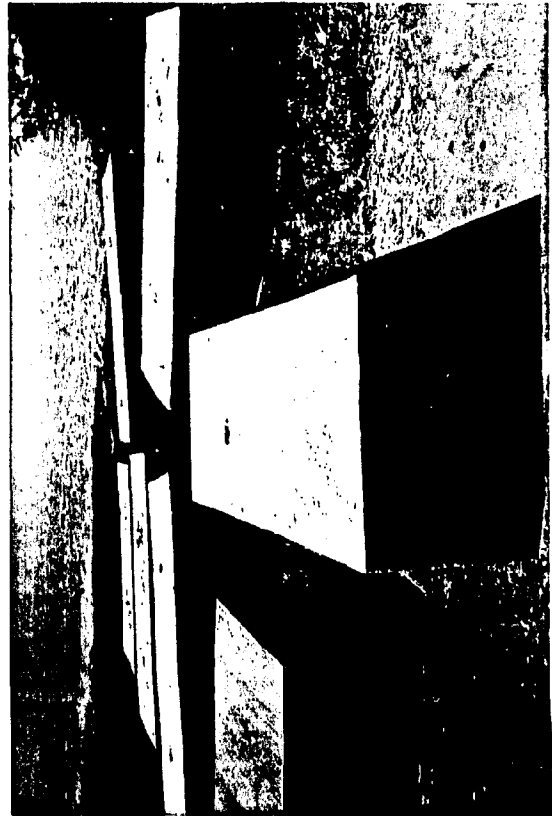
MAY, JUNE 1992



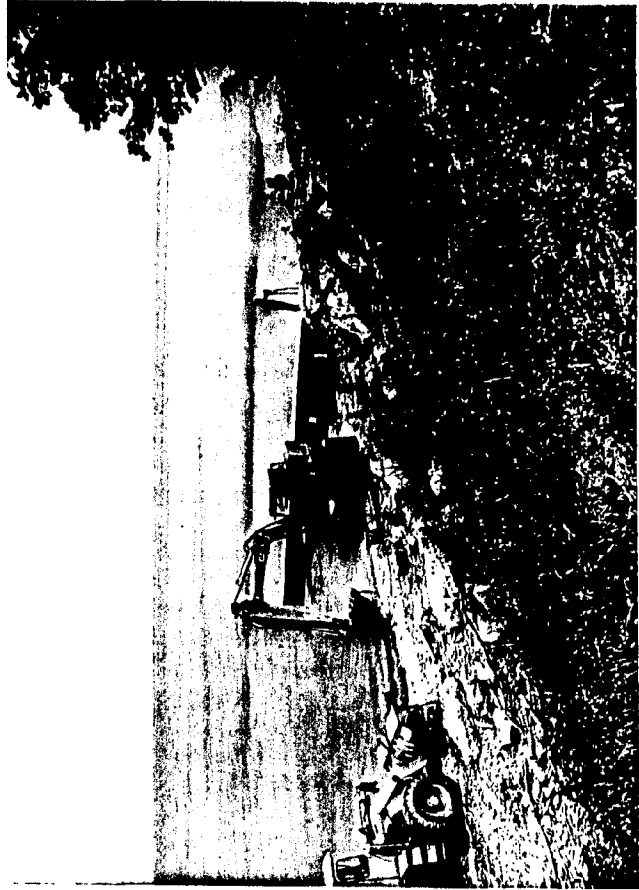
13. Construction sign which was erected at the project site (5/92).



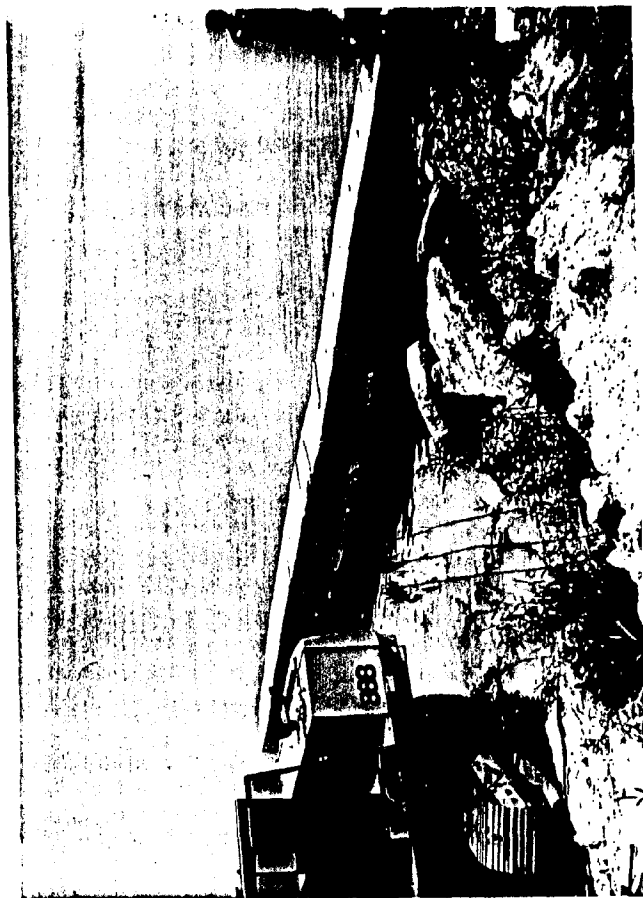
May/June 1992
14. Concrete blocks are pre-cast on site (5/92).



