

U.S. Army Corps  
of Engineers

Baltimore District

PN 19-40 Comment Period:

# Public Notice

In Reply to Application Number

NAB-2000-00594 (Millersburg Ferry Wall)

June 20, 2019 to July 20, 2019

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**THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.**

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

**APPLICANT:** Millersburg Ferry Boat Association  
P.O. Box 93  
Millersburg, Pennsylvania 17061

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** In the Susquehanna River at the Millersburg Ferry. Work extends across the entire channel of the river from Millersburg, Dauphin County, to Crow's Landing, Perry County, Pennsylvania.

## **PURPOSE AND PROPOSED WORK:**

### **History**

The Millersburg Ferry has been in continuous operation since 1817, with nomination to the National Registry of History Sites as a site having a significant historic impact to the state and nation approved by the Pennsylvania Historic Commission on June 13, 2006, and the National Park Service on August 2, 2006. In 1873, a ferry wall/berm was constructed across the Susquehanna River to ensure adequate water depth to allow ferry boats to navigate across the Susquehanna River. Originally the ferry wall was constructed by hand, with men placing stones and boulders on top of each other to create the wall. In 1946 a bulldozer was used for the first time to rebuild the ferry wall, with more recent work to maintain the wall performed using track-hoe equipment.

Maintenance of the existing ferry wall is needed to ensure there is enough water for the historic ferry boats (the Falcon III and Roaring Bull V) to operate. The existing ferry wall/berm is constructed with four openings to allow for the passage of water and boats.

### **Proposed Work and Impacts Summary**

The applicant proposes to perform work to maintain the existing approximate 10 foot wide ferry wall/berm across the Susquehanna River (approximately 4,600 linear feet in length), extending approximately three feet above the water surface during normal flows, for a period of 10 years. Under previous authorizations, the existing ferry wall/berm was constructed of excavated materials (gravel stone, sediment) obtained no more than 30 feet

upstream and 30 feet downstream of the existing berm. The excavated material used to repair the ferry wall/berm was mostly comprised of material that had previously washed off the ferry wall/berm.

Under this proposal, work would be completed using loader-type equipment, with the limit of excavation to obtain an adequate amount of material for repair/reconstruction of the ferry wall/berm extending 30 feet upstream and 200 feet downstream of the existing ferry wall/berm. The excavated material would be placed on top of the existing ferry wall/berm and compacted by heavy equipment operating on top of the wall. If adequate material is not available within the proposed limit of disturbance, the applicant is proposing to use clean material approved by the Corps of Engineers. The historic ferry wall/berm height and location; and the width of the four openings, are proposed to be maintained. The area of proposed impact, including the foot print of the ferry wall/berm and the proposed excavation area, is approximately 27.14 acres in size.

### **Mitigation**

The applicant has stated that the ferry has been in operation for over 100 years with no adverse results to the river environment and thus no mitigation for work in waters is proposed.

All proposed work would be completed in accordance with the enclosed plan(s).

The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 reasonable may be expected to accrue from the proposal, 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, economic, aesthetics, general environmental concerns, wetlands, cultural values, 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, and consideration 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 provided will become part of the public record for this action. Comments are also used to determine the need for a public hearing

and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Ms. Brittany Seguin, 1601 South Atherton Street, Suite 201, State College, Pennsylvania 16801, within the comment period specified above.

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). The Corps has determined this project will not affect any EFH.

**WATER QUALITY CERTIFICATION:** The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Pennsylvania Department of Environmental Protection. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

**COASTAL ZONE MANAGEMENT PROGRAMS:** Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

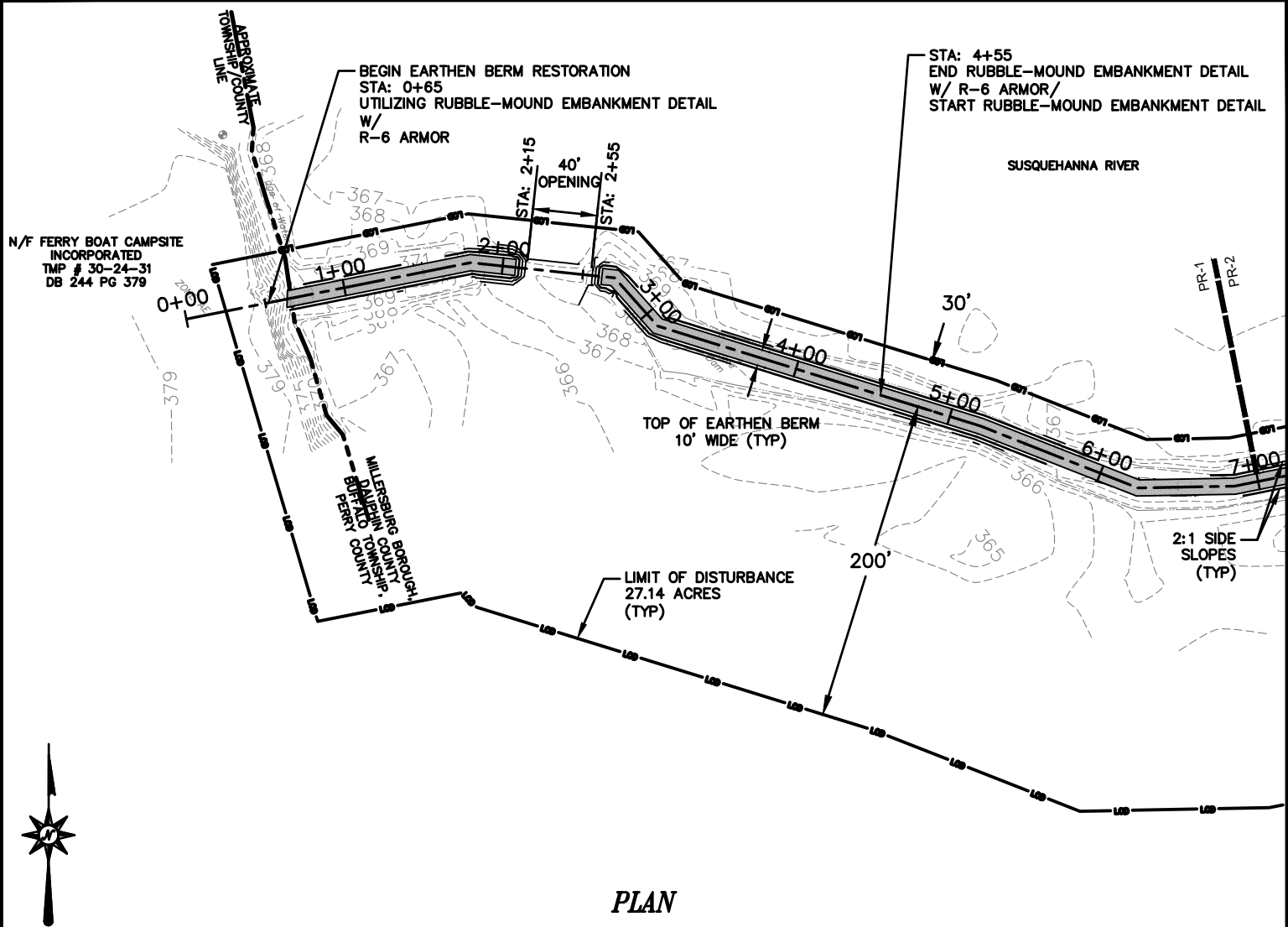
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Ms. Brittany Seguin, 1601 South Atherton Street, Suite 201, State College, Pennsylvania 16801, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

