

PENNSYLVANIA COASTAL ZONE MANAGEMENT PROGRAM

CHESTNUT PARK BOAT LAUNCH RAMP DEVELOPMENT PROJECT
FINAL REPORT

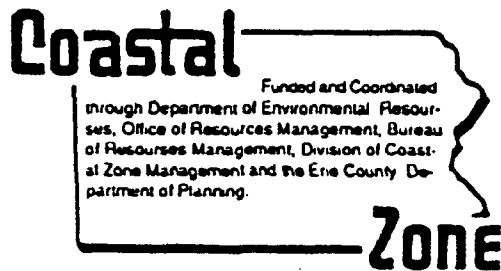
CITY OF ERIE
ERIE COUNTY, PENNSYLVANIA

Prepared By:

ERIE COUNTY DEPARTMENT OF PLANNING
September 30, 1994

DER GRANT/CONTRACT NO. - CZ1:92.01PE
GRANT TASK NO. - CZ1:92PE.04
ME NO. - 92269

A REPORT OF THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL
RESOURCES TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
PURSUANT TO NOAA AWARD NO. - NA270Z0335-01



This project was financed in part through a federal Coastal Zone Management Grant from the Pennsylvania Department of Environmental Resources with funds provided by NOAA. The views expressed herein are those of the author(s) and do not necessarily reflect the views of NOAA or any of its subagencies.

**CHESTNUT PARK BOAT LAUNCH RAMP DEVELOPMENT PROJECT
CITY OF ERIE
ERIE COUNTY, PENNSYLVANIA**

**FINAL REPORT
September 30, 1994**

The preparation of this report was funded and coordinated through the Pennsylvania Department of Environmental Resources, Bureau of Land and Water Conservation, Division of Coastal Programs, and the Erie County Department of Planning.

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1. Project Location

The Chestnut Park Boat Launch Ramp Development site is located at the foot of Chestnut Street, adjacent to Presque Isle Bay and just west of the City's Water Filtration Plant, and north of the recently opened Bayfront Parkway (see Site Location Map). Existing facilities at Chestnut Park include two (2) concrete boat launch ramps separated by a wood plank pier, a stone rubble groin which protects the launch site from westerly winds, a large gravel off-street parking area, a boat house, and a fish hatchery. The site is partly located on the City of Erie controlled Chestnut Street right-of-way and partly on property identified as City Index No. 4048-200, owned by the Erie Water Authority.

The specific site for the boat launch ramp is within a City-owned marina facility, which is no longer in operation. The marina is located between the water filtration plant and the existing boat launch ramps. The area located directly south of the marina is the old municipal swimming pool site, which has been filled and will be used for additional off-street parking for the public.

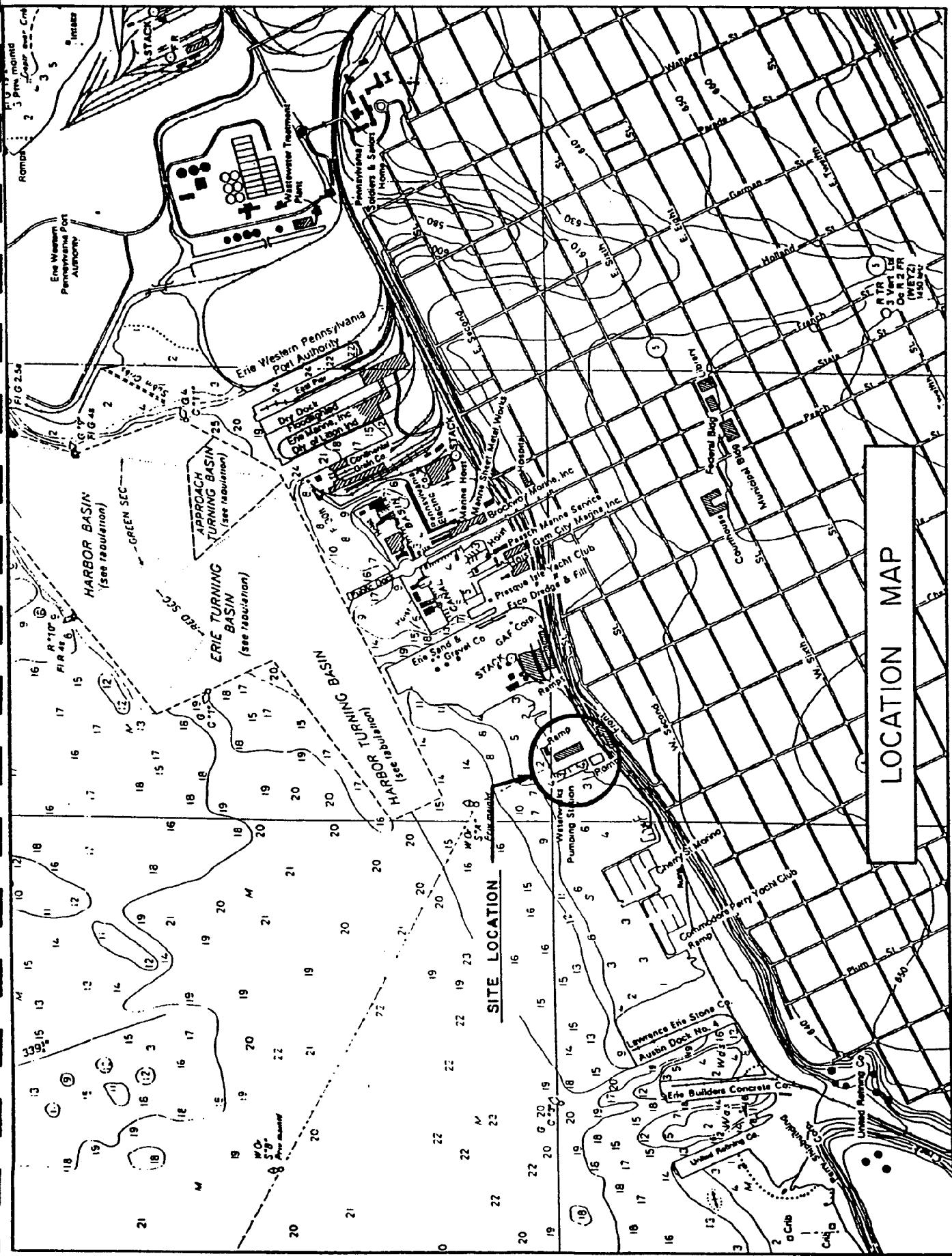
The site is easily accessible to the general public and, in fact, has direct access to and from the Bayfront Parkway. The Parkway itself is connected to the northern terminus point of Interstate 79, thereby dramatically increasing access to the project site.

