



# 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. 200601198

Date: July 26, 2006

Notice No. 06-31

Closing Date: August 15, 2006

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: City of Morgantown  
389 Spruce Street  
Morgantown, WV 26505-5579
3. LOCATION: Monongahela River, right bank, Mile 101.2, in Morgantown, Monongalia County, West Virginia.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct a floating recreational boat dock to provide docking for transient non-trailerable recreational vessels and to construct a decorative floating fountain to provide an additional amenity to the Morgantown Hazel Ruby McQuain Riverfront Park visitors. The dock would be 128 feet long and would extend 40 feet from the shoreline. The dock would be secured on shore with anchor blocks and struts and access to the dock would be by a 40-foot long aluminum gangway. The floating fountain would be positioned 40 feet from the shoreline. A power cable and chain would be used to pull the floating fountain to shore for maintenance. Enough slack would be provided for the cable and chain to rest on the river bottom. Drawings of the proposed project 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 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).
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.

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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 Linda Malsch, at the above address, by telephoning

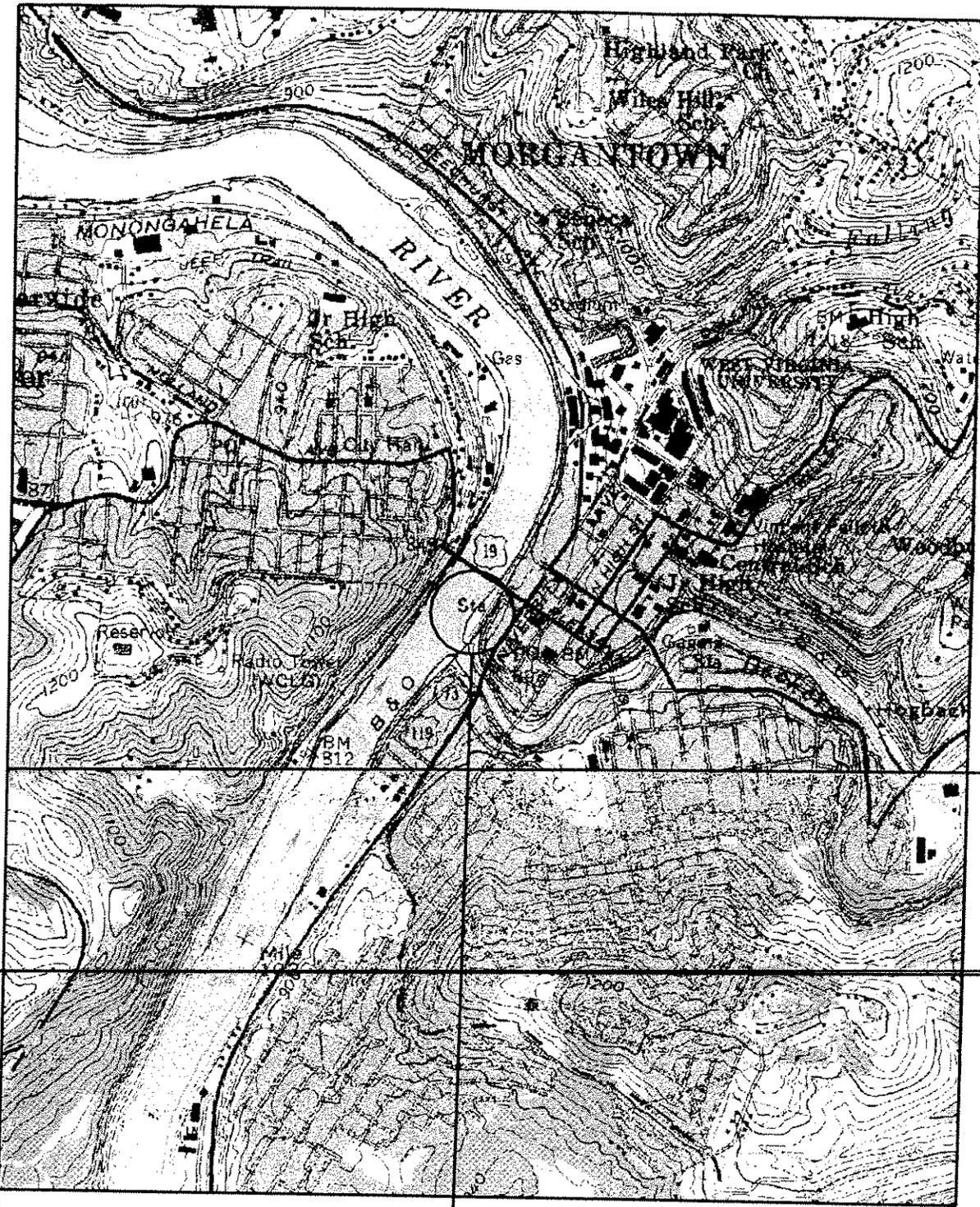
CELRP-OP-F  
Public Notice No. 06-31

(412) 395-7392, or by e-mail at linda.m.malsch@usace.army.mil. Please refer to CELRP-OP-F 200601198 in all responses.

FOR THE DISTRICT ENGINEER:

A handwritten signature in black ink, appearing to read "Michael J. Cummings, Jr.", with a large, stylized flourish extending to the right.

Michael J. Cummings, Jr.  
Chief, Regulatory Branch



MORGANTOWN NORTH, WV  
7.5 MINUTE  
USGS QUAD

MORGANTOWN SOUTH, WV  
7.5 MINUTE  
USGS QUAD



1:24,000  
SCALE

PROJECT  
LOCATION

TRANSIENT BOAT DOCK PROJECT  
FLOATING FOUNTAIN PROJECT  
SITE LOCATION MAP  
APPLICANT: CITY OF MORGANTOWN

#200601198

CITY OF WESTOVER, WV



MONONGAHELA RIVER

NORMAL POOL EL. 797.0  
ORDINARY HIGH WATER EL. 802.3

PROPOSED FLOATING FOUNTAIN

PROPOSED TRANSIENT BOAT DOCK

DECKERS CREEK

HAZEL RUBY MCQUAIN PARK

US 19

PUBLIC BOAT RAMP

CAPERTON TRAIL

US 119 / WV 73

CITY OF MORGANTOWN, WV

PLAN

NOT TO SCALE

TRANSIENT BOAT DOCK PROJECT

FLOATING FOUNTAIN PROJECT

VICINITY MAP

APPLICANT: CITY OF MORGANTOWN, WV

# 200601198

MONONGAHELA RIVER

NORMAL POOL ELEV. = 797.0

40' ALUMINUM GANGWAY

EXISTING DRAIN OUTLET

8' X 10' FLOATING DOCK MODULE (TYP.)

ELEV. = 799.0

O.H.W. = 802.3

24.0'

1:12

ELEV. = 808.0

ELEV. = 806.0

WIRE ROPE

STRUT

ANCHOR BLOCK

EXISTING LIGHT

EXISTING CONCRETE RETAINING WALL

EXISTING BRICK PAVERS

#200601198

TRANSIENT BOAT DOCK PROJECT  
MORGANTOWN, WEST VIRGINIA

DMJM HARRIS | AECOM  
DMJM HARRIS  
150 CLAY STREET, SUITE 100  
MORGANTOWN, WV 26501  
TEL: (304) 282-8145

SHEET NUMBER  
C1

LAYOUT PLAN

DRAWN BY: JNG  
CHECKED BY: DLW  
DATE: 3-8-06

MONONGAHELA RIVER

NORMAL POOL ELEV. = 797.0

FLOATING FOUNTAIN

POWER CABLE AND CHAIN USED TO PULL FOUNTAIN TO SHORE FOR MAINTENANCE. PROVIDE ENOUGH SLACK FOR CABLE AND CHAIN TO REST ON RIVER BOTTOM

APPROXIMATE EDGE OF WATER

O.H.W. = 802.3

ANCHOR (TYP.)

