



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. LRP-2017-1904

Date: January 4, 2018

Notice No. 18-01

Closing Date: February 4, 2018

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: Michael Hughes
ACCESS H2O, LLC.
P.O. Box 83
127 Lark Avenue
Millsboro, PA 15348

3. LOCATION: The proposed activity is located on the right-descending bank of the Monongahela River (RM 101.1) in Morgantown, Monongalia County, West Virginia.

4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to create a passenger vessel service to serve the Mon Valley Region stretching from Fairmont, WV to Charleroi, PA. On special occasions the vessel(s) will provide service to Pittsburgh, PA. The project will provide a positive impact to the excursion, hospitality, and tourism along the Monongahela River.

The applicant's proposal involves the installation of infrastructure on the water, and on shore, to support the day-to-day activities of a passenger vessel service. At this location two (2) steel mooring piers will be installed on shore 150' apart to secure one (1) flat deck steel barge (220' x 40' x 6') to the right-descending bank. The flat deck steel barge will support multiple activities, secure location for the passenger vessels, operating office, ticketing booth, concession, vessel support, storage units, utilities, and lighting. One (1) ramp will be installed from shore to the barge to provide safe egress for passengers and employees. One (1) larger ramp will be installed from shore to the barge will support deliveries by vehicle, maintenance, and response personnel. An angled retaining wall will be constructed to decrease wave return action, and decrease bank erosion. The total river area required for the facility 300' in length and 100' in width. A second vessel may be needed and would increase the width to 140'. Improvements to the existing parking area will also be completed. Note that no dredging within the river is proposed as part of this project. Drawings of the proposed project 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 an 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 will have no effect on endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. While concurrence with this determination is not required, 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.

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. 18-01

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 Josh Shaffer at the above address, by telephoning (412) 395-7121, or by e-mail at Joshua.d.shaffer@usace.army.mil. Please refer to CELRP-OP-FS 2017-1904 in all responses.

FOR THE DISTRICT ENGINEER:



Jon T. Coleman
Chief, Southern Section
Regulatory Branch

CROSSING

WAY BRIDGE

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

- (G) CITY OF MORGANTOWN
- (H) CSX TRANS.
- (I) MORGANTOWN WATER CO.
- (J) DECKER CREEK LIMESTONE CO.
- (K) WEST SIDE RIVER TERMINAL
- (L) THOR ENERGY INC.

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PROJECT POOL
POINT MARION DAM
EL. 797.0

Deckers Creek
825

Westover

Westover

WEST VIRGINIA
MONONGALIA COUNTY

WEST VIRGINIA
MONONGALIA COUNTY

MATCH TO CHART 29

PROJECT POOL
MORGANTOWN DAM EL. 814.0

CSX TRANS.

Creek

OHV
802.5

RESTRICTED AREA

Morgantown

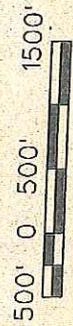
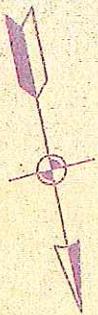
SAILING LAKE

MONONGAHELA R.R. (CONRAIL)

MORGANTOWN LOCK & DAM
MI. 102.0
(304)292-1885
UPPER PROJECT POOL EL. 814.0
MAXIMUM LOCKING STAGE
12.0 FT. UPPER GAGE

(A)

27



SCALE 1"=1500'
REVISED: 2000

MONONGAHELA RIVER

CHART NO. 28

39° 37'N
79° 57'W

39° 37'N
79° 57'W

39° 36'N
79° 59'W

39° 37'N
79° 59'W

39° 38'N
79° 59'W

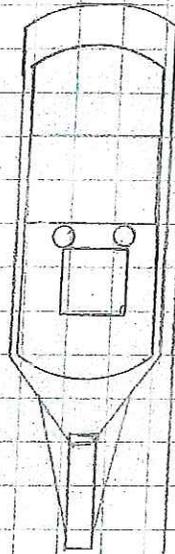
NOTE: See opposite page for clearance data.



