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. 1987-135 Date: December 3, 2014

Notice No. 14-53 Closing Date: December 19, 2014

PARTIAL AFTER-THE-FACT

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: Rick Dement
Rayland Marina
1810 Old State Route 7
Rayland, Ohio 43943

3. LOCATION: mouth of Indian Short Creek, along the right bank of the Ohio River, Mile 81.5, in Rayland, Jefferson County, Ohio. The property is owned by the US Government and is leased as a commercial concession.

4. PURPOSE AND DESCRIPTION OF WORK: After-the Fact: The applicant placed six floating docks with nine finger docks at the riverward entrance to the marina that were not authorized. These docks do not interfere with river navigation or access to the marina. The former owner placed a dry hydrant intake that was not permitted. Proposed: The applicant proposes to mechanically dredge the embayment and in between dock fingers. Drawings of the docks and areas proposed to be dredged are attached to this notice.

5. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project will have no effect on endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. While concurrence with this determination is not required, 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).

6 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).

7. 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.

8. 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.

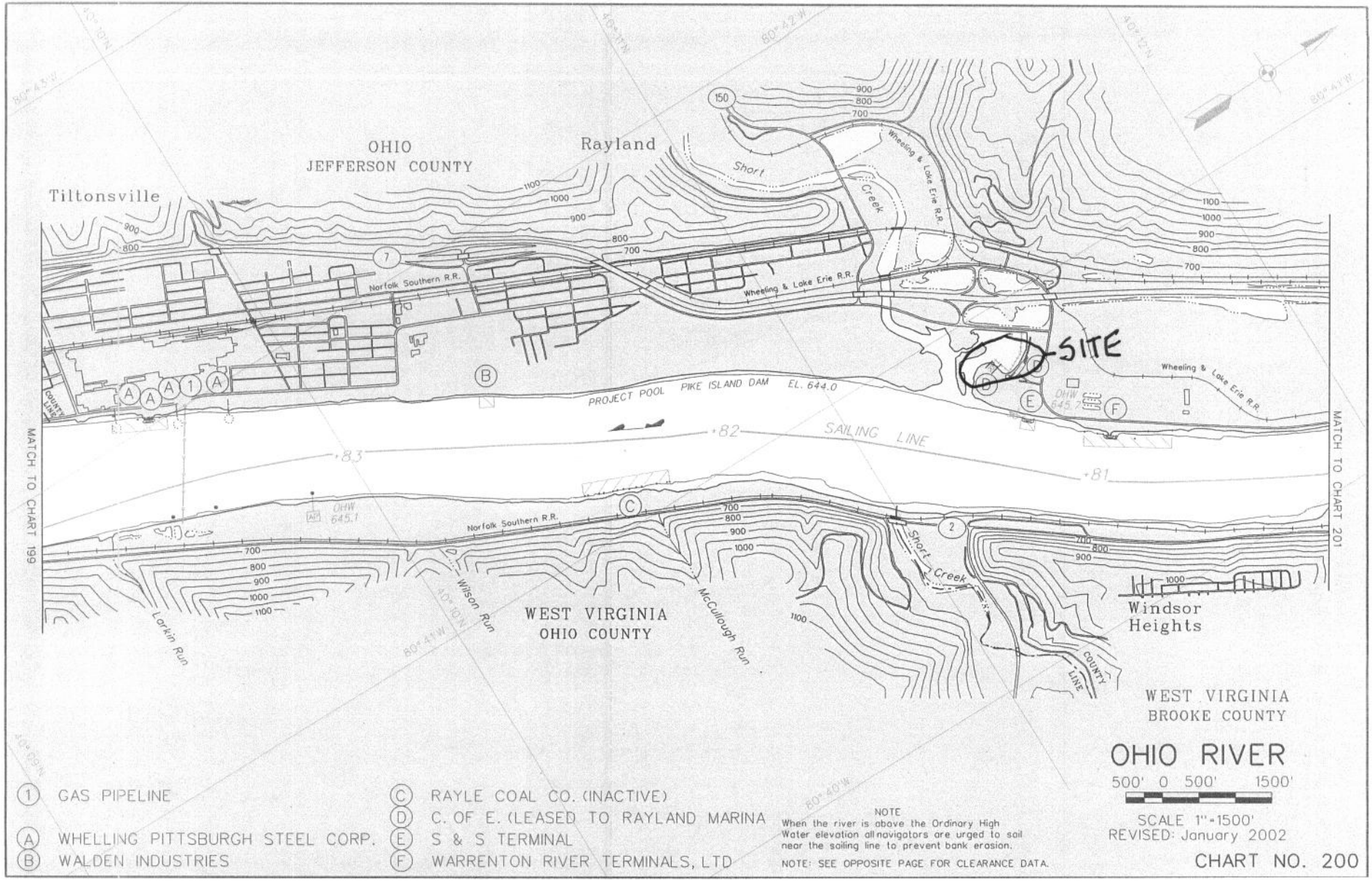
9. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered 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 Nancy Mullen at the above address, by telephoning (412) 395-7170, or by e-mail at Nancy.J.Mullen@usace.army.mil. Please refer to CELRP-OP-F 1987-135 in all responses.

