

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. 2007-778

Date: May 7, 2008

Notice No. 08-14A

Closing Date: May 22, 2008

1. TO ALL WHOM IT MAY CONCERN: **This Public Notice amends Public Notice No. 08-14 dated April 2, 2008 under the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.**
2. APPLICANT: Monongahela Power Company
800 Cabin Hill Drive
Greensburg, Pennsylvania 15601
3. LOCATION: Monongahela River, left bank, Mile 91.7-92.7, Maudsville, Monongalia County, West Virginia.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct approximately 1,250 feet of river bank improvements directly behind the proposed Fort Martin Power Station mooring and unloading areas, where the bank is currently eroded and poorly vegetated and subject to toe erosion from wave action. Bank restoration would include grading the banks to provide a more stable slope, construction of a rock toe buttress at the waterline similar to that in the existing mooring areas, reseeding the bank slope, and installing erosion control fabric for protection and to promote vegetation growth. Drawings of the proposed work are attached to this notice.
5. WEST VIRGINIA CERTIFICATION: This permit decision will not be made until the State of West Virginia, Division of Environmental Protection (WVDEP), issues, denies, or waives State Certification. This public notice does not serve as application to the WVDEP for certification required by Section 401 of the Clean Water Act. The applicant must apply directly to the WVDEP for individual water quality certification. The WVDEP will also consider whether or not the proposed activity will comply with sections 301, 302, 303, 306, 307 of the Clean Water Act or any other appropriate State laws. Any person wishing to comment, provide information, and/or request a public hearing concerning certification for this project should write to the:

West Virginia Division of Environmental Protection
Office of Water Resources
Environmental & Regulatory Affairs
1201 Greenbrier Street
Charleston, West Virginia 25311-1088

Telephone: 304-558-1052

Re: Public Notice CELRP-OP-F No. 08-14A

6. 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).
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. 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).

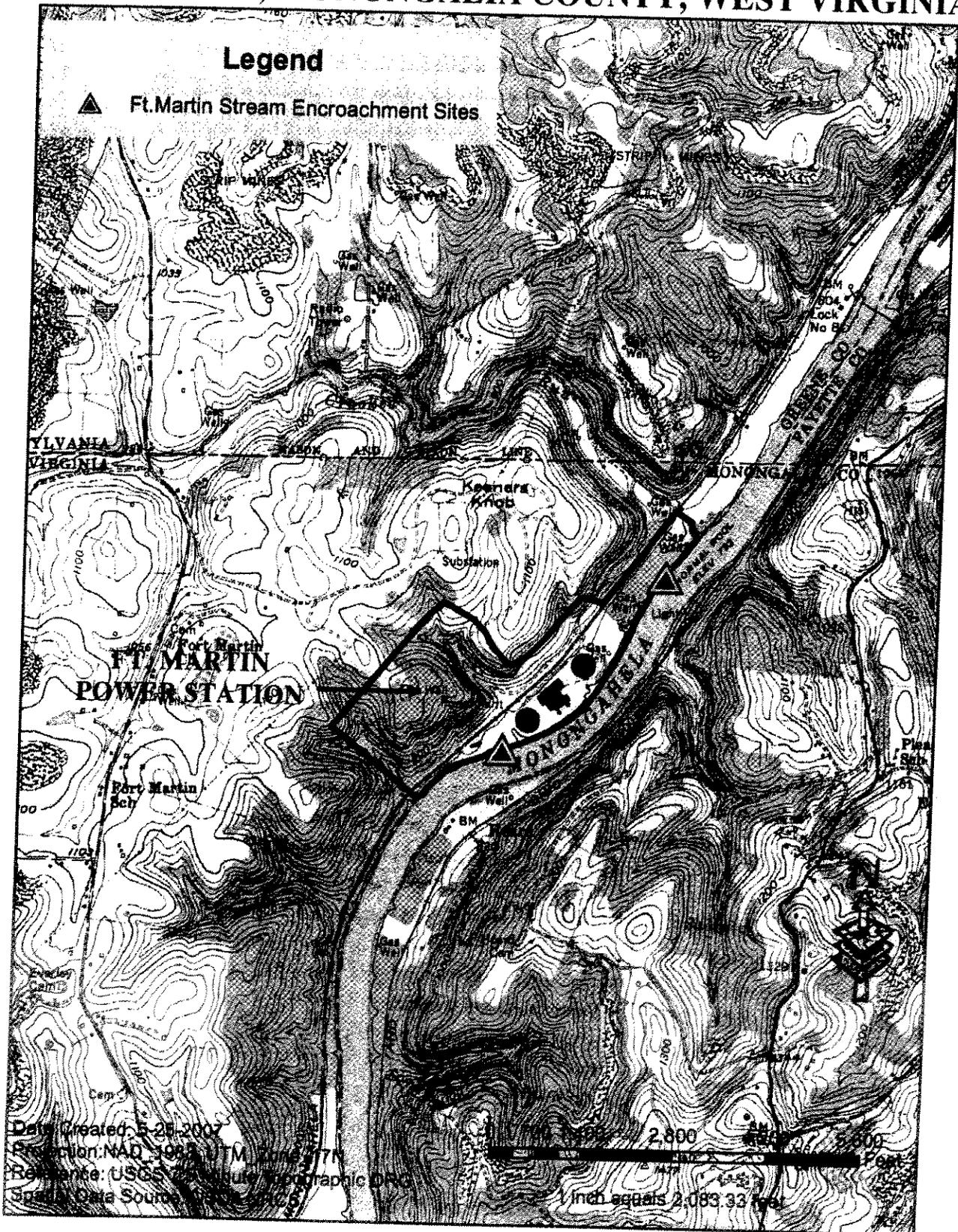
10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered 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 Branch, attn Linda Malsch, at the above address, by telephoning (412) 395-7392, or by e-mail at linda.m.malsch@usace.army.mil. Please refer to CELRP-OP-F 2007-778 in all responses.