15. View of pre-cast concrete blocks prior to installation (5/92).



16. View of the project site during construction of the groin (6/92).

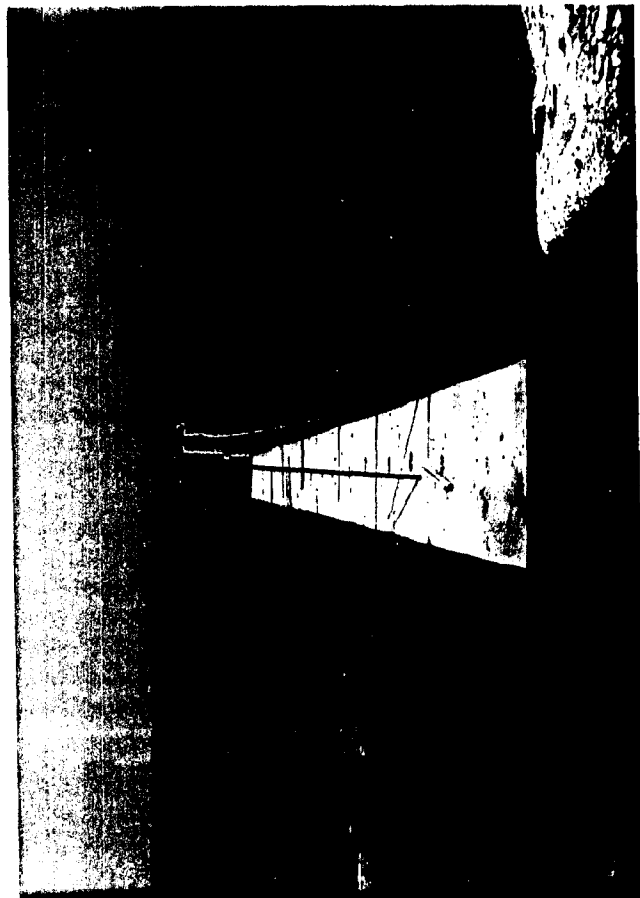


17. View of the west side of the groin during construction.

June
1992



18. View of the east side of the groin during construction.



19. Northward view of the groin during construction.



20. Re-construction of the lower end of the storm water diversion channel.

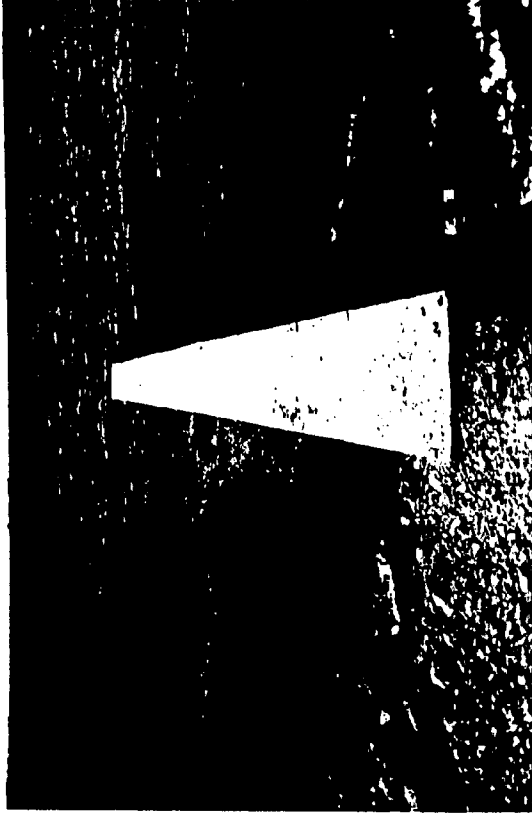
6. FINAL PROJECT PHOTOGRAPHS

LAKESIDE RECREATION AREA PHASE III IMPROVEMENTS PROJECT

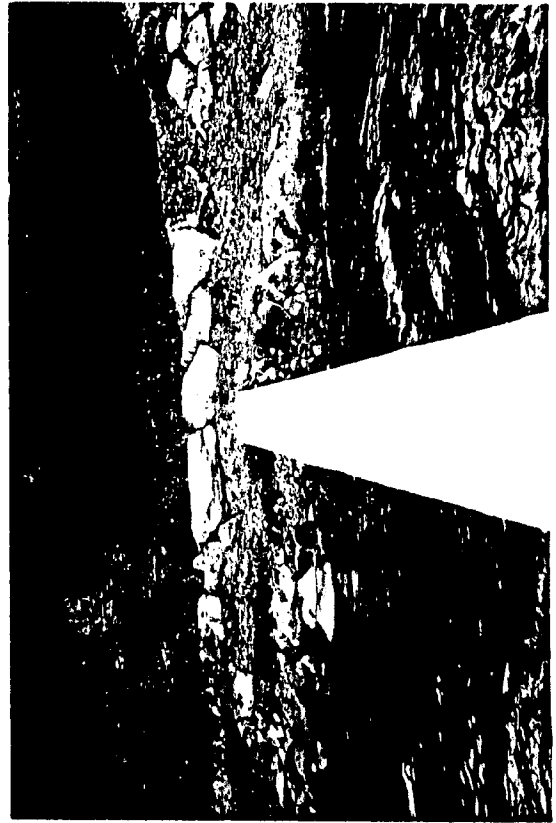
JUNE 1992



21. The Phase III plaque was added to the final project sign upon completion of the project.



22. Northward view of the new groin extending out into Lake Erie.



23. Southward view of the new groin anchored to the shoreline.



24. View of the weep holes which allow some of the littoral drift to pass through the new groin.



26. Westward view of the groin structures at Lakeside Park.



28. Northeast view of the re-constructed storm water diversion channel.



25. View of the west side of the new groin.



27. Eastward view of the new groin from the boat launch ramp.

7. PERMITS

Lawrence Park Township obtained the following permits in conjunction with the Lakeside Recreation Area Phase III Improvements Project:

- 1) Pennsylvania (DER) Bureau of Dams and Waterways Management - Water Obstruction and Encroachment Permit (No. E25-293).
- 2) U.S. Army Corps of Engineers - Department of the Army Permit (No. 85-476-9).
- 3) Pennsylvania (DER) Bureau of Dams and Waterways Management - Extension of Water Obstruction and Encroachment Permit (No. E25-293) through December 31, 1992.
