

**U S Army Corps  
of Engineers**  
Huntington District

# Public Notice

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In reply refer to Public Notice No.	Issuance Date:
<b>200301089</b>	<b>March 25, 2005</b>
Stream: Ohio River	Closing Date:
	<b>April 24, 2005</b>

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Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Huntington District  
ATTN: CELRH-OR-F Public Notice No. (*reference above*)  
502 Eighth Street  
Huntington, West Virginia 25701-2070

Phone: (304) 399-5210

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**PUBLIC NOTICE:** The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

**REGULATORY PROGRAM:** Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

**SECTION 404:** The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

**SECTION 10:** The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act (33 U.S.C. 401, et seq.) to regulate the construction, excavation, or deposition of material in, over, or under navigable waters or any work which would affect the course, location, condition, or capacity of those waters. The intent of the law is to prevent unauthorized obstruction or alternation of any navigable water of the United States.

**TO WHOM IT MAY CONCERN:** The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency (OEPA) to act on Section 401 Water Quality Certification for the following application:

**APPLICANT:** Steve Manilla  
Ohio Department of Natural Resources  
Division of Engineering  
2045 Morse Road  
Columbus, Ohio 43229-6605

**LOCATION:** The proposed project is located along the Ohio River at milepoint 241.0 west of State Route 338 in Racine, Meigs County, Ohio.

**DESCRIPTION OF THE PROPOSED WORK:** The applicant has requested authorization to place fill material into the Ohio River and adjacent wetlands in conjunction with the construction of a three-lane concrete boat launch ramp, an associated parking area, courtesy docks, entry drive, and associated amenities. The applicant has indicated the purpose of the proposal is to provide access to the Ohio River for trailer-mounted watercraft.

To construct the ramp a temporary sheet-piling coffer dam would be installed to dewater the construction area. Approximately 200 cubic yards of material would then be excavated from below the ordinary high water elevation of the river to allow installation of the ramp on a 15 % to 18% slope. The excavated material would be used for grading activities associated with parking lot construction. Approximately 3,100 cubic yards of crushed limestone and riprap material would be installed as a base for the ramp and a cast-in-place 6" concrete slab and concrete boarding docks totaling approximately 500 cubic yards would be installed on top of the limestone base. Upon installation of the ramp and boarding docks, the cofferdam would be cut off at the top of the ramp footing. Approximately 2,200 cubic yards of Type A and Type C rock channel protection would be installed at the toe of the ramp and along each side of the ramp for erosion protection. The proposed ramp and concrete boarding docks would measure approximately 70' wide (50' for the ramp, 10' for each boarding dock). The ramp would extend approximately 75' from the normal pool shoreline. To construct the paved parking area and access road, approximately 0.44 acre of a jurisdictional wetland would be filled with earthen fill and concrete. A total of 0.65 acre of waters of the United States will be permanently impacted by the proposal.

Plans of the proposed work are attached to this notice.

**ALTERNATIVE ANALYSIS:** The construction of the parking lot and access road is not considered to be water dependent; therefore, the applicant is required to show that other less damaging practicable alternatives are not available that would achieve the applicant's goal. No permit will be issued until our review of the alternative analysis clearly shows that upland alternatives are not available to achieve the applicant's goal.

**MITIGATION PLAN:** The applicant has submitted a conceptual compensatory mitigation plan (CMP) to compensate for permanent impacts to waters of the United States regulated by the United States Army Corps of Engineers. To mitigate for wetland impacts associated with the proposal, the applicant proposes to purchase 0.70 acre of wetland mitigation credit from an approved wetland mitigation bank within the State of Ohio. No permit will be issued until appropriate compensatory mitigation had been provided to offset the loss of 0.44 acre of jurisdictional wetland.

A section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain the certification from the Ohio Environmental Protection Agency.

**HISTORIC AND CULTURAL RESOURCES:** The National Register of Historic Places has been consulted and it has been determined one site, 33-MS-29, is located within the project area. The applicant has conducted Phase I and Phase II Archeological Surveys for the site and has provided the surveys to the Ohio State Historic Preservation Office (OSHP) for their review and comment. A copy of this public notice will be furnished to the OSHP for their review. Comments concerning archeological sensitivity of the project area should be based upon collected data.

