



# Public Notice

**U S Army Corps  
of Engineers**  
Huntington District  
Regulatory Division  
North Branch

In reply refer to Public Notice No.

Issuance Date:

**LRH-2011-122-GMR**

Stream:

Closing Date:

**Stillwater River**

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-RD-N Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5210

**TO WHOM IT MAY CONCERN:** The intent of this Public Notice is to provide an opportunity for the public to express their views on proposed adverse effects to historic properties within a proposed restoration project.

**APPLICANT:** Village of West Milton  
701 South Main Street  
West Milton, Ohio 45383

**LOCATION:** The proposed project is located (Latitude: 39.9765 N, Longitude: -84.3254 W) within the Stillwater River, unnamed tributaries to the Stillwater River and adjacent wetlands located north of State Route 571 and south of Markley Road, in the Village of West Milton, Miami County, Ohio. A project location map is attached as Sheet 1.

**DESCRIPTION OF PROPOSED WORK:** The purpose of this Public Notice is to solicit comments regarding the proposed adverse affects to historic properties within the subject site. The applicant has requested Department of the Army authorization to discharge approximately 11,748 cubic yards of dredged and/or fill material into a total of 4,046 linear feet of streams and 0.29-acre of jurisdictional wetlands in association with the removal of the low head dam formerly known as the L.A. Pearson Electric Power Plant and the associated restoration of the site. The dam is approximately 13 feet tall and 305 feet long and impounds approximately 11,600 feet of the Stillwater River. The dam is currently non-operational. The Ohio Environmental Protection Agency (Ohio EPA) concluded that the impounded area behind the dam is not in attainment of the designated beneficial uses due to impairment of the aquatic macroinvertebrate community. The applicant has indicated strategic removal of the dam and the associated restoration of the project site would remove barriers for aquatic organisms, decrease the embeddedness of substrates in the currently impounded area, and increase the quality of the aquatic habitat.

The proposed project would be performed during low flows and include the installation of erosion and sediment controls, the discharge of fill for temporary construction access, the phased removal of the dam, installation of two grade control riffles, an imbricated (arranged like building blocks) stone toe, woody debris toe protection, live brush layering for bank stabilization and geomorphic channel stability, final grading, and lastly, the planting of native

vegetation in the riparian area. In addition, fill material for temporary access would be removed upon project completion and the areas restored to pre-construction conditions. The applicant anticipates the proposed project would result in significant improvements to the aquatic habitat by: eliminating a barrier to fish migration and water quality impairment; increasing the number of fish and macroinvertebrate species in this section of the river; and restoring the natural transport of coarse-grained sediments to downstream reaches. The purpose of the project is to restore and enhance the aquatic environment in the Stillwater River.

The Corps is currently evaluating the proposed activities for authorization under Nationwide Permit (NWP) #27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities). General Condition #20 of the NWPs states no activity which may affect historic properties eligible for listing in the National Register of Historic Places (NRHP) is authorized until the United States Army Corps of Engineers (Corps) has complied with the provisions of 33 CFR Part 325 Appendix C. This condition also states the applicant must notify our office if the proposed activity may affect any historic property listed, determined to be eligible, or which the prospective permittee has reason to believe are eligible for listing on the NRHP. The Corps is mandated by the National Historic Preservation Act (NHPA) to ensure that no federal undertaking, including a Corps permit action, which may affect historic resources, is commenced before the impacts of such action are considered and the Advisory Council on Historic Preservation and the State Historic Preservation Office are provided an opportunity to comment as required by the NHPA, 36 CFR 800, and 33 CFR 325, Appendix C.

In the pre-construction notification (PCN) for the proposed West Milton Dam removal and river restoration, the applicant indicated that previous investigations of the project area included:

- Project Summary Form submitted to the Ohio Historical Preservation Office (OHPO) by the Ohio EPA on behalf of the Ohio River Foundation and dated October 27, 2010;
- OHPO letter to the Ohio EPA dated November 3, 2010;
- *Findings of No Significant Impact To All Citizens, Organizations, And Government Agencies, Village of West Milton, West Milton Low-head Dam Removal and Stillwater River Restoration Project, Miami County, WPCLF Loan# WR3980985-0002* prepared by the Ohio EPA dated November 10, 2010;
- Phase 1 cultural resources survey and preparation of a report titled *Phase 1 Cultural Resources Survey for the Proposed West Milton Low-Head Dam Removal and Stillwater River Restoration Project, West Milton, Miami County, Ohio* (Phase I investigation) and prepared by ASC Group dated 2011;
- Ohio Historic Inventory Form for L.A. Pearson Electric Power Plant (MIA-1542-1 (AL001) prepared by ASC Group dated April 15, 2011;
- OHPO letter to Stantec dated October 22, 2012; and
- Letter prepared by ASC Group titled *West Milton Low-Head Dam Removal and Stillwater River Restoration Project, Union Township, Miami County, Ohio* and dated July 30, 2013 in response to correspondence received November 3, 2010 and October 22, 2012 from the OHPO.

The aforementioned Phase I investigation identified MIA-1542-1 (AL001), the L.A. Pearson Electric Power Plant, as being historically significant under Criterion (a) for its association on a local level with the important historic theme of the development of electricity and distribution. The Plant consists of the remains of a hydroelectric facility, including the West Milton Dam. The dam is a concrete gravity dam and an integral part of the hydroelectric facility, which operated between 1908-1951.

In evaluating the applicant's permit request, the Corps has determined the proposed undertaking will have an adverse effect to the L.A. Pearson Electric Power Plant (MIA-1542-1 (AL001), eligible for the inclusion on the NRHP.

The applicant is currently exploring mitigation proposals to resolve the proposed adverse effect to historic properties associated with the West Milton Lowhead Dam Removal and River Restoration undertaking. Therefore, this Public Notice serves to solicit public input on potential mitigation activities to resolve the proposed adverse effects to the eligible L.A. Pearson Electric Power Plant (MIA-1542-1 (AL001)).

**PUBLIC INTEREST:** The Corps 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 proposed adverse effect on historic properties. Should you wish to express your views on the undertaking's effects on historic properties, or provide comments, objections or mitigation proposals associated with the proposed undertaking, please forward this information to our office prior to the close of the comment period for this Public Notice.

**CLOSE OF COMMENT PERIOD:** All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. Persons wishing to submit comments or objections concerning this proposal should write:

United States Army Corps of Engineers  
ATTN: CELRH-RD-N-Public Notice No. LRH-2011-122-GMR  
502 8<sup>th</sup> Street  
Huntington, West Virginia 25701-2070

Please note, the names and addresses of those who submit comments in response to this Public Notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. If you have any questions concerning this public notice, please call Ms. Laurie A. Moore of my staff at 513-825-2752.

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HATTEN-RD-N  
MULLINS RD

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