

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

# Public Notice

In Reply Refer to  
Notice No. below

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

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Application No. 2019-837

Date: February 18, 2020

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Notice No. 20-4

Closing Date: March 17, 2020

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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 and Section 404 of the Clean Water Act.
2. APPLICANT: Norfolk Southern Railway Company  
1200 Peachtree Street NE  
Atlanta, Georgia 30309
3. LOCATION: The project is on and within wetlands and unnamed tributaries of Narrow Run and the Ohio River starting at the existing Norfolk Southern Rail north of East 26<sup>th</sup> Street in Bellaire, Belmont County, Ohio (40.012334/-80.7441629) and extending south for approximately 16 miles to Powhatan Point (39.837461/-80.827797).
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to stabilize railroad roadbed and embankments in 20 separate areas along an approximately 16-mile stretch of track extending from Bellaire, OH south to Powhatan Point, OH, known to the Norfolk Southern Railway Company (NSR) as the River Line. Railroad roadbed and embankment stabilization is anticipated to include construction of rock buttresses or earth retaining structures. In some locations, the stabilization measures may require placement of riprap at the toe of the slope within riparian areas of the Ohio River, below the ordinary high-water mark (OHWM). NSR will also construct access roads and utilize lay-down areas in conjunction with this work. Most project activities are expected to occur within approximately 50 feet of the current track centerline. The project proposes to permanently impact 0.07 acre of wetland, 605 linear feet of intermittent/perennial stream, 3,808 linear feet of the Ohio River, and to temporarily impact 118 linear feet of intermittent/perennial stream, and 9,880 linear feet of the Ohio River. NSR has proposed mitigation in the form of In-lieu fee credits (for wetlands) and funding local conservation projects in the Captina Creek watershed (for streams).
5. WATER QUALITY CERTIFICATION: A Permit will not be granted until Water Quality Certification is received or waived from:

Ohio Environmental Protection Agency (Ohio EPA)  
Section 401 Coordinator  
PO Box 1049

Columbus, Ohio 43266-0149  
Telephone Number: 614-644-2001

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project may affect, but is not likely to adversely affect endangered species or threatened species, or result in 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). If the U.S. Fish and Wildlife Service concurs with the may affect, not likely to adversely affect determination please respond with written concurrence.

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.