**ENDANGERED/THREATENED SPECIES REVIEW:** The project is located within the known or historic range of the following endangered species:

Indiana Bat  
Pink mucket pearly mussel  
Fanshell mussel  
Sheepnose mussel

The Huntington District has consulted the most recently available information and based on the location of the proposal, the area within the Ohio River should be checked for the presence of mussel beds prior to construction. The proposal also contains habitat conducive to the Indiana bat. The applicant has indicated impacts to the species will be minimized by clearing trees that may serve as suitable habitat in accordance with United States Fish and Wildlife Service (USFWS) recommendations. 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).

**PUBLIC INTEREST REVIEW AND COMMENT:** Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b) (1) of the CWA. 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 that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain 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. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

**SOLICITATION OF COMMENTS:** 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. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. 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 need for a public hearing and to determine the overall public interest of the proposed activity.

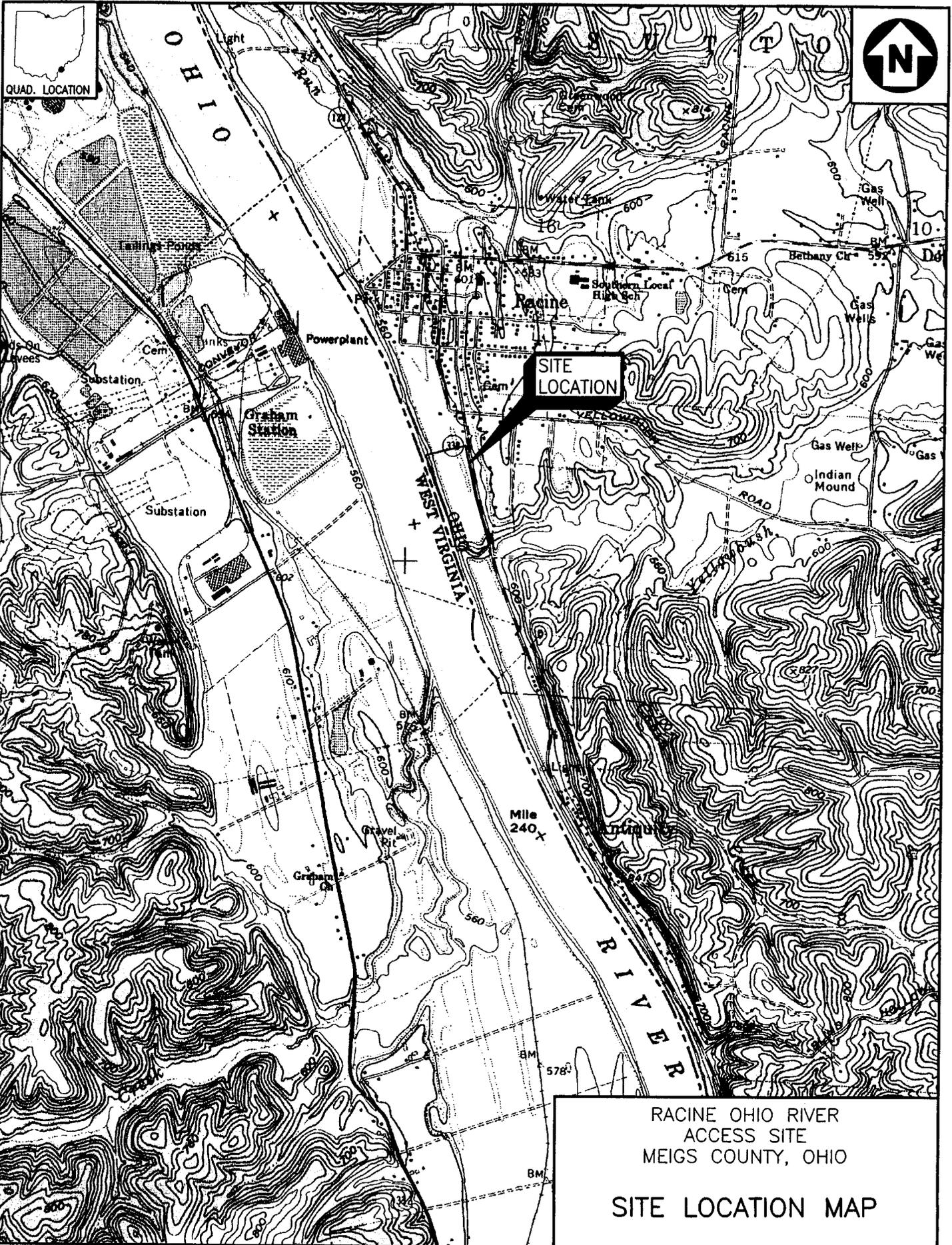
**CLOSE OF COMMENT PERIOD:** All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to:

