



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. 2008-395

Date: June 16, 2008

Notice No. 08-30A

Closing Date: July 16, 2008

1. **TO ALL WHOM IT MAY CONCERN:** This public notice amends previous Public Notice No. 08-30. Drawings of the proposed project were not attached. Consequently the closing date for receipt of comments related to Section 10 of the Rivers and Harbors Act of 1899, has been extended. The revised closing date is shown above.

2. **APPLICANT:** Norfolk Southern
1200 Peachtree Street
Box 184
Atlanta, Georgia 30309

3. **LOCATION:** The project is located in Conway, Beaver County, Pennsylvania, along the right bank of the Ohio River at approximate river mile 22.5.

4. **PURPOSE AND DESCRIPTION OF WORK:** The applicant proposes to perform maintenance dredging, for a period of ten years, along 255 feet of shoreline around an existing facility that includes two 17' diameter mooring cells (existing cells are located at 40° 40' 16.21"N/-80° 15' 11.04"W and 40° 40' 13.99"N/-80° 15' 10.55"W). In addition, the applicant is proposing to install two more mooring cells, both 17' in diameter at the following locations: 40° 40' 17.11"N/-80° 15' 11.63"W and 40° 40' 14.65"N/-80° 15' 10.98"W. The mooring cells will be constructed of sheet pile cells, filled with sand and gravel, and will have concrete caps. Drawings of the proposed projects and sites are attached to this notice.

5. **ENCROACHMENT PERMIT:** The applicant is required to obtain an encroachment permit which includes State 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection
Southwest Regional Office
Soils and Waterways Section
400 Waterfront Drive
Pittsburgh, Pennsylvania 15222-4745

