

Morgantown Industrial Park Access Environmental Assessment

Monongalia County, West Virginia

State Project No. X231-MIPAS 01 00

Federal Project No. (EN) STBG-2023(259) D

**U.S. Department of Transportation
Federal Highway Administration**



**West Virginia Department of Transportation
Division of Highways**



March 2024

State Project No. X231-MIPAS 01 00
Federal Project No. (EN) STBG-2023(259) D

Morgantown Industrial Park Access
Monongalia County, West Virginia

ENVIRONMENTAL ASSESSMENT

Submitted pursuant to 42 USC 4332(2)(c) by
the U.S. Department of Transportation, Federal Highway Administration and
the West Virginia Department of Transportation – Division of Highways

3-22-24

DATE OF APPROVAL


FOR WEST VIRGINIA DIVISION OF HIGHWAYS

JASON
WORKMAN

Digitally signed by JASON
WORKMAN
Date: 2024.03.22 16:48:25 -04'00'

DATE OF APPROVAL

FOR FEDERAL HIGHWAY ADMINISTRATION

The following persons may be contacted for additional information concerning this document.

Mr. Jason Workman
Director, Program Development
Federal Highway Administration
300 Virginia Street East
Suite 7400
Charleston, WV 25301

Ms. Sondra Mullins
Assistant Director
Technical Support Division
West Virginia Division of Highways
1334 Smith Street
Charleston, WV 25301

Comments on this Environmental Assessment are due by **May 17, 2024** and should be sent to:

Mr. Travis Long, Director
Technical Support Division
West Virginia Division of Highways
1334 Smith Street
Charleston, West Virginia 25301

Table of Contents

Executive Summary	1
Alternatives	1
Impacts and Mitigation	1
Public Involvement.....	3
1.0 Introduction	4
1.1 Project Area Background.....	4
1.2 Existing Roadway Network	7
1.3 Industrial Park Access	7
1.4 Purpose and Need.....	7
1.5 Logical Termini and Independent Utility.....	9
1.6 Project History & Plan Consistency	9
2.0 Alternatives	11
2.1 No Build Alternative	11
2.2 Build Alternatives	11
2.2.1 Alternative 1: New Alignment along River Road from I-79 Overpass to US 119 Don Knotts Boulevard	11
2.2.2 Alternative 2: New Alignment from River Road to Rail Street to US 119 Don Knotts Boulevard at Greenbag Road	11
2.2.3 Preferred Alternative 3: New Alignment from River Road to Rail Street to US 119 Grafton Road	12
2.3 Highway Design Criteria.....	12
2.4 Preliminary Impact Analysis	12
2.4.1 Alternative 1	14
2.4.2 Alternative 2	15
2.4.3 Alternative 3	16
2.4.4 Identifying a Preferred Alternative	17
2.5 Preferred Alternative.....	22
2.6 Traffic Analysis.....	22
2.7 Public Involvement Activities	23
3.0 Environmental Impacts and Mitigation	25
3.1 Social and Economic Characteristics	28
3.1.1 Demographics & Environmental Justice	28
3.1.2 Community Resources.....	34
3.1.3 Recreational Resources	35
3.1.4 Economic Analysis	38
3.2 Natural Resources.....	38
3.2.1 Streams and Wetlands	38

**Environmental Assessment
Morgantown Industrial Park Access
Monongalia County, West Virginia**

3.2.2	Navigable Waters	41
3.2.3	Floodplains.....	42
3.2.4	Land Use and Land Cover	43
3.2.5	Vegetation and Invasive Species.....	45
3.2.6	Rare, Threatened, and Endangered Species	46
3.2.7	Geology	47
3.2.8	Groundwater and Surface Water Resources	48
3.3	Cultural Resources	49
3.3.1	Above Ground Historic Structures	49
3.3.2	Archaeological Resources.....	50
3.4	Section 4(f) Resources	51
3.5	Air Quality	52
3.6	Noise.....	52
3.7	Hazardous Waste.....	53
3.8	Utilities	55
3.9	Indirect and Cumulative Impacts.....	55
3.9.1	Indirect Impacts	56
3.9.2	Cumulative Impacts.....	56
3.10	Temporary Construction Impacts.....	57
3.11	Permitting	58
4.0	Avoidance, Minimization, and Mitigation.....	59
5.0	Conclusion	62
6.0	References.....	63
7.0	List of Preparers and Reviewers.....	66
8.0	Distribution List	67

Appendices

- Appendix A – Cooperating Agency Coordination
- Appendix B – Constraints Maps
- Appendix C - Public Involvement
- Appendix D – Agency Coordination
- Appendix E – Cultural Resources Coordination

List of Figures

Figure 1: Overview of the Project Location & Existing Road Network.....	5
Figure 2: Aerial Overview of the Project Location	6
Figure 3: Overview of Preliminary Build Alternatives.....	18
Figure 4: Alternative 1: New Alignment along River Road from I-79 Overpass to US 119 Don Knotts Boulevard.....	19
Figure 5: Alternative 2: New Alignment from River Road to Rail Street to US 119 Don Knotts Boulevard at Greenbag Road	20
Figure 6: Preferred Alternative 3: New Alignment from River Road to Rail Street to US 119 Grafton Road.....	21
Figure 7: Preferred Alternative 3 and Project Area.....	27
Figure 8: EJ Screen: Minority Populations.....	30
Figure 9: EJ Screen: Low Income Populations.....	31
Figure 10: EJ Screen: Demographic Index.....	32
Figure 11: EJ Screen: Linguistically Isolated Populations.....	33
Figure 12: Community and Recreation Resources.....	37
Figure 13: Land Use / Land Cover Analysis.....	44

List of Tables

Table 1: Summary of Potential Impacts	1
Table 2: Preliminary Impact Analysis.....	13
Table 3: Preliminary Impact Analysis Summary	17
Table 4: Plan Development Public Outreach.....	24
Table 5: Morgantown Industrial Park Access Project EA Public Outreach.....	25
Table 6: Demographic Overview	28
Table 7: Overview of Household Characteristics.....	28
Table 8: Environmental Justice Analysis Summary	29
Table 9: Stream Resource Summary	39
Table 10: Wetland Resource Summary	40
Table 11: Land Use and Land Cover Analysis Summary	43
Table 12: Predicted Noise Levels for each NSA.....	53
Table 13: Summary Impacts and Mitigation	59

Executive Summary

The West Virginia Division of Highways (WVDOH), in cooperation with the Federal Highway Administration (FHWA), proposes to provide the Morgantown Industrial Park improved access across the Monongahela River to US 119 and I-68 near the City of Morgantown, West Virginia. This Environmental Assessment (EA) is being prepared to fulfill requirements set forth in the *National Environmental Policy Act of 1969* (NEPA) and related transportation development laws. The FHWA has formally invited the United States Coast Guard (USCG) to participate in the EA process as a Cooperating Agency, see **Appendix A**.

Alternatives

Several alternatives were evaluated through previous studies. The alternatives initially assessed in this document include a No Build Alternative and three build alternatives (Alternatives 1, 2, and 3). As you will see in **Section 2.0**, of the three build alternatives, one was advanced as being most favorable and therefore the Preferred Alternative. The most favorable alternative (Alternative 3, the southern bridge crossing of the Monongahela River) demonstrated the least potential for environmental resource impacts and engineering challenges. Alternative 3 includes upgrades to Rail Street and Master Graphics Road, a new crossing of the Monongahela River, and a connection at Smittown Road before intersecting with Grafton Road (US 119). Alternative 3, or the Preferred Alternative, along with the No Build, has been carried into detailed analysis in this EA.

Impacts and Mitigation

Preferred Alternative 3 and the No Build Alternative were analyzed to determine their potential impact on the environment. The factors considered included socioeconomic characteristics, the natural environment, and potential cultural resources impacts. Project area resources and Preferred Alternative 3 mapping can be found in **Appendix B**.

Table 1 summarizes the potential impacts of the No Build and Preferred Alternative 3.

Table 1: Summary of Potential Impacts

Resource/Element	No Build Alternative	Preferred Alternative 3
Environmental Justice	None	Positive
Displacements	None	None
Community Resources	None	Positive
Recreational Resources	None	Two minor impacts
Economic Analysis	No benefit	Substantial benefit

Table 1: Summary of Potential Impacts

Resource/Element	No Build Alternative	Preferred Alternative 3
Streams & Wetlands	None	2,303 linear feet of stream and 0.178 acre of wetland impacts; Minor impact to the Monongahela River navigational use
Floodplains	None	Minor flood elevation increase is anticipated to require a Conditional Letter of Map Revision (CLOMR)
Navigable Waters	None	No permanent, minimal temporary
Land Use & Land Cover	None	100 acres of impact
Vegetation and Invasive Species	No impacts, no mitigation	BMPs to avoid spread of invasive species, native seed mixes used on disturbed areas.
Rare, Threatened, & Endangered Species	None	Avoided/minimized impacts to bats through seasonal tree clearing restriction. Pre-construction mussel survey, and if necessary relocation, will be conducted to avoid and minimize impacts to mussels.
Geology	None	Minor during earthwork
Groundwater	None	None
Above Ground Resources & Historic Structures	None	None
Archaeological Resources	None	None
Section 4(f) Resources	None	None
Air Quality	None	None
Noise	None	Minor
Hazardous Waste Sites	None	Minor
Utilities	None	One gas line crossing
Indirect and Cumulative Impacts	None	Minor, likely to be positive
Temporary Construction Impacts	None	Minor and temporary

Public Involvement

Stakeholders and the public were engaged numerous times prior to the inception of the NEPA process for the Morgantown Industrial Park Access Project. Eight meetings were held with the stakeholders, public, and the steering committee between 2018 and 2022. These meetings, held by the Morgantown Monongalia Metropolitan Planning Organization (MMMPO), reviewed the transportation network and possible solutions specific to this project area as well as the entirety of Monongalia County.

The WVDOH and the FHWA held a public meeting for the project on October 3, 2023, from 5 to 8 pm. The meeting was held at the Westwood Middle School in Westover, which is located on River Road (CR 45). The purpose of the meeting was to introduce the public to the three potential build alternatives. Approximately 60 people attended the meeting to view the project alternatives, ask questions, and offer comments. A summary of the public meeting and comments received with responses from WVDOH are provided in **Appendix C**.

Comments on this EA should be sent to:

Mr. Travis Long
Director, Technical Support Division
West Virginia Division of Highways

1334 Smith Street
Charleston, WV 25301
travis.e.long@wv.gov
304-414-6457

1.0 Introduction

The West Virginia Division of Highways (WVDOH), in cooperation with the Federal Highway Administration (FHWA), proposes to provide the Morgantown Industrial Park (MIP) improved access across the Monongahela River to US 119 and I-68 near the City of Morgantown, West Virginia. The FHWA has formally invited the United States Coast Guard (USCG) to participate in the EA process as a Cooperating Agency, see **Appendix A**.

This Environmental Assessment (EA) is being prepared to fulfill requirements set forth in the *National Environmental Policy Act of 1969* (NEPA) and related transportation development laws. NEPA requires that the potential for environmental impacts be assessed for every federal action that *could significantly affect the quality of the human environment*. Transportation projects vary in their potential to affect the environment and level of documentation. WVDOH has determined that the Morgantown Industrial Park Access Project would impact the environment, but the significance of its impacts is unclear. Therefore, it is being advanced with an EA.

This EA will be made available to the public for a 30-day review period following approval by the FHWA. A public meeting will be scheduled at the beginning of the review period. A notice of at least 15 days will precede the public meeting. Following the close of the review period, all public and agency comments will be evaluated. After comments have been examined and addressed, a determination of the significance of the impacts will be made. If there are no significant impacts associated with the project, a Finding of No Significant Impact (FONSI) will be prepared and submitted to the FHWA for approval.

1.1 Project Area Background

The project area for the proposed Morgantown Industrial Park Access Project is located in Monongalia County, West Virginia. The extended project area is located east of I-79, north of I-68, and south-southwest of the Cities of Westover and Morgantown, see **Figures 1 and 2**.

Morgantown is the county seat of Monongalia County located along the Monongahela River in the north central part of West Virginia. Morgantown was settled in 1772 by Zackquill Morgan and has developed into an area with economic growth due to its well-established educational, health, cultural and commercial/industrial background. Most notably, the area is the home to West Virginia University (WVU), the largest institution of higher education in the state with an annual enrollment of nearly 30,000 students. Morgantown relies heavily on the Monongahela River for shipping coal and other products. The river is fully navigable and includes the Morgantown Lock and Dam System originally built in the early 1900s by the US Army Corps of Engineers (USACE), which maintains the system to this day.

The extended project area is situated to the south and west of the more urbanized developments of Morgantown and Westover. Residential and community properties, including schools, are located along River Road (CR 45) which runs northeast-southwest on the north/west side of the Monongahela River. Situated south of River Road, the Morgantown Industrial Park owns a majority of the property with its main access being Rail Street and Industrial Park Road. The Monongahela River provides both commercial navigation and recreational uses with special emphasis focused on the Mon River Rail-Trail and Caperton Rail-Trail on the east bank of the river. The Monongahela River itself is part of the Upper Mon River Water Trail within the project area.

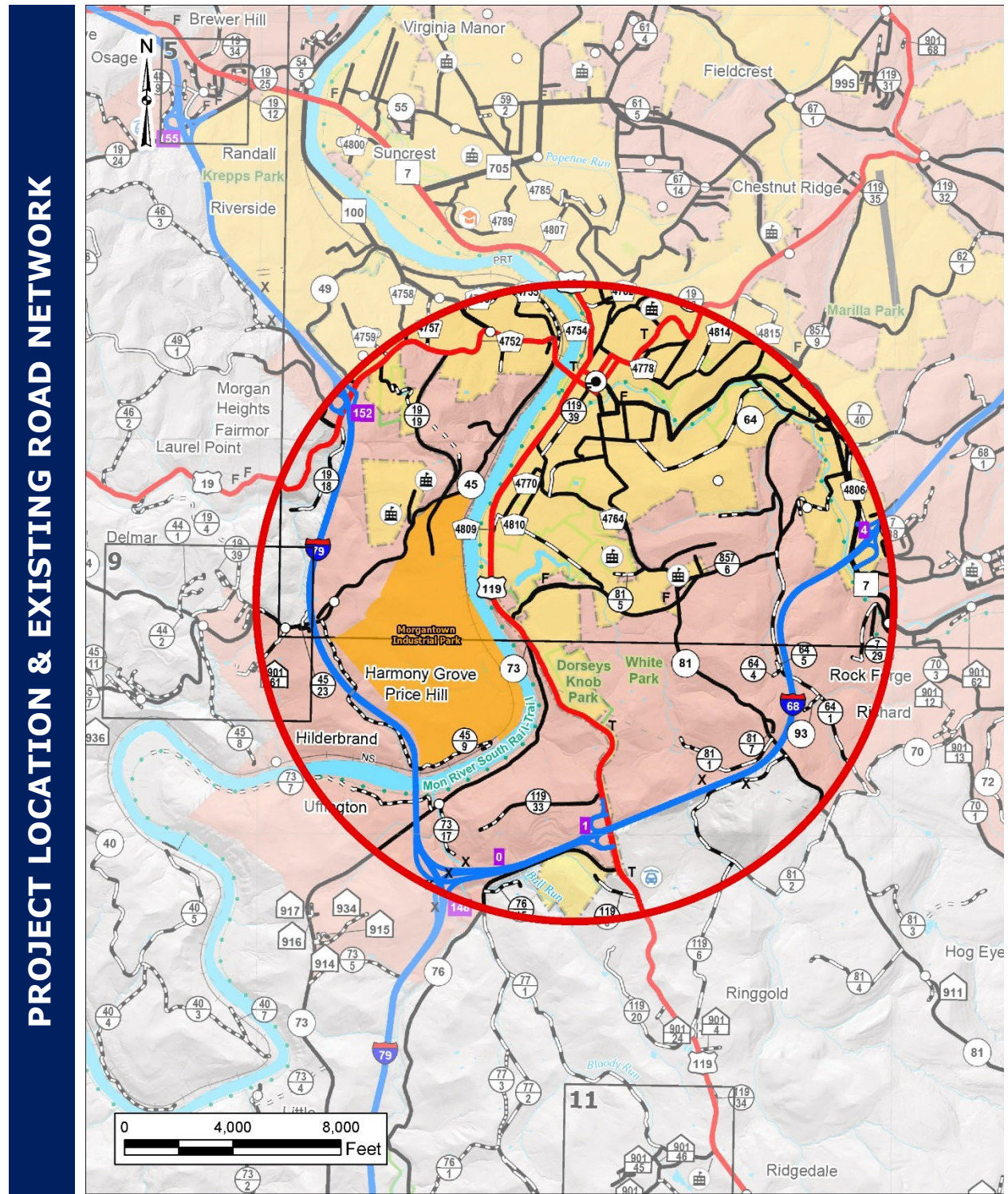


Figure 1: Overview of the Project Location & Existing Road Network



Figure 2: Aerial Overview of the Project Location

1.2 Existing Roadway Network

The existing roadway that best serves traffic in the project area is River Road, an urban collector. However, River Road (CR 45) is in poor condition and is prone to slope instability, and therefore subsequent closures occur frequently. The inadequacies of River Road have generated public comment in previous project-related studies aimed at addressing the inadequate roadway network and connectivity issues of the area.

Similarly, the lack of interstate access presents additional stress to the existing roadway network. Currently, traffic from the industrial park seeking points north or west must travel north on River Road to Westover to access I-79 while traffic seeking points south and east need to travel north on River Road to the Westover Bridge into Morgantown to access US 119 and thereby connection to I-68.

Presenting additional constraints, the Monongahela River, a navigable, lock and dam-controlled waterway, borders the industrial park and River Road communities to the east and south. The river is approximately 500 feet wide at standard pool elevation. There are multiple mooring facilities in the area including at the industrial park. The river presents an accessibility issue for these residential communities and industrial park.

Another proposed project in the vicinity is the Harmony Grove Interchange I-79 Exit 151 Project, which takes place where River Road meets I-79, adding a new interchange at mile marker 151. The proposed projects could operate in conjunction with one another; however, the Morgantown Industrial Park Access Project is a standalone action that possesses independent utility and logical termini.

1.3 Industrial Park Access

The MIP encompasses 77 developable acres with direct river and rail access; however, lacks access to major thoroughfares. Existing businesses within the MIP include industrial, light industrial, and warehouse/distribution. There are upwards of 10 parcels in Phase I and Phase II still available for purchase and development ranging in size from 2 to 28 acres.

Mountaintop Beverage is one of the newest industries to locate in the MIP along Rail Street. Mountaintop Beverage currently is a 330,000-square-foot, \$200 million facility, that produces shelf-stable dairy and dairy alternatives, that will operate as many as 100 trucks in and out of the industrial park daily. The company has said if access is improved, and more truck traffic can be added, then it would be possible to expand operations at this location.

1.4 Purpose and Need

Project Purpose

The purpose of this project is to provide the Morgantown Industrial Park (MIP) and the residents along and south of River Road (CR 45) with improved access across the Monongahela River to US 119 and I-68.

Project Needs

1. The MIP and areas along and south of River Road currently lack direct access across the Monongahela River to US 119 and I-68.

- Currently, there are no roads that facilitate reasonable free flow of the industrial access road truck traffic to the interstate system.
- One of the Morgantown Monongalia Metropolitan Planning Organization's (MMMPO) Morgantown Transportation Plan goals is to "improve truck access to key industrial areas and provide alternative truck routes that avoid the downtown areas."
- River Road, an urban collector, is in poor condition and is prone to slope instability and periodic closures. There are at least eight independent locations of existing slides that are being monitored for additional failures. Consequently, when River Road is closed, approximately 3,900 additional vehicles (projected 9,100 in 2050) are forced to use Dupont Road and Fairmont Road (US 19) through Westover as an alternate route to access the Westover Bridge into Morgantown.

2. Morgantown and the surrounding area have been experiencing rapid growth in recent years, including residential and industrial land uses along and south of River Road (CR 45) and at the MIP.

- The MMMPO Metropolitan Transportation Plan (MTP) reports that Monongalia County saw 10% growth from 2010 to 2020 and projects a 40% increase by 2050. That growth, coupled with the plan to concentrate growth near existing industrial areas (including the MIP and the I-68 vicinity), is placing increased demands on the transportation infrastructure of the region.
- The MMMPO Travel Demand Model estimates that the average daily traffic (ADT) volume on the Westover Bridge is projected to increase by 11,500 vehicles per day (or 66%) by 2050 if an alternate route to the MIP is not constructed.

3. The MMMPO's MTP has projections for continued economic growth that include business growth at the MIP.

- The industrial park currently generates approximately 300 trucks/day; full build-out projects that truck traffic could more than double to 700 trucks/day.
- Mountaintop Beverage proposes to expand its operations by 400,000 square feet. The expansion could increase their full-time employment from 200 to as many as 450 employees and increase truck traffic from 100 trucks/day to 200-300 trucks/day.
- Currently, the ADT volume on River Road between DuPont Road and the Westover Bridge intersection is 3,900 with 220 trucks operating at LOS C. It is estimated that future growth in the area will result in an increased ADT volume on River Road to 10,400 (38% increase) with 586 trucks operating at LOS F by 2050 (166% increase).

1.5 Logical Termini and Independent Utility

WVDOH has ensured that, in accordance with FHWA regulations, the proposed action will:

- connect logical termini and be of sufficient length to address environmental matters on a broad scope,
- have independent utility or independent significance (be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made), and
- not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

The limits of the proposed action were identified based on local and regional growth projections, existing roadway deficiencies, large industrial traffic generators located in the MIP and logical access points. The proposed action begins at the intersection of Master Graphics Road and River Road in the north and follow Rail Street until diverging and crossing the Monongahela River on a multi-span bridge, before intersecting the Smithtown and Grafton Roads to the south.

The proposed action alternative grew out of numerous previous studies, which are explained in further detail in subsequent sections. The proposed Harmony Grove Interchange I-79 Exit 151 Project is located just north of the Morgantown Industrial Park Access Project and the proposed projects could operate in conjunction with one another.

1.6 Project History & Plan Consistency

The WVDOH, in partnership with the MMMPO, has been studying alternative transportation access opportunities in the project area since 2016. The MMMPO provides comprehensive transportation planning for the safe and efficient movement of people and goods consistent with the region's overall economic, social, and environmental goals. The WVDOH serves on the transportation advisory committee of the MMMPO and assists in the development of the Metropolitan Transportation Plan (MTP). This partnership, to establish and advance transportation projects, is evident with the studies and documents referenced in the timeline below. The information in this section represents a summary of previous studies, meetings, and project development coordination. Previous study reports and supporting information can be found in the Project Technical Files.

2016

WVDOH prepared the Morgantown Industrial Park Preliminary Access Study (2016) which identified five alternatives to provide additional access to the Morgantown Industrial Park. Options A through D were proposed interchanges along I-79; Option D is the Harmony Grove interchange; Option E was a bridge spanning the Monongahela River connecting the industrial park to US 119, approximately two miles north of Interchange 1 of I-68.

2018	<p>The MMMPO began investigating options to provide enhanced access to the MIP in 2018 with the publication of the Morgantown Industrial Park Access Study (October 2018). The purpose of the study was to reduce the impact of truck traffic on local roadways, support future expansion of MIP, improve access to communities along River Road and provide alternative access to MIP in case of emergency. This study included the review of seven alternatives which involved traffic data, future land use consideration, a steering committee and public meetings. Alternatives 1 and 2 discussed in this EA were included in the analysis.</p> <p>“The results of the Study show that there is a significant need to provide reliable access to the Industrial Park. This result is due to the need for reliable emergency services access from at least two different roads and to diffuse truck traffic in Westover proper as well as to accommodate future growth at Morgantown Industrial Park.” The cost benefit of a bridge alternative was also noted as a concern. The study recommended the MTP be amended to include additional access to MIP; however, more detailed studies would be necessary to determine the best alternative to accomplish the goals.</p>
2019	<p>The MMMPO voted to add an MIP additional access project to the MTP in late 2018 and meetings were held in 2019 to elevate the Harmony Grove Interchange Project to a Tier 1 project.</p>
2020	<p>The Harmony Grove Interchange project was initiated by WVDOH as an outgrowth from the initial alternatives presented in 2016 and 2018. Located at the junction of River Road and I-79 (Mile Marker 151), studies were initiated to develop detailed designs for a new interchange in an effort to provide improved access to the MIP. The purpose of this project mirrored that of the Morgantown Industrial Park Access Study (October 2018). The Interchange Justification Report (IJR) and NEPA EA are currently in progress.</p>
2023	<p>June</p> <p>The Morgantown Industrial Park Access Design Study was completed by HNTB, on behalf of WVDOH, to investigate feasible new roads west and east between I-79 and US 119 and north and south between US 19 and I-68 to facilitate reasonable free flow of the industrial access road truck traffic to the interstate system. Three alternatives were reviewed and refined based on their contribution to the larger transportation network, alignment with local and regional planning efforts, and public comments received on previous studies. Alternatives 1 and 2 were bridge crossing locations previously considered, Alternative 3 was a crossing location not previously reviewed in the 2018 study. No alternative was recommended in this study.</p> <p>August</p> <p>Since the completion of the 2023 WVDOH Design Study, the MMMPO produced a memo reviewing Alternative 1 and 3. The MMMPO and WVDOH recommended dropping Alternative 2 from consideration due to bridge elevation and impacts to the MIP road network. Alternative 3 was recommended to the MMMPO Policy Board for advancement. At their August meeting, the Policy Board unanimously recommended that WVDOH advance Alternative 3 for further study. WVDOH reviewed the recommendations and concurred with the MMMPO that Alternative 3 should be considered for further study, initiating the NEPA Process. WVDOH reviewed the MMMPO recommendations, and took this to the public in 2023, for comment.</p>

Plan Consistency

The proposed action provides alternate access to the MIP along with targeting industrial development and addressing increased growth. This approach is supported by the MMMPO, along with the WVDOH, and documented in numerous resources including the 2050 MTP.

2.0 Alternatives

Several alternatives were evaluated throughout the course of the project. The alternatives included a No Build Alternative and three build alternatives (Alternatives 1, 2, and 3). All three build alternatives are shown on **Figure 3**.

2.1 No Build Alternative

The No Build Alternative serves as a baseline against which build alternatives are evaluated. The No Build Alternative represents the “do nothing” alternative. The No Build Alternative is being carried through the entire planning and environmental process.

2.2 Build Alternatives

2.2.1 Alternative 1: New Alignment along River Road from I-79 Overpass to US 119 Don Knotts Boulevard

Alternative 1 is the northernmost option which largely tracks alongside the existing River Road alignment, crosses the Monongahela River upstream of the Morgantown Lock and Dam, and connects to Don Knotts Boulevard (US 119) via an overpass. Alternative 1 also includes roadway improvements along River Road continuing north to the Westover Bridge. A similar crossing location was explored in previous studies with the major issue being noted as the grade differential between the two sides of the river. Overall, this alignment is a combination of previously explored alternatives that provided sound results from a network perspective but had practical difficulties primarily related to grade. Alternative 1 also has the most impacts to residents, businesses, and recreational uses (highly traveled, paved portion of the Caperton Rail-Trail and Mountaineer Heritage Park) due to its location closer to Westover and Morgantown. Alternative 1 is shown on **Figure 4**.

2.2.2 Alternative 2: New Alignment from River Road to Rail Street to US 119 Don Knotts Boulevard at Greenbag Road

Alternative 2 is the middle alignment which bisects the industrial park and provides the most direct east to west route. After crossing the river, the alignment avoids impacts as much as possible but still requires the most coordination with the industrial park owners and tenants due to grade changes and potential impacts to industrial properties. Due to the industrial park rail spur and main rail line, a second structure is required. This raises the roadway alignment throughout the developed area and necessitates retaining walls to minimize impacts. Alternative 2 presents the most impacts to the industrial park road and rail network. It crosses the Mon River Rail-Trail in a less frequently used area compared to Alternative 1. Alternative 2 is shown on **Figure 5**.

2.2.3 Preferred Alternative 3: New Alignment from River Road to Rail Street to US 119 Grafton Road

Preferred Alternative 3 is the southernmost alignment, which has no precursor seen in the previous access studies prior to the 2023 Design Study. US 119 both climbs and moves eastward away from the industrial park, requiring an additional roadway to connect at this location. Preferred Alternative 3 has two new intersecting points, first at Smithtown Road via connector road and at its eastern terminus with US 119, approximately 0.5 miles from the I-68 interchange. Preferred Alternative 3 is located in the most undeveloped area of the three alternatives and has the least impacts to both the residents of the area and the industrial park road network. It crosses the Mon River Rail-Trail in a more undeveloped section. Preferred Alternative 3 is shown on **Figure 6**.

2.3 Highway Design Criteria

The build alternatives were developed based on design criteria for mountainous terrain and a roadway classification for an urban major collector with a 40 MPH minimum speed limit. The design criteria were selected to meet WVDOH Design Criteria and were developed based on information in the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on the Geometric Design of Highways and Streets*, "The Green Book" (7th Edition, 2018). A typical roadway section of 40 feet wide was assumed for all build alternatives, which accommodates two (2), 12-foot travel lanes (24-foot travel way) and 8-foot-wide shoulders or the MMMPO 2050 LTP urban standard cross-section of 26-foot travel way minimum. For the purposes of proposing and choosing an alternative, the 40-foot roadway cross-section width is a reasonable approximation of the final condition but should be refined as the design, traffic models, and public feedback progress.

2.4 Preliminary Impact Analysis

A preliminary impact analysis was conducted for the three potential build alternatives using secondary source data (desktop review, no field views or detailed studies, unless indicated otherwise). Specific to above ground historic structures, desktop research identified previously determined National Register of Historic Places (NRHP)-listed and -eligible resources. Additionally, a windshield survey was completed to determine if buildings constructed prior to 1978 (45 years ago) could be considered potentially eligible for NRHP listing.

The impact analysis reviews the most prominent constraints, including both environmental and engineering factors within each corridor. Depending on the resource, the corridor is defined as either a 500-foot buffer of the alignment or the preliminary Limit of Disturbance (LOD). The most favorable alternative must demonstrate it is the least environmentally damaging practicable alternative. Each alternative was designed to a reasonable level of detail so their comparative merits could be evaluated.

Since public participation is a key element of the NEPA process, the feedback received thus far on the project has been incorporated into the analysis. A Public Scoping Meeting was held in October 2023 illustrating all three alternatives and seeking public input. As of December 1, 2023, a total of 29 comments were received. Nineteen of the comments opposed the project, with two of those indicating a preference for either Alternative 2 or 3 if the project moves forward. Given that there were few comments that favored any one alternative, public feedback was not a major factor in

Environmental Assessment
Morgantown Industrial Park Access
Monongalia County, West Virginia

determining the least environmentally damaging practicable alternative of the three build alternatives. For more information related to public involvement activities, see **Section 2.7** and **Appendix C**.

Alternatives 1, 2, and 3 were evaluated using three factors:

- **LEAST favorable** - Least favorable factors exhibited the highest likelihood for considerable impacts.
- **LESS favorable** - Less favorable factors exhibited a moderate impact.
- **FAVORABLE** - Favorable factors indicated no impact or a positive outcome.

Each factor was color coded as shown above and is similarly represented in each alternative write up as well as on **Table 2**. The alternative with the most favorable factors, was advanced into detailed design and analysis. The No Build Alternative was not included in the table, as the No Build Alternative would have no impact to the resources.

Table 2: Preliminary Impact Analysis

	Resource	Alternative 1	Alternative 2	Alternative 3
Socioeconomics	Environmental Justice Displacements within Low Income Census Tract Source: US EPA EJ Screen, Displacements	Most EJ Impacts 9 potential displacements	Fewer EJ Impacts 5 potential displacements	Fewest EJ Impacts 0 potential displacements
	Land Use Planning Favorability of Alternative with MMMPO and WVDOH Source: various MMMPO and WVDOH Studies	Not Recommended by MPO and WVDOH	Not Recommended by MPO and WVDOH	Recommended by MPO
	Potential Section 4(f)/ Recreational Resources Recreational resources and/or Section 4(f) protected resources within LOD Source: FHWA determination, aerial/tax map, WVSRA	1 Impact to Caperton Trail – Recreation and potential Section 4(f) Resource	1 Aerial crossing of Mon River Trail - recreation but not Section 4(f)	1 Aerial crossing of Mon River Trail - recreation but not Section 4(f)
	Noise Sensitive Receptors Land uses that could be affected by highway noise within 500ft Source: aerial map review, google street view	Approximately 150 resources	Approximately 10 resources	Approximately 75 resources
Environmental	Wetlands & Waterways Wetland and waterway crossings or encroachments within LOD Source: NWI, USGS, limited field view	3 stream crossings	3 stream crossings	2 stream crossings, 1 wetland encroachment
	Navigability USCG navigability and USACE Lock and Dam system Source: USCG, USACE, aerial mapping	Approx. 800 feet upstream of Lock and Dam, highly navigable section of river	Approx. 8,000 feet upstream of Lock and Dam, Bridge crosses over MIP barge dock causing navigation concerns	Approx. 13,000 feet upstream of Lock and Dam, no major navigation issues
	Surface Water Intake Proximity to public surface water intake Source: WVHHS drinking water viewer	Approx. 1,000 feet downstream	Approx. 2,300 feet upstream	Approx. 7,500 feet upstream

Table 2: Preliminary Impact Analysis

	Resource	Alternative 1	Alternative 2	Alternative 3
	Threatened & Endangered Species Proximity to federally listed, proposed, and candidate species Source: USFWS, WVDNR	1 proposed species known to occur in close proximity Within recognized range of 2 federally listed, 1 proposed, and 1 candidate species Group 3 State Mussel Stream	Within recognized range of 2 federally listed, 1 proposed, and 1 candidate species Group 3 State Mussel Stream	Within recognized range of 2 federally listed, 1 proposed, and 1 candidate species Group 3 State Mussel Stream
	Historic Resources NRHP-Listed, Eligible, and Potentially Eligible Properties Source: WVSHPO map viewer, field view	Approx. 14 resources	Approx. 4 resources	Approx. 1 resource
	Archaeology Recorded archaeological sites and probability of areas containing archaeological resources within the LOD Source: WVDCH, historic and aerial maps, soils	1 site	0 sites	0 sites
	Hazardous Waste Potential Areas of Concern (AOCs) within 500 ft Source: Environmental Data Resources (EDR)	Approx. 12 AOCs	Approx. 6 AOCs	Approx. 3 AOCs
Engineering	Displacements Residential, commercial, or industrial buildings that would be affected by construction within LOD Source: Engineering designs, aerial map review	16 commercial and residential	4 commercial/industrial	0 displacements
	Geotechnical Considerations Stability concerns and waste material (cut) required Source: HNTB Design Study (2023)	Surface Mine Seams/Voids Landslide Concerns Excessive Material Waste	Landslide Concerns	Landslide Concerns
	Road Network Connectivity Connectivity to local roadway network (Industrial Park, River Road, Dupont Road, Smithtown Road, and US 119) Source: HNTB Design Study (2023)	Scored highest (32)	Scored similar to Alt 3 (26) Note - MMMPO and WVDOH dropped Alt 2 due to conflicts with MIP Roads and Railroad	Scored similar to Alt 2 (26)
	Construction Cost Roadway, bridge, and retaining wall construction costs and 20% contingency Source: HNTB using FHWA HERS Improvement Cost	\$70 million	\$65 million	\$72 million
	Determination	Least Favorable	Less Favorable	Most Favorable

Details for each alternative are summarized below, highlighting how each alternative performed when assessed against the same set of environmental and engineering factors.

2.4.1 Alternative 1

Alternative 1 demonstrates the following:

- 10 least favorable factors
- 3 less favorable factors
- 2 favorable factors

Alternative 1 - Least and Less Favorable Factors (13 out of 15)

The Alternative 1 corridor is the most densely developed corridor of all three alternatives. Its location increases the possibility of impacts to EJ communities, potential Section 4(f) resources, noise sensitive receptors, potentially hazardous waste sites, and historic properties. With the highest number of displacements, this alternative affects the most residents in the area. The location of the bridge crossing and grade-separated intersection with US 119 impacts both the City of Morgantown's First Ward community and the potential Section 4(f)-protected Caperton Trail. The trail is a recreational resource that is publicly owned by the City of Morgantown. Alternative 1's bridge crossing is located approximately 800 feet upstream of the Morgantown Lock and Dam and in a section of the river that experiences frequent navigational channel use with barge activity. Alternative 1 also has the highest potential to impact Threatened and Endangered (T&E) Species.

Alternative 1 is the most challenging from an engineering perspective. Geotechnical findings indicate that Alternative 1 has the most identified geotechnical issues including surface mine seams and voids and known subsidence. River Road has been closed and repeatedly repaired due to instability. The amount of material that would be removed (cut slope) to stabilize lower River Road could present future stability concerns. Finally, the grade differential between the two sides of the river necessitates a larger footprint at US 119.

The MMMPO Memo (August 2023) described Alternative 1 as having the most detrimental impact to Mountaineer Heritage Park. It also documented public opposition from residents of the City of Morgantown's First Ward due to the necessary grade-separated intersection along US 119. The MMMPO's Policy Board, with WVDOH input, did not recommend Alternative 1.

Alternative 1 - Favorable Factors (2 out of 15)

Alternative 1 has two favorable factors, better road network connectivity to local roads and destinations along with a fully separated River Road alignment. Leaving the existing River Road undisturbed was found to have benefits including traffic control during construction and reduced impacts to the residential area.

