

Chief Logan State Park Road Project Finding of No Significant Impact Logan County, West Virginia

State Project Number: X323-808-0.00



U.S. Department of Transportation
Federal Highway Administration



West Virginia Department of Transportation
Division of Highways



September 2013

FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
CHIEF LOGAN STATE PARK ROAD PROJECT
LOGAN COUNTY, WEST VIRGINIA

State Project No. X323-808-0.00

The Federal Highway Administration (FHWA) and the West Virginia Department of Transportation, Division of Highways (WVDOH), have prepared an Environmental Assessment (EA) to identify and evaluate the potential environmental impacts as a result of the proposed Chief Logan State Park Road Project, located in Logan County, West Virginia.

The EA analyzed the potential impacts of the proposed action on the natural, physical, and socioeconomic environments. In accordance with appropriate federal regulations (40 CFR 1502.14 [a]; 23 CFR 771.123 [c]) and FHWA Technical Advisory T 6640.8A, six alternatives were evaluated. They included the No-Build Alternative and five build-alternatives (Alternates 1-5). Following a two-step screening evaluation, Alternate 1 was identified as the Preferred Alternative because it would be the least costly to build at \$5 million; impacts the least amount of land overall and require the least amount of earthwork; impacts the fewest trails; and connect to all existing trails and private roads. The roadway configuration depicted in the EA best satisfies the purpose and need for the project while minimizing impacts on the environment.

Impacts from the Preferred Alternative are not anticipated to be significant on the natural, physical, social, or cultural (historical and archaeological) environs. The combined effects of this project with foreseeable future projects are not anticipated to produce significant cumulative impacts to these resources.

This Finding of No Significant Impact (FONSI) was prepared pursuant to the Council on Environmental Quality Regulations (40 CFR, Parts 1500-1508). The FHWA has determined that the construction of the Preferred Alternative will have no significant impact on the human environment within the meaning of the *National Environmental Policy Act of 1969* (42 USC 4321 et seq.) This FONSI is based on the attached EA, which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

9/5/2013

Date


For FHWA

**CHIEF LOGAN STATE PARK ROAD PROJECT
LOGAN COUNTY, WEST VIRGINIA**

STATE PROJECT NUMBER: X323-808-0.00

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Prepared for:

**FEDERAL HIGHWAY ADMINISTRATION
AND
WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS**

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September 2013

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TABLE OF CONTENTS

	<u>Page</u>
1.0 Project Summary.....	1
2.0 Proposed Mitigation	2
3.0 Public Participation.....	4
4.0 Comments and Public Testimony	5
4.1 Federal Agencies	6
4.2 State Agencies	8
4.3 Local Agencies or Officials	9
4.4 Citizens.....	9
4.5 Summary of Public Hearing Testimony	15
5.0 Endangered Species Act Section 7 Consultation.....	16
6.0 National Historic Preservation Act Section 106 Consultation.....	16
7.0 Section 4(f) Di Minimis Determination	17
8.0 Land and Water Conservation Fund Act.....	18

APPENDIX A – INFORMATIONAL WORKSHOP AND PUBLIC HEARING MATERIALS
APPENDIX B – PUBLIC/AGENCY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT
APPENDIX C – AGENCY CONSULTATION AND CONCURRENCE
ATTACHMENT – ENVIRONMENTAL ASSESSMENT

LIST OF TABLES

<u>Table No.</u>	<u>Title</u>	<u>Page</u>
1	Proposed Mitigation Commitments.....	2
2	Proposed Mitigation Commitments for Temporary Impacts	4

1.0 Project Summary

The Federal Highway Administration (FHWA), in cooperation with the West Virginia Department of Transportation, Division of Highways (WVDOH), has prepared this Finding of No Significant Impact (FONSI) pursuant to the Council on Environmental Quality Regulations (40 CFR, Parts 1500-1508) for the proposed Chief Logan State Park Road Project. The project is located in Chief Logan State Park approximately four miles north of the City of Logan in Logan County, West Virginia.

Chief Logan State Park is one of West Virginia's most popular state parks. Besides a 26-site campground, it features a swimming pool and water slide, an 8-acre fishing lake, hiking and mountain biking trails, an outdoor amphitheater, a museum, a wildlife center, picnic areas, game courts, and playgrounds. The main entrance to the park is located on WV 10 near Henlawson while access to the Chief Logan Lodge and Conference Center is from US 119 (Corridor G). The conference center complex is also located on park property and includes a 75-room hotel, restaurant, and 20,000 square feet of meeting space. US 119 provides an entryway to the lodge and conference center, but there is no direct connection to the park proper, nor are there any public roads within the park that allow access between the lodge and conference center to the other activity areas of the park.

Although the lodge and conference center are only about one mile from the main park activity areas, visitors to the lodge or conference center wishing to use any of the other park facilities must travel a distance of 8-10 miles around the park to access them. By constructing a public roadway between the Chief Logan Lodge and Conference Center and the park, access will be improved and the attractiveness of the park will be enhanced.

In accordance with the appropriate federal regulations (40 CFR 1502.14 [a]; 23 CFR 771.123 [c]) and FHWA Technical Advisory T 6640.8A, six alternatives were evaluated. They included the No-Build Alternative and five build-alternatives (Alternates 1-5). Following a two-step screening evaluation, Alternate 1 was identified as the Preferred Alternative because it would be the least costly to build at \$5 million; impacts the least amount of land overall and requires the least amount of earthwork; impacts the fewest trails; and connects to all existing trails and private roads. A description of the screening process for making this determination is found in the Environmental Assessment (EA). Subsequent to the preparation of the attached EA, the

FHWA determined that construction of the Preferred Alternative will have no significant impact on the human environment within the meaning of the *National Environmental Policy Act of 1969* (42 USC 4321 et seq.).

2.0 Proposed Mitigation

Table 1 identifies mitigation commitments for the project, as discussed in the EA. Additional mitigation commitments will be developed during final design and the permitting process.

**TABLE 1
Proposed Mitigation Commitments
Chief Logan State Park Road Project**

Resource	Mitigation Measure
Environmental Justice	WVDOH will assure that minority populations and low-income individuals have full access to information on the project and understand the potential impacts.
Section 4(f) Parks and Recreation	<p>Potential impacts to Section 4(f) resources specifically as park and recreation elements falls into three categories: trail continuity, trail extensions, and the disc golf course. The following mitigation commitments for each category are being advanced:</p> <ul style="list-style-type: none"> ➤ Trail facilities – Roadway crossings for the Wilderness Trail and Foggy Bottom Trail will be incorporated into the design. The crossings may require some improvements to the trails to assure that the crossings are placed in safe locations. WVDOH will also install the appropriate signage and crosswalk striping at the crossings and improved trail locations. ➤ Trail extensions – WVDOH will allow pedestrian and bicyclists use of the shoulders of the new road. As such, appropriate signage and striping will occur on the shoulders of the new road to alert trail users and motorists and provide a safe facility for pedestrians and bicyclists. ➤ Disc golf course – WVDOH will assist the Chief Logan Recreational Center with relocation, replacement, or enhancement of the disc golf course.
Land Use	WVDOH will assist local officials, if requested, in developing mitigation strategies for future land use developmental controls outside the park.
Land Cover	Protective fencing will be used during construction to minimize impacts to land cover. An Erosion and Sedimentation Control Plan will be used to minimize impacts to water quality and habitat. All disturbed areas will be restored or revegetated with non-invasive native plants, where appropriate. All seeding and revegetation will conform to Executive Order 13112 to prevent the introduction of invasive plant species. All efforts will be taken to minimize or prevent the movement of invasive plants.

**TABLE 1 (cont.)
Proposed Mitigation Commitments
Chief Logan State Park Road Project**

Resource	Mitigation Measure
Streams and Water Quality	The following best management practices will be undertaken, where appropriate, during final design and construction: reduce the amount of aquatic habitat (and riparian vegetation) that would be disturbed by minimizing the linear distance of stream being impacted; design and construct culvert structures that promote the re-establishment of benthic habitat within the culvert; design and implement an approved Erosion and Sedimentation Control Plan to prevent sediment deposition to aquatic habitats; promptly revegetate all disturbed areas to prevent accelerated erosion; minimize the need for in-stream work by heavy equipment; develop project sequencing to facilitate in-stream work during periods of seasonal low flow; designate any equipment fueling and service areas away from aquatic habitats to minimize the potential for accidental spillage of petrochemicals; designate and construct all stormwater management facilities to prevent or minimize runoff resulting in erosion and sedimentation; minimize the amount of vegetative clearing and impervious surface within the right-of-way to reduce volume and thermal increases; minimize the diversion of surface water flow within the cleared portion of the right-of-way to reduce thermal increase; and, coordinate stream mitigation activities with the natural resource agencies.
Wetlands	To be determined during final design and the permitting process.
Air Quality	Open burning will be done in accordance with all applicable laws, ordinances, and regulations. Construction will adhere to the following dust control measures: minimization of exposed erodible earth area; stabilization of exposed earth with grass, mulch, pavement, or other cover; periodic sweeping of haulage areas; periodic application of water stabilizing agents to working and haulage areas; covering, shielding, or stabilizing of stockpiled material, as necessary; and, the use of covered haul trucks.
Potentially Hazardous Waste Sites	A hazardous materials management plan and/or hazardous waste-management related provisions will be developed for incorporation into construction bid documents. If necessary, an ACM (asbestos-containing materials) inspection will be completed prior to any construction activity. All construction equipment will be decontaminated should it come in contact with any surface water on site. Attention should be paid during all construction activities to maintain worker safety if a mine shaft or opening is exposed.
Utilities	WVDOH will coordinate with the communications tower owner to develop a plan for access during construction. The WVDOH will also incorporate design elements into the new road that will assure permanent access to the structure after construction has been completed. Coordination with utility operators will be required throughout final design and construction of this project. Coordination meetings will be held to discuss the need for additional right-of-way, expansion, or relocation easements; impacts to schedules; construction requirements; and, any other special issues.
Section 6(f)	A copy of the EA and any related, future environmental documentation will be sent to the National Park Service.

Table 2 identifies mitigation commitments for the project's temporary impacts.

**TABLE 2
Proposed Mitigation Commitments for Temporary Impacts
Chief Logan State Park Road Project**

Element	Mitigation Measure
Traffic	Construction will be scheduled to minimize traffic delays. Access to park facilities will be maintained during construction. Traffic control signage and devices will be in accordance with the <i>Manual of Uniform Traffic Control Devices</i> (FHWA 2009). Flag persons and warning devices will be provided for maintenance of traffic and safety. Design phase partnering will occur to coordinate with emergency service providers, local schools, the U.S. Postal Service, and local/state highway maintenance offices.
Noise	Every effort will be taken to minimize noise levels, including the mandatory use of construction equipment with operable mufflers. If blasting is required, it will be controlled so that no property or structural damage occurs.
Air Quality	Particulates will be minimized by the performance of the work in compliance with WVDOH specifications, manuals, and guidelines, and the requirements of the <i>Air Pollution Control Act</i> (Act 245-1972, as amended).
Erosion	An approved Erosion and Sedimentation Control Plan will be developed in compliance with WVDOH's specifications, manuals, and guidelines. Some of these controls may include: diverting stormwater originating off-site away from the construction area; channel construction during low-flow months; use of proper materials for temporary stream crossings and causeways; temporary and permanent seeding and mulching; construction of temporary sedimentation ponds; and, use of silt barrier fence and/or hay bales. The maximum length of time and amount of unprotected soil that can be exposed will be limited within the contract documents. Rock construction entrances will be located at all site entrances that exit onto paved roads.
Health and Safety	Construction will comply with all applicable federal, state, and local laws regarding safety, health, and sanitation. All contractors are required to adhere to Occupational Safety and Health Administration guidelines to protect the lives and health of employees, the safety of the public, and the integrity of adjacent properties.

3.0 Public Participation

The public participation process utilized during the course of the project followed the public involvement procedures and policies of the WVDOH. These procedures and policies have been approved by FHWA. Information on the project was initially distributed at Chief Logan State Park during early summer 2012. Brochures were available at the park's main office, the swimming pool, campground, and park museum. Brochures were also hand-delivered to businesses along WV 10 and made available on the WVDOH website. Information on the project was also disseminated through a news article appearing in the *Logan Banner* and on *WVOW-FM*.

During the initial effort to disseminate information on the project, 20 comments were received. Comments were received by mail, by completing a WVDOH comment sheet, by email, and through the WVDOH project website. Nine people favored construction of a connecting road, ten people were against it, and one offered a modification to Alternate 1 to avoid the disc golf course. Those people voicing concern over the proposed project cited the possibility of the new road becoming a “short-cut” from WV 10 to US 119, being used as a “cruising” road or for illegal activities, potential negative effects on the park’s wildlife, or negatively impacting the park with additional traffic. Of those in favor of the project, Alternate 1 was their primary choice. Several people suggested that the road be gated to prevent access to the park after dark and to prevent its use as a short-cut. One person suggested that a low posted speed limit might also deter cut-through traffic. One person also suggested that a new road have accommodations for bicycle use.

The EA was posted on the WVDOH website and hard copies were made available throughout the local area for public review. Brochures and flyers summarizing the project were also distributed through direct mailings and as handouts at various businesses located near the park. Notices were also posted on the WVDOH website and published in the *Logan Banner*. The comment period for the EA extended for 45 days.

On Thursday, July 11, 2013, the WVDOH conducted an informational workshop and public hearing to review the EA with federal, state, and local agencies and the public, to answer any questions, to gather comments, and to take public testimony on the project. The public meeting was held that day between 4:00 and 7:00 pm at the Chief Logan Lodge and Conference Center. Public testimony was taken from 6:00 PM to 7:00 PM. Each individual attending the informational workshop and public meeting was provided with a brochure that summarized the project and offered a copy of the EA and a comment form. A total of 33 individuals, excluding WVDOH staff and its consultants, participated in the public meeting. The attendance sheets and copies of the brochure and flyer are included in Attachment A of this FONSI.

4.0 Comments and Public Testimony

Comments were received from four federal, state, or local agencies, and 27 individuals. All comment letters, forms, and testimony on the EA can be found in Attachment B of this FONSI.

The comment information is organized by type (federal, state, local, and citizen), comment, and response.