Kimberly Courts-Brown, Regulatory Project Manager  
North Regulatory Section, CELRH-OR-FN  
U. S. Army Corps of Engineers Huntington District  
502 Eighth Street  
Huntington, West Virginia 25701-2070.

Please note names and addresses of those who submit comments in response to this public notice may be made publicly available. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please contact Kimberly Courts-Brown of the North Regulatory Section at 304-399-5210.

  
Ginger Mullins, Chief  
Regulatory Branch

(O, WV)



QUAD. LOCATION



SITE  
LOCATION

RACINE OHIO RIVER  
ACCESS SITE  
MEIGS COUNTY, OHIO

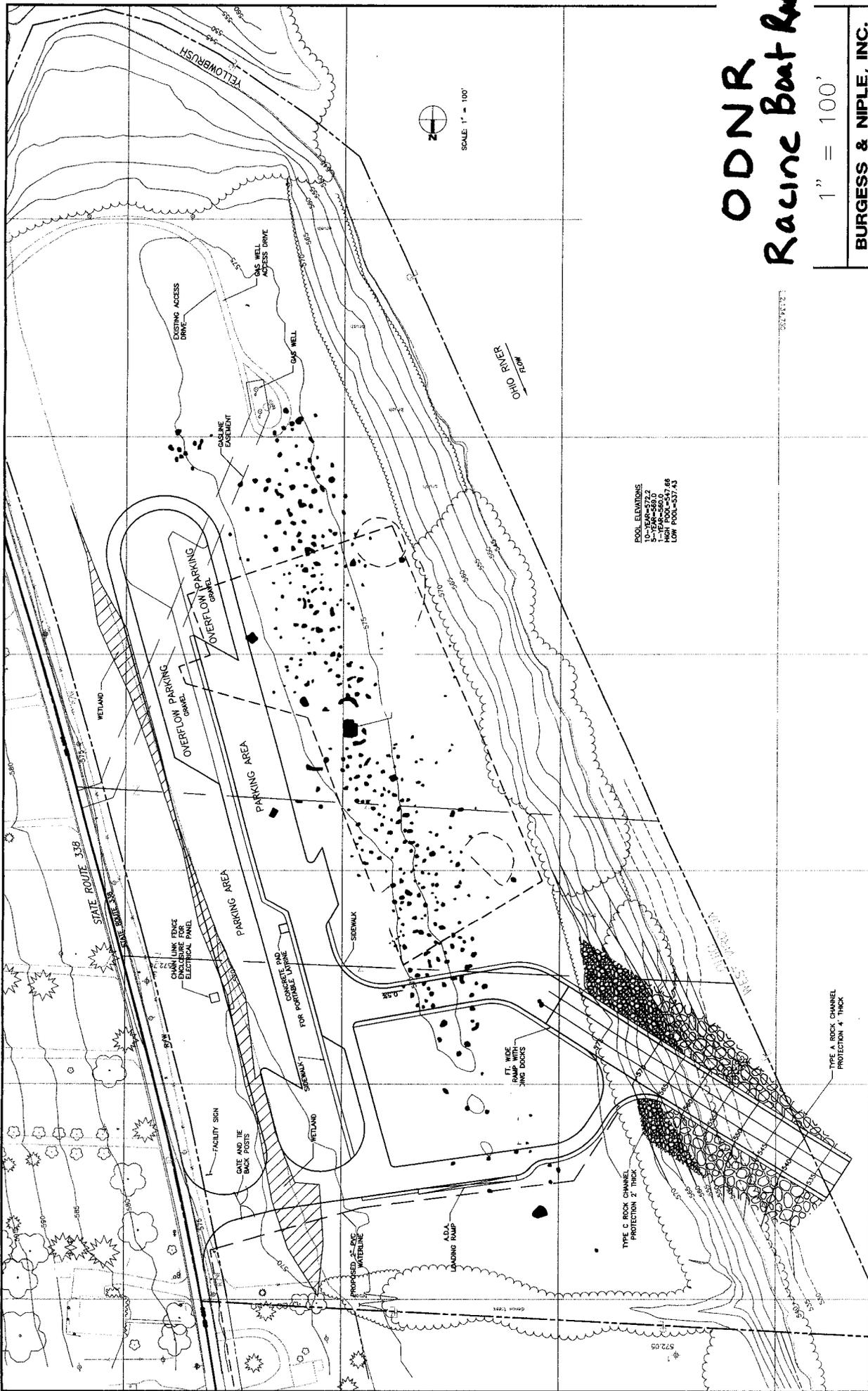
SITE LOCATION MAP

P:\PR32635\CADD\SITE-LOC.DWG 4-3-03 8:27:35 am COXD

SOURCE: 7.5 MINUTE NEW HAVEN, WV U.S.G.S. QUADRANGLE MAP

BURGESS AND NIPLE, LTD.  
ENGINEERS & ARCHITECTS

SCALE: 1"=2000'  
DATE: APRIL 2003



# ODNR Racine Boat Ramp

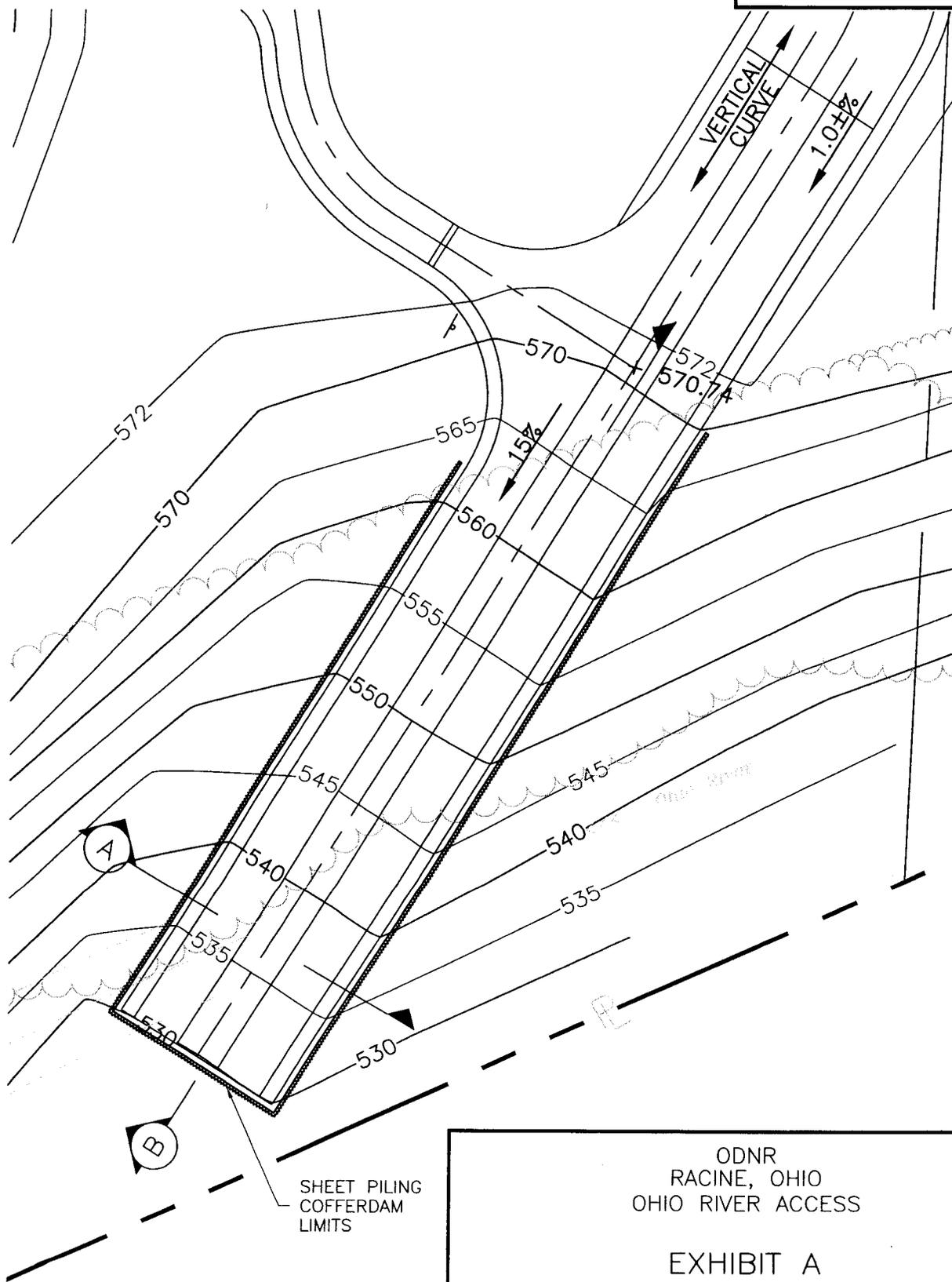
1" = 100'