FOR THE DISTRICT ENGINEER:

//SIGNED//

Scott A. Hans
Chief, Regulatory Branch


OHIO
JEFFERSON COUNTY
Tiltonsville
Rayland
Short Creek
Wheeling & Lake Erie R.R.
Norfolk Southern R.R.
SITE
PROJECT POOL PIKE ISLAND DAM EL. 644.0
SAILING LINE
OHW 645.1
OHW 645.7
MATCH TO CHART 199
MATCH TO CHART 201
WEST VIRGINIA
OHIO COUNTY
Larkin Run
Wilson Run
McCullough Run
Windsor Heights
COUNTY LINE
WEST VIRGINIA
BROOKE COUNTY
OHIO RIVER
500' 0 500' 1500'
SCALE 1" = 1500'
REVISED: January 2002
CHART NO. 200
(1) GAS PIPELINE
(A) WHELLING PITTSBURGH STEEL CORP.
(B) WALDEN INDUSTRIES
(C) RAYLE COAL CO. (INACTIVE)
(D) C. OF E. (LEASED TO RAYLAND MARINA
(E) S & S TERMINAL
(F) WARRENTON RIVER TERMINALS, LTD
NOTE
When the river is above the Ordinary High Water elevation all navigators are urged to sail near the sailing line to prevent bank erosion.
NOTE: SEE OPPOSITE PAGE FOR CLEARANCE DATA.