4.1 Federal Agencies

U.S. Army Corps of Engineers (Huntington, WV), July 26, 2013

Comment 1: Section 2.4, Preliminary Impact Analysis, of the EA, dismisses Alternate 4 because it would disturb the wildlife exhibit and add additional traffic to the lake area. The Corps believes additional information is needed to evaluate the significance of the wildlife exhibit, why it cannot be relocated, and why additional traffic to the lake would be undesirable.

Response 1: The wildlife exhibit opened in 1995 and soon after became an important part of the park. The principal purpose of the exhibit is to showcase a menagerie of West Virginia-native animals, including black bears, wild boars, bobcats, redtail hawks, red shoulder hawks, barred owls, rattlesnakes, copperheads, and black rat snakes from various places in West Virginia. Educational programs for school children on the fauna of the area are also offered. Changes in the location of the wildlife exhibit could have a negative impact on the wildlife living there and jeopardize their health and vitality.

As one of only four locations in Logan County that is stocked with trout, the lake is an important recreation site within the park. Most of the easy fishing access areas for the lake, including access for persons with disabilities, are located along the western edge of the lake. Alternate 3 would utilize this same area and, if constructed, would impact this access. Additionally, the lake is located on a park road that dead-ends just north of the park, creating a tranquil environment for fishermen and women. Additional thru-traffic here would create potential conflicts for different types of park users.

Comment 2: There may be an error on p. 3-17 of the EA where approximate stream impacts are listed as 2,870 feet while Table 3-8 notes that 2,453 feet of streams will be impacted. Additionally, a preliminary jurisdictional determination made by the Corps on March 15, 2013, concluded that 2,453 feet stream within the determination boundaries will be impacted.

Response 2: The Corps review is correct. There is a typographical error on p.3-17. The correct number is 2,453 feet, the same as in Table 3-8.

Comment 3: The Corps believes further discussion of the types of impacts anticipated to occur (i.e., stream relocation, elimination, culverting) is necessary for each alternative. In addition, mitigation should be discussed further in accordance with the *Compensatory Mitigation Rule* (33 CFR 332).

Response 3: No streams are projected to be lost. Generally, impacts to streams will result from culverting existing streams and some minor relocation. A complete discussion of culvert lengths and locations, as well as any stream relocations, will be provided for the preferred alternative in the Section 404 permit application. The WVDOH will develop a compensatory mitigation plan in accordance with the *Compensatory Mitigation Rule* (33 CFR 332) and it will be submitted to the Corps to support the *Clean Water Act* Section 404 permit application.

U.S. Environmental Protection Agency (Philadelphia, PA), August 12, 2013

Comment 4: From the data presented, AADT decreased 25 percent on US 119 near the entrance of the park and the number of park visitors decreased from 2010 to 2011. It is unclear how these facts relate to the need for the project.

Response 4: Despite decreases in AADT and park visitation from 2010 to 2011, AADT and park attendance remain high. US 119 is one of the heaviest traveled roads in Logan County and is an important travel corridor in southern West Virginia, for locally generated traffic and tourist-related trips. Additionally, park attendance in 2011 reached over 801,000. The decrease in both AADT and park attendance can be attributed to the economic downturn that occurred that year, often reducing travel, not only in West Virginia but throughout the country. AADT and park attendance, even with reasonable annual fluctuations, support the need for the project by providing data on park usage and transportation in the surrounding area, in effect, quantifying the popularity of the park

Comment 5: Additional discussion should be provided to support the project purpose and need.

Response 5: By constructing a public roadway between the Chief Logan Lodge and Conference Center and the park, access will be improved and visitors to the lodge will be able to utilize all of the facilities within park with little difficulty. Currently, without direct access to the remainder of the park, the two activity areas (the lodge area and the remainder of the park) function as two separate facilities. This creates confusion for visitors and forces additional traffic on US 119 and WV 10. By creating a direct connection between the lodge area and the rest of the park, the attractiveness of the entire park (including the lodge and the remainder of the park) will be enhanced. The additional transportation infrastructure will also support economic development in the area by enhancing the experience of visitors and encouraging longer hotel stays as a result of expanded recreational opportunities.

Comment 6: It is not clear how much excess earthwork there will be for the various alternatives. In addition, disposal of excess materials should not be disposed in aquatic habitats or adversely impact any species of concern.

Response 6: Detailed analyses for wasting excess earthwork for Alternates 2-5 have not been completed. No excess material for the preferred alternative is anticipated to be disposed of in aquatic habitats or in any way that would adversely impact species of concern. Prior to construction activities, all appropriate permits would be obtained.

Comment 7: The project team should continue efforts to avoid and minimize impacts to environmental resources, including buffers and bridging aquatic habitats.

Response 7: In order to avoid and/or minimize potential environmental impacts, the following best management practices (BMPs) and recommendations will be considered during final design and construction: minimize the linear distance of stream being impacted; design and construct culvert structures that promote the reestablishment of benthic habitat within the culvert; implement an approved Erosion and Sedimentation Control Plan to prevent sediment deposition to aquatic habitats; promptly revegetate all disturbed areas to prevent accelerated erosion; designate any equipment fueling and service areas away from aquatic habitats; and, construct all stormwater management facilities to prevent or minimize runoff resulting in erosion and sedimentation.

Comment 8: More details about impacts resulting from the park service road reconnection, local service lines, and utility pole relocations should be provided.

Response 8: Sheet 1 of Figure 2-8, Plan View, in the EA shows the new service road connection at Station 47+00 and accounts for any environmental impacts associated with it. Access to this point would be provided from the new roadway not from the existing service road, eliminating the northern half of the service road which could be converted to a trail by the park or abandoned (see Figure 3-9 of the EA). Other minor electrical line relocations will occur at the project's eastern terminus in the vicinity of the park swimming pool.

Comment 9: Impacts and potential mitigation for increased impervious surface and fragmentation should be discussed.

Response 9: The amount of vegetative clearing and impervious surface within the right-of-way will be minimized through BMPs and proper highway design. By utilizing National Park Service design criteria in concert with WVDOH design standards, the width of the proposed road will be minimized and forest fragmentation kept to a minimum.

Comment 10: Additional information should be provided to describe the long term positive impacts associated with improved environmental conditions guaranteed through the regulatory environment.

Response 10: The existing regulatory environment provides protections for environmental quality both directly and indirectly. Programs under the *Clean Water Act*, the *Clean Air Act*, the *National Historic Preservation Act*, the *Endangered Species Act* other similar laws, policies, and programs have all been developed, in part, to protect the environment. Additionally, the permitting process provides authority to the Corps and other federal and state agencies to review projects for impacts to natural resources. They also require measures to avoid, minimize, and mitigate for unavoidable impacts. All of these laws and programs contribute to long term sustainability of resources.

Comment 11: The project should comply with Executive Order 13112 regarding invasive species.

Response 11: All disturbed or vegetated areas will be restored or revegetated with non-invasive native plants, where appropriate, during construction. All seeding and revegetation will conform to Executive Order 13112 to prevent the introduction of invasive plant species onto the roadway's right-of-way. All efforts will be taken to minimize or prevent the movement of invasive plants (roots, tubers, and seeds) found in the project area.

4.2 State Agencies

West Virginia Development Office

Comment 12: The West Virginia Development Office is supportive of the proposed project.

Response 12: Comment noted.

Comment 13: Before construction can begin, the project will need prior, written approval from the National Park Service (NPS) as a "Sponsor-funded, Public Facility Exception."

Comment 13: The WVDOH is currently preparing the required NPS environmental screening forms in conjunction with a written request for the public facility exception.

West Virginia Division of Culture and History (Charleston, WV), August 2, 2013

Comment 14: Section 106 consultation was completed earlier this year. The proposed project would have no effect to historic properties.

Response 14: Comment noted.

4.3 Local Agencies or Officials

Danny Taylor, General Manager, Chief Logan Lodge and Conference Center (Logan, WV), August 2, 2013

Comment 15: It is suggested that construction of an underground conduit be included as part of the roadway project to maintain secondary and consistent electrical service to the lodge and conference center area.

Response 15: Such construction was determined by WVDOH and the West Virginia Division of Natural Resources (WVDNR) to be a non-essential element of park operations and outside the scope of the proposed road project.

4.4 Citizens

Ralph H. McNeely, July 1, 2013

Comment 16: Alternates 2 and 3 have the potential to impact patches of Guyandotte Beauty wildflowers.

Response 16: Alternate 1 is being advanced as the preferred alternative.

Comment 17: The road should be gated and locked at dusk.

Response 17: The WVDOH agrees with this recommendation and has noted it in the EA.

Willie Jones (West Logan, WV), August 8, 2013

Comment 18: Building the road through the park could create a short-cut from US 119 to WV 10 that would negatively impact the wildlife in the park, encourage speeding, open the park to after-hours vandalism, and disturb the tranquility in the park.

Response 18: While the roadway would introduce vehicular traffic to a part of that park where no road currently exists, the low volume of traffic and low travel speed will limit impacts to the natural environment, including wildlife and tranquility. Because of the 20 MPH posted speed limit, there will be no travel time advantages for "cut-through traffic between US 119 and WV 10. The road will also be closed at dusk with a locked gate. This will prevent access to the interior of the park when the park is closed and deter vandalism.

James Richards (Huntington, WV)

Comment 19: Questions need for the project and costs of the project.

Response 19: The need for the project is fully discussed in Chapter 1 of the EA while the costs are discussed in Chapter 2.

Brian Powell (Morgantown, WV)

Comment 20: Supports Alternate 1.

Response 20: Comment noted.

Marie Belcher (Chapmanville, WV)

Comment 21: Supports project, but suggests not placing the new road near the campground.

Response 21: Comment noted.

Carol Wolfe (Peach Creek, WV)

Comment 22: Opposes construction of the project.

Response 22: Comment noted.

Brenda Heck (Logan, WV)

Comment 23: Supports project.

Response 23: Comment noted.

Rocky Adkins (Logan, WV)

Comment 24: Supports project and Alternate 1.

Response 24: Comment noted.

Comment 25: Access to the cell tower is a priority since it is located on park property and has no other access to it. It houses vital emergency communications equipment and provides mobile phone service for the lodge, recreation, and park area.

Response 25: Alternate 1 provides improved access to the cell tower.

Brittany Conley (Chapmanville, WV)

Comment 26: Supports the project.

Response 26: Comment noted.

Kellie Wooten-Willis (Logan, WV)

Comment 27: Supports Alternate 1 with a bike lane.

Response 27: WVDOH will allow the use of the roadway's shoulder for bicycle and pedestrian movements.

Dennis Scott (Julian, WV)

Comment 28: Suggests that rather than construct the project, it would be better improve the park by updating the existing facilities in the park.

Response 28: Other projects within the park are possible, but they would be developed to meet other needs with other than transportation funding.

Comment 29: The proposed road will become a short-cut from WV 10 to US 119 and increase park traffic. Additional traffic could negatively impact the park's environment and make it difficult for campers and joggers to use the park. Additional traffic could also create safety problems for park users.

Response 29: The low volume of traffic and low travel speed will limit conflicts between traffic and users of the park and no safety problems are expected. Because of the 20 MPH posted speed limit, there will be no travel time advantages for "cut-through traffic" between US 119 and WV 10. The road will also be closed at dusk with a locked gate that will further deter the possibility of cut-through traffic.

Comment 30: Rather than construct a new roadway, provide a shuttle service from the lodge area to other areas of the park for guests of the hotel and conference center.

Comment 30: Comment noted.

Leonard Hovis (Logan, WV)

Comment 31: Supports the project.

Response 31: Comment noted.

Bart Willis (Logan, WV)

Comment 32: Supports Alternative 1.

Response 32: Comment noted.

Regina Brown (Webster Springs, WV)

Comment 33: Suggests adding YIELD signs to third lanes on West Virginia highways.

Response 33: Comment noted.

Kenneth Watts (Chapmanville, WV)

Comment 34: Opposes the project as a waste of money. Believes a large part of the park will be destroyed because of the project.

Response 34: The EA provides information on the extent of the project's environmental impact. The principal environmental impacts will be the conversion of 36.5 acres of park property to a transportation use, the relocation of 1,540 feet of trails and the disc golf course, and impacts to 2,453 feet of streams.

Charles Kennedy (South Charleston, WV)

Comment 35: Supports the project.

Response 35: Comment noted.

Chris Haddox (WV)

Comment 36: Opposes the project because it would create a short-cut from WV 10 and US 119, bringing additional traffic into the park.

Response 36: The low volume of traffic and low travel speed will limit conflicts between traffic and users of the park and no safety problems are expected. Because of the 20 MPH posted speed limit, there will be no travel time advantages for "cut-through traffic" between US 119 and WV 10. The road will also be closed at dusk with a locked gate that will further deter the possibility of cut-through traffic.

Comment 37: The proposed road would bring traffic to a remote hollow of the park that provides recreational opportunities not found elsewhere in the park.

Response 37: By utilizing National Park Service design criteria in concert with WVDOH design standards, the width of the proposed road will be minimized and impacts to the hollow will be kept to a minimum. While the roadway would introduce vehicular traffic to a part of that park where no road currently exists, the low volume of traffic and low travel speed will also limit impacts to the natural environment. Additionally, by allowing pedestrian access along the new roadway and connecting it with existing trails, hiking opportunities into this area will be provided.

George Fry (Logan, WV)

Comment 38: Supports the project.

Response 38: Comment noted.

James Richards (Huntington, WV)

Comment 39: Opposes the project because of the potential to create a short-cut between WV 10 and US 119.

Response 39: Because of the 20 MPH posted speed limit, there will be no travel time advantages for "cut-through traffic" between US 119 and WV 10. The road will also be closed at dusk with a locked gate that will further deter the possibility of cut-through traffic.

Comment 40: Money spent on the road should be spent on upgrades of existing park facilities.

Response 40: Other projects within the park are possible, but they would be developed to meet other needs with other than transportation funding.

Betty Fleming (Harts, WV)

Comment 41: Supports the project.

Response 41: Comment noted.

James Bell (Chapmanville, WV)

Comment 42: Opposes the project because it will bring additional traffic to the park.

Response 42: Minimal additional traffic is expected to be attracted to the park as a result of the project.

Comment 43: The project will be detrimental to the environment.