BURGESS & NIPLÉ, INC.

POOL ELEVATIONS  
 10'-YEAR=572.2  
 5'-YEAR=568.0  
 HIGH POOL=547.68  
 LOW POOL=537.43



1:50



SHEET PILING  
COFFERDAM  
LIMITS

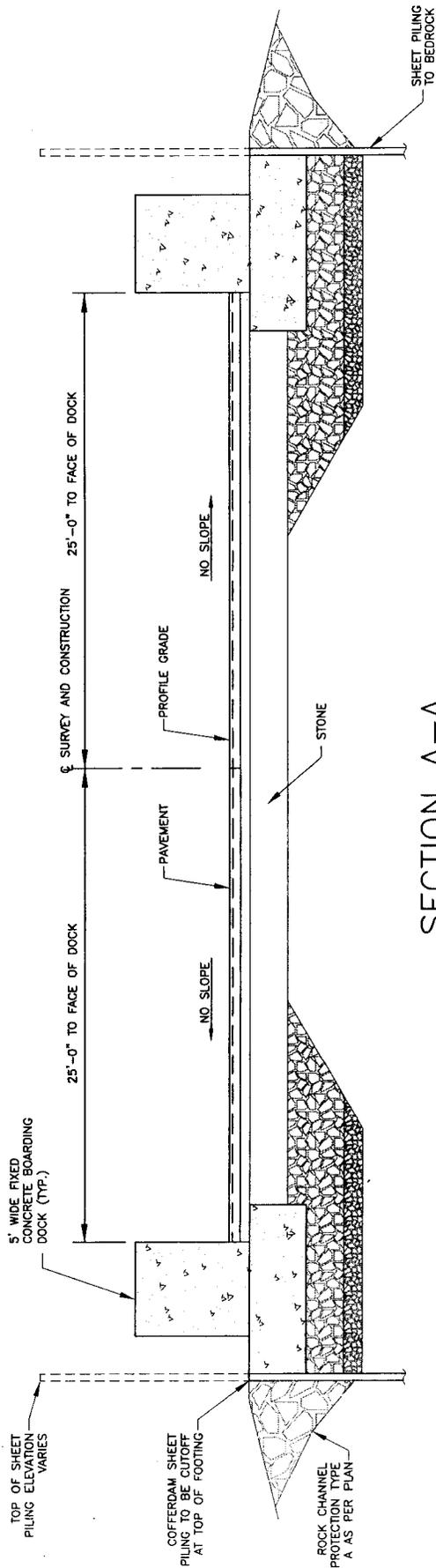
ODNR  
RACINE, OHIO  
OHIO RIVER ACCESS

EXHIBIT A  
SHEET PILING COFFERDAM

BURGESS & NIPLE, INC.