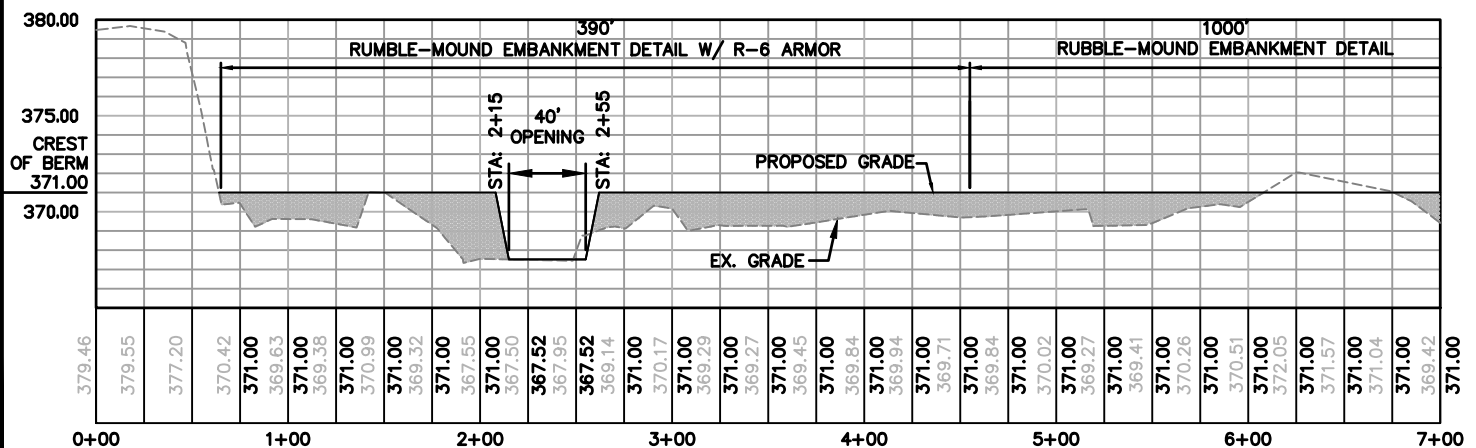
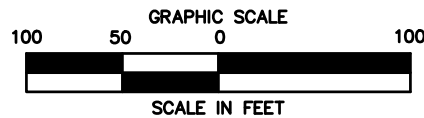
If you have any questions concerning this matter, please contact Ms. Brittany Seguin, (717) 249-8822 or at [Brittany.seguin@usace.army.mil](mailto:Brittany.seguin@usace.army.mil).

FOR THE DISTRICT ENGINEER:

Wade B. Chandler  
Chief, Pennsylvania Section  
Regulatory Branch



# PLAN



PREPARED FOR:

MILLERSBURG FERRY BOAT  
ASSOCIATION

# PROFILE

VERTICAL SCALE: 1"=10'  
HORIZONTAL SCALE: 1"=100'