Telephone: 412-442-4000

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

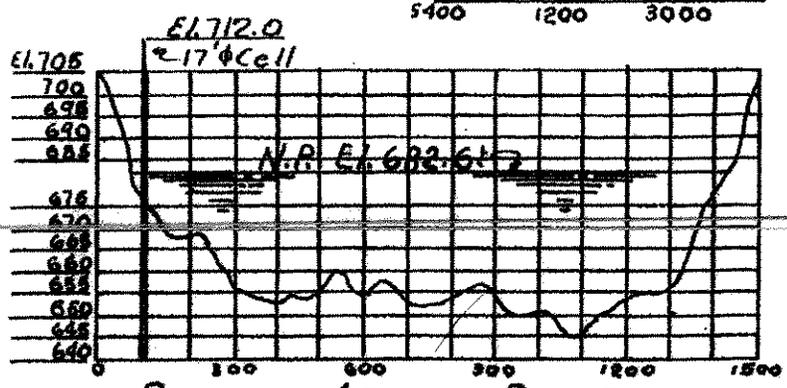
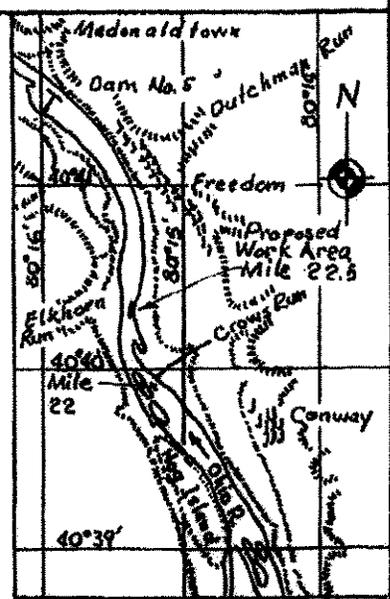
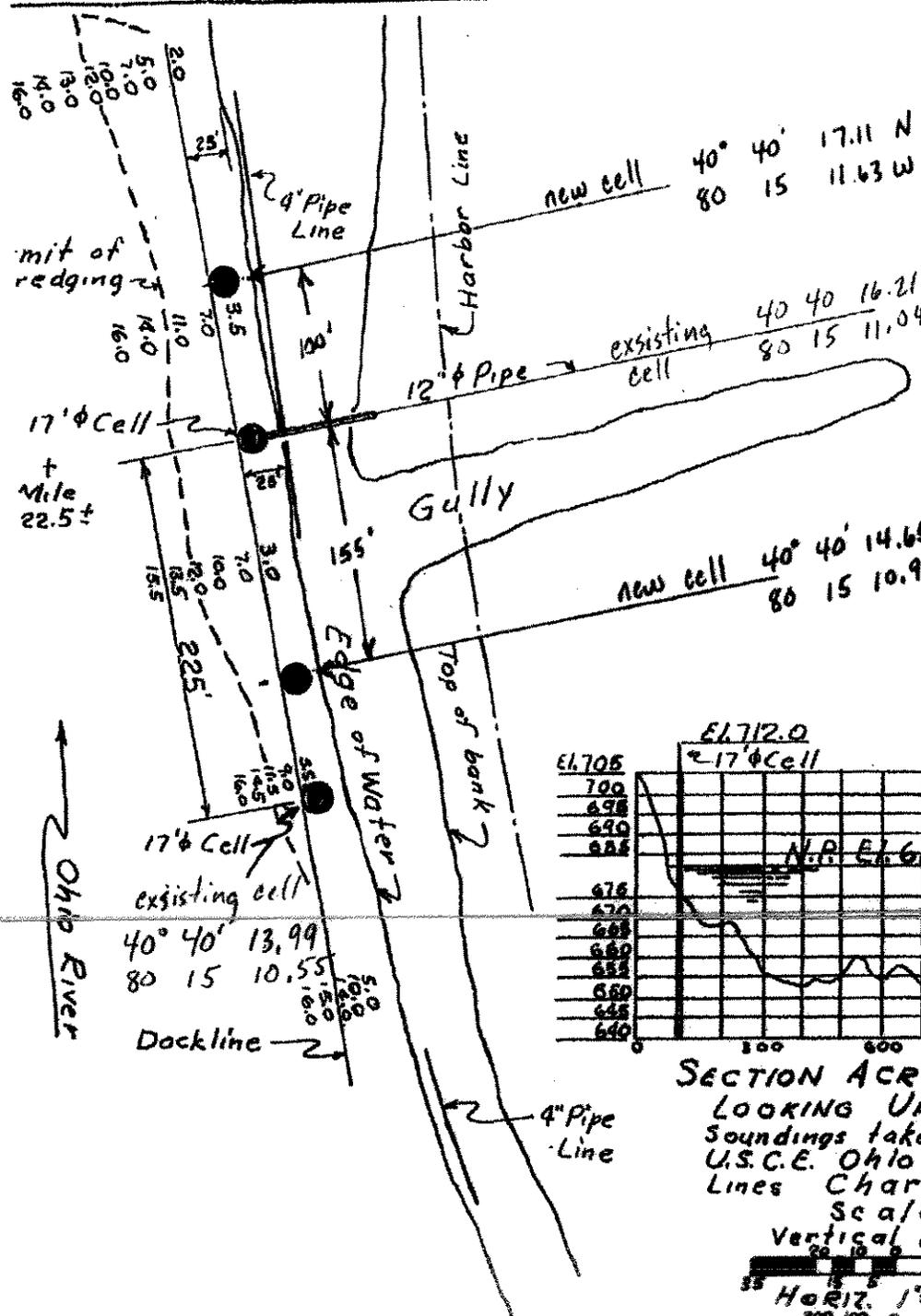
overall public interest of the proposed activity.

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 Jon Coleman, at the above address, by telephoning (412) 395-7188, or by e-mail at jon.t.coleman@usace.army.mil Please refer to CELRP-OP-F 2008-395 in all responses.

FOR THE DISTRICT ENGINEER:

/SIGNED/

Scott A. Hans
Chief, Regulatory Branch



SECTION ACROSS RIVER
LOOKING UPSTREAM
Soundings taken from
U.S.C.E. Ohio R. Harbor
Lines Chart No. 43
Scales
Vertical 1" = 40'
Horiz. 1" = 400'

LOCATION MAP
Scale 1" = 100'

Scale: 100 75 50 25 0 50 100

PROPOSED DOCK FOR THE
PENNSYLVANIA RAILROAD ON
THE OHIO RIVER NEAR
CONWAY, PENNSYLVANIA
APRIL 6, 1959 SCALE AS SHOWN
Sheet 1 of 2