- 4) U.S. Army Corps of Engineers - Extension of Department of Army Permit (No. 85-476-9) through August 31, 1991.
- 5) U.S. Army Corps of Engineers - Extension of Department of the Army Permit (No. 85-476-9) through August 31, 1993.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
WATER OBSTRUCTION AND ENCROACHMENT PERMIT

The Department of Environmental Resources "Department", established by the Act of December 3, 1970, P.L. 834 (71 P.S. §§510-1 *et seq.*) and empowered to exercise certain powers and perform certain duties under and by virtue of the Act of November 26, 1978, P.L. 1375, as amended by the Act of October 23, 1979, P.L. 204, (32 P.S. §§693.1 *et seq.*) known as the "Dam Safety and Encroachments Act"; Act of October 4, 1978, P.L. 851, (32 P.S. §§679.101 *et seq.*) known as the "Flood Plain Management Act"; Act of June 22, 1937, P.L. 1987, (35 P.S. §§691.1 *et seq.*), known as the "Clean Streams Law"; and the Administrative Code, Act of April 9, 1929, P.L. 177, *as amended*, which empowers the Department to exercise certain powers and perform certain duties by law vested in and imposed upon the Water Supply Commission of Pennsylvania and the Water and Power Resources Board, hereby issues this permit to:

LAWRENCE PARK TOWNSHIP

864 Silliman Avenue, Erie, PA 16511

giving its consent to reconstruct and maintain a concrete boat ramp, to extend
and maintain an existing groin and to construct and maintain a concrete
groin and an outfall structure in and along Lake Erie at a point approximately
1/2 mile West of Four Mil Creek in Lawrence Park Township, Erie County.