In general, the west bayfront area consists of a large number of marina facilities, residential condominiums (currently under construction), open space/recreation area, two industrial sites and the water filtration plant. South of the project site and elevated approximately 50 feet by a bluff is a high density residential neighborhood consisting of a combination of newer and older structures.

The Chestnut Park Boat Launch Development site is located in a Geographic Area of Particular Concern (GAPC).

2. Project Background

Erie's Bayfront area is in a transition, currently emphasizing a mixed-use commercial/residential and recreational land use pattern as opposed to a previous emphasis on industrial development. To assure an orderly and well planned transition, the City adopted the Waterfront Comprehensive Plan in 1987. The Waterfront Comprehensive Plan, Article IV - Summary of Comprehensive Planning Assets and Issues, Section C - Issues, Subsection 3 - Public Waterfront Access and Recreation Opportunities reads "Pedestrian Access along the water's edge in an active urban environment represents one kind of waterfront recreational experience. Other types of public access are also needed to create a range of opportunities that take full advantage of the waterfront's recreational potential. With exception of Pier Park - which is essentially an urban open space - there is no public park land on Erie's waterfront. Green areas which provide passive and active recreational facilities (including picnic areas, boat launch ramps,



and areas for organized and informal sports) could add significantly to the waterfront's accessibility, recreational value and visual character. In addition, such a park might serve as an important buffer between industrial uses and new development areas".

In order to define bayfront recreation needs, the City completed the Bayfront Recreation Plan in 1988. This Plan specifically addressed the Chestnut Park Boat Ramp site: "This local launch area will be made more accessible after completion of the Bayfront Port Access Road (Bayfront Parkway). As a result, utilization will dramatically increase. Site improvement is required to enable the launch to adequately serve large volumes of vehicles". The Waterfront Comprehensive Plan is a CZM funded study. As recommended, the City has previously filled in the municipal pool site in anticipation of enlarging the parking area.

Considering the expressed need for additional water related recreational facilities and the necessary elimination of the existing launch facility located just east of the water filtration plant, the City proposed to build an additional boat launch ramp facility at Chestnut Park in order to sustain and enhance accessibility for the boating public.

3. Scope of Work

The construction activities associated with the Chestnut Park Boat Launch Ramp Development Project were commenced in June 1994 and completed in September 1994 with funds provided by the PA Department of Environmental Resources Coastal Zone Management (CZM) Program and the City of Erie. The total project cost was \$134,189, with the CZM share being \$50,000.

This project is one phase of the overall development plan for the Chestnut Park site as described in the City's Waterfront Comprehensive Plan and the Bayfront Recreation Plan. It is anticipated that due to these newly constructed boat launch ramps at Chestnut Park, relief from the over-usage of other ramps will be realized and a more proper and orderly organization of the property during peak usage time will occur. This additional boat launch facility will also provide more public accessibility for recreational purposes to the waterfront.

Specific activities which took place during the completion of this project effort included:

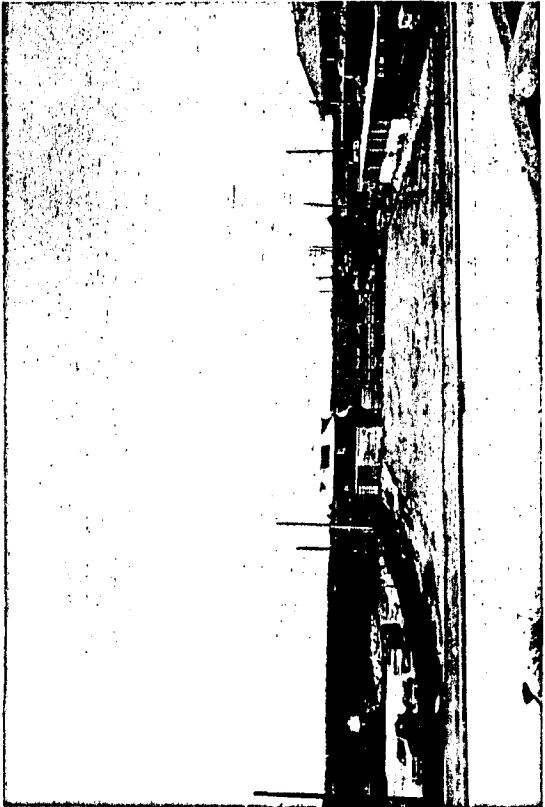
1. Final Project Specifications and Engineering Drawings - Completed by the City of Erie in October 1992.
2. Delays in obtaining permits and approvals - The bid opening was delayed several times as the City of Erie attempted to get the necessary approvals from the Pennsylvania Historical and Museum Commission (PHMC), the Department of Environmental Resources (DER), and the U.S. Army Corps of Engineers. Approval letters/permits were issued by the PHMC, the DER, and

the Corps of Engineers on November 30, 1992, June 2, 1994, and June 10, 1994, respectively. Because of these delays, CZM approved a contract extension through September 30, 1994 in order to give the City of Erie additional time to complete the project.

3. Bid Opening - The City of Erie held an official bid opening for the construction activities on October 13, 1993. The low bidder was the Chivers Construction Company. A notice of award was issued upon receipt of the permits.
4. Project Administration - Upon receiving the necessary permit approvals in June 1994, the City of Erie, the DCP, and the Erie County Department of Planning finalized all paperwork in conjunction with this project effort. A notice to proceed with construction activities was issued on June 20, 1994.
6. Completion of Construction - The Chivers Construction Company started the construction activities in June 1994 and completed the project by the September 30, 1994 contract deadline. Specific construction activities which were undertaken as part of this project effort included:
 - A. Construction of a new boat launch ramp which can accommodate three (3) boat launchings simultaneously.
 - B. Removal of waterway obstructions.
 - C. Installation of floating piers.
 - D. The final project sign will be installed upon completion of the Chestnut Park Site Improvements Project.