CELRP-RG  
Public Notice No. 20-4

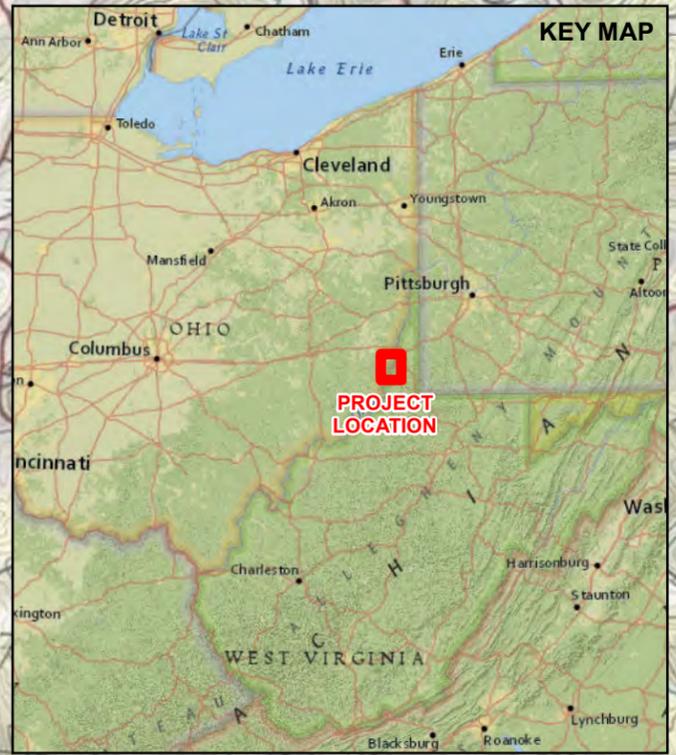
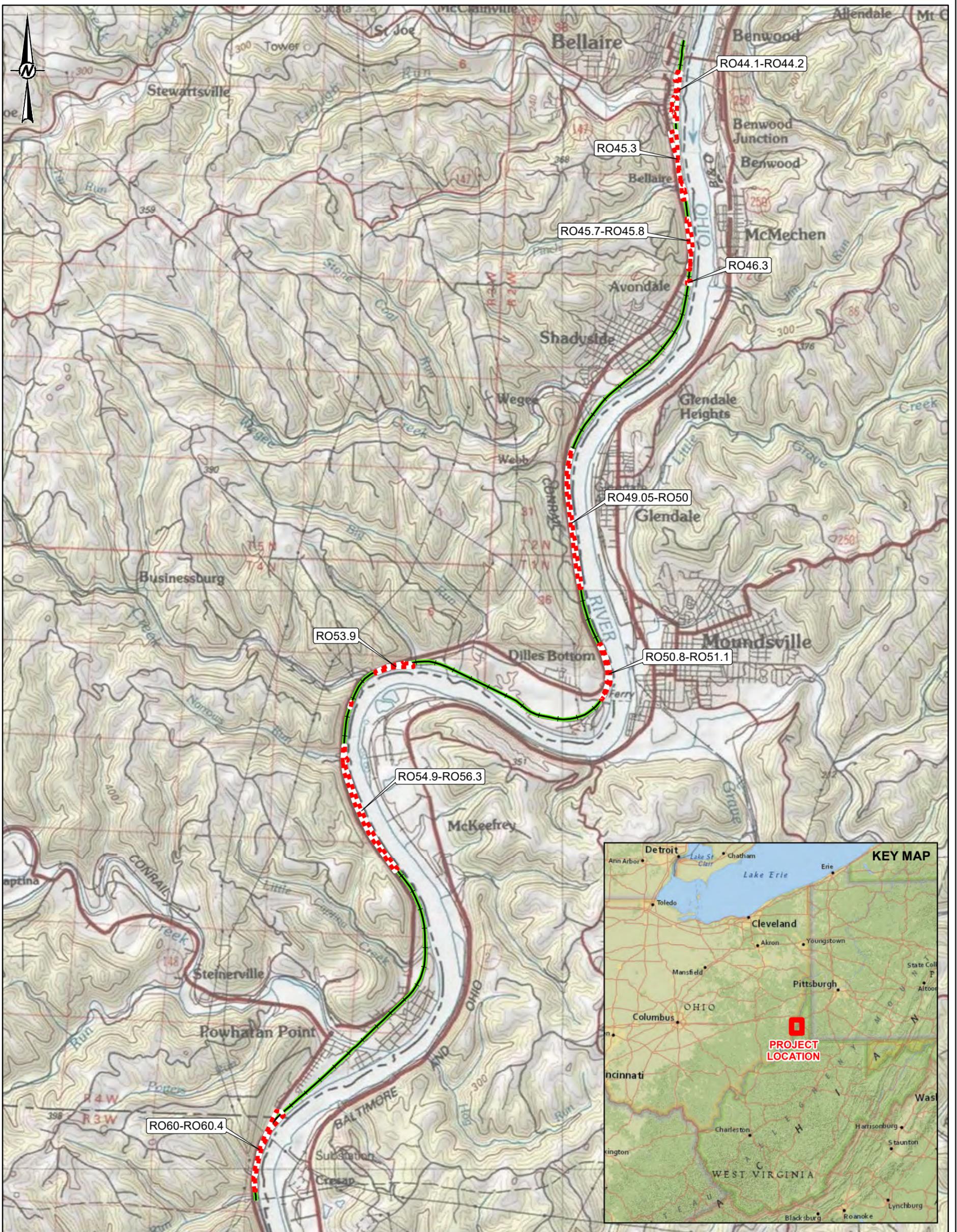
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine 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. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

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 Division, attn Matthew Gilbert at the above address, by telephoning (412) 395-7189, or by e-mail at [matthew.c.gilbert@usace.army.mil](mailto:matthew.c.gilbert@usace.army.mil) Please refer to CELRP-RG 2019-837 in all responses.

