



# 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. 1986-17

Date: November 18, 2019

Notice No. 19-62

Closing Date: December 18, 2019

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: Tunnel Ridge Coal, LLC  
2596 Battle Run Road  
Tridelfphia, West Virginia 26059
3. LOCATION: Along the Ohio River, Mile 81.9-82.2, Left Bank, two miles north of Pike Island L/D, Ohio County, West Virginia.  
(Latitude: 40.1771944, Longitude: -80.6836305)
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to perform maintenance dredging, as necessary, for a period of 10 years to remove accumulated sediment adjacent to the in-take pumps in order to continue providing water to the prep plant and to ensure continued access to the Tunnel Ridge River Load-Out Barge Docking Facility. A maximum of approximately 2,083 cubic yards of material may need to be removed at various locations. Total width of dredged area will be 75 feet and length 75 feet. The depth of dredging will be approximately 10 feet below normal pool elevation 643.5. All dredged material will be disposed of into sumps and/or de-watering sediment bags placed above the Ordinary High Water Mark on a flat area adjacent to the coal load-out. All run-off will be contained. Plans/Drawings/Location Map 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:

Mr. Brian Bridgewater, 401 Program Manager  
Phone: 304-962-0499 ext. 1829  
E-mail: Brian.L.Bridgewater@wv.gov

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 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,

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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:

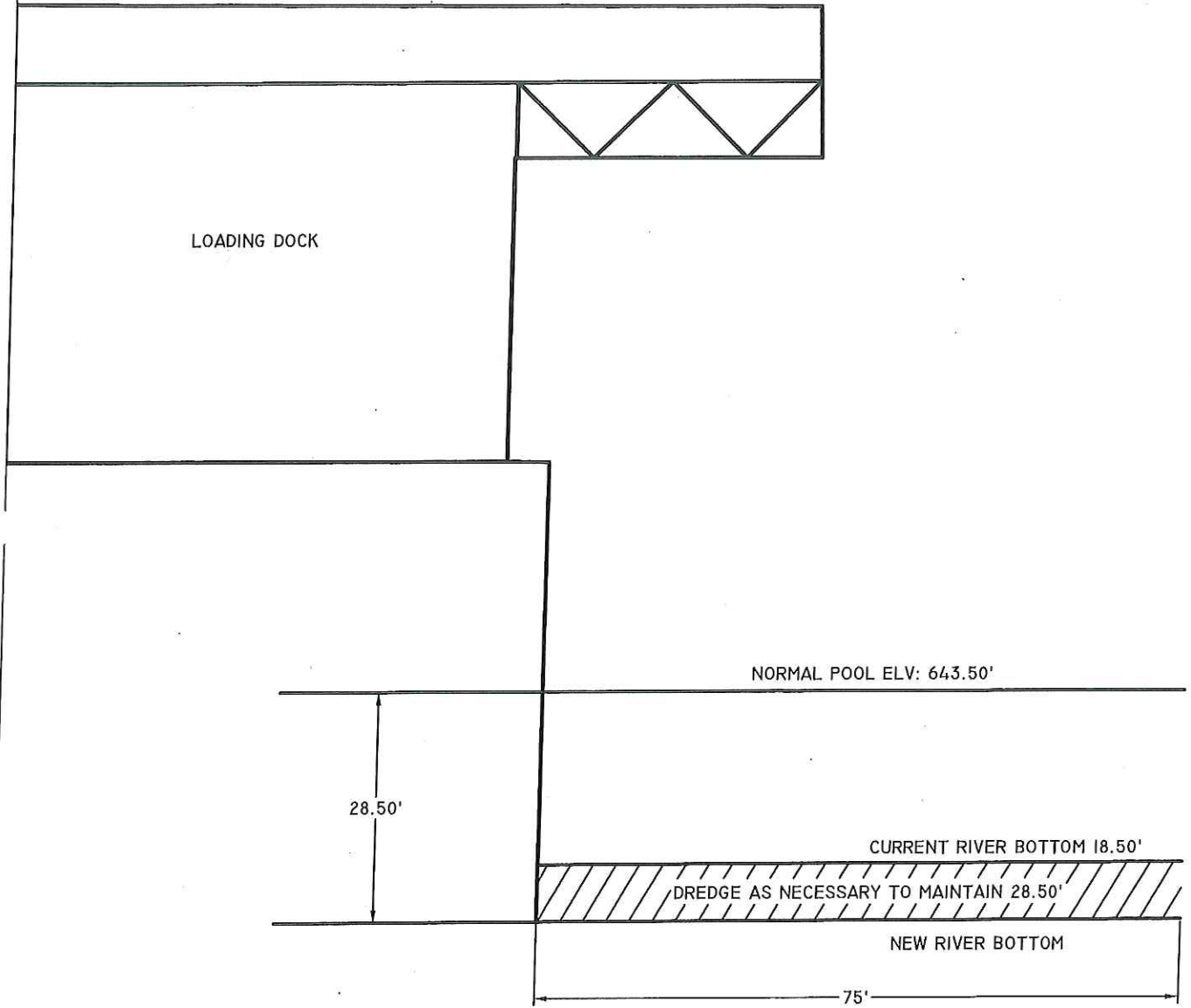
U.S. Army Corps of Engineers, Pittsburgh District  
1000 Liberty Avenue  
Pittsburgh, PA 15222-4186  
Re: Public Notice CELRP-RG No. 19-62