Response 43: The EA provides information on the extent of the project's environmental impact. The principal environmental impacts will be the conversion of 36.5 acres of park property to a transportation use, the relocation of 1,540 feet of trails and the disc golf course, and impacts to 2,453 feet of streams.

James Smith (Switzer, WV)

Comment 44: Opposes project.

Response 44: Comment noted.

James Elkins (Verdunville, WV)

Comment 45: Opposes the project because of the potential to create a short-cut between WV 10 and US 119.

Response 45: Because of the 20 MPH posted speed limit, there will be no travel time advantages for "cut-through traffic" between US 119 and WV 10. The road will also be closed at dusk with a locked gate that will further deter the possibility of cut-through traffic.

Comment 46: Opposes the project because increased traffic would increase noise levels and disturb the tranquility in the park.

Response 46: Six noise-sensitive receptor sites were analyzed for the preferred alternative, all recreational facilities located in the southern portion of the park. These receptor sites included the mini-golf area, playing courts, swimming pool, and an open field/play area. All of the modeled sites are well within the noise abatement criteria and no noise impacts are predicted for the future acoustic environment.

Betty Elkins (Logan, WV)

Comment 47: Opposes project.

Response 47: Comment noted.

Comment 48: The project will create a short-cut between WV 10 and US 119 and people will speed through the park.

Response 48: A 20 MPH speed limit will be posted on the new road and there will be no travel time advantages for “cut-through traffic” between US 119 and WV 10. The road will also be closed at dusk with a locked gate that will further deter the possibility of cut-through traffic.

Debbie Bell (Chapmanville, WV)

Comment 49: Opposes the project because it will bring additional traffic to the park.

Response 49: Minimal additional traffic is expected to be attracted to the park as a result of the project.

Evonne Dotson (Holden, WV)

Comment 50: Opposes the project because it will destroy the park’s natural beauty.

Response 50: The EA provides information on the extent of the project’s environmental impact. The principal environmental impacts will be the conversion of 36.5 acres of park property to a transportation use, the relocation of 1,540 feet of trails and the disc golf course, and impacts to 2,453 feet of streams.

Larry W. George, PLLC (Charleston, WV), August 12, 2013

Comment 51: Requests that the road be designed and located in such a manner as to not impair or restrict the use of the surface by Lawson Heirs Incorporated (LHI), owners of the underground oil and gas rights in the area of Chief Logan State Park, as to well sites, access roads, collection lines and other facilities related to existing and future oil and gas production.

Response 51: WVDOH will coordinate with all affected property owners prior to the start of construction to assure that access is maintained during and after construction.

Comment 52: LHI would like to work with WVDOH and WVDNR to integrate road construction with its oil and gas development and thereby diminish potential aesthetic impacts to the park.

Response 52: WVDOH will coordinate with LHI and other stakeholders to assure the development of an efficient and effective construction project with minimal aesthetic impacts.

Comment 53: LHI asserts and reserves for itself and its lessees all its rights and interests in the surface of the park as set forth in the Deed of November 18, 1960.

Response 53: Comment noted.

4.5 Summary of Public Hearing Testimony

Public testimony was taken on July 11, 2013, during the public hearing on the project. Following brief remarks and instructions from Lovell Facemire, (WVDOH), Jason Workman (FHWA), and Carrie Bly (WVDOH), two individuals presented testimony: Donald McCloud of Pecks Mill, WV, and Darrell Woody of Route 10 between Pecks Mill and Chapmanville, WV. Both individuals are opposed to the project because of its potential impact to wildlife, its potential to disrupt the tranquil nature of the park's setting, the project's potential cost, and the amount of new and through-traffic the road would bring to the park. Both individuals also questioned the need for the project.

Response to Public Testimony

The principal environmental impacts from the project will be the conversion of 36.5 acres of park property to a transportation use, the relocation of 1,540 feet of trails and the disc golf course, and impacts to 2,453 feet of streams. Mitigation commitments for these impacts, and other minor impacts, are described in the EA and within this FONSI.

In an effort to minimize the roadway's intrusion on the park, it will be built to NPS road design standards and utilize a low design speed. This will serve to minimize the impact of the roadway on the existing park landscape. As a result, the project is not anticipated to disrupt the tranquil nature of the park's setting. Six noise-sensitive receptor sites were analyzed for the preferred alternative, all recreational facilities located in the southern portion of the park. These receptor sites included the mini-golf area, playing courts, swimming pool, and an open field/play area. All of the modeled sites are well within the noise abatement criteria and no noise impacts are predicted for the future acoustic environment

Currently, the project is programmed to be funded with 100 percent state monies, although federal transportation funds may be sought. State and local officials have determined that there is a need to improve connectivity between the major activity areas within the park and the lodge and conference center area. There is also a need to provide additional transportation infrastructure in Logan County that will support economic development in the area by enhancing the recreational experience of visitors. Other projects within the park are possible, but they would

be developed to meet other needs with other than transportation funding. It is possible with additional engineering design, the total cost of the project will be reduced.

Minimal additional traffic is expected to be attracted to the park as a result of the project. Because of the 20 MPH posted speed limit, there will be no travel time advantages for “cut-through” traffic between US 119 and WV 10. The road will also be closed at dusk with a locked gate that will further deter the possibility of cut-through traffic.

5.0 Endangered Species Act Section 7 Consultation

Threatened and endangered wildlife and plant species are protected under Section 7 of the federal *Endangered Species Act of 1973* (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). A survey of potential bat habitat was conducted during the summer months of 2012 to determine the presence or absence of the Indiana bat (*Myotis sodalis*) in the study area. The project area was also surveyed for the presence of caves or abandoned mine portals, landscape features that could provide bat hibernacula. No rare, threatened, or endangered bat species were found in the area, nor were any caves or abandoned mine portals identified.

In a project review form dated October 16, 2012, the U.S. Fish and Wildlife Service indicated that the proposed project would not impact any rare, threatened, or endangered species and no further Section 7 consultation is required. A copy of this form is provided in Appendix C.

6.0 National Historic Preservation Act Section 106 Consultation

In September 2012, a Phase I cultural resource survey report was submitted to the WVDOH in partial fulfillment of the requirements for federal undertakings under Section 106 of the *National Historic Preservation Act of 1966*. The survey was completed in order to ensure that compliance with all applicable federal and state cultural resource regulations was obtained. Based on the lack of previously identified archaeological sites within the project APE, and the low archaeological potential in the project’s Area of Potential Effect (APE), the preferred alternative will not affect any archaeological resources eligible for or listed in the *National Register of Historic Places* (NRHP).

In a letter dated October 31, 2012, the West Virginia Division of Culture and History, the State Historic Preservation Office (SHPO), concurred with the project recommendations. A copy of that letter is found in Appendix C.

Subsequent to receiving the SHPO concurrence, additional areas were tested to account for slight changes in the preferred alternative. Those areas were found to be clear of archaeological resources and a supplemental report was submitted to the SHPO. In a letter dated May 22, 2013, SHPO concurred with the project recommendations that no further archaeological work was necessary. A copy of that second letter is also found in Appendix C.

Above-ground historic resources survey fieldwork was completed during August 2012. No historic park-related above-ground resources fall within the project's Area of Potential Effect (APE) and none will be affected by the project. There is also no evidence that Chief Logan State Park is associated with a significant person or persons or that it is likely to yield information not available from other sources. Consequently, Chief Logan State Park was recommended as not eligible for the *National Register of Historic Places* (NRHP). In a letter dated January 10, 2013, the SHPO concurred with the project recommendations. A copy of that letter is found in Appendix C.

7.0 Section 4(f) De Minimis Determination

The proposed project will impact approximately 36 acres of parkland, cause modifications to the trail system within the park, and cause the relocation of a disc golf course, all Section (4)f resources; however, it has been determined that the impact will be *de minimis*. For publicly-owned parks, a *de minimis* impact is one that will not adversely affect the activities, features, or attributes of the property. For parks and recreation areas, a use is *de minimis* when, after taking into consideration appropriate mitigation measures, it is determined that:

- The transportation use of the property, with avoidance, minimization, or mitigation incorporated, will not adversely affect the activities, features and attributes that qualify the property for protection under Section 4(f).

- The officials with jurisdiction over the property agree, in writing, that the use will not adversely affect the features and attributes of the property, and they are informed of their intent to make a *de minimis* finding based on that agreement.
- The public has been provided an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) property.

This information was presented to the public at the informational workshop and public hearing held on July 11, 2013. As a result, WVDOH commits to the following mitigation activities:

- The WVDOH will incorporate roadway crossings, trail signage, and continuity accommodations, as appropriate, into the roadway project to assure access and system continuity for the two impacted trails.
- The WVDOH will allow pedestrians and bicyclists use of the shoulders of the new road.
- The WVDOH will assist the Chief Logan Recreational Center with relocation of the disc golf course. It is anticipated that it can be relocated in the immediate area. The WVDOH will work with the park and the recreation center to relocate, replace and enhance the disc golf course.

WVDOH presented this information to the WVDNR on August 14, 2013, requesting concurrence that the impact of the project to Chief Logan State Park would be *de minimis*. Frank Jezioro, Director of WVDNR, concurred in writing with that determination on August 22, 2013. A copy of his concurrence is found in Appendix C.

8.0 Land and Water Conservation Fund Act

The *Land and Water Conservation Fund Act* (LWCFA), commonly referred to as Section 6(f), established a land and water conservation fund to assist local, state, and federal agencies in meeting the demand for present and future outdoor recreation sites. The LWCFA is administered by the NPS which delegates many of the roles and responsibilities to a department within each state. In West Virginia, that state agency is the West Virginia Development Office (WVDO).

The majority of Chief Logan State Park's facilities were completed after 1970 utilizing LWCFA and state funding. As a result, approximately two-thirds of the preferred alternative falls within the Section 6(f) boundary of the park. The WVDOH and WVDO initiated coordination with the NPS in early summer 2012 to discuss the proposed road and the potential effects of the project on the function and recreational capacity of park property. The WVDO suggested that the proposed roadway would be a "sponsor-funded public facility" that would enhance enjoyment of the park by the public and not constitute a conversion of park land. The NPS Regional Office concurred with that assessment in July 2012. As a result, it was determined that no replacement lands would be necessary. A copy of NPS concurrence is included in Appendix C.

On August 14, 2013, the WVDO submitted a letter of support for the project and requested that the WVDOH complete an environmental screening form for submission to the NPS. The WVDOH is currently preparing the required form in conjunction with a written request for the public facility exception. A copy of the WVDO letter has already been provided in Appendix B.

APPENDIX A
INFORMATIONAL WORKSHOP AND PUBLIC
HEARING MATERIALS

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS



INFORMATIONAL WORKSHOP PUBLIC HEARING/ MEETING
ATTENDANCE SHEET

PROJECT: Chief Logan Connector Project
Federal Project: N/A
State Project: X323-808-0.00

DATE: Thursday, July 11, 2013 LOCATION: Chief Logan Conference Center
Logan, WV
Logan County

PLEASE PRINT

<u>NAME</u>	<u>ORGANIZATION/ADDRESS/EMAIL</u>
1. Danny J. Taylor	Chief Logan Lodge
2. Rachel Vass	
3. Anne Wakeford	WVDNR ELKINS
4. David R. Stillwell	APCO # West Logan
5. David L. Workman	502 3rd St Logan
6. Rebecca Workman	↓
7. Janet Fortner	↓
8. Kelly Workman	WVDO
9. Robin Weiner	LMAmtl
10. Senator Ron Stollings	
11. Donald McClard	
12. Jack WASS	
13. Audrey R. Field	
14. Terry Ballard	WV DNR

NAMEORGANIZATION/ADDRESS/EMAIL

- | | | |
|-----|---------------------|-------------------------------|
| 15. | MICHAEL WARD | DNR PARKS |
| 16. | BRUCE COLLINSWORTH | DNR PARKS |
| 17. | RALPH MCNEISH | |
| 18. | Brad Reed | DNR PARKS |
| 19. | Tim Touche | Christmas In Park |
| 20. | Jackie Tomlin | Christmas In The Park |
| 21. | KEN WATSON | DNR COMMISSIONER |
| 22. | Bill Waybright | |
| 23. | Allen Trehan | |
| 24. | David Belcher | |
| 25. | Kenneth Watts | Christmas with Park / Quiskin |
| 26. | Delliane Williams | Logan Co. Chamber of Commerce |
| 27. | Leonard Jones | Logan Co Comm |
| 28. | Carla Y. Rella | Logan Banner |
| 29. | Howe Allen | WVOW |
| 30. | Marjory Woody | Dolly AgTSr |
| 31. | Del. Ropic Phillips | |
| 32. | | |
| 33. | | |
| 34. | | |
| 35. | | |
| 36. | | |
| 37. | | |
| 38. | | |

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS



CHIEF LOGAN CONNECTOR PROJECT
INFORMATIONAL WORKSHOP PUBLIC HEARING/ MEETING
JULY 11, 2013

PUBLIC SPEAKER SIGN IN SHEET

NAME

ORGANIZATION

- | | | |
|-----|----------------|------------|
| 1. | Donald McCloud | Individual |
| 2. | Darrell Woody | individual |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
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| 12. | | |
| 13. | | |
| 14. | | |

Comments

The purpose of this informational workshop and public hearing is to afford participants an opportunity to ask questions and state their views and opinions on the project. Your comments are very important to us. Comments on the project are due by August 12 and can be returned to any WVDOH representative here today or sent to the following:

Mr. David Bodnar, Acting Director Engineering Division
West Virginia Department of Transportation
State Capitol Complex, Building 5
1900 Kanawha Boulevard, East
Charleston, WV 25305

Additional comments or information can be sent to Sondra Mullins (Sondra.L.Mullins@wv.gov) or visit the WVDOH website at <http://go.wv.gov/dotcomment> for project information and the opportunity to comment on the project.

Thank you for attending today's meeting!



WELCOME

CHIEF LOGAN STATE PARK ROAD PROJECT INFORMATIONAL WORKSHOP AND PUBLIC HEARING

State Project Number: X323-808-0.00

**Chief Logan Lodge and Conference Center
Thursday, July 11, 2013
Open House Workshop: 4:00 PM to 7:00 PM
Public Testimony: 6:00 PM to 7:00 PM**

Purpose of Today's Meeting

The West Virginia Department of Transportation Division of Highways (WVDOH) is conducting this informational workshop and public hearing to discuss the proposed Chief Logan State Park Road Project. The purpose of the project is to provide a new two-lane, low-speed road connecting the main activity areas of Chief Logan State Park and the Chief Logan Lodge and Conference Center.

