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. 200002146 Date: March 27, 2001

Notice No. 01-R2 Expiration Date: March 27, 2006

REGIONAL PERMIT FOR
RECREATIONAL BOAT DOCKS
MONONGAHELA AND OHIO RIVERS
STATE OF WEST VIRGINIA

1. TO ALL WHOM IT MAY CONCERN: In accordance with Title 33 CFR 325.5(c)(1) as published on November 13, 1986 in the Federal Register, Volume 51, Number 219, the Corps of Engineers, Pittsburgh, has reissued a Regional Permit authorizing the construction and maintenance of recreational boat docks along the Ohio and Monongahela Rivers in the State of West Virginia. Structures authorized under this Regional Permit would be limited to those used by individual landowners or their assignees for noncommercial purposes.

2. The Regional Permit provided for in this Public Notice may be revoked at any time after its effective date if it is determined that the cumulative effects of the activities authorized thereby will have a significant adverse environmental impact or that any such activity is otherwise not in the public interest.

3. The boat docks covered by this Regional Permit must comply with the Special Conditions set forth in Appendix A.

4. The provisions of this Regional Permit would not apply to:

a. Historic, cultural, or archeological sites as identified in the latest published version of the National Register of Historic Places.

b. Sites included in the latest published version of the National Registry of Natural Landmarks

c. Any other areas named in Acts of Congress or Presidential Proclamations as National Rivers, National Wilderness Areas, National Seashores, National Recreation Areas, National Lakeshores, National Parks, National Monuments, National Wildlife Refuges, and such areas as may be established under Federal law for similar and related purposes, such as estuaries and marine sanctuaries.

d. Wetland sites.

e. The following areas are specifically excluded from this Regional Permit:

Embayments	River Mile
Congo Run	47.5
Tomlinson Run	52.9
Virginia Short Creek	81.5
Fish Creek	113.9
Dry Run	121.9
Proctor Creek	122.2

Mainstem Wetlands	River Mile
Glenns Run	86.3
Coon Run	115.0

Island(s)	River Mile
Babbs Island	41.8-43.7
Cluster Islands	51.5-52.5
Sister Islands	84.2-86.2
Wheeling Island (Head)	89.0-91.3
Captina Island	108.0-108.5
Fish Creek Island	113.0-114.0

5. Nothing in this Regional Permit would eliminate the necessity for the Owner(s) to obtain any required State or local permits.

6. The owner(s) must furnish to the District Engineer prior to commencement of construction, a letter describing the proposed activity so that the number and locations of the structures may be properly inventoried and the cumulative effect of the same may, from time to time, be assessed. This letter must include the following information:

a. Name, address, and phone number of owner(s).

b. Location of the proposed work to include name of waterway, state, county, and nearest city or town.

c. Names and addresses of adjoining upstream and downstream property owners.

d. The intended use of the structure (i.e. private individual or private group).

e. Dates when work is expected to begin and end.

f. A vicinity map showing the proposed project location. The proposed project location may be shown on a copy of the appropriate page of River Navigation Charts published by the

U. S. Army Corps of Engineers, Pittsburgh District, or an applicable segment of USGS topographic map, county or other commercially available map or a hand sketched vicinity map (see Appendix A).

g. A plan and profile view drawing. The sketched plan view drawing should show the dimensions of the proposed work, the structure referenced to a readily identifiable, fixed object on shore, the normal pool shoreline and the direction of the water's flow at the work site. The profile view drawing should show the work in relation to normal pool elevation and show types of dock materials being used (see Appendix A).

7. Upon receipt of the owner(s) notification, the District Engineer, U. S. Army Engineer District, Pittsburgh, will consult the latest published version of the National Register of Historic Places for the presence or absence of registered properties or properties listed in the latest published version of the Register as being eligible for inclusion therein. If presently unknown archeological, scientific, prehistorical, or historical data is discovered during the prosecution of the work, further work shall cease and the owner(s) shall inform the District Engineer of such discovery.

