



Public Notice

**U.S. Army Corps
of Engineers**
Pittsburgh District

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. **2005-26**

Date: May 8, 2008

Notice No. **08-25**

Closing Date: May 23, 2008

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act of 1899.

2. APPLICANT: Eugene Zambrano
Chapel Harbor at the Water Associates, L.P.
1650 Main Street
Pittsburgh, Pennsylvania 15214

AGENT: Gary Sheffler
Sheffler & Company, Inc.
914 Beaver Grade Road
Moon Township, Pennsylvania 15108

3. LOCATION: Allegheny River, right bank, Mile 8.5 and near the right bank side of Squaw Run, O'Hara Township, Allegheny County, Pennsylvania.

4. PURPOSE AND DESCRIPTION OF WORK: The proposed activities are part of a multi-purpose development known as Chapel Harbor at the Water totaling 42.60 acres of land (24.34 acres public and 18.26 acres private). Three storm water outfalls were previously authorized under General Permit No. 4 (GP040204202) and Nationwide Permit No. 7 (CELRP-200400169). The earthwork, consisting of site grading and construction of roads, involved placement of 0.4 acres of material below the Ordinary High Water of the Allegheny River and was completed in 2007. As mitigation for placing fill into the harbor area, a littoral shelf was constructed in the harbor and the mouth of the harbor will be dredged. The littoral shelf, which is 8 feet wide, located approximately 2 feet below the normal pool and capped with 1 inch of gravel, was constructed in 2007. Drawings of the constructed fill area, constructed littoral shelf and proposed mitigation dredging area are attached to this notice. The dredging area is approximately 588 feet long x 70 feet wide and various depths to a maximum depth of approximately 4 feet, for a total volume of 4,320 cubic yards.

5. ENCROACHMENT PERMIT: The applicant has an existing encroachment permit E02-1488 from the Pennsylvania Department of Environmental Protection.

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species 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).

7. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 – Public Law 89-665 as amended (including Public Law 96-515).

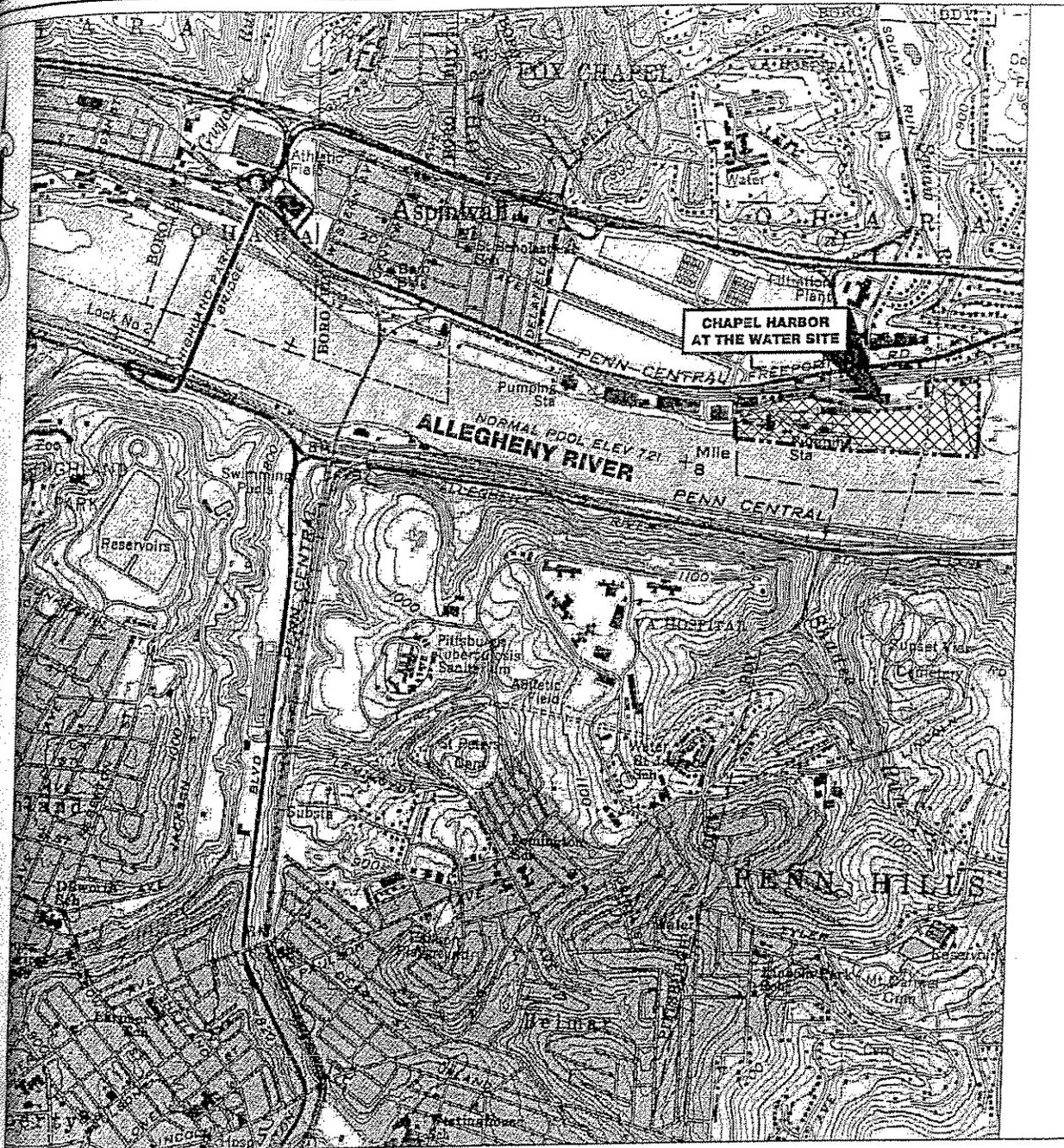
8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