Environmental studies have been conducted by the WVDOH in conjunction with the Federal Highway Administration (FHWA) to fulfill requirements set forth in both the *National Environmental Policy Act of 1969 (NEPA)* and the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*. Today's meeting will provide you with information on the status of the environmental studies and other project-related information.



Project Overview

Project need has been identified through the evaluation of the existing facilities within Chief Logan State Park, an analysis of traffic conditions on US 119 (Corridor G) and WV 10, an analysis of the social and economic conditions of the project area, consultation with state and local officials, and comments received during the public involvement process. The main entrance to the park is located on WV 10 near Henlawson and access to the Chief Logan Lodge and Conference Center is from US 119. Although this major route provides an entryway to the lodge and conference center, there is no direct connection to the park proper, nor are there any public roads within the park that allow access between the lodge and conference center to the other activity areas of the park. Although the lodge and conference center are only about one mile from the main park activity areas, visitors to the lodge or conference center wishing to use any of the other park facilities must travel a distance of 8-10 miles around the park to access them.

The West Virginia State Park system includes 35 state parks, seven state forests, five wildlife management areas, the Greenbrier River Trail, and the North Bend Rail Trail. Of all the state's parks and recreation areas, Chief Logan State Park is one of the most popular. Located approximately four miles north of the City of Logan, Chief Logan State Park offers day-use facilities and overnight accommodations. The park is also less than an hour's drive south of Charleston, making it a popular recreation spot from the state capital. In 2010, approximately 846,000 people visited the park; the following year, attendance was approximately 801,000.

In terms of overnight accommodations, the park features a 26-site campground in the older part of the park and a 75-room hotel at the lodge and conference center. Approximately 5,000 campers use the park campground each year. The lodge and conference center is open year-round and besides lodging includes a restaurant, banquet facilities, a privately-operated, all-purpose Chief Logan Recreation Center, and more than 20,000 square feet of meeting rooms.

By constructing a public roadway between the Chief Logan Lodge and Conference Center and the park, access will be improved and the attractiveness of the park will be enhanced. Consequently, it has been determined that there is a need to improve connectivity between the major activity areas within Chief Logan State Park and provide additional transportation infrastructure in Logan County that will support economic development in the area by enhancing the recreational experience of visitors.

Potential Impacts

The preferred alternative has been analyzed to determine its potential impact on the environment. Factors considered during the analysis include socioeconomic characteristics, the natural environment, and potential cultural resources impacts. That analysis is summarized below:

Resource/Element	No-Build Alternative	Preferred Alternative
Environmental Justice	Potentially positive or negative	Positive
Tax Base	None	None
Business, Residential, or Community Facilities	0	0
Community Cohesion	None	Positive
Farmlands	0	0
Parks and Recreation	Unlikely	36.5 acres of parkland, including 1,540 feet of trails and the disc golf course
Forested Land	Minimal	28.0 acres
Rare, Threatened, and Endangered Species	Unlikely	None
Streams/Water Quality	Minimal	2,453 feet
Floodplains	Minimal	None
Wetlands	Minimal	0.18 acre
Groundwater	Minimal	None
Air Quality	Consistent with <i>Clean Air Act</i> standards	Consistent with <i>Clean Air Act</i> standards
Noise	None	None
Potentially Hazardous Waste Sites	Minimal	2
Cultural Resources (National Register of Historic Places Listed/Eligible Sites)	0	0
Utilities	Minimal	Communications tower service road, local service lines
Secondary Impacts	Minimal	Minimal
Cumulative Impacts	Likely to be mostly positive	Mostly positive
Temporary Construction Impacts	Yes	Yes
Energy	Most likely positive	Positive
Section 4(f) Resources	0	De minimis
Section 6(f) Resources	0	Sponsor-funded public facility
Cost	Project Dependent	\$5,000,000

The information in this brochure represents a summary of the draft environmental assessment report. Copies of the full report are available online at the WVDOH website.

Following both screenings, additional engineering was completed on Alternate 1, increasing the area of impact somewhat, but improving trail access and enabling potential construction costs to be lowered. As a result, Alternate 1 is being recommended as the preferred alternative. Alternate 1 would generally be the least disruptive of all build alternatives and one of the least expensive alternatives to build. This alternative is shown below, but a larger plan view is provided as an insert.



Alternatives

Several alternatives are being evaluated for the project. The alternatives include a No-Build Alternative and five build alternatives. The No-Build Alternative serves as the benchmark against which build alternatives are evaluated. The No-Build Alternative incorporates planned improvements in the region from both a transportation and recreation perspective. The No-Build Alternative will be carried through the entire planning and environmental processes.

Alternate 1

From the western side of the park Alternate 1 will begin near the recreation center, pass through a slight cut at Crawley Gap, and tie into the existing park roadway system near the swimming pool. This alternative allows connections to be maintained for all existing roadways, but some trails and the disc golf course will be impacted. Alternate 1 was first shown to the public in August 2012 and revised slightly in early 2013 following receipt of public comments on it.

Alternate 2

Alternate 2 will also begin at the recreation center, but use a box cut through Crawley Gap and tie into the park roadway system closer to the campground area. The proposed road would require traffic to drive through the campground and may interfere with its operation. It will also sever the connection to some trails and eliminate access to a communications tower on adjacent land.

Alternate 3

Alternate 3 will construct a new road from the east side of the lodge and conference center area to the vicinity of the park's lake. This alternative follows an old mine road.

Alternate 4

Alternate 4 will construct a new road from the east side of the lodge and conference center to the vicinity of the wildlife exhibit. This alternative follows an old mine road.

Alternate 5

Alternate 5 will upgrade an existing trail beginning near the recreation center through the ridge to the campground. The trail is not used by the public, but by park personnel as a limited-use internal service road. This alternative would have several switchback curves and steep grades, even if paved and upgraded. It will require traffic to drive through the campground.



Bikes and pedestrians will be permitted to use the shoulders of the new road as a travelway, and there would be connections to the park's trail system. The road will be designed to WVDOH and park service road criteria, allowing for 16 percent grades, a 20 mph speed limit, and gated access to prevent traffic from using the road when the park is closed.

Traffic Projections

A traffic demand model is being used to estimate the amount of traffic potentially using the new road. To determine the potential for traffic on the new road, three future factors are considered: non-park traffic traveling between WV 10 and US 119; changes in existing circulation patterns within the park; and potential traffic between the park and the lodge. Most of the traffic using the road will originate within the park or at the lodge and conference center. Because of the proposed speed limit, the geometry of park roads, and existing park traffic, it will take approximately 15 minutes to travel through the park from US 119 to WV 10.

Current trips patronizing the lodge and conference center are generating approximately 300 vehicles per day. Based on the traffic model, the improved access for the lodge could generate double that on an annual basis, potentially generating about 600 vehicles on the road per day. Volumes could be slightly higher, approaching about 700 vehicles per day.

Preferred Alternative

A two-phase screening process was developed to compare the potential impacts of the build alternatives. As a result of the first screening, Alternates 1 and 3 were shown to be the most promising. During the Phase 2 screening, additional engineering design was developed for those two alternatives and some impacts were further reduced. The following table shows the results of both screenings.

Preliminary Impact Analysis Following Two-Phase Screening Process

Element	Alternative					
	Alternate 1	Alternate 2	Alternate 3	Alternate 4	Alternate 5	No-Build
Length	9,400 feet	4,200 feet	17,500 feet	9,800 feet	10,300 feet	0
Earthwork	200,000 cubic yards	2,000,000 cubic yards	3,000,000 cubic yards	1,150,000 cubic yards	1,500,000 cubic yards	0
Area Impacted	37 acres	30 acres	60 acres	34 acres	35 acres	0
Trail Impacts	1,500 feet	10,300 feet	4,609 feet	4,609 feet	10,300 feet	0
Stream Impacts	2,453feet ¹	229 feet ²	2,850 feet ¹	550 feet ²	250 feet ²	0
Cost	\$5,000,000	\$12,050,000	\$11,475,000	\$12,050,000	\$9,450,000	0

¹Based on actual field measurements.

²Based on USGS maps (typically all perennial streams and some larger intermittent streams).

Upcoming Informational Workshop and Public Hearing



Chief Logan State Park Road Project



U.S. Department
of Transportation
Federal Highway
Administration

Join us on July 11, 2013, from 4:00 PM to 7:00 PM, at the Chief Logan Lodge and Conference Center for an informational workshop and public hearing on the Chief Logan State Park Road Project.

West Virginia Division of Highways (WVDOH) project representatives will be available to discuss the proposed project, answer your questions, and hear what you think. Please plan to attend this meeting. Project maps and other information will be on display during the workshop. You are encouraged to examine them and discuss the project with members of the study team. Public testimony can be given starting at 6:00 PM. Comment sheets will be available for you to provide the project team with your opinions and thoughts on this project. Comments can also be submitted online at <http://go.wv.gov/dotcomment>. Written comments are due by August 12, 2013.



When and Where?

Thursday, July 11, 2013
Informational Workshop: 4:00 PM to 7:00 PM
Public Testimony: 6:00 PM to 7:00 PM
Chief Logan Lodge and Conference Center

Project Background

The main entrance to the park is located on WV 10 near Henlawson and access to the Chief Logan Lodge and Conference Center is from US 119. Although this major route provides an entryway to the lodge and conference center, there is no direct connection to the park proper, nor are there any public roads within the park that allow access between the lodge and conference center to the other activity areas of the park.

Although the lodge and conference center are only about one mile from the main park activity areas, visitors to the lodge or conference center wishing to use any of the other park facilities must travel a distance of 8-10 miles around the park to access them. By constructing a low-speed public roadway between Chief Logan Lodge and Conference Center and the park, access will be improved and the attractiveness of the park will be enhanced.

We Need Your Input!

Your thoughts and questions are important to us. There are many ways to reach us.

Website:

<http://go.wv.gov/dotcomment>

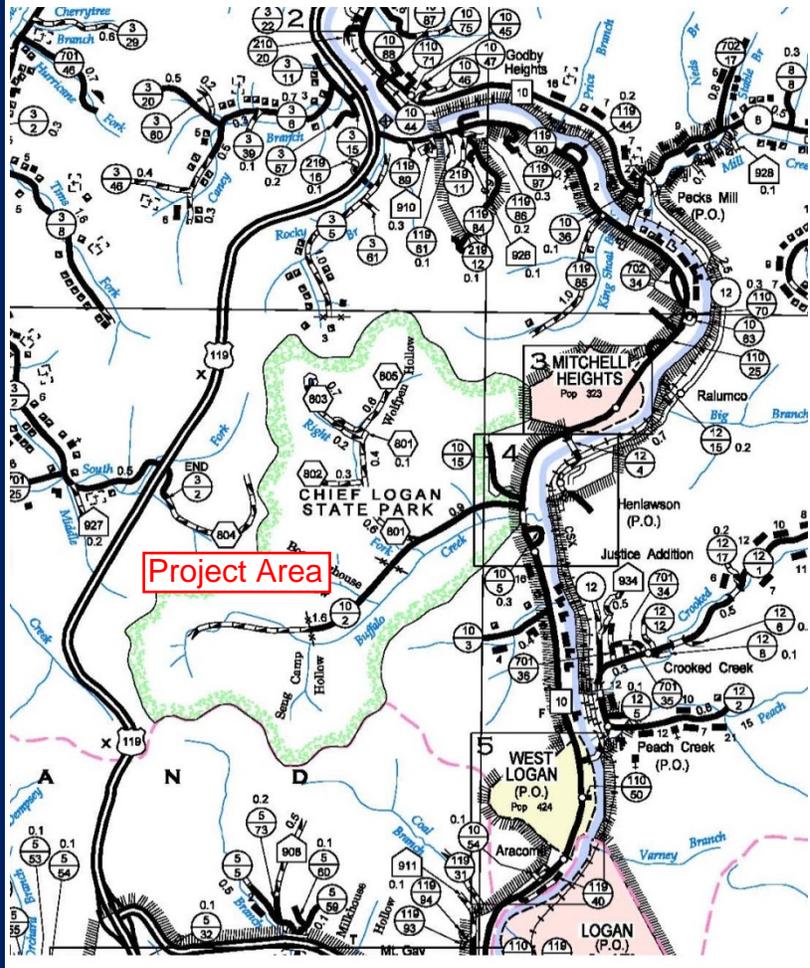
Email:

Sondra.L.Mullins@wv.gov

Mail:

Mr. David Bodnar, Acting
Director Engineering Division
West Virginia Department of
Transportation
State Capitol Complex
Building 5
1900 Kanawha Boulevard, East
Charleston, WV 25305

Upon request, the West Virginia Division of Highways will provide reasonable accommodation for persons with disabilities, including auxiliary aids and services necessary to afford an individual with a disability an equal opportunity to participate in our services and activities. Please contact us at (304) 558-3931. Persons with hearing or speech impairments can reach all state agencies at (800) 982-8722 (voice to TTD) or (800) 982-8771 (TDD to voice), toll free.



Current Project Schedule

Approval of Environmental Assessment.....	June 6, 2013
Public Informational Workshop.....	July 11, 2013
Comments Due.....	August 12, 2013
Final Environmental Document.....	September 30, 2013
Construction STIP Date.....	May 28, 2014

(STIP – State Transportation Improvement Plan)

**APPENDIX B
PUBLIC/AGENCY COMMENTS ON THE
ENVIRONMENTAL ASSESSMENT**



REPLY TO
ATTENTION OF

Regulatory Division
South/Transportation Branch
UT Buffalo Creek – 2013-275-GUY
Chief Logan State Park Connector

Mr. Ben Hark
Engineering Division
West Virginia Division of Highways
1900 Kanawha Boulevard East
Building Five, Room 450
Charleston, West Virginia 25305-0430

Dear Mr. Hark:

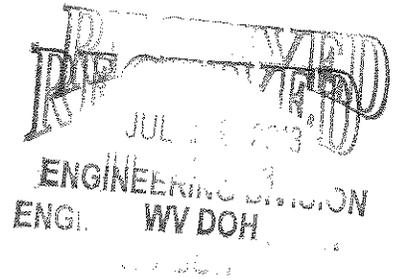
I refer to the Environmental Assessment (EA) for the Chief Logan State Park Road Project dated June 2013. The proposed project is located in tributaries of the Guyandotte River, near Logan, Logan County, West Virginia. The proposed project would improve access between the Chief Logan Lodge and Conference Center and the park itself.