4. PRE-CONSTRUCTION PHOTOGRAPHS

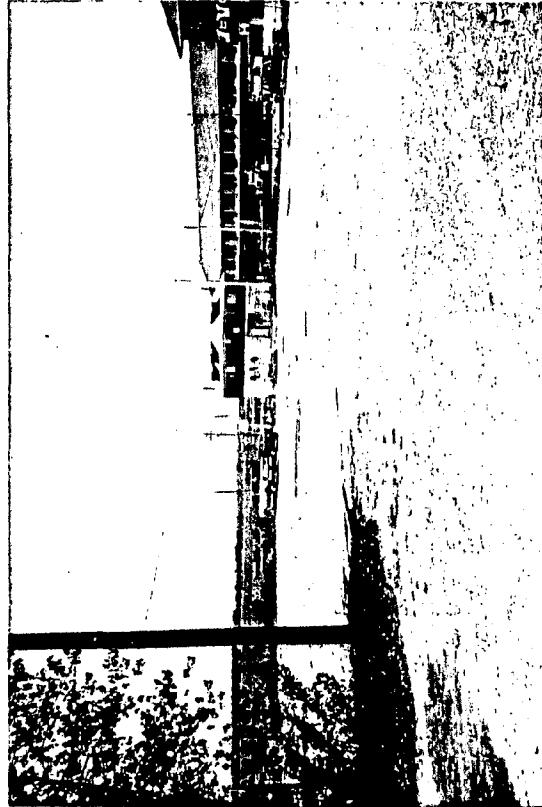
CHESTNUT PARK BOAT LAUNCH RAMP DEVELOPMENT PROJECT
JUNE 1994



1. View of the Chestnut Park Boat Launch Ramp Site from the Bayfront Parkway.



JUNE 1994 | 2. Proposed construction site between the Water Filtration Plant and the boat house.



3. View of the existing parking lot at Chestnut Park.



4. Boat house immediately west of proposed boat launch ramp site.



5. View of the existing boat launch ramp west of the proposed project site.

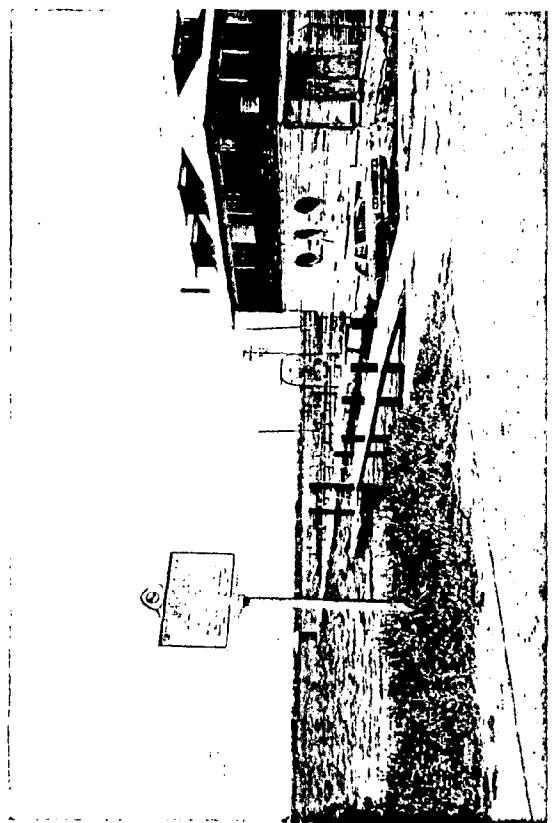
JUNE
1994

6. Northwest view of the project site.



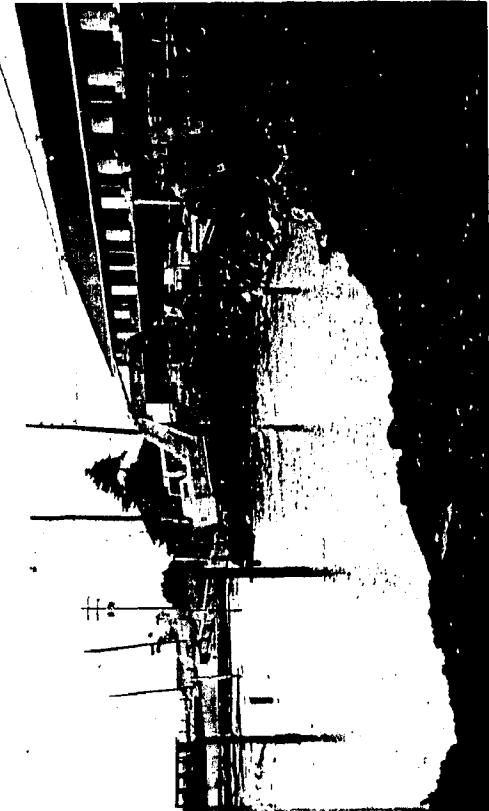
7. Close-up view of the proposed boat launch ramp site, facing north.