Similarly, the bridge crossing over the Monongahela River is located approximately 1,000 feet downstream of the Morgantown Utility Board's (MUB) raw water intake. The bridge's downstream location will likely not present a concern for water quality management for the intake operations.

2.4.2 Alternative 2

Alternative 2 demonstrates the following:

- 4 least favorable factors
- 9 less favorable factors
- 2 favorable factors

Alternative 2 - Least and Less Favorable Factors (13 out of 15)

Alternative 2 almost wholly travels through the MIP. The impacts for Alternative 2 are lower when compared to Alternative 1 for EJ, displacements, hazardous waste, and historic resources, but these impacts are higher when compared to Alternative 3. Alternative 2 has moderate impacts to watercourses, T&E, and the Mon River Rail-Trail.

Alternative 2 was removed from further study by the MMMPO and WVDOH due to unfavorable bridge elevations and impacts to the MIP street network. This Alternative requires two bridges, the main bridge spanning the river and active Norfolk Southern Railroad, and a second bridge structure to cross over Rail Street and MIP's rail spur. This raises the roadway alignment throughout the developed area and may necessitate retaining walls to minimize additional impacts. Similarly, this alignment directly impacts the MIP's Monongahela River access point, which is also undesirable for existing and future tenants of MIP.

Alternative 2's bridge crossing on the Monongahela River is located approximately 2,300 feet upstream of the MUB raw water intake. The bridge's proximity of less than ½ mile to the intake may present a concern for water quality management and spill response for the intake operations. This section of the river is approximately 100 feet narrower than where the other two alternatives' bridge crossings are located and this section of river experiences more frequent navigational channel use with barge activity. Alternative 2's bridge crossing would likely result in impacts to the navigational channel use in this section of the river.

Alternative 2 - Favorable Factors (2 out of 15)

Alternative 2 possesses moderate to minimal impacts to archaeological sites and noise sensitive receptors; however, these minimizations were outweighed by the proximity to the surface water intake, and impacts to EJ, displacements, and historic resources. Alternative 2 was dropped from further study by the MMMPO and WVDOH due to the bridge elevation, disruption to MIPs internal roadway network, and impacts to MIP tenants.

2.4.3 Alternative 3

Alternative 3 demonstrates the following:

- 0 least favorable factors
- 8 less favorable factors
- 7 favorable factors

Alternative 3 - Least and Less Favorable Factors (8 out of 15)

Alternative 3 had no least favorable factors and eight less favorable factors including aerial impacts to the Mon River Rail-Trail, proximity to noise sensitive receptors, wetland and watercourse impacts, proximity to T&E species, landslide concerns, and roadway network connectivity.

Alternative 3 - Favorable Factors (7 out of 15)

Alternative 3 demonstrates the highest favorable factors of all three alternatives including minimal impacts to EJ communities, the Lock and Dam system, archaeological resources, hazardous waste sites, historic resources, and displacements. Alternative 3 was identified as the most favorable by WVDOH and by the MMMPO, and it was concurred upon by the MMMPO's Policy Board. The Alternative 3 bridge crossing on the Monongahela River is located approximately 7,500 feet upstream from the raw water intake. The bridge crossing's distance of nearly 1.4 miles upstream from the MUB's intake minimizes concern for water quality management and spill response for the intake operations. However, mitigative measures will be put in place including the implementation of a spill prevention plan and stormwater management measures to avoid/minimize impacts to the water quality of the Monongahela River.

2.4.4 Identifying a Preferred Alternative

To identify a Preferred Alternative, several factors must be met, including the following:

- Meets the Purpose and Need
- Sound engineering and constructability
- Demonstrates the least environmentally damaging practicable alternative

Because all three alternatives meet the project’s Purpose and Need, and have been designed to a comparable level, the remaining factors for identifying a Preferred Alternative include constructability and least environmentally damaging practicable alternative. Both Alternative 1 and 2 exhibited constructability concerns. Alternative 1 traverses a former surface mine and utilizing the lower River Road footprint presents considerable constructability concerns. Similarly, Alternative 2 was dropped from consideration by the planning agencies due to roadway network concerns and bridge elevation.

Finally, to examine the least environmentally damaging practicable alternative, see **Table 3**. Through the preliminary impact analysis, it has become clear that Alternatives 1 and 2 demonstrate the lowest Most Favorable factors and Alternative 3 demonstrates the highest Most Favorable factors, making Alternative 3 the least environmentally damaging practicable alternative.

Table 3: Preliminary Impact Analysis Summary

Alternatives	Least Favorable	Less Favorable	Most Favorable
▪ Alternative 1	10	3	2
▪ Alternative 2	4	9	2
▪ Alternative 3	0	8	7

Alternative 3 has been advanced for detailed study as the Preferred Alternative because it meets the purpose of providing the MIP and the residents along and south of River Road (CR 45) with improved access across the Monongahela River to US 119 and I-68.

Preferred Alternative 3 satisfies the need to:

- Provide direct access across the Monongahela River
- Provide alternative access in a growing area of Monongalia County
- Provide alternate access to MIP to continue economic growth

Preferred Alternative 3 also presents the least harm to:

- Residential, commercial, and industrial land uses
- EJ communities
- Potential Section 4(f)-Protected Caperton Trail
- Active USACE Lock and Dam system
- Historic Resources
- Archaeological Resources
- Hazardous Waste Sites

Alternative 3 meets the project’s Purpose and Need and is the least environmentally damaging practicable alternative; therefore, Alternative 3 will be advanced into detailed design as the Preferred Alternative.

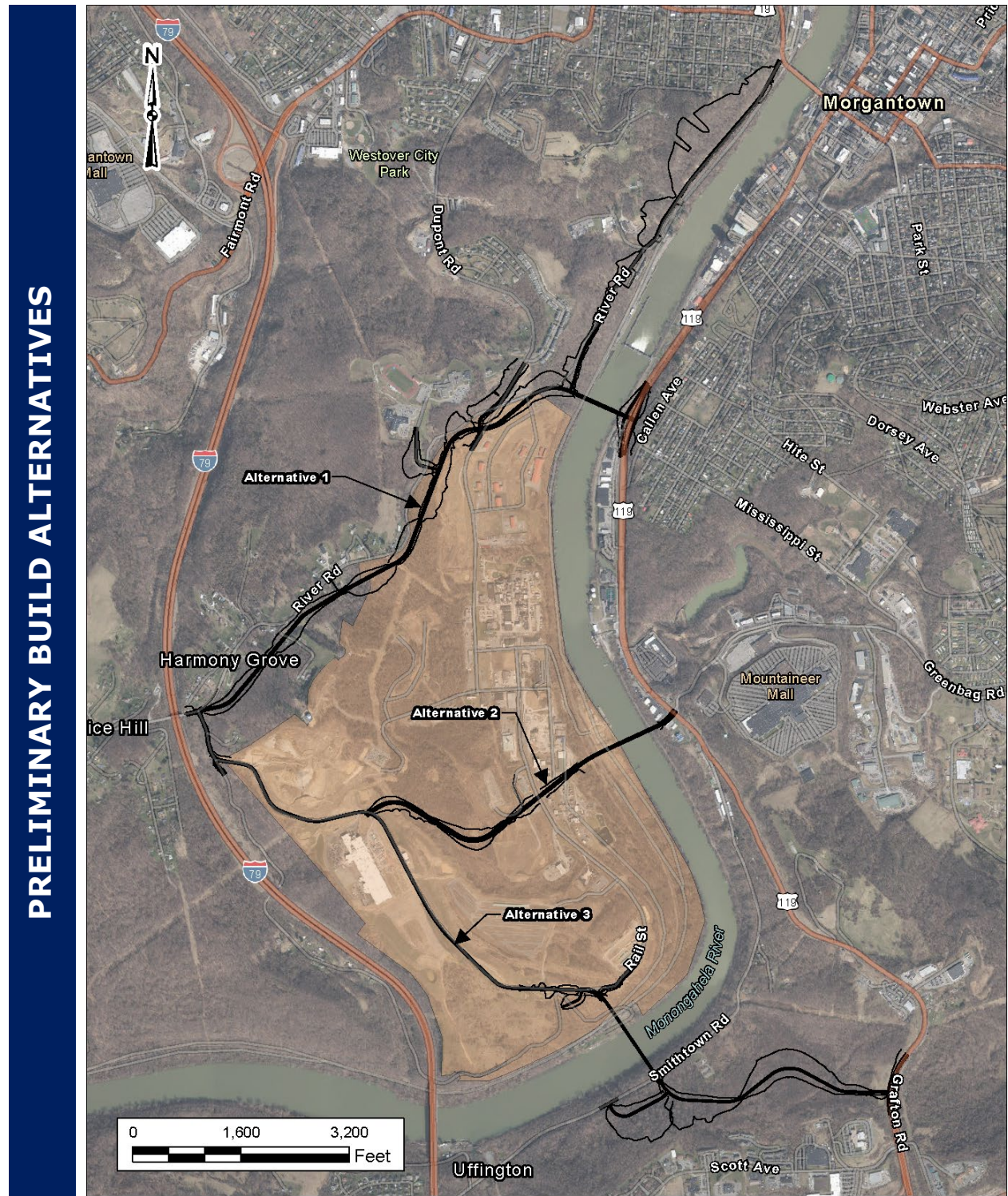


Figure 3: Overview of Preliminary Build Alternatives

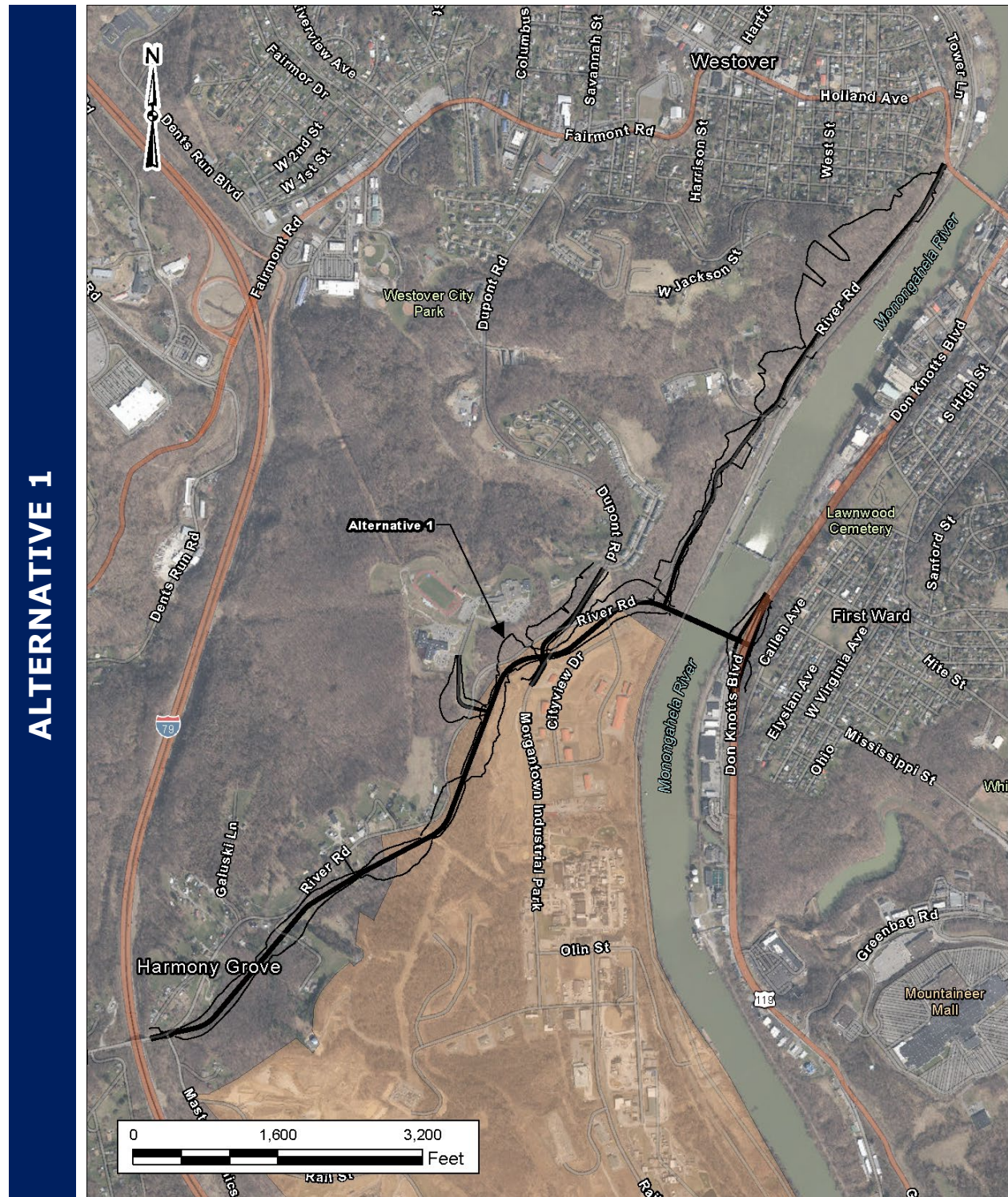
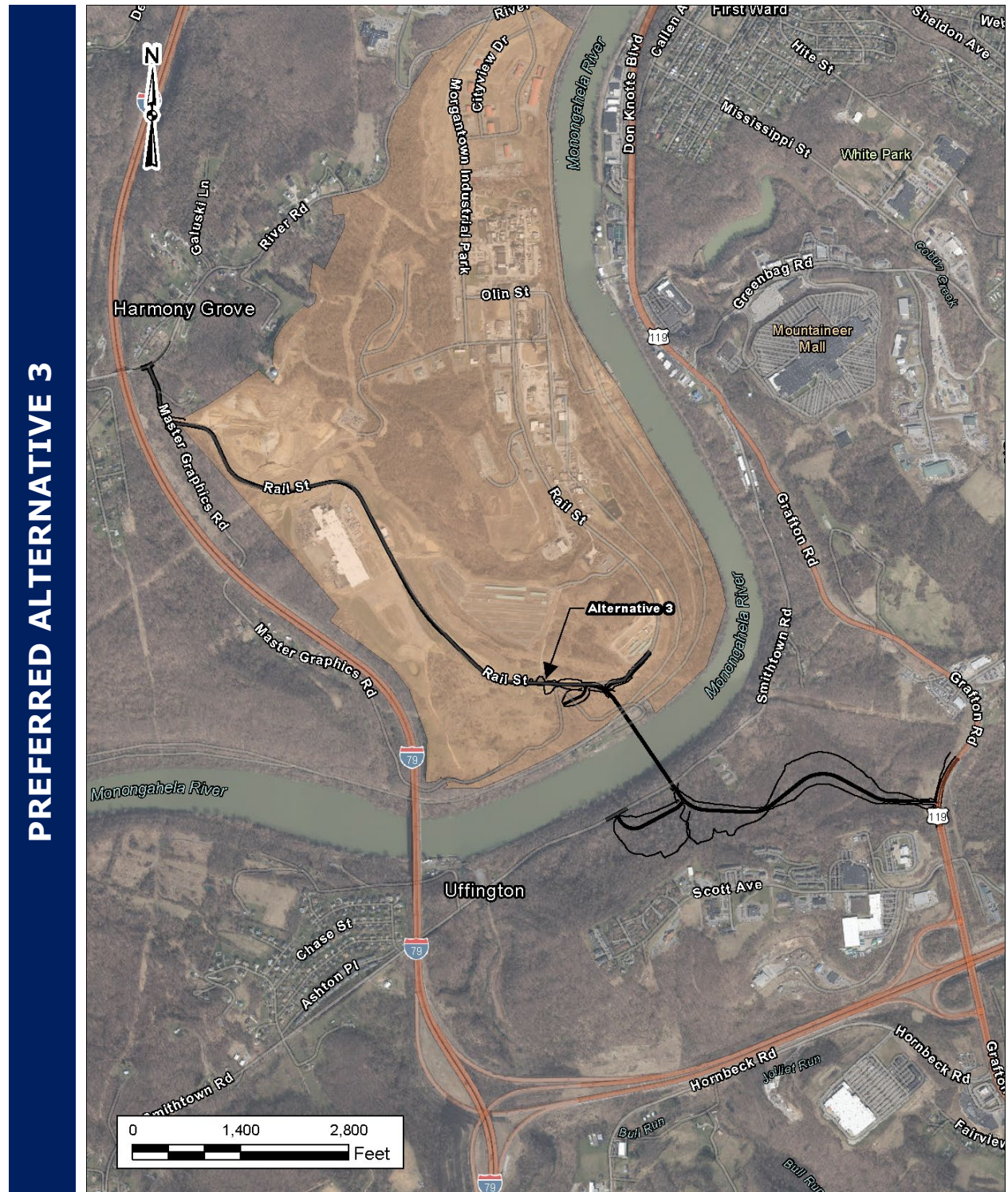


Figure 4: Alternative 1: New Alignment along River Road from I-79 Overpass to US 119 Don Knotts Boulevard



Figure 5: Alternative 2: New Alignment from River Road to Rail Street to US 119 Don Knotts Boulevard at Greenbag Road



PREFERRED ALTERNATIVE 3

Figure 6: Preferred Alternative 3: New Alignment from River Road to Rail Street to US 119 Grafton Road

2.5 Preferred Alternative

Based on the above analysis, one alternative (Preferred Alternative 3) is recommended for detailed study. Alternative 3 is presented in this document as the Preferred Alternative and illustrated in detail on constraints mapping located in **Appendix B**. Preferred Alternative 3 represents the preliminarily designed roadway and bridge that includes the following:

- Upgrades to Master Graphics Road and the intersections with River Road and Rail Street
- Minor upgrades to Rail Street from River Road to just south of Mountaintop Beverage
- Reconstruction of Rail Street just south of Mountaintop Beverage to new bridge
- New multi-span bridge crossing the active Norfolk Southern Railroad, Monongahela River, and Mon River Rail-Trail
- New roadway construction from the south/east bank of the Monongahela River to US 119
- New intersections at Grafton Road (US 119) and Smithtown Road (WV 73)

Two bridge piers will be constructed within the Monongahela River and one above the associated floodplain. Due to existing floodplain constraints that limit access to the river, it is anticipated the bridge structure will be constructed from the river, which may involve the use of cranes and barges. This construction approach minimizes impacts to the Monongahela River navigational use and floodplain.

Due to the project need centered around access and industrial development, transportation systems management (TSM) and public/mass transit scenarios were not considered.

2.6 Traffic Analysis

Traffic volumes for the project area were provided to WVDOH by the MMMPO and were reviewed and verified by traffic engineers and MMMPO traffic analysts. The traffic analysis focused on arterial intersections and River Road segments that are a key component of the Purpose and Need for this project. Traffic volumes, or Average Daily Traffic (ADT), represented below are derived from the MMMPO Travel Demand Model's current volume (2018-2019) and future volume (2050). Level of service (LOS) is a term used to qualitatively describe the operating conditions of a roadway based on factors such as speed, travel time, maneuverability, delay, and safety. The level of service of a facility is designated with a letter, A to F, with A representing the best operating conditions and F the worst.

River Road

- When lower River Road is closed, approximately 3,900 additional vehicles (projected 9,100 in 2050) are forced to use Dupont Road and Fairmont Road (US 19) through Westover as an alternate route to access the Westover Bridge into Morgantown.
- Currently, the ADT volume on River Road between DuPont Road and the Westover Bridge intersection is 3,900 with 220 trucks operating at LOS C. It is estimated that future growth in the area will result in an increased ADT volume on River Road to 10,400 (38% increase) with 586 trucks operating at LOS F by 2050 (166% increase).

- With Preferred Alternative 3 in place (2050 Build), ADT volume on lower River Road will be 5,700 (44% decrease) with 228 trucks operating at LOS C at the Westover Bridge intersection.
- In the No Build scenario (2050), River Road and DuPont Road/Industrial Park Road intersection will operate at an LOS of F in both the AM and PM peak hours.
- With Preferred Alternative 3 in place (2050 Build), River Road and DuPont Road/Industrial Park Road intersection will operate at LOS B in the AM peak hours and LOS C in the PM peak hours.

Westover Bridge

- The MMMPO Travel Demand Model estimates that the ADT volume on the Westover Bridge is projected to increase by 11,500 vehicles per day (or 66%) by 2050 if an alternate route to the MIP is not constructed.
- With Preferred Alternative 3 in place (2050 Build), Westover Bridge ADT will drop from 29,300 to 24,800, a reduction of 4,400 vehicles.

Preferred Alternative 3

- Preferred Alternative 3's bridge over the Monongahela River is projected to carry 8,200 vehicles per day by 2050. If not constructed, these vehicles would otherwise use River Road and/or Dupont Road to access the Westover Bridge into Morgantown.

The traffic analysis demonstrates that the Preferred Alternative 3 meets the project's Purpose and Need of providing MIP and residents along River Road improved access across the Monongahela River to US 119 and I-68. With projected growth and associated projected vehicular and truck traffic volumes, Preferred Alternative 3 will provide an alternate to River Road, thereby reducing congestion at key intersection and on the Westover Bridge.

2.7 Public Involvement Activities

Stakeholders and the public were engaged numerous times prior to the inception of the NEPA process for the Morgantown Industrial Park Access Project. A steering committee consisting of representatives from seven state and local entities, including WVDOH, was established to provide guidance and oversight of the study process at the local level. Eight meetings were hosted by MMMPO with the stakeholders, public, and the steering committee between 2018 and 2022. These meetings reviewed the transportation network and possible solutions specific to this project area as well as the entirety of Monongalia County and included the following:

Table 4: Plan Development Public Outreach

Date	Category	Purpose
August 2018	Steering Committee Meeting	<ul style="list-style-type: none"> ■ Morgantown Industrial Park Access Study ■ Reviewed seven alternatives including one bridge crossing ■ Hosted by MMMPO
September 2018	Public Meeting	<ul style="list-style-type: none"> ■ Morgantown Industrial Park Access Study ■ Reviewed seven alternatives including one bridge crossing ■ Hosted by MMMPO
October 2018	Public Meeting	<ul style="list-style-type: none"> ■ MMMPO Metropolitan Transportation Plan (MTP) ■ Tier 1 Project Amendment Meeting to elevate MIP access to Tier 1 ■ Hosted by MMMPO
October 2018	Steering Committee Meeting	<ul style="list-style-type: none"> ■ MMMPO Metropolitan Transportation Plan ■ Tier 1 Project Amendment Meeting to elevate MIP access to Tier 1 ■ Hosted by MMMPO
January 2019	Public Meeting	<ul style="list-style-type: none"> ■ MMMPO Metropolitan Transportation Plan ■ Tier 1 Project Amendment Meeting to elevate MIP access to Tier 1 ■ Hosted by MMMPO
August 2021	Virtual Public Workshop	<ul style="list-style-type: none"> ■ Metropolitan Transportation Plan ■ MTP review and comment on population growth projections, land use and growth, and proposed transportation solutions county-wide ■ Hosted by MMMPO
December 2021	Public Workshop	<ul style="list-style-type: none"> ■ Metropolitan Transportation Plan ■ MTP review and comment on population growth projections, land use and growth, and proposed transportation solutions county-wide ■ Hosted by MMMPO
February 2022	Public Workshop	<ul style="list-style-type: none"> ■ Metropolitan Transportation Plan ■ MTP review and comment on population growth projections, land use and growth, and proposed transportation solutions county-wide ■ Hosted by MMMPO

Stakeholders and the public will continue to be engaged as part of the NEPA process for the Morgantown Industrial Park Access Project and include the following:

Table 5: Morgantown Industrial Park Access Project EA Public Outreach

Date	Category	Purpose
October 2023	Public Meeting Held	<ul style="list-style-type: none"> ▪ Morgantown Industrial Park Access Project ▪ Presentation of Alternatives 1, 2, and 3 for public review and comment ▪ Hosted by WVDOH
Spring/Summer 2024	Planned Public Meeting	<ul style="list-style-type: none"> ▪ Morgantown Industrial Park Access Project ▪ Presentation of Preferred Alternative for public review during EA comment period ▪ Hosted by WVDOH

The WVDOH and the FHWA held a public meeting on the project from 5 to 8 pm on October 3, 2023. The meeting was held at the Westwood Middle School in Westover, which is located on River Road (CR 45). The purpose of the meeting was to introduce the public to the project and to solicit public input on the three project alternatives. Approximately 60 people attended the meeting to view the project alternatives, ask questions, and offer comments. No written comments were received at the time of the meeting; the comment period closed on November 3, 2023. A public meeting is planned for spring/summer 2024 after publication of the EA.

As of December 1, 2023, a total of 29 comments were received: fifteen through the WVDOH project website, eight by email, and six by written mail. Nineteen of the comments opposed the project, with two of those indicating a preference for either Alternative 2 or 3 if the project moves forward. Seven of the comments voiced concern about the status and safety of the Mon River Rail-Trail during and after construction, while three comments expressed general concern over the project and impacts to the MUB drinking water intake located approximately 7,500 feet downstream of the proposed bridge structure. Most of the comments showed concern over the construction of this project when the Harmony Grove Interchange Exit 151 project is still planned for future completion. A summary of the public meeting and comments received with responses from WVDOH are provided in **Appendix C**.

3.0 Environmental Impacts and Mitigation

The information in Section 3 provides the analytical basis for comparison of Preferred Alternative 3 and the No Build Alternative. The No Build Alternative is carried into detailed study for comparison purposes, as a baseline. Each section identifies the probable impacts to the resources of the project area and proposed mitigation efforts to offset negative impacts to each resource. Preferred Alternative 3 and its project area are shown on **Figure 7**. Resources within or in the vicinity of the project area are illustrated on constraints mapping in **Appendix B**.

Resource categories or elements that are not present in the project area and therefore not analyzed in this section include:

- Agricultural Resources
- National Scenic Rivers
- Relocations and Displacements
- Wildlife Sanctuaries and Refuges
- National Natural Landmarks
- State Wildlife Management Areas or Forests
- National Parks and Forests
- National Historic Landmarks
- Section 6(f) Resources

The information in this section represents a summary of descriptive and analytical data. Additional information and technical reports can be found in the Project Technical Files.



Figure 7: Preferred Alternative 3 and Project Area

3.1 Social and Economic Characteristics

3.1.1 Demographics & Environmental Justice

Located in the northern portion of West Virginia, the proposed project is in an unincorporated area of Monongalia County south of Morgantown and Westover. The surrounding area generally consists of residential land uses along River Road and commercial/industrial development occurring in the MIP and in conjunction with nearby incorporated areas: Morgantown, Westover, and Star City.

According to the U.S. Census Bureau, West Virginia had an estimated total population of 1,793,716 in 2020, which was a decline of 3.2% from a total population of 1,852,994 in 2010. Monongalia County had a total population of 105,822 and the City of Morgantown had a population of 30,347 in 2020. In contrast to the declining population trends in West Virginia over the past decade, Morgantown and Monongalia County saw a 10% growth in population from 2010 to 2020, which makes Monongalia County the third-most populous county in the state. **Table 6** provides a demographic overview for the City of Morgantown, Monongalia County, and the State of West Virginia for the Census Year 2020. **Table 7** provides an overview of household characteristics for Morgantown, Monongalia County, and West Virginia.

Table 6: Demographic Overview

Geographic Area	Total Population		Population Characteristics (2020)					
	Year 2010	Year 2020	White	African American	Other Minority	Age 65+	Below Poverty Level	Housing Individual Units
City of Morgantown	29,660	30,347	85.7%	5.0%	9.3%	9.6%	34.1%	X*
Monongalia County	96,189	105,822	89.8%	3.8%	6.4%	13.6%	18.3%	49,945
West Virginia	1,852,994	1,793,716	92.8%	3.7%	3.5%	21.2%	17.9%	861,633

*No data available for this statistic (U.S. Census Bureau, Population Estimates Program: Population and Housing Unit Estimates, 2020).

Table 7: Overview of Household Characteristics

Geographic Area	Total Households (2017-2021)	Household Characteristics (2017-2021)	
		Persons per Household	Median Household Income
City of Morgantown	11,637	2.12	\$36,991
Monongalia County	43,640	2.30	\$56,466
West Virginia	711,352	2.47	\$50,884

Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations was established in 1994 as a formal federal policy. This policy requires that Federal agencies consider and address disproportionately high and adverse environmental effects of proposed federal actions on minority and low-income populations. In accordance with EO 12898, demographic data were compiled for the project area block groups to analyze whether any potential Environmental Justice (EJ) populations are present in the project area.

**Environmental Assessment
Morgantown Industrial Park Access
Monongalia County, West Virginia**

EJ populations were identified using the EJScreen, the Environmental Protection Agency’s (EPA) online environmental justice mapping and screening tool, which provides a nationally consistent dataset and approach for combining environmental and demographic socioeconomic indicators. Four categories, demographic index, linguistically isolated, race, and poverty status, were utilized to identify potential EJ populations near the project area. For the purposes of distinguishing between these four categories, the Monongalia County average of 11% was used to determine if minority populations may be present, 20% was used to determine if low-income populations may be present, 24% was used to determine if a population exceeded the demographic index, and 1% was used to determine if linguistically isolated populations may be present. The most recent American Community Survey (ACS) 5-Year Estimate (2017-2021) data were analyzed to establish the county average thresholds. The project area is divided into two areas as census block groups and data differs from the northwest side of the Monongahela River to the southeast side of the river.

The census block group area to the northwest of the Monongahela River is below the county average percent for minority populations, demographic index, and linguistically isolated populations, while slightly above the county average for low-income populations; therefore, low-income populations may exist within the project area on northwest side of the river. The census block group on the southeast side of the river is above the Monongalia County average percent for low-income and minority populations as well as demographic index, but below the county average for linguistically isolated populations; therefore, low-income and/or minority populations and populations above the county demographic index likely exist within the census group block area on the southeast side of the river and project area. **Table 8** summarizes the socioeconomic indicators utilized to identify potential EJ populations within the project area.

Table 8: Environmental Justice Analysis Summary

Socioeconomic Indicators		Analysis Area / Location (Block Group No.)	
		Northwest Side of Monongahela River (Block Group No. 540610111001)	Southeast Side of Monongahela River (Block Group No. 540610110003)
Community Population		974	1,018
Minority Populations Monongalia County Avg. 11%	Percent of Community	6%	30%
	Percentile in State	54 th	37 th
	Percentile in Country	14 th	55 th
Low-Income Populations Monongalia County Avg. 19%	Percent of Community	30%	56%
	Percentile in State	37 th	80 th
	Percentile in Country	55 th	85 th
Demographic Index Monongalia County Avg. 24%	Percent of Community	18%	34%
	Percentile in State	36 th	82 nd
	Percentile in Country	27 th	57 th
Linguistically Isolated Populations Monongalia County Avg. 1%	Percent of Community	0%	0%
	Percentile in State	0%	0%
	Percentile in Country	0%	0%
EJScreen; ACS 5 Year Estimate (2017-2021)			