The Corps of Engineers (Corps) has reviewed the purpose and need for this project and agrees with the findings. A review of 2.4 Preliminary Impact Analysis found that "Alternate 4 was dismissed because it would disturb the wildlife exhibit and add additional traffic to the lake area." However, no further discussion is found as to the significance of the wildlife exhibit, why it cannot be relocated or why additional traffic volume to a 7 acre lake would be undesirable. We believe that further evaluation of this alternative maybe necessary and potentially carried through for further consideration.

A review of the document found a potential error on page 3-17 in which approximate stream impacts are listed as 2,870 feet while Table 3-8 details 2,453 feet of waters of the United States. It should also be noted that the Preliminary Jurisdictional Determination made by this office on March 15, 2013 concluded there are 2,453 linear feet of stream within the determination boundaries. The Corps believes further discussion of the types of impacts anticipated to occur (i.e. stream relocation, elimination, culvert, etc) is necessary for each alternative. This will help ensure the least environmentally damaging practicable alternative is selected. In addition, mitigation should be discussed further in accordance with the Compensatory Mitigation Rule (33 CFR 332).

DEPARTMENT OF THE ARMY
HUNTINGTON DISTRICT, CORPS OF ENGINEERS
502 EIGHTH STREET
HUNTINGTON, WEST VIRGINIA 25701-2070

JUL 26 2013



RECEIVED

JUL 29 2013

ENGINEERING DIVISION
WV DOH

7/26/13

-2-

The Corps looks forward to working further with the WVDOH on the proposed project. We continue to strongly recommend a pre-application meeting with the resource agencies to resolve any outstanding issues before submission of your §404 application. If you have any questions concerning the above, please contact Sarah Workman of the South/Transportation Branch at 304-399-5710.

Sincerely,



Richard Berkes

Acting Chief, South/Transportation Branch



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

AUG 1 2 2013

Mr. David P. Bodnar, P. E.
Acting Director
Engineering Division
West Virginia Division of Highways
Capitol Complex, Building 5, Room A-317
1900 Kanawha Boulevard, East
Charleston, WV 25305

RE: Chief Logan State Park Road Project Environmental Assessment, June 2013
Logan County, West Virginia

Dear Mr. Bodnar:

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 309 of the Clean Air Act and the Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508), the U.S. Environmental Protection Agency has reviewed the Environmental Assessment (EA) for the Chief Logan State Park Road Project in Logan County, WV and offers the following comments.

The purpose of the proposed project is to provide a direct connection between the main activity area of Chief Logan State Park and the Chief Logan Lodge and Conference Center. Five build alternatives and a No Build alternative are presented in the EA. Alternative One is the recommended preferred alternative. This alternative will be approximately 9,400 feet in length and impact 36.5 acres of parkland, 28 acres of forest land, 2,453 linear feet of stream, and 0.18 acre of wetlands.

EPA has provided comments and questions for your consideration in the Technical Comments document which is enclosed. Thank you for the opportunity to review this project. If you have questions regarding these comments, the staff contact for this project is Barbara Okorn; she can be reached at 215-814-3330.

Sincerely,



Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

Enclosure (1)

Technical Comments

- Page 1-3 presents traffic and park attendance data. From the data presented, the annual average daily traffic (AADT) decreased 25% on US 119 near the entrance of the park. In addition, the number of people who visited the park decreased from 846,000 in 2010 to 801, 000 in 2011. It is unclear how these facts relate to the need for the project.
- Page 1-4 states the project need. From the discussion provided the need is not clearly presented and states that” it has been determined that there is a need to improve connectivity between the major activity areas within Chief Logan Park....” Additional discussion should be provided to support the project purpose and need. Clarifying need is important in order to determine if an alternative can address the needs identified.
- Page 2-1 discusses alternatives. The description for some of the alternatives state that excess earthwork may need to be wasted outside the proposed highway alignment. It is not clear how much excess earthwork there will be for the various alternatives. In addition, disposal of excess material should not be disposed in aquatic habitats or adversely impact any species of concern.
- The project team should continue efforts to avoid and minimize impacts to environmental resources. This could include buffers, bridging aquatic habitats, etc.
- Page 3-32 should include more details about impacts resulting from the park service road reconnection, local service lines, and utility pole relocations.
- Impacts and potential mitigation for increased impervious surface and fragmentation should be discussed in the EA.
- Page 3-39 states that “long term positive impacts would be associated with improved environmental conditions guaranteed through the regulatory environment. “ Additional information should be provided describing these impacts and their benefit.
- This project should comply with Executive Order 13112 regarding invasive species.



RECEIVED
AUG 07 2013
ENGINEERING DIVISION
WV DOH

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

August 2, 2013

Mr. Gregory Bailey
West Virginia Division of Highways
1900 Kanawha Blvd., East
Building 5, Room 110
Charleston, WV 25305

Re: Chief Logan Connector Project; State Project # X323-210/24-0.00
FR#: 13-22-LG-3

Dear Mr. Bailey:

We have reviewed the Environmental Assessment (EA) that was submitted for the above referenced project. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

According to our records, Section 106 consultation was completed for the preferred alternative earlier this year. It was our opinion that the proposed project would have no effect to historic properties. We have no objections to the submitted EA and remain in concurrence with our previous determination.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the review process, please contact Lora A. Lamarre-DeMott, Senior Archaeologist, at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/LLD



WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard East • Charleston, WV 25305-0311
(304) 558-2234 • (800) 982-3386 • WVDO.org

August 14, 2013

Mr. David P. Bodnar, P.E.
Acting Director
DoH Engineering Division
Capitol Complex, Bldg 5 – Room A-317
Charleston, West Virginia 25305-0311



Dear Mr. Bodnar:

Re: EA – Chief Logan State Park Road Project (ref. DoH Ltr. 06-26-2013)

Our office is supportive of the proposed park road to connect 'upper' and 'lower' sections of Chief Logan (Alternative 1), however, by virtue of conditions and reservations contained in the park's five prior Federal Land and Water Conservation Fund grants (*cf.* LWCF Act of 1965, as amended [PL 88-578, 16 USC 4601-4, *et. seq.*]), this roadway project will need prior, written approval from the National Park Service (NPS) as a, 'Sponsor-Funded, Public Facility Exception,' executed as a formal amendment to one or more of the park's five prior Federal grant agreements.

For your information and use I have enclosed required NPS Environmental Screening Forms (ESF), which are also available on-line at www.nps.gov or www.wvcommerce.org/scorp. The June, 2013 EA as prepared by and for the USFHA and WV DOT substantially completes the checklist segments of the ESF, however we will need a clear, 'no effect' findings letter from the SHPO regarding incomplete architectural resources documentation for two coal company structures remaining within the Preferred Alternative 1 project area (*cf.* C&H Ltr. 10-31-2012). Additionally, narrative segments summarizing the Division's planning and citizen comment processes will be needed. Our office can assist your Environmental Section with the organization of these documents and the drafting and coordination of the necessary amendment forms for NPS review and approval, in turn.

We would urge you to begin this ESF process now; with the current Federal sequestration, NPS review of Public Facility Exceptions has taken *six months* to secure from the time a complete ESF was received. Please feel free to contact either John McGarrity or Jim Marshall of our office at 304/558-2234 or by email at john.r.mcgarrrity@wv.gov or james.s.marshall@wv.gov for any questions or other information regarding this environmental assessment process.

Sincerely,

A handwritten signature in blue ink that reads "Kelly Workman".

Kelly Workman
Assistant State Liaison Officer

KW:jm

Enclosures

Date: August 2, 2013

**Chief Logan State Park Road Project
Informational Workshop and Public Hearing
Chief Logan Lodge and Conference Center
Thursday, July 11, 2013**

Please consider the following comments on the project:

In order to acquire dependable electrical services to the guest 75 room hotel, conference center, restaurant,
and Recreational Center, an underground conduit for securing secondary and consistent electrical services is
recommended by AEP (Appalachian Electric Power) representatives who were at the hearing and workshop.

Currently electrical services are extremely inconsistent and has resulted in many conference groups, hotel guests,
and others which have had to cancel large conferences, cancel vacations, cancel reunions and many other events
are all businesses and guests that WILL NOT BE BACK TO THIS LOCATION DUE TO THEIR BUSINESS AND
PERSONAL EXPENSES AND INCOMVIEINCES. Even it electrical lines are not placed in the conduit at this time,
huge future expenses could be avoided to acquire necessary electrical services to the facilities if done at this time.

How did you hear about today's meeting?

Involved in planning and set up of the meeting as the General Manager of Chief Logan Lodge Hotel and Conference
Center

YOUR NAME: Danny J. Taylor, General Manager, Chief Logan Loge Hotel & Conference Center

ADDRESS: 1000 Conference Center Drive (PO Box 898), Logan WV, 25601

ORGANIZATION (IF ANY): DOC/DNR/Parks & Recreation/Chief Logan Lodge Hotel & Conference Center

Comments are due by August 12, 2013 and can be given to any WVDOH representative here or mailed to:

**Mr. David Bodnar
Acting Director, Engineering Division
West Virginia Department of Transportation
State Capitol Complex, Building 5
1900 Kanawha Boulevard East
Charleston WV 25305-0430**

**Comments can also be made by visiting our website:
<http://go.wv.gov/dotcomment>**

Romano, Joe

From: Mullins, Sondra L <Sondra.L.Mullins@wv.gov>
Sent: Monday, July 08, 2013 8:09 AM
To: Hark, Ben L; Facemire, Lovell R; Begley, Dee L; Foster, Jason C; Romano, Joe
Subject: FW:

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From: ralph mcneely [<mailto:rhmneely47@yahoo.com>]
Sent: Monday, July 01, 2013 3:54 PM
To: Mullins, Sondra L
Subject:

good afternoon

**i wish to bring a couple of things about the connector
road through chief logan state park to your attention ,**

1. two of the routes that you have listed is # 3 and # 4

one to the fishing pond and one to the wildlife ex.

these two locations have the largest number of

guyandotte beauty wildflower patches in the park.

these are a rare wildflower that only grow in a few

locations in the state. the wildlife ex. is the original

location where the flower started...

there is one other original spot in the park but no

one knows where that is, the only one that knew where it was

past away years ago, and she would not tell me where it was.

i know that these two locations would be a last resort spot to put the road, but i wanted you to know about some of the wildflowers that are in the park...

2. the report states that the road will be gated and when the park is closed these gates will be locked and closed. and in another spot in the report says that the gates will be closed at dusk to keep traffic off the road.

the park is never closed, they used to but have not for a long time.. i would like for the gates be closed at dusk and locked, as i live here and i am in the park every week i know how the road will be used.. so it would be better to close and lock the gate at dusk.. this would help me feel better about this whole thing.

i am not in favor of the road, but i can see some of the points being made. the park has been a big part of life for us here and it is a good place to go and relax and people behave differently there. so we dont want to see it harmed in any way.

i have emailed mr. beanblossum on this matter and i will contact mr manchin on it as well... the guyandotte

beauty is one of his favorite flowers.. (something to remember if you get to talk to him, he would like that)..

thank you for your time. i have not read all the 128 page report so i may have to get back with you...

thank you..

ralph h. mcneely

rhmcneely47@yahoo.com

I would like to say that building a road thru the park would not a good idea. There are more better ways of spending the money that would impact far more people, plus improve the atmosphere of the park. Many of the trails are in need of maintenance. It would also be nice if improvement could be made to the old train engine. There are always work for new picnic areas as well as improvements to the existing ones. Chief Logan Park is just a perfect place to come to to take a relaxing walk on the trails or near the existing road. I've walked every trail in the park, some as many as 30 times and and I enjoy every trip I take. Its just the peace and quiet, whether its early morning or late evening. The early mornings are the best because if you're quiet, you can see nature and its forest creatures wake up and begin their day. Once you're on top of some of the mountains, everything just seems to come alive. The beauty, the quietness of the park. I can't but wonder if this new road is not for the visitors to the conference center, but for the ones who visit the recreation center. It would give them a short cut to speed thru the park to the rec center or to the Fountain Place Mall. I feel that a new road thru would only turn the park into commercial property. Also I believe that a new road would intice people , or certain people to ride off road vehicles thru the park then quiet will no longer be an asset of the park. I know progress has its place in society but sometimes we just have to accept that sometimes change is not the best solution. And we all know how society is today; this road will only lead to more and bigger acts of vandalism in the park because they will have another way of escape and not get caught. One of the biggest acts of vandalism, to me, was when someone painted the statue of Chief Logan, this was just a complete act of stupidity and the road will only lead to more and more of these acts. Vandals don't care about the park. Why give them this advantage. Has anyone every considered the forest creatures this new road will displace. They can't just pack up and leave, this has been their home since birth. If the money has to be spent on a road, then use the money and improve a stretch of road somewhere it is truly needed. Or if the money has to be spent on the Chief Logan Park, then use it for improvements within the park, not outside the park. Thank you for taking the time to read my letter.