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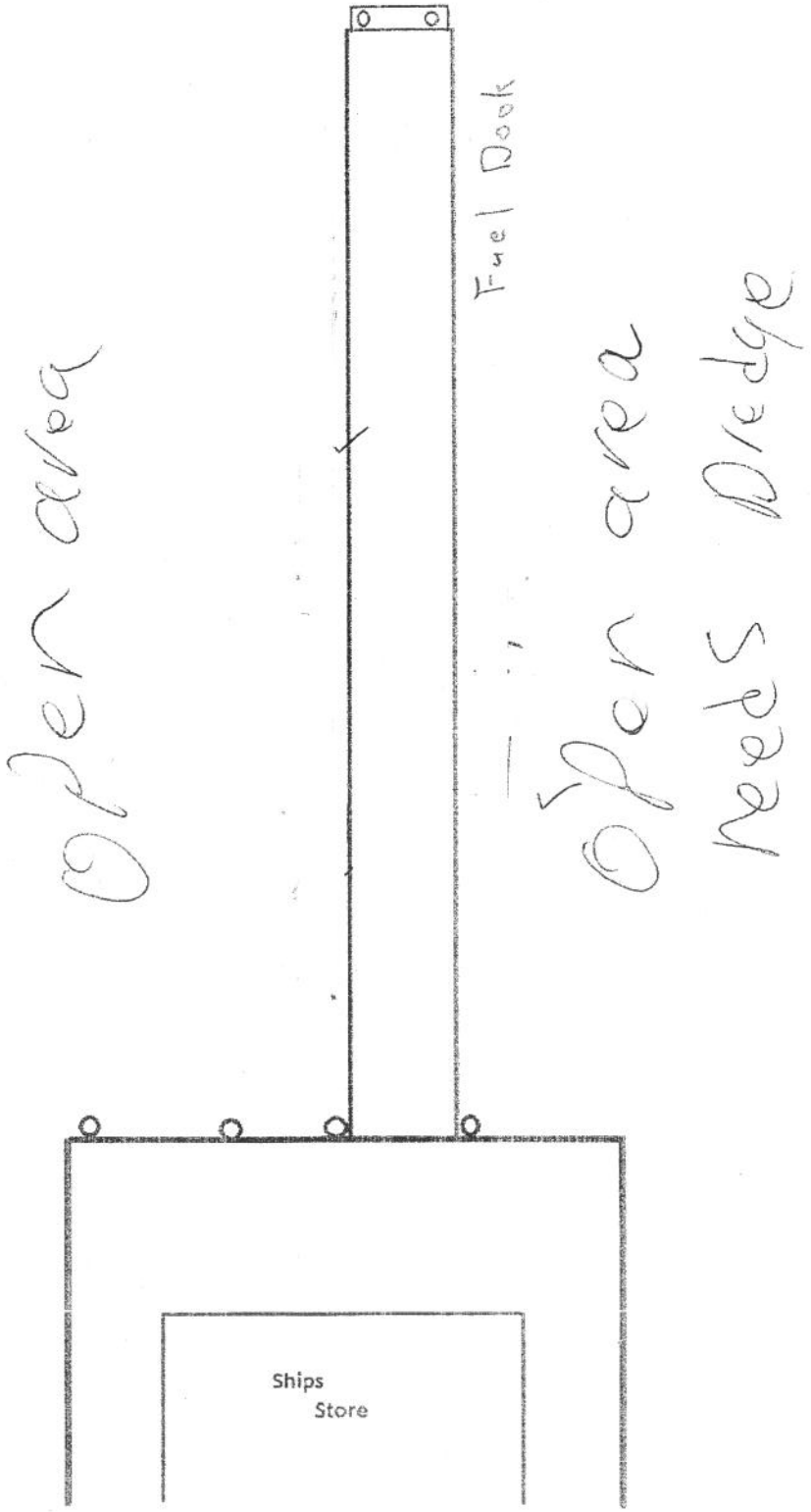
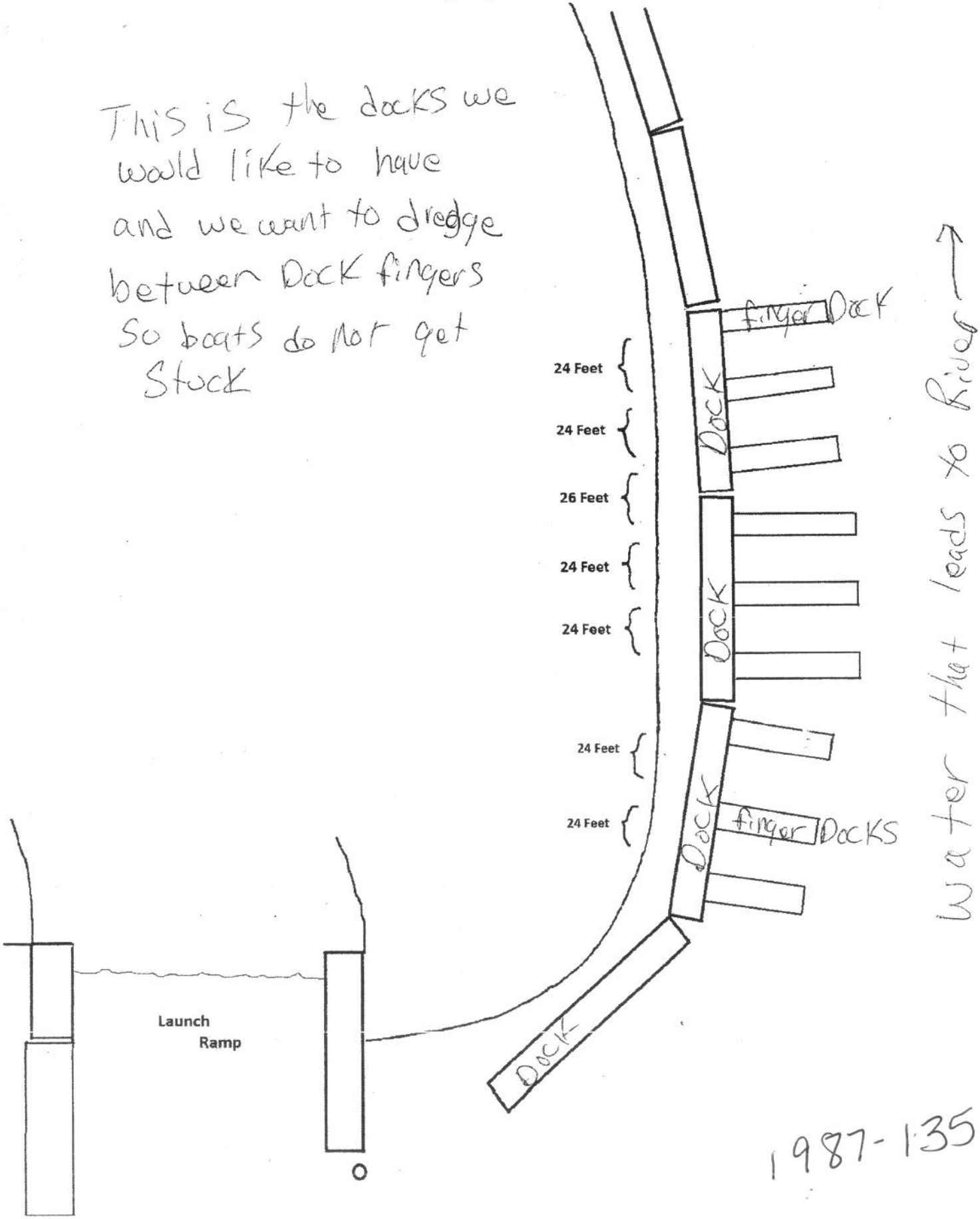
MAIN DOCK



