



# 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. **1979-105**

Date: May 9, 2017

Notice No. 17-30

Closing Date: May 29, 2017

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: Ergon-West Virginia, Inc.  
9995 Ohio River Blvd.  
Newell, West Virginia 26050
3. LOCATION: Along the Ohio River, Mile 46.5, Left Bank, in Newell, Hancock County, West Virginia. (Latitude: 40.61613, Longitude: -80.62601)
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to perform maintenance dredging at the existing EWVI Riverview Fleeting Facility, as necessary, for a 10 year period. The proposed dredging area is approximately 65-ft. running north to south and 120-ft. out from the fleeting cells. The overall length from cell to cell is approximately 340-ft. long. For each event, the dredged material will be disposed of in an upland area. Drawings and Location Map of the project are attached to this notice.
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.

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. 17-30

CELRP-OP-F  
Public Notice No. 17-30

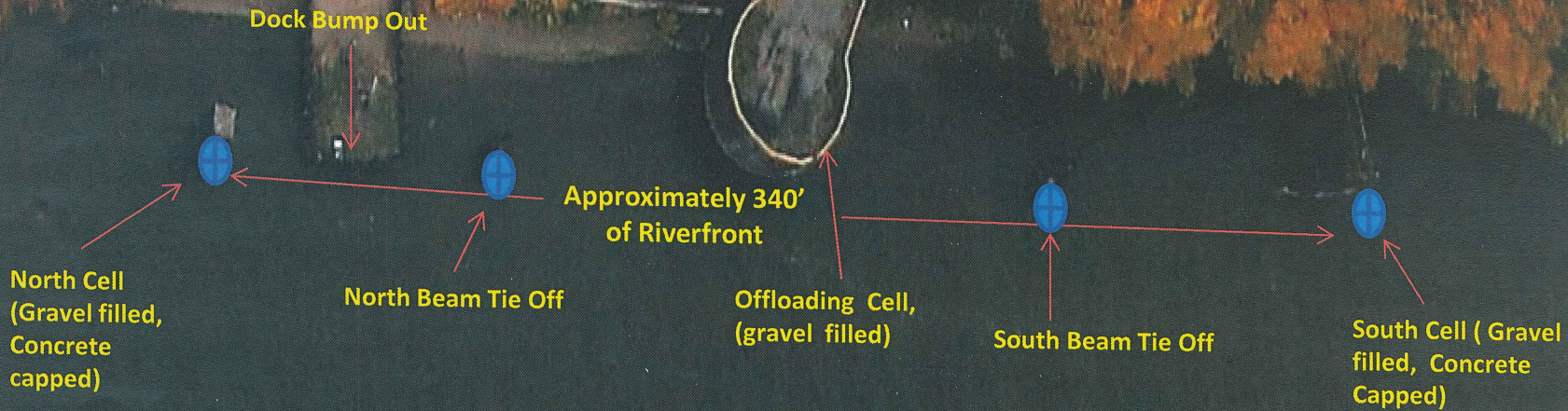
Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn.: Matthew Gilbert at the above address, by telephoning (412) 395-7189, or by e-mail at [Matthew.C.Gilbert@usace.army.mil](mailto:Matthew.C.Gilbert@usace.army.mil). Please refer to CELRP-OP-F **1979-105** in all responses.

FOR THE DISTRICT ENGINEER:

/signed/

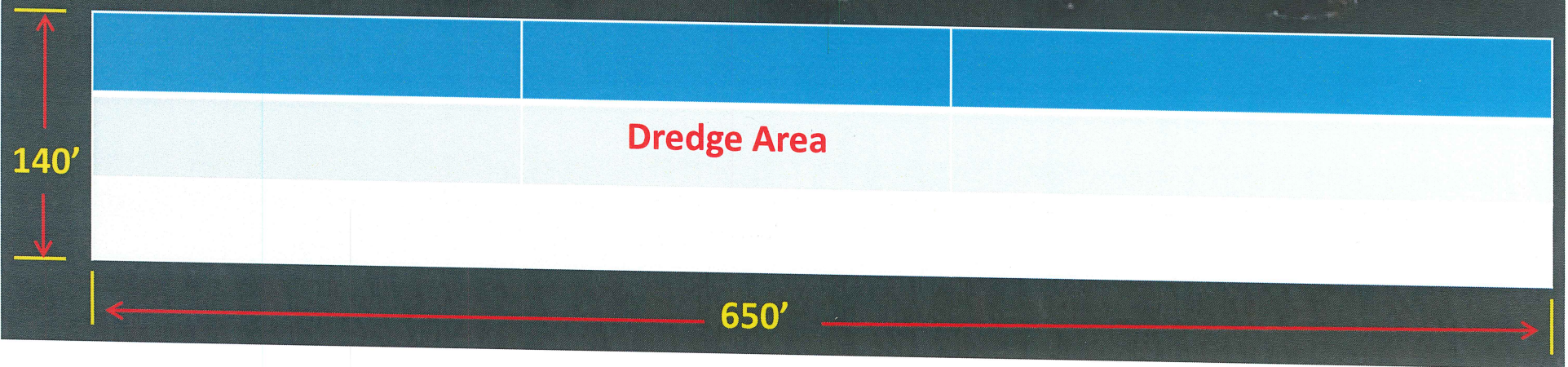
Scott A. Hans  
Chief, Regulatory Branch