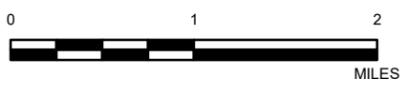
FOR THE DISTRICT ENGINEER:

//SIGNED//

Scott A. Hans  
Chief, Regulatory Division



- LEGEND**
- GENERAL SITE ASSESSMENT AREAS
  - RAILROAD



**REFERENCE(S)**  
 1. TOPOGRAPHIC BACKGROUND: ESRI BASEMAP SERVICES, USGS 1:100,000 TOPOGRAPHIC QUADRANGLES SHOWN: "PITTSBURGH WEST" AND "MOUNDSVILLE".

**CLIENT**  
 NORFOLK SOUTHERN RAILWAY COMPANY  
 PITTSBURGH DIVISION

**PROJECT**  
 RIVER LINE STABILIZATION  
 BELLAIRE TO POWHATAN POINT, OHIO  
 RO44 - RO60.5

**TITLE**  
 SITE LOCATION MAP - USGS TOPOGRAPHIC MAP  
 SHEET 1 OF 1  
 RO44.1 - RO60.5

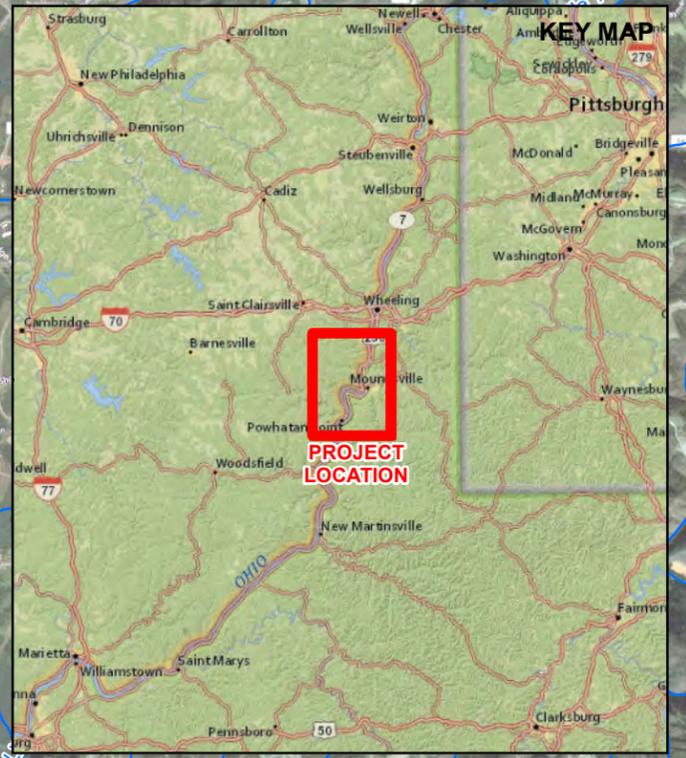
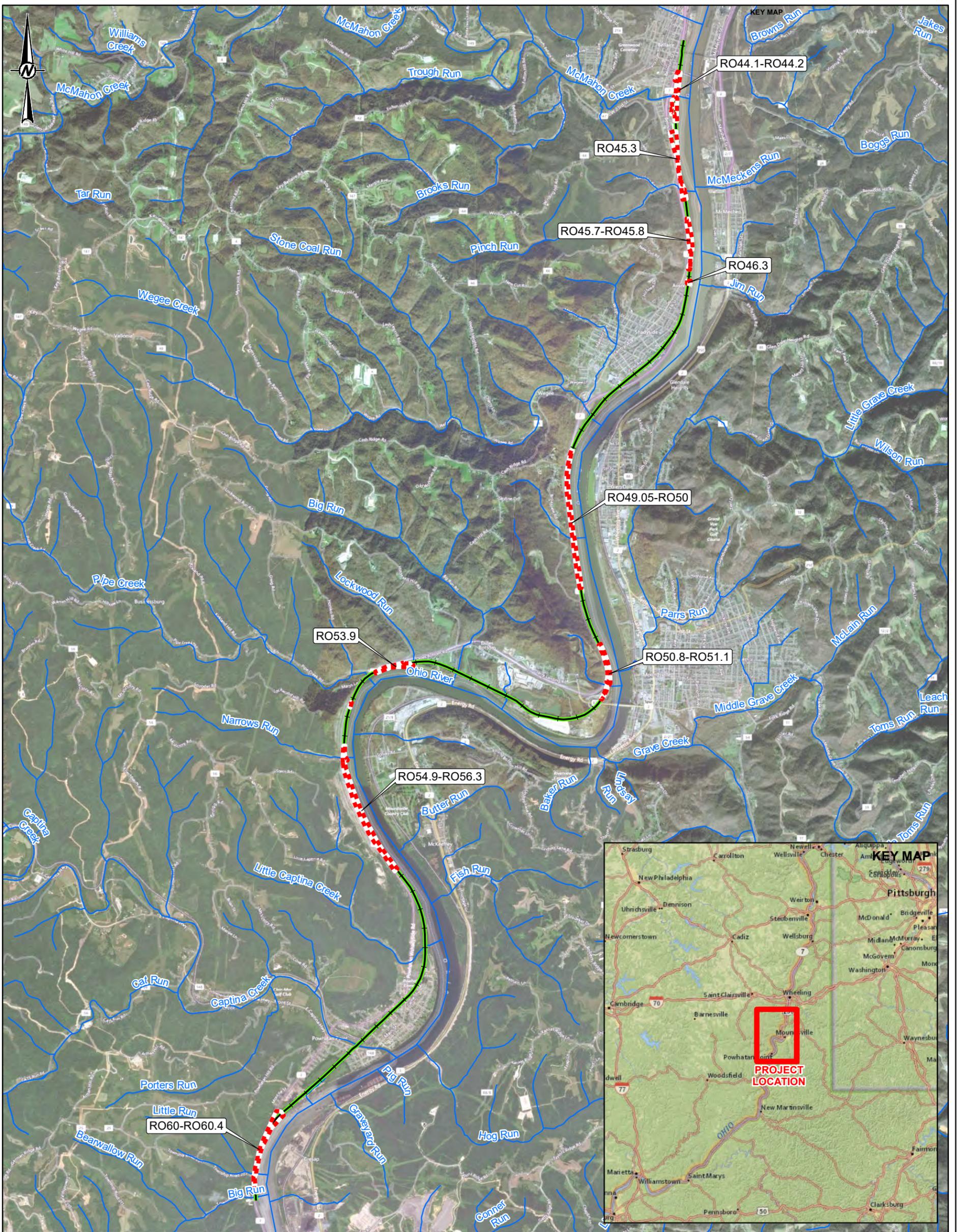
<b>CONSULTANT</b>	YYYY-MM-DD	2019-08-07
<b>DESIGNED</b>	KJC	
<b>PREPARED</b>	KJC	
<b>REVIEWED</b>	KDT	
<b>APPROVED</b>	JBM	