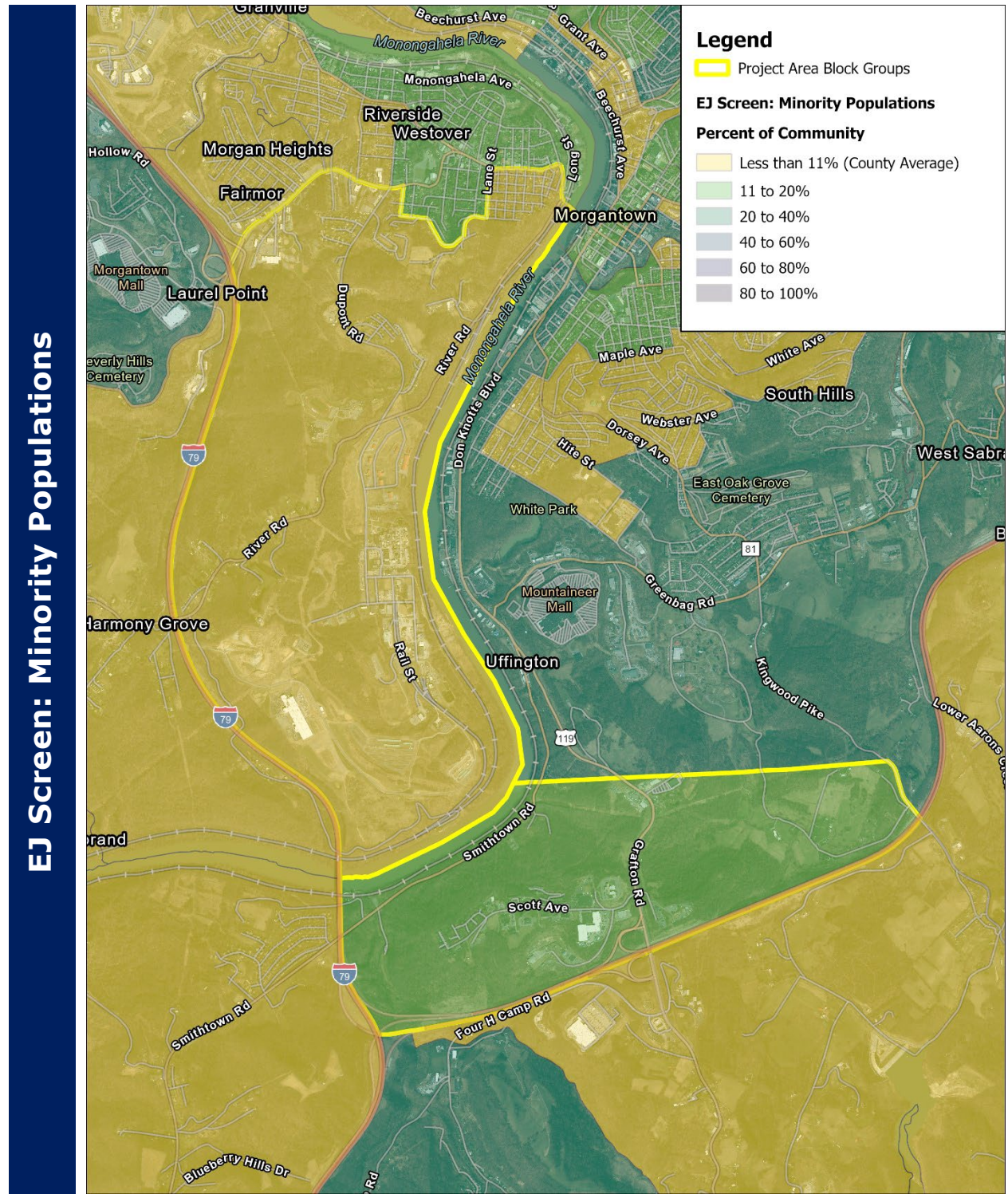


Figure 8: EJ Screen: Minority Populations

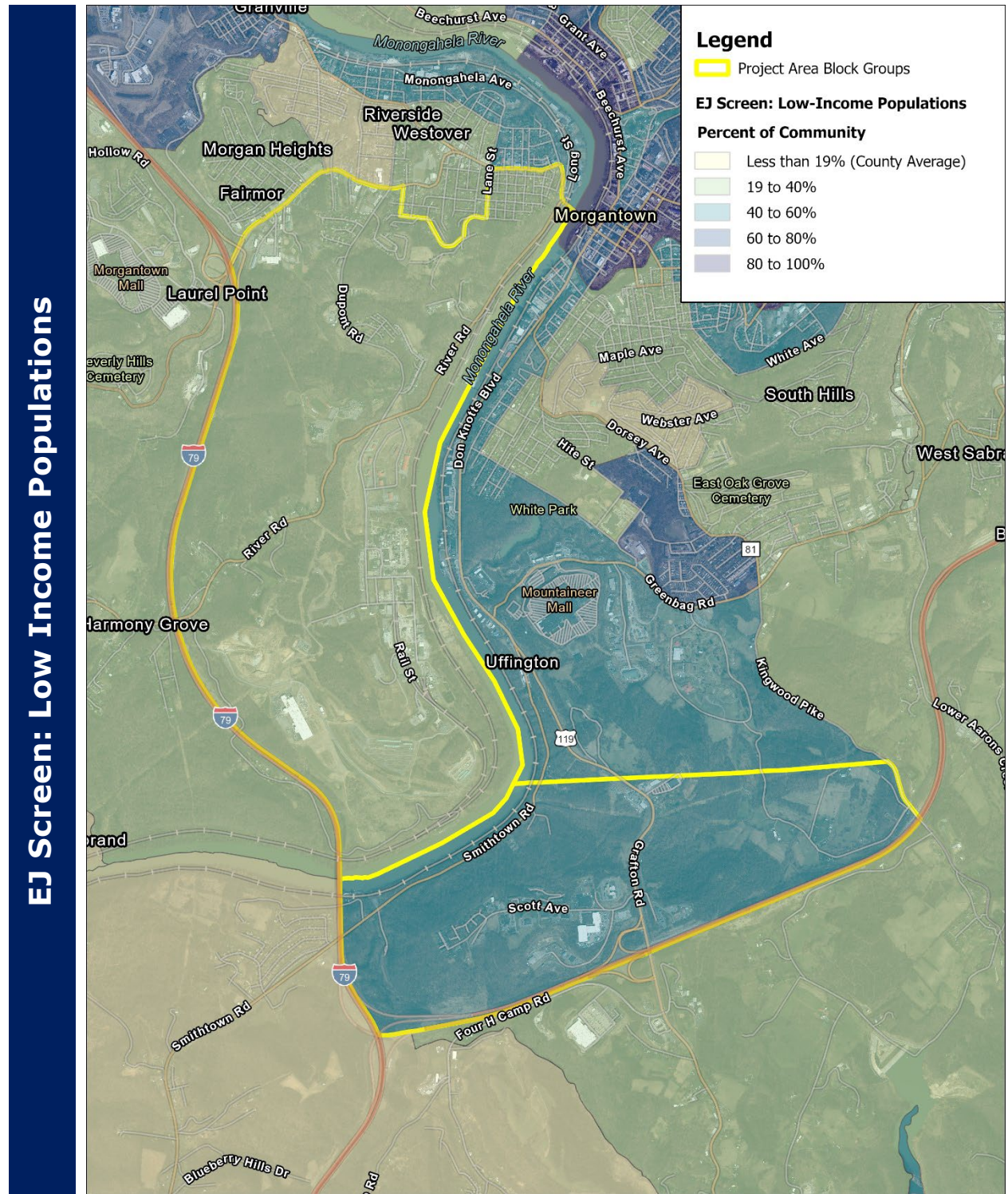


Figure 9: EJ Screen: Low Income Populations

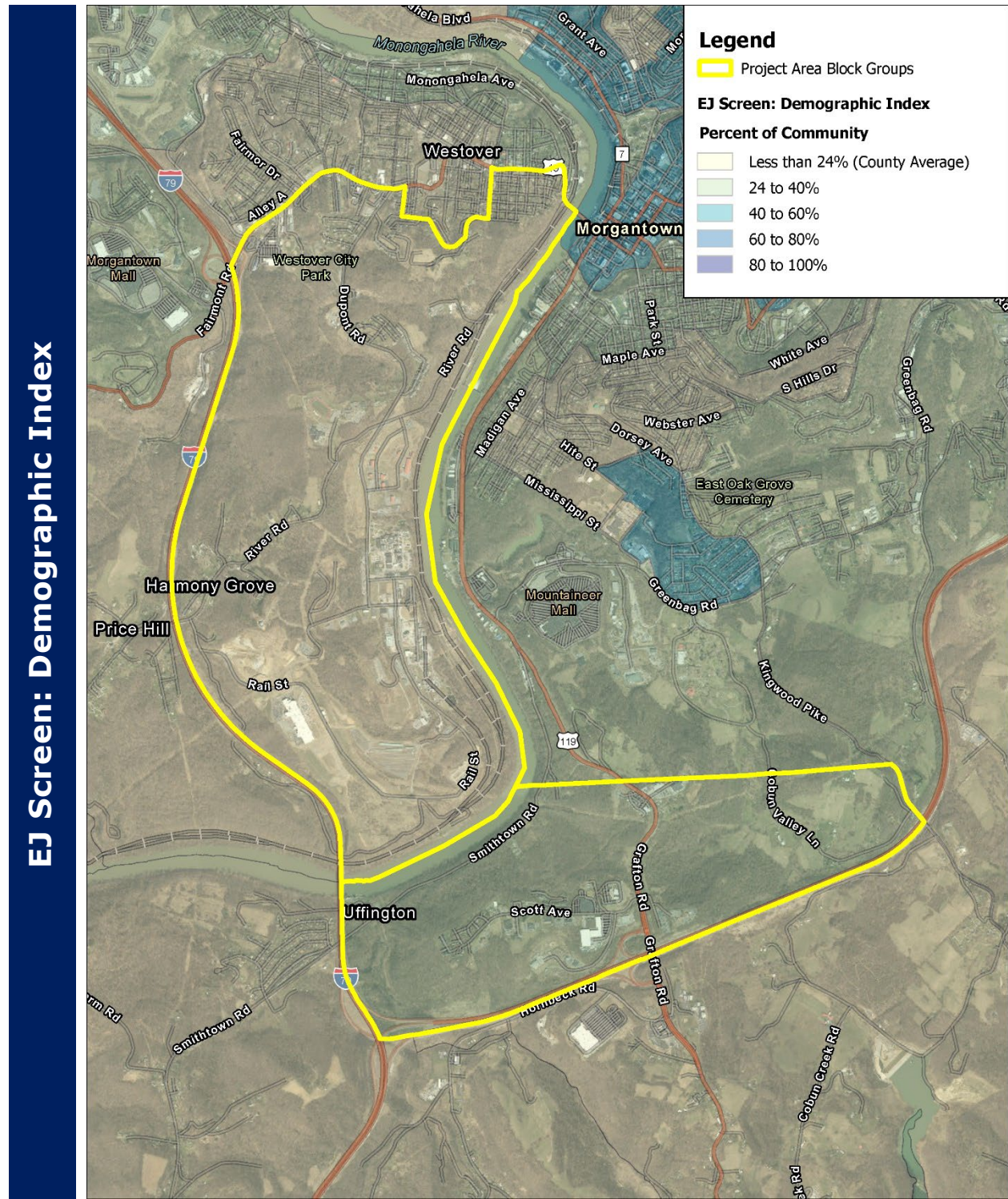


Figure 10: EJ Screen: Demographic Index

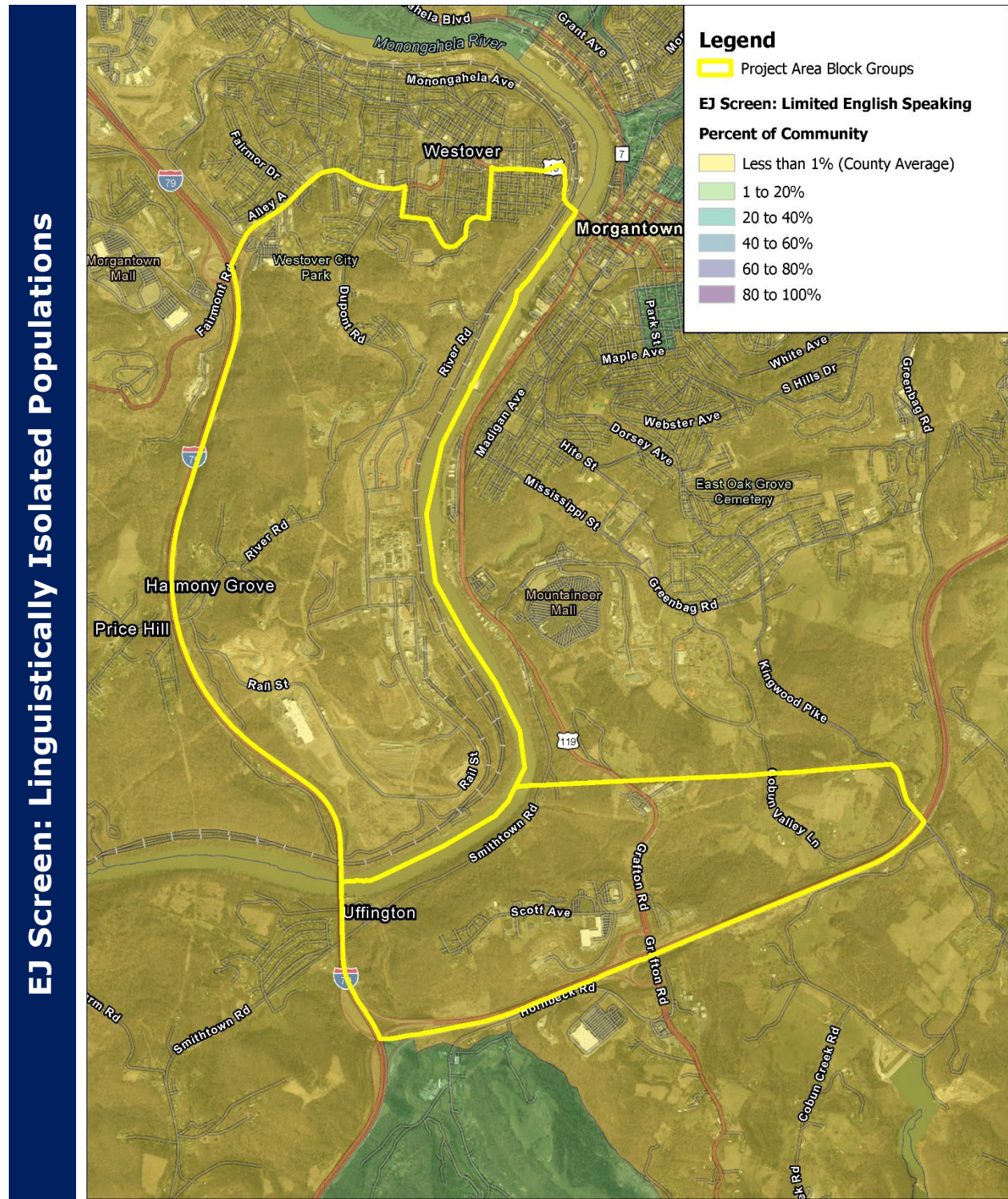


Figure 11: EJ Screen: Linguistically Isolated Populations

Section 8 housing and the Bartlett House, which aids the unhoused, are present in the vicinity of US 119. There are also several sober living and addiction rehabilitation facilities in this area. An unhoused, tented/transient community appears to be located near the Bartlett House and along the nearby gas utility line in the project area.

Impacts & Mitigation

Numerous public outreach efforts have been undertaken to reach project area residents, both EJ and non-EJ groups. These efforts are outlined in **Section 2.7** of this EA and include, most recently, a public meeting specific to this project held on October 3, 2023. The meeting was heavily advertised including flyers distributed and posted throughout the affected communities, including on public transit buses and on bus shelters.

Preferred Alternative 3 includes the construction of a new roadway and bridge in an undeveloped or forested area. While EJ populations may be surrounding the project area, there are no displacements and no public transit disruption. For these reasons, the effects to EJ populations are not considered disproportionate and no mitigation is necessary. Positive impacts of this project include increased access via the proposed bridge to community facilities and services as well as the industrial park and associated jobs.

During final design and construction, consideration will be given to the potential unhoused (homeless) community that may be encountered along the corridor. WVDOH will notify West Virginia Department of Health and Human Services and North Central West Virginia Community Action when construction will begin to provide outreach and assistance for possible unhoused individuals in the project footprint.

The No Build Alternative has no positive or negative impacts on potential EJ communities.

3.1.2 Community Resources

Community resources covered in this section include police, emergency services, medical facilities, schools, religious centers, and bicycle and pedestrian facilities. Police service in the project area is provided mainly by the West Virginia State Police, the Monongalia County Sheriff's Department, and the Westover Police Department. Fire protection and Emergency Medical Services (EMS) are provided by the Morgantown Fire Department, Monongalia EMS, and multiple volunteer fire departments including Clinton District, Brookhaven, and Westover.

No hospitals or medical centers are in or in the vicinity of the project area. The hospitals and medical centers with emergency care are in the Morgantown area north of the project area and include Mon Health Medical Center and WVU J.W. Ruby Memorial Hospital. Numerous urgent care and medical practice facilities are in the Morgantown area, north of the project area.

No schools are located within the project area for Preferred Alternative 3. Schools located closest to the proposed project include Skyview Elementary School and Westwood Middle School, which are located north of the project area along River Road, and St. Francis de Sales Central Catholic School located along US 119.

Two religious centers are in the vicinity of the project area on the southeast side of the Monongahela River. Kingdom Hall of Jehovah's Witnesses is located along Smithtown Road, adjacent to the project

area. Morgantown Church of Christ is located along Scott Avenue, south of the project area's approach to US 119.

Mountain Line Transit Authority's current bus routes utilize existing roads in the project area, including River Road (Bus Route 13), Smithtown Road (Bus Route 15), and US 119 (Bus Route 50). However, the existing bus routes do not include stops in the vicinity of the Morgantown Industrial Park and do not have a direct means of crossing the river without traveling north into the Cities of Morgantown and Westover. Community resources in the project area are illustrated on **Figure 12** and on the constraints mapping located in **Appendix B**.

Impacts & Mitigation

Preferred Alternative 3 provides new access across the Monongahela River. This new connection supplements and enhances the existing public transit system and emergency service access, allowing better connectivity for communities to and from job opportunities and community facilities and services. This additional connection could be viewed as a positive community impact, especially to disadvantaged populations. The Preferred Alternative will not impact community resources in the project area.

The No Build Alternative presents no changes in community connectivity or the operation of community facilities or emergency services.

3.1.3 Recreational Resources

Through background research and field view, recreational resources identified in the project area include the Mon River Rail-Trail and Monongahela River Water Trail.

- The Mon River Rail-Trail is a rail-banked trail along the east bank of the Monongahela River maintained by the Mon River Trails Conservancy.
- The Monongahela River Water Trail is designated as an Interstate Water Trail that originates south of Fairmont, WV and flows north toward Pittsburgh, PA. The water trail represents over 60 river miles of history, fishing, boating and recreation and is managed by the Upper Monongahela River Association.

Dorsey Knob Park and the Mon Trail Parking at Uffington are located outside the project area, but close enough for inclusion in the analysis. Dorsey Knob Park, a 70-acre Morgantown City Park, is located approximately 3,000 feet north of the Preferred Alternative 3 terminus with US 119. Similarly, the Mon River Trail Parking at Uffington is located approximately 3,500 feet south on Smithtown Road from Preferred Alternative 3 crossing. Neither resource is impacted but are worth noting due to their nearby proximity to the project. Recreational resources in the project area are illustrated on **Figure 12** and the constraints mapping located in **Appendix B**. Additionally, certain recreational resources can also be considered Section 4(f)-protected resources, see **Section 3.4 Section 4(f) Resources** for more details.

Impacts & Mitigation

Preferred Alternative 3 has both temporary and permanent impacts on the Monongahela River Water Trail and only temporary impacts on the Mon River Rail-Trail. The proposed bridge would be approximately 150 feet above the Mon River Rail-Trail, and once constructed, presents no permanent impacts to the trail use. The construction of the bridge would necessitate temporary use of the trail by requiring that the trail be closed during certain periods of the construction

process. During the time the bridge is being constructed, the trail will remain open and available for public use except for the following time periods:

- The trail will be closed during active steel erection within the bridge span immediately over the trail (i.e., Span 4). Closure will be limited to workday hours. The duration of this period will last about 2 to 3 weeks.
- The trail will be closed during setting of overhead stay-in-place forms and overhang forms. Closure will be limited to workday hours. The duration of this period would be approximately 1 week.
- The trail will be closed during removal of overhead overhang forms. Closure will be limited to workday hours. The duration of this period would be approximately 1 week.

The rail-trail temporary closures are needed for protection and safety of the trail users during bridge construction. Before any closure occurs, signs will be posted at least 14 days in advance advising the users of the trail that the closure will occur. No physical construction or staging activities will be allowed within the property boundary of the rail-trail. The only right-of-way impact to the rail-trail property will be that of an aerial easement for the new bridge.

Based on public feedback and concern, project coordination with the Mon River Trail Conservancy and the Upper Monongahela River Association regarding walking trail and water trail use, is necessary prior to and during construction to maintain and protect trail access during construction. While no permanent impacts will occur, the group will be made aware of potential closures and public outreach will be conducted to ensure trail users are aware of temporary impacts during construction. Details on construction staging, barge use, river and trail restrictions and timing will be considered further in final design. An Aids-to-Navigation Plan (ATON) is required during the permitting process (administered through the USCG) due to the river's commercial and recreational traffic and will be implemented during construction.

The No Build Alternative has no impact to recreational resources in the area.

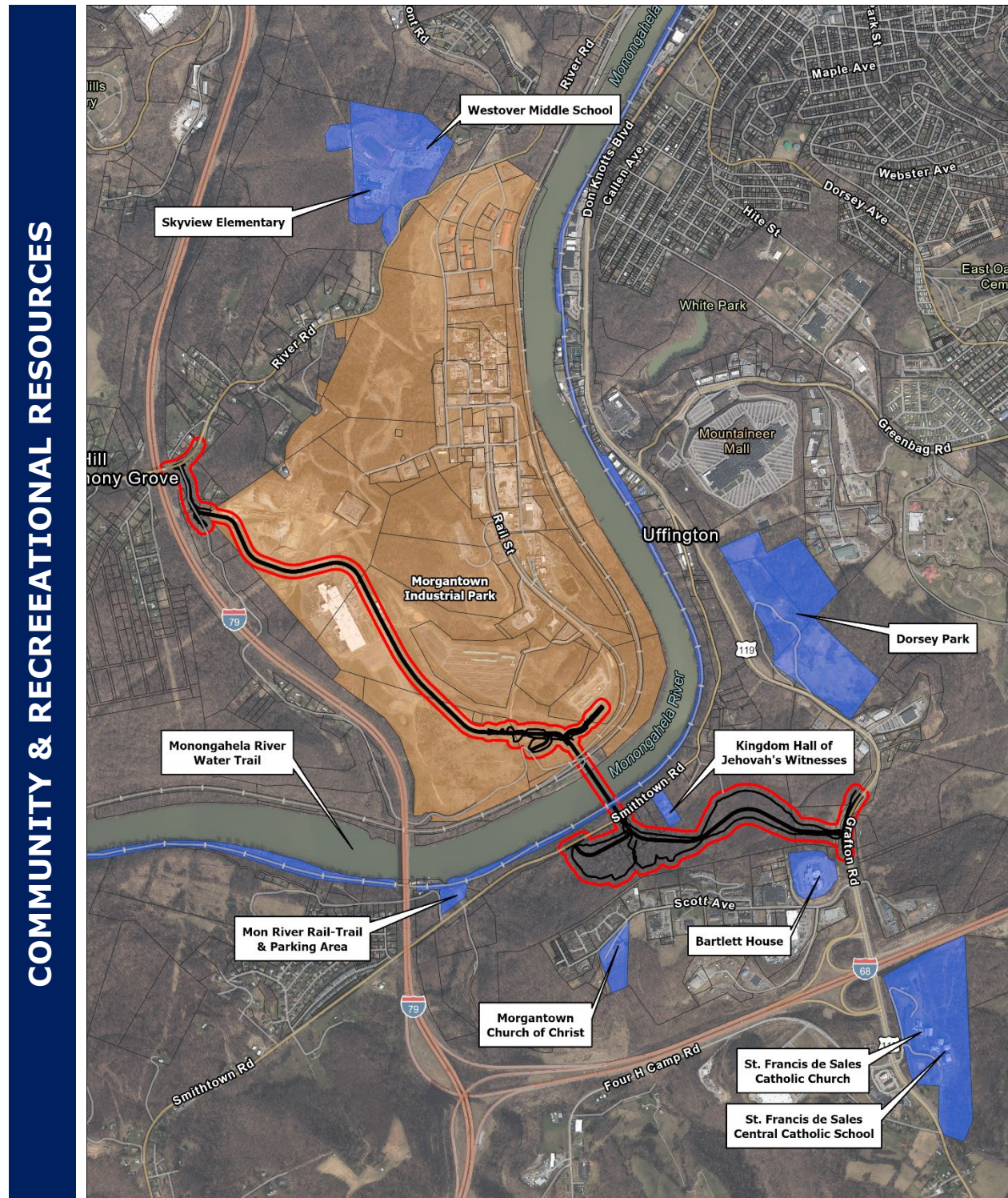


Figure 12: Community and Recreation Resources

3.1.4 Economic Analysis

Acquisition of land by WVDOH for highway purposes removes parcels from the local tax base and decreases local tax revenues accordingly. Current data (Fiscal Year 2022) were obtained and used to calculate the tax base loss for Preferred Alternative 3. However, the bigger economic impact would relate to the subsequent expansion of MIP. Preferred Alternative 3 would facilitate the proposed expansion by providing better access to the industrial park. According to The Economic Impact of Expanding the Morgantown Industrial Park published by Bureau of Business and Economic Research, John Chambers College of Business and Economics, West Virginia University in 2019 “The Morgantown Industrial Park (MIP) encompasses a broad area between the Monongahela River and Interstate-79, and currently houses approximately 20 companies.” The study took into consideration the variable nature of consistent access via River Road and the proposed studies undertaken by the MMMPO and WVDOH to provide better access to MIP. The findings of the study are outlined below.

- The economic impact of existing business in the industrial park is nearly \$100 million supporting more than 375 jobs.
- Construction of nine new building pads and buildings would generate approximately \$310 million in one-time economic impacts in the state, supporting more than 2,300 jobs.
- Once the new areas of the park were completed, the nine new businesses would generate an annual economic impact of nearly \$165 million and more than 700 jobs.

The Economic Impact of Expanding the Morgantown Industrial Park (2019) can be found in the Project Technical Files.

Impacts & Mitigation

While tax base may be removed due to project implementation, the economic benefit provided by the project will more than offset that impact. Preferred Alternative 3 will have a positive economic impact on both the county, region, and state. As indicated in The Economic Impact of Expanding the Morgantown Industrial Park (2019):

The expansion of the Morgantown Industrial Park has the potential to provide a substantial economic gain to the Monongalia County and West Virginia economies. While there is no certainty to which businesses would locate in the new areas of the park, our estimate indicates that construction of nine new building sites would produce approximately \$310 million in additional economic activity during the construction period. In addition, once the nine businesses are in operation, we estimate they would generate an annual economic impact of \$165 million in the state’s economy.

The No Build Alternative will have no impact to the local economy and will not facilitate economic growth.

3.2 Natural Resources

3.2.1 Streams and Wetlands

Field investigations to identify and delineate streams and wetlands within the project area were conducted in September 2023. The field investigations were conducted to determine the presence/absence, location/extent, classification, and general quality of palustrine wetlands and

stream resources. Stream and wetland boundaries were marked with flagging and located using Global Positioning System (GPS) technology.

Streams are typically subdivided into three classifications (perennial, intermittent, and ephemeral) based upon visual observations of stream flow, habitat assessments, and biotic survey findings, including the presence of benthic macroinvertebrates. Baseline stream conditions for all reach classifications were assessed in accordance with the West Virginia Stream and Wetland Valuation Metric (SWVM) (West Virginia Interagency Review Team 2017).

The presence or absence of wetlands was determined in the field using routine determination methods outlined in the *USACE Wetland Delineation Manual (Environmental Laboratory, 1987)* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (2012, Version 2.0)*. Using the three-parameter approach, wetland boundaries were determined where hydrophytic vegetation, hydric soils, and positive hydrology were confirmed present. All three criteria are required for a valid formal wetland determination unless problematic conditions are present. Wetland boundaries were delineated in the field utilizing routine on-site determination methods.

Aquatic resources in the project area are illustrated on the constraints mapping located in **Appendix B**. The Aquatic Resource Report can be found in the Project Technical Files.

Streams

Excluding the Monongahela River, a total of eleven (11) watercourses were identified within the project area which included three (3) perennial, five (5) intermittent, and three (3) ephemeral streams. **Table 9** summarizes the stream resources present in the project area and the direct impacts associated with Preferred Alternative 3.

Table 9: Stream Resource Summary

Stream Type	Number Present	Total Length (feet)	Direct Impact (feet)	RBP Score ¹	SWVM Index Score ²	WOTUS ³
Traditionally Navigable Waterway (TNW) ▪ Monongahela River	1	530	253	--	--	Yes
Perennial Streams	3	1,398	499	98 to 112	0.48 to 0.67	Yes
Intermittent Streams	5	2,145	1,201	55 to 121	0.61 to 0.72	Yes
Ephemeral Streams	3	630	350	69 to 83	0.64 to 0.79	No
Total	12	4,703	2,303			

¹ Perennial, intermittent, and ephemeral stream reaches assessed in accordance with the EPA high gradient streams visual-based habitat assessment found within Rapid Bioassessment Protocols (RBP) for Use in Streams and Wadeable Rivers (Barbour 1999).

² The required methodology to assess baseline stream conditions included the West Virginia Stream and Wetland Valuation Metric (SWVM) (West Virginia Interagency Review Team 2017). Output values present the baseline condition of an individual stream as an index score ranging from 0.0 (impaired) to 1.0 (high ecological quality).

³ WOTUS determination rationale was specific to the pre-2015 regulatory regime. WOTUS findings presented in this report ultimately require an USACE jurisdictional WOTUS determination.

Wetlands

Five (5) palustrine wetlands were identified within the project area and included one (1) palustrine emergent (PEM)/palustrine scrub-shrub (PSS) wetland and four (4) PEM wetland resources. **Table 10** summarizes the wetland resources present in the project area and the wetland impacts associated with Preferred Alternative 3.

Table 10: Wetland Resource Summary

Wetland Class	Number Present	Delineated Area (acre)	Direct Impact Area (acre)	WOTUS Designation
PEM/PSS	1	0.041	0.041	No
PEM	4	0.175	0.137	Yes
Total	5	0.216	0.178	

Impacts & Mitigation

Preferred Alternative 3 is anticipated to result in permanent and temporary impacts to project area aquatic resources including the Monongahela River, tributary streams, and wetlands.

Seven streams are permanently impacted by Preferred Alternative 3, including the Monongahela River, totaling over 2,300 linear feet. The impacts to the river are concentrated at the two in-river pier locations. Other tributaries in the project area are generally located between Smithtown Road and US 119. Given the steep slopes and the depth of cut that is needed, it is highly probable that streams will be cut and ditched which could be considered additional stream loss beyond that shown in this EA.

Three wetland resources are directly impacted by Preferred Alternative 3, resulting in 0.178 acre of impact. Due to the small individual size of several project area wetlands, it was assumed that the remaining portions of these resources may also be a loss of wetland area and function due to indirect impacts and therefore were accounted for in the total.

Impact avoidance and minimization efforts will be undertaken during final design and the development of construction sequences. With the Monongahela River being a Traditionally Navigable Waterway (TNW) that also supports a viable warmwater fishery, measures will be taken during final design and construction to minimize direct and indirect impacts to aquatic habitats to the extent practicable.

A detailed erosion and sediment (E&S) control plan following guidelines set forth in the WVDOH Erosion and Sediment Control Manual will be integrated into project construction drawings. A Stormwater Management Plan and Pollution Prevention & Control Plan will be implemented where applicable to prevent potential indirect impacts and water quality degradation to aquatic resources. Stormwater control facilities would be designed and constructed in accordance with state anti-degradation policies and recommendations.

The following permits are required for Preferred Alternative 3:

- USACE Individual Section 404 Permit,
- West Virginia Department of Environmental Protection (WVDEP) Section 401 Water Quality Certification,

- West Virginia National Pollutant Discharge Elimination System (NPDES), and
- USCG Section 09 Bridge Permit

Unavoidable wetland and stream impacts resulting in resource loss are anticipated to require compensatory mitigation and will be coordinated with the resource agencies.

No aquatic resource impacts result from the No Build Alternative and no compensatory mitigation is necessary.

3.2.2 Navigable Waters

The Monongahela River is a TNW and has commercial navigational use under the jurisdiction of the U.S. Coast Guard (USCG). In August 2023, the Monongahela River was named part of the U.S. Marine Highway Program by the U.S. Department of Transportation and designated as Route M-79 running through West Virginia and Pennsylvania.

WVDOH and the project design team initiated coordination with the U.S. Coast Guard Bridge Program in July 2023 as part of the bridge engineering design. Based on coordination with the U.S. Coast Guard (USCG), the commercial navigation along this stretch of river is generally limited to Greer Limestone, which has facilities located downstream of the proposed bridge and primarily transports their product downstream (north) to Pittsburgh and the Ohio River Valley. The typical tow consists of one or two hopper barges at an average frequency of one per week.

On January 9, 2024, the USCG issued a Preliminary Navigation Clearance Determination (PNCD) that confirmed the minimum required navigational clearances would satisfy the reasonable needs of navigation for the new bridge crossing on the Monongahela River. The proposed new fixed bridge will need to provide a minimum vertical clearance of 48.0 feet above the river's normal pool elevation and a minimum horizontal clearance of 350.0 feet through the main span over the navigation channel. The USCG will also have to approve pier placement prior to approval of any final plans. The PNCD is valid for three years and will expire on January 9, 2027. The PNCD letter and a summary timeline of coordination with the USCG can be found in the Project Technical Files.

Impacts & Mitigation

The bridge structure associated with Preferred Alternative 3 will have no permanent impacts on the navigability of the Monongahela River. The proposed bridge has been designed to more than satisfy USCG's minimum clearances. The proposed bridge design will provide 169 feet of vertical clearance (USCG required 48 feet) over the river's normal pool elevation and 457 feet of horizontal clearance (USCG required 350 feet) across the navigation channel between the bridge's two instream piers. The proposed bridge's horizontal clearance will approximately match the nearby I-79 structure and the proposed piers will be located in the shallower portions of the channel near the banks, leaving the deeper navigable portion unobstructed.

Temporary impacts to the navigation channel may be necessary during construction. The horizontal clearance will be impacted during the construction of the proposed piers and erection of the bridge girders. A minimum horizontal clearance of 300 feet will be maintained during construction to allow for material and equipment access on the channel side of the piers. Furthermore, the channel will be temporarily closed to vessel traffic during active erection of the girders over the navigational channel. Several day-time closures are anticipated. Given the limited vessel traffic, these closures

can be coordinated with the operators. Coordination with the USCG will continue through final design. The proposed bridge will require a USCG Section 09 Bridge Permit and a USCG-approved Aids to Navigation (ATON) Plan.

No impacts to the Monongahela River's navigational use result from the No Build Alternative.

3.2.3 Floodplains

Federal guidelines require the use of available National Flood Insurance Program maps to determine and evaluate the effect the proposed action may have on 100-year floodplains and the risk of flooding. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Mapping (FIRM) for Monongalia County Unincorporated Areas (FEMA, 2010) and the City of Morgantown (FEMA, 2019), FEMA identified a regulatory floodway and a 100-year floodplain (Zone AE) along the Monongahela River within the project area.

Impacts & Mitigation

Preferred Alternative 3 involves constructing an approximate 1,324-foot-long and 170-foot-high bridge structure spanning the Monongahela River with minimal encroachments into the FEMA regulatory floodway and 100-year floodplain. The proposed bridge design includes two in-river piers located in proximity to the channel's banks to allow for an approximately 457-foot-wide span of the Monongahela River's navigation channel. A third pier will be located on the slope outside the FEMA 100-year floodplain and regulatory limits. The above-ground base of the third pier is positioned approximately 50 vertical feet above the FEMA 100-year flood elevation. The bridge abutments are also located outside the floodplain and floodway limits. The proposed bridge crossing spans the floodplain areas along the Monongahela River, which exist as developed and undeveloped floodplain benches and slopes that contain the existing Industrial Park Rail Spur, Norfolk Southern Mainline Railroad, and the Mon River Rail-Trail. The proposed bridge structure will not impact the existing floodplain values or functions along the Monongahela River.

A Hydrologic and Hydraulic (H&H) analysis was conducted and refined as part of the project's engineering design efforts. The proposed bridge structure will result in a minor increase in the FEMA 100-Year Flood Elevation and is not expected to cause significant backwater. The results for the design storm events show minimal backwater effects of 0.02 to 0.04 feet (less than 1 inch) for both the 100-year and 500-year storm events upstream of the proposed bridge and carry to the Hildebrand Lock and Dam. Since the backwater impacts are so minimal, the crossing will not result in a notable adverse impact on the floodplain. The project will require a Conditional Letter of Map Revision (CLOMR) from FEMA prior to construction. Once the project has been constructed, the WVDOH and FEMA will need to finalize a Letter of Map Revision (LOMR) for the affected FEMA flood mapping.

Coordination with the Monongalia County Planning Commission and Floodplain Coordinator is ongoing. A Floodplain Development Permit including submission of an Elevation Certificate, as well as a Construction Elevation Certificate following construction will be required. Bridge design engineering specifications are also subject to review via submission of a USACE Section 404 Permit, WVDEP Section 401 Water Quality Certification and a USCG Section 09 Bridge Permit.

The No Build Alternative does not result in impacts to the Monongahela River or its associated FEMA Regulatory Floodway and 100-year Floodplain and will not result in changes to the base flood elevations or existing backwater conditions.

3.2.4 Land Use and Land Cover

Land use is typically defined by categories of human activities occurring upon the land whereas land cover refers to the types of vegetation and constructed improvements that occupy an area. The land use and cover types found within the project area were identified by reviewing United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangles, available aerial imagery, and through field investigations, which were performed in September 2023. Land use in the project area was classified according to categories contained within GIS layers from the West Virginia GIS Technical Center (WVGISTC). This information was developed by the Natural Resource Analysis Center (NRAC) at WVU and utilized other information obtained from a variety of sources. Land use and land cover (LU/LC) information is based on growing season conditions from 2016 as obtained from the National Agricultural Imagery Program (NAIP) orthophotography.

Impacts & Mitigation

Preferred Alternative 3 is located in close proximity to the developed areas of Morgantown, Westover, Granville, and Star City. Development in these areas is expected to continue into the future, along with the continued build out of the MIP. Preferred Alternative 3 impacts existing LU/LC in the project area and will convert just over 100 acres to roadway and maintained right-of-way. The anticipated LU/LC impacts associated with Preferred Alternative 3 are summarized in **Table 11** and illustrated in **Figure 13**.

Table 11: Land Use and Land Cover Analysis Summary

WV Land Use / Land Cover Code & Category (NAIP, 2016)	Preferred Alternative 3 Project Area (acres)	Preferred Alternative 3 LU/LC Impacts (acres)
(01) Water	2.6	2.3
(02) River Floodplains	0.2	0.2
(04) Roads	2.8	2.2
(05) Impervious	0.9	0.7
(06) Mixed Development	1.1	0.3
(07) Barren	2.0	1.7
(10) Other Forests	17.9	14.2
(13) Mixed Mesophytic Forests	37.7	33.6
(14) Dry-Mesic Oak Forests	50.3	45.4
(15) Dry Oak (~Pine) Forests	0.5	0.2
(19) Low Vegetation	5.8	4.9
Total	121.8	105.7

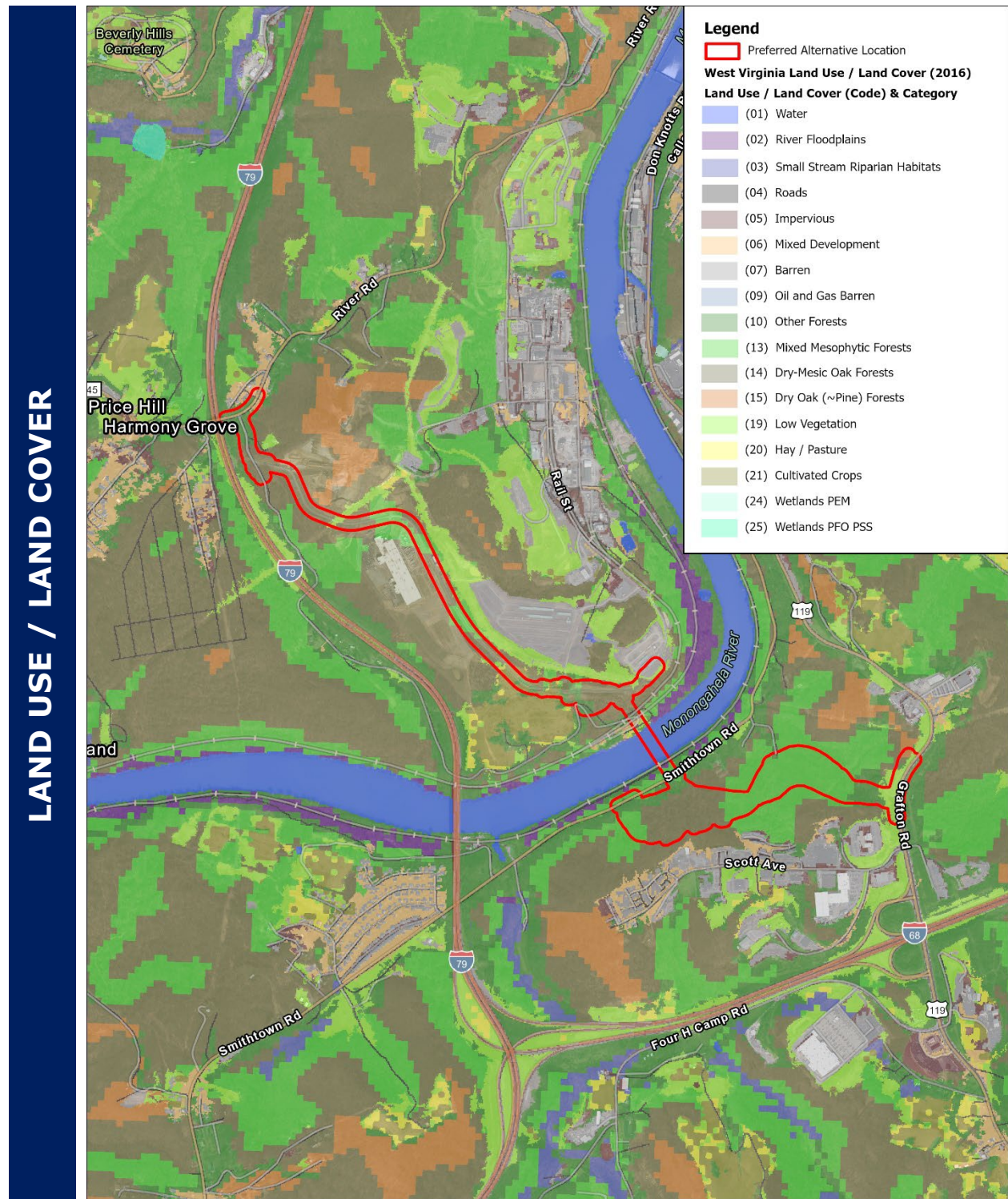


Figure 13: Land Use / Land Cover Analysis

Impacts to LU/LC can be minimized through management of access and long-term planning. Mitigation for impacts would be achieved using E&S controls during construction. An E&S Control Plan will be prepared in accordance with WVDEP's *Erosion and Sediment Control Best Management Practice Manual* and the *WVDOH Erosion and Sediment Control Manual*. All disturbed areas will be re-vegetated (using a native seed mixture) upon completion. No mitigation in relation to land use is being proposed as no displacements are anticipated. The development is consistent with MMMPO land use plans.

