



U.S. Army Corps  
of Engineers  
Buffalo District  
CELRB-TD-R

# Public Notice

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Applicant:  
Seneca County Engineer      Published: JANUARY 6, 2012  
Expires: FEBRUARY 6, 2012

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Application No: 2010-01322  
Section: Ohio

All written comments should reference the above Application No. and be addressed to:  
Buffalo District U.S. Army Corps of Engineers  
Regulatory Branch (Attn: Susan Baker)  
1776 Niagara Street  
Buffalo, New York 14207-3199

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**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.**

**Application for Permit under Authority of  
Section 404 of the Clean Water Act (33 U.S.C. 1344)**

The applicant, Seneca County Engineer, 3300 South Township Road 151, Tiffin, Ohio 44883, has applied for a Department of Army permit to place fill in a water of the U.S. in order to relocate and culvert an existing stream away from the road. The project is located within an unnamed tributary to Muskelunge Creek along State Highway 12 (Fostoria Fremont Road) beginning at N Township Road 47 (Yokum Road) and extending approximately 1500 feet northeast, Jackson Township, Seneca County, Ohio.

The proposed project includes the removal of an existing guardrail that has been determined to cause a sight-distance hazard and the creation of a 50-foot safe recovery shoulder along the road. As a result, the existing stream along State Highway 12 will be partially culverted and partially relocated approximately 50 feet from the road to accomplish the project purpose of increasing public safety.

Currently, the project area contains 1,404 linear feet of stream of which 1,299 linear feet are in an open channel and 105 linear feet are culverted. The western most portion of stream will be culverted (48" RCP) along 56 linear feet to divert the stream to a new channel approximately 50 feet from the roadway. At the eastern terminus of the new 56-foot culvert, 1,025 linear feet of open channel will be constructed incorporating a low-flow channel and two-stage design. A new 48 linear foot culvert (48" by 76" elliptical RCP) will be constructed at the eastern terminus of the new channel and will extend east to the existing 105 linear foot culvert that flows under West County Road 592. The remaining 200 linear feet of on-site stream that extends east from the existing culvert under West County Road 592 will be culverted (48" by 76" elliptical RCP).

A total of 1,299 linear feet of stream is proposed to be filled as a result of the proposed activity. The

project will result in the creation of 1,025 linear feet of open channel, installation of 304 linear feet of culvert (104 linear feet within the existing channel), and the maintenance of the existing 105 linear feet of culvert. The total volume of fill below the ordinary high water mark of the stream is 341.3 cubic yards of native soil material to backfill the abandoned channel.

The current proposed compensatory mitigation includes the creation of the new 1,025 linear foot channel incorporating a two-stage design with a low-flow channel and daily re-vegetation of the channel until vegetation establishes.

Location and details of the above-described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Susan Baker, who can be contacted at the above address, by calling (716) 879-4474, or by e-mail at: [susan.l.baker@usace.army.mil](mailto:susan.l.baker@usace.army.mil). A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The following authorization(s) may be required for this project:  
Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 1 of 5. As no properties listed in, or eligible for listing in, the National Register of Historic Places have been identified within the vicinity of the project area, it has been determined that no historic properties will be affected by the proposed activity. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to: Indiana bat (*Myotis sodalis*) and rayed bean (*Villosa fabalis*) and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross-examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request 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 benefits which reasonably 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 these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