9. EVALUATION: 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 proposals 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, 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 overall public interest of the proposed activity.

10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Diane Czelusta, at the above address, by telephoning (412) 395-7232, or by e-mail at Diane.L.Czelusta@usace.army.mil. Please refer to CELRP-OP-F **2005-26** in all responses.

FOR THE DISTRICT ENGINEER:

//SIGNED//
Scott A. Hans
Chief, Regulatory Branch

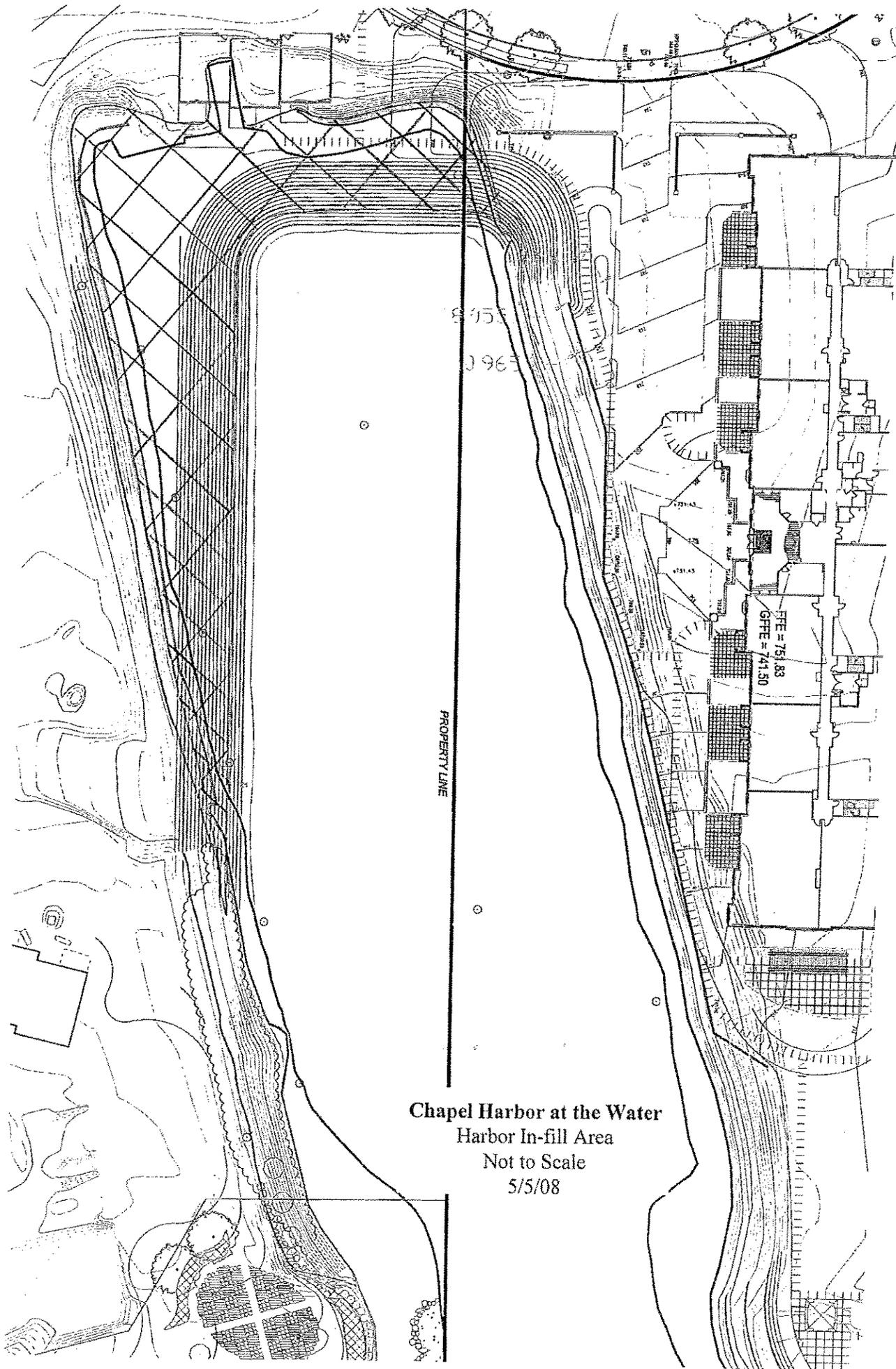


GRAPHIC SCALE

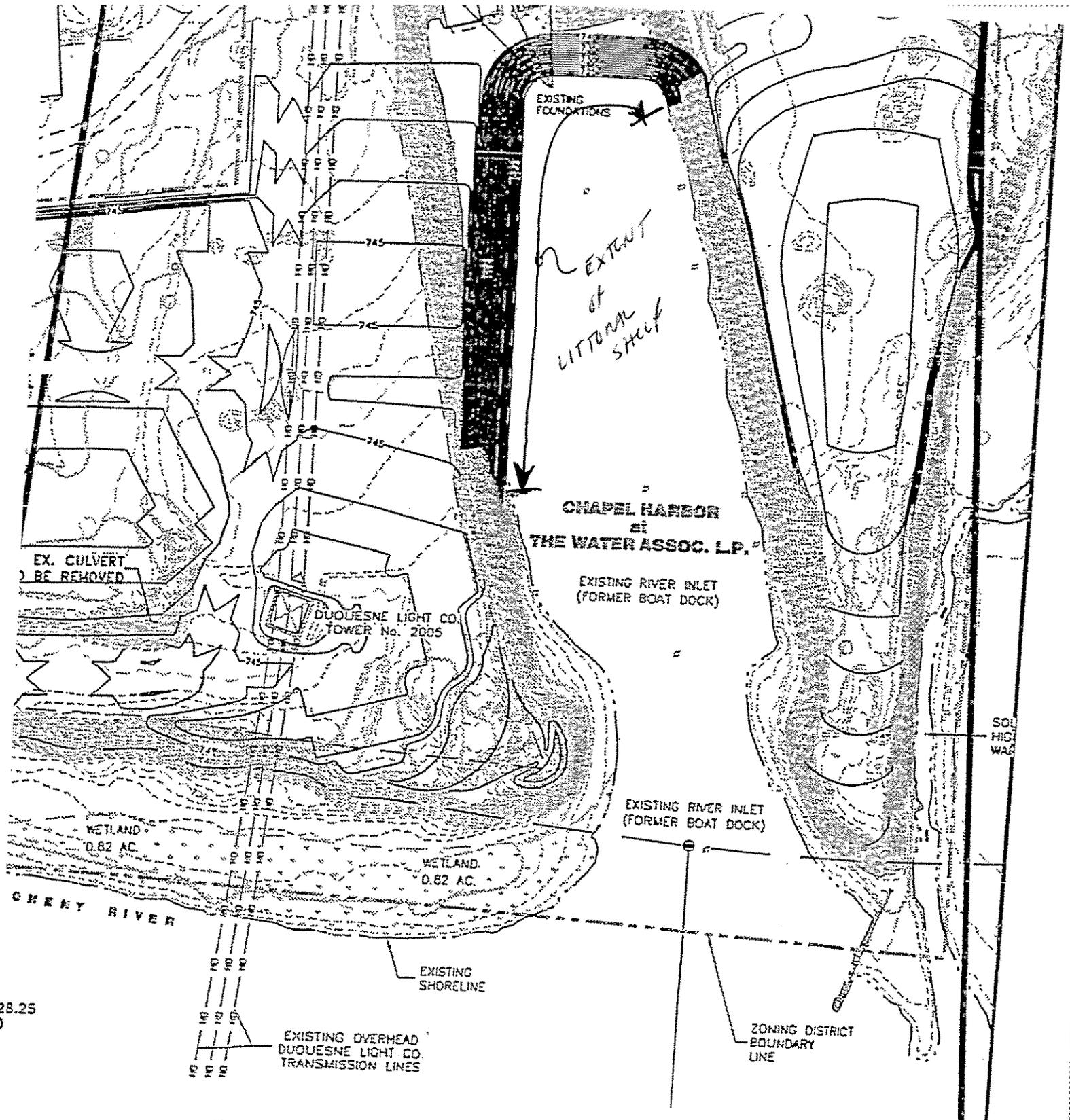


(IN FEET)
 1 inch = 2000 ft.

FIGURE 1
 GENERAL LOCATION MAP
 Reference: U.S.G.S. Quadrangle Map
 Pittsburgh East, Pennsylvania)



Chapel Harbor at the Water
Harbor In-fill Area
Not to Scale
5/5/08



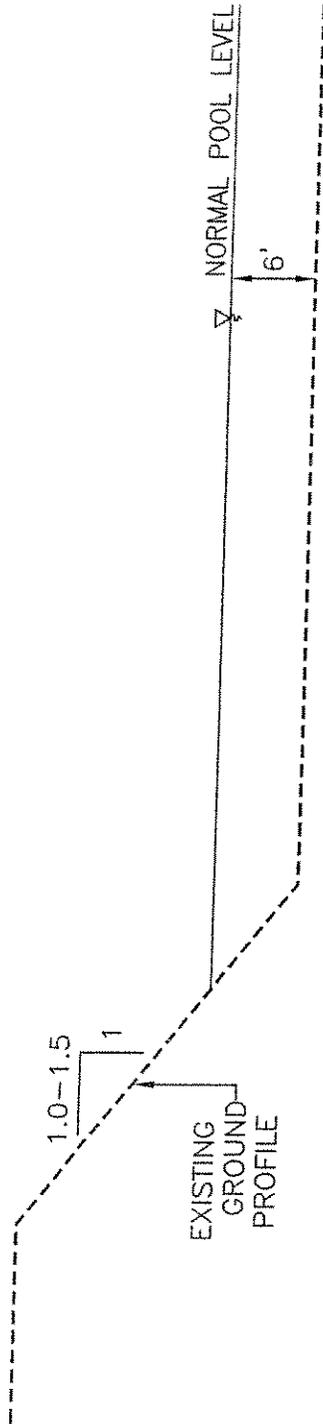
CHAPEL HARBOR AT THE WATER

PLAN VIEW OF LITTORAL SHELF

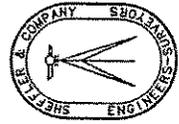
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4/8/08