Under the No Build Alternative, the existing LU/LC conditions within the project area remain unaffected. It is possible that some development may occur in the project area without the construction of the new roadway bridge crossing the river and connecting River Road to US 119. With no improvements to the existing road network, development pressure to convert undeveloped lands is less under the No Build.

3.2.5 Vegetation and Invasive Species

Executive Order 13751 requires federal agencies whose actions may affect the status of invasive species to limit, to the extent practicable, the spread of invasive species and prevent the introduction of invasive species.

The vegetative communities within the project area primarily include mixed hardwood forests on steep slopes, maintained and fallow lawn grasses within the industrial park and developed portions of the project area, and disturbed meadows and thickets along existing roads and utility corridors. While these vegetative communities provide wildlife habitat, the aquatic resource field investigations documented the presence of non-native and invasive species present within and adjacent to the project area including Multiflora Rose (*Rosa multiflora*), Japanese Stiltgrass (*Microstegium vimineum*), Morrow's Honeysuckle (*Lonicera morrowii*), Japanese Barberry (*Berberis thunbergii*), Common Velvetgrass (*Holcus lanatus*), Oriental Bittersweet (*Celastrus orbiculatus*), and Japanese Honeysuckle (*Lonicera japonica*), among others.

Impacts & Mitigation

Due to the presence of non-native and invasive species within the project area, the construction of Preferred Alternative 3 could result in the spread of invasive species unless mitigated. During construction, the contractor will implement WVDOH construction best management practices to prevent the spread of invasive species as detailed in the project's E&S Control Plan. An E&S Control Plan will be prepared in accordance with WVDEP's *Erosion and Sediment Control Best Management Practice Manual* and the *WVDOH Erosion and Sediment Control Manual*. All disturbed areas will be re-vegetated (using a native seed mixture) upon completion.

Under the No Build Alternative, the existing vegetative communities would not be disturbed by construction; however, invasive species would likely continue to spread throughout the vegetative communities within the project area.

3.2.6 Rare, Threatened, and Endangered Species

Federal Protected Species Coordination

Threatened and endangered wildlife and plants are protected pursuant to *Section 7* of the federal *Endangered Species Act of 1973* (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS).

WVDOH initiated coordination with the USFWS through the Information for Planning and Consultation (IPaC) online system on September 18, 2023 (Project Code 2023-0129858). Agency Coordination can be found in **Appendix D**. The IPaC review indicated that the following species may occur in the project area:

- Indiana Bat (*Myotis sodalis*, Federal Status: Endangered)
- Northern Long-eared Bat (*Myotis septentrionalis*, Federal Status: Endangered)
- Tri-Colored Bat (*Perimyotis subflavus*, Federal Status: Proposed Endangered)
- Monarch Butterfly (*Danaus plexippus*, Federal Status: Candidate)

Through IPaC, WVDOH used the USFWS’s Northeast Determination Key for the Indiana Bat, which produced a “May Affect, Not Likely to Adversely Affect” (NLAA) determination for this species. The Northern Long-eared Bat Rangewide Determination Key was completed for the Northern Long-eared Bat and an NLAA determination was reached for this species. Seasonal tree cutting restrictions will apply and cutting can only be done between November 15 and March 31. The IPaC results also indicated that there are no critical habitats within the project area. No further consultation with the USFWS is required at this time, unless the project design changes, or new species become listed. On November 29, 2023, the USFWS West Virginia Field Office acknowledged via email the WVDOH’s determination that the Preferred Alternative 3 is not likely to jeopardize the continued existence of the proposed species, the Tri-Colored Bat.

State Coordination for Protected Species

In West Virginia, there is no state legislation specific to threatened and endangered species. Therefore, the species listed as either threatened or endangered in West Virginia are those listed by the USFWS as federally threatened and endangered species. The West Virginia Department of Natural Resources (WVDNR) maintains the West Virginia Natural Heritage Program (WVNHP) database which contains records of federally protected species and habitat resources occurring in the state of West Virginia.

WVDOH submitted a project review request to the WVDNR and the WVNHP on January 2, 2024. On February 13, 2024, the WVDNR issued a letter stating that no species of concern were identified within the vicinity of Preferred Alternative 3’s project area. According to the WVNHP database review, there are no rare, threatened, and endangered species, bats, bald eagle nests, reproducing trout streams, or other sensitive habitats known to occur within the vicinity of the project area. The WVDNR letter also identified the Monongahela River as a state mussel stream and as a DNR-designated warmwater fishery; however, WVDNR’s available GIS layers identified this section of the Monongahela River as a Group 3 mussel stream (large rivers where endangered species are not expected).

Impacts & Mitigation

Preferred Alternative 3 is not anticipated to negatively impact federally listed bat species based on coordination with the USFWS via the IPaC system and the determination keys. The proposed project is required to follow a conservation measure to avoid potential impacts to the Indiana and Northern Long-eared bats by implementing the seasonal tree clearing restriction by only cutting trees between November 15th and March 31st. Coordination with USFWS will be maintained and updated as needed through the project's engineering and permitting phases. Agency coordination under the Endangered Species Act Section 7 will need to be updated if and when final listing rules for the proposed species, the Tri-Colored Bat, become effective.

Since all mussels are protected through state regulation, a mussel survey, and if warranted, a salvage and relocation, will be conducted prior to construction within the areas of direct impact (proposed pier locations). If live mussels are located within these areas or associated buffer zones, a mussel salvage and relocation will be initiated immediately following completion of the survey. The pre-construction survey, and if necessary, relocation effort, will minimize direct impacts and avoid adverse impacts to state protected mussel populations, if present within the Monongahela River.

The No Build Alternative does not result in impacts to federally listed threatened or endangered species, proposed or candidate species or their habitats.

3.2.7 Geology

The proposed project is located in the Appalachian Plateau Physiographic Province, which encompasses the western two-thirds of the state. This physiographic province is characterized by an extensive, mature, unglaciated plateau consisting of relatively flat lying to gently folded bedrock geology containing extractable coal and petroleum resources. The Appalachian Plateau surface has been dissected by streams and rivers to form a region of moderate to high topographic relief. The project area ranges in elevation from 820 feet above mean sea level (amsl) along the Monongahela River to 1,280 feet amsl at its highest elevation along River Road at the northern extent of the project area and 1,260 feet amsl along US 119 at the southern extent of the project area.

The project area is underlain by sedimentary rocks from the Conemaugh Group dating back to the Pennsylvanian Age (299 to 323 million years ago). The Conemaugh Group consists of cyclic sequences of red and gray shale, siltstone, and sandstones with thin limestones and coals of mostly non-marine origins. This geologic group includes the Casselman and Glenshaw Formations and extends from the base of the Pittsburgh coal to the top of the Upper Freeport coal. According to the West Virginia Geological and Economic Survey's online Coal Maps, there are no mapped coal seams or outcrops within or immediately adjacent to the project area. However, there are Pittsburgh and Redstone Coal outcrops with a history of surface mining mapped in the vicinity of River Road in the Harmony Grove area.

Geology is a universal factor in landslide distribution. While no major areas of instability were identified in the project area, north facing slopes were mapped as historically landslide susceptible based on the 1976 West Virginia Landslide mapping. The West Virginia Landslide online mapping tool identified three occurrences of historic slide movement in the vicinity of the project area. Two

locations of isolated slide movement were in the area of the Morgantown Industrial Park and one location was in the area of US 119 and south of the project area.

Impacts & Mitigation

Preferred Alternative 3 does not result in impacts to unique geologic resources or resource extraction operations including coal mines and mineral/stone quarries. However, due to the nearby mapped coal outcrops and history of surface mining in this area, there may be potential to encounter acid generating rock, which may pose a geologic hazard and water quality concern during construction if excavation is required to construct the proposed project. Geotechnical investigations during engineering design will need to determine if acid generating rock is present within the proposed limit of disturbance. If acid generating rock is present, the project's engineering design will need to incorporate treatment measures for construction area stormwater drainage, appropriate handling and disposal of excavated material that contains acid generating rock, and permanent remediation of exposed acid generating rock material in the final condition. Potential runoff concerns would be further evaluated during final design as part of the development of the E&S Control Plan and post-construction stormwater plans. Regarding landslide potential, care should be given during the design phase to adequately assess areas of earth disturbance to develop strength parameters. Direct impacts to drainage features should be minimized to reduce the risk of inducing instability in what is typically expected to be marginal soils. Additional geotechnical studies during final design are recommended.

The No Build Alternative has no impact on geologic features.

3.2.8 Groundwater and Surface Water Resources

According to the USGS report titled "Groundwater Hydrology of the Monongahela River Basin", the primary source of groundwater in the basin is the strata of underlying sedimentary bedrock. These sedimentary rocks form a series of aquifer systems that are composed of several hydraulically connected beds. These sedimentary formations contain high amounts of intergranular spaces, joints, and rock fractures through which groundwater circulates.

Local conditions considerably dictate groundwater yields. Sandstones generally yield the most water because they contain both intergranular spaces and joint openings. Shales often yield little water, but amounts may be impacted by dense fracturing or wide joints. Shallow groundwater movement ordinarily follows surface topography, therefore, well yields in valley zones are typically higher than on slopes or hillsides.

Based on the report, the Conemaugh Group aquifer is the most developed in the basin, providing adequate yield for most uses, excluding large scale industrial uses. The highest yields are reported from wells situated in valleys and tapping the massive sandstone bedrock located at the base of the Group. Well yields were reported in ranges from 1 to 400 gallons per minute (gpm), with median yields reported at 16 gpm.

Groundwater quality in the project area is acceptable for domestic use, but may be moderately hard and low in iron, chloride, and dissolved solids. Coal mining, oil and gas well activities, local dumping, and other activities may allow contaminants to infiltrate the bedrock through mines and fractures which could negatively impact groundwater quality. Groundwater flow within the project area is generally towards the Monongahela River.

According to the USGS and the West Virginia Department of Health and Human Services, no active well locations are identified within the project area.

MUB supplies Morgantown and the surrounding area with drinking water. The MUB's Water Treatment Plant uses two independent sources of supply: the Monongahela River and Cobun Creek Reservoir. The primary drinking water intake along the Monongahela River is located approximately 7,500 feet downstream from the Preferred Alternative 3 crossing.

Impacts & Mitigation

Preferred Alternative 3 is not anticipated to adversely impact groundwater or surface water. However, several standard measures will be put in place to reduce potential impacts including a detailed E&S Control Plan and Stormwater Management Plan to minimize sedimentation and maintain water quality during construction.

Due to the location of MUB's raw water intake located approximately 1.4 miles downstream of the proposed bridge crossing, the contractor will be required to prepare and implement a spill prevention plan to prevent a release into the Monongahela River during construction. The spill prevention plan will include steps for immediate notification to MUB and emergency services in the event of a release to the river during construction.

In the event there is a traffic incident or hazardous material release once the bridge is open to traffic, WVDOH will maintain a spill prevention plan outlining the steps for immediate notifications. In a letter dated October 10, 2023, the MUB provided its support of the project and noted their requirement for immediate notification, which has been included on the design plans. The MUB letter is included in the Project Technical Files.

The No Build Alternative has no impact to groundwater or surface water.

3.3 Cultural Resources

3.3.1 Above Ground Historic Structures

Above ground historic structures investigations for the project area were conducted in accordance with the requirements of *Section 106 of the National Historic Preservation Act (NHPA)*, as amended, and its implementing regulations, *36 CFR 800 Protection of Historic Properties*. Section 106 of the NHPA of 1966 protects properties that are listed in or eligible for listing in the National Register of Historic Places (NRHP).

Five above ground historic resources are located within the Area of Potential Effect (APE) for Preferred Alternative 3 and include the following:

- Harmony Grove Meeting House (83003245) - Listed
- COE Lock and Dam No. 11 (MG-0349) – Recommended Not Eligible
- Harmony Grove Schoolhouse (MG-0428) - Recommended Not Eligible
- Rail Street Cemetery (n/a) - Recommended Not Eligible
- Lock Office for COE Lock and Dam No. 11 (MG-0350) – No longer extant

On October 13, 2023, the WVDOH submitted a *Historic Architectural Resource Survey and Determination of Eligibility Report* to the West Virginia State Historic Preservation Office (WV SHPO). The report recommended Harmony Grove Schoolhouse and Rail Street Cemetery as NRHP not eligible due to lack of significance and loss of integrity. The Lock and Dam No.11 was recommended as not eligible individually or as a contributing resource to the Monongahela River Navigation System due to a loss of integrity. The lock chamber and dam have been removed and the buildings are in disrepair, have undergone significant alteration, and no longer reflect the original design and function of the lock. The Lock Office once associated with this complex is no longer extant and therefore is individually NRHP not eligible. In correspondence dated October 16, 2023, the WV SHPO concurred with the WVDOH's eligibility recommendations. The WV SHPO coordination can be found in **Appendix E**. The Historic Architectural Resource Survey and Determination of Eligibility Report and coordination letters can be found in the Project Technical Files.

Impacts & Mitigation

The only above ground historic resource in the project area is the NRHP-listed Harmony Grove Meeting House located off Master Graphics Road. The Meeting House property will be avoided entirely by Preferred Alternative 3 and therefore will have No Effect on the listed resource. The WVDOH submitted a Determination of Effect Report to the WV SHPO on October 20, 2023. In a letter dated October 25, 2023, the WV SHPO concurred that the project will result in a finding of No Effect. A copy of the letter is included in **Appendix E**.

Mitigation in the form of a design commitment to avoid the Meeting House property via retaining wall or steeper slopes will be carried forward into final design if necessary. Additionally, the old family cemetery along Rail Street, shown on the constraints mapping in **Appendix B**, will be avoided. Should the design change in this location, a re-evaluation should be undertaken.

The No Build Alternative has no impacts to above ground historic properties.

3.3.2 Archaeological Resources

A Phase I archaeological survey consisting of background research and field investigations was completed in September 2023. The archaeological survey was conducted to comply with all applicable federal and state cultural resource regulations. The Phase I archaeological survey report was submitted to the WV SHPO on October 20, 2023, as required by *Section 106 of the National Historic Preservation Act*, as amended, and its implementing regulations, *36 CFR 800 Protection of Historic Properties*.

The APE for the proposed project encompasses 124 acres. The field investigations determined that large portions of the APE have been previously disturbed by prior road construction and development. Shovel test pits encountered intact and disturbed soils; however, the disturbed soils observed indicate that few areas of intact soil remain in the APE. The geomorphological assessment conducted on the north bank of the Monongahela River concluded that there was little potential for encountering buried archaeological sites in the APE. No archaeological sites were identified or encountered during the Phase I survey. The Phase I Archaeological Survey Report along with WV SHPO coordination can be found in the Project Technical Files.

Impacts & Mitigation

Based on the Phase I archaeological survey, Preferred Alternative 3 does not affect any archaeological resources eligible for or listed in the NRHP. No further archaeological investigations are warranted, and no mitigation is necessary. In a letter dated October 24, 2023, the WV SHPO concurred that the project will have no effect on archaeological resources. A copy of the letter is included in **Appendix E**.

The No Build Alternative does not impact any archaeological resources in the project area.

3.4 Section 4(f) Resources

In accordance with Section 4(f) of the *United States Department of Transportation Act of 1966* (49 U.S. Code [U.S.C], Section 202) and the *Federal Aid Highway Act of 1968* (23 U.S.C., Section 138), the Secretary of Transportation may not approve the use of land from any publicly owned park, recreation area, or wildlife and waterfowl refuge, or any historic site of national, state, or local significance unless a determination is made that there is no feasible and prudent alternative to the use of land from the property and the action includes all possible planning to minimize harm to the property resulting from such use.

Except for the public roads and railroad properties, all the land within the project area is privately held. While the Mon River Rail-Trail and the Monongahela River Water Trail are recreational resources, neither qualify for Section 4(f) protection because their primary use is transportation. The Mon River Rail-Trail is located on the former CSX Railroad (now owned by the WV State Rail Authority) with a lease agreement that states the fundamental purpose and primary use of the rail corridor is for railroad banking purposes, not recreational purposes. Similarly, the Monongahela River, while used for recreation, has been a commercial navigable river for almost two centuries, and is therefore primarily used for transportation, not recreation. FHWA concurred upon the Section 4(f) Non-Applicability Findings for the Mon River Rail-Trail and Monongahela River Water Trail on October 27, 2023 and October 24, 2023, respectively. Letters of Non-Applicability and FHWA concurrence can be found in the technical file. No publicly owned parks, recreation areas, or wildlife/waterfowl refuges are identified in the project area as a result of literature reviews or on-site field investigations.

One former church, the Harmony Grove Meeting House, which is listed in the NRHP, was identified within the project area.

Impacts & Mitigation

Preferred Alternative 3 includes engineering avoidance measures (i.e., retaining wall) and therefore, will have no impact to the Harmony Grove Meeting House property. No mitigation is required. Coordination with the Mon River Trails Conservancy and Upper Monongahela River Association will be maintained during construction. While no permanent impacts will occur, the group will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail users are aware of temporary impacts during construction.

The No Build Alternative has no impact on Section 4(f) resources.

3.5 Air Quality

A transportation Air Quality Analysis was conducted and documented in October 2023 for the Morgantown Industrial Park Access project. The proposed improvements were assessed qualitatively in compliance with the Clean Air Act (CAA) and its amendments, related Federal regulations, and FHWA guidance. The assessment indicates that the project meets all applicable air quality requirements of the NEPA and, as applicable, federal and state transportation conformity regulations. As such, the project does not cause or contribute to a new violation, increase the frequency or severity of any violation, or delay timely attainment of the National Ambient Air Quality Standards (NAAQS) established by the US EPA. The Air Quality Analysis report can be found in the Project Technical Files.

Impacts & Mitigation

Preferred Alternative 3 and No Build Alternative have no impacts to air quality.

3.6 Noise

A Preliminary Design Noise Analysis for Preferred Alternative 3 was conducted and documented in October 2023 in accordance with the WVDOH's Statewide Noise Policy (May 26, 2011) and FHWA regulations at 23 CFR 772 for the Morgantown Industrial Park Access project. As this project qualifies as a Type I Project due to the construction of a highway on new location, a highway traffic noise analysis is required to assess highway traffic noise impacts and to give consideration to appropriate avoidance and/or abatement measures.

Noise-sensitive land uses (residences, churches, historic resources, outdoor uses such as parks, trails, etc.) within the project area were assessed to determine if predicted design year traffic noise levels approach or exceed the FHWA/WVDOH Noise Abatement Criteria (NAC) of 67 dBA (decibels) at these locations, or if the predicted design year noise level substantially exceeds the existing noise level (15 dBA or greater). For this analysis, approaching 67 dBA is considered 66 dBA.

The noise analysis involved the measurement of existing noise levels, modeling of existing (2019) and design year (2050) noise conditions, and design year noise impact assessment and noise abatement evaluations within the project area. Noise-sensitive land uses were identified and grouped into seven unique Noise Study Areas (NSAs) to facilitate the analysis. NSAs are defined as a group of receptors that are exposed to similar noise sources and levels, traffic mix and speed, and topographic features. NSA groupings facilitate the analysis of traffic noise impacts and the evaluation of potential noise abatement options. A receptor is a point within the NSA that represents an area where frequent human outdoor activity occurs. Receptors within the Morgantown Industrial Park Access project area represent residential land uses where outdoor activity occur (FHWA Activity Category B), a Section 4(f) historic site and recreational trail (FHWA Activity Category C), and a place of worship and residential land uses where no outdoor activity occur (FHWA Activity Category D). NSAs are illustrated on the constraints mapping located in **Appendix B**. The Preliminary Design Noise Analysis report can be found in the Project Technical Files.

Impacts & Mitigation

Computer modeling of existing and future traffic noise levels for 24 noise receptors within the seven NSAs was conducted using the FHWA Traffic Noise Model (TNM 2.5) so that future predicted noise levels could be compared to the NAC to determine potential traffic noise impacts of Preferred Alternative 3. A comparison of predicted existing, future Build, and future No Build noise levels is presented in **Table 12**. The noise abatement criteria listed in Column 3 is “approaching” the actual criteria. “Approach” has been defined by WVDOH as 1 dBA below the noise abatement criteria.

Table 12: Predicted Noise Levels for each NSA

NSA	Description	Noise Abatement Criteria (dBA)	Predicted Noise Levels		
			Existing	Future No Build	Future Build
1	Single family residences along Old River Road	66	60 to 67 dBA	61 to 69 dBA	61 to 69 dBA
2	Single family residences along Master Graphics Road, Harmony Grove Meeting House (Historic)	66	60 to 65 dBA	61 to 66 dBA	61 to 66 dBA
3	Single family residential parcel (794 Master Graphics Road)	66	54 dBA	55 dBA	56 dBA
4	Mon River Rail-Trail	66	50 to 56 dBA	52 to 58 dBA	53 to 58 dBA
5	Kingdom Hall of Jehovah's Witnesses (interior)	51	30 dBA	32 dBA	32 dBA
6	Multifamily residential apartments (Cedar Glen), medical offices, Bartlett House	66	49 to 50 dBA	51 dBA	52 to 54 dBA
7	Single family residential parcel (429 Grafton Road)	66	61 dBA	62 dBA	63 dBA

Future design year noise levels are predicted to exceed the NAC for both the No Build and the Build condition within NSA 1. Future design year noise levels are predicted to approach the NAC for both the No Build and the Build condition within NSA 2. As both the future predicted No Build and Build noise levels are the same for the predicted traffic noise impacts within NSAs 1 and 2, these traffic noise impacts are a direct result of projected traffic volume increases along I-79 for the 2050 design year and not from the proposed construction of the Morgantown Industrial Park Access project. Therefore, consideration of noise mitigation is not warranted for NSA 1 or NSA 2.

3.7 Hazardous Waste

A Phase I Environmental Site Assessment (ESA) consistent with the procedures included in ASTM Practice E1527-21 was completed for the project area in October 2023. Environmental Data Resources, Inc. (EDR) was utilized for readily available historical topographic maps, historical aerial imagery, Certified Sanborn Maps, and environmental database records review (report dated, August

30, 2023). Additionally, a site visit was conducted in September 2023 as well as interviews with knowledgeable persons.

Based on historical topographic maps and imagery, the project area and its surroundings have been mainly undeveloped apart from local roads, two railroads (one on each side of the Monongahela River), and more recently MIP infill development. The western railroad (NS) is still active today along with a spur to the MIP, while the eastern rail line (former CSX now owned by the West Virginia State Rail Authority) was removed in the late 1990s and is currently the Mon River Rail-Trail. Based on past and current use, these railroads are considered potentially hazardous waste sites.

Based on the environmental database record review, a leaking underground storage tank (LUST) was reported at Cintas (formerly Rental Uniform Service), which is located approximately 1000 feet south of the project area on Scott Avenue.

During the site visit on September 15, 2023, one additional site was observed and includes one 350,000-gallon above ground storage tank (AST) containing wastewater located along Rail Street across from Mountaintop Beverage. The potentially hazardous waste sites located in the project area are illustrated on the constraints mapping in **Appendix B**. The Phase I ESA report can be found in the Project Technical Files.

Impacts & Mitigation

Through historical aerial research, online record review, and site reconnaissance, the following potentially hazardous waste sites are in the project area and vicinity:

- LUST (Scott Avenue)
- AST (off River Road)
- Railroads (along Monongahela River)
 - NS mainline and spur, west side
 - Former CSX, now rail-trail, east side

Review of readily available information provided by the WVDEP and through interviews conducted and documented in the Phase I ESA, the LUST is outside the project area and should not present a constraint to project development.

The wastewater AST is directly adjacent to Rail Street and within the Preferred Alternative 3 project area. Due to the design in that area, impacts are unlikely, however this site will remain as a constraint. This AST is identified on project plans to ensure this area is avoided during construction. If the design changes in this location, the Phase I ESA should be re-evaluated.

Should excavation be proposed in proximity of either railroad for construction of Preferred Alternative 3, a Limited Site Investigation (LSI) and/or a Phase II ESA may be necessary. Additional studies could determine if constituents of concern are present in soil and/or groundwater from current or former uses of the railroad. General constituents of concern are polychlorinated biphenyls (PCBs), herbicides, and arsenic for pest and weed control, as well as the potential presence of creosote on the rail ties.

The No Build Alternative has no impact on potentially hazardous waste sites.

3.8 Utilities

Major utilities identified in and adjacent to the project area include electric and gas transmission. Three overhead electric utility corridors are present in the project area and are associated with the Monongahela Power Company's substation located in the industrial park.

- One of the electric utility corridors travels west from the substation and crosses over Master Graphics Road near its intersection with Rail Street. The utility corridor continues west beyond the project area and crosses over I-79.
- A second electric corridor extends southeast from the substation and crosses Rail Street and Master Graphics Road. The corridor continues southwest beyond the project area and crosses over I-79.
- The remaining electric utility corridor extends south from the substation and parallels a section of Rail Street before turning southeast and crossing over Rail Street, the active NS railroad, and the Monongahela River. On the river's southern bank, the utility corridor continues east, crossing over the Mon River Rail-Trail, Smithtown Road and US 119 north of the project area.

Additionally, a FERC-regulated, 10-inch gas transmission pipeline owned and operated by BHE GT&S, crosses under US 119 north of the project area and continues southwest crossing through the project area. The gas pipeline corridor continues southwest parallel to the developed areas surrounding Scott Avenue before crossing under I-79 north of its interchange with I-68.

Impacts & Mitigation

Preferred Alternative 3 involves improvements to Rail Street, which is an existing private roadway in the industrial park and currently crosses through these three electric utility corridors. Based on the proposed design, Preferred Alternative 3 is not anticipated to impact electric utilities present within the project area; however, it does cross a FERC-regulated gas pipeline. Due to the layout of the existing gas pipeline, the crossing is unavoidable as it parallels US 119. Pipelines of this type can vary widely in their crossing requirements, associated costs, and schedules. Preliminary coordination with BHE GT&S indicates that the pipeline will need to be lowered and upgraded to ensure the pipeline is protected during construction and in the final condition with new roadway and its fill slopes in place. BHE GT&S anticipates that gas supply service may be temporarily interrupted during construction. Coordination with the BHE GT&S and regulating agencies, including the West Virginia Public Service Commission, will continue through final design to ensure the roadway crossing is designed appropriately for the necessary requirements. Coordination for the FERC-regulated gas pipeline can be found in the Project Technical Files.

The No Build Alternative does not impact major utilities.

3.9 Indirect and Cumulative Impacts

FHWA's responsibility to address and consider direct, indirect and cumulative impacts in the NEPA process was established in the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the NEPA (40 CFR §§1500-1508). The CEQ regulations

define the impacts and effects that must be addressed and considered by federal agencies in satisfying the requirements of the NEPA process and include direct, indirect and cumulative impacts.

- **Direct Effects** are caused by the action and occur at the same time and place. The direct effects of the proposed action, or Preferred Alternative 3, are included in each respective resource section of this EA and therefore will not be discussed in this section of the EA.
- **Indirect Effects** are caused by the action and occur later in time or are farther removed in distance but are still reasonably foreseeable. Indirect effects may include growth-inducing effects (such as changes in access) and other effects related to induced changes in the pattern of land use, population density, or growth rate and related effects on air and water and other natural systems, including ecosystems.
- **Cumulative Effects** are impacts on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor, but collectively significant, actions taking place over a period of time.

This indirect and cumulative effects analysis will consider impacts through 2050, as utilized in the MMMPO's MTP. The MTP is based on a vision for the future of the region in 2050. The area to be examined will be the Preferred Alternative 3 corridor on the east and west sides of the river. The resources to be considered include socioeconomic resources, land cover/forested habitat, and geotechnical/geological resources.

3.9.1 Indirect Impacts

Indirect effects of the proposed action relate mainly to socioeconomic resources including economic growth, community facilities, community cohesion and public transportation. Providing better access to MIP does contribute to the slated growth in the industrial park. Phase I and II sites are already designated for development based on the existing roadway network and topographic constraints. Community facilities and economic growth will be positively impacted by Preferred Alternative 3. A new river crossing allows better emergency service access, transit connectivity, and job opportunities that are not present today, all of which could serve potential EJ populations. Infill development could be spurred by Preferred Alternative 3 and will be mainly centered around intersecting points with the existing roadway network, outside the MIP. There is a potential for a minor increase in development along River Road and Grafton Road (US 119) and to a much lesser degree Smithtown Road due to the proposed access points. All of these indirect effects are positive and supported by the County Comprehensive Plan and the MMMPO planning documents (located in the Project Technical Files). There could be indirect impacts to geologic resources that present geotechnical concerns as dealing with steep grades can be difficult to maintain, but upfront engineering solutions will be built into the roadway and bridge design to avoid and minimize those effects.

3.9.2 Cumulative Impacts

Cumulative effects of the proposed action include past, present, and reasonably foreseeable future actions in the area. Very little growth has occurred in the Preferred Alternative 3 corridor outside the MIP. Past developments include infill development at MIP like Mountaintop Beverage on the

west side of the river along with Kingdom Hall of Jehovah's Witnesses and residential and commercial structures along Scott Avenue on the east side of the river. Utility corridors or pads that include gas lines, electric lines and shale wells were also developed in this corridor in the past. Both industrial, commercial and residential development and utility corridors have impacted the land cover and forested habitat of the area. Development in these areas has also presented impacts to residents and business owners dealing with slope stability, geotechnical and other associated issues related to steep grades. Presently, there is no active development construction underway in the Preferred Alternative 3 corridor.

Future effects may include Preferred Alternative 3, the proposed Harmony Grove Interchange (Exit 151), and additional Phase II site pad developments in MIP. There are currently 5 pads available for development in Phase II along Rail Street, along with other smaller sites still available in Phase I located closer to the river. The available pads total almost 60 acres; however, one pad is likely the area designated for Mountaintop Beverage expansion.

Preferred Alternative 3 and Harmony Grove Interchange (Exit 151) Project, while both transportation projects, have very different cumulative effects. Preferred Alternative 3 encompasses an existing road on the west side of the river, with an existing access point. On the east side of the river, there will be new connection points; however, the topography limits the cumulative effects related to development. Conversely, the Harmony Grove Interchange provides a major access point where one does not otherwise exist. Together, the two transportation projects could provide enhanced access to a relatively depressed area that is slated for growth in local planning documents. Local planning documents including the MTP mentioned above, and the Monongalia County Comprehensive Plan note areas of the Preferred Alternative 3 corridor for growth as well as targeted industrial development. This economic growth could be viewed as a positive effect on potential EJ populations and project area associated communities. While infill development is more accessible, the topographic constraints severely limit the growth potential and therefore cumulative impacts.

Land cover including forested tracts have been impacted most by these past, present, and future effects. While impacts to resources needs to be considered, targeting development and providing access to depressed areas is equally an impact, but in a positive social and economic way. While cumulative impacts resulting in the conversion of natural resources would occur, those impacts are offset by social and economic enhancements. Additionally, adherence to local, state, and federal regulatory requirements helps ensure that impacts to these resources are protected to the fullest extent and appropriate mitigation is provided where direct impacts are unavoidable.

3.10 Temporary Construction Impacts

Construction of Preferred Alternative 3 has temporary impacts during construction and could include:

- increased noise levels and particulate air pollution,
- reduced access in the river,
- changes to navigation in the commercially traveled river requiring an ATON,
- railroad access requirements,
- reduced access to the Mon River Rail-Trail, and

- aquatic resource disruption during construction

These impacts will be short in duration and minimized through the use of best management practices. Due to the location of Preferred Alternative 3 in a less developed area of MIP and an undeveloped area near US 119, construction is not expected to disrupt the traveling public. A positive temporary impact would be the introduction of construction employment to the area. Work in the river would be accomplished with the use of cranes and barges which further reduces temporary aquatic impacts.

Impacts & Mitigation

The use of construction equipment with operable mufflers will reduce the increase in noise levels. The increase in air pollution particulates will be minimized by the performance of the work in compliance with WVDOH specifications, manuals, and guidelines, and the requirements of the Air Pollution Control Act (Act 245-1972, as amended). Adherence to the approved USACE and USCG permits, including the implementation of an ATON, will reduce temporary impacts to aquatic resources. A Stormwater Management Plan and Pollution Prevention & Control Plan will be implemented to prevent additional potential impacts and water quality degradation. Stormwater control facilities will be designed and constructed in accordance with state anti-degradation policies and recommendations.

3.11 Permitting

The following permits are required for Preferred Alternative 3:

- USACE Individual Section 404 Permit
- USCG Section 09 Bridge Permit
- WVDEP Section 401 Water Quality Certification, and
- West Virginia National Pollutant Discharge Elimination System (NPDES)

As part of the Section 09 Bridge Permit coordination with the USCG, an Aids to Navigation Plan (ATON) is required for the Monongahela River due to its commercial navigation status.

The project may require a Conditional Letter of Map Revision (CLOMR) from FEMA prior to construction due to a minor increase in the FEMA 100-Year Flood Elevation associated with the proposed bridge structure. Once the project has been constructed, the WVDOH and FEMA will need to finalize a Letter of Map Revision (LOMR) for the affected FEMA flood mapping.

As part of the necessary permit applications, compensatory mitigation is required for impacts that result in the wetland loss exceeding 0.10 acre and stream loss exceeding 300 feet. Compensatory mitigation for unavoidable wetland and stream impacts resulting in resource loss will be required.

4.0 Avoidance, Minimization, and Mitigation

Avoidance and minimization efforts have been undertaken for Preferred Alternative 3 since the design study was completed in June 2023 and include the following:

- Avoided historic and Section 4(f) impacts – Harmony Grove Meeting House
- Avoided impacts to community – no displacement of residences or businesses
- Minimized impacts to community facility – Kingdom Hall of Jehovah’s Witness
- Minimized impacts to river navigation channel – 470-foot span
- Minimized utility conflicts – longitudinal encroachment reduced to perpendicular crossing

For those unavoidable impacts and required mitigation of Preferred Alternative 3 see **Table 13**.

Table 13: Summary Impacts and Mitigation

Resource/Element	Preferred Alternative 3 Impacts	Preferred Alternative 3 Mitigation
Environmental Justice	EJ communities may be present, however, there will be no displacements and no disproportionate impacts. Additional access is viewed as a positive impact.	WVDOH will notify West Virginia Department of Health and Human Services and North Central West Virginia Community Action when construction will begin to provide outreach and assistance for possible unhoused individuals in the project footprint.
Community Resources	No community resources are located in the project area.	No mitigation necessary.
Recreational Resources	Permanent and temporary impacts to the Mon River Water Trail and temporary impacts to the Mon River Rail-Trail.	WVDOH will adhere to permit conditions and ATON plan. WVDOH will coordinate with Mon River Trail Conservancy and Upper Mon River Association prior to and during construction to make the group aware of potential temporary closures. Public outreach, including onsite signage during closures, will be conducted to ensure trail users are aware of temporary impacts during construction.
Economic Analysis	Project implementation will have a positive economic impact on the county, region, and state.	No mitigation is necessary.
Streams & Wetlands	Seven streams totaling over 2,300 linear feet of impact and three wetlands with 0.178-acre impact.	WVDOH will provide compensatory mitigation for unavoidable stream and wetland impacts resulting in resource loss and will be coordinated with the resource agencies.

Table 13: Summary Impacts and Mitigation

Resource/Element	Preferred Alternative 3 Impacts	Preferred Alternative 3 Mitigation
Navigable Waters	Monongahela River’s navigational channel will be temporarily impacted due to reduced horizontal clearance and closures during construction.	WVDOH will coordinate with USCG and operators prior to and during construction regarding navigational channel clearance and closures during construction.
Floodplains	No impact to the Monongahela River floodplain is anticipated given that the proposed bridge spans the FEMA 100-year Floodplain with the limited encroachment for two piers located within the river channel.	Minimal increase in the FEMA 100-Year Flood Elevation is anticipated and will require a CLOMR / LOMR from FEMA to revise flood mapping. WVDOH will coordinate with the County Floodplain Coordinator for the Floodplain Development Permit. WVDOH will submit an Elevation Certificate, as well as a Construction Elevation Certificate following construction.
Land Use & Land Cover	Just over 100 acres will be converted to transportation in undeveloped or industrial development areas.	No mitigation is being proposed. The development is consistent with MMMPO land use plans.
Vegetation and Invasive Species	Project implementation could result in the spread of invasive species unless mitigated.	WVDOH will implement construction BMPs and E&S Controls to reduce the spread of invasive species. All disturbed areas will be re-vegetated (using a native seed mixture) upon completion.
Rare, Threatened, & Endangered Species	No negative impacts to federally listed bat species based on USFWS IPaC system and the determination keys.	WVDOH will implement of a seasonal tree clearing restriction to avoid potential impacts to the Indiana and Northern Long-eared Bats. Tree cutting is allowed between November 15th and March 31st. WVDOH will conduct a pre-construction mussel survey, and if necessary relocation, to minimize direct impacts and avoid adverse impacts to state protected freshwater mussels.
Geology	Due to the nearby mapped coal outcrops and history of surface mining in this area, there may be potential to encounter acid generating rock which may pose a geologic hazard and water quality concern	WVDOH will avoid direct impacts to drainage features to reduce the risk of inducing instability. Additional geotechnical studies during final design are recommended.