P E N N S Y L V A N I A
BEAVER COUNTY

08-30

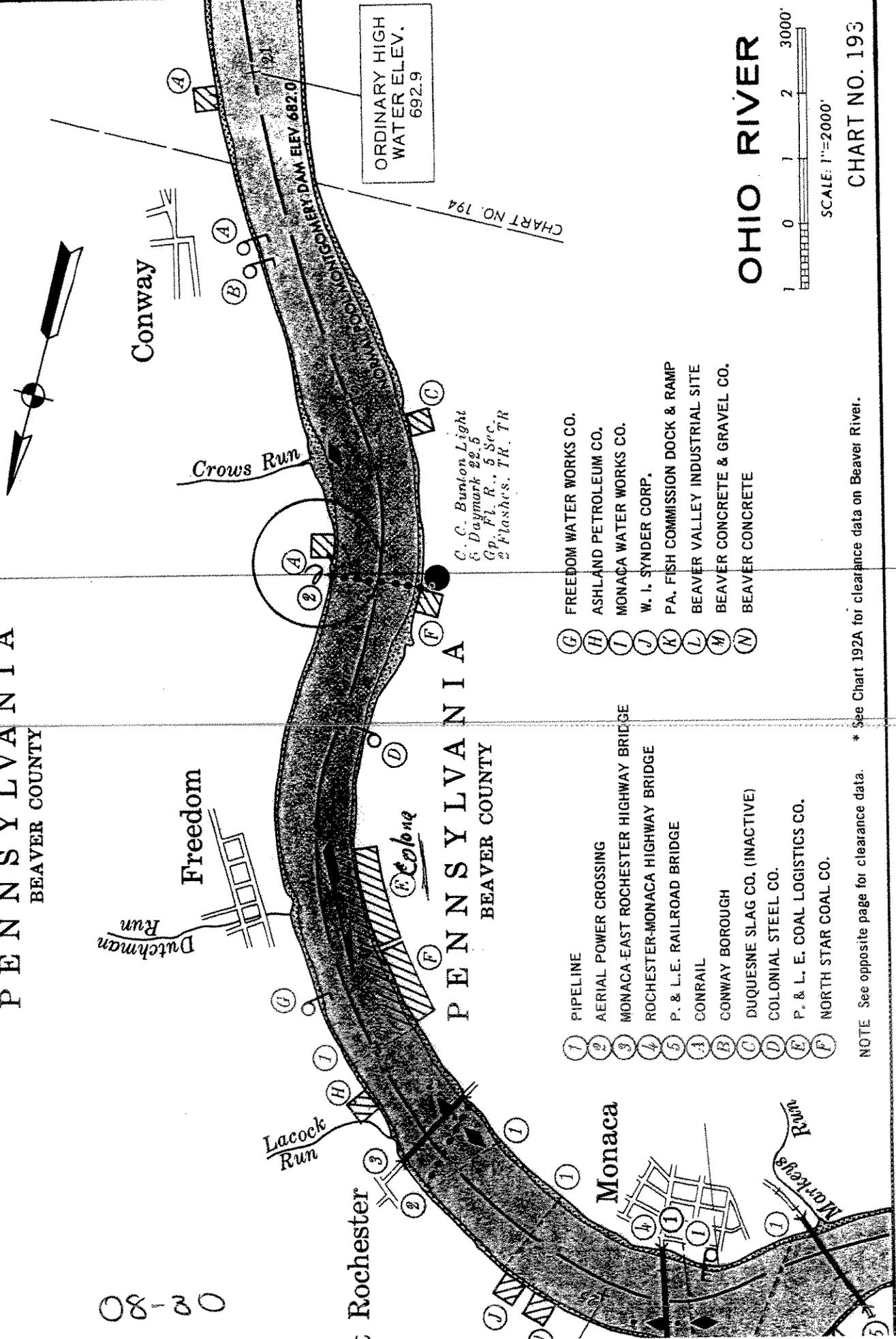


CHART NO. 194

O H I O R I V E R

CHART NO. 193

- (G) FREEDOM WATER WORKS CO.
- (H) ASHLAND PETROLEUM CO.
- (I) MONACA WATER WORKS CO.
- (J) W. I. SYNDER CORP.
- (K) PA. FISH COMMISSION DOCK & RAMP
- (L) BEAVER VALLEY INDUSTRIAL SITE
- (M) BEAVER CONCRETE & GRAVEL CO.
- (N) BEAVER CONCRETE