Wally Jones
8/8/13

Wally Jones
511
Chief Logan WV
25601

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AUG 09 2013

ENGINEERING DIVISION
WV DOH



Chief Logan State Park » comments All Items

Type	First Name	Last Name	Email	Mailing Address	City	State	Zip Code	Comments	Comment Type	Organization
	James (Jim)	Richards	jimrichards54@aol.com	6339 Roberto Drive	Huntington	WV	25705	I am a USAF retired MSGT (26 years) and dearly love to visit the Chief Logan Park. I was born in the park above where the Christmas display lights are stored. Its like going home to me. The issue at hand is the 'right of way' from the conv. ctr. thru the mountains to the park area. WHY??? That money could be used for a more useful use...i.e...UP GRADING THE ELECTRICAL SERVICE IN THE CAMPING AREA TO A 50amp SERVICE...PUTTING IN MODULAR CAMPING HUTS...UPGRADING THE SEWER SYSTEM.....PUTTING IN CONCRETE PARKING PADS IN THE CAMPING AREAS...etc.... Folks, times are HARD!!Does this money need to be spent at all? \$9 to 15 Million.....	Online	Self
	Brian	Powell	bpowell@bitmapped.net	3292 University Ave Apt 603	Morgantown	WV	26505	I support Alternative #1 for the Chief Logan connector. Connecting the two halves of the park would provide better access to the main portion of the park in general and especially for lodge guests. The current routes via WV 10 near Chapmanville or Logan are slow and indirect. I agree with WVDOH that Alternative #1 is the best choice since it has lower construction costs, minimizes disturbances on the park, is a reasonably direct routing and can be constructed to meet current design standards.	Online	
	Marie	belcher	tiger.girl1981@yahoo.com		Chapmanville, w.v.v	WV	25508	I would think that taking the road anywhere near the campsite would not be a good idea..people that are camping would not like the traffic...they pay to have a quite, enjoyable experience and I think that having cars running through there would take away from that experience... But I do think that a road anywhere else would be great....coming down to the lake...or wildlife would be great picks.....Cant wait to see the end results.	Online	
	carol	wolfe	wolfejill@yahoo.com	POB221 HSE 59	PEACH CREEK	WV	25639	NO WAY....why wasn't that Convention center built in the park? Times are hard for people like myself, family, and neighbors. That money should be used for more worthwhile projects in this state for county. I know all the "politicians" are just waiting for a chance to get their dirty hands on that money to line their pockets and their friends pockets. You cannot even get a job in the county unless you have so called "connections" or you are in the "clique" I truly hate this pace and will leave as soon as I can...	Online	poor WV resident
	Brenda	Heck	brendaheck00@yahoo.com	74 Mallory Ave	Logan	WV	25601	Back to the road to the park...NO NO NO YES! The public needs the connector road!	Online	
	Rocky	Adkins	radkins@mail.wvnet.edu	325 Stratton Street	Logan	WV	25601	Alternative one provides the best access to other possible developments. Connecting the properties will allow citizens to enjoy all that the park has to offer. Access to the cell tower is a priority since it is located on leased park property with no other possible entry and houses some vital emergency communications equipment as well as provide much needed mobile phone service to hotel guest,rec center members, and outdoor park users.	Online	Logan County Administrator
	Brittany	Conley	brittc12994@hotmail.com	HC74 Box 3611	Chapmanville	WV	25508	Yes, we need the connection.	Online	Chief Logan Rec Center
	Kellie	Wooten-Willis	kelliewootenwillis@gmail.com	103 Dingess Street	Logan	WV	25601	Would like to see Alternative One with a bike lane.	Online	Wooten-Willis Insurance, LLC
	Dennis	Scott	dennisscott@suddenlinkmail.com	290 Camp Creek Road	Julian	WV	25529	I feel that this road is a waste of money. This is a beautiful park that has so much to offer. I enjoy camping here and using the park facilities and do as much as I can. I see the employees of this park working so hard to maintain it and they do such a fine job. I am sure that the money spent on this road could go such a long way to improve this park and update many things that are showing their age and that are in need of repair. I work in Logan County and have discussed this with several people (friends and co-workers) and most have said and I agree that this will be nothing more than a shortcut to Corridor-G from the park entrance. This will increase traffic thru the park and will make it difficult for RV travel, joggers and your everyday people that use this park. I have and do go to several State Parks and this is the only one that I see that the community uses as for which it was designed. I also, feel that the safety of the park and all of the people that use it will be in jeopardy with the increase of traffic. Myself I have visited the Conference Center and I do not see that a connection is a necessity for the two locations. A shuttle van and a driver to transport visitors would cost far less and would create jobs which is greatly needed in the community. I could only hope that the road is not completed as it will in time take away the beauty that this park has to offer.	Online	
	Leonard	Hovis	lhovis1939@yahoo.com	p.o. box 1557	Logan	WV	25601	I will be in favor of either route chosen. I am a daily visitor to the park, and am favor of any progress to increase the use and future expansion of Logan County. Please notify me when the public meeting will be held	Online	retired

								Leonard Hovis		
	Bart	Willis	tbartwillis@yahoo.com	111 Sayer Circle	Logan	WV	25601	I support alternative 1 for the road project.	Online	
	regina	brown	reginatyme1@hotmail.com	P O Box 701	webster springs	WV	26288	I will never understand WHY third lanes do not have a Yield sign considering the fact that some people especially school bus's will absolutely pull out in front of you or beside you does not matter to them and some individuals. I understood today that the engineering department would not approve Yield signs. This would also increase safety for the public in my opinion.	Online	self
	Kenneth	Watts	towatts@frontier.com	Rt. 1 Box262A	Chapmanville	WV	25508	This is a total waste pf money. A large part of the park will be destroyed. No one will use this road because people who are at the conference center just go to 1:9 and go to Charleston or Ky. It is an absolute waste of taxpayer money. It will also hurt Christmas In The Park that we work so hard on for the people of Wv. I know My comments will not make any differance, but it is how I feel. Evyone I talk to fells the same way.	Online	



Chief Logan State Park > comments-07112013 All Items

Type	U	FirstName	LastName	Email	MailingAddress	City	State	ZipCode	Comments	CommentType	Organization
		Charles	Kennedy	charlie@chasjeff.com	4113 Kirby ST.	South Charleston	WV	25309	Although I live in South Charleston, I am from Logan and spend a considerable amount of time there. I am IN FAVOR of this project to connect the Chief Logan Lodge to the rest of the park. I think this is long overdue and hope the project moves forward without delay.	Online	
		Chris	Haddox				WV		Thank you for the opportunity to comment on the proposed Chief Logan State Park and Conference Center road. I am against the development of a road for two main reasons: 1.) it would foster the creation of vehicular traffic using it as a short cut to/from Corridor G and Route 10, thus unnecessarily bringing non-park related traffic into the now remote hollow in which the roadway would lie. 2.) the current hollow that would be used as a connector between the Conference Center and the main park is a wonderful area that gives visitors who are willing to get out of their vehicles a unique recreational opportunity not found elsewhere in the park. The addition of a road would ruin this experience and would not provide any new opportunities for those who rely on their vehicles to access the park. Those folks that currently just drive through the park can continue to do that under current conditions and do so without impacting the experiences of others who desire a different type of experience. Again, thank you for the opportunity to comment and to register my comments AGAINST such a new road. Chris Haddox	Online	
		george	fry	geofryssc@yahoo.com	105 fry drive	logan	WV	25601	I believe the road needs to be built. The park needs to be connected. The environmental impact will be minor compared to the extra drive around.	Online	
		James (Jim)	Richards	jimrichards54@aol.com	6339 Roberto Dr	Huntington	WV	25705	I was born and raised where the Chief Logan Park is now located. My birth place was in the right hand fork of Little Buffalo creek, just above the ' Museum in the Park '. I call the Park my home because of the vast amount of memories there. I dearly love to use the Camp grounds and have for a number of years. My thoughts of putting a ' though-fare' from the Convention Center to the main Park area , as noted , is not as necessary for the 'General Public' as it would be for the park employees. I can see where there 'can' be a traffic problem ie...people stopping and walking high in the mountains...(is there going to be parking along the roadway????)...daily maintenance of the right-of-way.... unlicensed vehicles which are not authorized on highways....etc.... The COST of the road-way is going to be quite much. Those moneys could be used elsewhere for 'up-grades' of the park facilities...electrical service for the camp grounds for starters!!!!!!!!!!!!!!!!!!!!). I support the Management of the Park 110% and surely hope everything works out for them... Jim Richards, MSGT, USAF, Retired 304 733 2845	Online	self
		betty	fleming	bkf44f@aol.com	36 fleming drive	harts	WV	25524	I feel the road thru the park should be built, but surround the camping area. the entire park could be closed at dusk each day prohibiting traffic at night. Guests staying at the lodge would have easier access to the Museum and the Amphitheater, as well as the bluegrass entertainment each week. Also during the Christmas in the park, traffic could be alleviated as some cars would take the new drive. If properly used by the public, this would be like a mini Blue Ridge Parkway, if overlooks were installed.	Online	
		James	Bell	bell5356@zoominternet.net	RT 4 Box 16D	Chapannville	WV		I do not like the plan to build a road from the conference center to the park. I think it would cause too much traffic, and be detrimental to the park.	Online	
		james	smith	smitty946@frontier.com	po.box 546 switzer wv.	switzer	WV	25647	I have used the park very regulerly. I think that would be the biggest mistake to build a road thru the park to the conference center period. just another polidde trick to help them to get to point A to point B. a few minets quicker. I don't think youall. cear about the safty of the people and kids that use the park o a daily bases. IANE DEAD SET AGINST. THE ROAD. BUT I BET YOUALL BILD THE ROAD THRU THE PARK ENEYHOW.	Online	lifelong resident of logan wv. RETIRED
		John	Elkins	johnvrndnvl@hotmail.com	Box 381	Veirdunville	WV	25649	To Whom It May Concern ; I have been a resident of Logan County most of my life. Myself and my family go to Chief Logan State Park often to enjoy the scenery and the peace and tranquility of the park. We and most of our neighbors are definitely against the proposed road from Corridor G through the park. We are of the opinion that the road would destroy the main purpose of the park because of the enormous increase in traffic the road would bring about. People who stay at the Lodge are mainly there for Weddings, conferences , and so on, so the road would be of little if any benefit to them. But the drastic increase in traffic would change the very nature of the park.Motorist's would use the road as a shortcut from corridor G to route ten, and this would cause an increase in noise, traffic, and this in turn would bring about a danger to children, wildlife, and would greatly lessen the publics enjoyment of the park. Thank you for consideration of my comments on this matter. John Elkins	Online	
		betty	elkins	bettyelkins@frontier.com	527 half justice ave	ogan	WV	25601	I have lived across from chief logan state park for 33 years.I have walked every day with my dog for 30 of those years. the park is quiet and a safe piace to clear my head before work.this road is all poltical. I sure somebody is going to make money on this project. if you think people will abide by the speed limit that's a joke. the park will be gone forever, it will be a freeway for locals to get to walmart. the only good thing in logan county will be gone. no wonder our young people move away. I think I will too.	Online	

	Debbie	Bell	bell5356@zoominternet.net	RT 4 Box 16D	Chapamville	WV	25508	I don't like the idea of putting the road from the conference center through the Chief Logan State Park. I think this would cause so much traffic through the park that people could not enjoy their outings when visiting the park. We have a beautiful park and I feel more traffic is not needed. Let's keep it the way it is and enjoy all it has to offer minus the excess traffic.	Online
	Evonne	Dotson	dotsongerald@hotmail.com	P.O. Box 61	Holden	WV	25625	I want to go on record, to say that I'm against placing another road through Chief Logan State Park. I feel that it would do great harm to our beautiful park. My husband and I enjoy walking in the park and when our sons were young we took them to the park, which they greatly enjoyed. Please, do not destroy our park, by placing another road in the Chief Logan State Park. Because we want the present generation and future generations to enjoy the natural beauty of one of the main attractions, Logan County have.	Online
	Danny	Taylor	danny.j.taylor@wv.gov	PO Box 898	.logan	WV	25601	<p style="text-align: center;">Thank you.</p> In order to acquire dependable electrical services to the guest 75 room hotel, conference center, restaurant, and Recreational Center, an underground conduit for securing secondary and consistent electrical services is recommended by AEP (Appalachian Electric Power) representatives who were at the hearing and workshop. Currently electrical services are extremely inconsistent and has resulted in many conference groups, hotel guests, and others which have had to cancel large conferences, cancel vacations, cancel reunions and many other events are all businesses and guests that WILL NOT BE BACK TO THIS LOCATION DUE TO THEIR BUSINESS AND PERSONAL EXPENSES AND INCONVIENCES. Even if electrical lines are not placed in the conduit at this time, huge future expenses could be avoided to acquire necessary electrical services to the facilities if cone at this time.	Online

Chief Logan Lodge Hotel & Conference Center

Sincerely,
Danny J. Taylor, General Manager
Chief Logan Lodge Hotel & Conference Center

LAW OFFICE OF
LARRY W. GEORGE, PLLC

ONE BRIDGE PLACE, SUITE 205
10 HALE STREET

CHARLESTON, WEST VIRGINIA 25301

ALSO LICENSED IN VIRGINIA
AND WASHINGTON, D.C.

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ENGINEERING DIVISION
WV DOH

TELEPHONE: (304) 556-4830
FACSIMILE: (304) 556-4852
www.larrygeorgelaw.com

August 12, 2013

Mr. David P. Bodnar
Acting Director
Engineering Division
West Virginia Division of Highways
State Capitol Complex, Building Five
Charleston, West Virginia 25305

Hon. Frank Jezioro, Director
W.Va. Division of Natural Resources
324 Fourth Avenue
South Charleston, West Virginia 25303

RE: Public Comments of Lawson Heirs Incorporated
Chief Logan State Park Road Project
State Project No. X323-808-0.00

Gentlemen,

I am contacting you on behalf of my client, Lawson Heirs Incorporated, which is submitting the below public comments for the record of Environment Assessment dated June 3, 2013 for the above referenced project.

Overview of Lawson Heirs Incorporated

As background, Lawson Heirs Incorporated (LHI) is a land company first created in 1919 and owned to this day by the heirs of Anthony Lawson who arrived in 1817 as the first European settler in what is now Logan County, West Virginia. Today, LHI owns the lands which were acquired by the Lawson family in the 1820's and thereafter in Logan County. These holdings include essentially the entire oil & gas estate within Chief Logan State Park and underlying the preferred alternative and each of the other alternative routes for the road project.

Mr. David P. Bodnar, WVHOH
& Hon. Frank Jezioro, WVDNR
August 12, 2013 - Page 2 of 4

**Nature of Oil & Gas Estate and Surface
Rights of Lawson Heirs Incorporated**

In 1960, LHI sold 3,271 acres of surface land and coal to the Logan Civic Association (a nonprofit community group) which purchased the land for a park on behalf of the West Virginia Conservation Commission (predecessor of the West Virginia Division of Natural Resources). LHI sold the land at a heavily discounted price (\$27 per acre) by Deed dated November 18, 1960. A month later, in December 1960, the Logan Civic Association conveyed the entire 3,271 acres to the State of West Virginia and they were subsequently designated as Chief Logan State Park.