Table 13: Summary Impacts and Mitigation

Resource/Element	Preferred Alternative 3 Impacts	Preferred Alternative 3 Mitigation
Groundwater and Surface Water	Preventative measure to avoid impacts to public drinking water source.	WVDOH will implement an E&S Control Plan and stormwater management plan. Contractor will prepare and implement a spill prevention plan for use during construction. WVDOH will carry the spill prevention plan forward into post-construction. Call MUB 304-296-4322 in the event of a release.
Above Ground Resources & Historic Structures	One resource, the NRHP listed Harmony Grove Meeting House is located in the project area.	WVDOH will avoid the Harmony Grove Meeting House property. WVDOH will also avoid the old family cemetery along Rail Street.
Archaeological Resources	No impacts.	No mitigation is necessary.
Section 4(f) Resources	No impacts.	No mitigation is necessary.
Air Quality	No impacts.	No mitigation is necessary.
Noise	No impacts.	No mitigation is necessary.
Hazardous Waste Sites	Four potentially hazardous waste sites are located in or near the project area including an AST, LUST, and two railroads.	WVDOH will avoid impacts to the AST along Rail Street. WVDOH will conduct a Limited Site Investigation (LSI) and/or a Phase II ESA if excavation is proposed on either railroad property.
Utilities	The alignment crosses a FERC-regulated gas pipeline.	WVDOH will coordinate with the pipeline owner and regulating agencies, including the West Virginia Public Service Commission. WVDOH will continue coordination through final design to ensure the roadway crossing is designed appropriately for the necessary crossing requirements.
Indirect and Cumulative Impacts	Minor impacts.	No mitigation required.
Temporary Construction Impacts	Minor and temporary air and noise, river navigation, and aquatic resources impacts.	WVDOH will adhere to state and federal permits and requirements to minimize temporary impacts.

5.0 Conclusion

The WVDOH, in cooperation with the FHWA, proposes to provide the Morgantown Industrial Park improved access across the Monongahela River to US 119 and I-68 near the City of Morgantown, West Virginia. The alternatives assessed in this document included a No Build Alternative and three build alternatives (Alternatives 1, 2, and 3). Of the three build alternatives, Preferred Alternative 3 was advanced as being most favorable and therefore is the Preferred Alternative.

Preferred Alternative 3 includes upgrades to Rail Street and Master Graphics Road, a new crossing of the Monongahela River, and a connection at Smithtown Road before intersecting with Grafton Road (US 119).

Preferred Alternative 3 has been advanced for detailed study as the Preferred Alternative because it meets the purpose of providing the MIP and the residents along and south of River Road (CR 45) with improved access across the Monongahela River to US 119 and I-68.

Preferred Alternative 3 also satisfies the need to:

- Provide direct access across the Monongahela River
- Provide alternative access in a growing area of Monongalia County
- Provide alternate access to MIP to continue economic growth

Preferred Alternative 3 also presents the least harm to:

- Residential, commercial, and industrial land uses
- EJ communities
- Potential Section 4(f)-Protected Caperton Trail
- Active USACE Lock and Dam system
- Historic Resources
- Archaeological Resources
- Hazardous Waste Sites

Based on the analysis and information presented in the EA, Preferred Alternative 3 is the alternative of least harm for the Morgantown Industrial Park Access Project.

6.0 References

- Black Diamond Realty, LLC. 2022. *Morgantown Industrial Park: Phase I & II, Morgantown, WV 26501*. Land Marketing Flyer, November 11, 2022 [online]. Accessed: September
- Bowen. E. 2019. *The Economic Impact of Expanding the Morgantown Industrial Park*. West Virginia University, John Chambers College of Business and Economics, Bureau of Business and Economic Research. WVU Research Corporation, 2019.
- Federal Emergency Management Agency. 2010. *Flood Insurance Rate Map (FIRM) Panel No. 54061C0230E*. Effective January 20, 2010.
- Federal Emergency Management Agency. 2010. *Flood Insurance Rate Map (FIRM) Panel No. 54061C0226E*. Effective January 20, 2010.
- Mon River Trails Conservancy. 2023. *Mon River Trail Conservancy: Rail-Trail History*. Accessed: October 2, 2023. <https://montrails.org/rail-trail-history/>
- Mon River Trails Conservancy. 2023. *Mon River Trail Conservancy: Rail-Trail Maps*. Accessed: October 2, 2023. <https://montrails.org/rail-trail-maps/>
- Monongalia County Assessor's Office. 2023. *Taxpayers Information: Important Information for Monongalia Taxpayers Brochure TY 2022*. Accessed October 10, 2023. <https://www.assessor.org/2150/Taxpayers-Information>
- Monongalia County Commission. 2022. *Monongalia County Commission, Compilation Report for the Year Ended June 30, 2022*. Prepared by Perry & Associates, Certified Public Accountants, A.C., October 10, 2022.
- Monongalia County Schools. 2022. *Annual Financial Statements for the Year Ending June 30, 2022*. Accessed: October 10, 2023. <https://resources.finalsite.net/images/v1674492979/boemonok12wvus/gfkkqzpsvpg9jfc91gqa/FinancialStatementsfortheYearEndingJune30.pdf>
- Morgantown Monongalia Metropolitan Planning Organization. 2018. *Morgantown Industrial Park Access Study*, Final Report October 2018.
- Morgantown Monongalia Metropolitan Planning Organization. 2022. *MMMPO 2050 Metropolitan Transportation Plan*. Prepared by Stantec, May 2022.
- Morgantown Monongalia Metropolitan Planning Organization. 2023. *MMMPO Policy Board Meeting Minutes: June 15th, 2023*.
- Morgantown Monongalia Metropolitan Planning Organization. 2023. *MMMPO Memorandum to MPO Committee Members – Proposed South Bridge (West Virginia Department of Transportation Division of Highways)*. Issued by Bill Austin, ACIP, MMMPO, August 2, 2023.
- Upper Mon River Association. 2023. *Upper Mon River Water Trail Maps*. Accessed: October 2, 2023. <https://uppermonriver.org/umra-water-trail-maps/>

- U.S. Census Bureau. 2022. *American Community Survey, 5-Year Estimates Detailed Tables, 2017-2021 (Table ID: B02001, Race) for State of West Virginia, Monongalia County, Block Group 1 – Census Tract 111, Block Group 3 – Census Tract 110*. Accessed: October 2, 2023. <https://api.census.gov/data/2021/acs/acs5>
- U.S. Census Bureau. 2022. *American Community Survey, 5-Year Estimates Detailed Tables, 2017-2021 (Table ID: S1701, Poverty Status in the last 12 months) for State of West Virginia, Monongalia County*. Accessed: October 2, 2023.
- U.S. Environmental Protection Agency. 2023. *EJScreen Community Report: Block Group 540610110003, Monongalia County, WV*. Report Generated: September 27, 2023. <https://ejscreen.epa.gov/mapper/>
- U.S. Environmental Protection Agency. 2023. *EJScreen Community Report: Block Group 54061011101, Monongalia County, WV*. Report Generated: September 27, 2023. <https://ejscreen.epa.gov/mapper/>
- U.S. Fish and Wildlife Service. 2023. *Information Planning and Conservation (IPaC) Official Species List: 'Morgantown Industrial Park Access', Project Code: 2023-0129858*. West Virginia Ecological Services Field Office, Issued September 18, 2023.
- U.S. Fish and Wildlife Service. 2023. *Federal Agency Coordination under the Endangered Species Act, Section 7 for the 'Morgantown Industrial Park Access', Northeast Determination Key Results*. Project Code: 2023-0129858. West Virginia Ecological Services Field Office, Issued September 19, 2023.
- U.S. Fish and Wildlife Service. 2023. *Federal Agency Coordination under the Endangered Species Act, Section 7 for the 'Morgantown Industrial Park Access', Northern Long-eared Bat Rangewide Determination Key Results*. Project Code: 2023-0129858. West Virginia Ecological Services Field Office, Issued September 19, 2023.
- U.S. Geological Survey. 2020. *National Water Information System Mapper*. Accessed: October 16, 2023. <https://maps.waterdata.usgs.gov/mapper/index.html>
- West Virginia Department of Health and Human Services. 2023. *Drinking Water Viewer*. Accessed: January 16, 2024. <https://wvdwv.gecsws.com/>
- West Virginia Department of Natural Resources. 2023. *Fishing Regulations Summary 2023*. Accessed: October 10, 2023. <https://wvdnr.gov/wp-content/uploads/2023/01/2023.01.20-Fishing-Regulations-Summary.pdf>
- West Virginia Department of Natural Resources. 2023. *Boating in West Virginia: West Virginia Water Trails*. Accessed: October 2, 2023. <https://wvdnr.gov/lands-waters/boating/>
- West Virginia Division of Highways. 2023. *Morgantown Industrial Park Access Design Study Report*. Prepared by HNTB Corporation, Draft May 31, 2023.
- West Virginia Division of Highways. 2023. *Morgantown Industrial Park Access Aquatic Resources Report*. Prepared by: Skelly & Loy, Inc., A Terracon Company, October 2023.

Environmental Assessment
Morgantown Industrial Park Access
Monongalia County, West Virginia

- West Virginia Division of Highways. 2023. *Morgantown Industrial Park Access Historic Architectural Resource Survey and Determination of Eligibility Report*. Prepared by Skelly & Loy, Inc., A Terracon Company, October 2023.
- West Virginia Division of Highways. 2023. *Morgantown Industrial Park Access Historic Architectural Resource Survey and Determination of Effect Report*. Prepared by Skelly & Loy, Inc., A Terracon Company, October 2023.
- West Virginia Division of Highways. 2023. *Morgantown Industrial Park Access Phase I Archaeological Survey Report*. Prepared by: Skelly & Loy, Inc., A Terracon Company, October 2023.
- West Virginia Division of Highways. 2023. *Morgantown Industrial Park Access Phase I Environmental Site Assessment Report*. Prepared by: Skelly & Loy, Inc., A Terracon Company, October 2023.
- West Virginia Division of Highways. 2023. *Morgantown Industrial Park Access Preliminary Design Noise Analysis*. Prepared by: Skelly & Loy, Inc., A Terracon Company, October 2023.
- West Virginia Division of Highways. 2023. *Morgantown Industrial Park Transportation Air Quality Analysis*. Prepared by: Skelly & Loy, Inc., A Terracon Company, October 2023.
- West Virginia Geological and Economic Survey. 2020. *Physiographic Provinces of West Virginia*. Accessed: October 2, 2023. <https://www.wvgs.wvnet.edu/www/maps/pprovinces.htm>
- West Virginia Geological and Economic Survey. 2022. *Coal Bed Mapping Project*. Accessed: October 2, 2023. <https://www.wvgs.wvnet.edu/www/coal/cbmp/coalims.html>
- West Virginia Geological and Economic Survey. 2023. *Geologic Map of West Virginia*. [Online Mapping Tool] Accessed: October 2, 2023. <https://atlas2.wvgs.wvnet.edu/portal/apps/webappviewer/index.html?id=ab47a1fc20e4417aa47af96b4c83be28>
- West Virginia State Tax Office. 2022. *West Virginia Property Viewer*. West Virginia GIS Technical Center, online mapping tool. Accessed: October 10, 2023. <https://mapwv.gov/Parcel/>
- West Virginia University. 2020. *West Virginia Land Use Land Cover (NAIP 2016)*. West Virginia University, Natural Resource Analysis Center. West Virginia GIS Technical Center. Accessed October 16, 2023. <https://wvgis.wvu.edu/data/dataset.php?ID=489>

7.0 List of Preparers and Reviewers

Federal Highway Administration

Jason Workman

Director, Program Development
Federal Highway Administration
300 Virginia Street East, Suite 7400
Charleston, WV 25301

Theresa (Sydney) Burke

Environmental Protection Specialist
Federal Highway Administration
300 Virginia Street East, Suite 7400
Charleston, WV 25301

Hao Chen

Area Engineer
Federal Highway Administration
300 Virginia Street East, Suite 7400
Charleston, WV 25301

West Virginia Division of Highways

Travis Long

Director, Technical Support Division

Sondra L. Mullins

Assistant Director, Technical Support Division
NEPA Compliance and Permitting Section

Ben L. Hark

NEPA and Permitting Section Head,
Technical Support Division

Lovell R. Facemire, P.E., P.S.

Project Manager, Technical Support Division
Engineering Support Section

Skelly & Loy, Inc., A Terracon Company

Kevin J. Starner, CEP

Senior Associate, NEPA Department Manager

Alan J. Dunay

Senior Noise Specialist, Acoustics

Laura C. Bair

Senior Project Manager, NEPA

Stephen G. Toki Jr.

Senior Scientist, Natural Resources

Samantha R. Hockenberry, PWS, CE

Project Scientist, Natural Resources

Sam Lowry

GIS Technician

Trent A. Sustich

Group Manager, Natural Resources/NEPA

8.0 Distribution List

Federal Agencies

Samantha Beers, Director
U.S. Environmental Protection Agency
Office of Community, Tribes, & Environmental Assessment
Region III (3RA10)
1650 Arch Street
Philadelphia, PA 19103
beers.samantha@epa.gov

Michael E. Hatten, Chief Regulatory Division
U.S. Army Corps of Engineers
Huntington District
CELRH-HD
502 Eighth Street
Huntington, WV 25701-2070
michael.e.hatten@usace.army.mil

Lisa Humphreys, Project Technician Coordinator
U.S. Army Corps of Engineers
Huntingdon District
CELRH-EC-CE
502 8th Street
Huntington, WV 25701-2070
lisa.a.humphreys@usace.army.mil

Jennifer Norris, Field Supervisor
U.S. Fish and Wildlife Service
West Virginia Field Office
6263 Appalachian Highway
Davis, WV 26260
jennifer_1_norris@fws.gov

Allan O. Monterroza, Bridge Management Specialist
Eighth Coast Guard District, Western Rivers
1222 Spruce Street, RM 2.102D
St. Louis, MO 63103
Allan.o.monterroza@uscg.mil

Eric Washburn, Commander
Eighth Coast Guard District, Western Rivers
1222 Spruce Street
St. Louis, MO 63103-2398
Eric.washburn@uscg.mil

Sydney White, Environmental Specialist
Natural Resource Conservation Service
U.S. Department of Agriculture
1550 Earl Core Road, Suite 200
Morgantown, WV 26505
sydney.white2@usda.gov

**Environmental Assessment
Morgantown Industrial Park Access
Monongalia County, West Virginia**

MaryAnn Tierney, Regional Administrator
Federal Emergency Management Agency, Region III
615 Chestnut Street
Philadelphia, PA 19106
maryann.tierney@fema.dhs.gov

Dr. Joe Stahlman, Tribal Historic Preservation Officer
Seneca Nation
82 W. Hetzel Street
Salamanca, NY 14779

Edgar Alarcon, Tribal Historic Preservation Officer
Osage Nation
627 Grandview Avenue
Pawhuska, OK 74056

Bryan Printup, Tribal Historic Preservation Officer
Tuscarora Nation
5226 Walmore Road
Lewistown, NY 14092

Clint Halftown, Federal Representative
Cayuga Nation of New York
PO Box 803
Seneca Falls, NY 13148

Nekole Alligood, Cultural Preservation Officer
Delaware Nation
PO Box 825
Anadarko, OK 73005

Raymond Halbritter, Nation Representative
Oneida Indian Nation of New York
2037 Dream Catcher Plaza
Oneida, NY 13421

Stacie Cutbank, Tribal Historic Preservation Officer
Oneida Tribe of Indians of Wisconsin
PO Box 365
Oneida, WI 54155

Sidney Hill, Chief
Onondaga Nation of New York
4040 Route 11
Nedrow, NY 13120

William Tarrant, Tribal Historic Preservation Officer
Seneca-Cayuga Tribe of Oklahoma
PO Box 45322
Grove, OK 74345

Darren Bonaparte, Tribal Historic Preservation Officer
Saint Regis Band of Mohawk Indians of New York
71 Margaret Terrance Memorial Way
Akwesasne, NY 13655

**Environmental Assessment
Morgantown Industrial Park Access
Monongalia County, West Virginia**

Erin Paden, Tribal Historic Preservation Officer

Shawnee Tribe
29 South Highway 69 A
Miami, OK 74354

Roger Hill, Chief

Tonawanda Band of Seneca Indians of New York
PO Box 795
Basom, NY 14013

Russell Townsend, Tribal Historic Preservation Officer

Eastern Band of Cherokee Indians of North Carolina
PO Box 455
Cherokee, NC 28719

West Virginia State & Local Agencies

Nancy Dixon, Environmental Resource Analyst

West Virginia Department of Environmental Protection
Division of Water and Waste, 401 Certification Program
601 57th Street
Charleston, WV 25304-2345
Nancy.J.Dixon@wv.gov

Danny Bennett

West Virginia Division of Natural Resources
P.O. Box 67
Elkins, WV 26241
danny.a.bennett@wv.gov

Susan Pierce, Deputy State Historic Preservation Officer
Director of the WV State Historic Preservation Office

West Virginia Department of Arts, Cultural, & History
Division of Culture and History
1900 Kanawha Blvd East
Charleston, WV 25305
susan.m.pierce@wv.gov

Brett McMillion, Director

West Virginia Division of Natural Resources
324 Fourth Avenue
South Charleston, WV 25303
Brett.W.McMillion@wv.gov

Laura M. Crowder, Director, Office of Air Quality

West Virginia Department of Environmental Protection
601 57th Street, SE
Charleston, WV 25304-2345
laura.m.crowder@wv.gov

**Environmental Assessment
Morgantown Industrial Park Access
Monongalia County, West Virginia**

Mary Friend, Director, Gas Pipeline Safety
West Virginia Public Service Commission
201 Brooks Street
P.O. Box 812
Charleston, WV 25323
mfriender@psc.wv.us

Michael Paugh
Monongalia County Floodplain Manager
West Virginia Emergency Management
1700 MacCorkle Avenue SE
6th Floor
Charleston, WV 25314
mike@moncpc.org

Bill Austin, AICP
Morgantown/Monongalia MPO
243 High Street, Room 110
Morgantown, WV 26505
baustin@planttogether.org

Andrew Gast-Bray, Ph.D, AICP, CNU-A, Director of Planning
Monongalia County Planning Commission
243 High Street, Room 110
Morgantown, WV 26505
304-291-9572
agastbray@moncommission.com

Harold Sperringer, Deputy Director Monongalia County HSEMA and MECCA 911
Monongalia County Floodplain Administrator
74 Mon Health Drive
Morgantown, WV 26505
304-599-6332
floodplain@monongaliacounty.gov

Rennetta McClure, County Administrator
Monongalia County Commission
243 High Street, Room 202
Courthouse
Morgantown, WV 26505
304-284-7366 fax
rmclure@monongaliacounty.gov

Jennifer Selin, Mayor
City of Morgantown
389 Spruce Street
Morgantown, WV 26505
jselin@morgantownwv.gov

West Virginia Department of Health and Human Services
Monongalia County DHHR Office
PO Box 800
Morgantown, WV 26507

North Central West Virginia Community Action

Monongalia County Office
40 Commerce Drive, Suite 200
Morgantown, WV 26501

Ella Belling, Executive Director
Monongahela River Trails Conservancy
P.O. Box 282
Morgantown, WV 26507

Frank Jernejcic, Vice President
Upper Mon River Association
fjernejcic@comcast.net

Senators & Delegates

Senator Robert Beach
West Virginia Senate District 13
Room 204W, Bldg 1
State Capitol Complex
Charleston, WV 25305
bob.beach@wvsenate.gov

Senator Michael Caputo
West Virginia Senate District 13
Room 203W, Bldg 1
State Capitol Complex
Charleston, WV 25305
mike.caputo@wvsenate.gov

Delegate Barbara Evans Fleishauer
West Virginia House of Delegates
Room 151R, Bldg 1
State Capitol Complex
Charleston, WV 25305
barbaraf@wvhouse.gov

Delegate Evan Hansen
West Virginia House of Delegates
Room 150R, Bldg 1
State Capitol Complex
Charleston, WV 25305
evan.hansen@wvhouse.gov

Appendices

**Appendix A –
Cooperating Agency Coordination**



U.S. Department
of Transportation
**Federal Highway
Administration**

West Virginia Division

February 16, 2024

300 Virginia Street East
Suite 7400
Charleston, WV 25301
Phone (304) 347-5928
Fax (304) 347-5103

IN REPLY REFER TO:
Morgantown Industrial Park Access

Eric A. Washburn
D8 Bridge Supervisor, Western Rivers
U.S. Coast Guard
1222 Spruce Street
St. Louis, MO 63103-2398

Dear Mr. Washburn:

The Federal Highway Administration (FHWA), in cooperation with the West Virginia Division of Highways (WVDOT), proposes to provide the Morgantown Industrial Park and the residents along and south of River Road (CR 45) with improved access across the Monongahela River to US 119 and I-68 near the City of Morgantown, WV.

The FHWA is the lead federal agency for the project and has determined that an Environmental Assessment (EA) is required. This EA is being prepared to fulfill requirements set forth in the National Environmental Policy Act (NEPA) and related transportation development laws. In accordance with the CEQ regulations emphasizing agency coordination early in the NEPA process (40 CFR 1501.6), the FHWA, as the lead agency, is pleased to formally invite the U.S. Coast Guard (USCG) to participate in the EA process for the Morgantown Industrial Park Access project as a Cooperating Agency.

Cooperating Agencies are responsible for identifying, as early as practicable, any issues or concerns about the action's potential environmental impacts that could affect an agency's ability to grant a permit or other approval. Designation as a Cooperating Agency does not imply that your agency supports the proposed project. Your agency's involvement as a Cooperating Agency should include those areas under your jurisdiction and no direct writing or analysis will be necessary for the document's preparation.

As a Cooperating Agency, we ask you to:

- Designate a point of contact to represent your agency in interagency consultations;
- Participate in agency coordination meetings and public involvement, as appropriate;
- Provide input on the level of detail required on analyses in the USCG's area of expertise; and
- Provide timely review of the EA to reflect your views and concerns on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

We look forward to your response to this request and your role as a Cooperating Agency on this transportation project. If you have any questions or would like to discuss in more detail, the project or our agencies' respective roles and responsibilities during the preparation of this EA, please contact Mr. Jason Workman, FHWA, at (304) 347-5271 or via email at Jason.Workman@dot.gov. We look forward to your participation in this project.

Sincerely,

JASON

WORKMAN

Jason Workman

Director of Program Development

Digitally signed by
JASON WORKMAN
Date: 2024.02.16
13:26:39 -05'00'

Burke, Theresa (FHWA)

From: Monterroza, Allan O CIV (USA) <Allan.O.Monterroza@uscg.mil>
Sent: Monday, February 26, 2024 9:13 AM
To: Burke, Theresa (FHWA); Washburn, Eric A CIV USCG D8 (USA)
Cc: Dirar M. Ahmad; Mullins, Sondra L; Workman, Jason (FHWA); Chen, Hao (FHWA)
Subject: RE: Proposed Morgantown Industrial Park Access Road Bridge, Mile 103.9 Monongahela River
Signed By: allan.o.monterroza@uscg.mil

Good morning Sydney, We agree to serve as a Cooperating Agency for the project from a navigation standpoint. We should be given the opportunity to review the environmental document. Our review and recommendations on the vertical and horizontal clearance requirements and pier placement for river traffic will be coordinated with the West Virginia Division of Highways.

R,

Allan O Monterroza
Bridge Management Specialist
U.S. Coast Guard
District 8 Bridge Branch
1222 Spruce Street, RM 2.102D
St. Louis, MO 63103
314-269-2434 OFC
573-467-1414 Cell

From: Burke, Theresa (FHWA) <theresa.burke@dot.gov>
Sent: Friday, February 16, 2024 12:36 PM
To: Monterroza, Allan O CIV (USA) <Allan.O.Monterroza@uscg.mil>; Washburn, Eric A CIV USCG D8 (USA) <Eric.Washburn@uscg.mil>
Cc: Dirar M. Ahmad <DIRAR.M.AHMAD@WV.GOV>; Mullins, Sondra L <sondra.l.mullins@wv.gov>; Workman, Jason (FHWA) <Jason.Workman@dot.gov>; Chen, Hao (FHWA) <hao.chen@dot.gov>
Subject: [Non-DoD Source] RE: Proposed Morgantown Industrial Park Access Road Bridge, Mile 103.9 Monongahela River

Good afternoon Mr. Monterroza,

Please find the attached letter inviting the USCG to be a Cooperating Agency to participate in the EA process for the Morgantown Industrial Park Access project. If you have any questions, please let me know.

Thank you,
Sydney

Theresa (Sydney) Burke
Environmental Protection Specialist
Federal Highway Administration
300 Virginia Street East, Suite 7400
Charleston, WV 25301
Phone: 304.347.5436

From: Monterroza, Allan O CIV (USA) <Allan.O.Monterroza@uscg.mil>

Sent: Monday, February 12, 2024 10:51 AM

To: Burke, Theresa (FHWA) <theresa.burke@dot.gov>

Cc: Dirar M. Ahmad <DIRAR.M.AHMAD@WV.GOV>

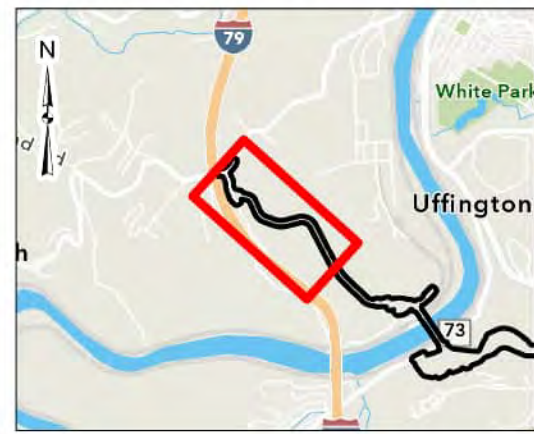
Subject: Proposed Morgantown Industrial Park Access Road Bridge, Mile 103.9 Monongahela River

Good morning Ms. Burke, Please see attached scoping letter from the U. S. Coast Guard to West Virginia Department of Transportation for the subject bridge project. Can you send us a letter with FHWA concurrence that the USCG will serve as cooperating agency for our files please.

Thank you,

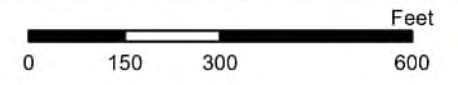
Allan O Monterroza
Bridge Management Specialist
U.S. Coast Guard
District 8 Bridge Branch
1222 Spruce Street, RM 2.102D
St. Louis, MO 63103
314-269-2434 OFC
573-467-1414 Cell

Appendix B – Constraints Maps



- Legend**
- Preferred Alternative Project Area
 - Potentially Hazardous Waste Sites
 - Existing Stormwater Basin
 - NRHP-Listed Resource
 - Palustrine Wetlands
 - ▶ Perennial Stream
 - ⋯▶ Ephemeral Stream

DATA SOURCE(S): ESRI WMS - OpenStreetMap
 WV Sheriffs Association 2018 - Base Aerial Imagery



Project No.: JP237149
 Date: October 2023
 Drawn By: SEL
 Reviewed By: BSR

SKELLY AND LOY

A **terracon** Company

3280 William Pitt Way Pittsburgh, PA 15238
 PH. (412) 828-1412 terracon.com

Environmental Assessment

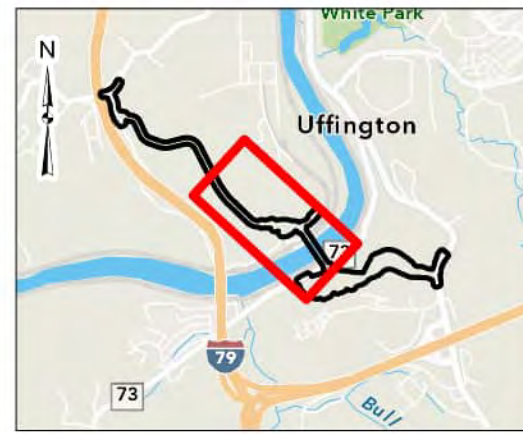
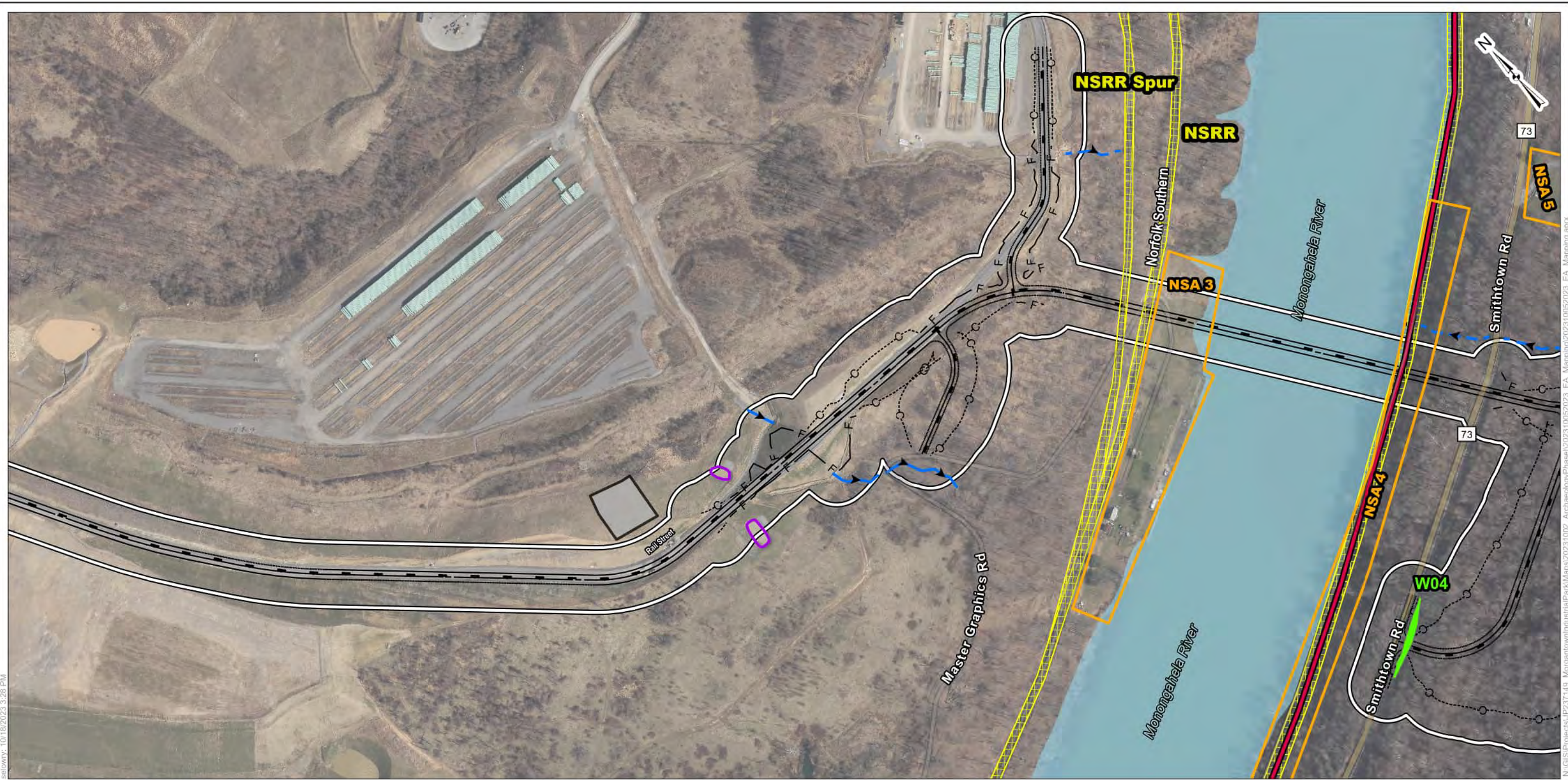
Morgantown Industrial Park Access Project
 Monongalia County, West Virginia

Figure

1-1

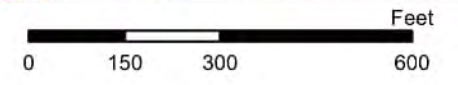
S:\0116\2023\3.27 PM

N:\GIS\Projects\JP237149 - Morgantown Industrial Park Access Project\Map\20231002 - Arch\esri\Map\20231002\100502023 - EA - Monogalia.sxd



- Legend**
- Preferred Alternative Project Area
 - Potentially Hazardous Waste Sites
 - Existing Stormwater Basin
 - Cemetery
 - Palustrine Wetlands
 - 100-Year Floodplain
 - Monongahela River Rail Trail
 - ➔ Perennial Stream
 - - ➔ Intermittent Stream

DATA SOURCE(S): ESRI WMS - OpenStreetMap
 WV Sheriffs Association 2018 - Base Aerial Imagery



Project No.: JP237149
 Date: October 2023
 Drawn By: SEL
 Reviewed By: BSR

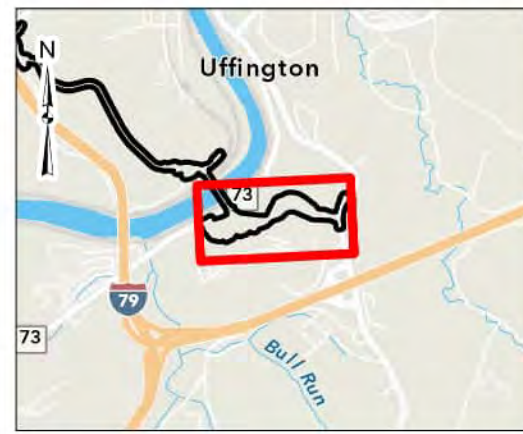
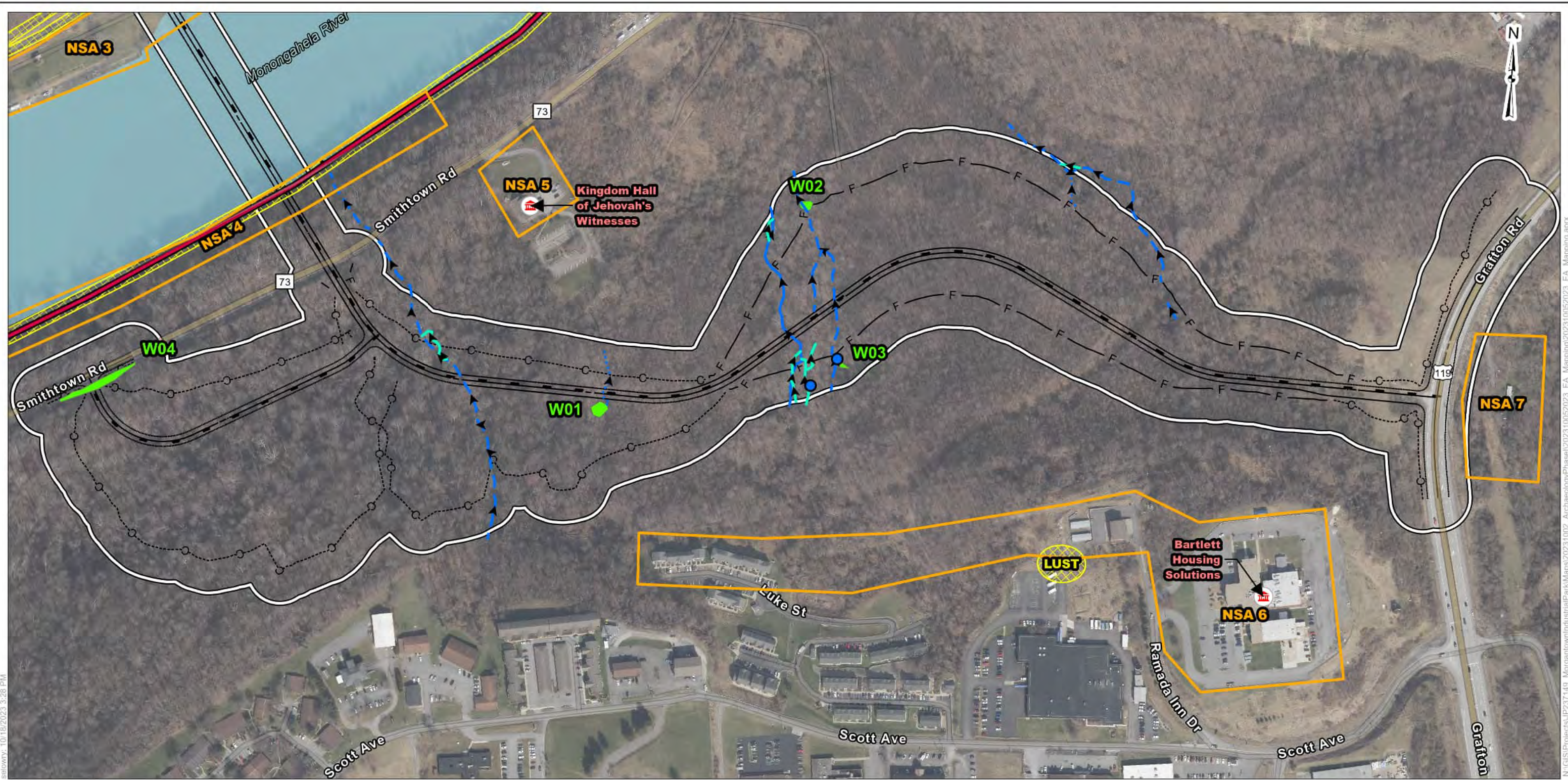
SKELLY AND LOY
 A Terracon Company
 3280 William Pitt Way Pittsburgh, PA 15238
 PH. (412) 828-1412 terracon.com

Environmental Assessment
 Morgantown Industrial Park Access Project
 Monongalia County, West Virginia

Figure
 1-2

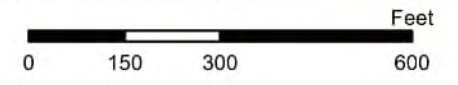
SEDWV: 10/18/2023 3:28 PM

MUGS:\Projects\JP237149 - Morgantown Industrial Park Access Project\20231002 - Arch\scs\copy\Bates\20231005\2023_EA_Map\20231005\2023_EA_Map.mxd



Legend			
	Preferred Alternative Project Area		Intermittent Stream
	Potentially Hazardous Waste Sites		Ephemeral Stream
	Palustrine Wetlands		High Flow Channel
	100-Year Floodplain		Seep Zones
	Monongahela River Rail Trail		Community Resource
	Perennial Stream		

DATA SOURCE(S): ESRI WMS - OpenStreetMap
 WV Sheriffs Association 2018 - Base Aerial Imagery



Project No.:	JP237149
Date:	October 2023
Drawn By:	SEL
Reviewed By:	BSR

SKELLY AND LOY

A **Terracon** Company

3280 William Pitt Way Pittsburgh, PA 15238
 PH. (412) 828-1412 terracon.com

Environmental Assessment
Morgantown Industrial Park Access Project Monongalia County, West Virginia

Figure
1-3

S:\0110\2023\1018\2023_1018_PMI

N:\GIS\Projects\1018\2023\1018_PMI\Map\20231002_AerialMap\202310052023_EA_Morgantown\202310052023_EA_Morgantown.aprx

Appendix C - Public Involvement

Public Meeting Summary
October 3, 2023

Appendix C – Public Involvement

MEMORANDUM TO TECHNICAL FILE

To: Project Technical Files – Environmental Assessment

From: Skelly and Loy, Inc., A Terracon Company

Date: February 16, 2024

Subject: Summary of Public Involvement And Comments To Date
Morgantown Industrial Park Access Project
Monongalia County, West Virginia

Introduction

This memo has been prepared to summarize the public involvement activities completed to date as part of the Morgantown Industrial Park Access project.