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

**SIGNED**

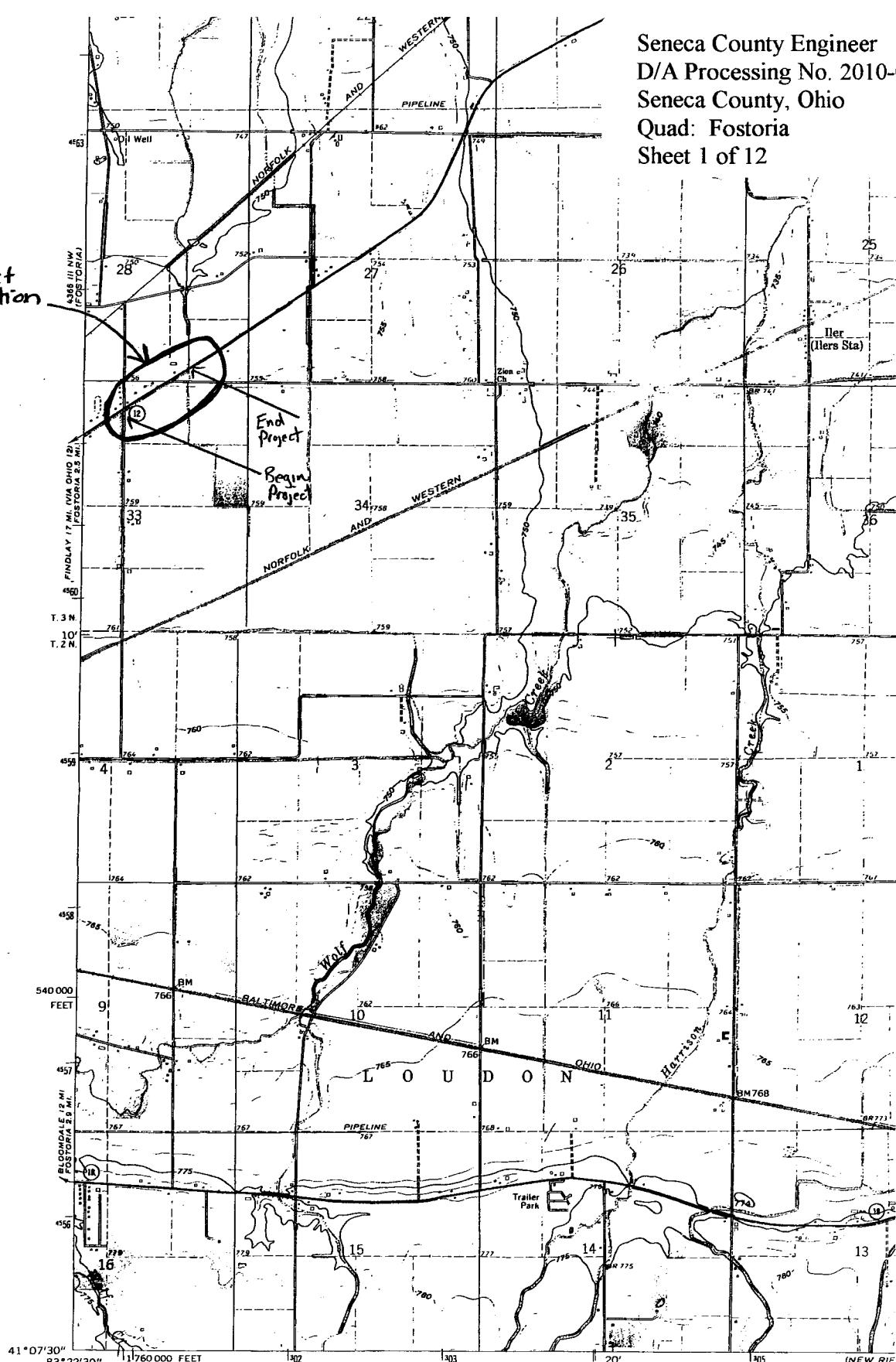
Diane C. Kozlowski  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

Seneca County Engineer  
 D/A Processing No. 2010-01322  
 Seneca County, Ohio  
 Quad: Fostoria  
 Sheet 1 of 12



Project Location



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Culture and drainage in part compiled from aerial photographs taken 1959. Topography by planimetric surveys 1960

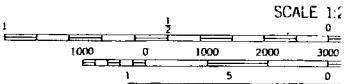
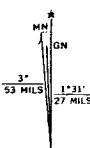