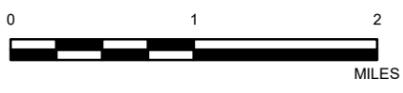
**PROJECT NO.**  
 18107405

**FIGURE**  
 1

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM ANSI B



- LEGEND**
- ▬▬▬ GENERAL SITE ASSESSMENT AREAS
  - ▬▬▬ RAILROAD
  - ~ ~ ~ STREAM/RIVER



- REFERENCE(S)**
1. AERIAL IMAGERY: ESRI, BING MAPS, MICROSOFT CORPORATION.
  2. STREAMS DATASET: NATIONAL HYDROGRAPHY DATASET (NHD), USGS.

CLIENT  
 NORFOLK SOUTHERN RAILWAY COMPANY  
 PITTSBURGH DIVISION

PROJECT  
 RIVER LINE STABILIZATION  
 BELLAIRE TO POWHATAN POINT, OHIO  
 RO44 - RO60.5

TITLE  
**SITE LOCATION MAP - AERIAL IMAGERY**  
 SHEET 1 OF 1  
**RO44.1 - RO60.5**

CONSULTANT	YYYY-MM-DD	2019-08-07
	DESIGNED	KJC
	PREPARED	KJC
	REVIEWED	KDT
	APPROVED	JBM



PROJECT NO.  
 18107405

FIGURE  
 2

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM ANSI B