The West Virginia Department of Transportation, Division of Highways (WVDOH) and the Federal Highway Administration (FHWA) held the first public meeting for the proposed project on October 3, 2023 from 5:00 to 8:00 pm at the Westwood Middle School located along River Road (CR 45) in Westover near the project area. The purpose of the meeting was to introduce the public to the three potential alternatives designed to provide the Morgantown Industrial Park (MIP) improved access across the Monongahela River to US 119 and I-68 near the City of Morgantown, WV. Representatives from WVDOH and their project consultants, HNTB Corporation and Skelly and Loy, A Terracon Company, were present to discuss the project alternatives and answer any questions the public might have regarding them. Approximately 50 to 60 people attended the meeting to view the project alternatives, ask questions, and offer comments. The public meeting sign-in sheet is provided as **Attachment 1**. The public meeting handout containing the project alternatives information is provided as **Attachment 2**.

In addition to in-person comments, the project was posted on the WVDOH website and the public was encouraged to submit comments digitally, and a mailing address was provided for mail-in comments. The public comment period was open for 30 days and closed on November 3, 2023; however, WVDOH accepted comments that were submitted and received after the closing date.

WVDOH Website for the Morgantown Industrial Park Access Project

<https://transportation.wv.gov/highways/engineering/comment/Pages/MORGANTOWN-INDUSTRIAL-PARK-ACCESS.aspx>

Public Comments

Table 1 summarizes the twenty-nine (29) comments received following the October 3, 2023 public meeting. The summary table also includes responses to the comments received.

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>10/03/2023 – M. Breiding</p> <p>If this project goes forward, please ensure the Mon River Rail-Trail stays open and accessible during every phase of the project up until the time the project is complete.</p>	<p>Thank you for your comment. The construction of the bridge will require that the trail be closed during certain periods of the construction process. While no permanent impacts will occur to the rail-trail, the Mon River Trail Conservancy will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail users are aware of temporary impacts during construction.</p>
<p>10/03/2023 – B. Powell</p> <p>I am strongly opposed to this project. It flabbergasts me that projects that have been promised for years and would benefit tens of thousands of vehicles per day (like improving the WV 705 corridor) languish for years, while one developer blinks an eye and this project is proposed for construction inside of a year. This project does not benefit residents of Monongalia County and should be scrapped.</p> <p>I encourage DOH to look at interim alternatives to the Harmony Grove interchange if this project is really so important. Could Dents Run Road be extended to River Road or a new road connect Dupont Road to the existing I-79/US 19 interchange? These seem like much cheaper alternatives and would be more useful to the public at large, especially if/when the Harmony Grove interchange is built.</p> <p>Of the proposed alternatives, I see Alternative #1 as the worst. It offers minimal benefit other than shaving a trip down to the Westover Bridge and back off the route.</p> <p>Alternative #3 has some utility as providing alternate access from CR 73 to US 119. I would suggest removing the existing CR 73 as a through route and forcing traffic onto the new road to eliminate the existing troubled CR 73/US 119 intersection.</p> <p>I appreciate Alternative #2 as it helps extend a southern route through town by continuing Greenbag Road. I do not have a strong preference between Alternatives #2 and #3.</p>	<p>Thank you for your feedback. The Harmony Grove Interchange I-79 Exit 151 Project is continuing through the project development process.</p> <p>Numerous studies have been completed starting in 2016 related to transportation improvements to this area, including interchanges and bridges that have led to the alternatives being advanced.</p> <p>Alternative 1 will have the highest impacts to residents, community facilities, Section 4(f)-protected resources, recreation, noise sensitive resources, historic resources, and hazardous waste.</p> <p>Of Alternatives 2 and 3, Alternative 3 has the least harmful alternative and was advanced as the Preferred Alternative in the Environmental Assessment (EA).</p>
<p>10/4/2023 – M. Skidmore</p> <p>I am all in favor of the harmony road interchange, and this project seems to duplicate that work at a tremendous price. Isn't there a way to expedite FHWA approval for the interchange and use the \$70 million for other improvements in Mon county?</p>	<p>Thank you for your feedback. The Harmony Grove Interchange I-79 Exit 151 Project is continuing through the project development process.</p>
<p>10/4/2023 – W. Myers</p> <p>How did this project go from "We're going to build an off ramp on I-79". to this conglomerated mess? Did someone believe we weren't properly funding the hoard of needy politicians? This is an unprecedented waste of tax dollars to accomplish a simple task... Every one of the "alternate" plans is an exercise in extravagant spending to solve a simple problem. Please reconsider your approach to this.</p>	<p>Thank you for your comment. Numerous studies have been completed starting in 2016 related to transportation improvements to this area, including interchanges and bridges.</p>
<p>10/5/2023 – G. Faber</p> <p>Alternative 2, but I think it would be better to put the time and money in putting on and off ramps at River Road and I79.</p>	<p>Thank you for your input. Alternative 2 was dropped from consideration with reasons that are outlined in the EA to be released in 2024. While Alternative 2 will provide access closer to Morgantown, that will come at the cost of higher impacts. Alternative 2 will impact more hazardous waste sites and residents and businesses and is located closer to a surface water intake. Alternative 2 will also require two bridge structures and crosses the Monongahela River's navigation channel at a less desirable location.</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>10/5/2023 – M. Attfield</p> <p>Please ensure that the hiking/biking trail along the river is not adversely impacted for a long duration. Also that steps are taken to ensure that the area is not vulnerable to land slides. The trail is a popular spot and is an attraction that draws people to the area.</p>	<p>Thank you for your input. There will only be short-term temporary impacts to the rail-trail during overhead construction, for safety of the trail users. There will be no permanent impacts.</p> <p>Additionally, geotechnical studies have been completed for the project and concerns will continue to be evaluated to prevent or mitigate landslides.</p>
<p>10/12/2023 – G. Marlin</p> <p>Seems to me to be a huge waste of taxpayer dollars to spend 70 million on a bridge that will be obsolete when the harmony grove interstate connection is made. I can think of a lot of other places that money could be spent.</p>	<p>Thank you for your input. The bridge will provide access whether or not the interchange is constructed, including reduced truck traffic on River Road.</p>
<p>10/12/2023 – S. Selin, Mon River Trails Conservancy</p> <p>I am currently a board member of the Mon River Trails Conservancy. I am most concerned that the construction of this bridge minimize its potential negative impact on the safe public use and enjoyment of the Mon River Rail-trail (MRT). The MRT has become a significant economic asset to northcentral West Virginia. Everyday, both WV citizens and out-of-state visitors enjoy the many benefits of this on-of-a-kind regional attraction. The MRT contributes to the economic vitality and public health of this region. I would ask that the decision-makers and managers of this bridge project take all precautions and measures to mitigate negative impacts of this construction on the safe public use and enjoyment of the MRT. Thank you.</p>	<p>Thank you for your feedback. Understanding that safety is key to the enjoyment of the rail-trail user, temporary closures are needed for protection and safety during bridge construction. While no permanent impacts will occur to the rail-trail, the Mon River Trails Conservancy will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail uses are aware of temporary impacts during construction.</p> <p>Similarly, the economic benefit to the county, region, and state with the expansion of the Morgantown Industrial Park (MIP) is also a consideration during project development.</p>
<p>10/12/2023 – C. Abildso</p> <p>In the Morgantown Monongalia Metropolitan Planning Organization’s current LRTP, a southern Mon River Bridge (project C10) is scored as the <second lowest priority> on the entire list, tied with “Dug Hill Road Improvements” for 98th out of 100 projects. That alone, shows there is no public support for providing this bridge IN ADDITION to the new interchange. The cost is far too high (and still a low-ball estimate at \$70-80 million). It will provide almost no benefit in relieving traffic congestion when considering it along with the new Harmony Grove interchange. Construction will shut down the rail-trail running beneath it for years, and ongoing landslides in that area will be worsened, further harming the rail-trail...a much great community asset than a bridge or an industrial park. Please, slow down. Wait to see if the FHWA approves the interchange. If they don’t, then start the process on this bridge.</p>	<p>Thank you for your feedback. While it may appear that building both projects seem redundant, there will be an added benefit of the bridge, regardless of the interchange. Even with the proposed interchange in place, the bridge would provide additional access to the MIP and serve to reduce truck traffic on local roads, provide new transit routes, and emergency access.</p> <p>Based on current design plans, the trail will experience partial closures for safety reasons that will be intermittent, totally 5 weeks over the course of several construction seasons.</p> <p>Additionally, geotechnical studies have been completed for the project and concerns will continue to be evaluated to prevent or mitigate landslides.</p>
<p>10/13/2023 – S. Soderholm</p> <p>The impact of this project on users of the Mon River Trail is extremely concerning. All options for the bridge currently will have near and long term impacts from closing the trail to undoing the massive amount of work that has gone into repairing and preventing landslides. It is important that you design this project to have the least impact on trail use possible and that you protect the trail from long term damage. These trails have won awards for their beauty and usability, which draws people to our area and helps them to be healthy. Let's protect that!</p>	<p>Thank you for your feedback. Understanding that safety is key to the enjoyment of the rail-trail user, temporary closures are needed for their protection and safety during bridge construction. While no permanent impacts will occur to the rail-trail, the Mon River Trail Conservancy will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail uses are aware of temporary impacts during construction.</p> <p>Additionally, geotechnical studies have been completed for the project and concerns will continue to be evaluated to prevent or mitigate landslides.</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>10/13/2023 – R. Meador</p> <p>Whichever location of the bridge is decided on, please make arrangements for the rail trail to still exist during construction. If possible any rail trail improvements and a bike lane on the bridge would be great! Thanks.</p>	<p>Thank you for your input. There will only be short-term temporary impacts to the rail-trail during overhead construction, for the safety of trail users. There will be no permanent impacts. The bridge will provide a shared road for cyclists; however, a designated bike lane was not included in the current design due to safety concerns.</p>
<p>10/16/2023 – R. Barnett</p> <p>I am generally opposed to any new bridge to the Morgantown Industrial Park. Mountaintop Beverage was promised a new interchange on the highway, and the DOH should be concentrating on fulfilling that promise rather than constructing a bridge that will impact many in the Morgantown area. Of particular impact will be the Mon River trail. There are already significant issues with slides and storm water runoff in this area. Construction of a multi-million dollar bridge can only make the situation worse. It seems a huge waste of taxpayer money to fund such a one purpose bridge.</p>	<p>Thank you for your feedback. The proposed bridge will serve both the Morgantown Industrial Park and traveling public even with the construction of the proposed interchange by providing emergency access and reducing truck traffic on River Road.</p> <p>Additionally, geotechnical studies have been completed for the project and concerns will continue to be evaluated to prevent or mitigate landslides.</p>
<p>10/22/2023 – T. Warner</p> <p>I strongly support Alternative 2, rather than the favored Alternative 3. In the long term, after the the Harmony Grove intersection with I-79 is constructed, Alternative 2 will provide a rapid route to I-79 from close to downtown Morgantown, and also has the advantage of connecting directly to Greenbag Road, which is already a major southern corridor around Morgantown. In contrast, Alternative 3 will likely receive little traffic once the Harmony Grove intersection is built, since it doesn't provide any direct benefit for Morgantown residents, and the Harmony Grove access will likely be more convenient for Mountaintop Beverage and other Industrial Park traffic. In summary, Alternative 2 will have short term and long term benefits, but Alternative 3 has only short term benefits.</p>	<p>Thank you for your input. While Alternative 2 will provide access closer to Morgantown, that will come at the cost of higher impacts. Alternative 2 will impact more hazardous waste sites and residents and businesses and is located closer to the surface water intake. Alternative 2 will also require two bridge structures and crosses the Monongahela River's navigation channel at a less desirable location.</p>
<p>10/23/2023 – C. O'Brien</p> <p>Why was a 4th alternative not included in the proposals? An interchange at Harmony Grove would require less construction and disruption of the area, be less costly, and accommodate truck traffic on existing appropriate roadways. I hope that someone will respond to me about this issue.</p>	<p>Thank you for your comment. The proposed Harmony Grove Interchange I-79 Exit 151 Project is continuing to advance through the project development process.</p>
<p>10/24/2023 – S. Runfola</p> <p>The proposed new bridge over the Mon River should be cancelled in favor of the Harmony Grove Interchange. That will be cheaper, non-drinking water polluting and offer easier access. It sounds to me that the DOT may have made some promises to Mountaineer Beverage regarding Harmony Grove that it couldn't keep. Now the DOT wants to build them a tax payer funded, multimillion dollar, drinking water and air polluting bridge. MUB has already expressed its concerns regarding the bridge impact on its drinking water intakes. Note that chemical trucks will most likely use the bridge since there is a chemical plant in the Morgantown Industrial Park. Which Industrial Park property owners and businesses will be impacted positively or negatively by this bridge? Are any of them involved in city or state government?</p> <p>Thank you.</p>	<p>Thank you for your concern. The proposed Harmony Grove Interchange I-79 Exit 151 Project is continuing to advance through the project development process.</p> <p>Related to the drinking water intake, several standard measures will be put in place to reduce potential impacts to the river and its water quality, including a detailed Erosion & Sedimentation Pollution Control Plan and Stormwater Management Plan to minimize sedimentation and maintain water quality during construction. Due to the location of MUB's raw water intake, located approximately 1.4 miles downstream of the proposed bridge crossing, the contractor will also prepare and implement a spill prevention plan to prevent a release into the Monongahela River during construction. This plan will be maintained post-construction. In a letter dated October 10, 2023, the MUB provided its support of the project and noted their requirement for immediate notification, which has been included on the design plans.</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>11/2/2023 – P. Hunt</p> <p>The State and the Morgantown Metropolitan Planning Organization (MMPO) pretended to take public input, but had already decided on “Alternative 3” for the proposed new bridge across the Monongahela River in Monongalia County. This project unnecessarily duplicates the proposed Harmony Grove Interchange and will be useless once that interchange is built. It’s a waste of \$70+ million, and we cannot afford it. As a taxpayer, I am outraged. If dealing with the Feds is the problem, as stated by the MMPO, then why not put all this time, energy, and resources into getting the Feds on board more quickly, rather than wasting many millions of dollars on a redundant road project. West Virginia cannot fund its prisons, has a foster care crisis, an overdose crisis, and many other problems that it cannot – or will not – address due to lack of funds, but we find all this money to benefit a single company: Mountain State Beverage, as well as the Governor, who has a financial interest in the Morgantown Industrial Park. The MMPO took public comments on this project, but they had already made up their minds and had their preferred alternative ready to go, including an Environmental Impact Statement. I fear DOH is doing the same: just lip service to the taxpayer. Mountain State Beverage, the Governor, and the Morgantown Industrial Park can wait for the Harmony Grove interchange. Please deny this proposed new bridge. Thank you for considering my comments.</p>	<p>Thank you for your feedback and concerns. The WVDOH, in partnership with the MMMPO, have completed numerous studies starting in 2016 related to the transportation improvements to this area, including interchanges and bridges that have led to the alternatives being advanced.</p> <p>Alternative 1 will have the highest impacts to residents, community facilities, Section 4(f)-protected resources, recreation, noise sensitive resources, historic resources, and hazardous waste. Of Alternatives 2 and 3, Alternative 3 has the least harmful alternative and was advanced as the Preferred Alternative in the project’s EA.</p> <p>The proposed Harmony Grove Interchange I-79 Exit 151 Project is continuing to advance through the project development process with WVDOH and FHWA.</p>
<p>11/20/2023 – J. Kotcon, Sierra Club WV Chapter</p> <p>I am concerned that this Harmony Grove Interchange project and the Mon River bridge project to access the Morgantown Industrial Park seem to be moving much too fast. Has there been an Environmental Assessment or Environmental Impact Statement for either of these projects? If so, where can I find a copy. If not, when will it be available? If none is anticipated, please cite the specific legislative exemption or categorical exclusion that authorizes such a project without NEPA documentation.</p>	<p>Thank you for your comment. An EA has been drafted and will be released to the public in 2024, followed by a public meeting and comment period.</p>
<p>11/2/2023 – K. Williams</p> <p>I am opposed to the projected bridge over the Mon River, to the Morgantown Industrial Park. I really think that you, DOH, should look at the maps again and connect the industrial park to Route 19 in the Westover area. Trying to connect Route 119 to the industrial park requires too much money plus the elevation change will cause problems. The Route 19 connection would take less time to complete and cost less by about 50 million dollars. Thank you</p>	<p>Thank you for your comment. Many alternatives have been studied starting in 2016. The option you mentioned may have been studied and dropped from consideration for various reasons. Without more understanding of the location you indicate, this will be hard to determine. Previous studies are included in the project’s technical files.</p>
<p>11/1/2023 – K. Diefenbach</p> <p>I am opposed to the proposed additional bridge across the Mon river to service the Industrial Park. I worked for the chemical plant (originally Weston chemical and now Addivant) for 34 years. We didn’t need a new bridge then and we don’t need it now. The new Harmony Grove exchange will provide adequate interstate access to the industrial park without the unnecessary expense and negative aspects of a new bridge. The negative aspects: 1. Unnecessary expense - the Harmony Grove interchange will provide excellent access to the park which does not include the unreliable LOWER end of the river road. This is in addition to the current route down the Dupont Road which has been used for years. 2. Alternative 3 will endanger the Morgantown Drinking supply due to possible wrecks of toxic chemicals and increase the likelihood of landslides down onto the rail trail - a very popular recreation resource. 3. Alternative 1 will bring noisy, stinking, dangerous truck traffic into the First Ward 4. All the “alternatives” will possibly close the use of the popular Mon River rail trail connecting Morgantown with Fairmont for years as the construction drags on. This is a bad idea prompted by investors of the park whose interests are strictly pecuniary.</p>	<p>Thank you for your feedback. Related to the drinking water intake, several standard measures will be put in place to reduce potential impacts to the river and its water quality including a detailed Erosion & Sedimentation Pollution Control Plan and Stormwater Management Plan to minimize sedimentation and maintain water quality during construction. Due to the location of MUB’s raw water intake, located approximately 1.4 miles downstream of the proposed bridge crossing, the contractor will also prepare and implement a spill prevention plan to prevent a release into the Monongahela River during construction. This plan will be maintained post-construction. In a letter dated October 10, 2023, the MUB provided its support for the project and noted their requirement for immediate notification, which has been included on the design plans.</p> <p>Understanding that safety is key to the enjoyment of the rail-trail users, temporary closures are needed for their protection and safety during bridge construction. While no permanent impacts will occur to the rail-trail, the Mon River Trail Conservancy will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail uses are aware of temporary impacts during construction.</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>11/3/2023 – Mon Valley Clean Air Coalition</p> <p>The Mon Valley Clean Air Coalition opposes this project for multiple reasons, described below:</p> <p>Air pollution studies need to be conducted to evaluate the impacts to public health and welfare. We know that the large heavy diesel trucks generate various pollutants including fine particulates, free radical fragments, nitrogen oxides, carbon monoxides and a long list of hazardous and volatile organic compounds. These can and do accumulate in valleys where the weather conditions vary significantly over days at a time. Weather inversions are particularly hazardous in this regard. The health effects involved are not limited to asthma and lung cancer, both of which are common in this area already.</p> <p>The number of trucks per day on any of these roads would be very large perhaps excessive, rated at 150 trucks per day or more in the present configuration, a number that could reach 300 trucks per day in a few years. No one knows the actual number but it is projected to be incredibly large or excessive for this type of project.</p> <p>Other companies in the Morgantown Industrial Park would have access to this bridge system that will add additional trucks, that must be planned for at this time. These liquid loads represent heavy trucks with diesel engines.</p> <p>Past air pollution studies have shown that the hazardous pollutants generated in the Morgantown Industrial Park or its vicinity can travel for five miles or more, over the City of Morgantown as far as the end of Collins Ferry Road. The public health literature now contains details of the damages of fine particulates and very fine particulates; these are taken into the lungs where they enter the blood stream which distributes them to the heart and the brain. This is the most damaging set of mechanisms. Asthma and other lung impairments result. Depending upon the chemical nature of the fine particulates, lung cancer can result as is known from decades of medical research studies.</p> <p>Local research has been conducted by WVU scientists. The results are known worldwide. Locally, researchers include Professor Tim Nurkiewicz, Professor Michael McCawley and Professor Travis Knuckles, among others. The Reference below demonstrates that the pollution from the MIP will extend up to 15 kilometers, perhaps even farther because of the sources of pollution being elevated above the Mon River.</p> <p>The hazards of air pollution effects on the residents of the Mon Valley and the City of Morgantown are far too great, so the Bridge cannot be located in the Mon Valley near the City.</p> <p>>>> Sue Miles, Principal, Mon Valley Clean Air Coalition, Morgantown, WV</p> <p>REFERENCE ON EXTENT OF AIR POLLUTION FROM THE MORGANTOWN INDUSTRIAL PARK</p> <p>International Journal of Environmental Research and Public Health, Volume 17, Page 1837 - 1853, 2020 (16 pages).</p> <p>Article: Use of Tracer Elements for Estimating Community Exposure to Marcellus Shale Development Operations, Morgantown Industrial Park, West Virginia</p> <p>Authors: Maya Nye, Travis Knuckles, Beizhan Yan, James Ross, William Orem, Matthew Varonka, George Thurston, Alexandria Dzomba and Michael McCawley</p> <p>Published: 12 March 2020, West Virginia University School of Public Health, Department of Occupational and Environmental Health Sciences, Morgantown, WV 26506</p> <p>(Continues on next page)</p>	<p>Thank you for your comment and article reference. A Transportation Air Quality Analysis was conducted and documented in October 2023 for the Morgantown Industrial Park Access project. The proposed improvements were assessed qualitatively in compliance with the Clean Air Act (CAA) and its amendments, related Federal regulations, and FHWA guidance. The assessment indicates that the project meets all applicable air quality requirements of the NEPA and, as applicable, federal and state transportation conformity regulations. As such, the project does not cause or contribute to a new violation, increase the frequency or severity of any violation, or delay timely attainment of the National Ambient Air Quality Standards (NAAQS) established by the US EPA. More information can be found in the project's EA and supporting technical documents.</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>Continued Comment from Mon Valley Clean Air Coalition</p> <p>Abstract: Since 2009, unconventional natural gas development (UNGD) has significantly increased in Appalachia’s Marcellus Shale formation. Elevations of fine particulate matter <2.5 m (PM2.5), have been documented in areas surrounding drilling operations during well stimulation. Furthermore, many communities are experiencing increased industrial activities and probable UNGD air pollutant exposures.</p> <p>Recent studies have associated UNGD emissions with health effects based on distances from well pads. In this study, PM2.5 filter samples were collected on an active gas well pad in Morgantown, West Virginia, and three locations downwind during hydraulic stimulation.</p> <p>Fine particulate samples were analyzed for major and trace elements. An experimental source identification model was developed to determine which elements appeared to be traceable downwind of the UNGD site and whether these elements corresponded to PM2.5 measurements.</p> <p>Results suggest that 1) magnesium may be useful for detecting the reach of UNGD point source emissions, 2) complex surface topographic and meteorological conditions in the Marcellus Shale region could be modeled and confounding sources discounted, and 3) well pad emissions may be measurable at distances of at least 7 km. If shown to be more widely applicable, future tracer studies could enhance epidemiological studies showing health effects of UNGD-associated emissions at 15 km.</p>	<p>See previous page for the WVDOH response.</p>
<p>10/30/2023 – E. Belling, Mon River Trails Conservancy</p> <p>I strongly oppose the proposed bridge over the Monongahela River to connect to the Morgantown Industrial Park. Both alternative location options will have negative impact to our neighborhoods, businesses, and community investments in quality of life, recreation, and alternative transportation infrastructure. These proposed alternative locations for a bridge that duplicate the Harmony Grove Interchange to I-79 is a bad “solution” to project delays.</p> <p>The Harmony Grove Interchange is a more direct connection to Mountaintop Beverage and the Morgantown Industrial Park. DOH’s efforts, which also could be Senator Manchin’s and Capito’s, would be better directed at pushing the interchange project through the Federal Highway Administration.</p> <p>Concerns voice by others that need to be considered include by WV DOH. Alternative 3 will be, “Redundant with I-79 and I-68 after Harmony Grove Interchange is completed.” Alternative 1 has “Approximately 8% slope on Bridge; Least direct connection for Mountain Top Beverage; Long and tall bridge; May require turn lanes on bridge...”</p> <p>By the Morgantown Utility Board- Quotes from article in the Dominion Post on October 22 The preferred location of the project, presented by the DOH as “Alternative 3,” would connect to U.S. 119 near Scott Avenue, include a multi-span bridge across the river....That would put the bridge about 7,500 feet, or roughly 1.5 miles, from MUB’s primary drinking water intake.</p> <p>MUB General Manager Mike McNulty addressed that issue in an Oct. 10 letter to the DOH. “We are concerned that construction activities will cause significant sediment disturbances which could negatively impact the 10+ million gallons of source water our treatment plant processes on a daily basis,” McNulty explained, noting “significant care” must be taken during construction to prevent river contamination.</p> <p>(Continues on next page)</p>	<p>Thank you for you feedback. An EA and all supporting documents have been prepared for the project and are under review by the FHWA.</p> <p>Concerning MUB’s water intake, the following information will be added to the design plan notes: “A public water intake, owned and operated by Morgantown Utility Board (MUB) is located approximately 1.4 miles downstream of the proposed bridge crossing. The contractor shall employ all Best Management Practices to ensure no sediments or spill of any kind gets in the water and has the potential of impacting aquatic life, or the water supply at the intake. The contractor shall have an emergency plan for spill prevention and a plan in the event a spill occurs which will impact the water intake. The contractor shall have a plan to communicate with the appropriate personnel at MUB at all times.”</p> <p>The spill prevention plan will be carried forward into post-construction with WVDOH in the event there is a traffic incident or hazardous material release into the Monongahela River.</p> <p>Several standard measures will also be put in place to reduce potential impacts to the river and its water quality including a detailed E&S Control Plan and Stormwater Management Plan to minimize sedimentation and maintain water quality during construction.</p> <p>Additionally, the MUB also voiced support for the project in the October 10, 2023 letter “MUB fully supports the project and urges its timely completion for the best interests of the Monongalia County community.”</p> <p>Geotechnical studies have been completed for the project and concerns will continue to be evaluated to prevent or mitigate landslides. If the MRTA has specific information related to slide activity near the bridge crossing location that can be shared to assist DOH in evaluating this concern, please reach out.</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p><i>Continued Comment from E. Belling, Mon River Trail Conservancy</i></p> <p>The new bridge will also bring with it increased truck traffic hauling potential contaminants to and from the industrial park. “A spill event on or near the proposed bridge poses a significant risk of contaminating the public’s drinking water supply given the proximity and quick travel time to our intake,” McNulty wrote.</p> <p>In terms of source water protection, any potential contaminant within five hours flow time of MUB’s intake — be it along the Monongahela River or one of its tributaries — is considered inside the “zone of critical concern.” McNulty said the location preferred for the new bridge is “mere minutes” from MUB’s water treatment plant.</p> <p>My own experience working for the Monongahela River Trails Conservancy, who manages and maintains the Mon River Rail-Trails, is that the Alternative 3 option at Scott Avenue is in an area prone to landslides. Landslides impacting the rail-trail have cost tens of thousands to clean up. Increasing stormwater issues by changing drainage in this area will likely add to existing problems on Smithtown Road (Route 73) and the Mon River Rail-Trail. Who pays for the adverse impact to local roads, property, and the rail-trail?</p> <p>Alternative Route 1, between the Morgantown Lock and BFS, would add truck traffic and with it noise and air pollution that will most directly impact the riverfront gateway to the Wharf and Downtown Districts of Morgantown, WV and to my neighborhood of First Ward. It would impact adjacent neighborhoods and businesses without considering the plans and vision that local leaders are moving towards- an attractive and thriving riverfront for recreation, businesses, and community events. Public planned and recent investments include trail lighting, removal of trash from behind the lock and dam, and river access and park improvements that include a new recreation rental facility and expanded seating at an outdoor amphitheater. A bridge at this location would destroy that investment.</p> <p>We have seen other bridge construction in the state close the rail-trail in the construction zone for years while it is being built, example the Wellsburg Bridge and the Brooke Pioneer Rail-Trail now closed 5 years and counting. Closing a section of our rail-trail for the duration of construction (likely several years) diminishes its success and positive impact in a community. It disrupts commuter transportation routes, exercise routines, and attractiveness as a tourism destination. Any closure would be detrimental to trail usage and local economies.</p> <p>The DOH has NOT provided the public with a purpose and need statement as part of the NEPA requirements as I suspect that it is difficult to make the case. It is my understanding that it will be built with state and federal funds- public funds. I am writing because I believe this project is a threat to clean air in the Mon Valley, a threat to clean water in the Monongahela River, and a threat to the health of my community. We have so many other transportation projects in West Virginia that deserve \$70 million in public funding.</p> <p>Thank you for considering my comments.</p>	<p><i>Response continued from previous page.</i></p> <p>Alternative 1 was preliminarily evaluated in the project EA and demonstrates the highest least favorable features including impacts to the First Ward and rail-trail to name a few.</p> <p>A purpose and need is included in the EA which will be made available to the public for review and comment in 2024.</p> <p>The construction of the bridge will require the trail to be closed during certain periods of the construction process, for trail user’s safety. While no permanent impacts will occur to the rail-trail, the Mon River Trail Conservancy will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail users are aware of temporary impacts during construction.</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>11/3/2023 – J. Kotcon, Sierra Club WV Chapter</p> <p>Please accept the following comments on behalf of the Monongahela Group of Sierra Club. We represent approximately 400 members in Monongalia, Marion, Harrison, Preston and Taylor County, WV.</p> <p>We disagree with the statement in the public notice for the public information meeting held Oct. 3, 2023 that “This meeting complies with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act requirements.”. But the Notice does not identify the location or availability of required NEPA documents. NEPA requires thorough environmental analyses of major projects that may significantly affect the environment, and requires agencies to properly inform the public and federal decision-makers of the potential impacts of such projects. Unfortunately, we have not been able to find any Environmental Assessment or Environmental Impact Statement that documents the potential impact or allows the public to be informed or comment meaningfully on a least-impacting alternative. The Project Timeline implies that Right Of Way activities may begin before “Environmental Clearance” has been received, another blatant violation of NEPA.</p> <p>We request that the public comment period be extended for at least 45 days after such Environmental documents are provided to the public. We further request that no irreversible or irretrievable commitment of resources be allowed until full public involvement has occurred, and a documented Record of Decision is made available in time for appropriate review and appeals by the public.</p> <p>Our concerns about this project require a full life cycle risk analysis of the project. Specific risks that should be assessed, with information made available for public comment, include the following:</p> <ol style="list-style-type: none"> 1) Traffic projections for each of the three Build alternatives, as well as the No Action alternative. We are concerned that, if the Harmony Grove interchange with I-79 is completed as proposed, the traffic volumes on the proposed bridge and road access to I-68 will not warrant a multi-span bridge. Thus “No Action” alternatives should evaluate both no construction, and construction of the Harmony Grove interchange only. Given the projected \$70-80 million cost of the project, surely better uses for taxpayer dollars are available. A critical review of the Purpose and Need should be publicly available. 2) Geologic stability and engineering suitability of all sites should be assessed. Can the underlying soils and rock strata support the proposed project, without extraordinary measures to avoid settling or other instabilities of the structure? 3) Impacts to recreational access to the Mon River Rail Trail as well as the Monongahela River should be evaluated. Mitigation alternatives to maintain continuity during construction should be evaluated. The Rail Trail has become a critical recreational resource for local citizens and out-of-town visitors alike. 4) Risks to the Morgantown drinking water intake should be assessed. These include the inevitable water quality violations from sediment during construction, as well as potential risks from spills and traffic accidents, both during construction as well as during the many years of operation of the bridge. Some alternatives are located immediately upstream of these intakes, and their location in the Zone of Critical Concern warrants a full evaluation and risk assessment. A spill from the Alternative 2 or 3 sites would be mere minutes from water intakes. It is imperative that we remember the lessons from just 10 years ago when a spill from Freedom Industries into the Elk River contaminated drinking water supplies for 300,000 West Virginians. 5) Life Cycle Analysis of greenhouse gas impacts from the project. The greenhouse gas emissions associated with both the construction and the operation of the project should be considered, and the EPA Social Cost of Carbon should be incorporated into life-time economic analyses of the project. While greenhouse gas emissions are currently allowed without charge, the societal impacts of climate change are very real and their costs must be considered in evaluating alternatives for such projects. <p>Thank you for the opportunity to provide these comments."</p>	<p>Thank you for your input. The October 3, 2023 public meeting was a preliminary meeting to introduce the public to three possible alternatives. It complied with NEPA as a public process but was never intended to be a public meeting held to gather comments from the public on a NEPA EA or EIS. The NEPA document prepared for this project was determined to be an EA. The EA and all supporting documents have been prepared and are under review by the FHWA. Once the EA is finalized, it will be released to the public to begin an official comment period. Within that comment period, a meeting will be held to gather comments from the public. The EA availability and public meeting are slated for 2024.</p> <p>This EA analysis includes traffic information, geotechnical studies, and an air quality analysis.</p> <p>Understanding that safety is key to the enjoyment of the rail-trail user, temporary closures are needed for their protection and safety during bridge construction. While no permanent impacts will occur to the rail-trail, the Mon River Trail Conservancy will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail uses are aware of temporary impacts during construction.</p> <p>Concerning MUB’s water intake, the following information will be added to the design plan notes: “A public water intake, owned and operated by Morgantown Utility Board (MUB), is located approximately 1.4 miles downstream of the proposed bridge crossing. The contractor shall employ all Best Management Practices to ensure no sediments or spill of any kind gets in the water and has the potential of impacting aquatic life, or the water supply at the intake. The contractor shall have an emergency plan for spill prevention and a plan in the event a spill occurs which will impact the water intake. The contractor shall have a plan to communicate with the appropriate personnel at MUB at all times.”</p> <p>The spill prevention plan will be carried forward into post-construction with WVDOH in the event there is a traffic incident or hazardous material release into the Monongahela River.</p> <p>Several standard measures will also be put in place to reduce potential impacts to the river and its water quality, including a detailed E&S Control Plan and Stormwater Management Plan to minimize sedimentation and maintain water quality during construction.</p> <p>Additionally, the MUB also voiced support for the project in the October 10, 2023 letter, “MUB fully supports the project and urges its timely completion for the best interests of the Monongalia County community.”</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>10/5/2023 – B. Quigley</p> <p>I am writing to share my thoughts on "proposed" bridge to Mountaintop Beverage. I put proposed in quotes, because the project appears to be a fait accompli, ie a done deal. What analysis was done to put this project at the top of DOH priorities? If the proposed interchange is built, what value will this \$70 million dollar bridge retain. I do not see any reason for an ordinary citizen and taxpayer to frequent the industrial park. I do not understand why WVDOH catering to this one business. I would appreciate your thoughts and the analysis that justifies this project.</p>	<p>Thank you for your feedback. The proposed bridge will serve both the MIP and traveling public even with the construction of the proposed interchange by providing emergency access and reducing truck traffic on River Road.</p>
<p>10/9/2023 – M. Newcome</p> <p>I am asking that you take care of the rail trail when putting in the bridge. I use the trail in the areas you are considering. Also the hillside needs to be secured so that it doesn't fall down on the trail after the construction is complete. Please try to keep the trail open as much as possible. Thank you, Marilyn.</p>	<p>Thank you for your input. Understanding that safety is key to the enjoyment of the rail-trail user, temporary closures are needed for their protection and safety during bridge construction. While no permanent impacts will occur to the rail-trail, the Mon River Trail Conservancy will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail users are aware of temporary impacts during construction.</p> <p>Additionally, geotechnical studies have been completed for the project and concerns will continue to be evaluated to prevent or mitigate landslides.</p>
<p>11/1/2023 – T. DeFate</p> <p>Why would you not go with the original plans of an On/Off exit on River Road since the majority of work has been done and would benefit both residents and the Industrial Park. Option 3 is insane for 70 million and really only benefits the Industrial Park unless that is really the only thing this is to accomplish. Option 2, 40 million seems to accomplish the same thing as option three except a whole lot cheaper. Option 1 would be the best for servicing more people in that direction, if you are not going with the original plan.</p>	<p>Thank you for your feedback. The WVDOH, in partnership with the MMMPO, have completed numerous studies starting in 2016 related to the transportation improvements to this area, including interchanges and bridges that have led to the alternatives being advanced. The proposed Harmony Grove Interchange I-79 Exit 151 Project is continuing to advance through the project development process with WVDOH and FHWA.</p> <p>Alternative 1 will have the highest impacts to residents, community facilities, Section 4(f)-protected resources, recreation, noise sensitive resources, historic resources, and hazardous waste. Of Alternatives 2 and 3, Alternative 3 was determined to be the least harmful alternative and was advanced as the Preferred Alternative in the project EA.</p>
<p>11/3/2023 – D. Nichols</p> <p>The road and bridge traffic will cause excessive air pollution in the Mon Valley and City of Morgantown. Up to 300 or more diesel trucks each day will generate particulates known to be damaging to the lungs, heart and brain. COVs are hazardous. pollution events (inversions) can extend up to 15 miles! Asthma.</p>	<p>A transportation Air Quality Analysis was conducted and documented in October 2023 for the Morgantown Industrial Park Access project. The proposed improvements were assessed qualitatively in compliance with the Clean Air Act (CAA) and its amendments, related Federal regulations, and FHWA guidance. The assessment indicates that the project meets all applicable air quality requirements of the NEPA and, as applicable, federal and state transportation conformity regulations. As such, the project does not cause or contribute to a new violation, increase the frequency or severity of any violation, or delay timely attainment of the National Ambient Air Quality Standards (NAAQS) established by the US EPA. More information can be found in the project EA and supporting technical documents.</p>
<p>11/6/2023 – F. Gmeindl</p> <p>Please accept and communicate my gratitude to the WV DOT for paving US 19 between Osage, WV and Mt. Morris, PA. In my more than 50 years of driving and bicycling that road, it has never been such a pleasure or felt so much safer. I think that paving project provides much greater value to residents of WV and Morgantown than a new bridge over the Monongahela River in Morgantown. Keep up the good work!</p>	<p>Thank you for your comment.</p>