This permit is issued in response to an application filed with the Department of Environmental Resources on the 10th day of January A.D. 19 86, and with the understanding that the work shall be performed in accordance with the maps, plans, profiles and specifications filed with and made part of the application N/A. Subject however, to the provisions of the Dam Safety and Encroachments Act, the Flood Plain Management Act, the Clean Streams Law, the Administrative Code, the rules and regulations promulgated thereunder and the following conditions and restrictions;

1. This permit shall not become effective until and unless the permittee shall return the *file copy* signed by the permittee or an authorized agent of the permittee to the Department within thirty (30) days from the date of the permit; such signature shall signify and indicate that the permittee accepts and agrees to comply with the terms and conditions of the permit. Failure to submit such acceptance will render the permit null and void;

2. The Department, in issuing this permit, has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the Department may, in addition, institute appropriate legal proceedings;

3. This permit does not give any property rights, either in real estate or material, nor any exclusive privileges, nor shall it be construed to grant or confer any right, title, easement, or interest, in, to, or over any land belonging to the Commonwealth of Pennsylvania; neither does it authorize any injury to private property or invasion of private rights, nor any infringement of Federal, State, or local laws or regulation; nor does it obviate the necessity of obtaining Federal assent when necessary;

4. The work shall at all times be subject to supervision and inspection by representatives of the Department, and no changes in the maps, plans, profiles, and specification as approved shall be made except with the written consent of the Department. The Department, however, reserves the right to require such changes or modifications in the maps, plans, profiles, and specifications as may be considered necessary. The Department further reserves the right to suspend or revoke this permit if in its opinion the best interest of the Commonwealth will be subserved thereby;

5. This permit authorizes the construction, operation, maintenance and normal repair of the permitted structures conducted within the original specifications for the water obstruction or encroachment, and in accordance with the regulations of the Department and terms and conditions of this permit. Any repairs or maintenance involving modifications of the water obstruction or encroachment from its original specifications, and any repairs or reconstruction involving a substantial portion of the structure as defined by regulations of the Department shall require the prior written approval and permit of the Department;

6. All construction debris, excavated material, brush, rocks, and refuse incidental to this work shall be removed entirely from the stream channel and placed either on shore above the influence of flood waters, or at such dumping ground as may be approved by the Department;

7. There shall be no unreasonable interference with the free discharge of the river or stream nor with navigation during construction;

8. If future operations by the Commonwealth of Pennsylvania require modification of the structure or work, or if, in the opinion of the Department of Environmental Resources, the structure or work shall cause unreasonable obstruction to the free passage of floodwaters or navigation, the permittee shall, upon due notice remove or alter the structural work or obstructions caused thereby, without expense to the Commonwealth of Pennsylvania, so as to increase the flood carrying capacity of the channel or render navigation reasonably free, easy, and unobstructed, in such manner as the Department may require; and if, upon the expiration or revocation of this permit, the work shall not be completed, the permittee, at his own expense and to such extent and in such time and manner as the Department may require, shall remove all or any portion of the incompleated work and restore the watercourse to its former condition. No claim shall be made against the Commonwealth of Pennsylvania on account of any such removal or alteration;

9. The permittee shall notify the Department of Environmental Resources when this work is commenced and at least two weeks before the probable time of completion;

10. Within thirty (30) days after the completion of the work authorized in this permit, the permittee shall file with the Department of Environmental Resources, Harrisburg, Pennsylvania, a statement certifying that the work has been performed in accordance with this permit and the approved maps, plans, profiles, and specifications;

11. If this work is not completed on or before the 31st day of December
A.D. 1989, this permit, if not previously revoked or specifically extended, shall cease and be null and void;

12. The Engineer and the Contractor for the work authorized by this permit shall be apprised of all of the provisions and conditions and shall signify their acknowledgement of being so apprised

on the form herein attached. Copy of this signed form, together with copy of the permit shall be available for inspection at the project site at all times. Copy of the acknowledgement shall also be forwarded to the office issuing the permit. Failure to have copies of the permit and acknowledgement available for inspection at the project site shall be considered sufficient cause for issuance of a cease and desist order by the authorized Commonwealth personnel;

13. The permittee shall maintain the structure or work authorized herein in good condition and in accordance with the approved plans and drawings;

14. This permit may not be transferred without prior written approval from the Department, such approval being considered upon receipt of a properly executed "Application for Transfer of Permit" form;

15. If and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure pursuant to Condition 14, he must remove the structure or work authorized and restore the area to a condition satisfactory to and approved by the Department.