- (1) PIPELINE
- (2) AERIAL POWER CROSSING
- (3) MONACA-EAST ROCHESTER HIGHWAY BRIDGE
- (4) ROCHESTER-MONACA HIGHWAY BRIDGE
- (5) P. & L. E. RAILROAD BRIDGE
- (A) CONRAIL
- (B) CONWAY BOROUGH
- (C) DUQUESNE SLAG CO. (INACTIVE)
- (D) COLONIAL STEEL CO.
- (E) P. & L. E. COAL LOGISTICS CO.
- (F) NORTH STAR COAL CO.

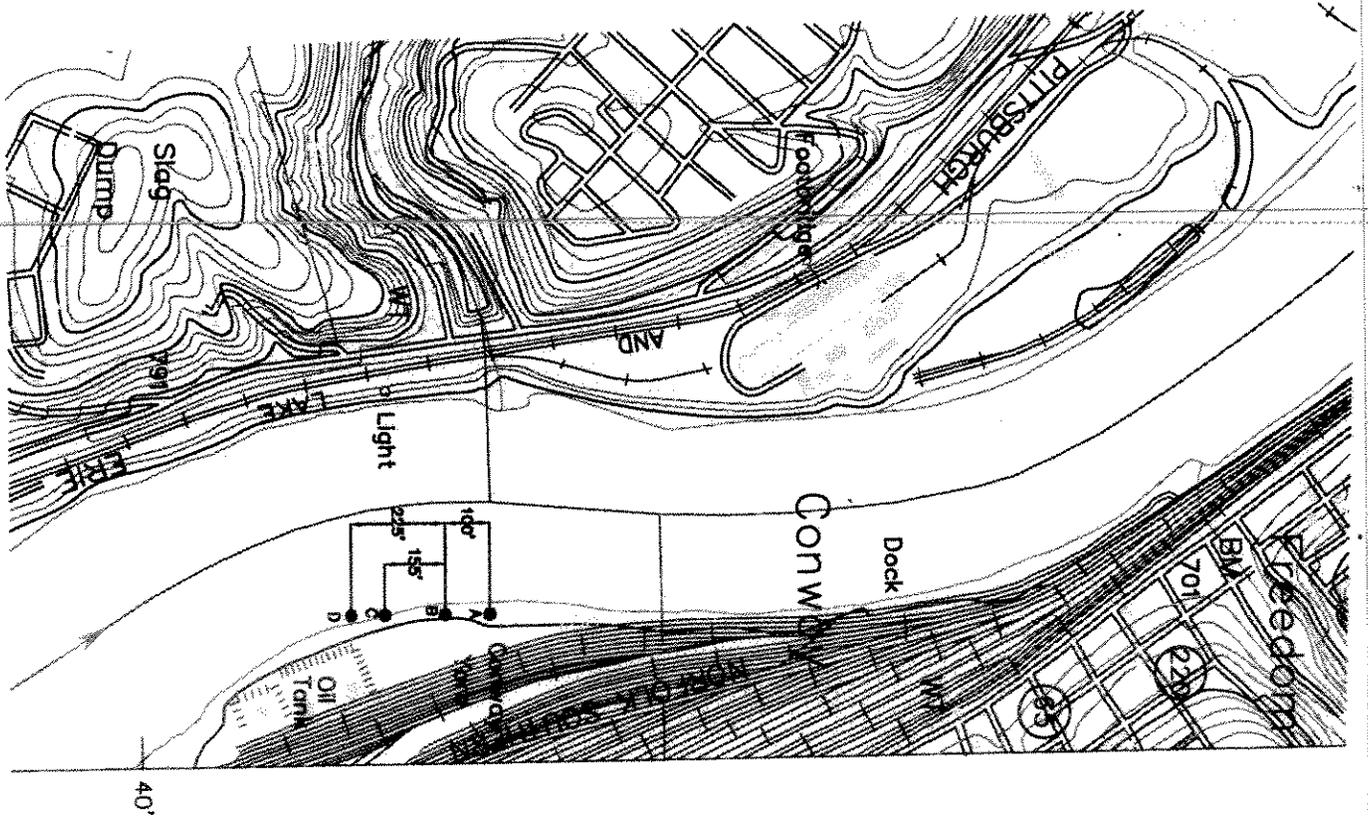
C. C. Bunton Light
& Daymark 22.5
Gp. Ft. R., 5 Sec.
2 Flashes. TR. TR

* See Chart 192A for clearance data on Beaver River.

