



**US Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to:	Issuance Date:
Public Notice No. 20000337-4	September 27, 2004
Stream:	Expiration Date:
Lake White	October 12, 2004
Address comments to:	US Army Corps of Engineers, Huntington District 602 Eighth Street ATTN: CELRHF Huntington, West Virginia 25701-2070

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The Huntington District Corps has received an application requesting modification of an existing permit issued under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency to act on Section 401 Water Quality Certification for this application.

APPLICANT: Ohio Department of Natural Resources
Division of Engineering, Bldg. F-3
1889 Fountain Square
Columbus, Ohio 43224

LOCATION: Lake White, Pee Pee Creek, and an unnamed tributary to Pee Pee Creek, in Lake White State Park, on State Route 104, ½ mile south of Waverly, Pike County, Ohio. 83°00'35" longitude, 39°06'24" latitude

DESCRIPTION OF PROPOSED WORK: Through Individual Permit 200000337-1, the Ohio Department of Natural Resources (ODNR) was authorized to place fill material into Lake White, Pee Pee Creek and an unnamed tributary to Pee Pee Creek in order to upgrade the existing dam and spillway at Lake White. The proposed upgrade includes the construction of a Roller Compacted Concrete (RCC) Cap on the existing dam and the modification of the spillway and

downstream channel. Under this existing permit, ODNR was authorized to perform the following: place 1.4 acres of permanent fill within Lake White for rip rap bank protection; place 0.2 acres of temporary fill into Lake White for the construction of a temporary work pad; place 0.2 acres of permanent fill into Pee Pee Creek associated with the spillway modification; and place 2.5 acres of permanent fill into the unnamed tributary to Pee Pee Creek located at the toe of the dam required for the construction of the RCC cap.

Upon completion of additional design work for this project, the applicant has requested this existing permit be modified to authorize minor deviations in the proposed construction methodology for the dam and spillway upgrade. The applicant has also requested this modification include authorization for the placement of an additional 0.25 acres of fill material within Lake White. Details on this modification request are outlined below and plans outlining the components of the permit modification are attached to this notice.

The applicant has requested the existing permit be modified to authorize the placement of temporary sheet piling within the lake. To complete upgrades to the spillway and siphon inlet, the applicant has indicated temporary cofferdams would be required to dewater areas around these structures. The temporary cofferdams would be constructed of steel pilings driven into the lake bottom. The spillway cofferdams would be phased such that only portions of the spillway are dewatered at any given time. As noted above, the previous authorization included the placement of 0.2 acres of temporary fill into Lake White for the construction of a temporary work pad. Although this dewatering component of the proposal and the addition of the temporary sheet piling were not included in the previous authorization, the fill associated with this sheet piling would not exceed the quantity of temporary fill (0.2 acres) included in the existing authorization.

The applicant has further requested the existing permit be modified to authorize the placement of 0.25 acres of fill into Lake White immediately above the spillway. Currently, drift and debris accumulate in this area, which restricts flow through the spillway and requires the applicant perform continual maintenance in this area. The applicant proposes to utilize fill material excavated from the existing dredged disposal island to fill this area of the lake. The placement of fill material in this area would re-channel flow and debris directly through the gates. Filling this area of the lake would also provide an upland area for park personnel to access the spillway for maintenance and would provide an area for an emergency generator to operate the gates in case of a loss of power.

Mitigation: As mitigation for the loss of lake area associated with the placement of the additional 0.25 acres of permanent fill into Lake White, the applicant proposes to excavate approximately 6,600 cubic yards of material from the southern portion of the existing dredged disposal island to create an additional 1.65 acres of open water habitat within the lake.

As outlined in Public Notice 200000337-1 the applicant proposes to reshape the existing dredge disposal island in order to increase recreational opportunities at that location. Although the previously issued Public Notice indicated the applicant proposed to place approximately 5.2 acres of this dredged material within the existing cove area of the lake adjacent to the island,

the applicant no longer proposes to utilize the cove area as a dredge disposal location. All excavated material from reshaping the dredged disposal island would be disposed at upland locations on the island or would be utilized as fill material associated with the dam and spillway modifications as outlined above. The proposed island modification would not include impacts to the existing aquatic vegetation beds on the eastern and southern sides of the island.