SPECIAL CONDITIONS

- A. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Pennsylvania Fish Commission's Northwest Regional Office, P. O. Box 349, 1281 Otter Street, Franklin, PA 16323, Telephone (814) 437-5774. The project site shall at all times be available for inspection by authorized officers and employees of the Pennsylvania Fish Commission.
- B. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Erie County Conservation District, LeRoy Gross, RD 5, Route 19, Waterford, PA 16441, Telephone (814) 796-4203. The project site shall at all times be available for inspection by authorized officers and employees of the County Conservation District.
- C. If the use of explosives in any waterways is required, the permittee shall secure the prior written permit from the Pennsylvania Fish Commission, pursuant to the Pennsylvania Fish and Boat Code, Act 1980-175 Title 30 Pennsylvania Consolidated Statutes, Section 2906. Requests should be directed to the Pennsylvania Fish Commission, Bureau of Administrative Services, P. O. Box 1673, Harrisburg, PA 17120, Telephone (717) 657-4522.
- D. The Erosion and Sedimentation Control Plan must be properly implemented and closely monitored to minimize erosion and prevent excessive sedimentation into the receiving stream channel.
- E. This permit is contingent upon the approval/permit from the District Engineer, Buffalo District, U.S. Army Corps of Engineers, Regulatory Branch, 1776 Niagara Street, Buffalo, NY 14207, under Section 10 of the Rivers and Harbor Act or Section 404 of the Clean Water Act of 1977. The District Engineer has been notified that the contact person for this project is: Mr. Charles K. Schnars, Telephone (814) 899-2305.
- F. The applicant shall place a minimum of 30 cubic yards of sand or gravel obtained from an upland source, updrift (west) of the proposed groin, with the maximum amount to be determined by the U. S. Corps of Engineers.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

Allen C. Jones
Permittee (signature)

July 2, 1986
Date

Date

JUL 17 1986

Attest

Louis H. Barbours

DEPARTMENT OF ENVIRONMENTAL RESOURCES

By:

Eugene E. Council
Eugene E. Council, Chief
Division of Waterways and
Storm Water Management

Applies to ER-DWM-7



REPLY TO
ATTENTION OF

2. CORPS PERMIT
DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

NCBCO-S

3 June 1986

SUBJECT: Application for Department of the Army Permit No. 85-476-9 Dated
3 January 1986, Received 9 January 1986 to Perform Work in Lake Erie,
Town of Lawrence Park, Erie County, Pennsylvania

Township of Lawrence Park
864 Silliman Avenue
Erie, PA 16511

Gentlemen:

Enclosed is the validated Department of the Army permit which you have
accepted the terms and conditions thereof.

Please note condition (n) of the permit which requires that our office be
informed of the commencement and completion of the authorized work. Forms
for this purpose are enclosed. Also enclosed is a reduced first page of the
permit describing the proposed work which must be conspicuously displayed at
the site of work.

Revised plans must be submitted to our office if material changes in the
location or plans of the work are necessary because of unforeseen or altered
conditions, or otherwise. These revised plans must receive the approval
required by law before construction is started.

Please acknowledge receipt of the permit.

My point of contact pertaining to this matter is Mrs. Diane Clements of my
Regulatory Branch who can be contacted by calling commercial number
716-876-5454, extension 2328, or by writing to:

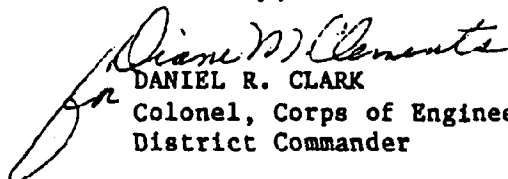
District Commander
U.S. Army Engineer District, Buffalo
1776 Niagara Street
Buffalo, NY 14207-3199
ATTN: Mrs. Diane Clements

NCBCO-S

SUBJECT: Application for Department of the Army Permit No. 85-476-9 Dated
3 January 1986, Received 9 January 1986 to Perform Work in Lake Erie,
Town of Lawrence Park, Erie County, Pennsylvania

Buffalo District - Leadership in Engineering.