Polyconic projection. 1927 North American datum  
 10,000-foot grid based on Ohio coordinate system, north zone  
 1000-meter Universal Transverse Mercator grid ticks,  
 zone 17, shown in blue

Entire area lies within Congress Lands

Land lines based on the First Principal Meridian

Fine red dashed lines indicate selected fence and field lines where generally visible on aerial photographs. This information is uncheckable

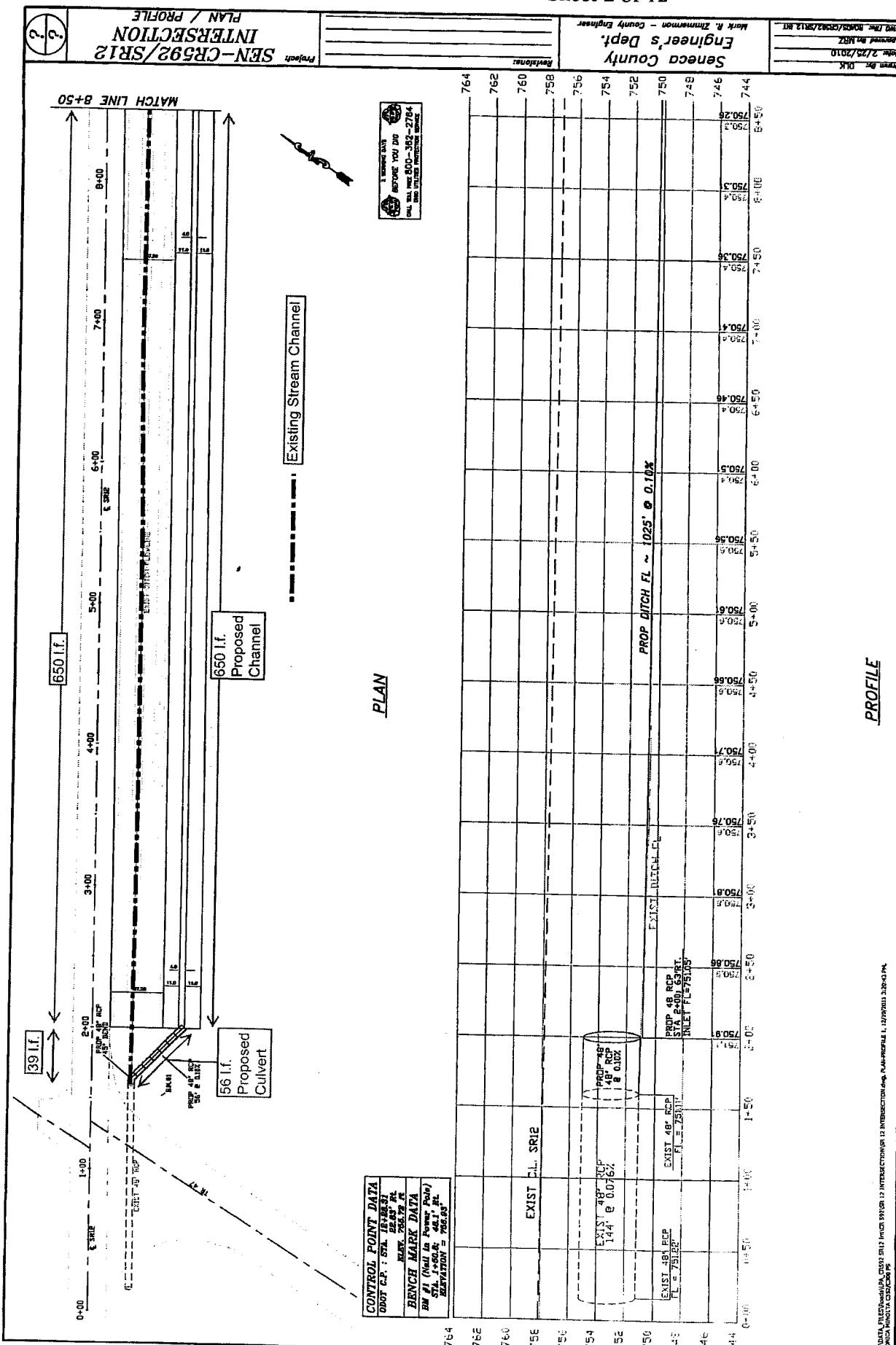
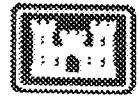
UTM GRID AND 1972 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