Note: Excavation activities in Section 404 waters do not require authorization provided the activities are performed in such a way that does not result in the discharge of dredged or fill material into a water of the United States. Upon review of the proposed dredging method, this office has determined that a Department of Army permit is not required for the dredging associated with the modifications to the dredge disposal island.

WATER QUALITY CERTIFICATION: Section 401 Water Quality Certification is required for this permit modification. It is the applicant's responsibility to obtain certification from the Ohio Environmental Protection Agency.

HISTORIC & CULTURAL RESOURCES: Prior to issuance of the existing permit, a Phase I Cultural Resources Investigation was performed by the applicant. A copy of this survey was furnished to the State Historic Preservation Office (SHPO) with Public Notice 200000337-1. The proposed project area remains unchanged. The National Register of Historic Places has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the project. Based on a review of this information and the Phase I Cultural Resources Investigation, our office has determined the proposed modification would have no effect on properties eligible for the National Register of Historic Places. A copy of this public notice and will be furnished to the SHPO for their review.

THREATENED & ENDANGERED SPECIES: This project is located within the known or historic range of the **Indiana bat**, a federally listed endangered species. The applicant has indicated all vegetation removal, including potential roost trees for the Indiana bat, will occur during the time of year that will not result in potential impacts to Indiana bat habitat. Accordingly, the Huntington District has consulted the most recently available information and has determined the project will not affect the continued existence of any endangered or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST: Any person who has an interest, which may be adversely affected by the issuance of a permit, may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

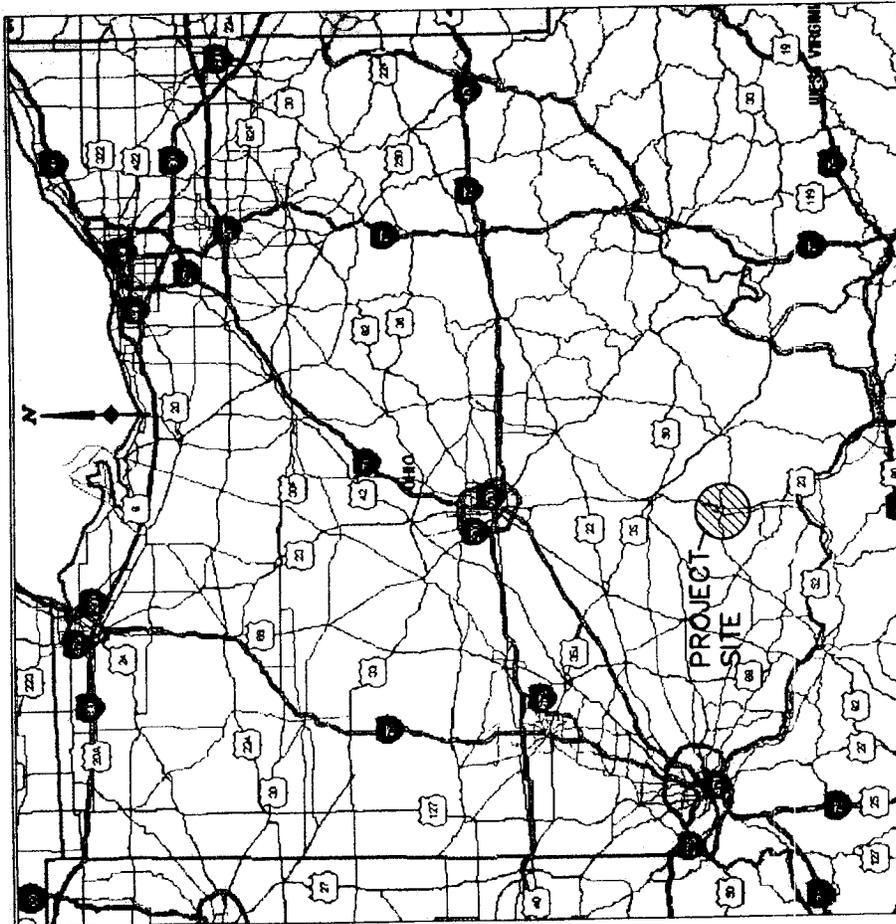
Persons wishing to submit comments, objections or requests for public hearings concerning the Corps of Engineers permit should write:

U.S. Army Corps of Engineers
ATTN: CELRH-OR-F Public Notice No. 200000337-4
502 8th Street
Huntington, West Virginia 25701-2070

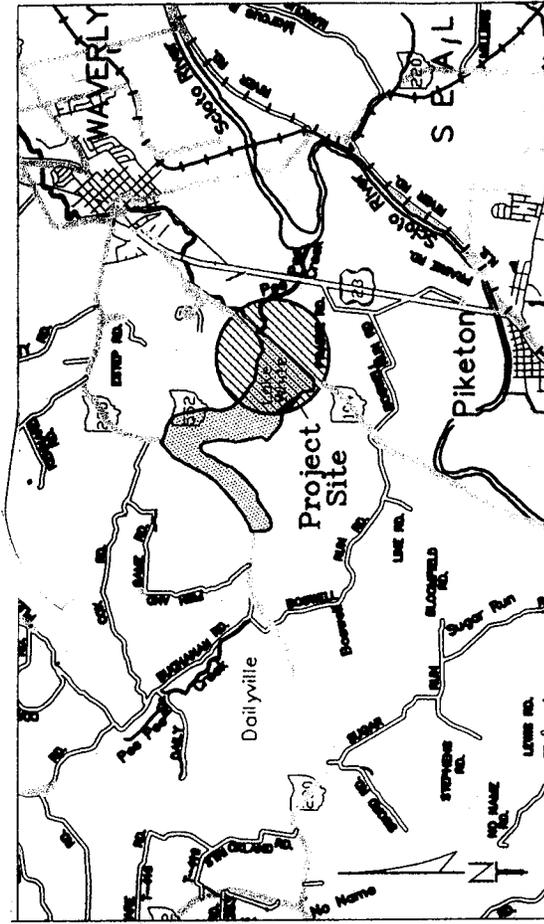
If you have any questions concerning this public notice, please