8. Northward view of the marina facilities at Chestnut Park.



5. CONSTRUCTION PHOTOGRAPHS

**CHESTNUT PARK BOAT LAUNCH RAMP DEVELOPMENT PROJECT
JUNE/JULY/AUGUST 1994**

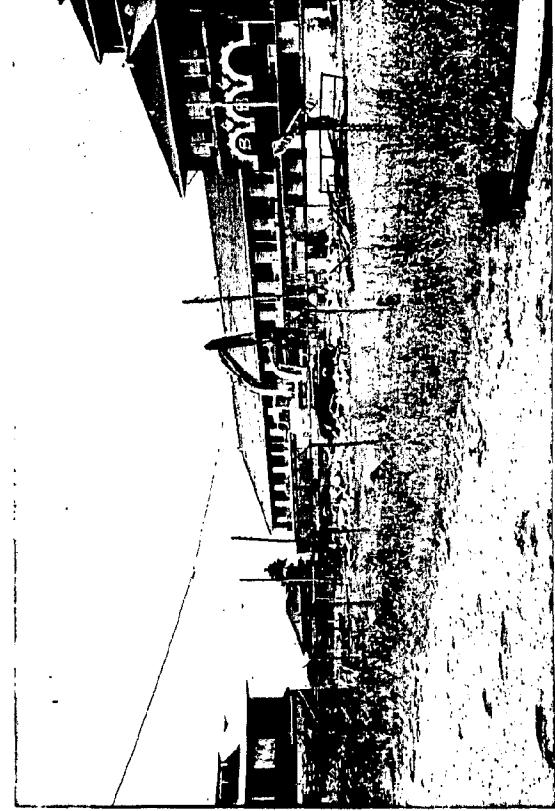


9. Chivers Construction Company begins building a temporary cofferdam prior to construction of the new boat ramp.

JUNE
1994



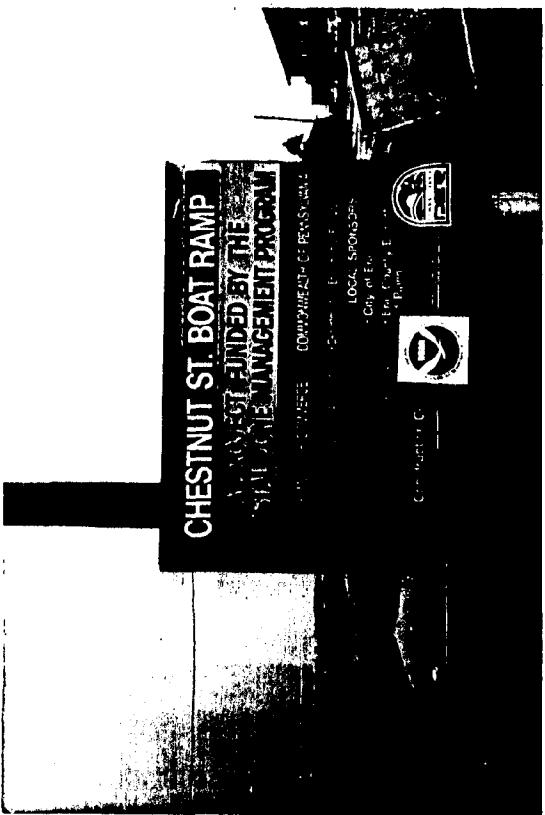
10. Electric pumps are being used to remove water from the construction site.



11. Excavation work at the proposed site.



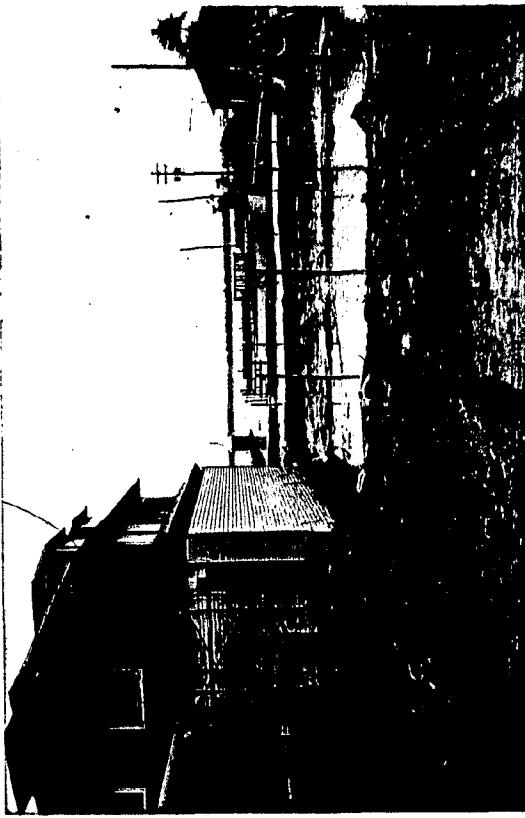
12. View of the temporary cofferdam, facing north.



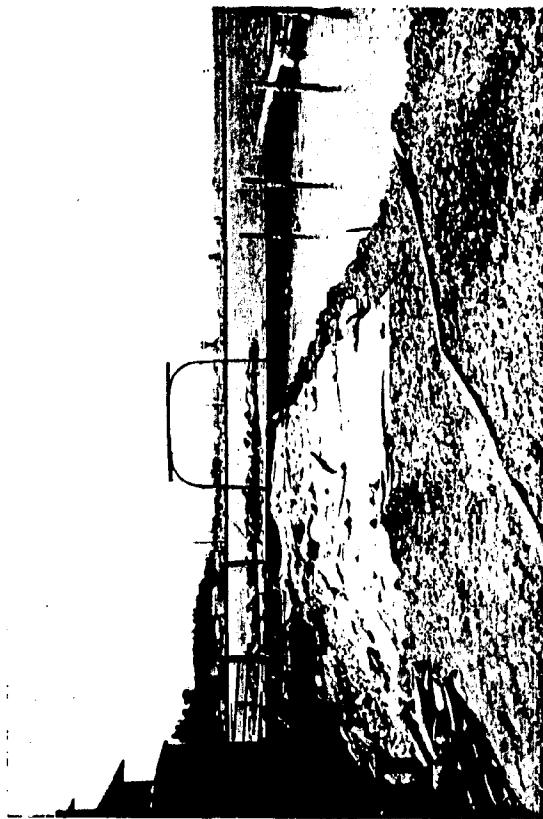
13. Construction sign which was erected at the project site.

JULY 1994

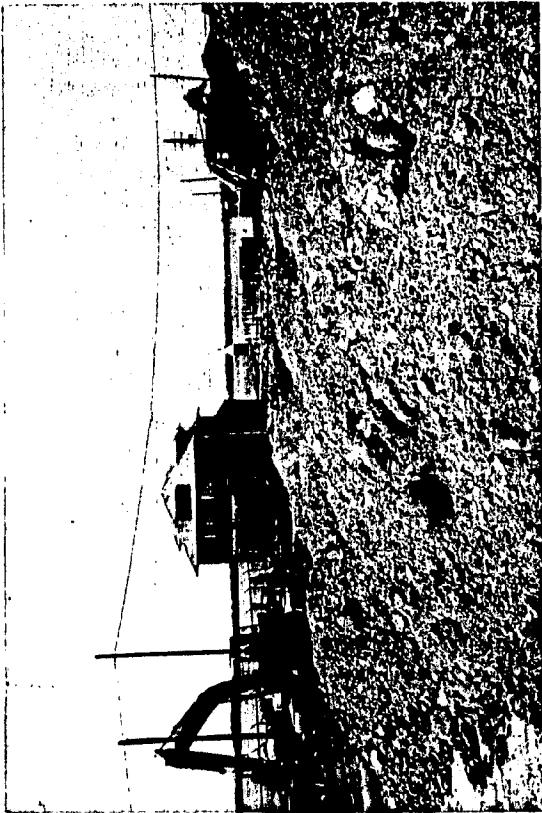
14. Workers are installing plastic on the concrete pier to keep water from seeping into the construction site.



