

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. 2010-400

Date: June 19, 2015

Notice No. 15-28

Closing Date: July 19, 2015

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 and Section 404 of the Clean Water Act.
2. APPLICANT: Aaron Vaughn Johnson
Vance River Terminal, Inc.
P.O. Box 663
Morgantown, West Virginia 26507
3. LOCATION: Monongahela River, Left Bank, Mile 99.8, Westover, Monongalia County, West Virginia
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to modify their existing waterfront dock by expanding their barge loading and offloading area. Currently, one previously permitted barge is located within the proposed construction area and will remain in place. The applicant is proposing to embed three additional standard barges, each 26 feet wide by 175 feet long, two barges will be located on the upstream end of the existing embedded barge and one on the downstream end.

As a result of the proposed work, impacts to the Monongahela River will occur. Permanent impacts to the Monongahela River will include constructing of two shelves for housing the embedded barges. The proposed shelving will require shoreline dredging at a depth of 1.5-feet below Point Marion pool elevation of 797.0. The proposed upstream shelving width will be approximately 26 feet wide by 350 feet in length. The downstream shelving width will be approximately 26 feet wide by 175 feet in length. Once all the barges are in place, six, 25foot steel beams, 2 per barge, will be placed landside of the barges on the upland side and driven to substrata bedrock, then welded to the barges. The embedded barges will then be welded end to end of each other. All embedded barge walls (hulls) will then be reinforced by a welding steel beams to the tops of each barge and then hulls filled with clean rock. The dredge material will be stored upland. Drawings of the proposed dock 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. An individual 401 water quality certification (WQC) may be required for this proposed activity in conjunction with the Section 10 of the Rivers and Harbors Act permit and/or Section 404 of the Clean Water Act permit. The applicant must apply directly to the WVDEP for an individual 401 WQC. 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. Please contact the below to determine if a individual 401 WQC is required for this proposed activity:

Ms. Wilma Reip, 401 Program Manager
Phone: 304-962-0499 ext. 1599
E-mail: Wilma.reip@wv.gov

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project may affect, but is not likely to adversely affect endangered species or threatened species, or result in 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). If the U.S. Fish and Wildlife Service concurs with the may affect, not likely to adversely affect determination please respond with written concurrence.

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, comments can be mailed to:

U.S. Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186
Re: Public Notice CELRP-OP-F No. 15-28

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 2010-400 in all responses.

FOR THE DISTRICT ENGINEER:

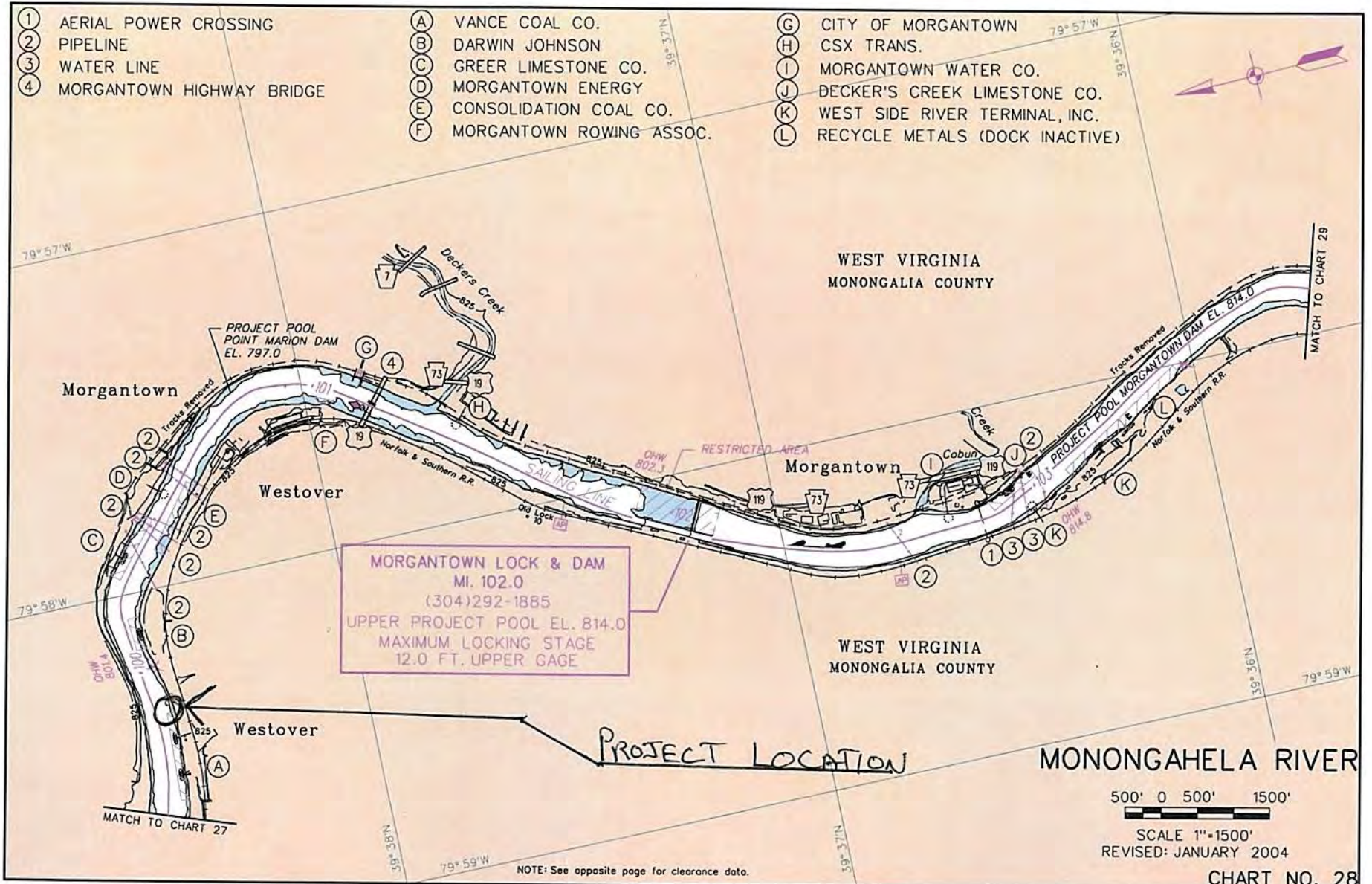
// SIGNED //

Scott A. Hans
Chief, Regulatory Branch

- ① AERIAL POWER CROSSING
- ② PIPELINE
- ③ WATER LINE
- ④ MORGANTOWN HIGHWAY BRIDGE

- Ⓐ VANCE COAL CO.
- Ⓑ DARWIN JOHNSON
- Ⓒ GREER LIMESTONE CO.
- Ⓓ MORGANTOWN ENERGY
- Ⓔ CONSOLIDATION COAL CO.
- Ⓕ MORGANTOWN ROWING ASSOC.

- Ⓖ CITY OF MORGANTOWN
- Ⓗ CSX TRANS.
- Ⓘ MORGANTOWN WATER CO.
- Ⓝ DECKER'S CREEK LIMESTONE CO.
- Ⓚ WEST SIDE RIVER TERMINAL, INC.
- Ⓛ RECYCLE METALS (DOCK INACTIVE)



