



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
441 G STREET, NW  
WASHINGTON, DC 20314-1000

MAR 8 2013

REPLY TO  
ATTENTION OF

CECW-ZB

MEMORANDUM FOR COMMANDER, GREAT LAKES AND OHIO RIVER DIVISION  
(CELRD-PDS-H, MR. ISELI)

SUBJECT: Mahoning Creek Dam – Approval of the Proposed Addition of Non-Federal  
Hydropower pursuant to 33 U.S.C. 408, FERC Project No 12555

1. References:

- a. Memorandum, CELRD-PD-O, 13 February 2013, subject: Request for Approval of Modification and Alteration of Willow Island Locks & Dam for the Addition of non-federal hydropower under 33 U.S.C. 408.
- b. Memorandum, CELRP-BR-EF, 9 November 2012, subject: Request for Approval of Modification and Alternation of Mahoning Creek Dam for the Addition of non-federal hydropower under 33 U.S.C. 408.
- c. Decision Document, February 2013, Mahoning Creek Dam, Request for Approval of Modification and Alteration of Mahoning Creek Dam for the Addition of non-federal hydropower under 33 U.S.C. 408, FERC Project No. P-12555
- d. Assistant Secretary of the Army (Civil Works) Memorandum for the Chief of Engineers, Subject: Delegation of Authority Pursuant to 33 U.S.C. 408, 16 April 2004.
- e. Memorandum, CECG, 2 April 2009, Subject: Delegation of Authority Pursuant to 33 U.S.C. 408.
- f. Memorandum, CECW-PB, 17 November 2008, Subject: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects.
- g. Memorandum, CECW-PB, 23 October 2006, Subject: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineers Projects

2. The Section 408 permit application (reference 1.c.) for subject project has been reviewed for completeness, adherence to Corps Civil Works policy, technical sufficiency, and dam safety compliance. The application package meets the programmatic, policy, and technical criteria for approval of project alteration.

CECW-ZB

SUBJECT: Mahoning Creek Dam, Armstrong County, Pennsylvania - Request for Approval of Modification and Alteration of Mahoning Creek Dam for the Addition of Non-Federal Hydropower pursuant to 33 U.S.C. 408

3. The project review plan has been revised to require continuation of the Independent External Peer Review (IEPR) through construction and commissioning. At the end of the construction and commissioning phases, the IEPR panel shall certify that the project is safe to assume normal operations. The IEPR panel must provide a letter report to USACE each time it convenes.
4. The district will prepare a new unsigned FONSI, consistent with guidance from Appendix G of ER 1105-2-100. A new FONSI will incorporate any needed updates.
5. I approve the requested modification and alteration of the Mahoning Creek Dam, Armstrong County, Pennsylvania, for the addition of non-Federal hydropower facilities, FERC Project No. P-12555, pursuant to 33 U.S.C. 408.



STEVEN L. STOCKTON, P.E.  
Director of Civil Works