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 Division, attn.: Linda Everley at the above address, by telephoning (412) 395-7152, or by e-mail at [Linda.L.Everley@usace.army.mil](mailto:Linda.L.Everley@usace.army.mil). Please refer to CELRP-RG 1986-17 in all responses.

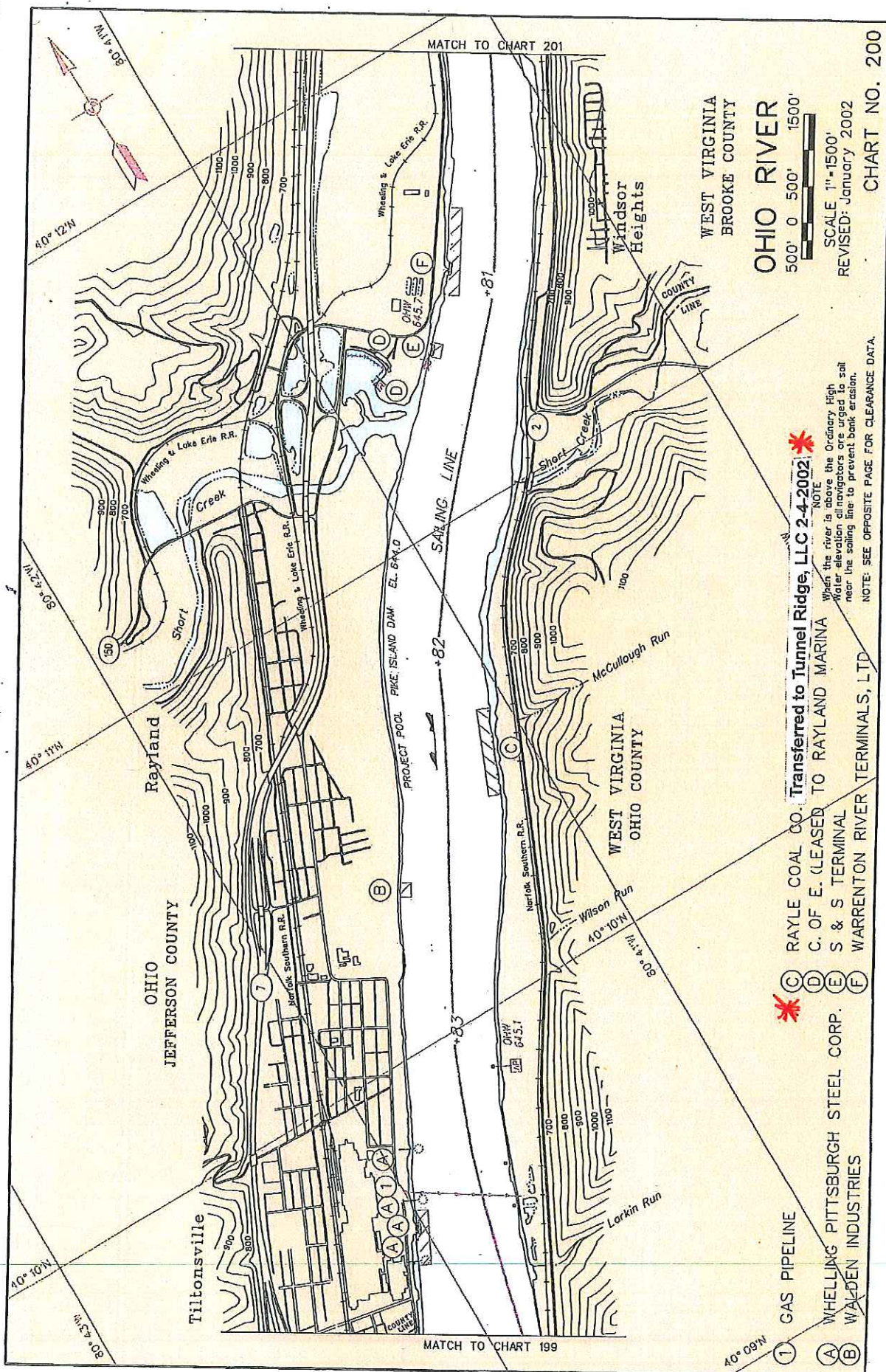
FOR THE DISTRICT ENGINEER:

**/signed/**  
Jon T. Coleman *for*  
Scott A. Hans  
Chief, Regulatory Division

# LOADING DOCK PROFILE



DREDGE VOLUME: 2083.33 CUBIC YDS  
DREDGE FREQ: 4 YEARS



WEST VIRGINIA  
BROOKE COUNTY  
**OHIO RIVER**  
500' 0 500' 1500'  
SCALE 1"=1500'  
REVISED: January 2002

CHART NO. 200

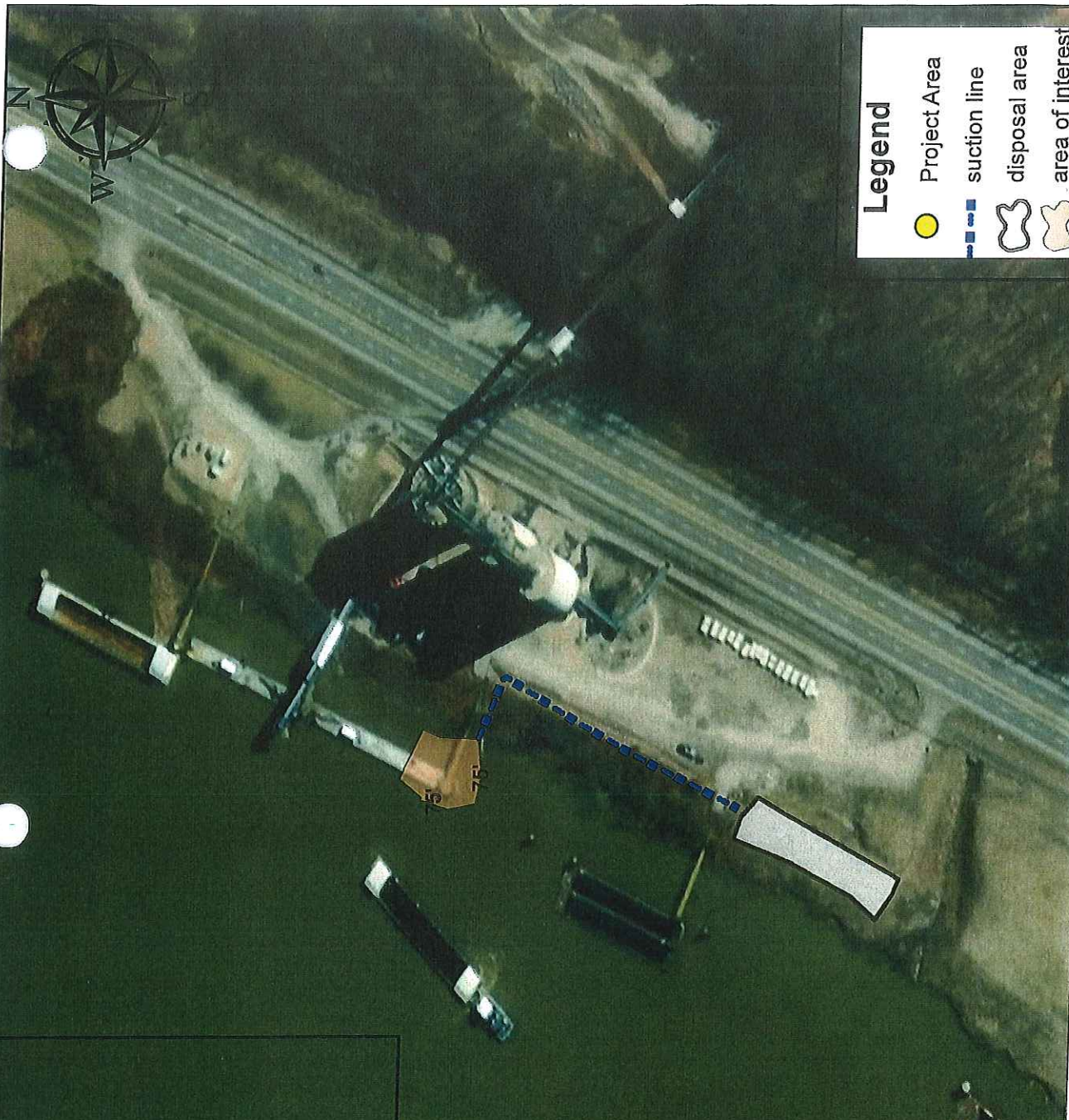
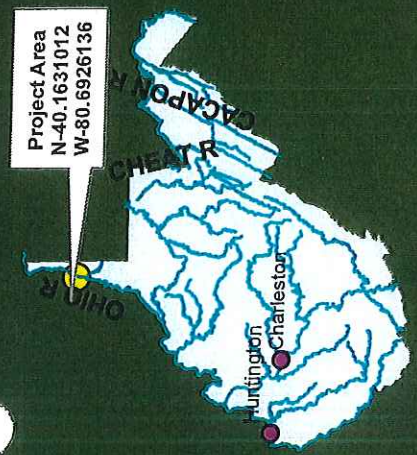
**RAYLE COAL CO. Transferred to Tunnel Ridge, LLC 2-4-2002**