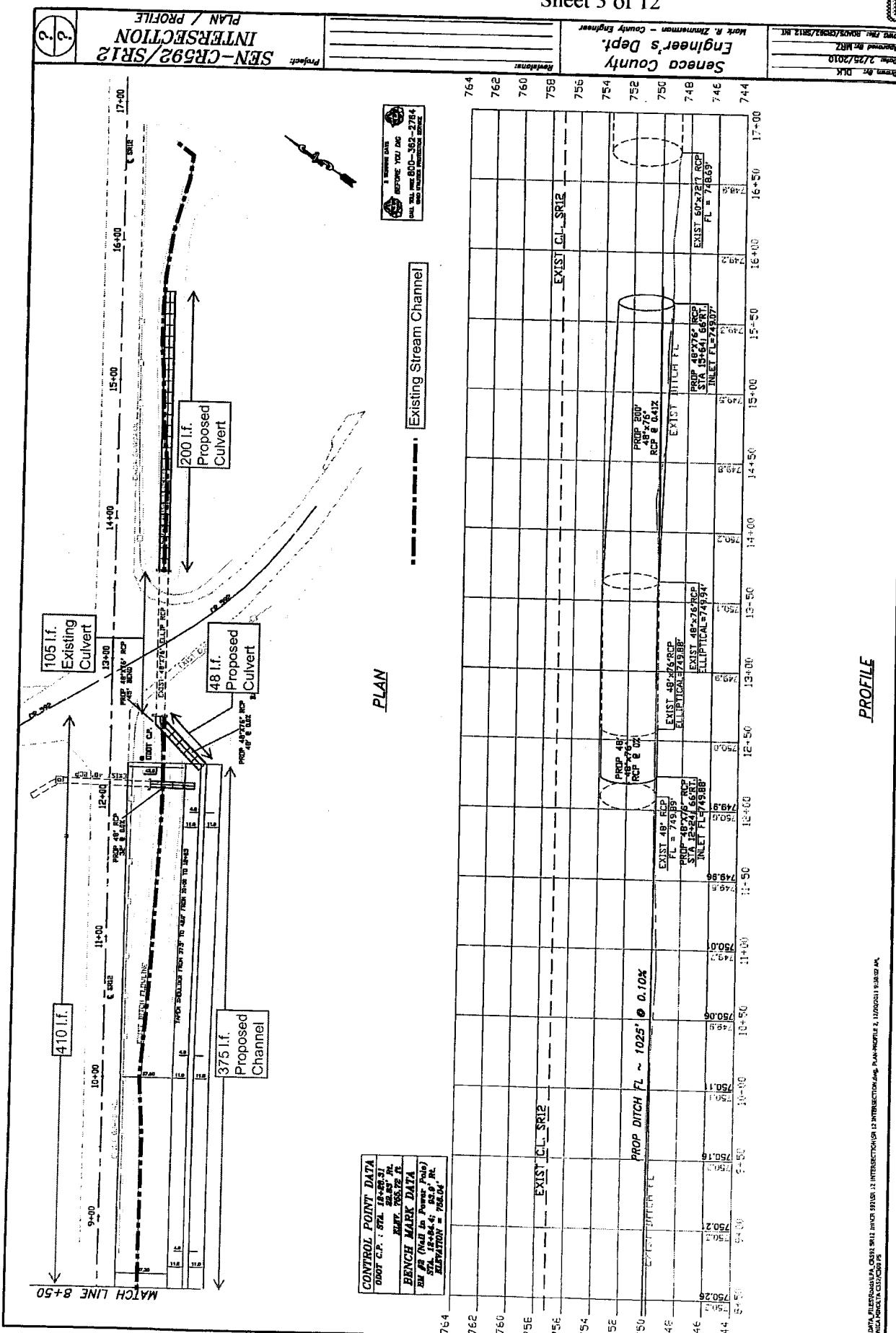
CONTOUR INTER  
DATUM IS MEAN

THIS MAP COMPLIES WITH NATIONAL  
 FOR SALE BY U.S. GEOLOGICAL SURVEY  
 A FOLDER DESCRIBING THE GEOGRAPHIC MAPS ARE

Seneca County Engineer  
 D/A Processing No. 2010-01322  
 Seneca County, Ohio  
 Quad: Fostoria  