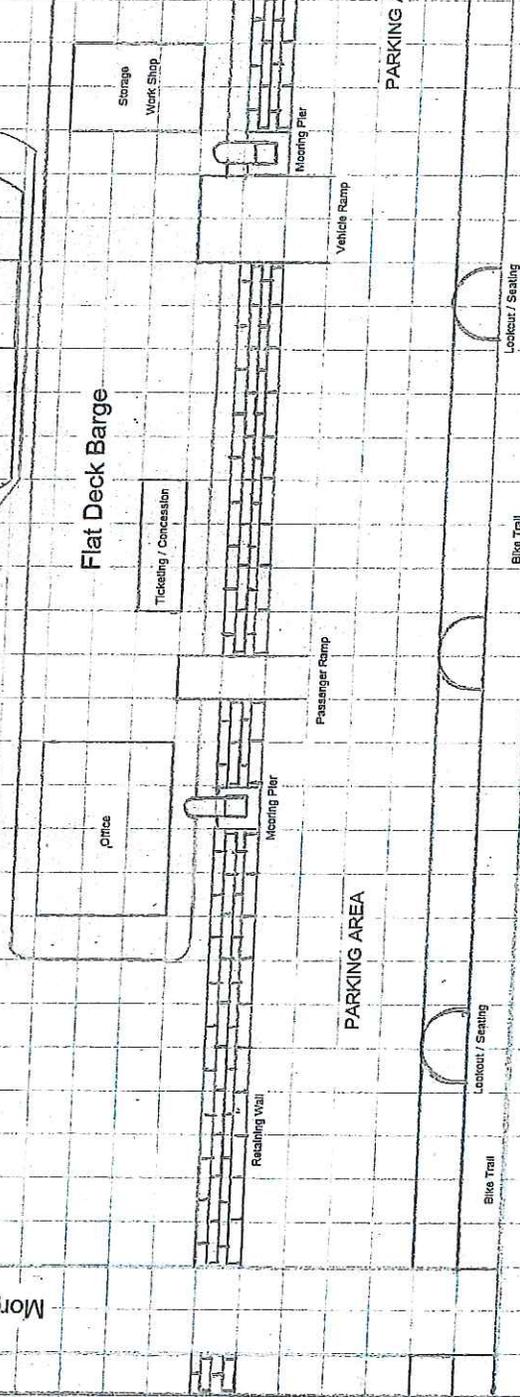
Bridge Pier

Morgantown Highway Bridge

- * Monongahela River - Mile 101.1 - RDB
- * Flat Deck Barge - 220' X 40' X 6'
- * Length: Morgantown Highway Bridge to Upper End Walnut Street Launch Ramp - 300'
- * Width: Shoreline to Outside Vessel - 100'
- * Floating Mooring Attachments
- * Angled Retaining Wall: Decrease Wave Return Action / Decrease Bank Erosion
- * Qty (2) - Green Navigation Light marking each Mooring Pier



Flat Deck Barge



DRAWING 001

ACCESS H2O PASSENGER DOCK
2 Walnut Street - Morgantown, WV 26505

SCALE: 1/4" = 10'

11-01-2017



Green Navigation Light

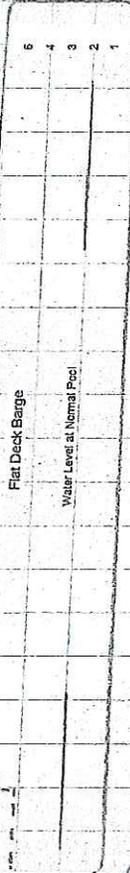
Mooring Pier

- * Monongahela River - Mile 101.1 RDB
- * Flat Deck Barge - 220' X 40' X 6'
- **Width: Shoreline to Outside Deck Barge - 46'
- * Deck Barge will rise & fall with River Level
- * Angled Retaining Wall: Decrease Wave Return Action / Decrease Bank Erosion
- * River Depth is adequate to support all Floating Equipment
- * No Dredging Necessary

Concrete Cap

Interlocking Retaining Wall

Attachment Arm



Flat Deck Barge

Water Level at Normal Pool

Normal Water Level

Normal River Depth

Normal River Depth

Drawing 002

ACCESS H2O PASSENGER DOCK
 2 Walnut Street - Morgantown, WV 26505

SCALE: 1/4" = 2'

11-01-2017