ARCHITECTURE  
ENGINEERING  
ENVIRONMENTAL  
LAND SURVEYING

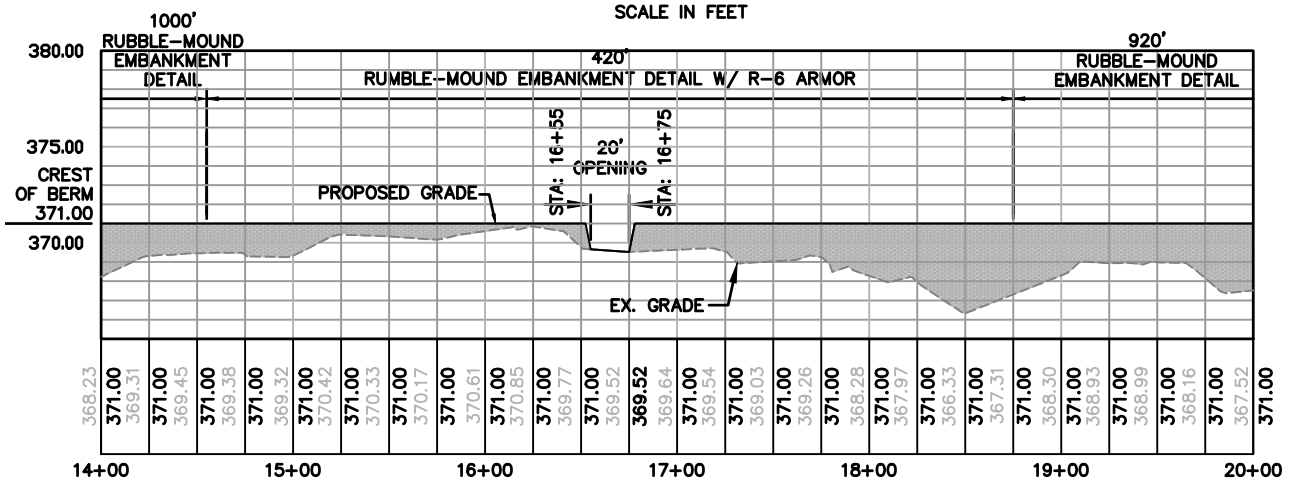
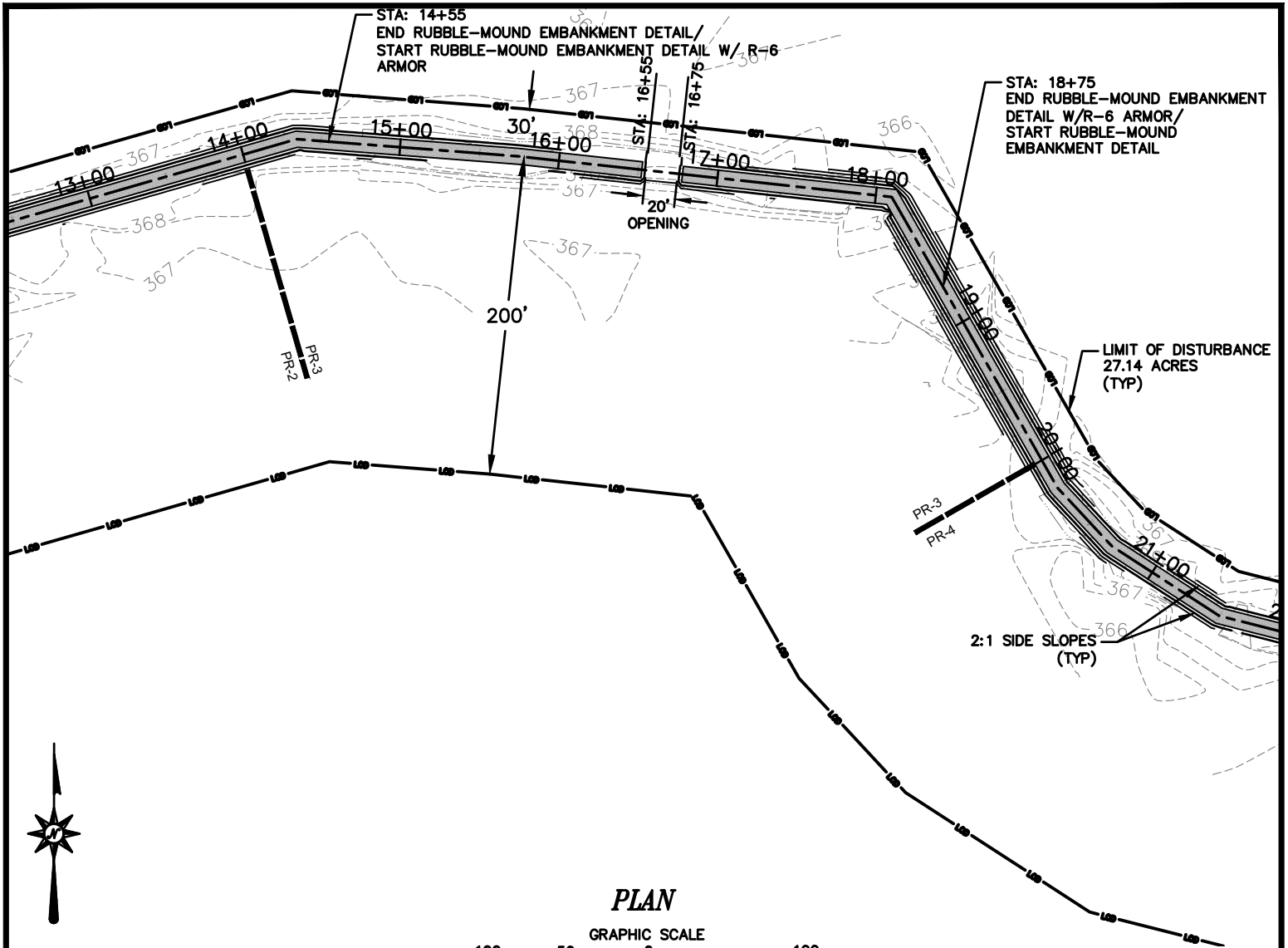
## PLAN AND PROFILE MILLERSBURG FERRY WALL

MILLERSBURG BOROUGH & BUFFALO TOWNSHIP  
DAUPHIN & PERRY COUNTY, PENNSYLVANIA

Designed A.M.L.  
Drawn A.M.L.  
Checked T.L.D.  
Approved T.L.D.  
Scale  
Project No. 14C5040  
Date 08/28/18  
CAD File PN14C504001

PR-1





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MILLERSBURG FERRY BOAT  
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**PROFILE**  
VERTICAL SCALE: 1"=10'  
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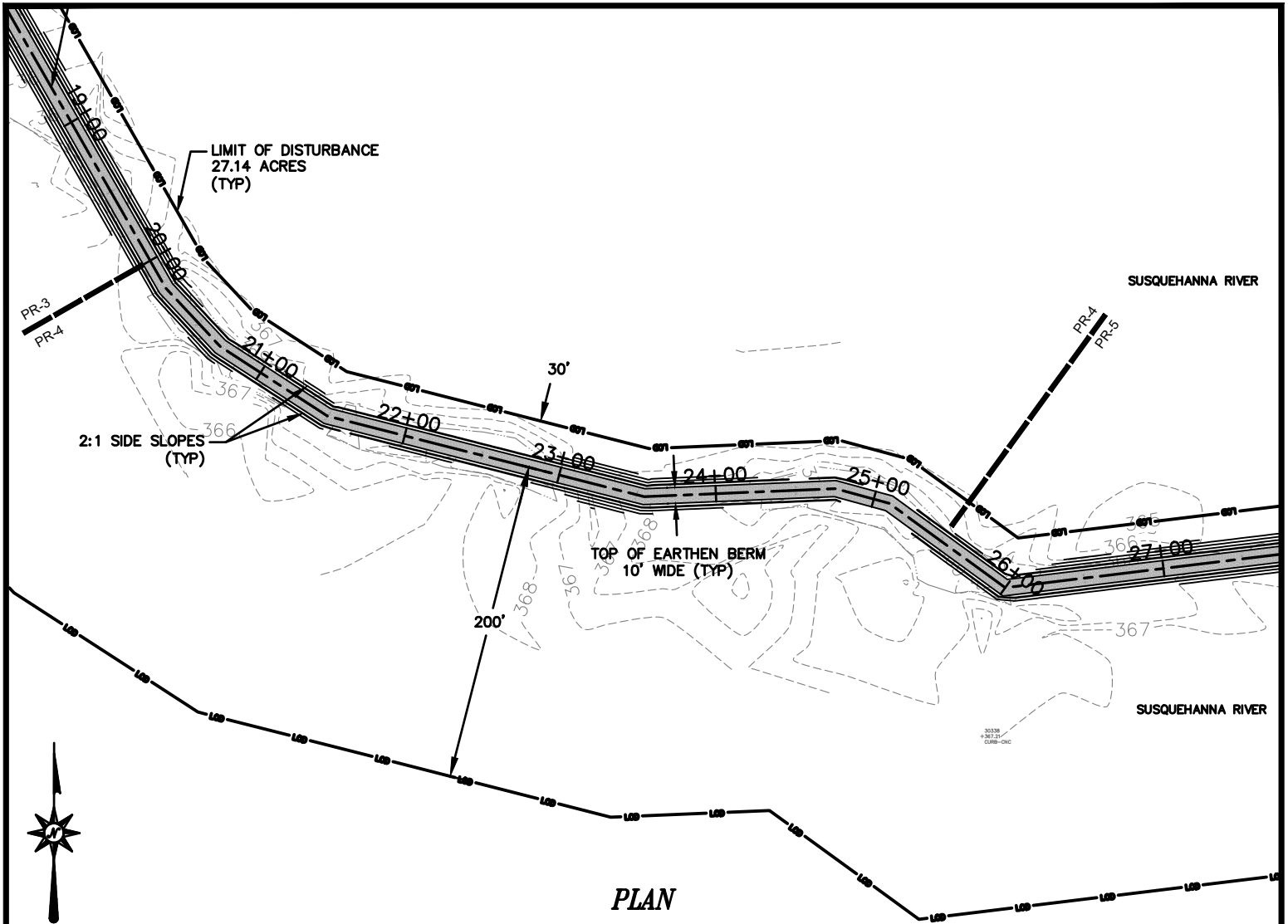
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PR-3