Sincerely,


DANIEL R. CLARK
Colonel, Corps of Engineers
District Commander

5 Enclosures

1. Permit
2. Form 8
3. Form 9
4. Reduced Permit
Document
5. C.G. Notice

CF: USF&WS (State College, PA)
PA Dept of Env Res (Meadville, PA)
PA Dept of Env Res (Harrisburg, PA - Lawrence Toth)
EPA (Philadelphia, PA)
NOAA
USCGA (VA)



DEPARTMENT OF THE ARMY
PERMIT

NCBCO-S

PERMIT NO. 85-476-9

BUFFALO DISTRICT
CORPS OF ENGINEERS
BUFFALO, NY 14207

NAME OF APPLICANT TOWNSHIP OF LAWRENCE PARK

3 June 1986
EFFECTIVE DATE

EXPIRATION DATE

Referring to written request dated 3 JANUARY 1986 for a permit to:

- (X) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the River and Harbor Act of March 3, 1899 (33 U.S.C. 403);
- (X) Discharge dredged or fill material into waters of the United States upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Clean Water Act (Pub. L. 95-217, 33 U.S.C. 1344):

TOWNSHIP OF LAWRENCE PARK, 864 SILLIMAN AVENUE, ERIE, PA 16511 IS HEREBY AUTHORIZED BY THE SECRETARY OF THE ARMY TO: (A) DEMOLISH AN EXISTING BOAT RAMP, (B) EXCAVATE ABOUT 50 CUBIC YARDS OF SAND OR BROKEN SHALE FOR CONSTRUCTION OF AN OUTFALL CHANNEL, GROIN, AND NEW BOAT LAUNCH RAMP, (C) CONSTRUCT A NEW BOAT LAUNCH RAMP, (D) CONSTRUCT A TEMPORARY WOOD COFFERDAM IF NEEDED AROUND THE RAMP AREA, (E) CONSTRUCT A 60 FOOT LONG BY 3 FEET WIDE PRECAST CONCRETE BLOCK GROIN EXTENDING 50 FEET WATERWARD OF THE SHORELINE, AND (F) PLACE ABOUT 10 CUBIC YARDS OF HEAVY STONE BELOW ORDINARY HIGH WATER AT THE END OF THE STORM DRAIN AS DESCRIBED IN THE PUBLIC NOTICE 85-476-9 DATED 24 JANUARY 1986. THE WORK IS LOCATED IN LAKE ERIE, TOWN OF LAWRENCE PARK, ERIE COUNTY, PENNSYLVANIA AND SHALL BE IN ACCORDANCE WITH THE GENERAL AND SPECIAL CONDITIONS, AND THE PLANS AND DRAWINGS AND ANY ADDITIONAL SPECIAL CONDITIONS ATTACHED HERETO WHICH ARE INCORPORATED IN AND MADE A PART OF THIS PERMIT.

GENERAL CONDITIONS:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions k or l hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

b. That all activities authorized herein shall, if they involve, during their construction or operation, any discharge of pollutants into waters of the United States, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, pretreatment standards and management practices established pursuant to the Clean Water Act (Pub. L. 95-217, 33 U.S.C. 1344), the Marine Protection, Research and Sanctuaries Act of 1972 (Pub. L. 92-532, 86 Stat. 1052), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge during its construction or operation, of any pollutant (including dredged or fill material), into waters of the United States, the authorized activity shall, if applicable water quality standards are revised or modified during the terms of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the discharge will not destroy a threatened or endangered species as identified under the Endangered Species Act, or endanger the critical habitat of such species.

e. That the permittee agrees to make every reasonable effort to prosecute the construction or operation of the work authorized herein in a manner so as to minimize any adverse impact on fish, wildlife, and natural environmental values.

f. That the permittee agrees that it will prosecute the construction or work authorized herein in a manner so as to minimize any degradation of water quality.

g. That the permittee shall allow the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

h. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

i. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations.

j. That this permit does not obviate the requirement to obtain state or local assent required by law for the activity authorized herein.

k. That this permit may be either modified, suspended or revoked in whole or in part pursuant to the policies and procedures of 33 CFR 325.7.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be materially false, materially incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer of the time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not completed on or before day of , 19 , (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

q. That if and when the permittee, desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition t. hereof, he must restore the area to a condition satisfactory to the District Engineer.

r. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interest in real property.

s. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

t. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

u. That if the permittee during prosecution of the work authorized herein, encounters a previously unidentified archeological or other cultural resource that might be eligible for listing in the National Register of Historic Places, he shall immediately notify the District Engineer.

SPECIAL CONDITIONS: (CONTINUED ON PAGES 6 AND 7)

(1) That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

(2) That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

(3) That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

(4) That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

(5) That the permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

() That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for _____ years from the date of issuance of this permit (ten years unless otherwise indicated).