15. Boat ramp construction site immediately east of boat house, facing north.



16. View of cofferdam, facing west.

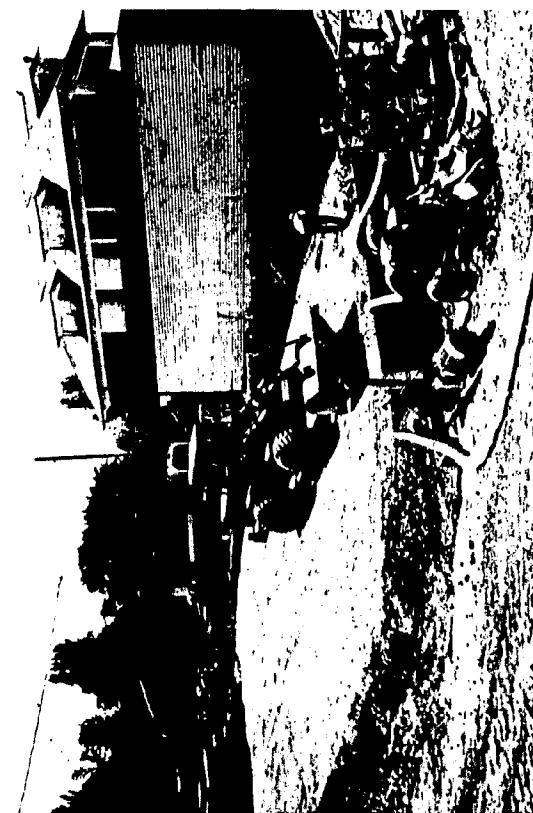


17. Dredged material from the construction site.

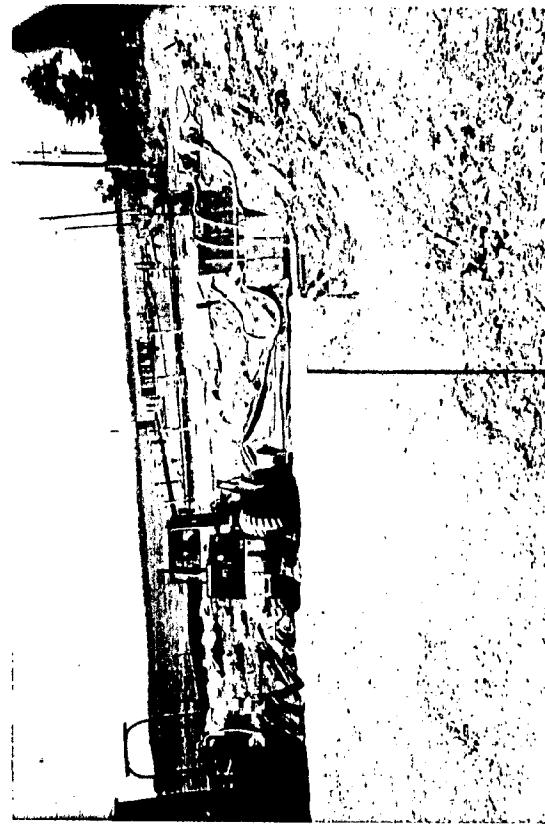


JULY
1994

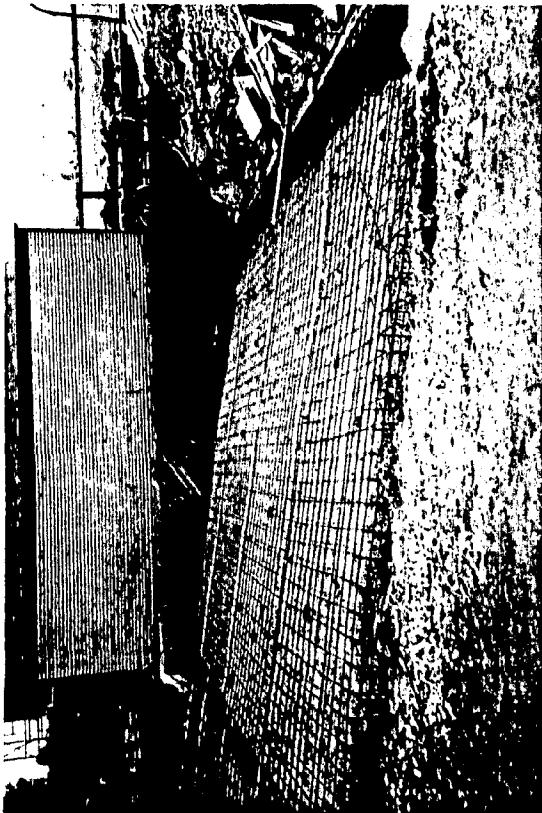
18. Bedrock was cut to make room for the ramp foundation.



19. Installation of the gravel base for the boat ramp.



20. Final grading prior to constructing boat ramp.



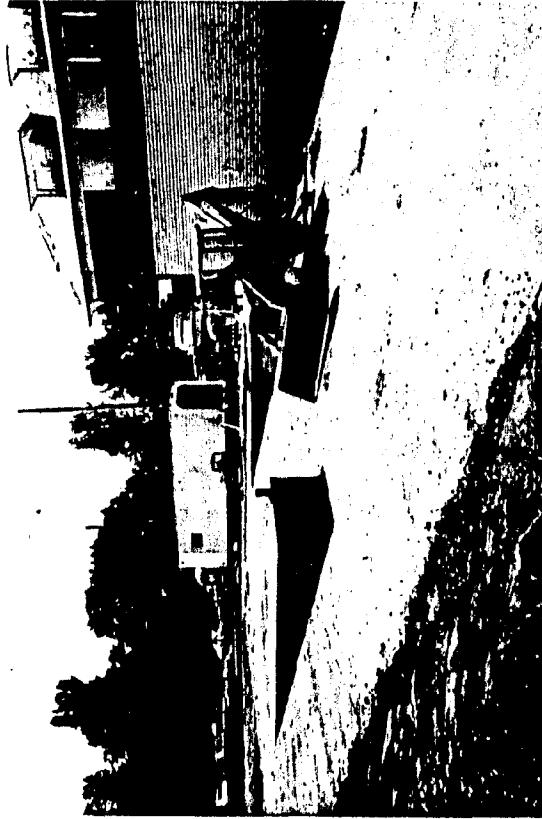
21. Westward view of the ramp site prior to pouring the concrete.



AUGUST 1994
22. Boat launch ramp under construction.



23. Workers install steel reinforcement bars for the boat ramp.



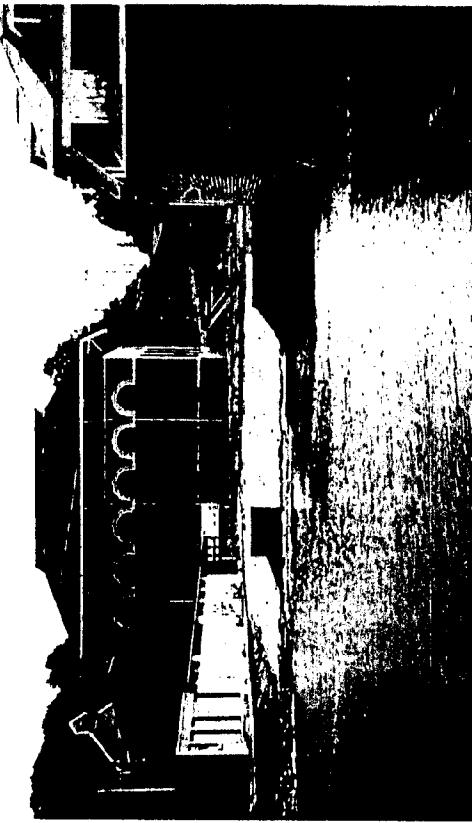
24. View of the new boat launch ramp, facing southwest.