The 1960 Deed reserved to Lawson Heirs the ownership of the oil & gas underlying these lands and the right to use the surface for drilling and other activities for the exploration, development, production and transportation of oil & gas with the following provision:

There is excepted and reserved [to Lawson Heirs Inc.]....all oil and gas....underlying the lands hereby conveyed, with the right to search for, explore, operate for, drill, produce and market oil, gas and gasoline, together with rights of way and servitudes for the laying of pipelines [and other facilities]....and all other rights and privileges necessary and incident to and convenient for the economic operation of the excepted oil and gas.

Deed from Lawson Heirs Inc. to Logan Civic Association, D.B. 276, Pg. 342, Logan County Clerk's Office (November 18, 1960).

The rights of LHI and its oil & gas lessees to the use of the surface of the State Park as described above was confirmed by the West Virginia Supreme Court in Cabot Oil & Gas Corporation v. Huffman v. Lawson Heirs, Inc., 703 S.E.2d 806 (W.Va. 2010).

In 1998, DNR purchased from Lawson Heirs two additional and contiguous parcels of land (a 352 acre parcel and a 333 acre

Mr. David P. Bodnar, WVHOH
& Hon. Frank Jezioro, WVDNR
August 12, 2013 - Page 3 of 4

parcel) totaling 685 acres that adjoined the northwestern boundary of the Park. The 352 acre parcel became part of Chief Logan State Park and is now the site of the Chief Logan Lodge and Conference Center. With the agreement of Lawson Heirs, the 1998 Deed prohibited drilling in the 352 acre "Lodge" parcel. The 333 acre parcel (north of the 352 acre Lodge parcel) is currently a Wildlife Management Area and subject to essentially the same surface rights vested in LHI for exploration, development, production and transportation of the oil & gas estate as were reserved in the Park's original 1960 tract.

Requests by Lawson Heirs Incorporated

Concisely, LHI has no position on whether the proposed road should be built and, if built, which alternative route should be selected. But generally, LHI supports improvements to the Park and the enhancement of its facilities which will increase its benefits to Logan County and enjoyment by all West Virginians. To this end, we defer to the State's good judgment as to how this is best accomplished.

Instead, LHI has concerns related to the oil & gas estate underlying the Park, the four (4) existing gas wells in the Park, and the expected future development of the oil & gas resources underlying the Park. Specifically, LHI has three requests:

(1) Protection of Surface Rights - That the road be designed and located in such a manner as to not impair or restrict the use of the surface by LHI and its lessees as to well sites, access roads, collection lines and other facilities related to existing oil & gas production and future oil & gas development.

(2) Integration of Road and Oil & Gas Development - LHI desires to cooperate with DOH and DNR to avoid any such impairment or restrictions of LHI's dominant estate in the surface and, if possible, to identify mutually beneficial opportunities to integrate road construction with oil & gas development and thereby diminish the potential aesthetic impacts to the Park.

Mr. David P. Bodnar, WVHOH
& Hon. Frank Jezioro, WVDNR
August 12, 2013 - Page 4 of 4

(3) Reservation of Rights - LHI asserts and reserves for itself and its lessees all its rights and interests in the surface of the Park as the dominate estate therein as set forth above from the Deed of November 18, 1960 and confirmed by the West Virginia Supreme Court in Cabot Oil & Gas Corporation v. Huffman v. Lawson Heirs, Inc., 703 S.E.2d 806 (W.Va. 2010).

Finally, LHI contemplates further communication with DOH and DNR once the final route is selected and the work of road design and location are underway. Please contact us if LHI can provide any assistance or if there are any questions in the interim. Thank you for your consideration of the concerns and comments of Lawson Heirs Incorporated.

Very truly yours,



Larry W. George

LWG/hs

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PUBLIC MEETING
OF THE
CHIEF LOGAN STATE PARK ROAD PROJECT
Conducted by the West Virginia Division of Highways
and the Federal Highway Administration
Thursday, July 11, 2013
6:00 p.m.

* * * * *

REALTIME REPORTERS, LLC
KRISTEN S. CRADDOCK, CR
713 Lee Street
Charleston, WV 25271
(304) 344-8463
realtimereporters.net

1 MS. BLY: Good evening, everyone. We'll go
2 ahead and make sure this is on. Can you guys hear
3 me out there?

4 Okay. Good evening. I am Carrie Bly with
5 the West Virginia Division of Highways and tonight's
6 hearing is being held jointly with the Federal
7 Highway Administration and the West Virginia
8 Division of Highways. So on behalf of both of those
9 agencies, we welcome you here tonight and appreciate
10 you coming out to offer your comments.

11 Now, this evening's proceedings are being
12 recorded by a court reporter --

13 Okay. There we go. There we go. Just a
14 little magic is all it took.

15 Again, to start over there, this is being
16 recorded by a court reporter so this can be kept for
17 a public record. For those of you who prefer to
18 submit a written comment and you haven't signed up
19 to speak tonight -- and if you didn't sign up, you
20 will have another opportunity to speak at the end of
21 this -- we do have forms available for you that were
22 in the handout which you can fill out and get to us
23 and turn it in tonight or if you -- you know, you
24 want to have some more time to write, you can submit

1 those through e-mail, you can mail them or you can
2 go to the website and submit those and all of that
3 information is in the handout that you received.

4 With me tonight is Jason Workman of the
5 Federal Highway Administration and Lovell Facemire
6 of the Division of Highways. Mr. Facemire is going
7 to be the hearing officer and offer you a little bit
8 of background and detail on the project.

9 But at this time, I'm going to turn things
10 over to Jason Workman.

11 MR. WORKMAN: Thanks, Carrie.

12 All I really have to say is on behalf of
13 the Federal Highway Administration, we really
14 appreciate everybody being able to come out today.
15 Public involvement is one of the most - if not the
16 most - important aspects that we decide when we're
17 working on a project and trying to identify an
18 alternative that meets the project purpose and need
19 while also balancing and minimizing the effects of
20 the environment. So as we move forward in this
21 project, I really encourage everybody to come up,
22 give some talking points today, provide your
23 comments - written either through here or on the
24 internet - and we'll evaluate those as we move

1 forward in the process.

2 Thanks again.

3 MR. FACEMIRE: Thank you, Jason.

4 My name is Lovell Facemire with the West
5 Virginia Division of Highways. The purpose of the
6 hearing is to provide an opportunity to comment on
7 the Environmental Assessment prepared for the Chief
8 Logan State Park Road Project.

9 The main entrance to the park is located on
10 West Virginia 10 while access to the Chief Logan
11 Lodge and Conference Center is from US 119 - or
12 Corridor G. Route 119 provides an entrance to the
13 lodge and conference center, but there is no direct
14 connector to the proper park (sic) -- the park
15 proper. Although the lodge and conference center
16 are only about one mile from the main park activity
17 areas, visitors to the lodge or conference center
18 wishing to use any of the other park facilities must
19 travel about eight miles around the park to access
20 them. By constructing a public roadway between the
21 conference center and the rest of the park, access
22 will be improved and the attractiveness of Chief
23 Logan State Park is enhanced.

24 A summary of the Environmental Assessment

1 was handed out here tonight. And if you didn't get
2 a copy of that, if you'd ask, we can provide one to
3 you if you wish to have it. It is also available on
4 our website. There are --

5 The report provides information on the
6 development of a preferred alternative, its
7 potential impact on the environment and proposed
8 mitigation efforts.

9 Comments will be accepted on the
10 Environmental Assessment until August 12th.
11 Following the close of the comment period, the
12 project team will address any comments and prepare a
13 final environmental document. The final environment
14 document will also be made available for public
15 review when completed.

16 Our purpose tonight is to listen to your
17 comments and place them in the official record. All
18 of the information you provide is important, but
19 questions from the floor will not be answered
20 directly during your testimony. However, any
21 questions you ask during your testimony will become
22 part of the official record too. You also may talk
23 individually to our staff in the common area outside
24 of the hearing room, but please remember only

1 written comments from the common area will become
2 part of the official public record.

3 It's now time to turn over our -- the
4 hearing to Carrie who has a few instructions before
5 calling the first speaker.

6 MS. BLY: I want to remind you-all again
7 that this is being recorded, so when you step up to
8 the microphone, make sure to speak clearly into it,
9 say your full name, your address and any
10 organization that you may be representing tonight.

11 Before we get to the public comments, I
12 would like to ask if there's any public or State or
13 county official that would like to speak tonight
14 that didn't sign up? Do we have anybody?

15 Okay. We will now move on to the public
16 comment section. Before we call you up, I just want
17 to go over a few instructions. When I do call your
18 name, come up to the microphone. To give everybody
19 equal opportunity to speak tonight, you are only
20 going to be allotted five minutes. And since we are
21 the DOH, we are going to be using our traffic signal
22 over here. It's hard to miss that one to kind of
23 direct you on how long you have. So when you see
24 the green light, that means you can start speaking.

1 When you see the yellow light, that means you have
2 one minute left and we all know what the red light
3 means - that means your five minutes are up and it's
4 time to stop. At that time, we ask that you wrap up
5 and return to your seat.

6 So let's call the first person up here. We
7 have Mr. Donald McCloud.

8 Oh, you're going to go right here, sir.

9 MR. MCCLOUD: My name's Donald McCloud, I
10 live at 11 Perry Lane, Pecks Mill --

11 MS. BLY: Hold on a second, Mr. McCloud.
12 Let's have you actually turn here and face this
13 panel here.

14 MR. MCCLOUD: Oh, sorry.

15 MS. BLY: That's all right. You're the
16 first one.

17 MR. MCCLOUD: All right.

18 My name is Donald McCloud at 11 Perry Lane,
19 Pecks Mill, West Virginia. I'm a lifelong resident
20 of Logan and I've been using the park for 50 years.
21 I grew up outside of the park, so I feel like I was
22 very fortunate to have done that. I used to swim in
23 the old lake and I remember when the archery range
24 was at the amphitheater, and, of course the

1 maintenance center and we used to play around the
2 old coal structures. The only reason I say that is
3 I think I know Chief Logan State Park. Now, as --

4 I read the briefs and I'm asking why are
5 they wanting to build this road. And they say the
6 traffic of the park will be enhanced. I challenge
7 that and for a lot of different reasons. This is
8 one of the most visited state parks in the whole
9 state and there's over 800,000 visitors that come to
10 it each year, but most of them are local residents
11 like myself. And we don't have another park in this
12 whole county. Man doesn't have one, Chapmanville
13 doesn't have one. This is the focal point and
14 probably our greatest asset.

15 And I -- I wrote a letter back a few months
16 ago and I gave the reasons why I challenge this.
17 The cost of the road was \$10 million. And I
18 understand tonight it has dropped down to \$5
19 million. I think -- I don't know how it could drop
20 down that fast -- so quickly, but I'm sure the
21 engineers have worked on that. But I look at the
22 cost benefit. Spending that kind of tax dollars,
23 whether it's 10- or \$5 million, for what benefit?
24 The state parks' personnel Mr. Radford quotes in his

1 -- "The main reason for the road is for the people
2 in the lodge to visit the main part of the park." I
3 ask the question - what percentage of people stay in
4 this lodge go to the park? The percentage last year
5 was one to two percent, now they're telling me five
6 percent. This hotel might do 50 rooms a night, it
7 might not even do that. You do the math. That's
8 two or three cars a day that go to the park over
9 there. Most of the people that stay in this lodge
10 are conventions, weddings, business travelers, the
11 nature of it being up here looking over the
12 four-lane, that's probably the reason. This is a
13 great asset for Logan County as is the rec center
14 down at the bottom of the hill.

15 In my letter, some of the reasons I was
16 against this was the -- it's a wildlife-affected
17 area and children and elderly walk so much on this
18 road we're talking about using down here on Buffalo
19 Creek. If you-all have driven down there, you know
20 how people park beside of it, there's so many
21 activities going on year around. And now they're
22 talking about putting extra traffic through there --
23 and the shortcut I'm going to talk about in a minute
24 -- but the security, I think it's going to be

1 lessened tremendously. We've had statues in there
2 vandalized, had Christmas in the Park vandalized two
3 or three times. Just in one year, you have poachers
4 in here and now you're building a two-mile road to
5 make it easier access in and out. And I've talked
6 about the price of the road. Our State right now is
7 \$6 million dollars underfunded just from the
8 maintenance. They're having a meeting next week up
9 here to try to fix this problem. If you take the
10 building part of the road, it's going to be 1.2
11 million.

12 Now, as I read the article about the
13 shortcut, they actually -- I don't know if they read
14 my letter or not, but they actually addressed it in
15 here. Eight miles from entrance here and 10 miles
16 from -- eight miles around, they said you can do it
17 in 10 minutes. They said it's going to take 15
18 minutes to drive from here to the park - 15 minutes.
19 I did the mileage the other day. It's 1.7 to the
20 swimming pool, .7 to the rec center from 119 and 1.8
21 to the new road, that's 4.2 miles. It would be
22 quicker to go to the museum or lake to go out here
23 on 119 and drive around, so why build the road? I
24 mean, it doesn't make any sense, does it?

1 Now, the big kicker is 4.2 miles, you head
2 out on Corridor G, it's less than three miles to go
3 to Wal-Mart. Do you think the shortcut -- people
4 aren't going to use this for a shortcut? Now, I
5 looked at the projections tonight, 300 -- the month
6 after they build this, there's going to be 300
7 additional cars going through the park. Within 20
8 years, there's going to be 600 --

9 MS. BLY: Mr. McCloud, your time is up
10 there, sir.

11 MR. MCCLOUD: Oh, okay. All right.

12 MS. BLY: All right. Our final speaker
13 here listed tonight is Darrell Woody.

14 MR. WOODY: I've been in Logan County since
15 1963, lived in the same community which is on
16 Route 10, that's between Pecks Mill and
17 Chapmanville. This road that's Route 10 has never
18 been paved all the way. It's about a four-mile
19 strip of road. It's all being paved at one time
20 since 1963 since I've been here. A friend of mine
21 that lives here says it's never been paved since the
22 1950s. And you've got the road that comes from
23 Corridor G down to Route 10 in Pecks Mill that's in
24 terrible shape also, so why would you spend money on

1 a road that's not needed, not wanted? It will --
2 just like Mr. McCloud said, it will damage the park
3 tremendously. I see no benefit whatsoever in
4 building a road that's going to be harmful to the
5 park. And whose idea this is, I don't know, but I'm
6 like him, I'm strictly against putting any road
7 through there that would damage the park. We
8 already have lost a tremendous amount of animals in
9 the deer population due to the coyotes that are in
10 the park plus other animals have been killed by
11 importing coyotes. So why would you want to do
12 something to damage it more? That's my only
13 comments. I agree with everything Mr. McCloud said.