() That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

() That the discharge will be carried out in conformity with the goals and objectives of the EPA Guidelines established pursuant to Section 404 (b) of the Clean Water Act and published in 40 CFR Part 230.

(5) That the discharge will consist of suitable material free from toxic pollutants in toxic amounts.

(6) That the fill created by the discharge will be properly maintained to prevent erosion and other non-point sources of pollution.

() That the discharge will not occur in a component of the National Wild and Scenic River System or in a component of a State Wild and Scenic River System.

THIS PERMIT SHALL BECOME EFFECTIVE ON THE DATE OF THE DISTRICT ENGINEER'S SIGNATURE.

PERMITTEE HEREBY ACCEPTS AND AGREES TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS PERMIT.

BY _____
Permittee

May 29, 1986

Date

LAWRENCE PARK TOWNSHIP

Commissioner-Parks & Recreation

Title

Attest: Township Secretary

BY AUTHORITY OF THE SECRETARY OF THE ARMY:


DANIEL R. CLARK, COL, CE

District Commander

3 June 1986

Date

TRANSFeree HEREBY AGREES TO COMPLY WITH
THE TERMS AND CONDITIONS OF THIS PERMIT.

Transferee

Date

SPECIAL CONDITIONS

(7) That if the permittee proposes to use a disposal site not specifically authorized by this permit, the location of the proposed site must be submitted to the District Commander, prior to the discharge of any dredged or fill material, to determine if additional Department of the Army authorization is required.

(8) That the issuance of this permit does not constitute any endorsement of the engineering design and integrity of the structure authorized herein and that the permittee recognizes the possibility of damage to the structure from natural causes such as ice and storms and that the permittee shall not hold the United States liable for such damage to the structure or caused as a result of such damage to the structure.

(9) That if the District Commander finds that the structures authorized herein are trapping a significant amount of littoral material, the permittee shall be required to place coarse sand and gravel from an upland source in quantities and locations to be determined by the District Commander.

(10) That the Water Quality Certification issued for this project by the State of Pennsylvania is part of this Department of the Army permit pursuant to Section 401(d) of the Clean Water Act. Noncompliance with any limitations or requirements stated in the certification may be a basis for suspension, revocation or modification of this permit.

(11) This permit was issued on your certification that the project is consistent with the Pennsylvania Coastal Zone Management Plan. The Pennsylvania Department of Environmental Resources concurs in this certification provided you comply with any special conditions imposed by that agency. Noncompliance with the conditions may be a basis for suspension, revocation or modification of this permit.

(12) That all demolition debris and excavated shales shall be deposited on upland property in a manner that prevents reintroduction to waters of the United States including adjacent freshwater wetlands (swamps, marshes, bogs and similar areas). That the sand excavated shall be placed between the two groins as a beach above Ordinary High Water Elevation 572.8 feet, IGLD, 1955.

(13) That the dredging and filling shall be performed so as to minimize disturbance of the bottom or turbidity increases in the water which tend to degrade water quality and damage aquatic life.

(14) That earthwork operations on shore shall be carried out in such a way as to minimize erosion of the material and preclude entry to the waterway.

SPECIAL CONDITIONS CONTINUED

(15) On completion of earthwork operations, all fills on shore and other areas on shore disturbed during construction will be seeded, riprapped, or given some other type of protection from subsequent erosion.

(16) That the permittee shall employ measures during construction to prevent spills of fuels or lubricants. If a spill occurs, it shall be controlled to prevent its entry into the waterway.

(17) That the permittee shall provide receptacles to collect refuse from people using the beach and ramp facilities and arrange for adequate disposal of materials collected. Under no circumstances shall such wastes be discharged into the waterway.

(18) That this permit does not authorize the construction of any temporary fills in the waterway to facilitate construction of the structures such as laydown areas, work pads, temporary groins, roadways, cofferdams, etc. The permittee is authorized to construct the temporary wooded plank cofferdam around the waterward end of the proposed launch ramp and such cofferdam if used shall be removed from the waterway on completion of the structure.

(19) That the use of the area as a swimming beach is subject to the clearance and/or permit requirements of the Erie County Health Department. The Department of the Army permit does not convey such use of the area as a swimming/bathing beach, as this is a matter of local jurisdiction.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

P.O. Box 8554
Harrisburg, PA 17105-8554
March 12, 1990

717-541-7905

Bureau of Dams and Waterway Management

Mr. Robert B. Gwinn
Urban Engineers of Erie, Inc.
502 West Seventh Street
Erie, PA 16502

Re: DER File No. E 25-293

Dear Mr. Gwinn:

This is in reference to your letter of January 10, 1990 requesting a time extension on Permit No. E 25-293 on behalf of Lawrence Park Township to reconstruct and maintain a concrete boat ramp, to extend and maintain an existing groin, and to construct and maintain a concrete groin and an outfall structure in and along Lake Erie at a point approximately $\frac{1}{2}$ mile west of Four Mile Creek on Lawrence Township, Erie County.