- (C) GAS PIPELINE
- (D) WHELLING PITTSBURGH STEEL CORP.
- (E) WALDEN INDUSTRIES
- (A) C. OF E. (LEASED TO RAYLAND MARINA)
- (B) S & S TERMINAL
- (F) WARRENTON RIVER TERMINALS, LTD.

NOTE:  
When the river is above the Ordinary High Water elevation all navigators are urged to sail near the sailing line to prevent bank erosion.  
NOTE: SEE OPPOSITE PAGE FOR CLEARANCE DATA.

MATCH TO CHART 199

MATCH TO CHART 201

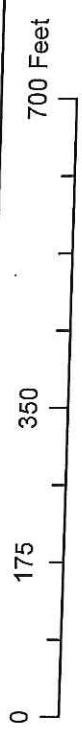


**Legend**

- Project Area
- - - suction line
- disposal area
- area of interest

**Prepared For:**  
 Tunnel Ridge Coal LLC,  
 2596 Battle Run Road  
 Triadelphia, WV 26059

**Tunnel Ridge River Loadout Dredge Project**



**Prepared By:**  
 Compliance Monitoring Labs, Inc.  
 411 Caney Branch Road  
 Chapmanville, WV 25508

LOCATION OF TUNNEL RIDGE DREDGE AREA

FILTONSVILLE, OH

OHIO RIVER  
FLOW

TUNNEL RIDGE DREDGE AREA

OHIO RIVER  
FLOW

WV ROUTE 2

WEST VIRGINIA

SCALE: 1"=400'



# AERIAL VIEW OF TUNNEL RIDGE DREDGE AREA



PERIMETER OF DREDGE AREA

CONTOUR

INDEX CONTOUR

DISCHARGE LINE

SUMPS AND/OR  
DE-WATERING BAGS

SUMPS AND/OR  
DE-WATERING BAGS

TO WHEELING

WV ROUTE 2

TO SHORT CREEK

SCALE: 1"=100'

100'

200'

300'