8. This Regional Permit, unless specifically modified, suspended, or revoked, would be in effect for a period of five years from the date of issuance and may be considered for revalidation at that time.

9. The conditions and requirements of this Regional Permit are attached to this Public Notice.

10. Further information may be obtained at the following location:

DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, PITTSBURGH
REGULATORY BRANCH
1000 LIBERTY AVENUE
PITTSBURGH, PENNSYLVANIA 15222-4186
PHONE: 412-395-7155

FOR THE DISTRICT ENGINEER:

Atch
Appendix A

Albert H. Rogalla
Chief, Regulatory Branch

DEPARTMENT OF THE ARMY REGIONAL PERMIT
AUTHORIZING RECREATIONAL BOAT DOCKS

APPENDIX A
SPECIAL CONDITIONS

a. Authorized work will consist of the placement of floating, cantilever, or pile supported noncommercial, recreational docks. These structures will be constructed of wood and/or metal and will be secured by anchors, cables, piles, posts, spuds, or any combination thereof which will ensure the structure's ability to withstand the effects of wind, flowing water, and wave action.

b. Wood materials used in the construction will be treated to retard rotting and decomposition prior to being placed in or over the waterway.

c. Floating devices, if used, will be of styrofoam, plastic, fiberglass, or metal and will be securely fastened to the structure to prevent separation from the dock.

d. Metal drums that have previously been filled with another substance will be thoroughly cleaned before use as flotation devices to preclude seepage.

e. Floating docks shall not be anchored to trees. Shoreline cables/anchorages shall be placed so they do not accelerate erosion by unnecessarily degrading or disturbing streambanks.

f. The dock may be straight, "T", "L", or other functional shape (in plan) not exceeding 75 feet in total length of all segments. The dock may have a maximum width of eight feet.

g. The river face of the dock shall not extend riverward more than 50 feet from the established normal pool elevation at the structure's location, and in no instance greater than 1/4 of the width of the waterway nor be closer than 10 feet from the adjacent property boundaries.

h. The placement of recreational docks will not be permitted within the zone marked by the "Arrival Points" (upper and lower lock approach areas) which are located both upstream and downstream of all navigation locks between Miles 40.0 and 127.2, Ohio River, and Mile 91.2 and 128.73, Monongahela River. Arrival points are clearly indicated by large signs lettered "Arrival Point" along the lock side riverbank at each navigation lock and dam. No recreational dock will be permitted within the danger zone above and below the navigation dams within the aforementioned reaches of the Ohio and Monongahela Rivers. These zones are marked both above and below each dam on the abutment side (opposite the lock chamber) with warning signs labeled

"Danger Dam". During the summer boating season (1 June - 1 November), these danger zones are marked with white pillar buoys placed across the river.

i. Only one structure may be constructed on a given riparian parcel under the terms of this Regional Permit and such structure must be for the private use of the owner(s). (Note: applications for larger size private or all size commercial docks will be processed under standard permit procedures which require individual applications to be submitted to the District Engineer on Engineer Form 4345. The instruction pamphlet entitled "Regulatory Program, Applicant Information," Form EP 1145-2-1, is helpful in the completion of the application.)

j. A fuel pump, fuel storage, or other related facilities on the dock will not be authorized under this permit.

k. Dredging will not be authorized under this permit.

l. The placement of fill, bank protection, or other discharges into the waterway will not be permitted in connection with the activity under this Regional Permit.

m. The permittee shall allow the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time determined necessary to assure that the activity authorized under this permit is in accordance with the terms and conditions prescribed herein.

n. If, upon inspection, an activity authorized by this Regional Permit is not being constructed or has not been constructed, or is not being maintained at a particular location in accordance with these conditions, or to the satisfaction of the District Engineer, the authorization of the activity at such location may be revoked, and an individual application for the work at such location may be required.

