

**FINDING OF NO SIGNIFICANT IMPACT
DASHIELDS LOCKS AND DAM
PERMANENT ACCESS EASEMENT ACROSS CSX CORPORATION LAND
CRESCENT TOWNSHIP, ALLEGHENY COUNTY, PENNSYLVANIA**

The Pittsburgh District, U.S. Army Corps of Engineers, proposes to acquire a permanent access easement across approximately 900 feet of CSX Corporation land in Crescent Township, Allegheny County. The purpose of the acquisition is to provide land access to the District's Dashields Locks and Dam on the Ohio River for daily operations, planned construction activities, and emergency vehicle access. The need for the acquisition followed the Township's closure of McCutcheon Way in May 2011 due to slope failure. McCutcheon Way provided the only public access from McGovern Boulevard to the CSX railroad crossing and Dashields Lock Road leading to Dashields Locks. The CSX land provides the only currently developed, non-public route to access Dashields Lock Road from McGovern Boulevard.

Shortly after closure of McCutcheon Way, the District acquired a temporary right of entry across CSX land as an emergency action to provide immediate legal access for lock personnel and emergency vehicles. The proposed permanent access easement will provide for long-term, non-revocable access across this land in the event that McCutcheon Way is not reopened, or another alternative access route is not developed.

The historic and present use of the CSX land is gravel ballasted right of way for the CSX mainline railroad from Pittsburgh to Columbus, Ohio, and points west. The right of way has sufficient width for vehicular traffic adjacent to the tracks and is used by CSX for their vehicles. Apart from placement of additional stone for maintaining the graveled road surface, no modifications are proposed.

In compliance with the National Environmental Policy Act; the District prepared an Environmental Assessment that identified and evaluated potential impacts to environmental and cultural resources in the project area. Environmental impacts of the proposed easement acquisition and vehicular use of this railroad road bed are negligible. There are no water resources, no fish and wildlife habitat, or endangered species issues. Allegheny County is Non-Attainment for ozone and particulates, but the proposed project involves no physical development and will not impact air quality. The raised embankment occupied by the railroad is elevated above the 100-year and 500-year floodplains. Examination of U.S. Census data indicated there are no social justice issues. There are no significant historic or archaeological resources in the project area. The District is investigating the potential for presence of hazardous, toxic, and radioactive wastes in the project area and will not make a determination to acquire until the results are known.

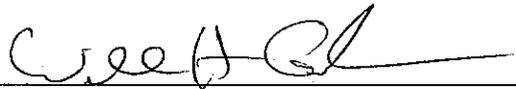
There is no available public access alternative to Dashields Locks Road apart from the closed McCutcheon Way. The No Action alternative would leave District personnel and emergency vehicles without legal land access to Dashields Locks and Dam. At this time, the District is looking to Crescent Township to reopen McCutcheon Way, and is not considering development of other potential access alternatives to acquiring the easement with CSX.

The District will publish a Notice of Availability of the Finding of No Significant Impact on the District's website to comply with 33 CFR 230.11 and ER 200-2-2, Para. 11, and will send a notice to concerned agencies, organizations, and public.

I have reasonably determined that the acquisition of an access easement across CSX land will not constitute a major Federal action significantly affecting the quality of the human environment, as defined in the Council on Environmental Quality's current regulations for implementing the Nation Environmental Policy Act. The preparation of an environmental impact statement is therefore unwarranted and the public interest will be best served by the implementation of the proposed action. This determination precedes the Corps of Engineers final decision concerning this proposed action.

APRIL 17 2012

Date



William H. Graham
Colonel, Corps of Engineers
District Engineer