



U.S. Army Corps
of Engineers
Baltimore District
PN 13-35

Public Notice

In Reply to Application Number
CENAB-OP-RPA-2013-01035 (Gray's Run Pond Dredging Project)

Comment Period: May 31, 2013 to June 15, 2013

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to **Section 404 of the Clean Water Act (33. U.S.C. 1344)** as described below:

APPLICANT:

Gray's Run Hunting Club
2588 Grays Run Road
Trout Run, PA 17111

WATERWAY AND LOCATION OF THE PROPOSED WORK:

In Gray's Run Pond which is an impounded pond within Gray's Run, approximately 4 miles North of State Route 14, McIntyre Township, Lycoming County, Pennsylvania

PROPOSED WORK AND PURPOSE:

The applicant proposes, in accordance with the attached plans, to mechanically maintenance dredge 1.9 acres of the 3.5 acre Gray's Run Pond and deposit the resulting 6,000 cubic yards of material in an on-site upland area. The project will include the gradual dewatering of Gray's Run Pond, the mechanical pushing of accumulated material into one area, and the removal of the material to an upland disposal area.

The proposed pond dredging project will have the following impacts:

Permanent Impacts

There are no permanent impacts to waters or wetlands associated with this project.

Temporary Impacts as a result of construction and temporary dewatering:

Open water = Direct impacts of 1.9 acres of open water associated with mechanical dredging and secondary impacts of 3.5 acres of open water associated with temporary dewatering.

Non-tidal wetlands = N/A

All work will be done by mechanical methods (no hydraulic dredging or blasting is proposed).

The applicant's stated purpose is to restore the bottom elevations of Gray's Run Pond so as to maintain cooler temperatures of downstream water by eliminating sheet flow across sediment deposits and to allow for more suitable fish habitat.

All work is proposed to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mrs. Marion Gall of the U.S. Army Corps of Engineers at, (814) 235-1761.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonable may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economic, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments provided will become part of the public record for this action. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, **U.S. Army Corps of Engineers, Baltimore District, 1631 South Atherton Street, Regulatory Section, Suite #101, State College, Pennsylvania 16801**, within the comment period specified above.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). The Corps has determined this project will not affect any EFH.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Pennsylvania Department of Environmental Protection. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

COASTAL ZONE MANAGEMENT PROGRAMS: Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months to make its consistency determination.

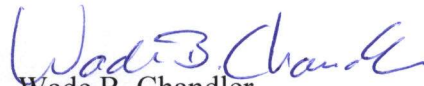
The applicant must obtain any State or local government permits which may be required. A preliminary review of this application indicates that the proposed work will not affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, 1631 South Atherton Street, Suite 101, State College, Pennsylvania, 16801, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.


Wade B. Chandler
Chief, Pennsylvania Section