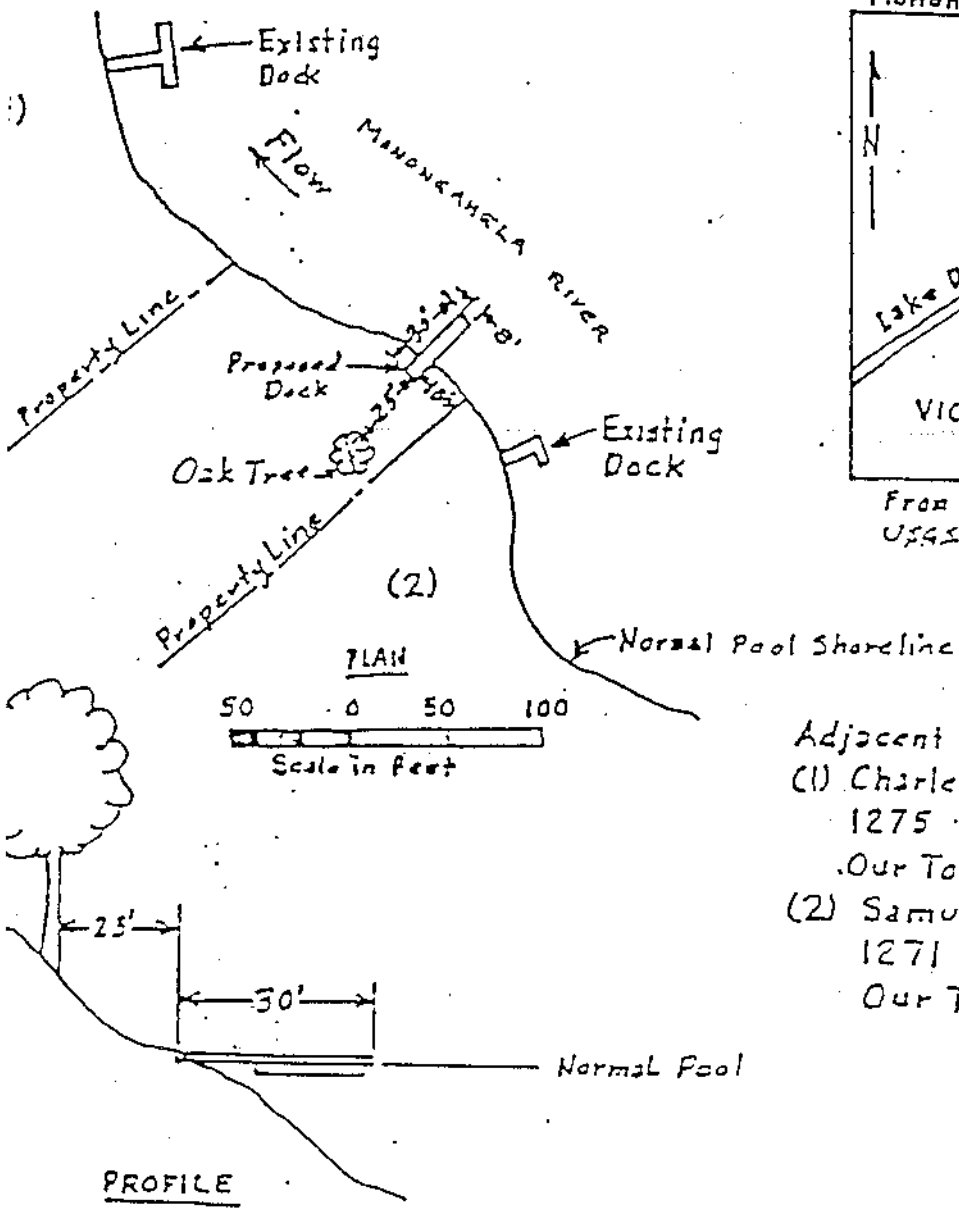
o. This Regional Permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of Federal, state, or local laws or regulations, nor does it obviate the requirement to obtain state or local assent required by law for the activity authorized herein.