call Ms. Susan A. Fields of my staff at 304-399-5210.


Ginger Mullins
Chief, Regulatory Branch

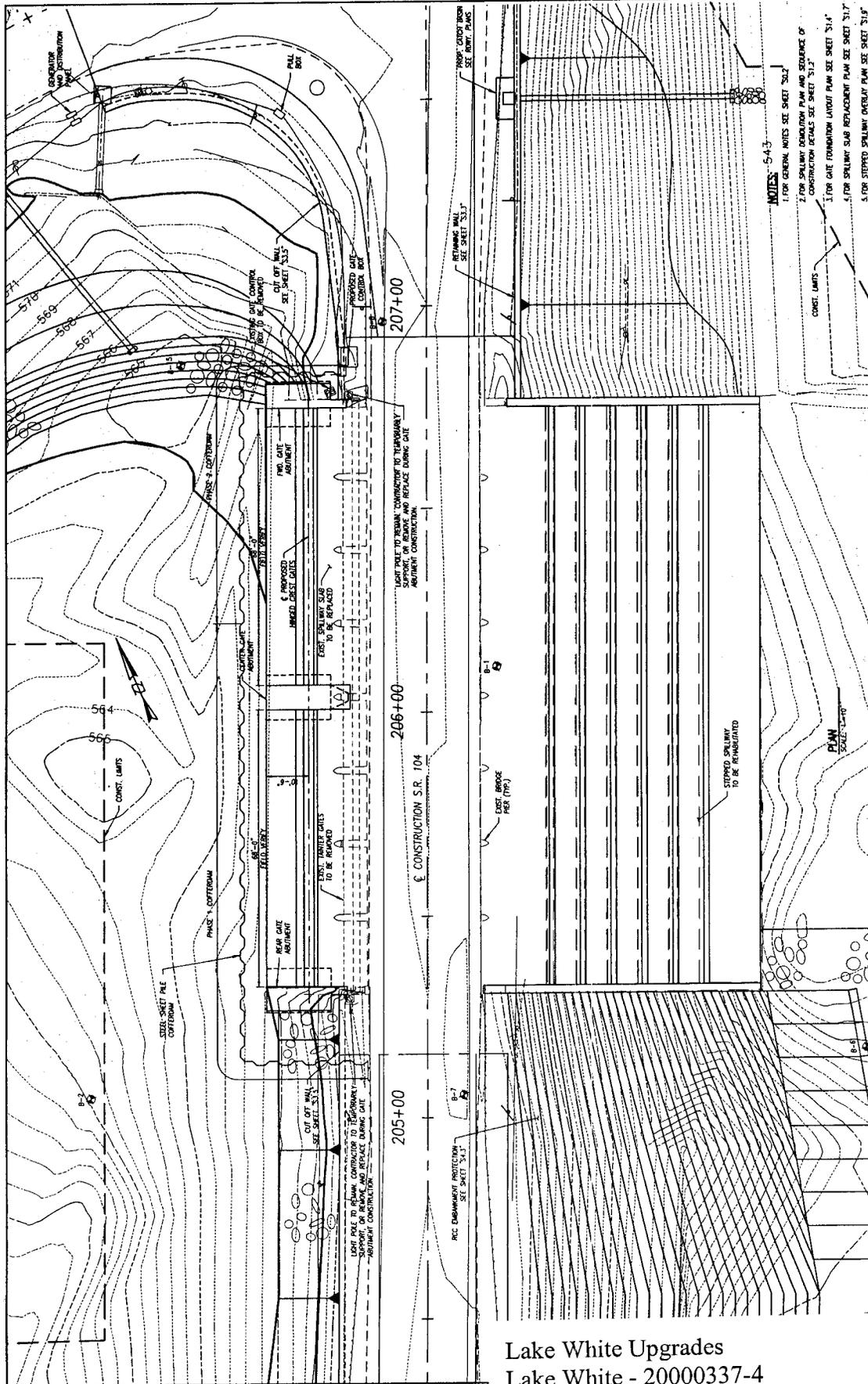
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AREA MAP AND VICINITY MAP
N.T.S.