6. FINAL PROJECT PHOTOGRAPHS

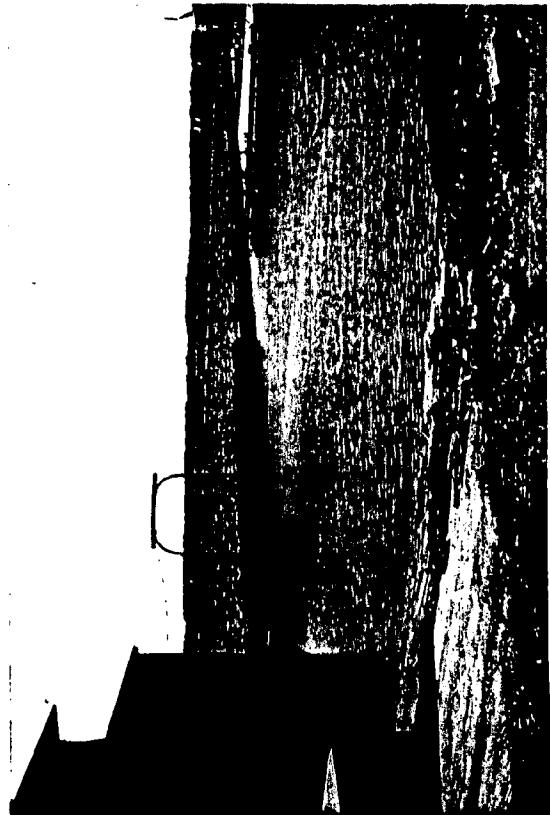
**CHESTNUT PARK BOAT LAUNCH RAMP DEVELOPMENT PROJECT
SEPTEMBER 1994**



25. View of the project site, facing northeast.



SEPT. 1994 26. View of the new boat launch ramp, facing south.



27. View of the lower section of the boat launch ramp after removal of the cofferdam, facing northwest.



28. View of the new boat launch ramp, facing southwest.

7. PERMITS AND APPROVALS

The City of Erie obtained the following permits and approvals in conjunction with the Chestnut Park Boat Launch Ramp Development Project:

1. A November 30, 1992 letter from the Pennsylvania Historical and Museum Commission stating that the project will have no adverse impact on historic or archaeological resources.
2. Pennsylvania Department of Environmental Resources - Water Obstruction and Encroachment Permit (No. E25-503).
3. U.S. Army Corps of Engineers - Department of the Army Permit (No. 94-750-1).

1. PHMC Approval Letter: No Adverse Impact



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Post Office Box 1026
Harrisburg, Pennsylvania 17108-1026

November 30, 1992

Ronald J. Desser
City of Erie
Bureau of Planning & Development, Room 404
626 State Street
Erie, PA 16501

TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER

Re: ER 92-3940-049-A, B, C
Coastal Zone Management Projects:
Task No. 92-PE.04. Chestnut Park Boat Launch Ramp, Erie,
Erie County
Task No. ?
Bayfront Bikeway Development, Erie, Erie County

Dear Desser:

The above named project has been reviewed by the Bureau for Historic Preservation (the State Historic Preservation Office) in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

Task No. ?: Bayfront Bikeway Development, Erie, Erie County:

The property listed below, listed in or eligible for the National Register of Historic Places, are located near the project area. However, due to the nature of the activity, it is our opinion that there will be no effect on these properties. Should the applicant become aware, from any source, that unidentified historic or archaeological properties are located at the project site, or that the project activities will have an effect on these properties, the Bureau for Historic Preservation should be contacted immediately. In our opinion this project will have no effect on archaeological resources.

Dobbins Lane, Erie, Erie County

Page 2
R. Desser
Nov. 30, 1992

Task No. 92-PC.04. Chestnut Park Boat Launch Ramp, Erie, Erie County:

The property listed below, listed in or eligible for the National Register of Historic Places, are located near the project area. However, due to the nature of the activity, it is our opinion that there will be no effect on these properties. Should the applicant become aware, from any source, that unidentified historic or archaeological properties are located at the project site, or that the project activities will have an effect on these properties, the Bureau for Historic Preservation should be contacted immediately. In our opinion this project will have no effect on archaeological resources.

Erie Waterworks Building, Erie, Erie County

If you need further information in this matter please consult Susan M. Zacher at (717) 783-8946 or 783-8947.

Sincerely,
Kurt Carr

Kurt Carr, Chief
Division of Archaeology &
Protection

cc: E. James Tabor, Chief, Division of Coastal Zone Management
Bureau of Water Resources, P O Box 8761, Harrisburg, PA
17105-8761

KC/smz



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

190 Adams Road
Jamestown, PA 16134-9436

JUN 2 - 1994

412/932-3162

Jamestown Office

Richard L. Morris, P.E.
City of Erie
Municipal Bldg., 626 State St.
Erie, PA 16501

Re: Water Obstruction and Encroachment Permit Issuance
City of Erie
Application No. E25-503
City of Erie, Erie County

Dear Mr. Morris:

Enclosed is the executed copy of your Water Obstruction and Encroachment Permit.

Prior to the commencement of construction, the enclosed Acknowledgment of Permit Conditions must be completed and signed by you and an individual responsible for the supervision or conduct of the construction work acknowledging and accepting the general and special conditions contained in the permit. Unless the signed Acknowledgment of Appraisal of Permit Conditions is submitted to this office, the permit is void.

The completion Report form must be signed by you and the supervising engineer indicating that the work has been completed as approved. The Completion Report must be submitted to this office within 30 days of the completion of the approved project.

A copy of both the Permit and the Acknowledgment of Appraisal of Permit Conditions must be available at the work site for inspection upon request by any officer or agent of the Department or any other Federal, State, County or Municipal agency.