14 MR. FACEMIRE: Is there anyone else who
15 would like to testify on the record that didn't sign
16 up?

17 MR. MCCLOUD: Could I have two more minutes
18 since nobody's speaking?

19 MR. FACEMIRE: Okay. Mr. McCloud, I'll
20 give you two more minutes.

21 MR. MCCLOUD: Now, as I read the
22 Assessment, they -- there's a section in there that
23 talks about infrastructure or economic development.
24 I'm a business owner. I want a forest in this area,

1 I want economic development. The gas well issue was
2 decided a few years ago. Their first five permits
3 were at the top of this where this road is going.
4 Now, they probably -- they won the rights in court,
5 but they have 20 miles to connect all of those roads
6 and the Hatfield-McCoy trail was talking about
7 coming in here a few years ago and I saw the maps.
8 It's four miles inside the park. And I talked to
9 the DNR construction crew and they were going to
10 bring it down through the campground. I don't know
11 if that's still going to happen. They've talked
12 about cabins all along. Now, the cabins are going
13 to be owned now by individuals, the Legislature
14 passed a law. And if that happens, the park people
15 are going to lose control of this park.

16 And I think this road is going to be the
17 death of the park anyhow. And I said this the other
18 day on the radio station, it's the beginning of the
19 end of Chief Logan State Park - this road. And all
20 -- and that's part of the reason I'm doing this.
21 I've read so much and I hear so much about all of
22 the interest in the convention center and the lodge
23 and the recreation center. I think people are
24 forgetting about the value and the beauty of what we

1 have over in that park. Peace and quiet, it's at a
2 premium nowadays. I walked about seven o'clock the
3 day before yesterday in the park, there was 10 or 12
4 people. You know where they were walking? They
5 were walking on this road that you're going to put
6 this extra traffic. In this Assessment Book,
7 there's no mention of traffic control down in the
8 park. As we have it now off Route 10, you have a
9 split at the museum, you have half of the cars going
10 this way and half of the cars going this way, so it
11 just makes it a nicer park.

12 Okay. That's all.

13 MR. FACEMIRE: Thank you.

14 Do we have anyone else who would like to
15 speak? If not, let the record show that no further
16 verbal comments were offered.

17 I want to thank everybody for coming out to
18 the hearing tonight and the meeting's adjourned.
19 Thank you for coming.

20 (Hearing concluded at 6:20 p.m.)

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23

24

1 STATE OF WEST VIRGINIA,
2 COUNTY OF BOONE, to wit;

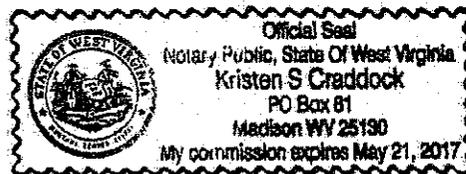
3 I, Kristen S. Craddock, a Notary Public within
4 and for the County and State aforesaid, duly
5 commissioned and qualified, do hereby certify that
6 the foregoing hearing was duly taken by me and
7 before me at the time and place and for the purpose
8 specified in the caption hereof, the said witness
9 having been by me first duly sworn.

10 I do further certify that the said hearing was
11 correctly taken by me in shorthand notes, and that
12 the same were accurately written out in full and
13 reduced to typewriting.

14 I further certify that I am neither attorney or
15 counsel for, nor related to or employed by any of
16 the parties to the action in which this hearing is
17 taken, and further that I am not a relative or
18 employee of any attorney or counsel employed by the
19 parties or financially interested in the action.

20 My commission
21 under my hand th
22 Kristen S. Cradd

iven



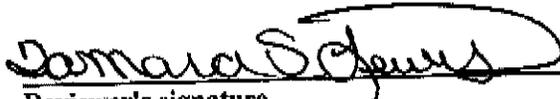
23 *Kristen S Craddock*
24

APPENDIX C
AGENCY CONSULTATION AND CONCURRENCE

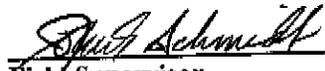
US Fish and Wildlife Service Project Review Form

**Re: State Project No. X323-210/24-0.00
Federal Project No. NA
Chief Logan State Park
Logan County
DATE 10/01/12**

The subject project will not impact Federally-listed species; therefore, no Biological Assessment or further Section 7 consultation pursuant to the Endangered Species Act (87 STAT 884, as amended; 16 U.S.C. et seq.) is required with the US Fish and Wildlife Service.


Reviewer's signature


Date


Acting Field Supervisor


Date

DOH Project Manager: Sydney Morgan

Phone: (304)558-9666

**Please return this form to the following address:
West Virginia Division of Highways
Engineering Division, Environmental Section
Building 5, Room 450
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305**



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ENGINEERING DIVISION
WV DOH

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

October 31, 2012

Mr. Gregory Bailey
West Virginia Division of Highways
1900 Kanawha Blvd., East
Building 5, Room 110
Charleston, WV 25305

Re: Chief Logan Connector Project; State Project # X323-210/24-0.00
FR#: 13-22-LG

Dear Mr. Bailey:

We have reviewed the above referenced project to determine its effects to cultural resources. The following comments are offered under West Virginia Code 29-1-8.

Submitted information indicates that the West Virginia Division of Highways is proposing to construct a road within Chief Logan State Park, Logan County, from the Earl Ray Tomblin Conference Center to the roadway system within the original park.

Archaeological Resources

According to the Phase I archaeological report, systematic survey of the proposed project area resulted in the documentation of steep terrain and previous disturbance. Shovel probes were not excavated; however, steep slopes were examined for rockshelters or other evidence of archaeological materials. No cultural materials were identified. As a result, we concur that no further archaeological work is necessary for the proposed project. In our opinion, there are no archaeological properties within the proposed project area that are eligible for inclusion in the National Register of Historic Places.

Architectural Resources

Submitted information indicates that there are two above ground resources within the project's area of potential effect (APE). These include a coal storage building and a coal silo. It is the consultant's opinion that that these two structures are not eligible for inclusion in the National Register of Historic Places. After review of the submitted information, we concur with this assessment. In addition, the submitted information indicates that the Chief Logan State Park is not eligible for inclusion in the National Register. We are unable to concur with this assessment at this time. The current submission included no photographs or a completed Historic Property Inventory (HPI) form for the park. We request that this determination of eligibility occur at this time and that an HPI form for the park occur at this time. Please be sure to include a cd-r of all HPI forms.

We will provide additional comments upon receipt of the requested information.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the review process, please contact Lora A. Lamarre-DeMott, Senior Archaeologist, or Shirley Stewart Burns, Structural Historian, at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/LAL/SSB



The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

May 22, 2013

RECEIVED

MAY 24 2013

ENGINEERING DIVISION
WV DOH

Mr. Gregory Bailey
West Virginia Division of Highways
1900 Kanawha Blvd., East
Building 5, Room 110
Charleston, WV 25305

Re: Chief Logan Connector Project; State Project # X323-210/24-0.00
FR#: 13-22-LG-2

Dear Mr. Bailey:

We have reviewed the Phase I Archaeology Addendum Letter Report that was submitted for the above referenced project to determine its effects to cultural resources. The following comments are offered under West Virginia Code 29-1-8.

Archaeological Resources:

According to the addendum to the Phase I archaeological report, design changes were made to the proposed project subsequent to the completion of the Phase I archaeological survey. The design changes involve amendments to the associated cut and fill areas. Systematic survey of these areas indicated the vast majority of the addendum area consists of steep and/or previously disturbed terrain. One small bench within this area was investigated via shovel probe excavation. No cultural materials were identified. As a result, we concur that no further archaeological work is necessary for the proposed design change area. In our opinion, there are no archaeological properties within the proposed project area that are eligible for inclusion in the National Register of Historic Places.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the review process, please contact Lora A. Lamarre-DeMott, Senior Archaeologist, at (304) 558-0240.*

Sincerely,

A handwritten signature in blue ink that reads "Susan M. Pierce".

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/LLD



January 10, 2013

RECEIVED

JAN 14 2013

ENCLOSURE

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

Mr. Gregory Bailey
West Virginia Division of Highways
1900 Kanawha Blvd., East
Building 5, Room 110
Charleston, WV 25305

Re: Chief Logan Connector Project; State Project # X323-210/24-0.00
FR#: 13-22-LG-1

Dear Mr. Bailey:

We have reviewed the above referenced project to determine its effects to cultural resources. The following comments are offered under West Virginia Code 29-1-8.

Architectural Resources

Thank you for forwarding the requested Historic Property Inventory (HPI) form. It is the consultant's opinion that Chief Logan State Park is not eligible for inclusion in the National Register of Historic Places. After review of the very thorough documentation, we concur with this assessment. The Chief Logan State Park *is not eligible* for inclusion in the National Register of Historic Places. It is our opinion that the proposed project will have no effect to architectural resources eligible for or included in the National Register of Historic Places. No further consultation regarding architectural resources is necessary.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the review process, please contact Shirley Stewart Burns, Structural Historian, at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/SSB



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

Earl Ray Tomblin
Governor

Paul A. Mattox, Jr., P. E.
Secretary of Transportation/
Commissioner of Highways

August 14, 2013

Mr. Frank Jezioro, Director
West Virginia Division of Natural Resources
324 N. Fourth Avenue
Room 342
S. Charleston, WV 25303

RE: Chief Logan State Park Road Project
Logan County, West Virginia
State Project Number: X323-808-0.00
Section 4(f) *de minimis* Impact Analysis

Dear Mr. Jezioro:

This letter documents compliance with Section 4(f) of the Department of Transportation Act (49 USC 303) as it relates to the proposed construction of a roadway between the Chief Logan Lodge and Conference Center and the main activity areas of Chief Logan State Park. A complete description of the project can be found in our Environmental Assessment sent to you under separate cover at an earlier date. The proposed project will impact approximately 36 acres of parkland, cause modifications to the trail system within the park, and cause the relocation of a disc golf course. After completion of our environmental and engineering analyses, however, we have determined that the impact on Chief Logan State Park will be *de minimis*.

For publicly-owned parks, a *de minimis* impact is one that will not adversely affect the activities, features, or attributes of the property. For parks and recreation areas, a use is *de minimis* when, after taking into consideration appropriate mitigation measures, it is determined that:

1. The transportation use of the property, with avoidance, minimization, or mitigation incorporated, will not adversely affect the activities, features and attributes that qualify the property for protection under Section 4(f).
2. The officials with jurisdiction over the property agree, in writing, that the use will not adversely affect the features and attributes of the property, and they are informed of their intent to make a *de minimis* finding based on that agreement.
3. The public has been provided an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) property.

In cooperation with the WVDNR, the West Virginia Development Office, and the Federal Highway Administration, WVDOH has determined that construction of a connecting road will enhance enjoyment of the park by the public and not constitute a conversion of park land.

Nonetheless, the project will impact approximately 36 acres of the park; alter access to the Wilderness and Foggy Bottom Trails (approximately 300 feet of the Wilderness Trail and 1,200 feet of the Foggy Bottom Trail); and displace a disc golf course located near the Chief Logan Recreational Center. This information was presented to the public at an Informational Workshop and Public Hearing held on July 11, 2013, at the Conference Center. As a result, WVDOH commits to the following mitigation activities:

1. The WVDOH will incorporate roadway crossings, trail signage, and continuity accommodations, as appropriate, into the roadway project to assure access and system continuity for the two impacted trails.
2. The WVDOH will allow pedestrians and bicyclists use of the shoulders of the new road.
3. The WVDOH will assist the Chief Logan Recreational Center with relocation of the disc golf course. It is anticipated that it can be relocated in the immediate area. The WVDOH will work with the park and the recreation center to relocate, replace and enhance the disc golf course.

During the comment period on the EA, a request was received from Mr. Danny Taylor, General Manger of the Chief Logan Lodge and Conference Center, to construct an underground conduit as part of the roadway project to maintain "secondary and consistent electrical service" to the lodge area. Such construction was subsequently determined by WVDOH and WVDNR to be a non-essential element of park operations and outside the scope of the proposed road project. By mutual concurrence of WVDOH and WVDNR, this suggestion is not being carried forward.

Please indicate your agreement with the contents of this letter by signing below where noted. By signing, you will be indicating that the proposed project together with our mitigation activities do not affect the activities, features, and attributes that qualify Chief Logan State Park for protection under Section 4(f).

Should you have any questions, please contact Mr. Ben Hark of our Environmental section at (304) 558-9670 or Ben.L.Hark@wv.gov. Thank you very much.

Very truly yours,



Mr. David P. Bodnar, Acting Director
Engineering Division

ACCEPTED:



Frank Jeziro, Director
West Virginia Division of Natural Resources

DATED:

8-22-13

From: McGarrity, John R
Sent: Wed 7/18/2012 12:06 PM
To: Facemire, Lovell R
Cc: Workman, Kelly A; Marshall, James S
Subject: RE: Chief Logan State Park

Lovell...The NPS Regional Office concurs with our assessment of the proposed access road between the Chief Logan Conference Center and Chief Logan State Park as a, 'sponsor-funded public facility,' and not as a conversion requiring replacement property. DoH should proceed with the completion of a required NPS Environmental Screening Form (ESF) to include with, and become part of, a Section 6(f)(3) project area map change to be submitted through our office and the NPS, in turn, for NPS review and approval. ESF forms can be downloaded from either our website or the NPS, <www.wvcommerce.org> or <www.nps.gov>. Major elements in the ESF's required EA are the DoH's feasibility study of the proposed roadway and a SHPO Section 106 Clearance Review, which DoH should develop and coordinate with the Division of Culture & History as soon as practical once R/W and construction easement maps are available to identify any SHPO areas of concern. Please feel free to contact either myself or Jim Marshall of our office if you have any questions or need additional information about this process.

John McGarrity, Senior Planner
West Virginia Development Office
Charleston, West Virginia 25305
(t) 304.558.2234
(e) john.r.mcgarrrity@wv.gov

07.18.2012