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ARCHITECTURE  
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LAND SURVEYING

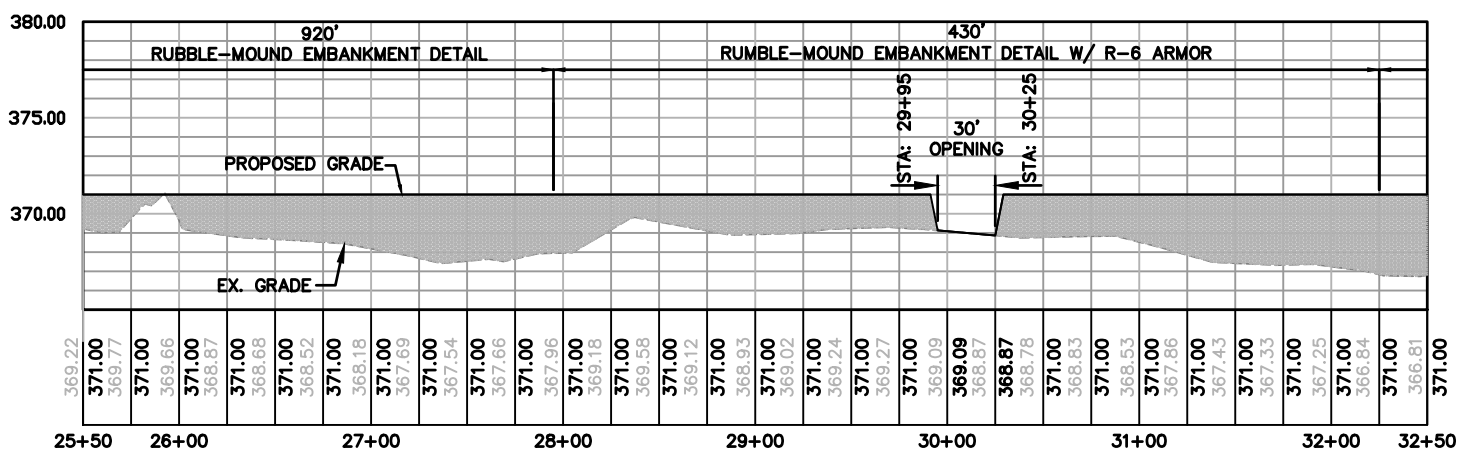
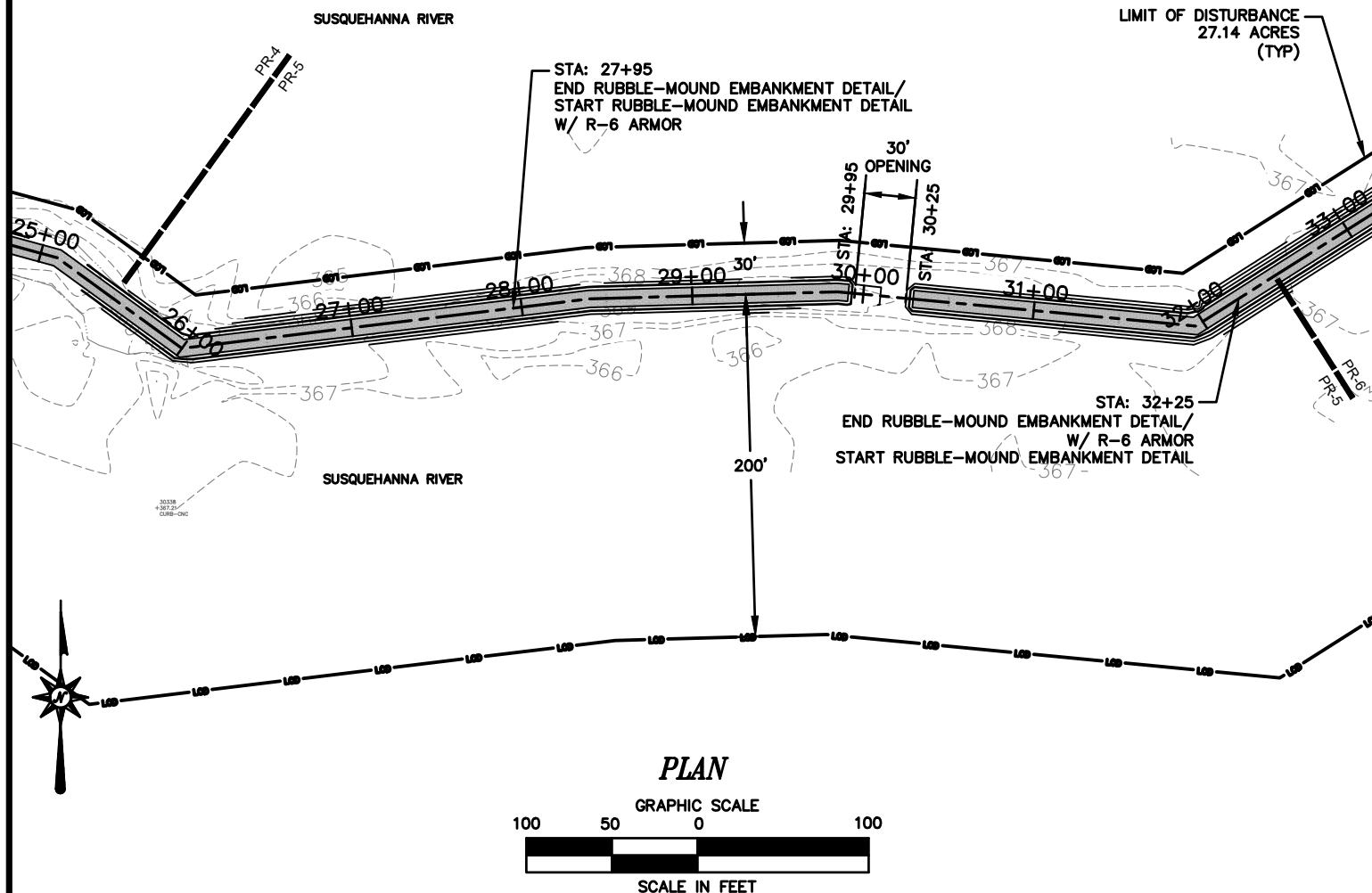
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# PR-4