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p>10/10/2023 – M. McNulty, Morgantown Utility Board</p> <p>The Morgantown Utility Board ("MUB") writes to provide its comments with respect to the above-referenced project. MUB fully supports the project and urges its timely completion for the best interests of the Monongalia County community. With that said, MUB submits this correspondence to ensure that the Division of Highways is aware that MUB's primary drinking water intake is located approximately 7,500 feet from the proposed location of the new bridge. We are concerned that construction activities will cause significant sediment disturbances which could negatively impact the 10+ million gallons of source water our treatment plant processes on a daily basis. Significant care must be taken during construction to prevent any river contamination since MUB's water intake is mere minutes of river water travel from the proposed construction area. We also are concerned about the risk posed by increased truck traffic hauling contaminants to and from the industrial park. A spill event on or near the proposed bridge poses a significant risk of contaminating the public's drinking water supply given the proximity and quick travel time to our intake. In the event of the contamination of the Monongahela River during construction, MUB requires that it be immediately notified of such contamination by calling 304-296-4322. In such as event, time would be of the essence since the proposed project will take place well within MUB's zone of critical concern. Should you have any questions about this matter, please do not hesitate to contact me.</p>	<p>Thank you for your input. Based on this concern, the following information will be added to the design plan notes: "A public water intake, owned and operated by Morgantown Utility Board (MUB) is located approximately 1.4 miles downstream of the proposed bridge crossing. The contractor shall employ all Best Management Practices to ensure no sediments or spill of any kind gets in the water and has the potential of impacting aquatic life, or the water supply at the intake. The contractor shall have an emergency plan for spill prevention and a plan in the event a spill occurs which will impact the water intake. The contractor shall have a plan to communicate with the appropriate personnel at MUB at all times."</p> <p>The spill prevention plan will be carried forward into post-construction with WVDOH in the event there is a traffic incident or hazardous material release into the Monongahela River.</p> <p>Several standard measures will also be put in place to reduce potential impacts to the river and its water quality including a detailed Erosion and Sediment Control Plan and Stormwater Management Plan to minimize sedimentation and maintain water quality during construction.</p> <p>Additionally, the WVDOH appreciates the MUB's support for the project.</p>
<p>11/28/2023 – E. Belling, Mon River Trails Conservancy</p> <p>Thank you for your recent correspondence detailing expected impacts to the Mon River Rail-Trail during construction of the above referenced project. The Monongahela River Trails Conservancy (MRTC) has the following comments and questions, and requests your response as appropriate:</p> <ol style="list-style-type: none"> 1. The federal project number included in your letter does not match the one found on the WVDOH public comment page for the project. Please provide more information regarding this project's explicit funding sources and status in the NEPA review process. If applicable, please provide the purpose and need statement, CATEX justification, the EA, the FONSI, drafts of any of the above, and whether the WVDOH expects any required mitigation for impacts. Please provide a Timeline for any additional expected public comment periods. 2. To help reduce the impact of expected increases in commercial and regional traffic in the area resulting from construction of the industrial park bridge, we suggest WVDOH consider the following: <ol style="list-style-type: none"> a. Provide written support from the WVDOH and facilitate written support from the WVDOH Central Planning Office and WVDOH District 4 for the recently proposed pedestrian/bicycle bridge over US-19/Don Knotts at Meadow Lane. This bridge would eliminate the need to provide surface crossing improvements on this already high-stress roadway by directly connecting the rail-trail corridor to the First Ward neighborhood, White Park, and several safe routes to schools. The proposal addresses a priority, First-tier project in the Monongalia-Morgantown MPO Transportation Plan and has a current design grant proposal awaiting WVDOH approval from the MPO Sub-Allocated Grant Program. 	<p>Thank you for your feedback.</p> <p>Comment Item #1 - An EA and all supporting documents have been prepared for the project and are under review by the FHWA. The Federal Project Number associated with the draft EA is (EN) STBG-2023(259) D.</p> <p>Comment Item #2 – WVDOH is in receipt of the request and will take it into consideration.</p> <p>Comment Item #3 and #4 were addressed by design consultant HNTB Corporation in an email dated December 11, 2023, as follows: "The corridor will be noted to remain open other than the previously communicated periods for overhead construction. Originally, we proceeded as if it were a 4f resource, and while it ended up not being 4f, we have not altered our approach. Our erection plan does not utilize the rail trail as a crane location. We are showing no right of way consideration to use the corridor for access to the site – per our right of way plans the contractor will have access to the proposed bridge corridor and slope protection area."</p> <p>Comment Item #5 – This standard fee will be revisited in Final Design and/or during the right-of-way coordination process. Understanding that safety is key to the enjoyment of the rail-trail user, temporary closures are needed for their protection and safety during bridge construction. While no permanent impacts will occur to the rail-trail, the Mon River Trail Conservancy will be made aware of potential closures, including temporary signage noting the time of closure. Public outreach will be conducted to ensure rail-trail users and water trail users are aware of temporary impacts during construction.</p>

(Continues on next page)

Table 1. Summary of Public Comments Received and Responses Provided by WVDOH

Public Comment Received	Response provided by WVDOH
<p><i>Continued Comment from E. Belling, Mon River Trail Conservancy</i></p> <p>b. Deed the WVDOH-owned parcels that form Mountaineer Heritage Park to the City of Morgantown. This property is currently leased by the WVDOH to BOPARC in lease #: 95-0431 PM05-4-MONO-1. The deed transfer would provide management control needed for eligibility for state and federal grant funding. The transfer would facilitate construction of the above referenced pedestrian bridge and would allow Morgantown to more easily transform the area into a gateway park at the entrance to the Morgantown Wharf and Downtown Business Districts.</p> <p>3. Please clarify if project work will occupy the rail-trail corridor at any time during construction other than to place trail closure barricades and signage. Will the corridor be used to access the site to perform the riverbank slope protection work, for example? Will the corridor be utilized to store equipment or materials? MRTC charges \$2500 for access to the rail-trail for work unrelated to the trail itself. Please confirm that, if needed, project-related contract documents will include language to cover this standard charge.</p> <p>4. Please provide more detail on the nature, extent, and timeline of completion of the hydraulic study mentioned in your letter as it pertains to its consideration of the bridge construction's impacts on the rail-trail corridor. Please provide any drafts or copies of that study if already prepared. Your letter's implied need for downslope protection post-construction raises concerns about increased upslope and downslope landslide potential and surface runoff that could negatively impact trail corridor integrity. MRTC requests:</p> <p>a. a copy of the study whenever it is finished, and</p> <p>b. a written and perpetual commitment to restore the rail-trail in a timely manner if landslides, slope wash deposits, and/or erosion occur on the trail corridor in the vicinity of the proposed bridge.</p> <p>5. Your letter details an estimated five weeks of expected trail closure during bridge construction. MRTC charges a standard \$500 per calendar day of trail closure for work unrelated to the trail itself. Please confirm that project-related contract documents will include language to cover this standard charge. "</p>	<p><i>See previous page for the WVDOH response.</i></p>

Attachment 1

Public Meeting Sign-In Sheet (October 3, 2023)



PLEASE PRINT

NAME	ADDRESS or EMAIL
MIKE DOLTING	
DAVID CHISLER	
Jerry Stone	
Marion & Rod Maddox	
Bob & Leanna Gess	
JEFF Sokol	
Patricia Lewis	
Sharkene Fortney	
Clay Corwin	
Pete De Jode	
Mike Neely	
Hollie Medley	
Greg Medley	
Ben Conley	
Kevin Adrean	
Jennifer Powell	



PLEASE PRINT

NAME	ADDRESS or EMAIL
Edith Harper	
Bill Cunt	
Wallace Venable	
GREG FABER	
Tom Laurita	
Jackie Beate	
Mary Ann Fdz	
Frank Salucci	
MIKE KELLY	
John Vincent	
Gabriel Fitzwater	
Matthew Cross	
Danny Berkshire	
Ross Rogerson	
Jim Christopher	
Chris West	



PLEASE PRINT

NAME	ADDRESS or EMAIL
Lyndell Millecchia	
Ronald Millecchia	
Joe Starb	
Mike Pumphrey	
John B. Conrad	
Charles	
Christiaan Abildso	
Mike Oliverio	
Robert Glowacki	
Maddux	
Kelly Williams	
Marilyn Newcome	
Derek Rogers	
MARTIN Dombrowski	
John Whitmore	
Ella Belling	



PLEASE PRINT

NAME	ADDRESS or EMAIL
Evan Ferrell	
David L Weaver	

Attachment 2

Public Meeting Hand-Out



Public Meeting

Westwood Middle School – 670 River Road

Westover, West Virginia

Tuesday, October 3, 2023 – 5:00 to 8:00 PM

The West Virginia Division of Highways (WVDOT) is conducting this informational workshop public meeting to discuss preliminary design concepts for the Morgantown Industrial Park Access Project between CR 45 (River Road) and US 119 (Don Knotts Boulevard) in Monongalia County. This meeting complies with the public involvement requirements of the *National Environmental Policy Act* (NEPA) and Section 106 of the *National Historic Preservation Act*. You are encouraged to examine the display boards showing the preliminary study areas and discuss the project with members of the study team.

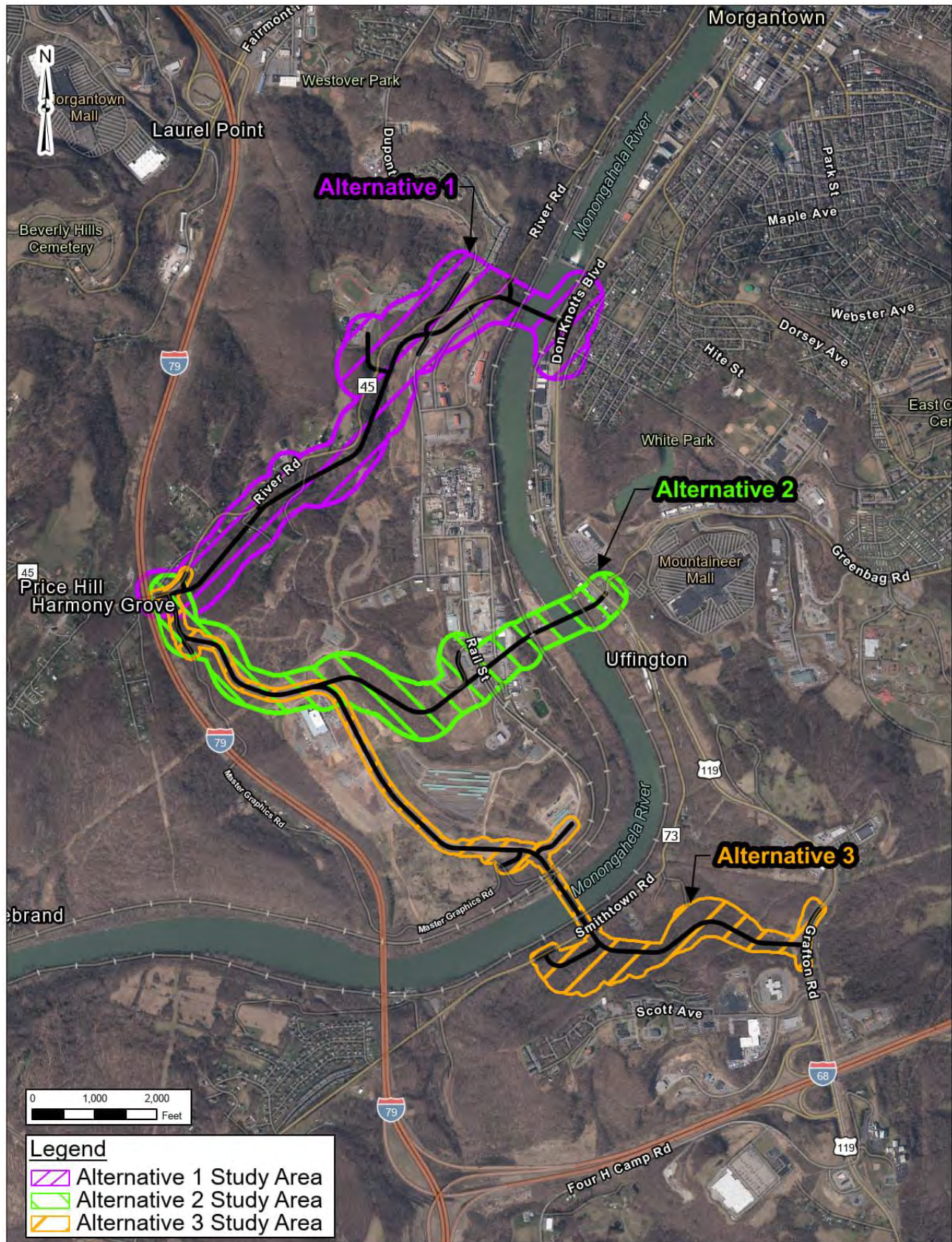
Project Description

The project consists of building a new road and bridge across the Monongahela River between CR 45 (River Road) near Harmony Grove to US 119 (Don Knotts Boulevard) in Morgantown. The purpose of this project is to provide the Morgantown Industrial Park and the residents along and south of River Road (CR 45) improved access across the Monongahela River to US 119 and I-68. Three alternatives are being considered (see map on next page). Alternative 1 improves CR 45 (River Road), provides access to the north part of the industrial park, and crosses the river near the First Ward. Alternative 2 crosses over the industrial park and bridges the river near the Mountaineer Mall. A connection to the industrial park is provided. Alternative 3 improves the industrial park's existing Rail Street, crosses the river on a multi-span bridge, and joins US 119 (Don Knotts Boulevard) near Scott Avenue. A connection to CR 73 (Smithtown Road) will also be provided. As part of all three alternatives, a portion of Master Graphics Road connecting to River Road (CR 45) will be improved and paved.



Morgantown Industrial Park Access Project

The preliminary design concepts are presented below.



Tentative Project Schedule
Morgantown Industrial Park Access Project

Informational Workshop Public Meeting	October 3, 2023
Comments Due.....	November 3, 2023
*Expected ROW Activities to Begin	Winter 2023
*Expected Environmental Clearance	December 2023
*Expected Construction to Begin.....	Spring 2024

*Dates are approximate and subject to change

Thank you for attending our meeting!

Your interest in the project is greatly appreciated.

Questions or Comments?

Contact:

*Comments are due by
Friday, November 3*

Via regular mail:
Mr. Travis Long
Director, Technical Support Division
West Virginia Division of Highways
1334 Smith Street
Charleston, WV 25301

Via Website: <https://transportation.wv.gov/highways/engineering/comment/Pages/default.aspx>

DATE:

Mr. Travis Long, Director
Technical Support Division
West Virginia Division of Highways
1334 Smith Street
Charleston, West Virginia 25301

MEETING DATE: Tuesday, October 3, 2023
LOCATION: Westwood Middle School, 670 River Road, Westover, WV
SUBJECT: INFORMATIONAL WORKSHOP PUBLIC MEETING
PROJECT: Morgantown Industrial Park Access
Monongalia County

COMMENTS DUE BY: Friday, November 3, 2023

Please consider the following comments:

(Please print the following information)

NAME:

ADDRESS:

ORGANIZATION (IF ANY):

How did you hear about the Public Informational Workshop?

Project Information and Comment Sheets can be found online at our WVDOH website at:
<https://transportation.wv.gov/highways/engineering/comment/Pages/default.aspx>
Projects Open for Comment, Morgantown Industrial Park Access.

Appendix D – Agency Coordination

U.S. Fish and Wildlife Service

Rare, Threatened, Endangered Species Coordination

Appendix D – Agency Coordination

Hockenberry, Samantha

----- Forwarded message -----

From: **Smrekar, Briana D** <briana_smrekar@fws.gov>

Date: Wed, Nov 29, 2023 at 3:01 PM

Subject: Re: [EXTERNAL] WVDOH Morgantown Industrial Park Access Project Code: 2023-0129858

To: Facemire, Lovell R <lovell.r.facemire@wv.gov>

Cc: West Virginia FO, FW5 <FW5_WVFO@fws.gov>, Mullins, Sondra L <sondra.l.mullins@wv.gov>, NATHAN.W.MULLINS@WV.GOV <nathan.w.mullins@wv.gov>, Gauntt, Ashley V <ashley.v.gauntt@wv.gov>, Ben L Hark <ben.l.hark@wv.gov>

Hi Lovell,

Thank you for submitting your project to the WVFO for review. There is no requirement to coordinate with the Service regarding species that are proposed for listing, unless the action agency determines that their proposed action is likely to jeopardize a proposed species or destroy or adversely modify proposed critical habitat. However, the WVFO understands that DOH, on behalf of FHWA, has chosen to make a determination that this project is not likely to jeopardize the continued existence of proposed species that may be affected by this action. As a reminder, interagency coordination under the ESA Section 7(a)(2) may be needed for this project, if and when final listing rules for the proposed species for which you have made determinations become effective.

Thanks,

Briana D. Smrekar
Fish and Wildlife Biologist
U. S. Fish and Wildlife Service, West Virginia Field Office
6263 Appalachian Highway
Davis, West Virginia 26260
304-866-3858 X 1617 (office)
<https://www.fws.gov/office/west-virginia-ecological-services>

From: West Virginia FO, FW5 <FW5_WVFO@fws.gov>

Sent: Friday, October 6, 2023 2:35 PM

To: Smrekar, Briana D <briana_smrekar@fws.gov>

Subject: Fw: [EXTERNAL] WVDOH Morgantown Industrial Park Access Project Code: 2023-0129858

From: Facemire, Lovell R <lovell.r.facemire@wv.gov>

Sent: Friday, October 6, 2023 11:09 AM

To: West Virginia FO, FW5 <FW5_WVFO@fws.gov>; Sondra L Mullins <sondra.l.mullins@wv.gov>; Nathan W Mullins <nathan.w.mullins@wv.gov>; Ashley V Gauntt <ashley.v.gauntt@wv.gov>; Ben L Hark <Ben.L.Hark@wv.gov>

Subject: [EXTERNAL] WVDOH Morgantown Industrial Park Access Project Code: 2023-0129858

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attached is a coordination letter for the Morgantown Industrial Park Access Project for your processing.

--



Lovell R Facemire PE PS

Engineer

Technical Support Division

WV Division of Highways

1334 Smith Street

Charleston WV, 25301

☎ 304-414-6441



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

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

Alanna J. Keller, P.E.
Deputy Secretary of Transportation
Deputy Commissioner of Highways

Jimmy Wriston, P. E.
Secretary of Transportation
Commissioner of Highways

October 2, 2023

Ms. Jennifer Norris
US Fish and Wildlife Service
West Virginia Field Office
6263 Appalachian Highway
Davis, WV 26260

Dear Ms. Norris:

State Project X331-MIPAR 00 23
Federal Project NFA-2023(312)D
Morgantown Industrial Park Access
Monongahela County

We are submitting this project to the Service for individual project review based on the completion of the Northeast Endangered Species Determination Key and the Northern Long-eared Bat Ranges-wide Determination Key on IPaC. According to the IPaC Concurrence and Consistency letters, we request your concurrence with the following determinations.

1. Monarch Butterfly

- **IPaC Determination:** IPaC did not generate a determination for this species since it is a candidate.
- **DSN Determination:** We feel that this project is may affect not likely to Jeopardize the Monarch Butterfly.

2. Tricolored Bat

- **IPaC Determination:** IPaC did not generate a determination for this species since it is proposed endangered.
- **DSN Determination:** We feel that this project is may affect not likely to Jeopardize the Tricolored Bat due to all clearing will occur in the winter.

We are developing the subject project as shown on the attached maps. The project consists of constructing a new 2-lane highway in Morgantown, WV and crosses the Monongahela river. The project will impact 50.1 acres of land.

The project location is shown on the Google Earth Map. The project is located within the Morgantown South USGS Quadrangle Map. The coordinates of the project locations are shown on the attached exhibit.

Your comments on possible effects to Federally-listed threatened and endangered species are requested so that they may be included in our environmental studies. WVDOH is acting on behalf of the FHWA, and as part of the NEPA process, a Section 7 determination concurrence is needed. Does the USFWS concur with the determinations for numbers 1 and 2 above? Should you require additional information, please contact Lovell Facemire, of our NEPA Compliance and Permitting Section at (304) 414-6441 or Lovell.R.Facemire@wv.gov.

Very truly yours,

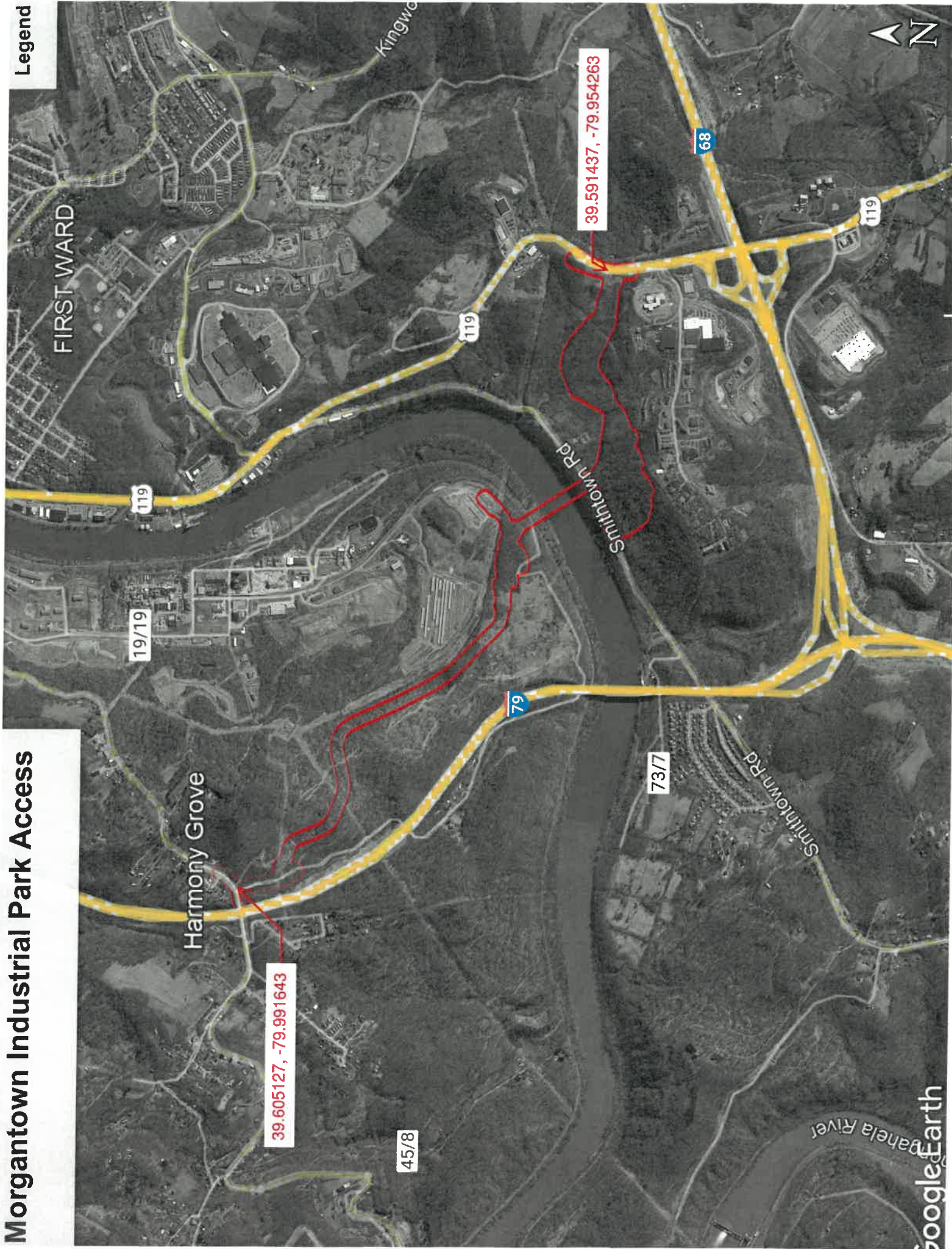
Travis E Long

**Travis E. Long, Director
Technical Support Division**

**L:m
Attachments
bcc: DSN (LF)**

Morgantown Industrial Park Access

Legend





United States Department of the Interior



FISH AND WILDLIFE SERVICE
West Virginia Ecological Services Field Office
6263 Appalachian Highway
Davis, WV 26260-8061
Phone: (304) 866-3858 Fax: (304) 866-3852

In Reply Refer To:
Project Code: 2023-0129858
Project Name: Morgantown Industrial Park Access

September 18, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

West Virginia Ecological Services Field Office

6263 Appalachian Highway

Davis, WV 26260-8061

(304) 866-3858

PROJECT SUMMARY

Project Code: 2023-0129858

Project Name: Morgantown Industrial Park Access

Project Type: Road/Hwy - New Construction

Project Description: New two lane highway on new alignment in Morgantown WV and crosses the Monongahela River.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.59678995,-79.97936897615023,14z>



Counties: Monongalia County, West Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> All activities in this location should consider potential effects to this species. This project is not within a known-use area, but potentially occupied habitat may exist. Please contact the WVFO for additional consultation. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Sep 1 to Aug 31

NAME	BREEDING SEASON
<p>Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680</p>	Breeds elsewhere

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read the supplemental information and specifically the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

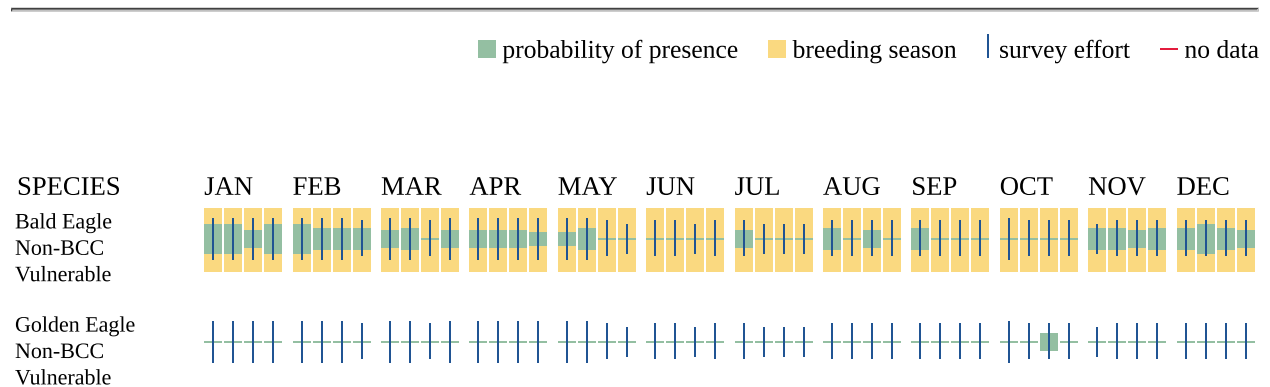
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>

- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Sep 1 to Aug 31
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Black-capped Chickadee <i>Poecile atricapillus praticus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Apr 10 to Jul 31
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31

NAME	BREEDING SEASON
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Aug 10
Cerulean Warbler <i>Dendroica cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974	Breeds Apr 27 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds elsewhere
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Kentucky Warbler <i>Oporornis formosus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 20
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read the supplemental information and specifically the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

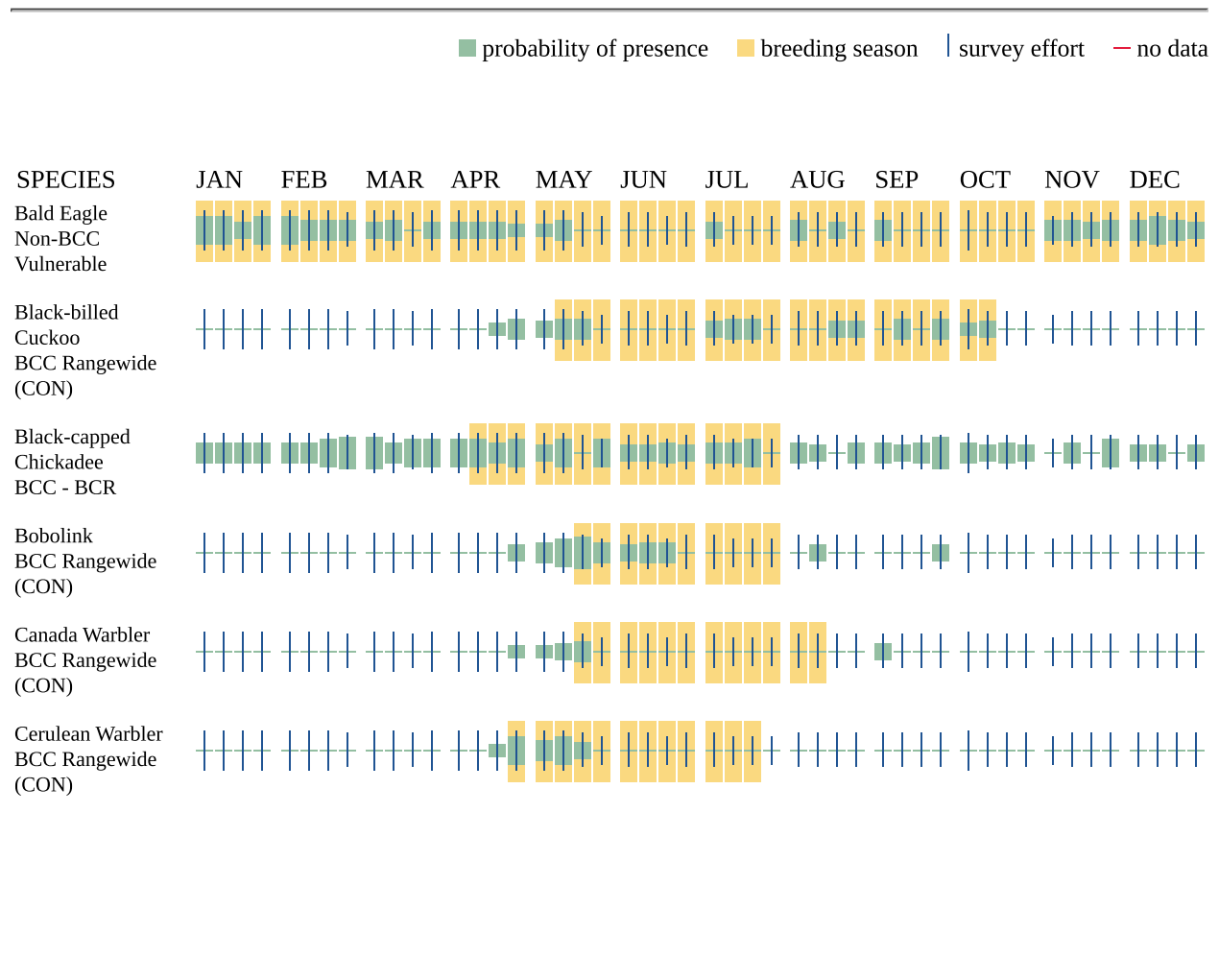
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

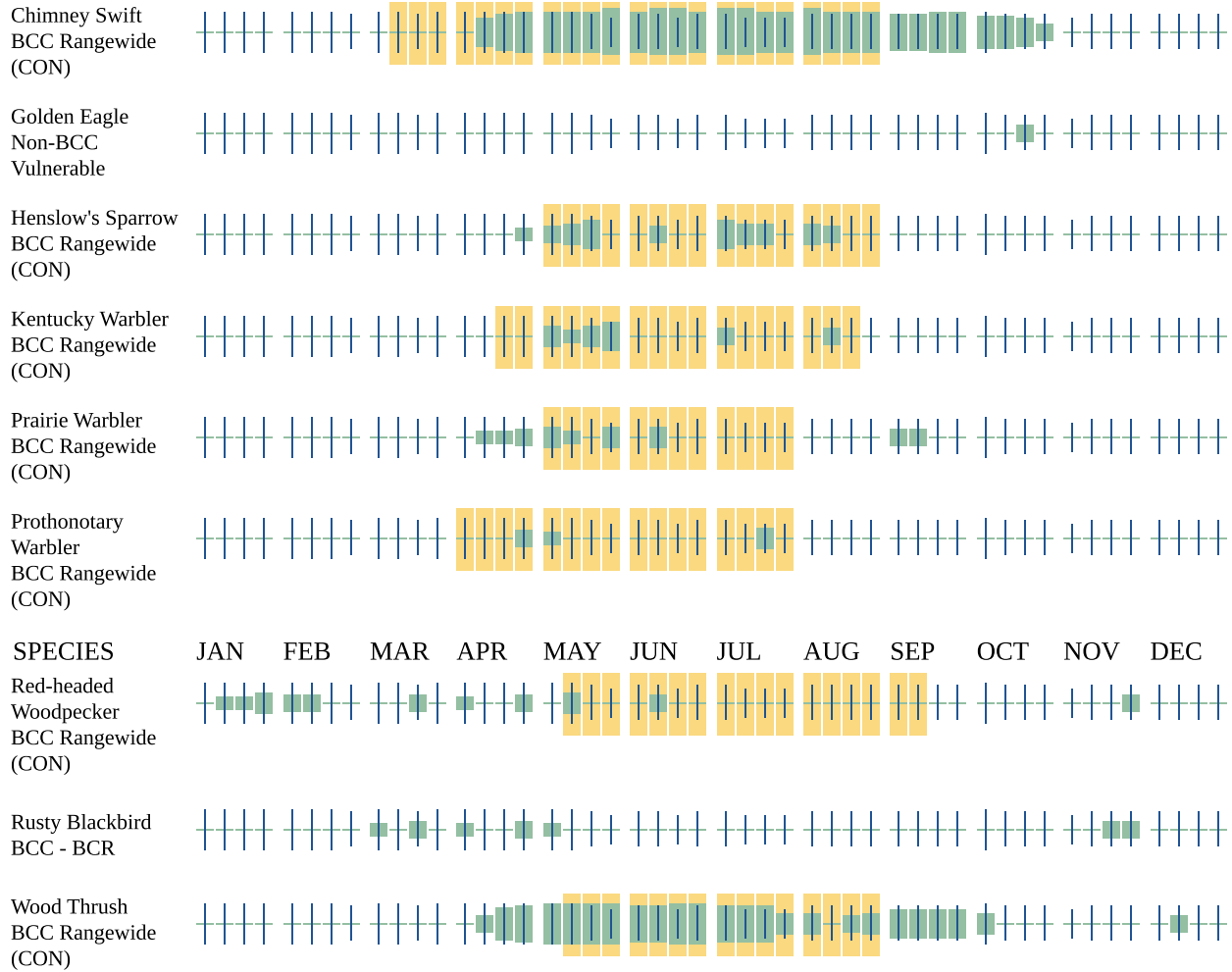
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- [R2UBH](#)
-

IPAC USER CONTACT INFORMATION

Agency: West Virginia Department of Transportation

Name: Lovell Facemire

Address: 1334 Smith Street

City: Charleston

State: WV

Zip: 25305

Email: lovell.r.facemire@wv.gov

Phone: 3044146441

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Transportation



United States Department of the Interior



FISH AND WILDLIFE SERVICE
West Virginia Ecological Services Field Office
6263 Appalachian Highway
Davis, WV 26260-8061
Phone: (304) 866-3858 Fax: (304) 866-3852

In Reply Refer To:
Project code: 2023-0129858
Project Name: Morgantown Industrial Park Access

September 19, 2023

Federal Nexus: yes
Federal Action Agency (if applicable): Federal Highway Administration

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Morgantown Industrial Park Access'

Dear Tracie Moles:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on September 19, 2023, for "Morgantown Industrial Park Access" (here forward, Project). This project has been assigned Project Code 2023-0129858 and all future correspondence should clearly reference this number.