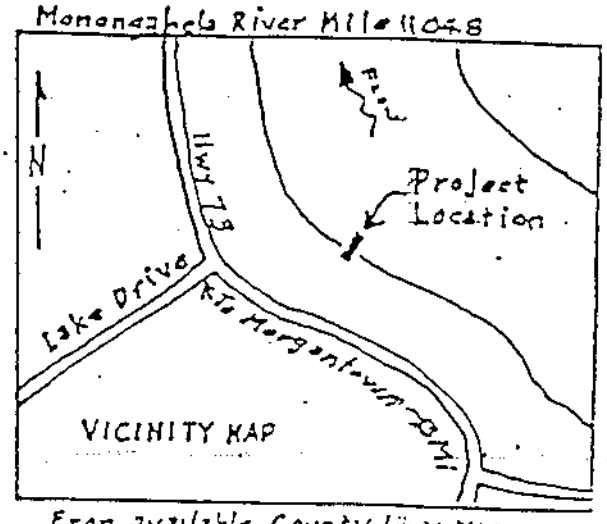
p. This Regional Permit does not authorize the interference with any existing or proposed Federal project and the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

q. If and when the permittee proposes to abandon or remove any facility constructed under this Regional Permit, he must submit plans to the District Engineer for restoration of the area to a condition satisfactory to the District Engineer.

r. Violations of the terms and conditions of this Regional Permit may result in the institution of such legal proceedings as the United States Government may consider appropriate.

SAMPLE APPLICATION DRAWING





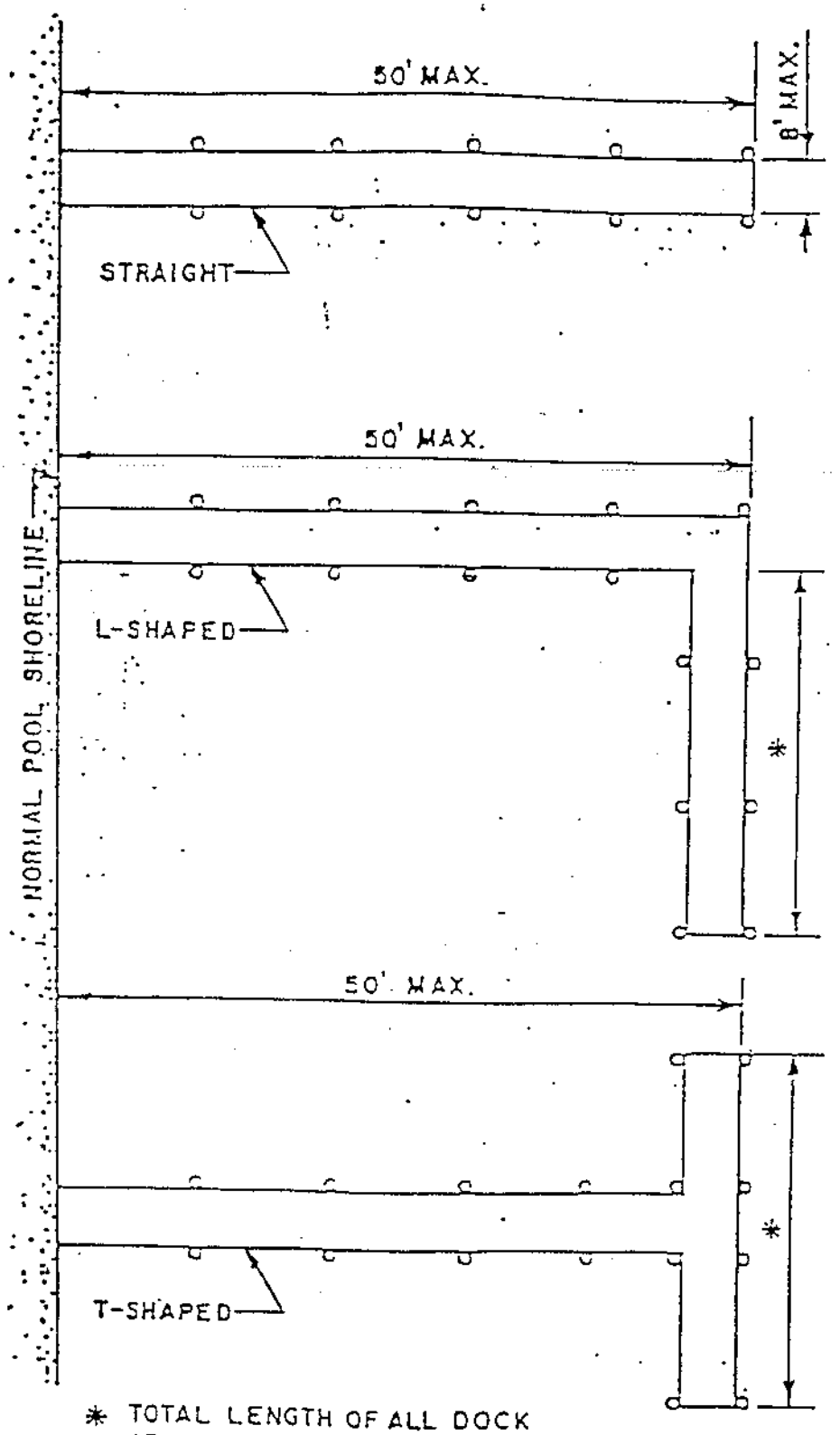
From available County Hwy Map, USGS Quad, River Chart, etc.