FOR THE DISTRICT ENGINEER:

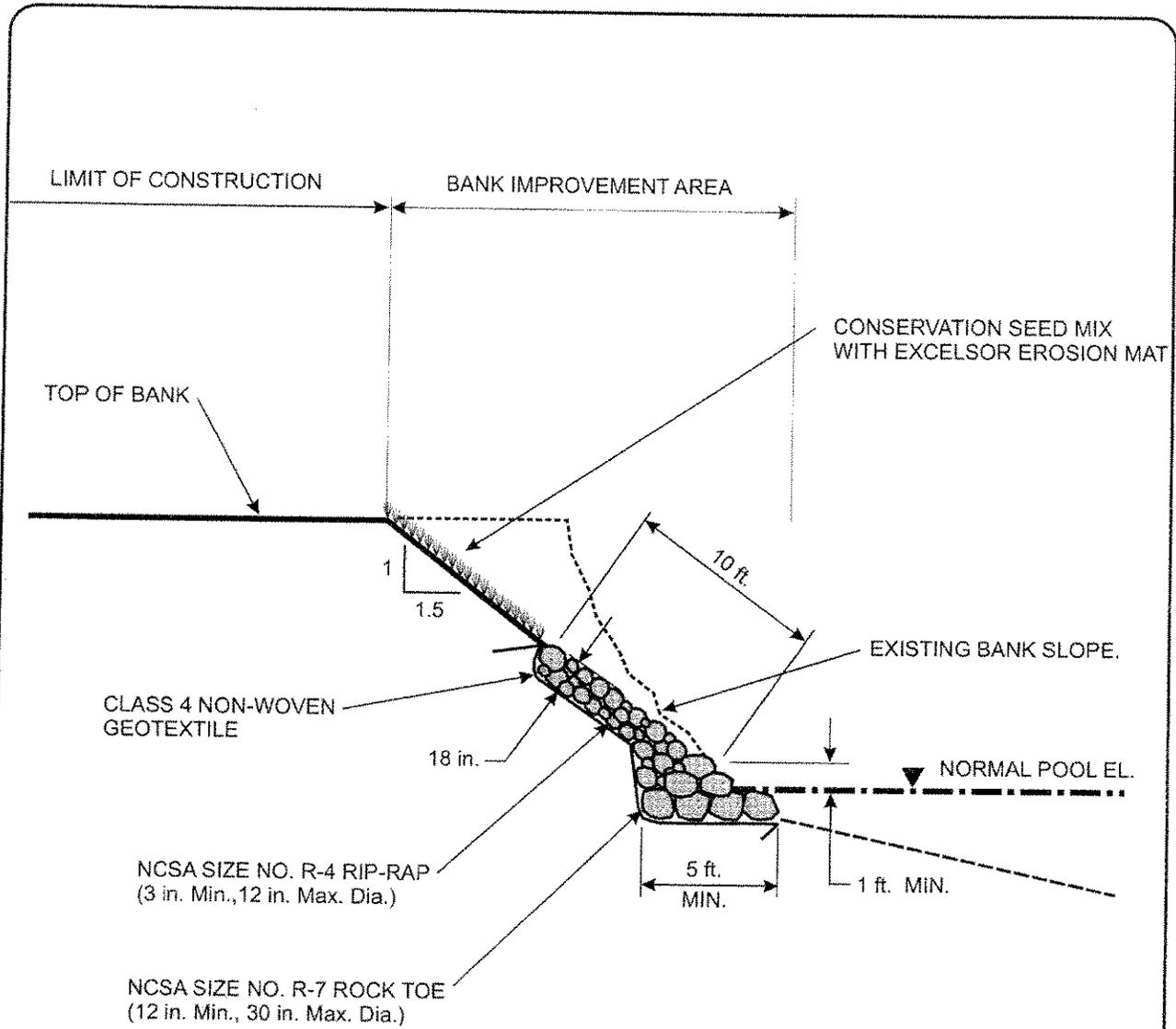
//SIGNED//

Scott A. Hans
Chief, Regulatory Branch

FORT MARTIN POWER STATION MONONGAHELA POWER