



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. 2008-2411

Date: December 15, 2008

Notice No. 08-59

Closing Date: January 5, 2009

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: Bellaire Harbor Services LLC
P.O. Box 29
Bellaire, OH. 43906

AGENT: River Salvage Company, Inc.
1290 Maple Street
Crescent, PA 15046
3. LOCATION: Ohio River, left bank, Mile 93.2, near Benwood, Marshall County, West Virginia.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct an additional area for barge fleeting, delivery and pickup for customers in the vicinity, as well as barge cleaning and repair operations. The applicant proposes to drive three pile clusters to moor barges, which would be placed between 25 and 35 feet riverward from normal pool water's edge. The clusters would have a top elevation of 647.0, 24 feet above normal pool elevation 623.0. Barges moored at the facility would be held in place by three deadmen located on top of the river bank at elevation 650.0. The proposed fleeting area would be 5 jumbo barges long (975 linear feet) and 4 wide (140 linear feet). Work would be accomplished in low water and take approximately 30 days to complete. There is no dredging proposed for this additional fleeting area. 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.

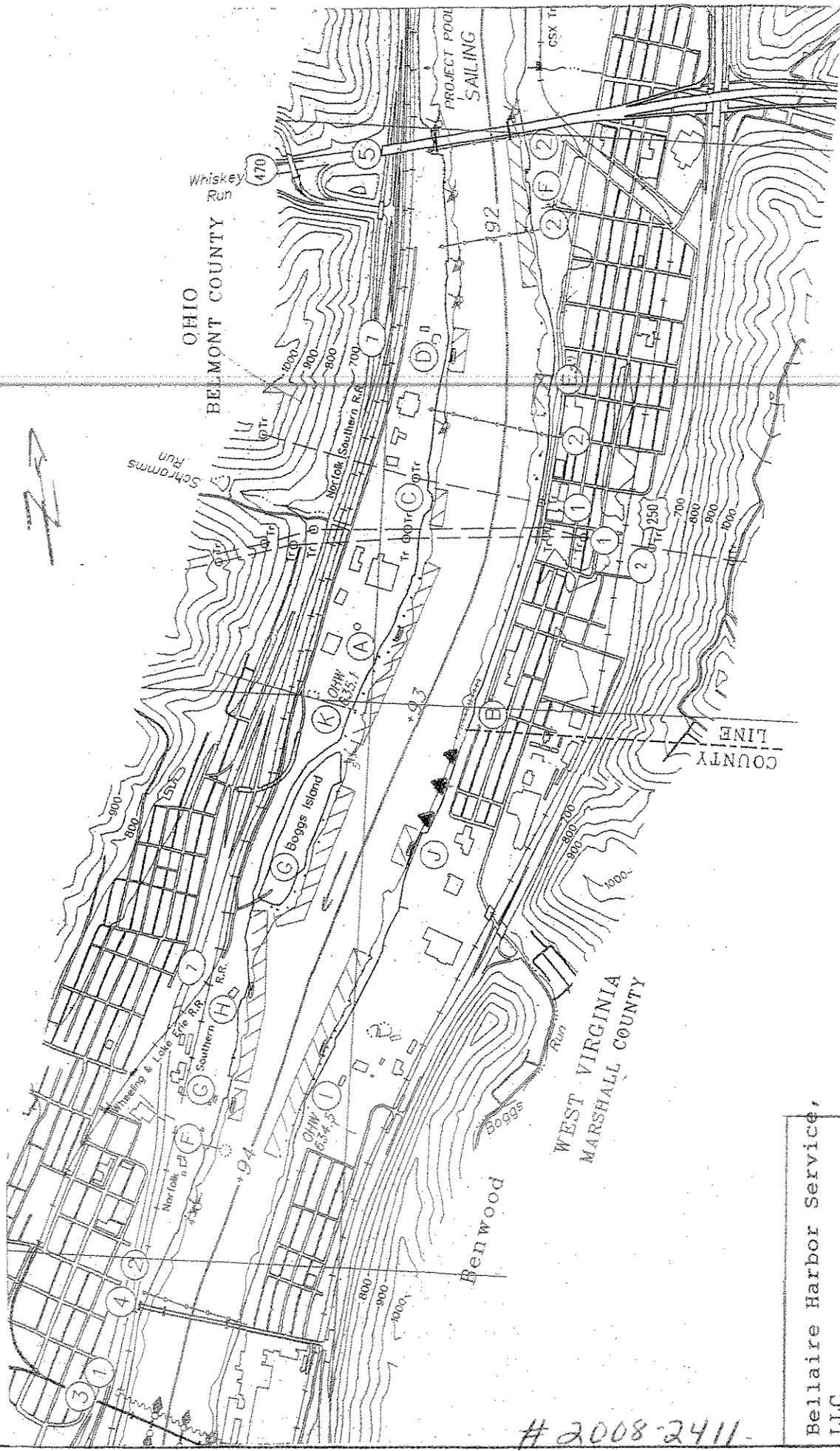
9. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered 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 George Brkovich, at the above address, by telephoning (412) 395-7247, or by e-mail at george.r.brkovich@usace.army.mil. Please refer to CELRP-OP-F **2008-2411** in all responses.