Adjacent Land Owners
(1) Charles Smith
1275 River Road
Our Town, Pa. 15288
(2) Samuel Jones
1271 River Road
Our Town, Pa. 15288

MATERIALS
Wooden Dock
Styrofoam Flotation

Purpose
Private Boat Dock

Monongahela River Mile 104.8
County of Greene
Application by John Doe III

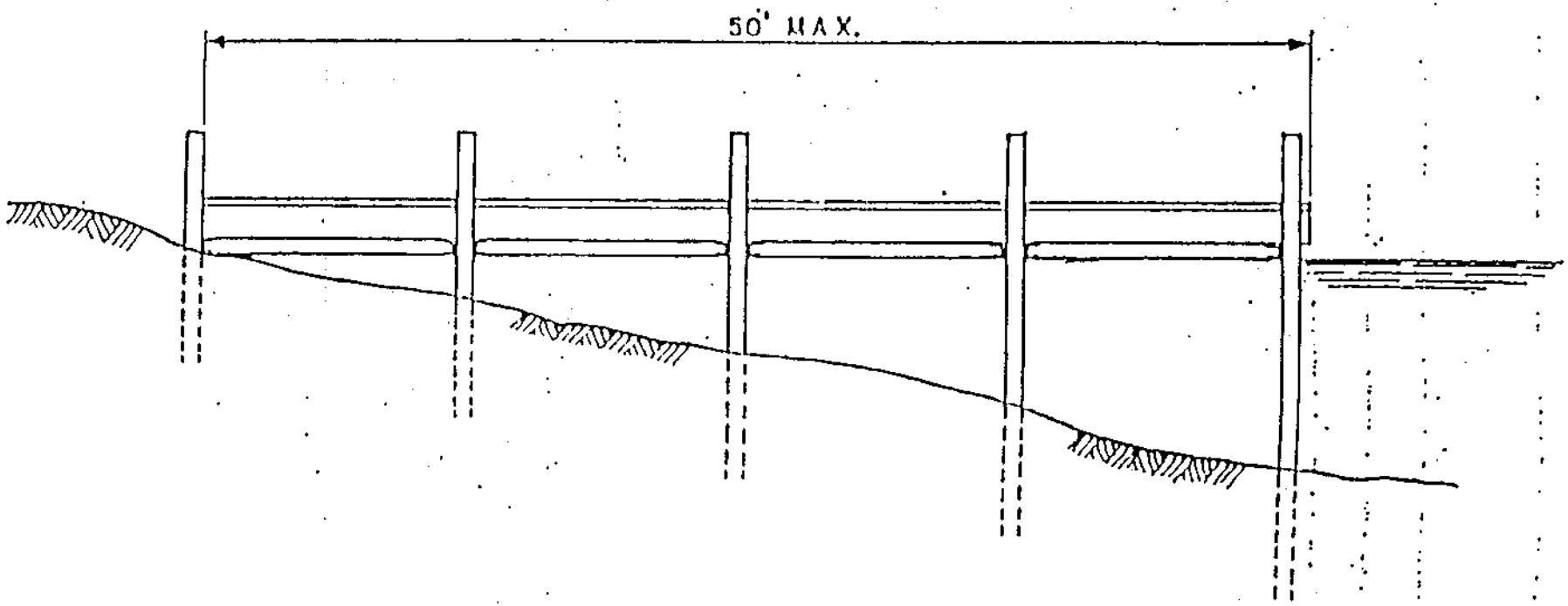


* TOTAL LENGTH OF ALL DOCK SEGMENTS NOT TO EXCEED 75 FEET

PLAN

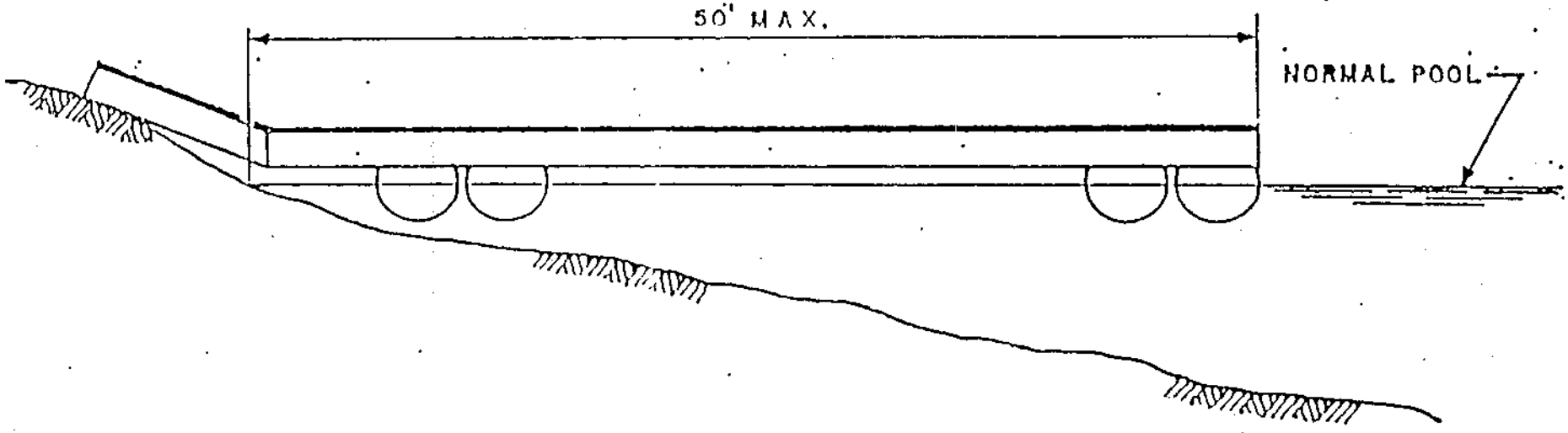
TYPICAL PILE DOCK CONFIGURATIONS

(NOT TO SCALE)



ELEVATION
TYPICAL PILE DOCK

(NOT TO SCALE)



ELEVATION

TYPICAL FLOATING DOCK

(NOT TO SCALE)