Sincerely,

David E. Milhous
David E. Milhous, P.E.
Program Manager
Water Management

Enclosures
Permit
Acknowledgment of Appraisal
Completion Report



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
WATER MANAGEMENT PROGRAM - SOILS AND WATERWAYS SECTION

**WATER OBSTRUCTION AND ENCROACHMENT PERMIT
SMALL PROJECT PURSUANT TO SECTION 105.13(e)**

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:

CITY OF ERIE

Municipal Building, 626 State Street, Erie, PA 16501

giving its consent to construct and maintain two boat lauch ramps, a floating pier adjacent to the ramps, to remove various small waterway obstructions and to dredge approximately 175 cubic yards and fill approximately 100 cubic yards at the foot of Chestnut Street in Presque Isle Bay (Erie North, PA Quadrangle N: 1.25 inches; W: 13.25 inches) in the City of Erie, Erie County.

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. 134(a)).

This permit is issued in response to an application filed with the Department of Environmental Resources on the 24th day of September A.D. 19 93, and with the understanding that the work shall be performed in accordance with the maps, plans, profiles and specifications filed with and made a part of the application on February 2, 1994, 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. The permittee shall sign the permit thereby expressly certifying the permittee's acceptance of, and agreement to comply with, the terms and conditions of the permit. The permittee shall return a signed copy of the permit to the Department. The permit will not be effective until the signed copy of the permit is received by the Department;

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 regulations; 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 specifications 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 or 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. 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, in writing, of the proposed time for commencement of work at least 15 days prior to the commencement of construction;

10. If this work is not completed on or before the 31st day of December A.D. 19 96, this permit, if not previously revoked or specifically extended by the Department in writing, shall become void without further notification;

11. If construction work has not been completed within the time specified in the permit and the time limit specified in the permit has not been extended in writing by the Department or if a permit has been revoked for any reason, the permittee shall, at his own expense and in a manner that the Department may prescribe, remove all or any portion of the work as the Department requires and restore the water course and floodplain to their former condition;

12. The permittee shall fully inform the engineer or contractor, responsible for the supervision and conduct of work, of the terms, conditions, restrictions and covenants of this permit. Prior to the commencement of construction, the permittee shall file with the Department in writing, on a form provided by the Department, a statement signed by the permittee and an individual responsible for the supervision or conduct of the construction work acknowledging and accepting the general and special conditions contained in the permit. Unless the acknowledgment and acceptance have been filed, the permit is void. A copy of the permit and the acknowledgment shall be available at the work site for inspection upon request by an officer or agent of the Department or another Federal, State, County or Municipal Agency;

13. The permittee shall operate and maintain the structure or work authorized herein in a safe condition in accordance with the permit terms and conditions and the approved maps, plans, profiles and specifications;

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 discontinue use or abandon the activity authorized herein, he must remove all or part of the structure or work authorized and take other actions as are necessary to protect safety and the environment in accordance with a permit issued by the Department;

16. If the use of explosives in any waterways is required, the permittee shall secure the prior written permit from the Pennsylvania Fish and Boat 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 and Boat Commission, Division of Environmental Services, 450 Robinson Lane, Bellefonte, PA 16823, 814-359-5147;

17. Permittee shall implement and monitor the Erosion and Sedimentation Control Plan prepared in accordance with Chapter 102 so as to minimize erosion and prevent excessive sedimentation into the receiving watercourse or body of water;

18. The project site shall at all times be available for inspection by authorized officers and employees of the Pennsylvania Fish and Boat Commission. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Pennsylvania Fish and Boat Commission's Northwest Region Office at 1281 Otter Street, P.O. Box 349, Franklin, PA 16323; telephone (814) 437-5774;

19. The project site shall at all times be available for inspection by authorized officers and employees of the County Conservation District. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Erie County Conservation District Office at 12723 Route 19, P.O. Box 801, Waterford, PA 16441, telephone (814) 796-4203;

20. SEE SPECIAL CONDITIONS BEGINNING ON PAGE 4 OF THIS PERMIT.

SPECIAL CONDITIONS

- A. The causeway and/or cofferdam must be constructed of rock, free of fines and silts, or other non-erodible material.
- B. The permittee, during dredging operations, shall use a filter fabric screen to enclose the work area. The filter fabric screen shall have a float on top of the water and be weighted at the bottom to prevent the passage of sediments and silts.
- C. Demolition or excavated materials shall not be deposited in any wetland, watercourse, floodway, floodplain or other body of water without applying for and receiving the written permit of the Department of Environmental Resources.
- D. The docking facility shall be equipped with proper lighting which meets the visibility requirements of the Pennsylvania Fish and Boat Commission.
- E. This permit also authorizes perpetual maintenance dredging in order to maintain the docking facility to its original permitted configuration.
- F. This permit does not convey any real property rights or interests or authorization to trespass on privately-owned riparian land. By accepting this permit, the permittee certifies that he/she holds title, easement, right or other real interest in the riparian land.
- G. The permittee is advised that ownership of this permit, including all right, title and interest in said permit, transferred to any subsequent property owner shall be transferred by submitting an Application for Transfer of Permit to and obtaining approval from this Department as noted in Condition 14 of this permit.
- H. This permit is not to be considered an approval of the structural analysis, the engineering specifications or the construction methods utilized during construction of any structures.
- I. Deposition of dredged or excavated materials on shore and all earthwork operations on shore will be carried out in such a way as to minimize erosion of the material and preclude its entry into the waterway.
- J. Spoil material from the water course or on shore operations, including sludge deposits, will not be deposited in or immediately adjacent to any water course. They will be deposited on shore in such a manner that sediment runoff and soil erosion are prevented.

Special Conditions (Continued)

- K. Litter, refuse and sanitary waste from vessels or other floating craft or offshore operations will be disposed of on shore in an acceptable manner. Oil and petroleum products are considered to be refuse matter. Spillage of these materials is to be prevented by appropriate control and supervision.
- L. The permittee will employ measures during construction to prevent spills of fuels or lubricants. If a spill occurs, it will be controlled to prevent its entry into the waterway.
- M. Bilges, ballast or waste water pumped from vessels or other floating craft will not be discharged to the water course without removal of oils or toxic compounds in a manner acceptable to the Department.
- N. This permit also authorizes the installation of a temporary on site dredge material storage device(s) which upon completion of the project is to be removed in its entirety and the area restored and stabilized.
- O. The permittee shall provide receptacles to collect refuse from the boats using the proposed facility and arrange for adequate disposal of materials collected. Under no circumstances shall such waste materials be discharged into the waterway.
- P. Toilet facilities on boats moored or docked at the marina may not be used unless the vessels are equipped with holding tanks and pump-out facilities are available. The marina owner and/or operator shall post notices to this effect in conspicuous places.
- Q. The storage and handling of petroleum products shall be in strict accordance with the Federal Oil Handlers Permit issued to this marina.
- R. A regularly scheduled inspection of the structure(s) shall be made to provide for continued operation and maintenance during the lifetime of the facility.
- S. All fill materials shall consist of clean aggregate and/or which is free of pollutants.
- T. The permittee agrees to dispose of dredge waste material at the Lake View Landfill as cover material. This disposal shall be in compliance with Solid Waste Permit No. 100329, modified February 1, 1994.