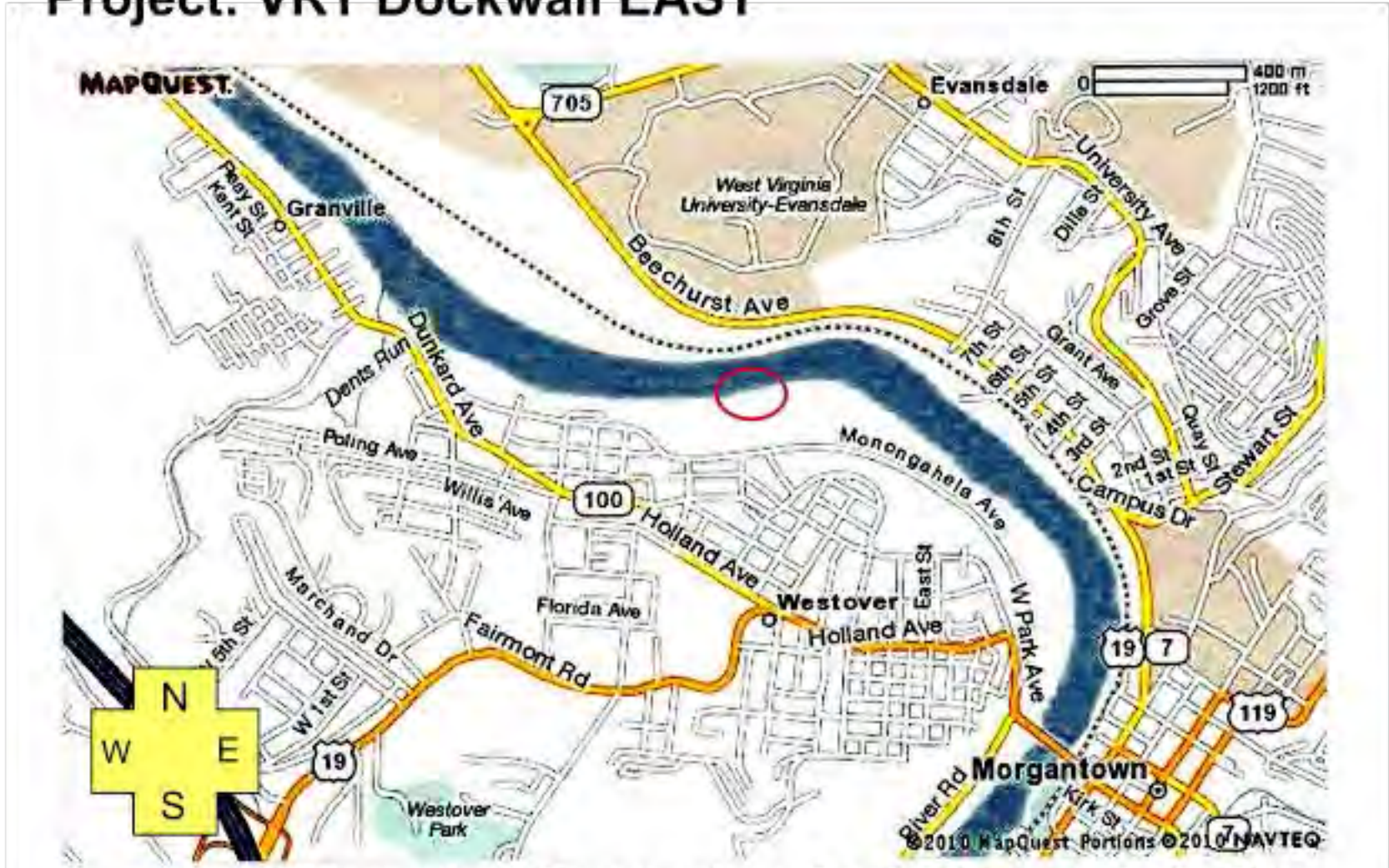
NOTE: See opposite page for clearance data.

CHART NO. 28

2010-400

Vicinity Map: Attachment # 1
Applicant: Vance River Terminal, Inc.
Project: VRT Dockwall EAST

39 38' 26.80" N
79 58" 15.73" W



100 mm Left Descending Bank Monongahela River
500 Seneca Street Westover, WV 26501

Riverview: Attachment #2

Applicant: Vance River Terminal, Inc.