COMPANY MAIDSVILLE, MONONGALIA COUNTY, WEST VIRGINIA



2007-778



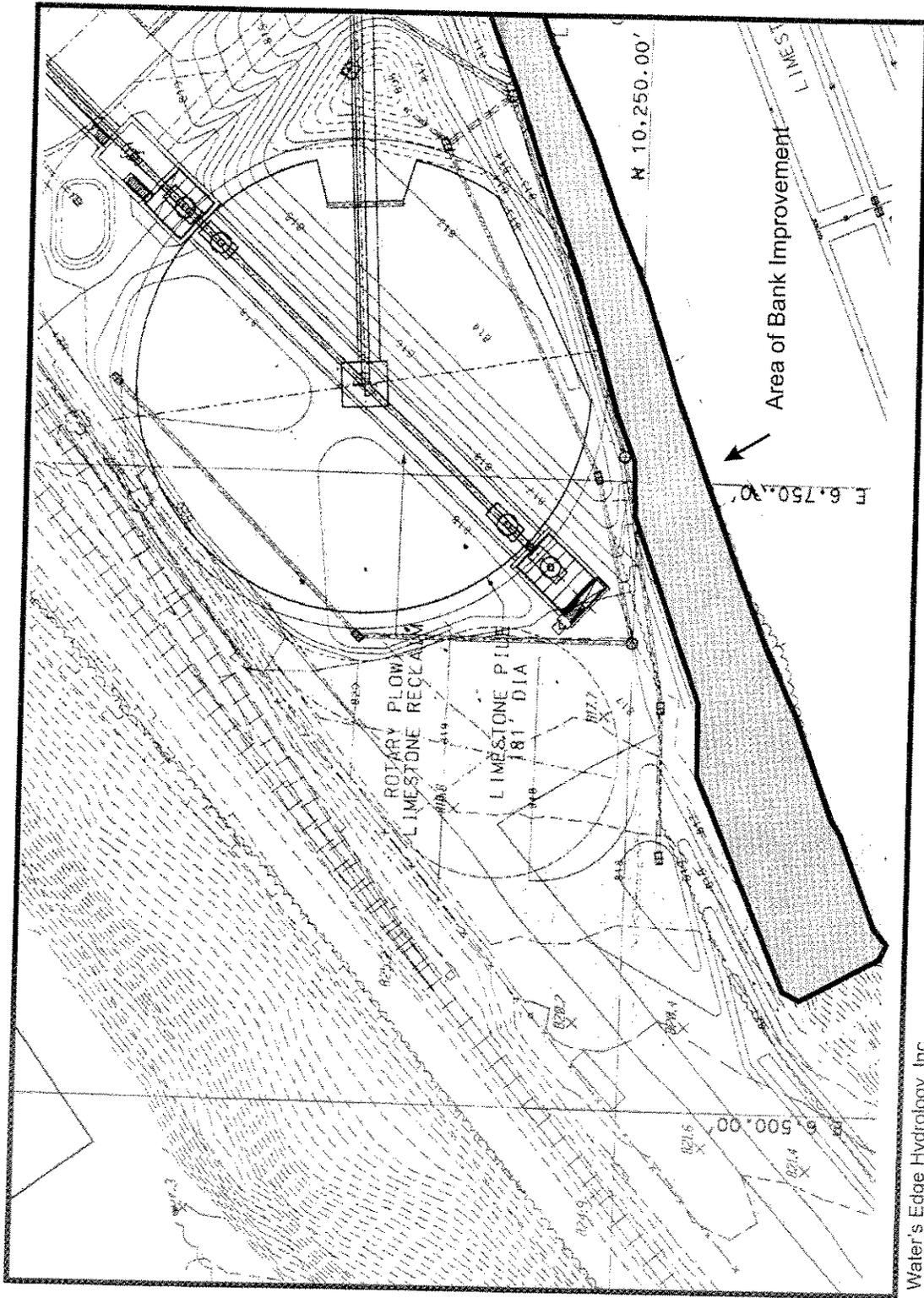
Monongahela Power Company
Fort Martin Power Station