MARCH 2005

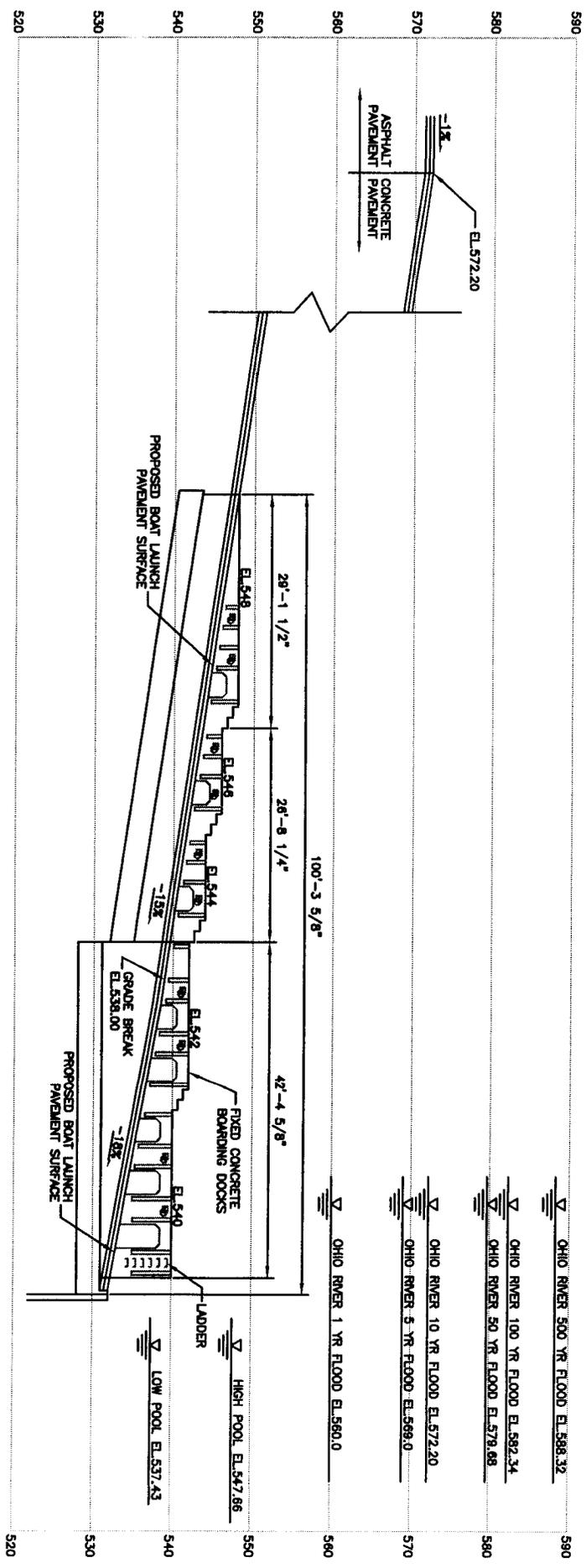
3 of 5



SECTION A-A

CROSS-SECTION  
 RACINE, OHIO  
 OHIO RIVER ACCESS

EXHIBIT B  
 CROSS-SECTION



SECTION B-B  
SCALE: 1" = 20'

ODNR  
RACINE, OHIO  
OHIO RIVER ACCESS  
EXHIBIT C  
SECTION B-B  
RAMP PROFILE

BURGESS & NIPLE, INC.

MARCH 2005