FOR THE DISTRICT ENGINEER:

//signed//

Scott A. Hans
Chief, Regulatory Branch



Location information obtained from Chart Nos. 196 & 197 - Ohio River Navigation Charts January 2003, prepared by Corps of Engineers, PGH

Bellaire Harbor Service, LLC
 Location of proposed cluster at mile 93.2 left bank, Ohio River, Benwood, Marshall County, West Virginia

DWG-BMS-4

2008-2411

Bellaire Harbor Service
LLC
Fleeting Plan
Mile 93.2, left bank
Marshall County
Benwood, WV

DWG BMS-5

NTS

□ Deadman
△ Cluster

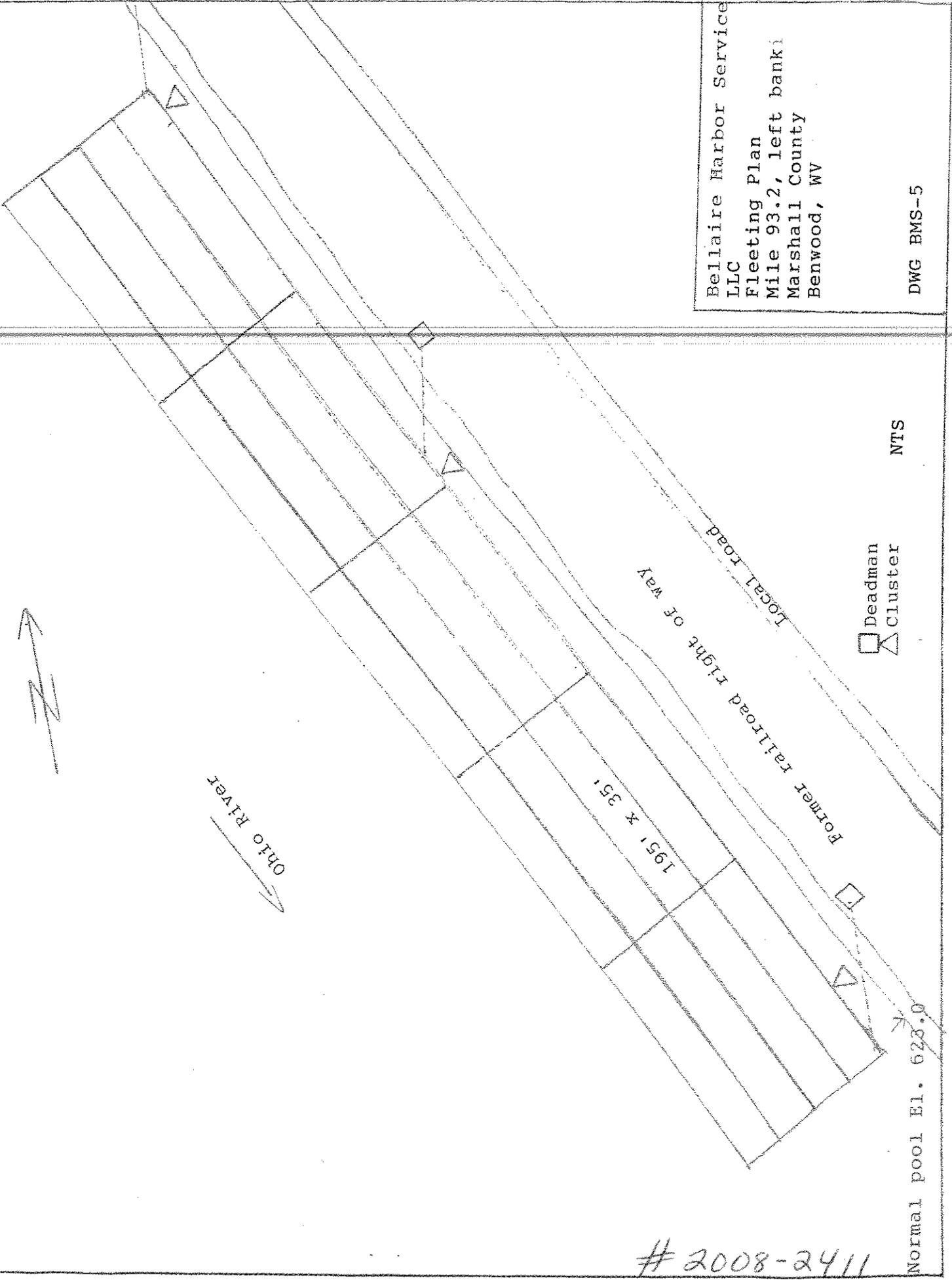