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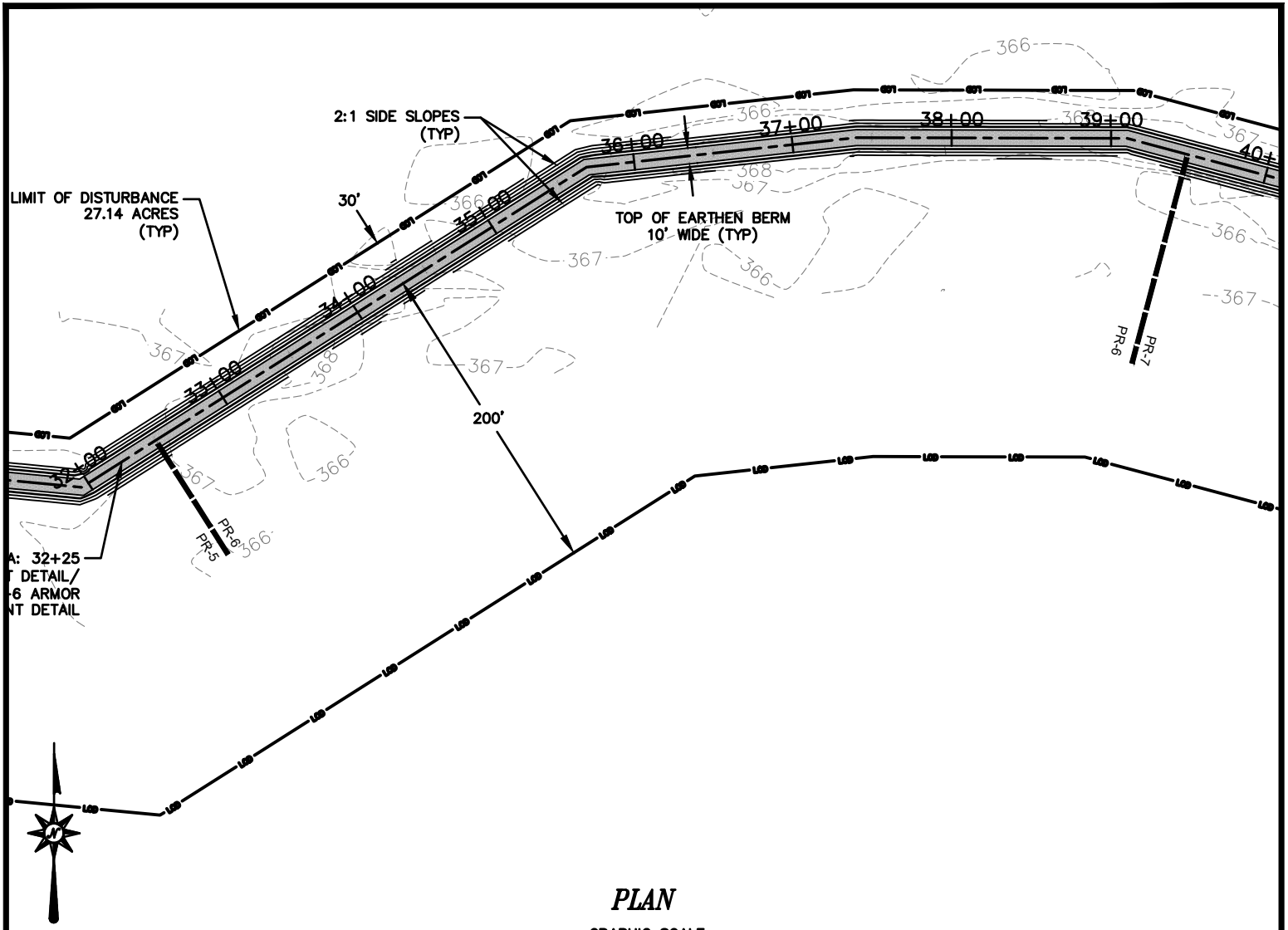
MILLERSBURG FERRY BOAT  
ASSOCIATION