Please be advised that favorable consideration has been given to this request and the time limit on Permit No. E 25-293 is hereby extended to December 31, 1992.

All conditions specified in the original permit remain in effect and are to be complied with as part of this time extension, including the following:

1. The Pennsylvania Fish Commission's Northwest Regional Office, P.O. Box 349, 1281 Otter Street, Franklin, PA 16323, Telephone 814-437-5774, shall be contacted and advised as to when the work will be done.
2. Proper erosion and sedimentation control measures shall be instituted during and after construction, and approval of the adequacy of these measures shall be obtained from the Erie County Conservation District at R.D. #5, Route 19, Waterford, PA 16441, Telephone 814-796-4203.
3. Act 14 of the Pennsylvania Legislature requires that written notice be given to the municipality(ies) and county(ies) in which the activities are proposed at least 30 days prior to starting construction. The written notice should be sent to each municipality and county by certified mail, return receipt requested. A copy of this notice along with the returned receipt should be kept on file along with this letter.

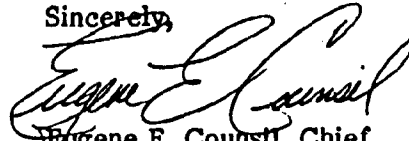
Mr. Robert B. Gwinn

- 2 -

March 12, 1990

Files shall be properly maintained and available for inspection by authorized employees of the Pennsylvania Department of Environmental Resources.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eugene E. Counsell".

Eugene E. Counsell, Chief
Division of Waterways and
Storm Water Management
Bureau of Dams and Waterway Management
Department of Environmental Resources



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

January 31, 1990

Regulatory Branch

SUBJECT: Modification of Department of the Army Permit
No. 85-476-9 (Processing No. 90-476-3)

Mr. Robert B. Gwinn
Urban Engineers, Inc.
502 West 7th Street
Erie, Pennsylvania 16502-1333

Dear Mr. Gwinn:

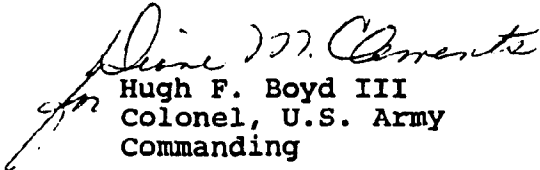
This is in reply to your letter dated January 10, 1990 requesting modification of above subject Department of the Army permit on behalf of Lawrence Park Township. Specifically, you request a change in the proposed construction date of a precast concrete block groin (Phase III of the project) which has been contingent upon receipt of Coastal Zone Management funding.

I have reviewed the requested modification and find that the change is minor in nature and would not be contrary to the overall public interest. Therefore, permit No. 85-476-9 is hereby modified to allow you to complete construction of the groin by August 31, 1991.

All other terms and conditions of the permit remain in full force and effect.

Questions pertaining to this matter should be directed to Mrs. Diane Clements, who may be contacted at 716-879-4328, or by writing to the above address.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:


Hugh F. Boyd III
Colonel, U.S. Army
Commanding



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3100

August 15, 1991

Regulatory Branch

SUBJECT: Request for Extension of Department of the Army
Permit No. 85-476-9

Mr. Robert B. Gwinn
Project Engineer
Urban Engineers, Incorporated
502 West 7th Street
Erie, Pennsylvania 16502-1399

Dear Mr. Gwinn:

This is in reply to your letter of August 1, 1991
requesting a time extension on above subject Department of
the Army permit.

In accordance with your request, General Condition (o)
of the permit is hereby revised to reflect a two-year
time extension thereby authorizing completion of the work
on or before August 31, 1993. This time extension is granted
provided there are no changes in the work specifications as
authorized.

All other terms and conditions of Department of the Army
permit No. 85-476-9 remain in full force and effect.

Questions pertaining to this matter should be directed to
Mr. Westley Floyd, who can be contacted at 716-879-4328, or
by writing to the above address.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Westley A. Floyd
For John W. Morris
Colonel, U.S. Army
Commanding

8. AS-BUILT DRAWINGS

(PLEASE SEE ATTACHMENT A)

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