Concept Sketch

for

River Bank Improvement at New Limestone Barge
Mooring and Unloading Areas

CONCEPT ONLY - NOT FOR CONSTRUCTION



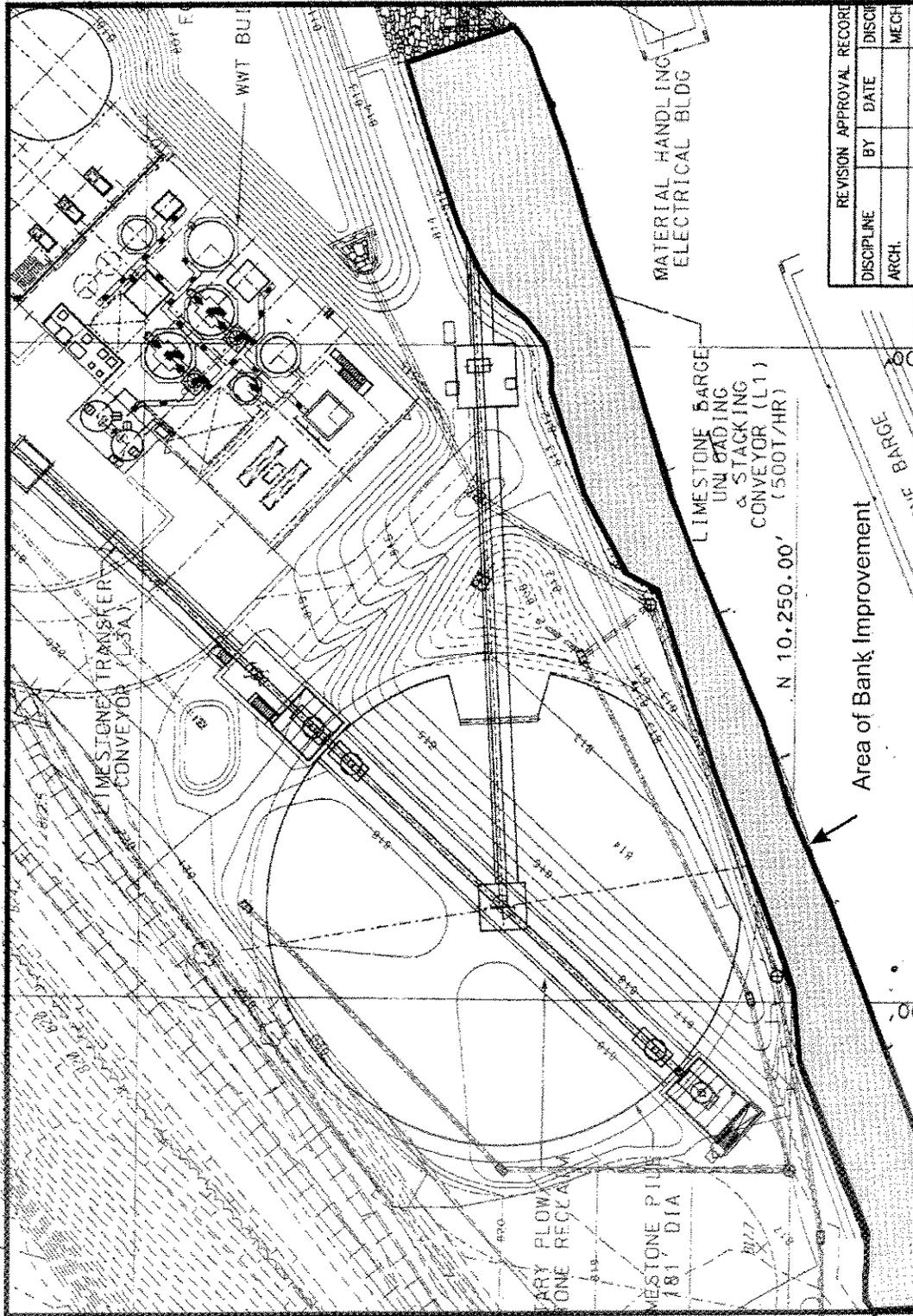
Water's Edge Hydrology, Inc.
4-23-08

Not to Scale

Fort Martin Limestone Barge Mooring and Unloading Facilities