Former railroad right of way
Local road

1951 x 35'

Ohio River

Normal pool El. 623.0

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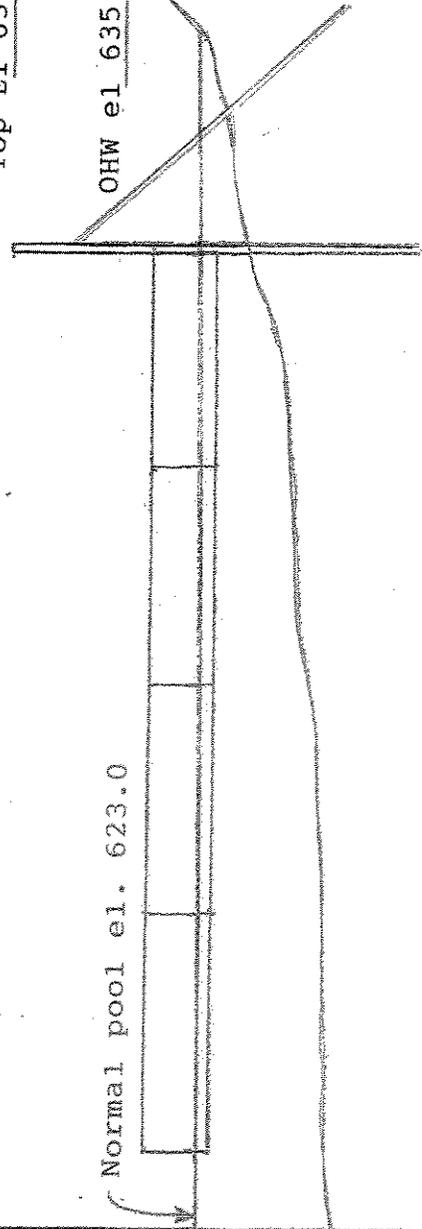
35' * 35' * 35' * 35' * 14' * 20' * 100' * road 16'

100 Year El 657.0
Top El 653.0

Deadman El. 650.0

OHW el 635.1

Normal pool el. 623.0



Bellaire Harbor Service
LLC
Typical Section
Fleeting Area
Mile 93.2, Left bank
Ohio River, Marshall
County, Benwood, WV

DWG BMS-6

NTS

140' wide
2011, OH
6/27/11 15L6
975' long

#2008-2411