28.25
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SHEFFLER AND COMPANY, INC.
ENGINEERS - SURVEYORS



914 BEAVER GRADE ROAD
 CORAOPOLIS, PENNSYLVANIA 15108

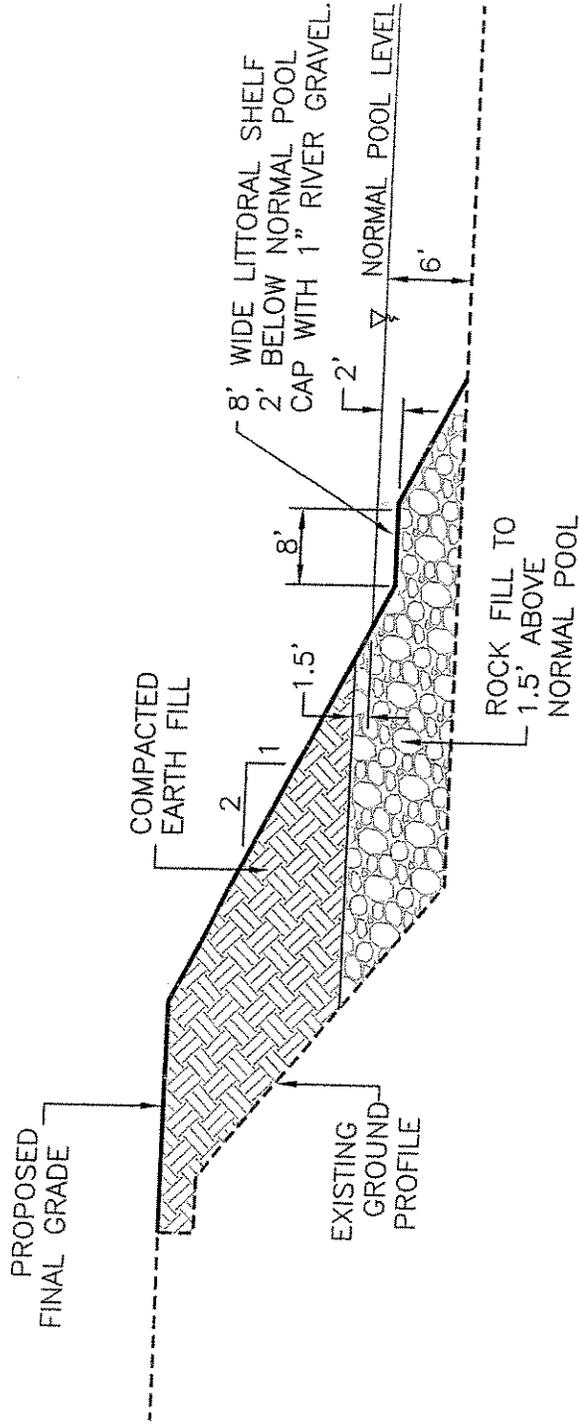
VOICE: (412) 262-3450
 FAX: (412) 264-8326

River Inlet In-Fill
Chapel Harbor at the Water, LLC

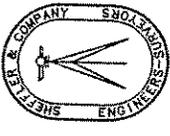
Figure 1 - Existing Bank Slope