 Sheet 2 of 12



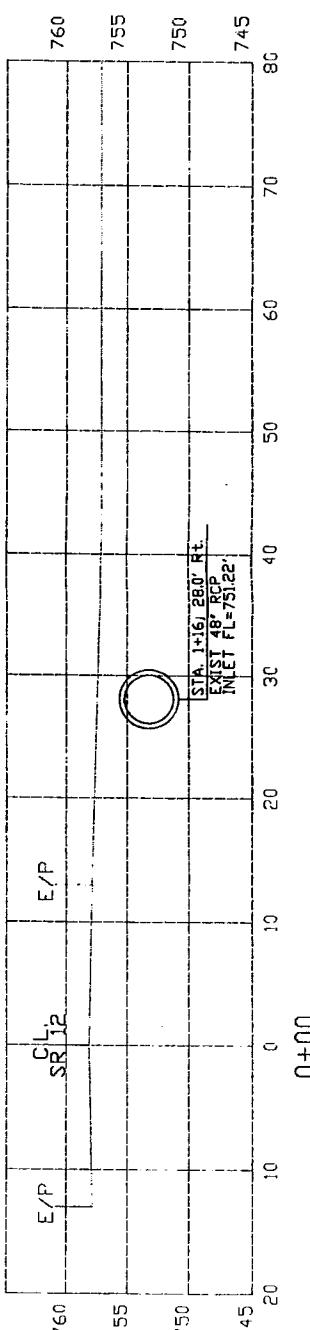
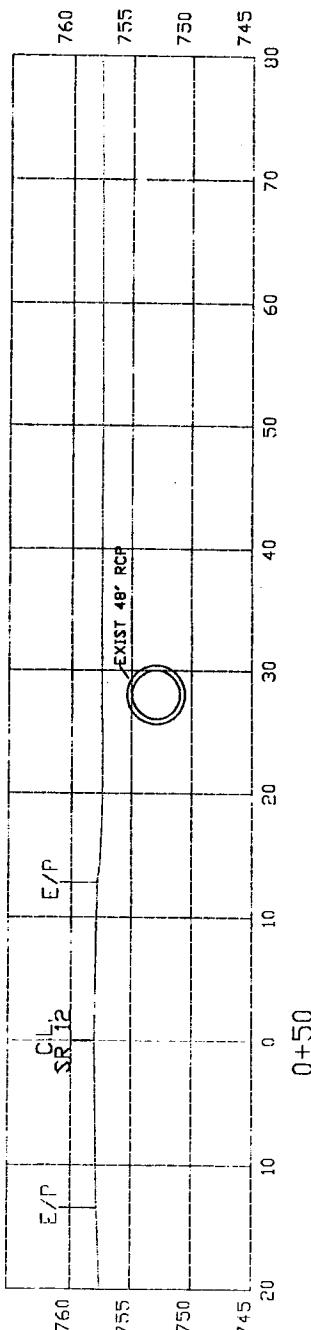
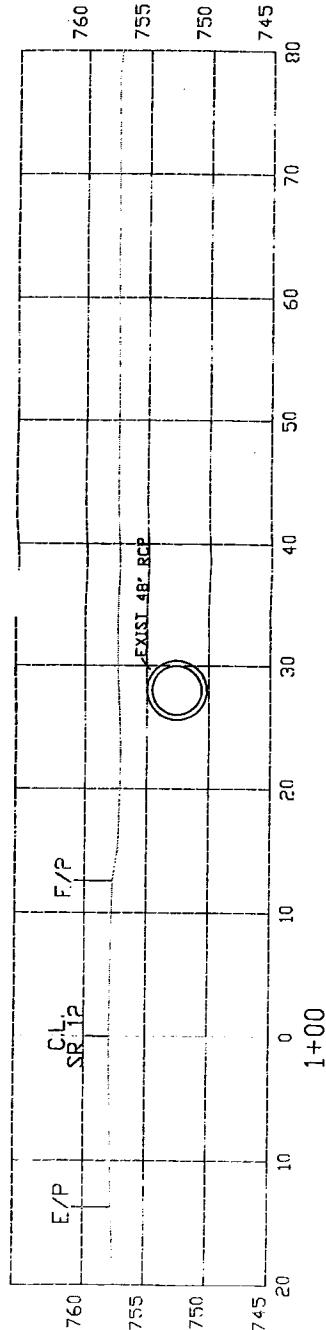
Seneca County Engineer  
D/A Processing No. 2010-01322  
Seneca County, Ohio  
Quad: Fostoria  
Sheet 3 of 12



SEEDING  
W.DTH 150'.