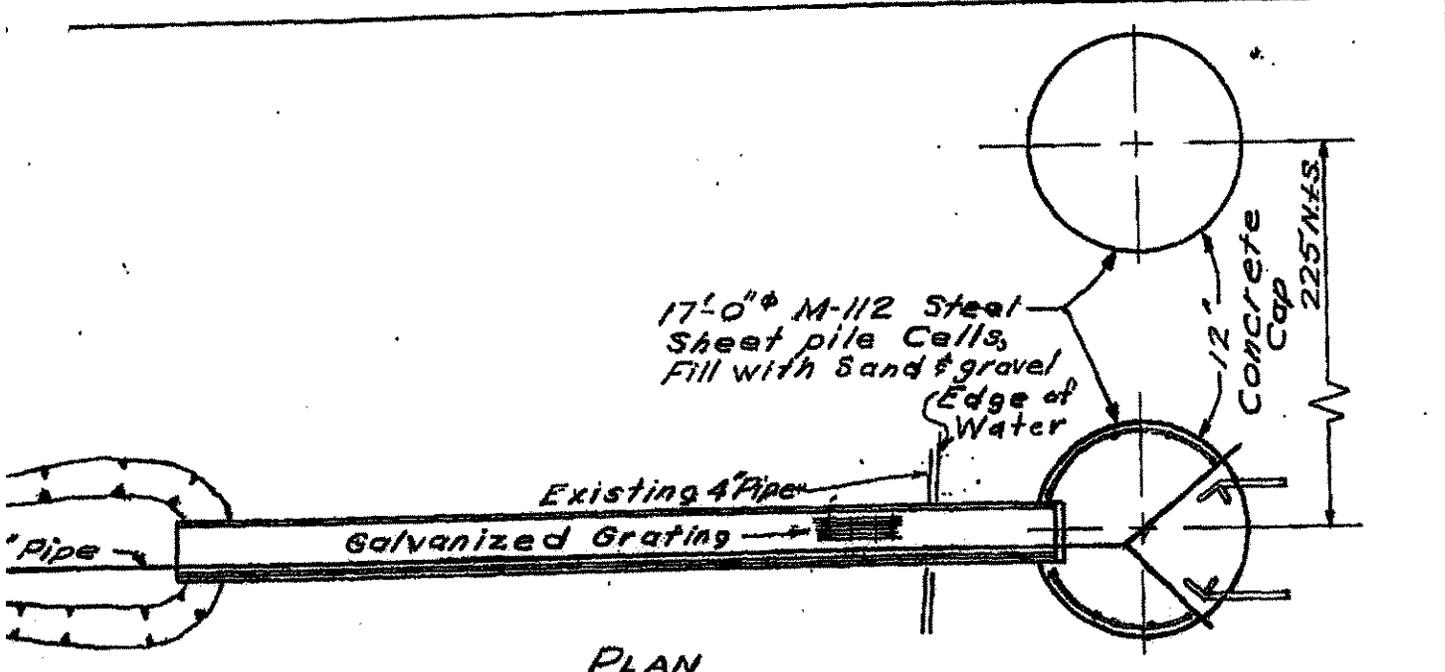
NOTE See opposite page for clearance data.