CHANNEL DOCKS

This is the docks we would like to have and we want to dredge between Dock fingers So boats do not get Stuck



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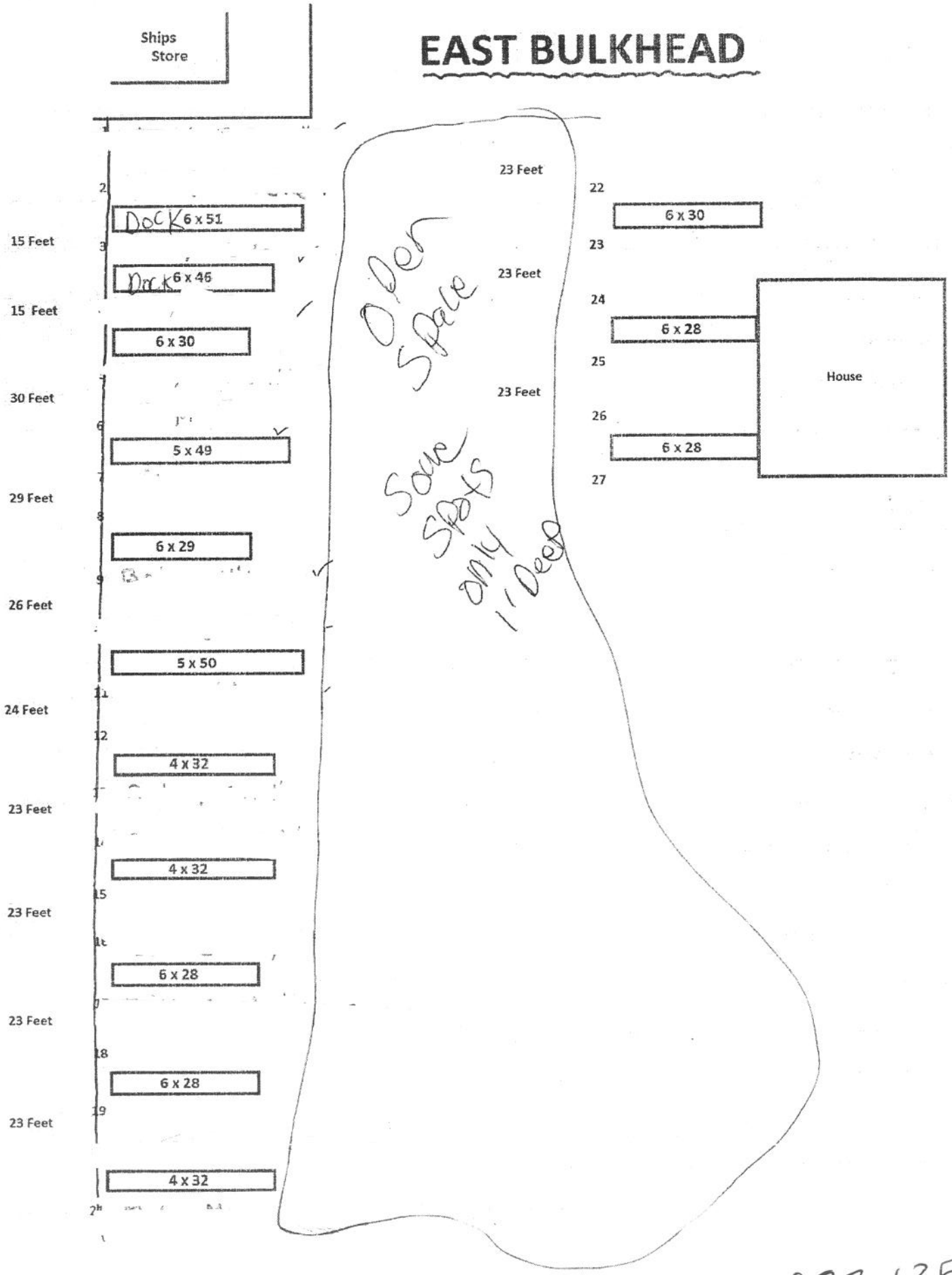
EAST BULKHEAD