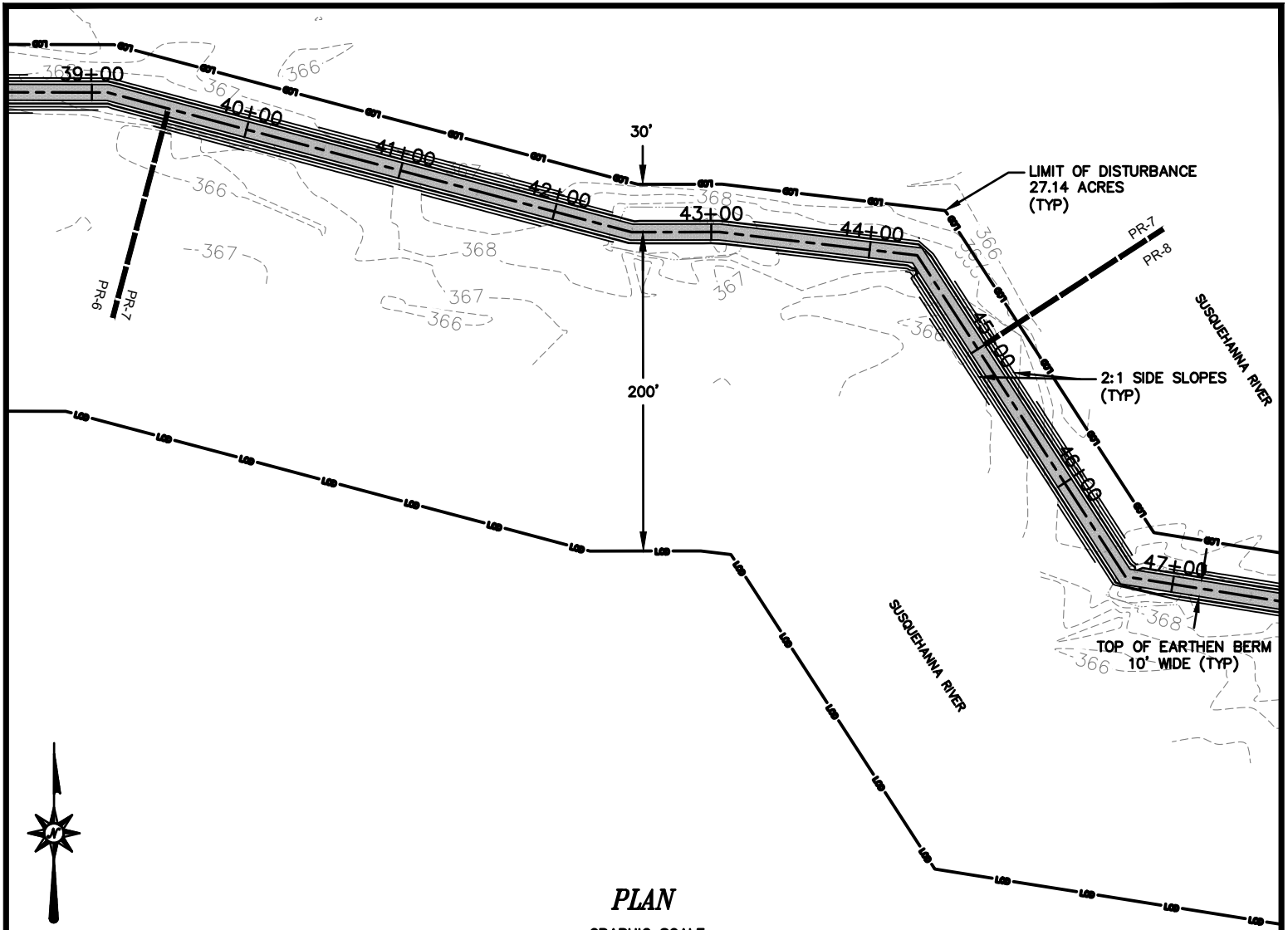
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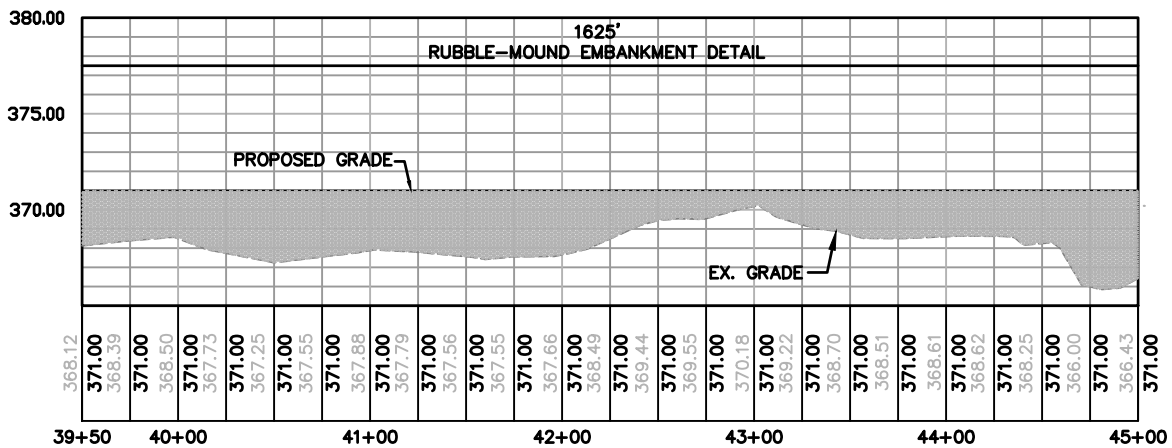
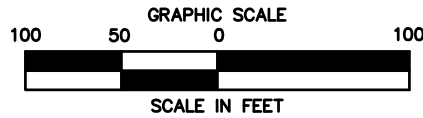
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PR-5