# Ergon-WV, Inc. Riverview Fleeting Dock Ohio River Mile Marker 46.6



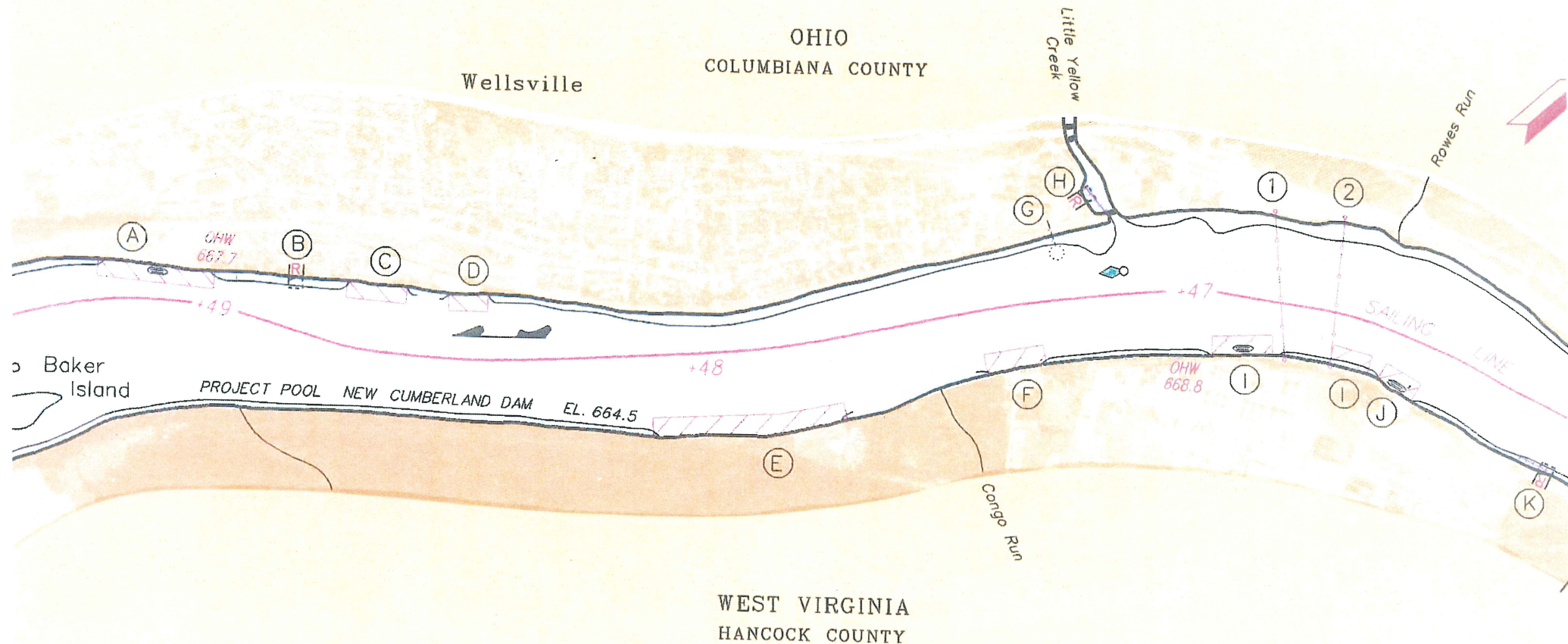
Ohio River mile marker 46.6, river flow →

**Ergon-WV, Inc. Riverview Fleeting Dock  
Ohio River Mile Marker 46.6**



NOTE

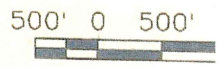
Level is above the Ordinary High  
 all navigators are urged to sail  
 line to prevent bank erosion.



LINE  
 LINE  
 OIL CO.  
 YACHT CLUB  
 TERMINALS CO.  
 PIPE CO.  
 SERVICES

- (F) DTC ENVIRONMENTAL SERVICES INC.
  - (G) CITY OF WELLSVILLE, OHIO
  - (H) JIM KENNEY BOAT MARINA
  - (I) QUAKER STATE OIL CO.
  - (J) Ergon-WV, Inc.
  - (K) C OF E (LEASED TO JOHN F. KENNEDY PARK & MARINA
- NOTE: SEE OPPOSITE PAGE FOR CLEARANCE DATA.