Project: VRT Dockwall EAST

Contact : Aaron V. Johnson



Monongahela River 100mm



existing

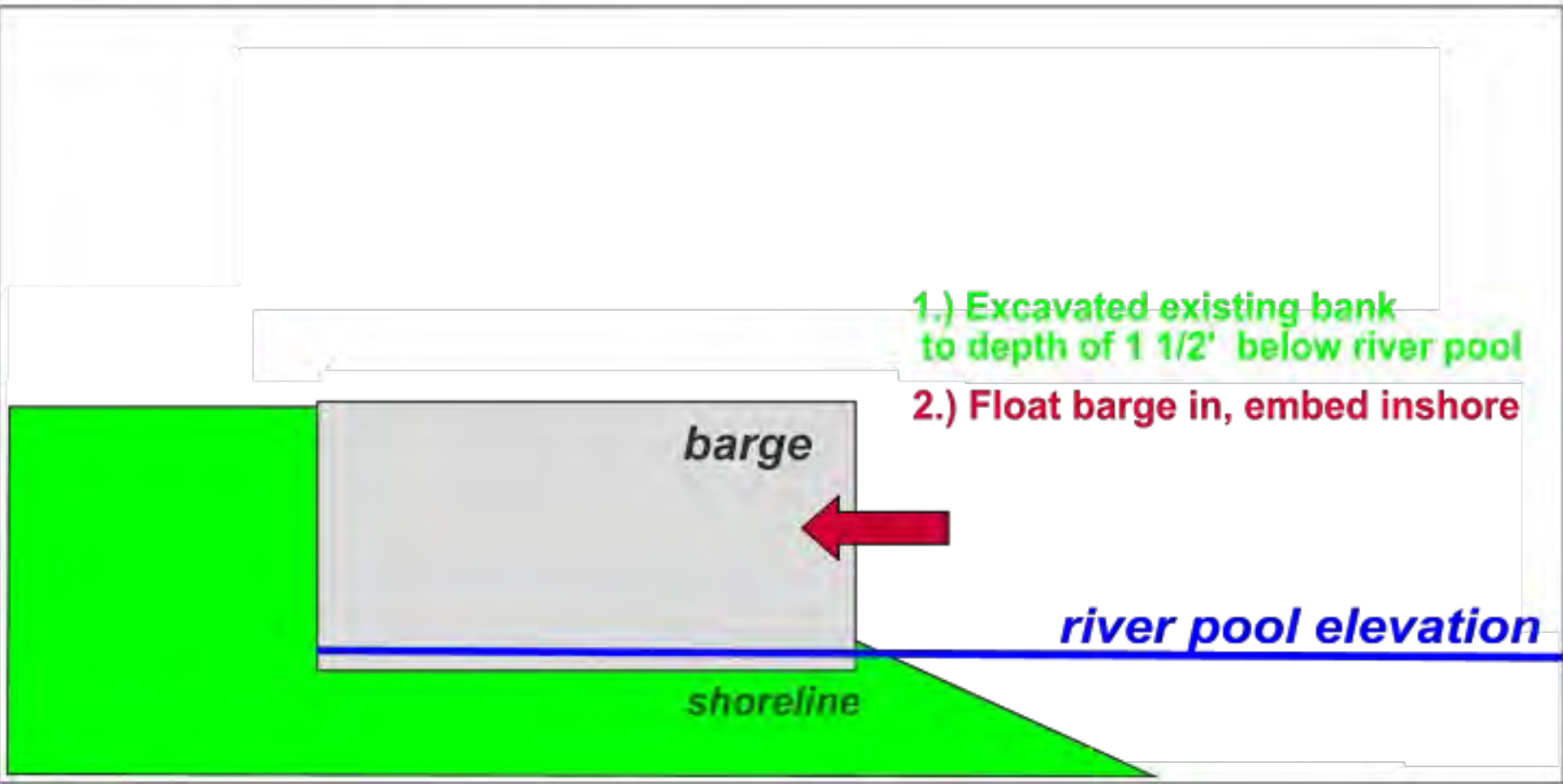
VRT property boundary

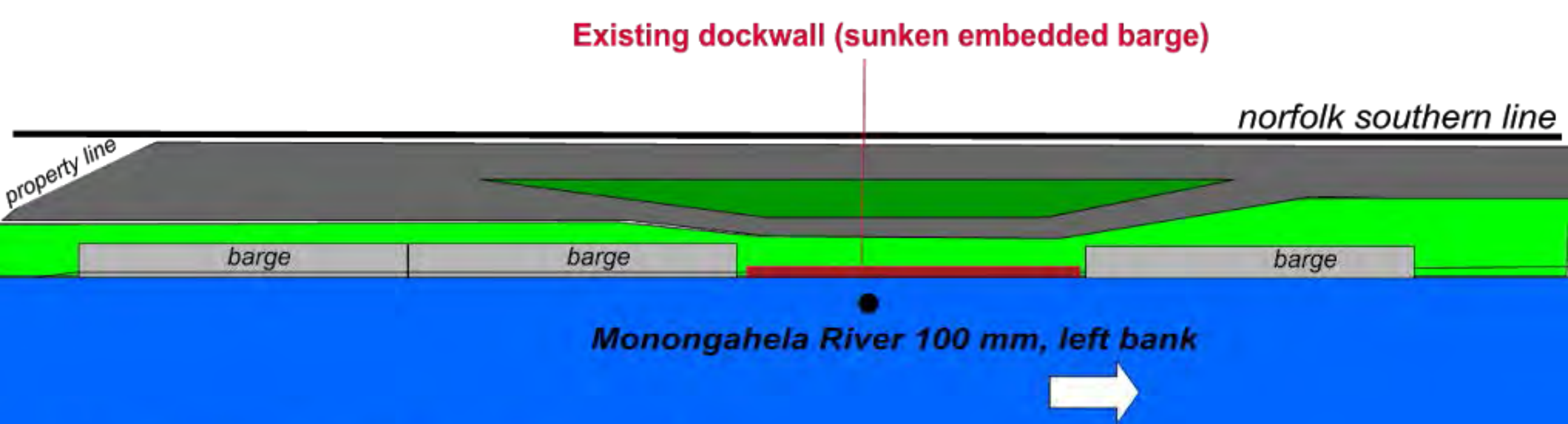
Norfolk Southern rail line

Eric Street

Monongahela Avenue

Cross-Section Map: Attachment # 3
Applicant: Vance River Terminal, Inc.
Project: VRT Dockwall EAST





Riverview: Attachment #4

Applicant: Vance River Terminal, Inc.

Project: VRT Dockwall EAST

Contact : Aaron V. Johnson