OHIO DEPT. of NATURAL RESOURCES
LAKE WHITE S.P. DREDGE DISPOSAL ISLAND
PROJECT
WATERWAY LAKE WHITE
 DATE AUG 2004 COUNTY PIKE OHIO



- NOTES - S-43**
1. FOR GENERAL NOTES SEE SHEET S2.1
 2. FOR SPILLWAY FOUNDATION PLAN AND SEQUENCE OF CONSTRUCTION DETAILS SEE SHEET S1.7
 3. FOR GATE FOUNDATION LAYOUT PLAN SEE SHEET S1.4
 4. FOR SPILLWAY GATE REPLACEMENT PLAN SEE SHEET S1.7
 5. FOR STEPPED SPILLWAY OVERLAY PLAN SEE SHEET S1.9

PLAN SHEET NO. S1.1



**SPILLWAY
SITE PLAN**

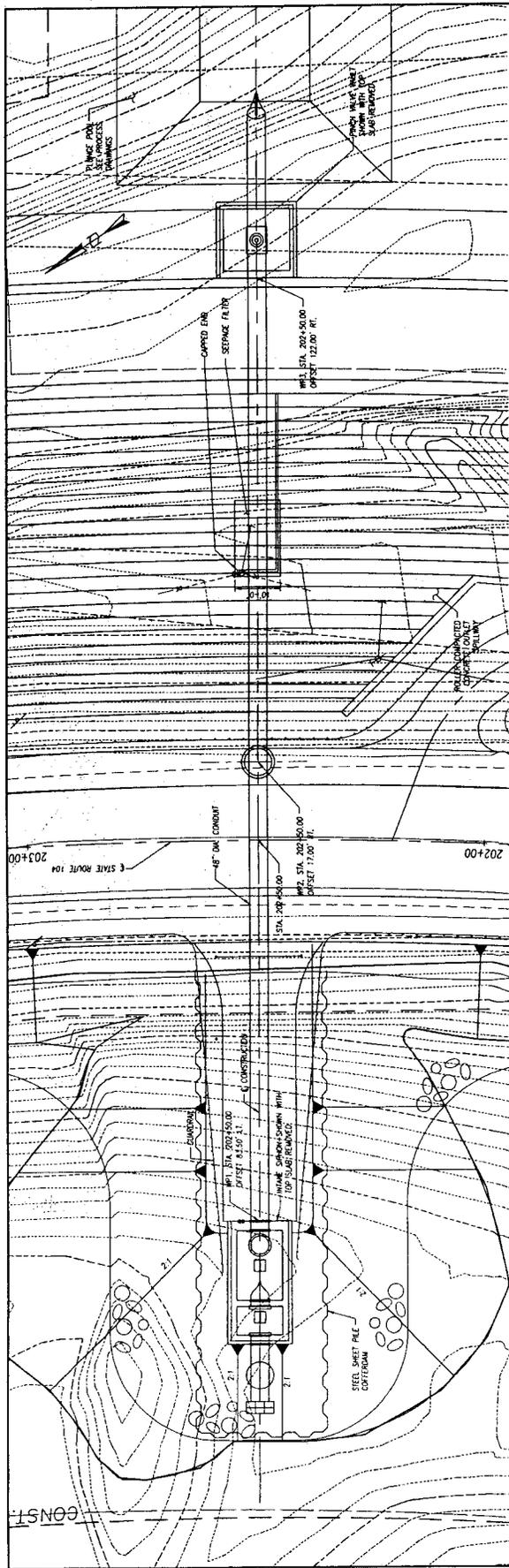
DESIGNED BY: S. J. Cofferdam
 DRAWN BY: S. J. Cofferdam
 CHECKED BY: S. J. Cofferdam
 DATE: 7/27/74
 REVISIONS:

**LAKE WHITE STATE PARK
DAM IMPROVEMENTS**

ST. A. F. O. H. I. O.
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF ENGINEERING

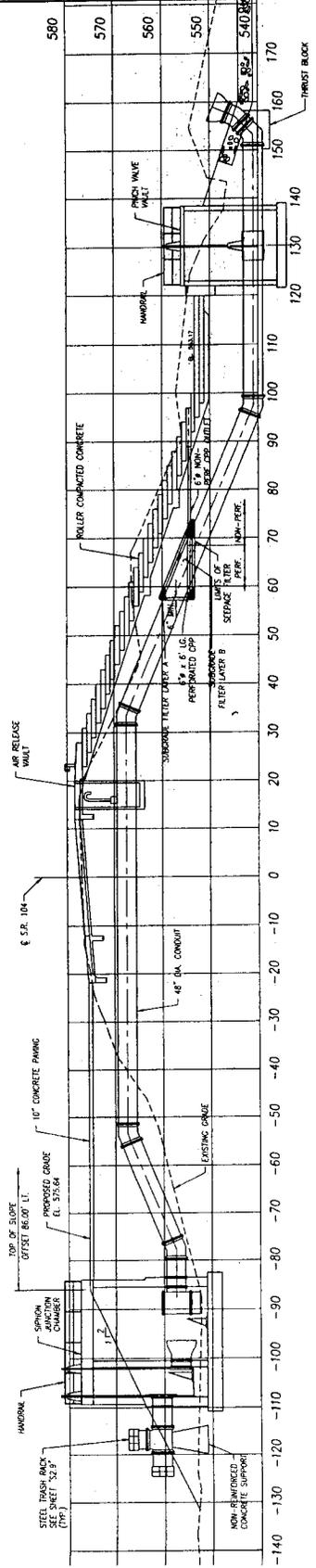


Lake White Upgrades
 Lake White - 20000337-4
 Pike County, Ohio
 Plan View - Spillway Cofferdam, Sheet 2 of 5