WIDTH SO. NO.

6



0 SHEET SUB-TOTAL

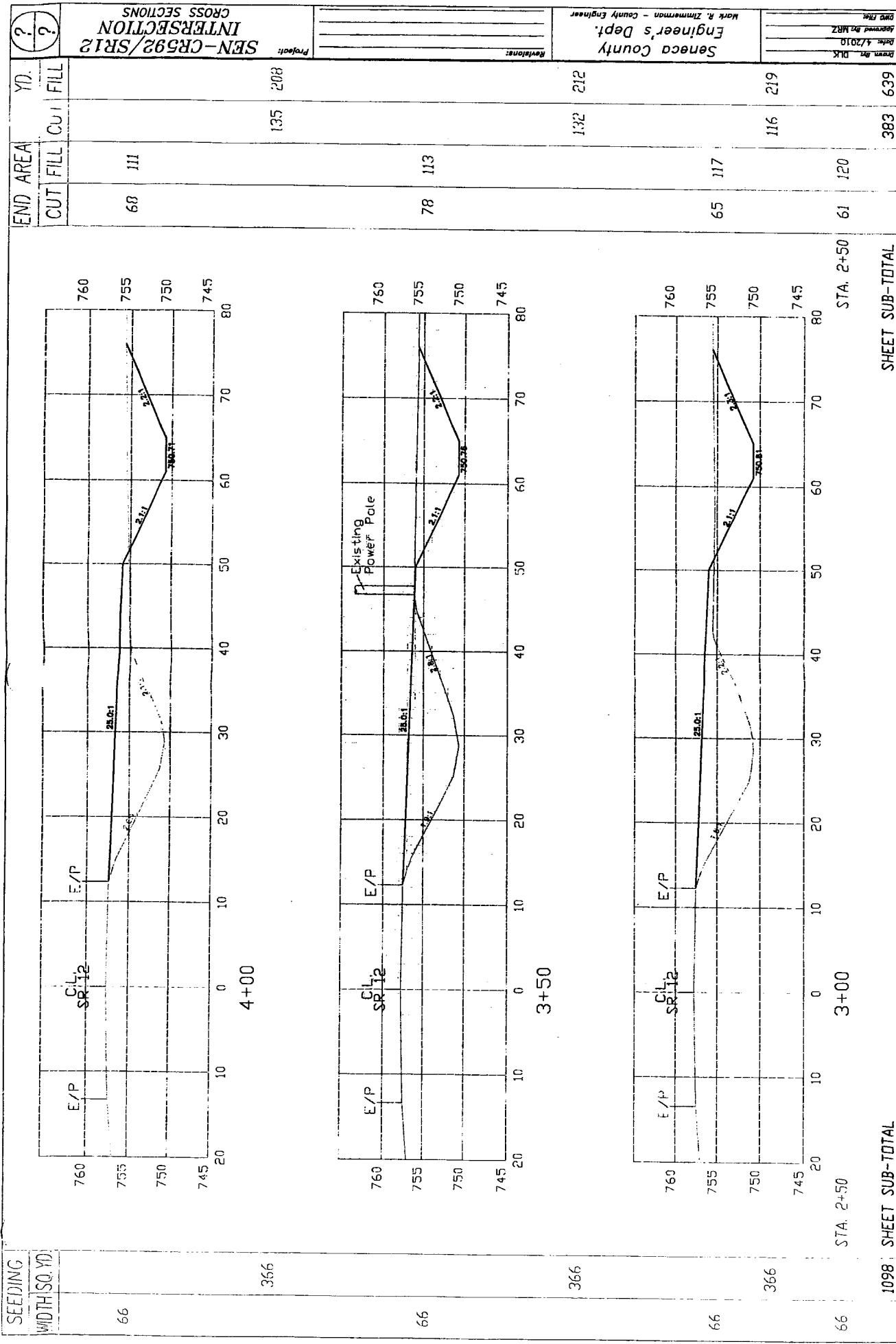
SHEET SUB-TOTAL

8

Seneca County Engineer  
D/A Processing No. 2010  
Seneca County, Ohio  
Quad: Fostoria  
Sheet 4 of 12



Seneca County Engineer  
D/A Processing No. 2010-01322  
Seneca County, Ohio  
Quad: Fostoria  
Sheet 5 of 12



Seneca County Engineer  
 D/A Processing No. 2010-01322  
 Seneca County, Ohio  
 Quad: Fostoria  
 Sheet 6 of 12