SCALE:	N.T.S.	DRAWN BY:	JJK
DATE:	11-29-04	CHECKED BY:	GAS
JOB NO.:	3164	REVISED BY:	-
CADD NO.:	3164-Figure-1.dwg		

2005-26



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914 BEAVER GRADE ROAD
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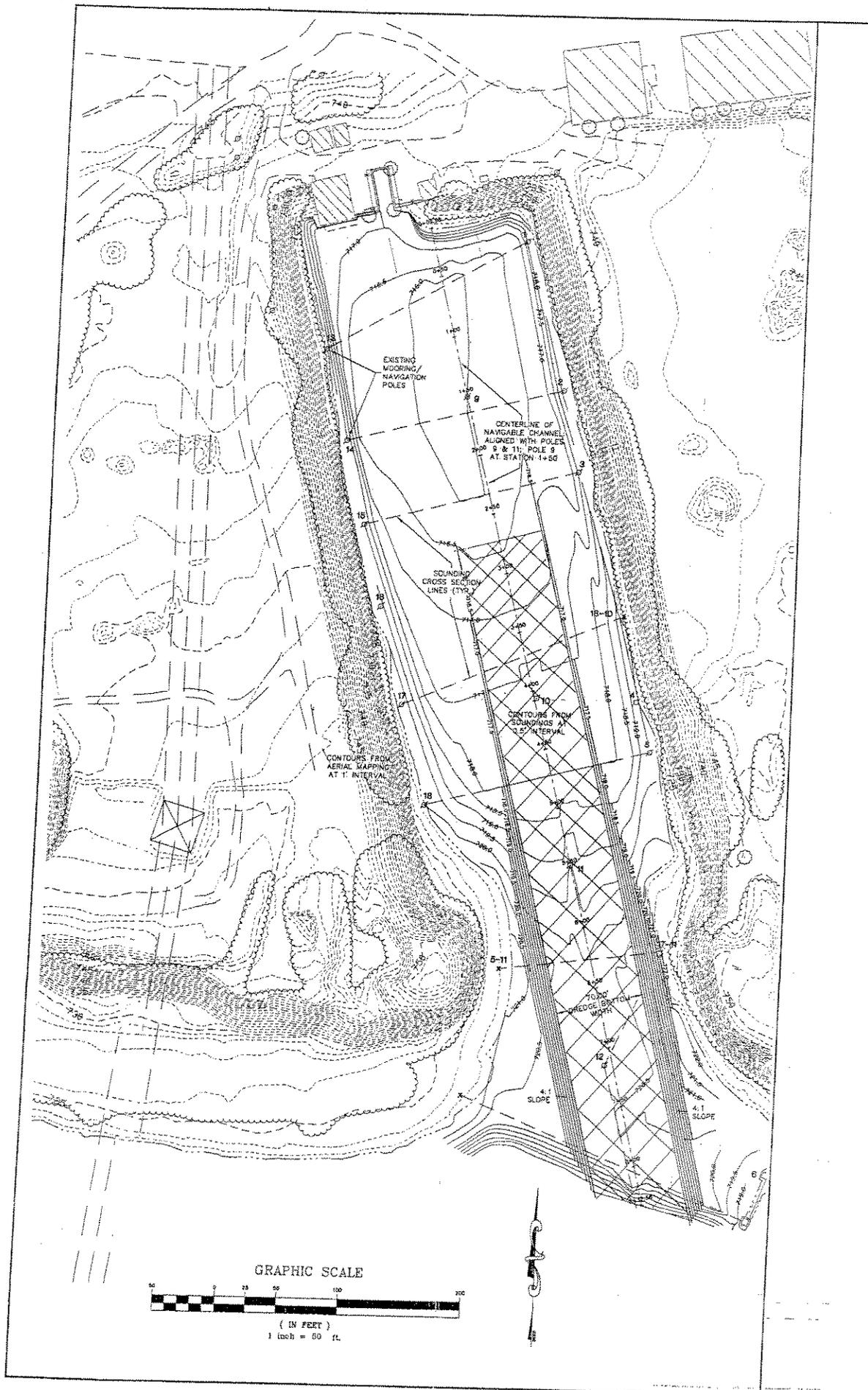
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 FAX: (412) 264-8325