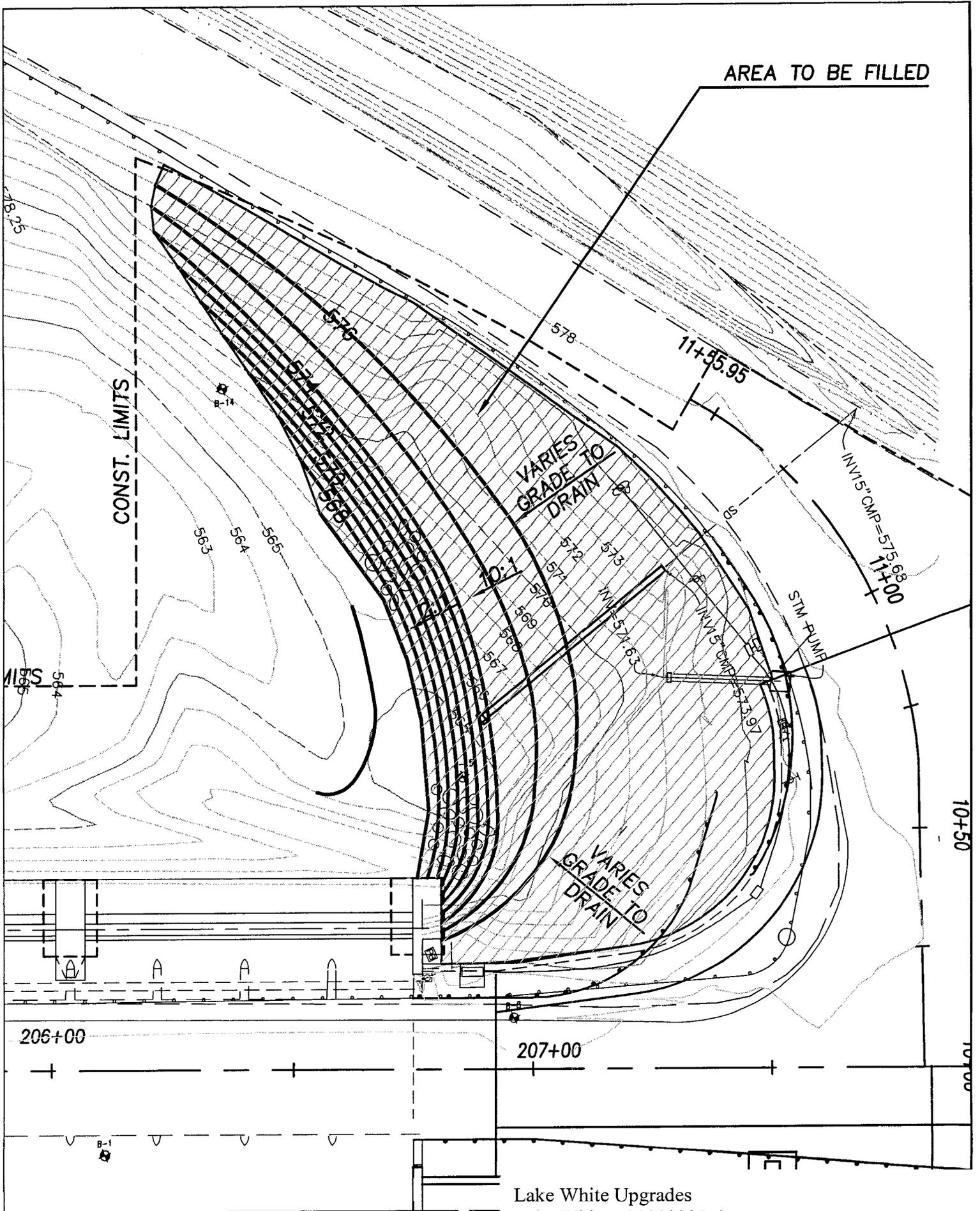
NOTE: STATIONS AND OFFSETS GIVEN FROM E STATE ROUTE 104

PLAN INLET AND OUTLET WORKS
SCALE: 1"=10'