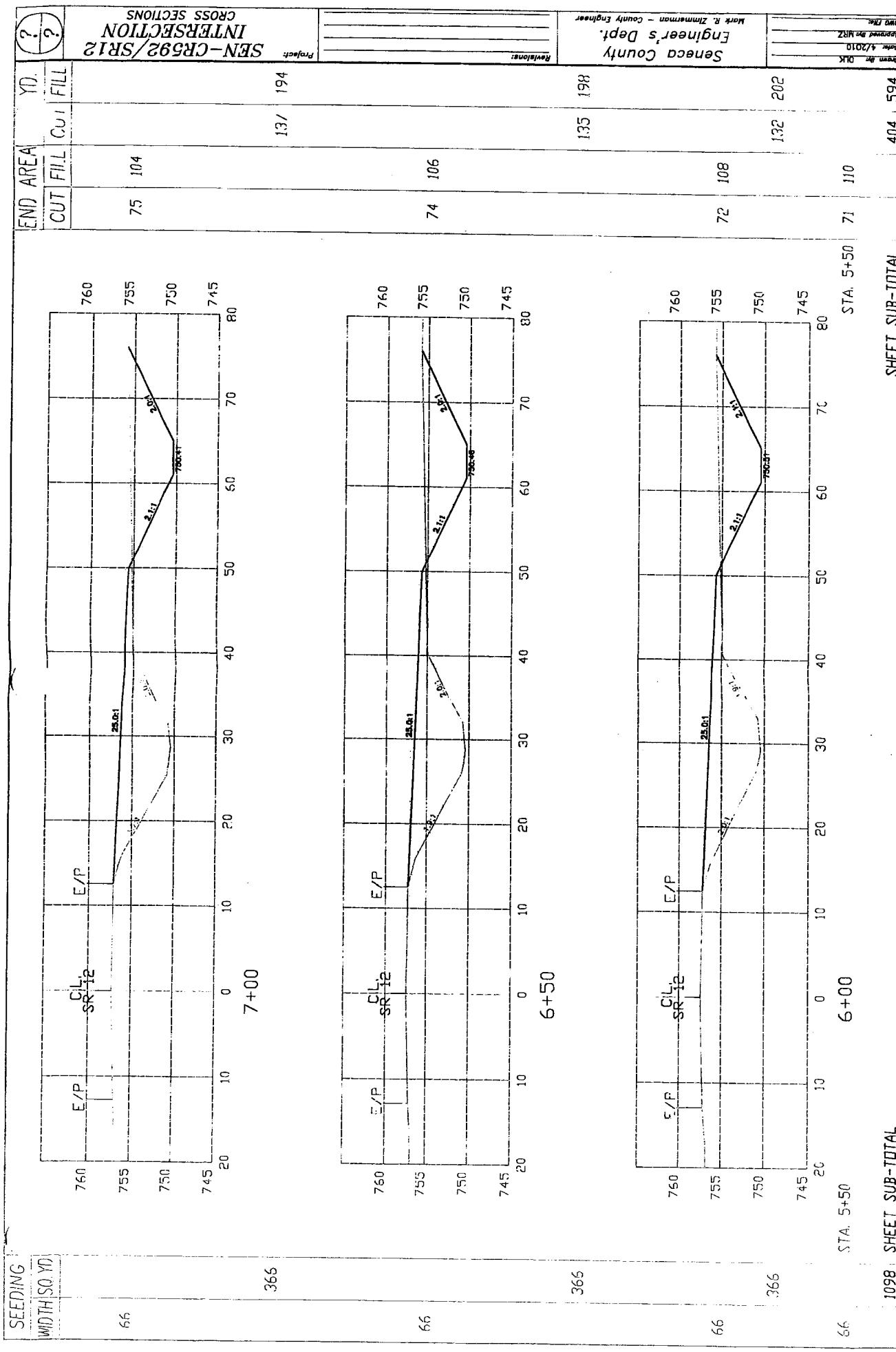


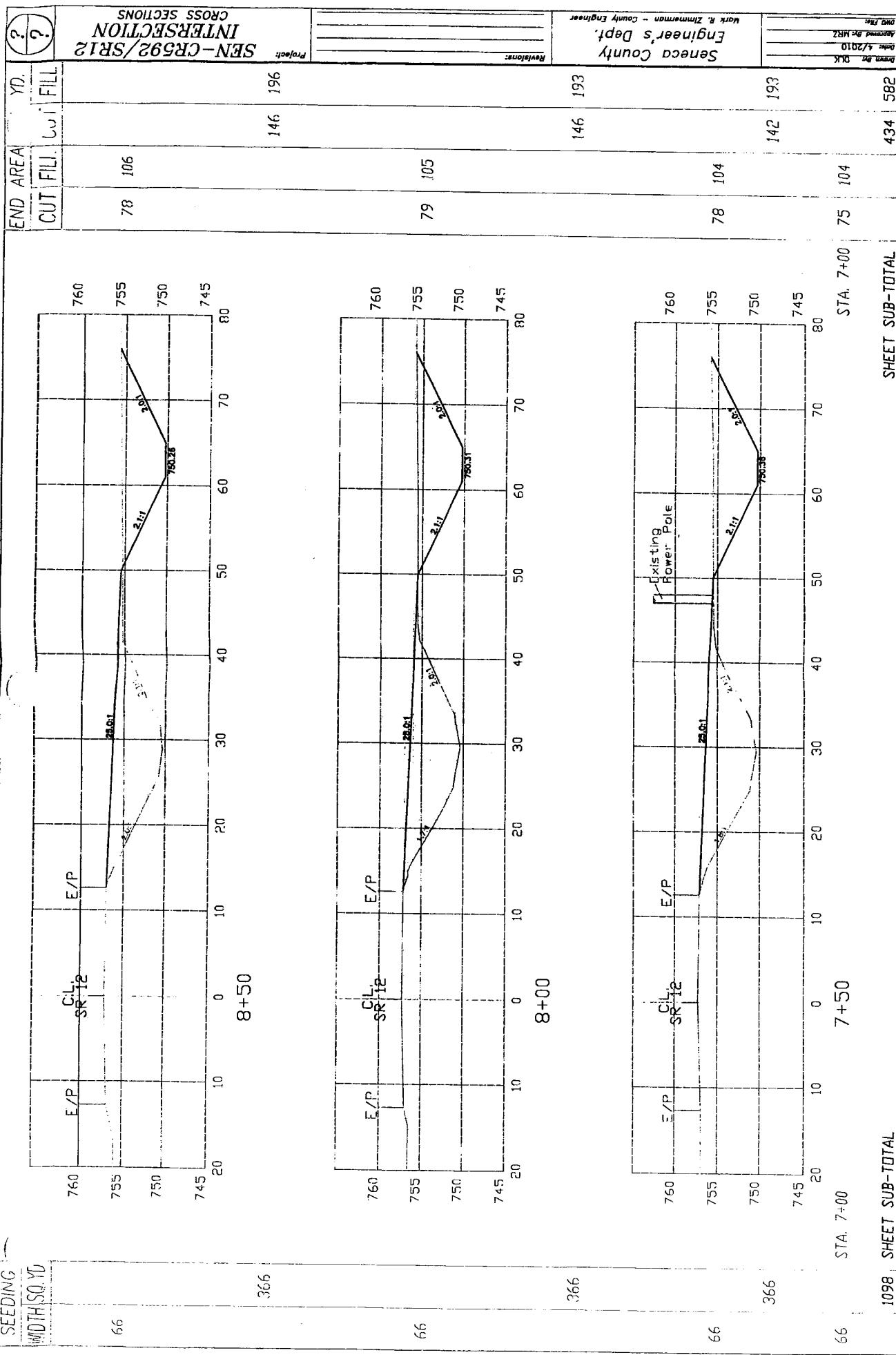
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Seneca County Engineer  
D/A Processing No. 2010-  
Seneca County, Ohio  
Quad: Fostoria  
Sheet 8 of 12



**Seneca County Engineer**  
D/A Processing No. 2010-01322  
**Seneca County, Ohio**  
Quad: Fostoria  
Sheet 9 of 12





Seneca County Engineer  
 D/A Processing No. 2010-01322  
 Seneca County, Ohio  
 Quad: Fostoria  
 Sheet 10 of 12

SEEDING END AREA YD.  
WIDTH SQ. YD.