Bank Improvement Areas
Sheet 1 of 4

#2007-778



REVISION APPROVAL RECORD			
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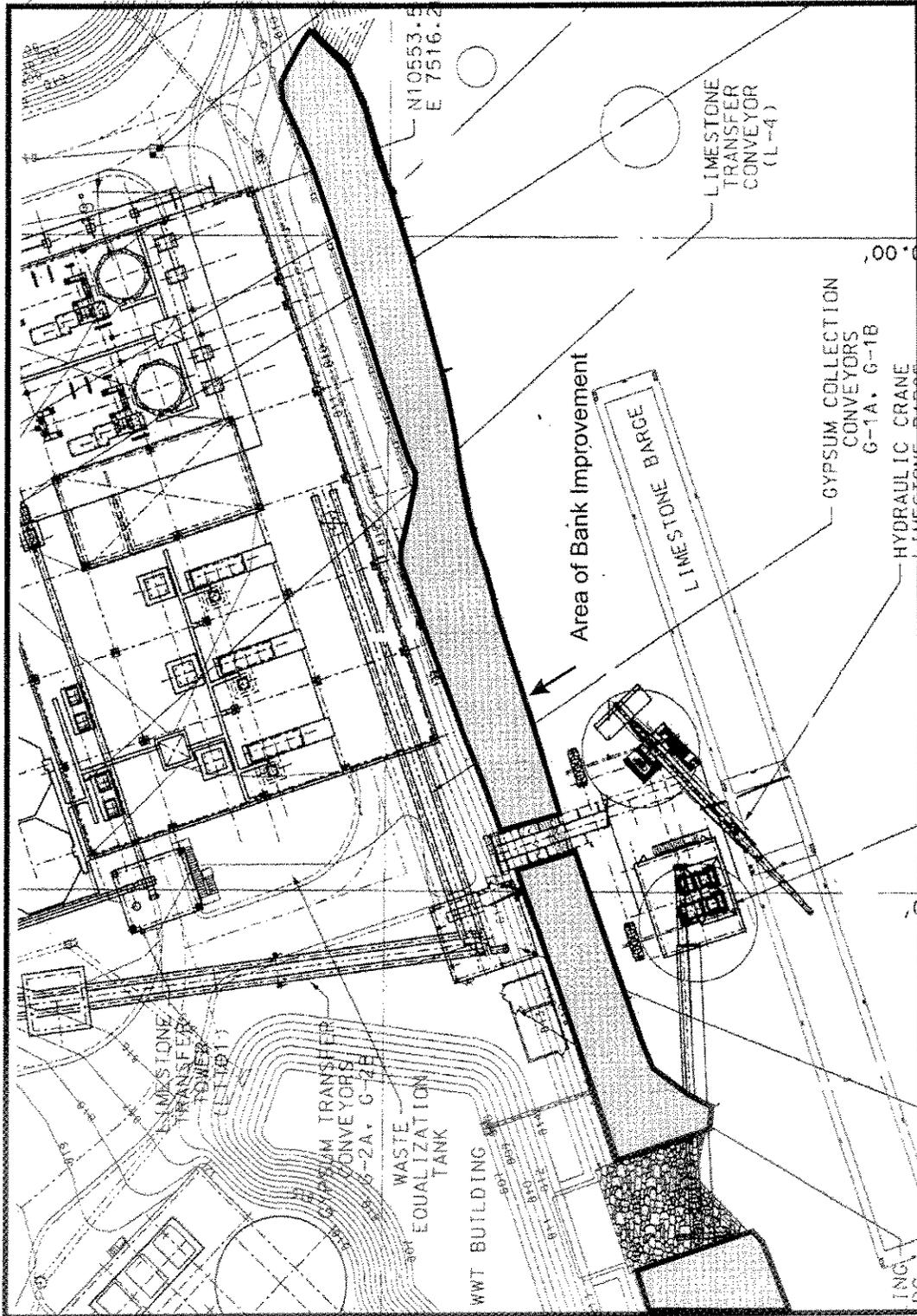
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Fort Martin Limestone Barge Mooring and Unloading Facilities