### PLAN



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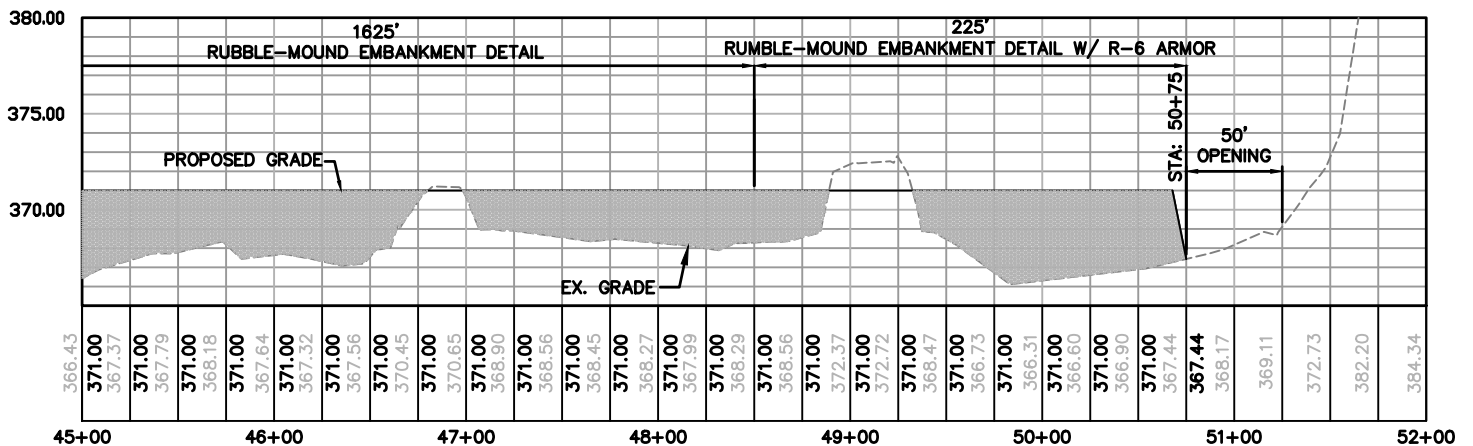
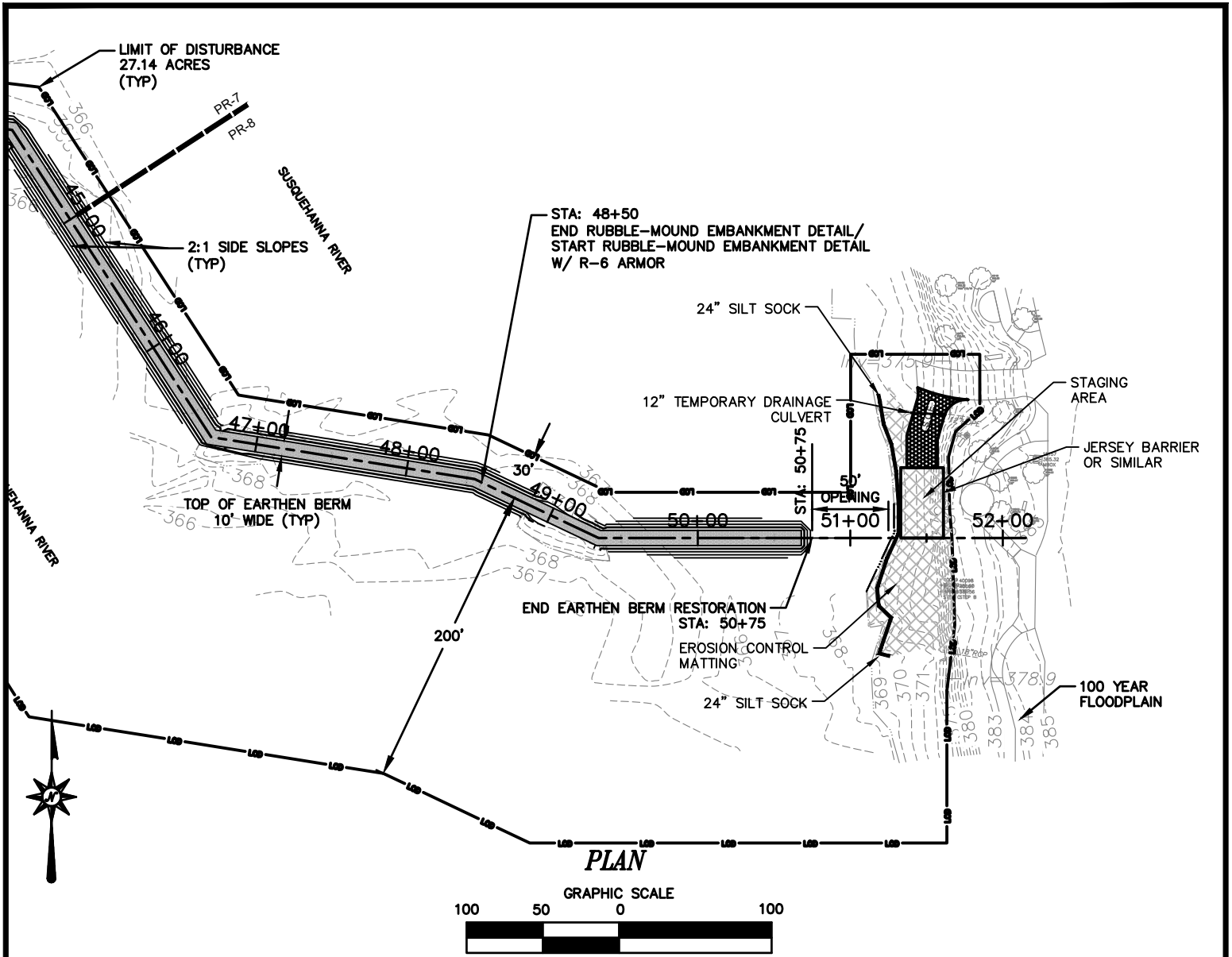
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ENGINEERING  
ENVIRONMENTAL  
LAND SURVEYING

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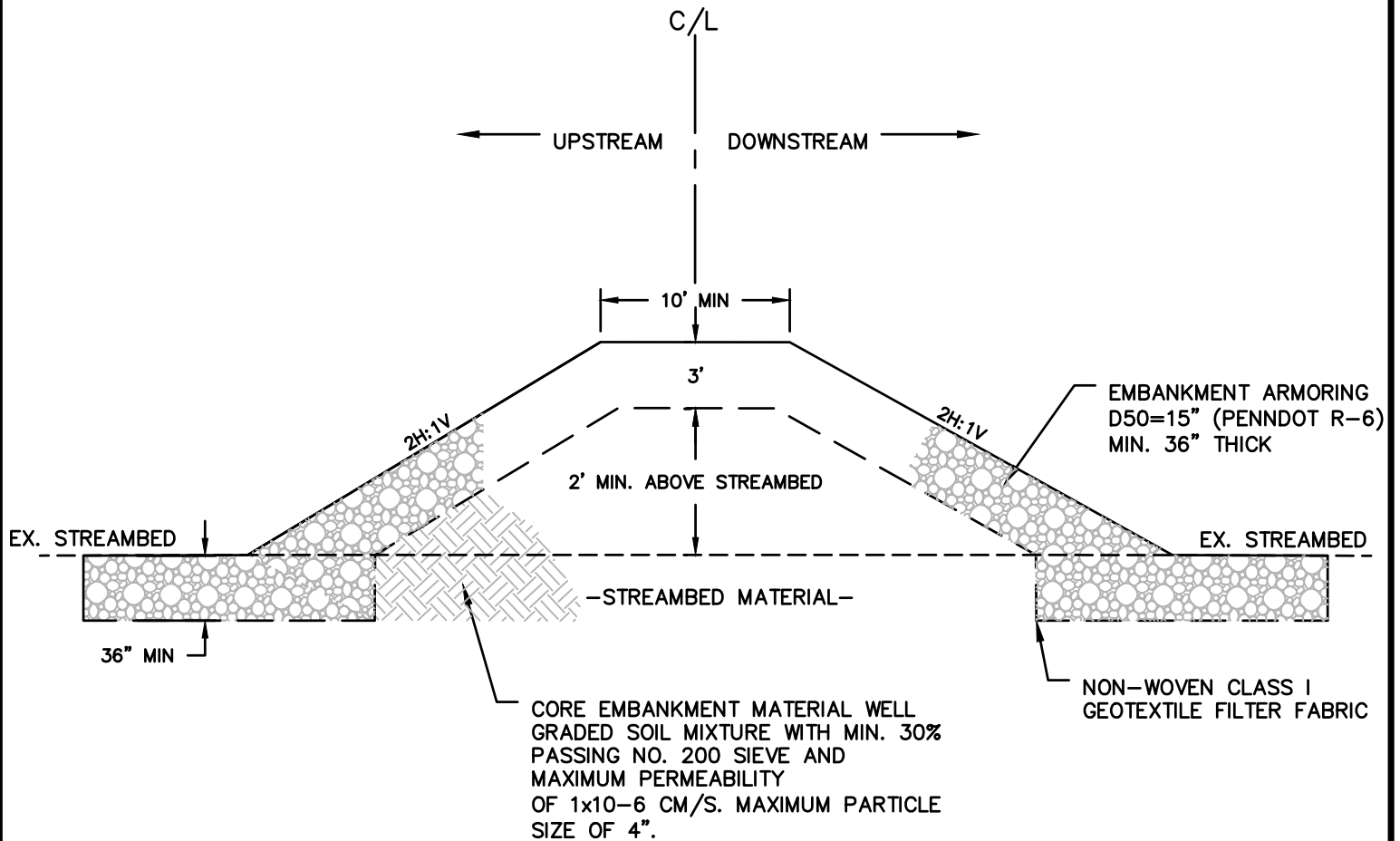
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A.M.L.  
A.M.L.  
T.L.D.  
T.L.D.