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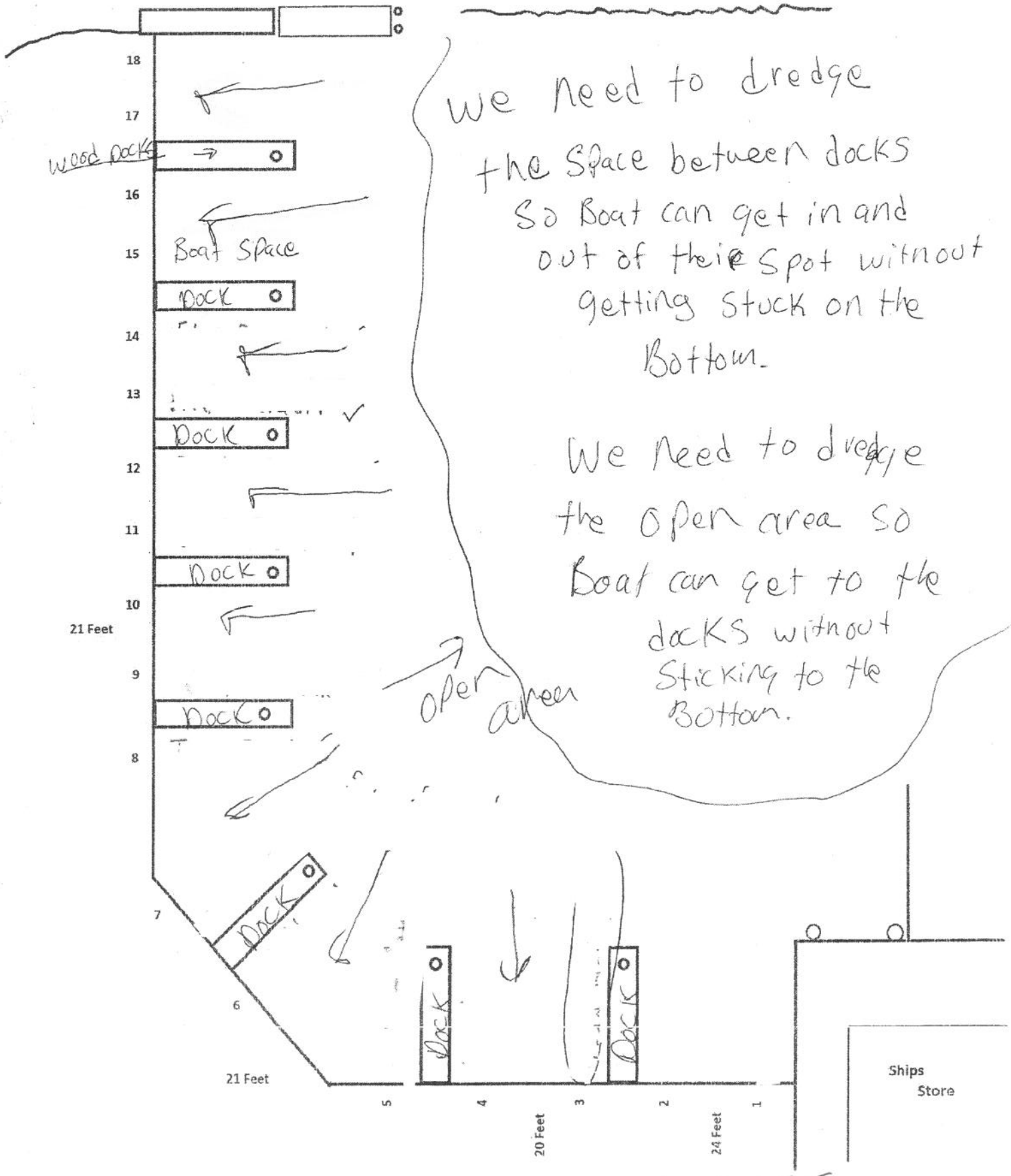
SOUTH BULKHEAD



we need to dredge the space between docks so Boat can get in and out of their spot without getting stuck on the Bottom.

We need to dredge the open area so Boat can get to the docks without sticking to the Bottom.

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