Special Conditions (Continued)

- U. Maintenance dredging shall only take place from October 1 through May 15 within public boating areas.
- V. The permittee agrees to post signs at the ends of the dredging area calling the attention to the fact that dredging operations are progressing.
- W. The permittee agrees to post signs during the previous boating season at the entrance of the proposed public boating dredge areas calling attention to the fact that the basin will be closed during dredging operations.
- X. Water pumped from the construction areas shall be diverted through a settling basin or appropriate filter material before being discharged into the bay.

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

Richard L. Morris, P.E.

Permittee (signature)

5/24/94

Date

DEPARTMENT OF ENVIRONMENTAL RESOURCES

David E. Milhous

David E. Milhous
Program Manager

JUN 2 - 1004

Issue Date

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Resources
Field Operations-Northwest Region

ACKNOWLEDGMENT OF APPRAISAL OF PERMIT CONDITIONS

Permit No. E25-503

Project Location:

County ERIE

Township CITY OF ERIE

Gentlemen:

Acknowledgment is made that I, RICHARD L. MORRIS, P.E.
(Permittee name)

and MARK A. KUKLA, P.E., RM 400 MUNICIPAL BLDG., ERIE PA 16501 814-870-1379
(Name, address and telephone of individual responsible for supervision of work)

have been apprised of and are familiar with the terms and conditions of Permit
No. E25-503 issued to CITY OF ERIE
(Permittee)

giving its consent to CONSTRUCT AND MAINTAIN TWO BOAT LAUNCH RAMPS,
(Work authorized as stated on permit)

A FLOATING PIER ADJACENT TO THE RAMPS TO REMOVE VARIOUS SMALL WATERWAY
OBSTRUCTIONS AND TO DREDGE APPROX. 175 CY AND FILL APPROX. 100 CY AT THE
FT OF CHESTNUT ST. IN PRESQUE ISLE BAY IN THE CITY OF ERIE, ERIE
COUNTY (ERIE NORTH, PA QUAD N: 1.25 INCHES; W: 13.25 INCHES)

Return To:

Department of Environmental Resources
Water Management
Soils & Waterways Section
190 Adams Road
Jamestown, PA 16134-9436

Richard L. Morris, P.E.
(Permittee signature)

June 8, 1994

Mark A. Kukla, P.E.
(Signature of individual responsible
for supervision of work)

JUNE 7, 1994
(Date)



3. Corps Permit

DEPARTMENT OF THE ARMY
PERMIT

94-JUL-3 7112:20

CENCB-CO-R

BUFFALO DISTRICT
CORPS OF ENGINEERS
BUFFALO, NY 14207-3199

PERMITTEE: CITY OF ERIE

PERMIT NUMBER: 94-750-1

June 10, 1994

Effective Date

NOTE: The term you and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below. (and continue on page 5)

PROJECT DESCRIPTION: CITY OF ERIE, MUNICIPAL BUILDING, 626 STATE STREET, ERIE, PENNSYLVANIA 16501, IS HEREBY AUTHORIZED BY THE SECRETARY OF THE ARMY TO: INSTALL A BOAT LAUNCH FACILITY WITH TWO FLOATING LOADING DOCKS FACILITATED BY THE CONSTRUCTION OF A TEMPORARY COFFERDAM AND THE REMOVAL OF SEVERAL OBSTRUCTIONS BY A LAND-BASED CRANE 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.

PROJECT LOCATION: THE PROJECT IS LOCATED IN CHESTNUT PARK, PRESQUE ISLE BAY (LAKE ERIE), CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA.

PERMIT CONDITIONS

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends on June 10, 1997. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you must make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you may obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), AND
 - Section 404 of the Clean Water Act (33 U.S.C. 1344).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. **Limits of Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. **Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. **Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as this specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions.** General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Richard L. Morris, P.E.
(PERMITTEE)

(PERMITTEE)

6/1/94

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Franklin 6/13/44
Walter C. Neitzke, Colonel, U.S. Army

(DISTRICT COMMANDER)

June 10, 1994

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree)

(DATE)

SPECIAL CONDITIONS:

1. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

2. You must install and maintain, at your expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, at your authorized facilities. The USCG may be reached at the following address and telephone number:

U.S. Coast Guard
Aids to Navigation Branch
Ninth Coast Guard District
1240 East Ninth Street
Cleveland, Ohio 44199-2060
216-522-3992

3. You must take the actions required to record this permit with the Registrar of Deeds or other appropriate officials charged with the responsibility for maintaining records of title to or interest in real property.

4. That you are responsible for ensuring that the contractor and/or workers executing the activity(s) authorized by this permit have knowledge of the terms and conditions of the authorization and that a copy of the permit document is at the project site throughout the period the work is underway.

5. That no timbers freshly treated with creosote, pentachlorophenol, or petroleum based preservatives shall be used in the construction of the loading docks.

6. That as soon as possible following construction all exposed banks and slopes disturbed by construction activity shall be seeded and mulched to prevent erosion.

7. That the dredged material shall be disposed of at an upland site well removed from Lake Erie or other waters of the United States including wetlands and shall be adequately contained to preclude reentry into these waters.

8. That this permit does not authorize sidescasting or any other temporary or permanent disposal of dredged material into Lake Erie or any other water of the United States including freshwater wetlands.

9. 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.

SPECIAL CONDITIONS CONTINUED:

10. That 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.
11. That the material used in the cofferdam construction shall be free of fines and silts and other erodible material.
12. That during dredging operations, a filter fabric screen shall be used to enclose the work area and shall remain in the area until turbidity ceases.
13. That water pumped from the cofferdam area shall be diverted through a settling basin or appropriate filter material before being discharged into the bay.
14. That dredging required for the boat ramps shall only take place from October 1 thru May 15.
15. That upon completion of construction activity the temporary cofferdam shall be removed in its entirety and the area restored to original contours.

8. AS-BUILT DRAWINGS

NOAA COASTAL SERVICES CTR. LIBRARY



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