# PR-8



NOTES:

1. ALL CORE EMBANKMENT MATERIAL SHALL BE TAKEN FROM WITHIN 30' UPSTREAM AND 200' DOWNSTREAM OF DAM, PLACED IN MAXIMUM 8" LIFTS AND BE COMPACTED TO WITHIN 95% OF THE SOIL MAXIMUM LABORATORY DETERMINED DRY DENSITY PER ASTM D 1557
2. CORE EMBANKMENT MATERIAL SHOULD BE MAINTAINED WITHIN 2% OF OPTIMUM MOISTURE CONTENT AT TIME OF PLACEMENT.
3. SEAMS AND ANCHORING OF GEOTEXTILE FABRIC SHOULD BE IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES.

## RUBBLE-MOUND EMBANKMENT DETAIL W/ R-6 ARMOR (BASE BID)

N.T.S.

PREPARED FOR:

MILLERSBURG FERRY BOAT  
ASSOCIATION



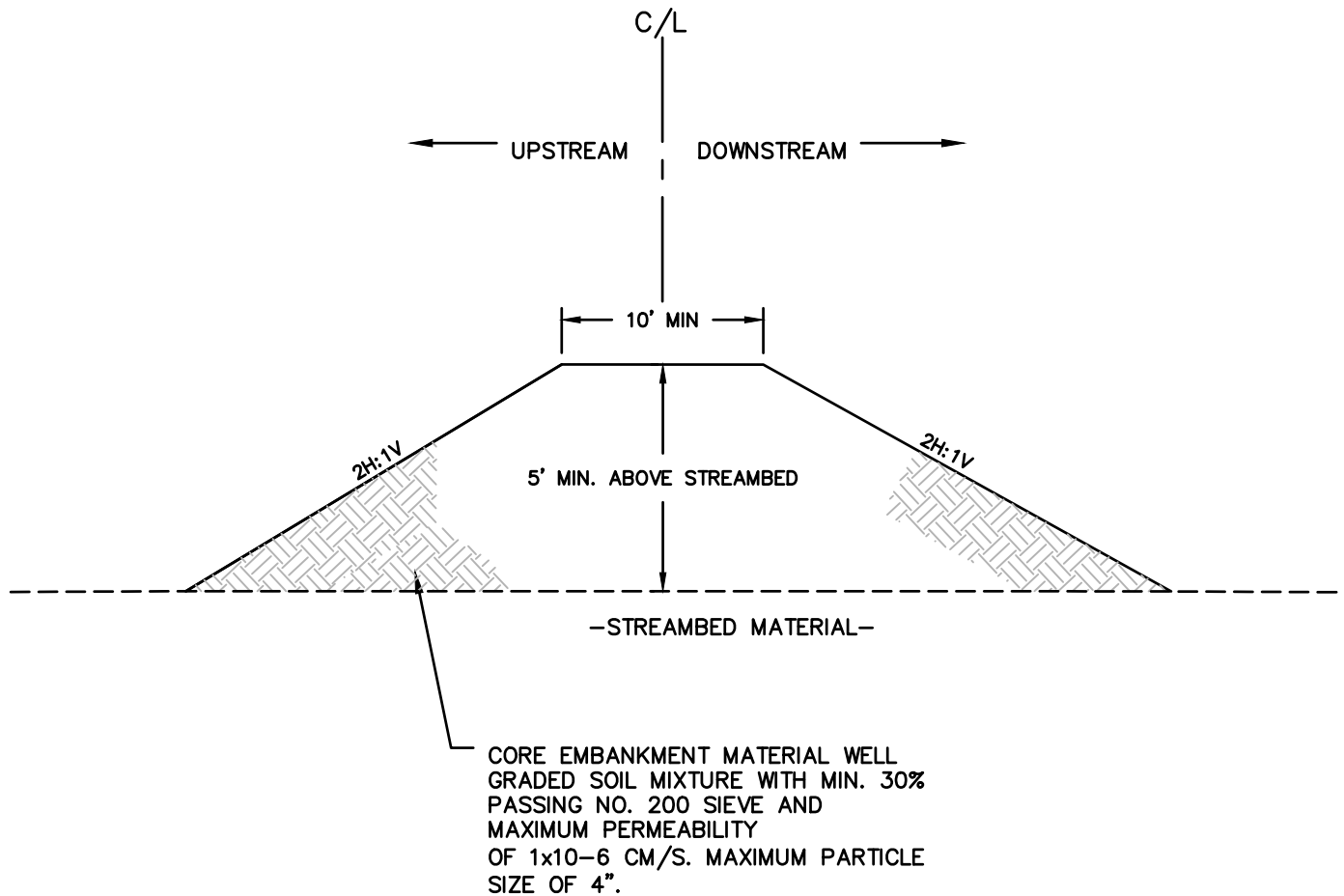
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## RUBBLE-MOUND EMBANKMENT DETAIL (BASE BID)

N.T.S.

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MILLERSBURG FERRY BOAT  
ASSOCIATION



ARCHITECTURE  
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DN-2