OHIO R

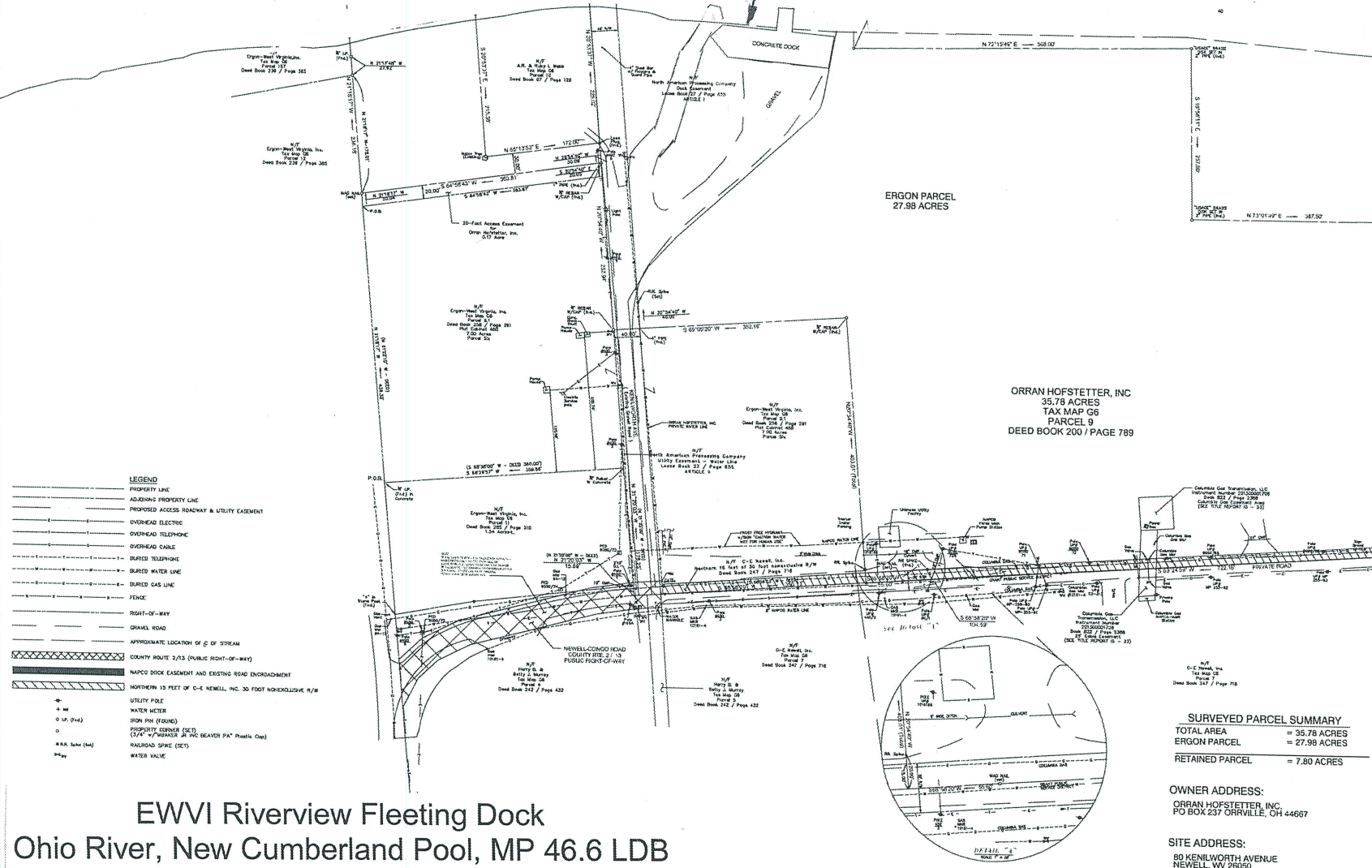


SCALE 1"=1  
 REVISED: 1

CHA

OHIO RIVER

EWVI Riverview Fleeting Dock  
Approx. 340 feet long



**EWVI Riverview Fleeting Dock**  
Ohio River, New Cumberland Pool, MP 46.6 LDB

**Property Map of Ergon- West Virginia, Inc.**

ERGON PARCEL  
27.98 ACRES

ORRAN HOFSTETTER, INC  
35.78 ACRES  
TAX MAP G6  
PARCEL 9  
DEED BOOK 200 / PAGE 789

**SURVEYED PARCEL SUMMARY**

TOTAL AREA	= 35.78 ACRES
ERGON PARCEL	= 27.98 ACRES
RETAINED PARCEL	= 7.80 ACRES

**OWNER ADDRESS:**  
ORRAN HOFSTETTER, INC.  
PO BOX 237 ORRVILLE, OH 44667

**SITE ADDRESS:**  
80 KENILWORTH AVENUE  
NEWELL, WV 26050

MATCH TO SHEET 2 OF 2

DESIGNED BY: F.S.M.		<b>PARTITION AND ALTA / ACSM LAND TITLE SURVEY</b>	REVISIONS: 1 2
CHECKED BY: M.G.O. DRAWN BY: F.S.M. REVISED BY: M.G.O.			
DATE: 11/14/13		SCALE: 1"=40'	DATE: 11/14/13

REVISED: NOVEMBER 15, 2013

LANDS OF ORRAN HOFSTETTER, INC. 1018 KENILWORTH ERGON - WEST VIRGINIA, INC. CO. 473 - 13 IMPROV. SURVEYED, WASHINGTON COUNTY, WV	SHEET NO. <b>1</b>
DATE: 11/14/13	OF <b>2</b>