NOTE NOTE

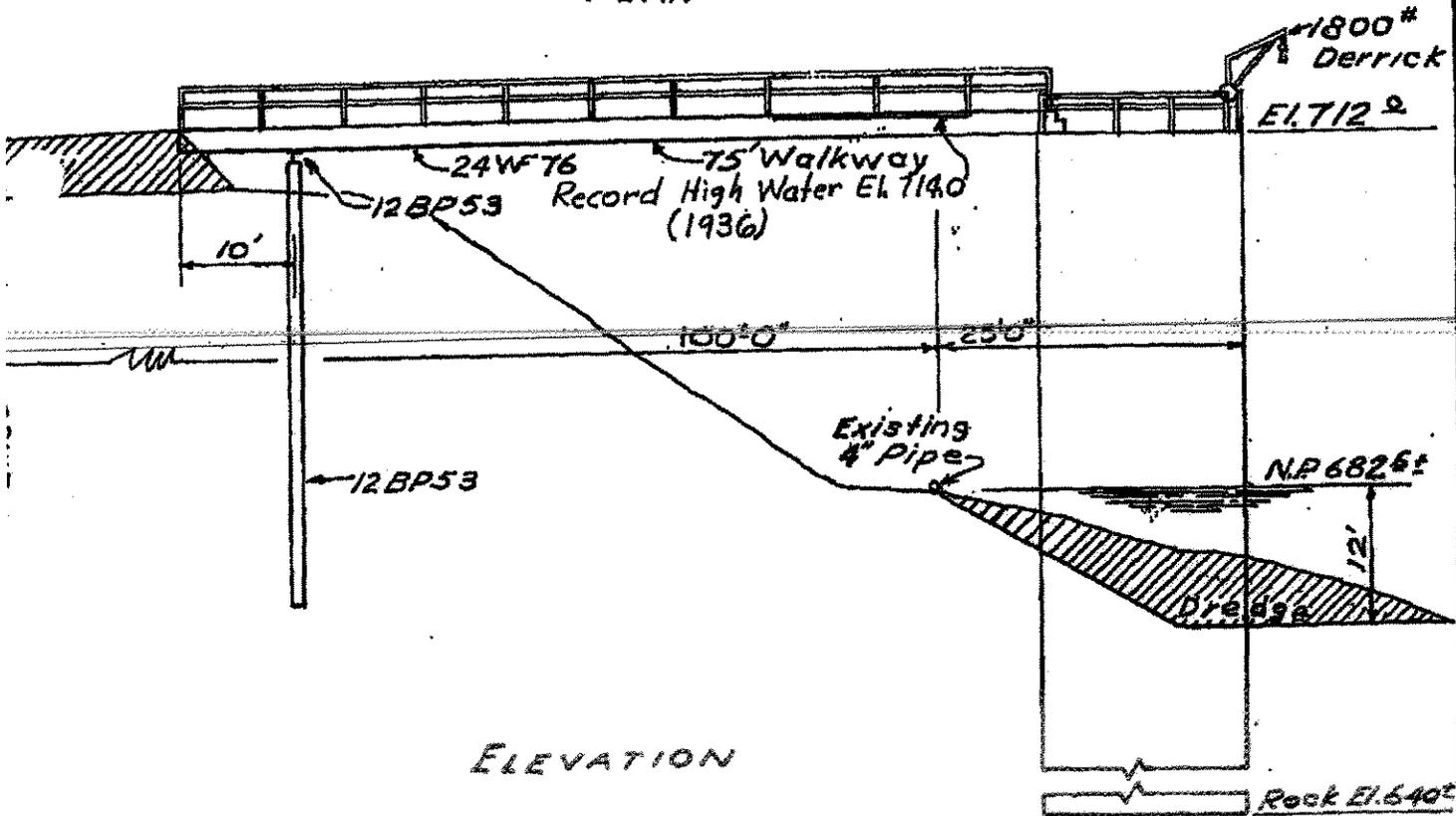
		LEGEND	
●	Existing Cell		
●	New Cell		
A	40' 40' 17.11" N		
	80' 15' 11.63" W		
B	40' 40' 16.21" N		
	80' 15' 11.04" W		
C	40' 40' 14.65" N		
	80' 15' 10.98" W		
D	40' 40' 13.99" N		
	80' 15' 10.55" W		



08-30

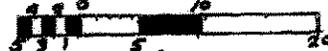


PLAN



ELEVATION

PROPOSED DOCK FOR THE PENNSYLVANIA RAILROAD ON THE OHIO RIVER NEAR CONWAY, PENNSYLVANIA
 APRIL 8, 1959 SCALE $\frac{1}{16}'' = 1'-0''$



Sheet 2 of 2