CUT FILL CUL' FILL

380 11+50 380

11+00

375

10+50

STA. 10+00

82

104

80

745

750

755

760

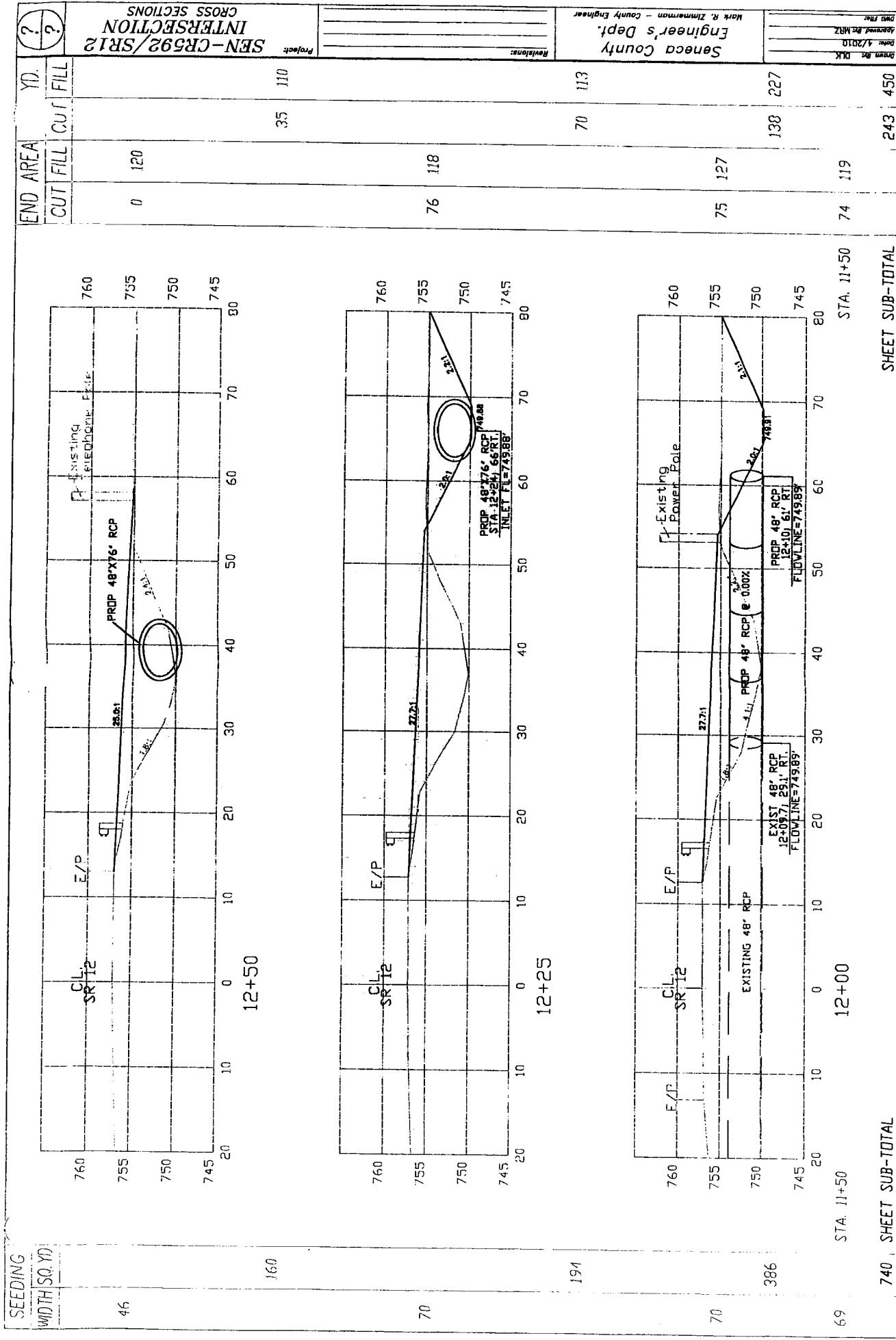
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Seneca County Engineer  
D/A Processing No. 2010-01322  
Seneca County, Ohio  
Quad: Fostoria  
Sheet 11 of 12





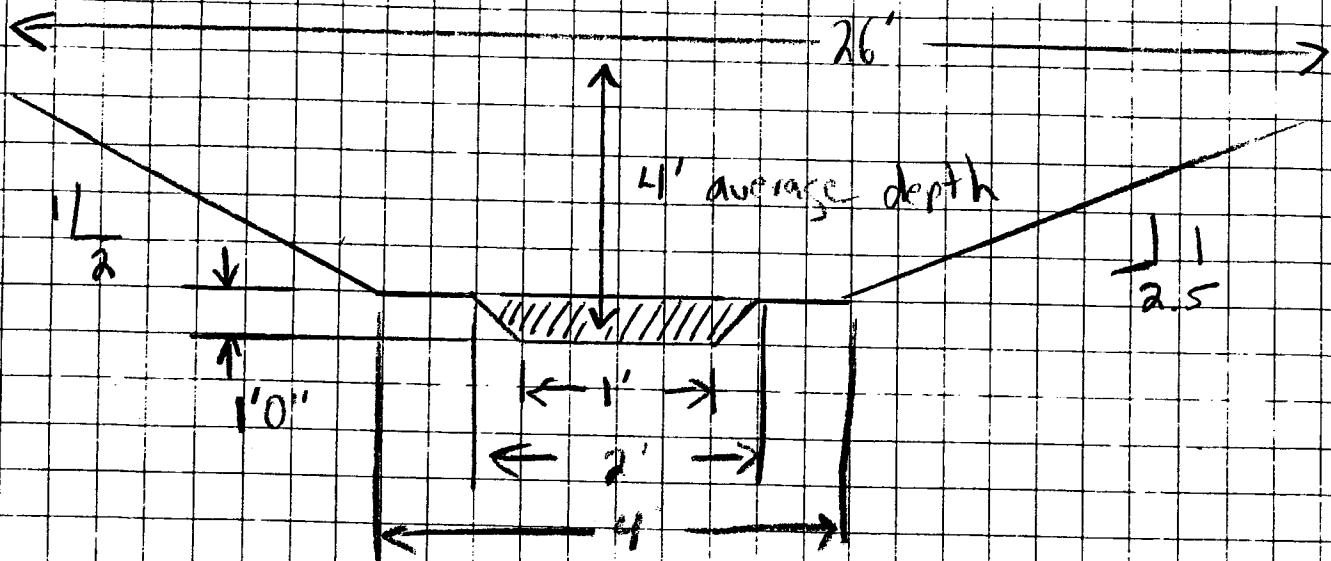
## PROPOSED CHANNEL DESIGN

# *Office of the Seneca County Engineer*

3300 South Township Road 151 Tiffin OH 44883 Phone (419)447-1011 Fax (419)447-1304

*Mark R Zimmerman PE PS, Seneca County Engineer*

(C) Length / width // Depth of new channel



~~VII/VIII/VII/VII/VII~~ Low flow channel

See (C2) for low flow channel calcs.