Bank Improvement Areas
Sheet 2 of 4

Water's Edge Hydrology, Inc.
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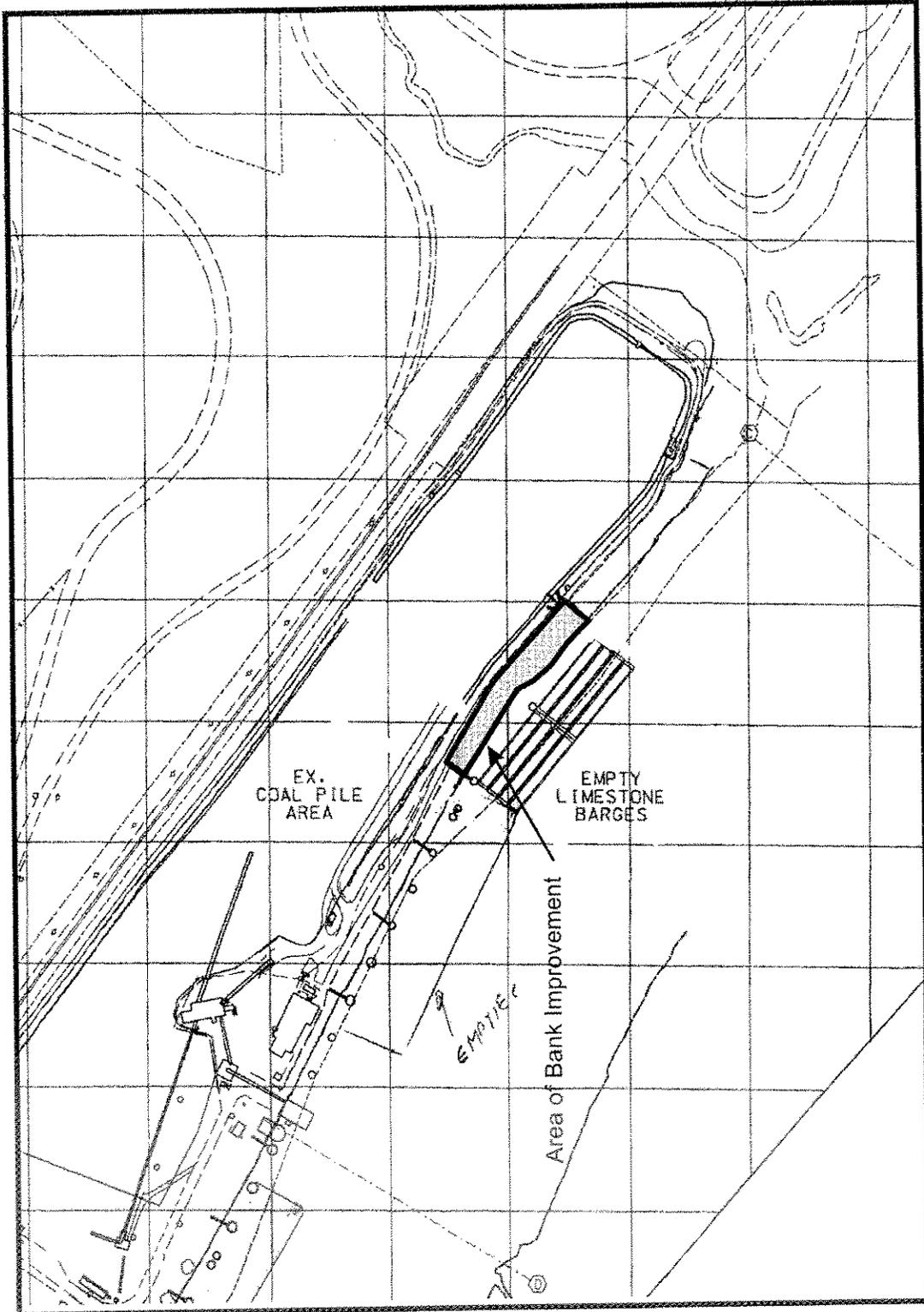
Not to Scale

Fort Martin Limestone Barge Mooring and Unloading Facilities

Bank Improvement Areas
Sheet 3 of 4

Water's Edge Hydrology, Inc.
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Fort Martin Limestone Barge Mooring and Unloading Facilities

Bank Improvement Areas
Sheet 4 of 4

#2007-778