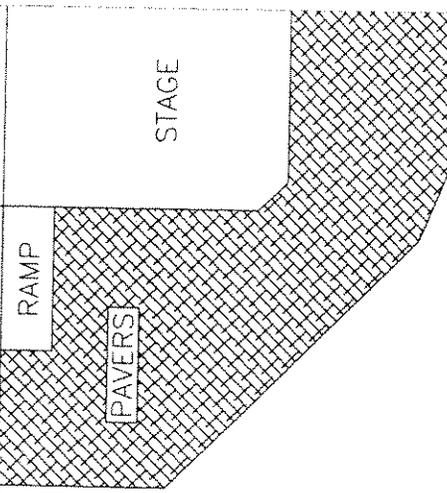
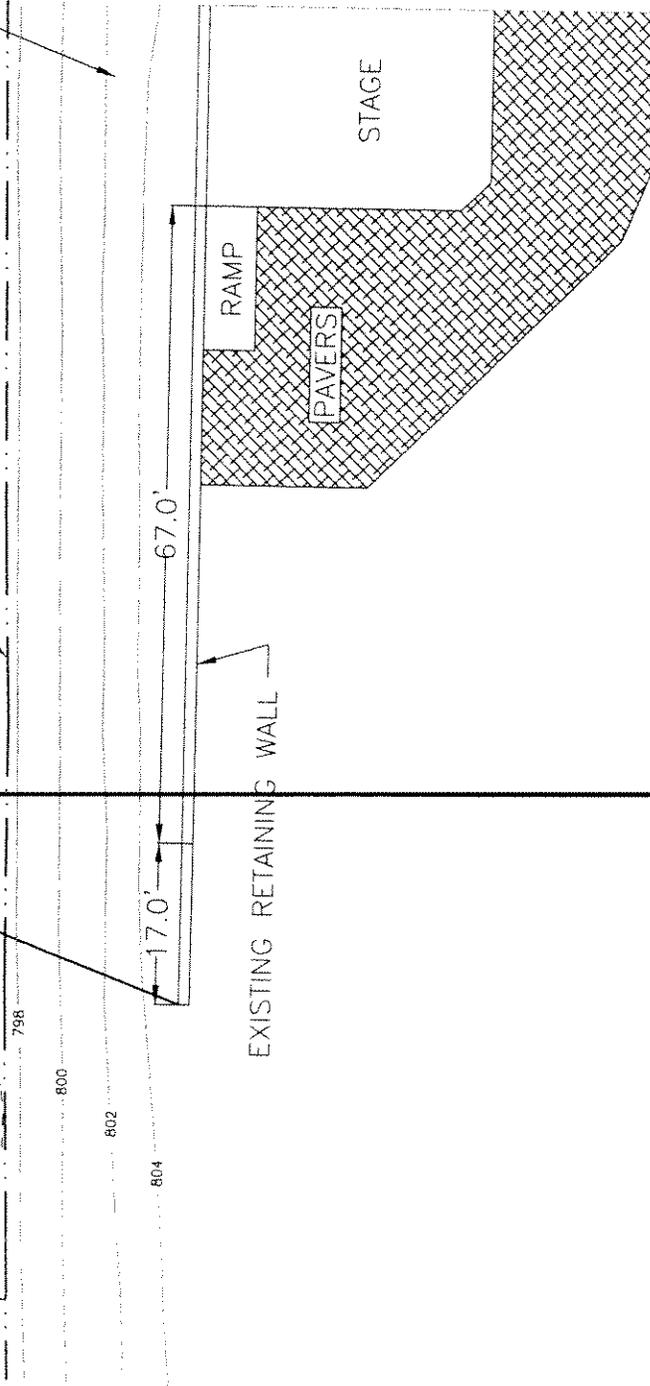
ANCHOR CHAIN (TYP.)

FLOATING FOUNTAIN

POWER CABLE AND CHAIN USED TO PULL FOUNTAIN TO SHORE FOR MAINTENANCE. PROVIDE ENOUGH SLACK FOR CABLE AND CHAIN TO REST ON RIVER BOTTOM

APPROXIMATE EDGE OF WATER

O.H.W. = 802.3



EXISTING RETAINING WALL

FLOATING FOUNTAIN PROJECT  
MORGANTOWN, WEST VIRGINIA

DMJIM HARRIS | AECOM  
DMJIM HARRIS  
150 CLAY STREET, SUITE 100  
MORGANTOWN, WV 26501  
TEL: (304) - 282 - 8145

SHEET NUMBER  
C1-B

LAYOUT PLAN

DRAWN BY: JMG  
CHECKED BY: DLW  
DATE: 3-08-08

# 200601198