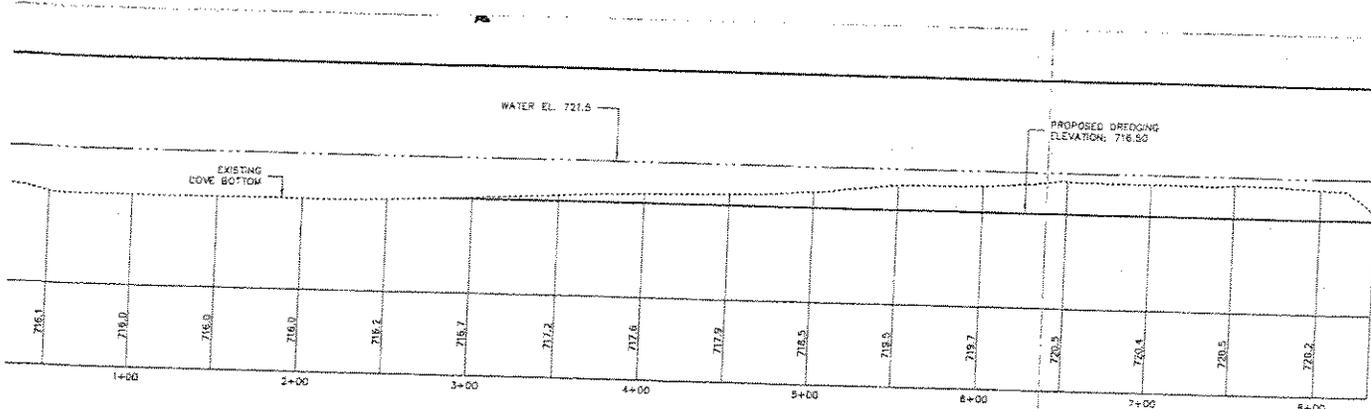
River Inlet In-Fill
Chapel Harbor at the Water, LLC