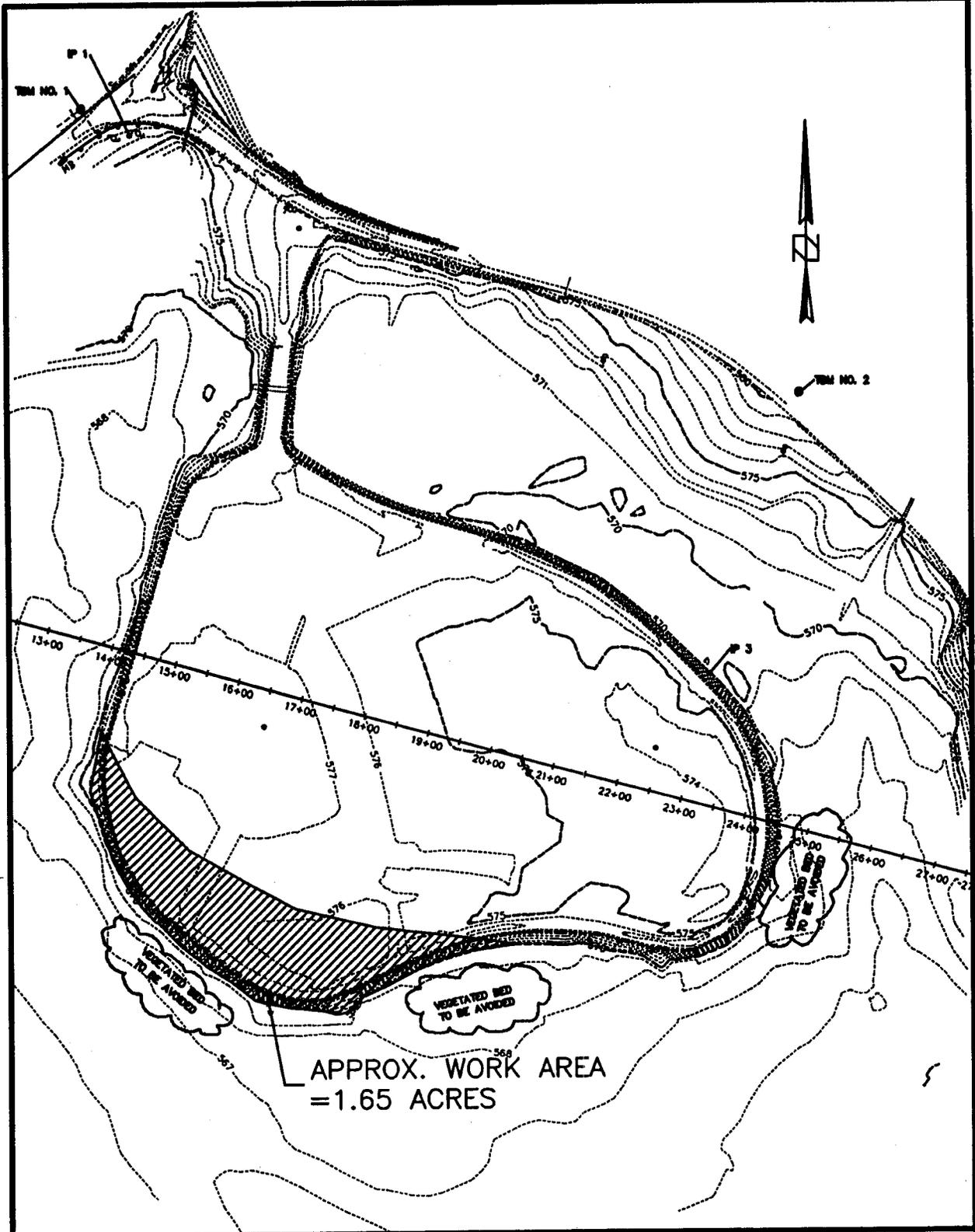


ELEVATION THROUGH INLET AND OUTLET WORKS
SCALE: 1"=10'

		LAKE WHITE STATE PARK DAM IMPROVEMENTS PIKE COUNTY, OHIO		SIPHON LAKE DRAIN PLAN AND SECTION	
PROJECT NO. 20000337-4	SHEET NO. S2.1	DESIGNER M. J. ...	CHECKER ...	DATE 7/20/04	SCALE 1" = 10'-0"
PROJECT LOCATION LAKE WHITE STATE PARK, PIKE COUNTY, OHIO					



Lake White Upgrades
 Lake White - 20000337-4
 Pike County, Ohio
 Plan View - Prop. Fill Above Spillway, Sheet 4 of 5




WOOLPERT
 409 East Monument Avenue
 Dayton, Ohio
 45402-1261
 513.461.5660
 FAX: 513.461.0743

LAKE WHITE DAM

Lake White Upgrades
 Lake White - 20000337-4
 Pike County, Ohio

PROJECT NO.
 059099.02.033
 DATE 9/24/04