Figure 2 - Littoral Shelf Detail

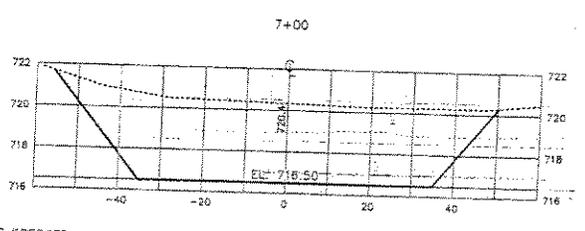
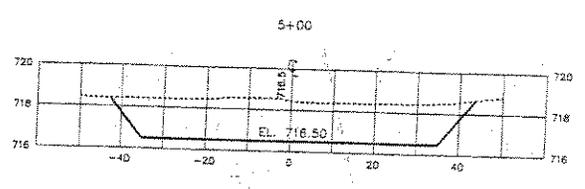
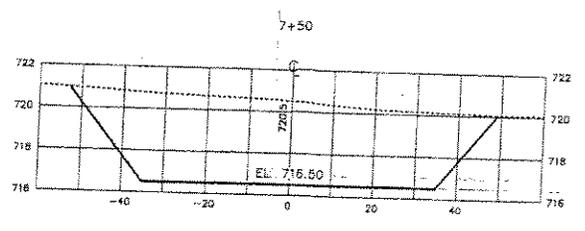
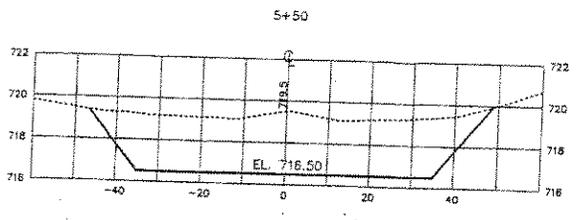
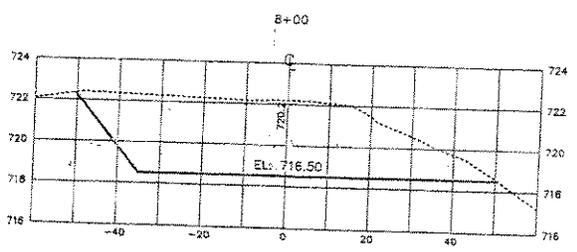
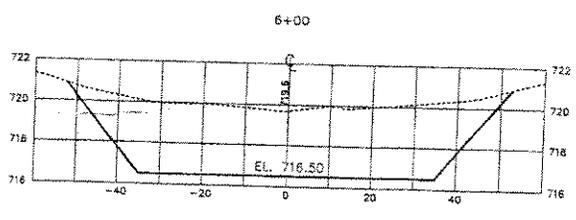
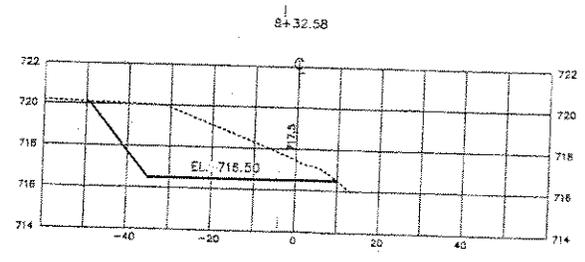
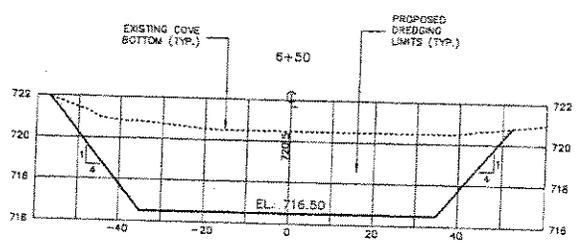
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 DATE: 11-29-04
 JOB NO.: 3164
 CADD NO.: 3164-Figure-2.dwg

DRAWN BY: JJK
 CHECKED BY: GAS
 REVISED BY: -





PROFILE ALONG CENTERLINE SHOWN ON PLAN VIEW
SCALE - HORIZONTAL: 1" = 50'; VERTICAL: 1" = 10'



SECTIONS ALONG AREA TO BE DREDGED
SCALE - HORIZONTAL: 1" = 20'; VERTICAL: 1" = 4'

Site Volume Table

Site	Stratum	Surf1	Surf2	Cut Cu. Yards	Fill Cu. Yards	Net Cu. Yards	Method
3164	dredge-01	dredge-pre	dredge-post	4320	0	4320 (C)	Grid



SHEFFLER & COMPANY, INC.
ENGINEERS - SURVEYORS

DATE	REVISIONS	BY
01-06-06	REV. PER PER. TO ADD COMMON LETTER	SK

COVE SOUNDINGS

CHAPEL HARBOR AT THE WATER
PREPARED FOR