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northeast Determination Key (DKey), invalidates this letter. **Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.**

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative effect(s)), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17). Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no further consultation with, or concurrence from, the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical

habitat, formal consultation is required (except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect (NLAA)" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13]).

The IPaC results indicated the following species is (are) potentially present in your project area and, based on your responses to the Service's Northeast DKey, you determined the proposed Project will have the following effect determinations:

Species	Listing Status	Determination
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	NLAA

Conclusion

The Service concurs to the above-mentioned determination(s) of may affect, not likely to adversely affect. This concurrence confirms receipt of your agencies coordination required under Section 7(a)(2) of the ESA.

In addition to the species listed above, the following species and/or critical habitats may also occur in your project area and are not covered by this conclusion:

- Monarch Butterfly *Danaus plexippus* Candidate
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the species identified above. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project implements any changes which are final or commits additional resources.

Please Note: If the Action may impact bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act (BGEPA) (54 Stat. 250, as amended, 16 U.S.C. 668a-d) by the prospective permittee may be required. Please contact the Migratory Birds Permit Office, (413) 253-8643, or PermitsR5MB@fws.gov, with any questions regarding potential impacts to Eagles.

If you have any questions regarding this letter or need further assistance, please contact the West Virginia Ecological Services Field Office and reference the Project Code associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Morgantown Industrial Park Access

2. Description

The following description was provided for the project 'Morgantown Industrial Park Access':

New two lane highway on new alignment in Morgantown WV and crosses the Monongahela River.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.59678995,-79.97936897615023,14z>



QUALIFICATION INTERVIEW

1. As a representative of this project, do you agree that all items submitted represent the complete scope of the project details and you will answer questions truthfully?

Yes

2. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed species?

Note: This question could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered, or proposed species.

No

3. Is the action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

4. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) the lead agency for this project?

Yes

5. FHWA, FRA, and FTA have completed a rangewide [programmatic biological opinion](#) for transportation projects within the range of the Indiana bat and northern long-eared bat. Does your proposed project fall within the scope of this programmatic consultation?

Note: If you are using the Northeast Key to satisfy consultation requirements for species not covered by the FHWA programmatic (e.g., species other than Indiana bat or northern long-eared bat), select "No" and continue through the key. If you are unsure whether your project qualifies for the FHWA programmatic, please select "Yes" and use the FHWA, FRA, FTA Assisted Determination Key to determine if the programmatic biological opinion is applicable to your project. If it is not applicable, you can return to this key.

No

6. Are you including in this analysis all impacts to federally listed species that may result from the entirety of the project (not just the activities under federal jurisdiction)?

Note: If there are project activities that will impact listed species that are considered to be outside of the jurisdiction of the federal action agency submitting this key, contact your local Ecological Services Field Office to determine whether it is appropriate to use this key. If your Ecological Services Field Office agrees that impacts to listed species that are outside the federal action agency's jurisdiction will be addressed through a separate process, you can answer yes to this question and continue through the key.

Yes

7. Are you the lead federal action agency or designated non-federal representative requesting concurrence on behalf of the lead Federal Action Agency?

Yes

8. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)?

No

9. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

10. Will the proposed project involve the use of herbicide where listed species are present?

No

11. Are there any caves or anthropogenic features suitable for hibernating or roosting bats within the area expected to be impacted by the project?

No

12. Does any component of the project associated with this action include structures that may pose a collision risk to **birds** (e.g., land-based or offshore wind turbines, communication towers, high voltage transmission lines, any type of towers with or without guy wires)?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

13. Does any component of the project associated with this action include structures that may pose a collision risk to **bats** (e.g., land-based wind turbines)?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

14. Will the proposed project result in permanent changes to water quantity in a stream or temporary changes that would be sufficient to result in impacts to listed species?

For example, will the proposed project include any activities that would alter stream flow, such as water withdrawal, hydropower energy production, impoundments, intake structures, diversion structures, and/or turbines? Projects that include temporary and limited water reductions that will not displace listed species or appreciably change water availability for listed species (e.g. listed species will experience no changes to feeding, breeding or sheltering) can answer "No". Note: This question refers only to the amount of water present in a stream, other water quality factors, including sedimentation and turbidity, will be addressed in following questions.

No

15. Will the proposed project affect wetlands where listed species are present?

This includes, for example, project activities within wetlands, project activities within 300 feet of wetlands that may have impacts on wetlands, water withdrawals and/or discharge of contaminants (even with a NPDES).

No

16. Will the proposed project directly affect a streambed (below ordinary high water mark (OHWM)) of the stream or tributary where listed species may be present?

No

17. Will the proposed project bore underneath (directional bore or horizontal directional drill) a stream where listed species may be present?

No

18. Will the proposed project involve a new point source discharge into a stream or change an existing point source discharge (e.g., outfalls; leachate ponds) where listed species may be present?

No

19. Will the proposed project involve the removal of excess sediment or debris, dredging or in-stream gravel mining where listed species may be present?

No

20. Will the proposed project involve the creation of a new water-borne contaminant source where listed species may be present?

Note New water-borne contaminant sources occur through improper storage, usage, or creation of chemicals. For example: leachate ponds and pits containing chemicals that are not NSF/ANSI 60 compliant have contaminated waterways. Sedimentation will be addressed in a separate question.

No

21. Will the proposed project involve perennial stream loss, in a stream or tributary of a stream where listed species may be present, that would require an individual permit under 404 of the Clean Water Act?

No

22. Will the proposed project involve blasting where listed species may be present?

Yes

23. Will the proposed project include activities that could negatively affect fish movement temporarily or permanently (including fish stocking, harvesting, or creation of barriers to fish passage).

No

24. Will the proposed project involve earth moving that could cause erosion and sedimentation, and/or contamination along a stream or tributary of a stream where listed species may be present?

Note: Answer "Yes" to this question if erosion and sediment control measures will be used to protect the stream.

No

25. Will earth moving activities result in sediment being introduced to streams or tributaries of streams where listed species may be present through activities such as, but not limited to, valley fills, large-scale vegetation removal, and/or change in site topography?

No

26. Will the proposed project involve vegetation removal within 200 feet of a perennial stream bank where aquatic listed species may be present?

No

27. Will erosion and sedimentation control Best Management Practices (BMPs) associated with applicable state and/or Federal permits, be applied to the project? If BMPs have been provided by and/or coordinated with and approved by the appropriate Ecological Services Field Office, answer "Yes" to this question.

Yes

28. Is the project being funded, lead, or managed in whole or in part by U.S Fish and Wildlife Restoration and Recovery Program (e.g., Partners, Coastal, Fisheries, Wildlife and Sport Fish Restoration, Refuges)?

No

29. [Semantic] Is the project located on a Group 4 stream: the Ohio River downstream of Hannibal Locks and Dam, Little Kanawha River (slack-water section adjoining the Ohio River), and/or the Kanawha River downstream of Kanawha Falls?

Automatically answered

No

30. [Semantic] Does the project intersect the Virginia big-eared bat critical habitat?

Automatically answered

No

31. [Semantic] Does the project intersect the Indiana bat AOI?

Automatically answered

Yes

32. Are trees present within the action area?

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 5 inches dbh (12.7 centimeter), answer "Yes". If you are unsure, answer "Yes." Or refer to Appendix A of the Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines for definitions and an assessment form that will assist you in determining if suitable habitat is present within your project's action area. Suitable summer habitat for Indiana bat consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 5 inches dbh (12.7 centimeter) that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of other forested/wooded habitat

Yes

33. Has a presence/probable absence bat survey following the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#) been conducted within the action area?

No

34. Does the project involve removal or modification of a human-made structure (barn, house, or other building) known or suspected to contain roosting bats?

Note: Most maintenance and general human disturbance in and around structures will not affect Indiana bats as bats roosting in human structures are adjusted to a certain level of routine noise and are generally expected to roost away from areas with excessive disturbance. Answer 'no' if the proposed action will not include disturbance to human structures known or suspected to contain roosting bats or if the structure does not offer suitable roosting habitat for northern long-eared bats. If unsure, answer 'yes.'

No

35. Does the project include removal/modification of an existing bridge or culvert?

No

36. Will the project include tree cutting, other means of knocking down or bringing down trees, or tree trimming?

Yes

37. Is the project a linear project (e.g., pipelines, utility rights-of-way, roads etc.)?

Yes

38. Will all tree cutting/trimming or other knocking or bringing down of trees be restricted to the inactive season for the Indiana bat which occurs between November 15 and March 31?

Yes

39. [Semantic] Does the project intersect the Indiana bat critical habitat?

Automatically answered

No

40. [Semantic] Does the project intersect the candy darter critical habitat?

Automatically answered

No

41. [Semantic] Does the project intersect the diamond darter critical habitat?

Automatically answered

No

42. [Semantic] Does the project intersect the Big Sandy crayfish critical habitat?

Automatically answered

No

43. [Hidden Semantic] Does the project intersect the Guyandotte River crayfish critical habitat?

Automatically answered

No

44. Do you have any other documents that you want to include with this submission?

No

PROJECT QUESTIONNAIRE

1. Approximately how many acres of trees would the proposed project remove?

46.2

2. Approximately how many total acres of disturbance are within the disturbance/
construction limits of the proposed project?

50.1

3. Briefly describe the habitat within the construction/disturbance limits of the project site.

Forested

IPAC USER CONTACT INFORMATION

Agency: West Virginia Division of Highways

Name: Tracie Moles

Address: 1334 Smith Street

City: Charleston

State: WV

Zip: 25301

Email: tracie.b.moles@wv.gov

Phone: 3044146463

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration



United States Department of the Interior



FISH AND WILDLIFE SERVICE
West Virginia Ecological Services Field Office
6263 Appalachian Highway
Davis, WV 26260-8061
Phone: (304) 866-3858 Fax: (304) 866-3852

In Reply Refer To:
Project code: 2023-0129858
Project Name: Morgantown Industrial Park Access

September 19, 2023

Federal Nexus: yes
Federal Action Agency (if applicable): Federal Highway Administration

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Morgantown Industrial Park Access'

Dear Tracie Moles:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on September 19, 2023, for 'Morgantown Industrial Park Access' (here forward, Project). This project has been assigned Project Code 2023-0129858 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Indiana Bat *Myotis sodalis* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the West Virginia Ecological Services Field Office and reference Project Code 2023-0129858 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Morgantown Industrial Park Access

2. Description

The following description was provided for the project 'Morgantown Industrial Park Access':

New two lane highway on new alignment in Morgantown WV and crosses the Monongahela River.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.59678995,-79.97936897615023,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Do you have post-white nose syndrome occurrence data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed acoustic detections. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

Yes

6. FHWA, FRA, and FTA have completed a range-wide programmatic consultation for transportation- related actions within the range of the Indiana bat and northern long-eared bat.

Does your proposed action fall within the scope of this programmatic consultation?

Note: If you have **previously consulted** on your proposed action with the Service under the NLEB 4dRule, answer 'no' to this question and proceed with using this key. If you have **not yet consulted** with the Service on your proposed action and are unsure whether your proposed action falls within the scope of the FHWA, FRA, FTA range-wide programmatic consultation, please select "Yes" and use the FHWA, FRA, FTA Assisted Determination Key in IPaC to determine if the programmatic consultation is applicable to your action. Return to this key and answer 'no' to this question if it is not.

No

7. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

Yes

8. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

9. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

10. Have you contacted the appropriate agency to determine if your action is near any known northern long-eared bat hibernacula?

Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of northern long-eared bat hibernacula is available [here](#). Location information for northern long-eared bat hibernacula is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

No

11. Will the proposed action result in the cutting or other means of knocking down, bringing down, or trimming of any trees suitable for northern long-eared bat roosting?

Note: Suitable northern long-eared bat roost trees are live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities.

Yes

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

46.2

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the inactive (hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

46.2

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the active (non-hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

46.2

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥ 3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

Yes

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

46.2

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

0

Will any snags (standing dead trees) ≥ 3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: West Virginia Division of Highways

Name: Tracie Moles

Address: 1334 Smith Street

City: Charleston

State: WV

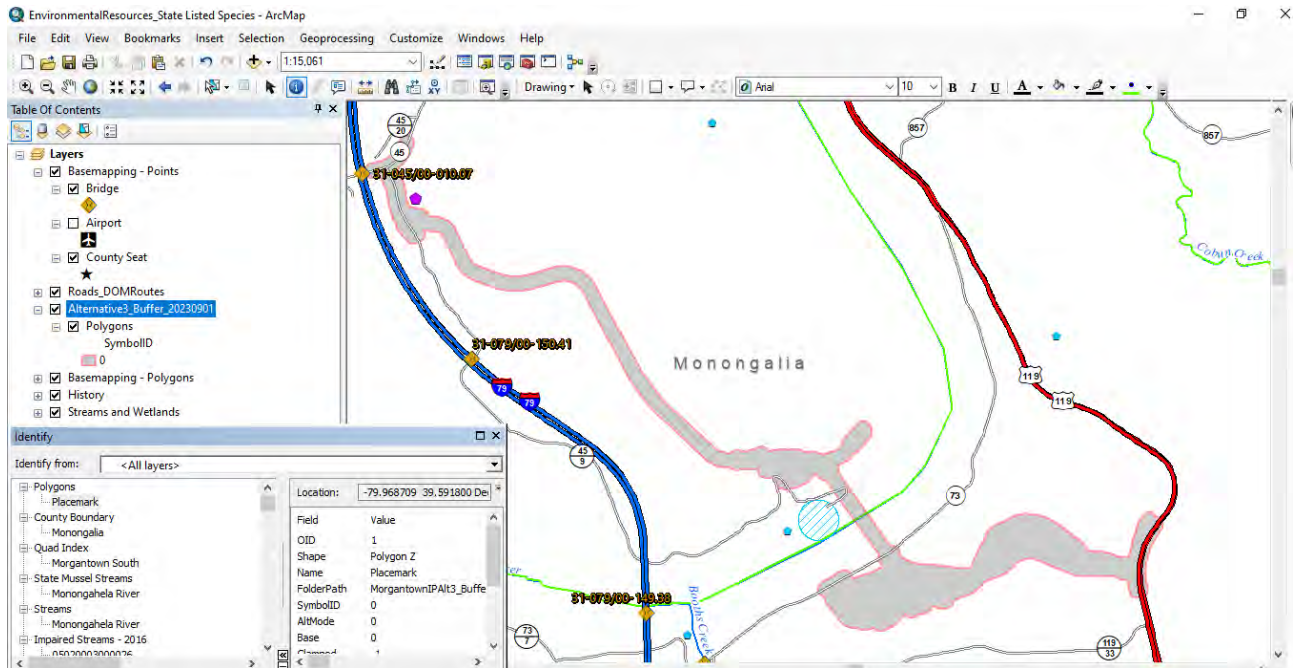
Zip: 25301

Email: tracie.b.moles@wv.gov

Phone: 3044146463

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration



9/18/2023

Morgantown Industrial Access Road
 X231-MIP/AS-01 00
 STBG-2023(259)D
 Monongalia County

Alternative 3

Crosses state listed mussel stream – Monongahela River

Morgantown South Quad

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

DIVISION OF HIGHWAYS

SPECIAL PROVISION

FOR

STATE PROJECT NUMBER: X231-MIP/AS-01 00

FEDERAL PROJECT NUMBER: STBG-2023(259)D

SECTION 107

LEGAL RELATIONS AND RESPONSIBILITY TO PUBLIC

107.27-CONSTRUCTION ACCESS AND ENVIRONMENTAL PERMITS:

ADD THE FOLLOWING SUBSECTION:

107.27.3-Environmental Commitment and Mitigation: The Contractor is advised that this project is located within an area for which the Division has made previous environmental commitments. These commitments were outcomes of the environmental process and are contained in the project's NEPA document, in which the Division has pledged and/or has an agreement to perform an activity at a future time, in effort to avoid, minimize or mitigate impacts.

The fulfillment of these commitments and the associated mitigation are essential requirements that must be incorporated into the construction of the project. The Division has translated the mitigation items so that they are clearly understandable to Contractors and inspectors. The project's Environmental Mitigation Requirements are listed below:

Seasonal tree cutting restrictions apply (November 15th - March 31st only).

The NEPA documents are included in the contract documents for the project and the Contractor is responsible for adhering to commitments relating to construction activities.

The Contractor is responsible to ensure that the project is constructed in accordance with and incorporates all committed Environmental Mitigation Requirements. Any Contractor proposed changes to the project require additional appropriate agency coordination. Any modification to the Environmental Mitigation Requirements must have agency written approval prior to submitting to the Engineer for approval. No time extensions or additional payments will be made for the Contractor to obtain additional approvals or permits or for changes.

If any of the Environmental Mitigation Requirements are not satisfied or are adversely impacted, construction work shall be stopped until the situation is resolved in coordination with resource agencies.

Unless otherwise stated, all costs of Environmental Mitigation Requirements shall be included in the unit prices on the various pay items, and the Contractor will not be paid an additional amount for such work except as otherwise provide in 104.5.

West Virginia Department of Natural Resources

Rare, Threatened, Endangered Species Coordination

Appendix D – Agency Coordination



Governor Jim Justice

Director Brett W. McMillion

February 13, 2024

Ms. Sondra Mullins
Division of Highways
Technical Support Division
1334 Smith Street
Charleston, WV 25301

Dear Ms. Mullins,

We have reviewed Natural Heritage Program files for information on rare, threatened, and endangered (RTE) species and natural trout streams for the area of the proposed highway project:

State Project: X231-MIP/AS-0100 S349-23-111.2
Federal Project: STBG-2023(259)D
Morgantown Industrial Park Access
Monongalia County

According to our database, Alternative 3 crosses the Monongahela River, a state mussel and DNR designated warmwater fishery. There are no bats, RTE species, bald eagle nests, reproducing trout streams, or other sensitive habitats within the project buffer.

The information provided above is the product of a database search and retrieval. This information does not satisfy other consultation or permitting requirements for disturbances to the natural resources of the state, and further consultation may be required.

Additionally, any concurrence requirements for federally listed species must come from the US Fish and Wildlife Service. The Wildlife Resources Section knows of no other surveys that have been conducted in the area for rare species or rare species habitat. Consequently, this response is based on information currently available and should not be considered a comprehensive survey of the area under review. This response is valid for three years.

The information provided searched the following RTE bat buffers: Indiana bat (roost buffers - 2.5 miles, capture buffers - 5 miles, cave buffers - 5 miles), Northern Long-eared bat (roost buffers - 0.25 miles, capture buffers - 3 miles, cave buffers - 0.5 and 5 miles), tricolored bat (capture buffers - 3 miles, cave buffers - 5 miles) and the Virginia Big-Eared bat (cave

WEST VIRGINIA DIVISION OF NATURAL RESOURCES | ELKINS OPERATION CENTER

P.O. Box 67 | 738 Ward Road | Elkins, WV 26241 | ph (304) 637-0245 | fax (304) 637-0250 | WVdnr.gov

buffers - 6 miles). The information provided above is the product of a database search and retrieval. This information does not satisfy other consultation or permitting requirements for disturbances to the natural resources of the state, and further consultation may be required. Additionally, any concurrence requirements for federally listed species must come from the US Fish and Wildlife Service.

Thank you for your inquiry, and should you have any questions please feel free to contact me at the number below, or Anne.M.Wakeford@wv.gov.

Sincerely,

Anne M. Wakeford

Anne M. Wakeford
Wildlife Biologist
Environmental Coordination
Operations Unit

From: [Gauntt, Ashley V](#)
To: [Wakeford, Anne M](#)
Cc: [Hockenberry, Samantha](#); [Ben L Hark](#); [Sondra L Mullins](#); [Sandra K Loftus](#); [Tracie B Moles](#)
Subject: Re: Morgantown Industrial Park Access, Monongalia County (X231-MIP/AS-01 00) DNR response request
Date: Monday, February 12, 2024 11:38:21 AM
Attachments: [State of West Virginia Mail - Section 7 package for the Morgantown Industrial Park Access project.pdf](#)

Good morning Anne,

I hope you are having a good morning.

Please see the attached email. Would you mind sending us a DNR response just for Alternative number 3 for this project? The shapefiles are attached in this email chain (they were sent on January 3, 2024).

I know you do not typically list that you've searched for bald eagles in your response letters unless you did a search and bald eagles actually came up, but in your response to this project, can you record that you did a search for bald eagles and that none were found? Is there a chance that kind of information could be included in future responses? I imagine we may get asked about bald eagle coordination on other projects in the future.

I appreciate all your help Anne. If you have any questions, please feel free to contact me.

Thank you,

Ashley Gauntt

On Wed, Jan 3, 2024 at 8:29 AM Gauntt, Ashley V <ashley.v.gauntt@wv.gov> wrote:
Hi Anne,

Attached are the shapefiles for the above mentioned project. Let me know if these work for you.

Thank you,

Ashley Gauntt

U.S. Coast Guard

Navigational Channel Coordination

Appendix D – Agency Coordination

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Eighth Coast Guard District

1222 Spruce Street, Room 2.102D
St. Louis, MO 63103-2832
Staff Symbol: dwb
Phone: (314)269--2434
Email: allan.o.monterroza@uscg.mil

16591.1/103.9 MON
January 09, 2024

Mr. Dirar M. Ahmad
Quality Assurance and Project Management
West Virginia Department of Transportation
Division of Highways
Building 5
1900 Kanawha Blvd E
Charleston, WV 25305

RECEIVED
JAN 25 2024
ENGINEERING
DIVISION

Subj: PROPOSED MORGANTOWN INDUSTRIAL PARK ACCESS ROAD BRIDGE,
MILE 103.9, MONONGAHELA RIVER

Dear Mr. Ahmad:

This is in reply to correspondence from HNTB Corporation, concerning the proposed bridge location and minimum horizontal requirements for a new bridge at Mile 103.9, Monongahela River.

The Coast Guard has reviewed information gathered from the towboat industry, U.S. Army Corps of Engineers and public boaters. Based on a preliminary review of this study and the information available as of the date of this letter, the Coast Guard does not foresee anything that would prevent a bridge permit from being issued. The Preliminary Navigation Clearance Determination (PNCD) and information below are provided to assist the West Virginia Department of Transportation – Division of Highways in preparing and submitting a bridge permit application.

The Coast Guard has made a PNCD that a fixed bridge that carries County Road 119/40 across the Monongahela River, at mile 103.9, will provide for the current and prospective reasonable needs of navigation. The proposed fixed bridge should provide at least 48.0 feet of vertical clearance above normal pool elevation and at least 350.0 feet of horizontal clearance through the main navigation span of the bridge. These clearances would satisfy the reasonable needs of navigation for a new bridge at this location.

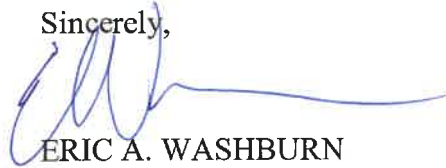
Please note that this PNCD is not binding, does not constitute an approval or final agency action, and **expires three (3) years from the date of this correspondence**. A final determination can only be made in accordance with regulation and after West Virginia Department of Transportation – Division of Highways submits a complete bridge permit application to the Coast Guard. If a complete bridge permit application is not submitted within three (3) years from the date of this correspondence, an updated Navigation Impact Report as described in appendix A of the Coast Guard's Bridge Permit Application Guide, COMDTPUB P16591.3D, should be prepared and submitted in order to obtain a new PNCD.

Subj: PROPOSED MORGANTOWN INDUSTRIAL PARK 16591.1/109.9 UMR
ACCESS ROAD BRIDGE, MILE 103.9 MONONGAHELA RIVER January 09, 2020

This is a preliminary approval. A final approval cannot be issued until we have gone through the Public Notice process.

If there are any questions about our requirements, please contact Mr. Allan Monterroza at the above telephone number.

Sincerely,



ERIC A. WASHBURN
Bridge Supervisor, Western Rivers
By direction of the District Commander

Copy: Sector Ohio Valley
USACE Pittsburgh District

USCG Project Coordination History & Project Initiation

WVDOH and HNTB initiated project coordination with the USCG Bridge Program as part of the bridge engineering design. The following summarizes our understanding of coordination conducted to date:

- **07/07/2023** – Mr. Dirar Ahmad (WVDOH) emailed Mr. Eric Washburn (USCG District 8) to introduce the USCG to the project and introduced HNTB’s Patrick Brennan as the engineering design consultant.
- **07/10/2023** – Mr. Brennan’s follow-up email included the project’s three alternatives, a plan and profile of Alternative 1, and the nearby navigation charts. Mr. Brennan also included a list of questions regarding USCG horizontal and vertical clearances for the bridge, proximity to the lock and dam, and additional information on the constructability review. Mr. Brennan also included design assumptions for the proposed bridge for USCG consideration.
- **07/11/2023** – Mr. Washburn responded via email that the proposed project would require a USCG Bridge Permit. Mr. Washburn’s email also explained that if the FHWA was involved the USCG would serve as a cooperating agency. If no federal funding was involved, then the USCG would be the lead federal agency. In either situation, Mr. Washburn explained that the USCG’s first actions would be to determine the minimum navigational clearances, identified Mr. Allan Monterroza as the project officer, and offered a virtual meeting to discuss the permit process, construction requirements, and minimum clearances.
- **07/25/2023** – HNTB and WVDOH met with the USCG via a virtual meeting to discuss the proposed project and get a better understanding of the bridge permit process and requirements. The project team would need to request proposed clearances so the USCG can get feedback from industry and provide clearances for the bridge crossing design. The USCG confirmed that they would be a cooperating agency with FHWA as the lead federal agency. USCG would need 1 to 2 weeks to review plans and provide feedback. USCG confirmed that the consultant can prepare the bridge permit application; however, the submission needs to come through WVDOH. USCG would need an email or letter directly from WVDOH to allow USCG to work directly with the WVDOH consultants, otherwise WVDOH would need to present or be copied on all communications. USCG recommended that the project team start the bridge permit application as soon as possible. The project will need to apply for a 401 Water Quality Certification from the WV DEP, once the 401 has been issued, the federal agencies will be able to issue their respective permits. USCG also confirmed that the project will need a Section 10 permit; USCG will work with the USACE on the Section 10 permit authorization.
- **07/25/2023** – Mr. Brennan sent a follow-up email to Mr. Monterroza requesting approval to design for a minimum horizontal clearance of 350 feet and the USCG guide vertical clearance of 42.5 feet for the crossing locations for each of the design alternatives.
- **07/27/2023** – Mr. Monterroza responded to the follow-up email that the USCG would review the materials, gather feedback from industry and respond back. Mr. Monterroza also provided sample plan sheets from a recent approved bridge permit, plan sheet job aid, and the Bridge Program Applicant Template.

- **08/15/2023** – Mr. Brennan emailed Mr. Monterroza to inform him that the MMMPO was voting for a preferred alternative later that week. Mr. Brennan indicated that Alternative 3 seemed to be the MMMPO’s preferred alternative which was the alternative that would be most feasible to meet the minimum clearances. Mr. Brennan explained that once the preferred alternative was selected and minimum clearances were confirmed the project team would proceed with the bridge permit as recommended. Mr. Brennan asked if Mr. Ahmed’s original email would suffice for HNTB to work as the WVDOH representative for the permit application.
- **08/15/2023** – Mr. Monterroza explained that USCG received feedback from industry, and they agreed that Alternative 3 would be the best alternative as well. Mr. Monterroza and Mr. Washburn needed to review information received from industry and would respond back about clearances. As for the WVDOH representative on the permit application, USCG would need an email directly from WVDOH that allows USCG to work directly with HNTB; however, as long as WVDOH is copied and included on emails and meetings, that would suffice.
- **08/30/2023** – Mr. Brennan emailed Mr. Monterroza to request the minimum clearance information for Alternative 3 to support the design study report. Mr. Brennan explained that the Alternative 3 crossing included a main span of 420 feet with a vertical minimum clearance of approximately 160 feet above pool.
- **09/07/2023** – Mr. Monterroza emailed Mr. Brennan that the USCG required minimum clearance for the subject bridge will be horizontal 350.0 feet and vertical 48.0 feet; however, USCG will have to approve pier placement before approving any final plans.
- **11/09/2023** – Ms. Samantha Hockenberry (Skelly and Loy) emailed Mr. Monterroza to introduce Skelly and Loy as part of the WVDOH and HNTB project team for the Morgantown Industrial Park Access Project. Ms. Hockenberry’s email included an outline of coordination with the USCG Bridge Program to date and asked if the USCG would need a formal Project Initiation Request or if this step of the process was viewed as completed based on HNTB’s coordination.
- **11/16/2023** – Mr. Monterroza confirmed the coordination summary was accurate and the project initiation request submitted by HNTB will suffice. Mr. Monterroza noted that the USCG will require an email or letter directly from WVDOH to allow USCG to work directly with the WVDOH consultants, otherwise WVDOH would need to be present or copied on all communications.
- **11/16/2023** – Ms. Hockenberry replied that WVDOH and HNTB would be copied on all communication with the USCG for this project.
- **11/16/2023** – Mr. Dirar Ahmad (WVDOH) replied to Mr. Monterroza that this is a very fast schedule project and WVDOH takes no exception of WVDOH consultants talking directly with USCG for this project. Mr. Ahmad requested that WVDOH be included on all emails in order to help as needed and to allow him to provide updates to WVDOH management as to the progress of this project development, permitting, and other aspects.
- **01/09/2024** – USCG issued a Preliminary Navigation Clearance Determination (PNCD) letter for the proposed project letter. The PNCD is valid for three years and will expire on 01/09/2027.

**Appendix E –
Cultural Resources Coordination**

Above Ground Historic Resources

Appendix E – Cultural Resources Coordination



West Virginia Department of
**ARTS, CULTURE
AND HISTORY**

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

Randall Reid-Smith, Curator
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

October 25, 2023

Mr. Travis Long
Director
Technical Support Division
West Virginia Division of Highways
1334 Smith Street
Charleston, West Virginia 25301
Via email: travis.e.long@wv.gov

RE: Morgantown Industrial Park Access Road US 119 to River Road, Monongalia County
State Project: X231-MIP/AS-01; Federal Project: STBG-2023(259)D
FR#: 24-0031-MG-2

Dear Mr. Long:

We have reviewed the additional information submitted for the above-mentioned project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

As detailed in our initial review letter, dated October 16, 2023, the West Virginia Division of Highways (WVDOH) is proposing to improve access across the Monongahela River to US 119 and I-68 southwest of the City of Morgantown, Monongalia County. The proposed project will include minor upgrades to Rail Street from River Road to just south of Mountaintop Beverage; new roadway construction from Rail Street from just south of Mountaintop Beverage; construction of a new multi-span bridge crossing the active Norfolk Southern Railroad, Monongahela River, and Mon River Trail; and new roadway construction from the south bank of the Monongahela River to US 119 (Don Knotts Boulevard) with an intersection at WV 73 (Smithtown Road). It is our understanding that the archaeological portion of the review was addressed separately.

Architectural Resources:

Thank you for providing the assessment of effect, as requested in our initial review letter of October 16, 2023. As noted in our initial review letter, one architectural resource in the APE, Harmony Grove Meeting House (NR# 83003245), was listed in the National Register of Historic Places in 1983. Although the parcel including the Meeting House extends toward the project area, the property is outside of the direct APE for the project. The building itself is located approximately 125 feet away from the proposed direct APE at its nearest point. We concur that the proposed project will result in *no effect* to the Meeting House because the proposed project will not directly affect the property, introduce any substantial visual instructions, or alter any of the characteristics that contribute to its eligibility. No further consultation is necessary regarding architectural resources; however, we do ask that you contact our office if your project should change.

October 25, 2023
Mr. Long
FR# 24-0031-MG-2
Page 2

Consulting Parties/Public Comments:

It is our understanding that the initial public meeting for this project occurred on October 3, 2023 at the Westover Middle School. Approximately 50 to 60 people attend the meeting to review the project alternatives, ask questions, and provide comments. As of October 20, 2023, a total of 13 comments, ten via the website and three by written mail, have been received. Seven of the comments provided are in opposition to the project with a preference for Alternative 2 or 3 instead of the Preferred Alternative. Six comments included concerns regarding the safety of the Mon River Trail during and after construction. One comment provided by the Morgantown Utility Board expressed concern about the proposed project's location in relation to the drinking water intake for Morgantown. The comment period extends until November 3, 2023, and we understand that any further correspondence or comments regarding cultural resources will be sent to our office.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Benjamin M. Riggle, Structural Historian, at (304) 558-0240.*

Sincerely,



Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/BMR

CC: Sondra L. Mullins (sondra.l.mullins@wv.gov)
Randy T. Epperly (randy.t.epperly@wv.gov)



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110

Charleston, West Virginia 25305-0430 • (304) 558-3505

Alanna J. Keller, P.E.
Deputy Secretary of Transportation
Deputy Commissioner of Highways

Jimmy Wriston, P. E.
Secretary of Transportation
Commissioner of Highways

October 23, 2023

Ms. Susan Pierce
Deputy State Historic Preservation Officer
Division of Culture and History
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Ms. Pierce:

State Project: X231-MIP/AS-01
Federal Project: STBG-2023(259)D
FR: 24-0031-MG
Morgantown Industrial Park Access Road
US 119 to River Road
Monongalia County

The West Virginia Division of Highways received your letter dated October 16, 2023 for the above referenced project. Attached for your review is the Determination of Effects Report.

If you have any questions, please contact Randy Epperly of our NEPA Compliance and Permitting Section at (304) 414-6439 or at Randy.T.Epperly@wv.gov.

Very truly yours,

Travis E. Long, Director
Technical Support Division

L:e
Attachments: DSN (RE)



West Virginia Department of
**ARTS, CULTURE
AND HISTORY**

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

Randall Reid-Smith, Curator
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

October 16, 2023

Mr. Travis Long
West Virginia Division of Highways
1900 Kanawha Boulevard East, Building 5, Room 110
Charleston, WV 25305
Via email: travis.e.long@wv.gov

RE: Morgantown Industrial Park Access Road US 119 to River Road, Monongalia County
State Project: X231-MIP/AS-01; Federal Project: STBG-2023(259)D
FR#: 24-0031-MG

Dear Mr. Long:

We have reviewed the above-mentioned project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR § 800: "Protection of Historic Properties," we submit our comments.

According to the submitted information, the West Virginia Division of Highways (WVDOT) is proposing to improve access across the Monongahela River to US 119 and I-68 southwest of the City of Morgantown, Monongalia County. The proposed project will include minor upgrades to Rail Street from River Road to just south of Mountaintop Beverage; new roadway construction from Rail Street from just south of Mountaintop Beverage; construction of a new multi-span bridge crossing the active Norfolk Southern Railroad, Monongahela River, and Mon River Trail; and new roadway construction from the south bank of the Monongahela River to US 119 (Don Knotts Boulevard) with an intersection at WV 73 (Smithtown Road). It is our assumption that the archaeological portion of the review will be addressed separately.

Architectural Resources:

Thank you for the submission and Historic Property Inventory (HPI) forms. We have reviewed the submitted documentation, and four architectural resources were identified within the project's area of potential effect. One of these resources, Harmony Grove Meeting House (NR# 83003245), was listed in the National Register of Historic Places in 1983. We concur that this resource retains the integrity and significance necessary to remain listed in the National Register with its boundary being its entire one acre tax parcel, as included in the initial nomination.

The second architectural resource, the COE Lock and Dam #11 (MG-0349) was initially documented in 1998, at which time it was recommended as contributing to the Monongahela River Navigation System under Criteria A and C. Based on the updated information and photographs of the COE Lock and Dam #11, we concur that the former lock and dam does not retain the integrity necessary to convey the significance to be eligible for the National Register individually or as a contributing resource to the Monongahela River Navigation System. The property has lost most of the buildings and structures constructed to operate the lock and dam including the lock and dam themselves. The few buildings that remain are in private ownership and have experienced numerous alterations. We are agreeable to the consultant's recommendation that the boundary of this documented resource include the entire tax parcel.

October 16, 2023
Mr. Long
FR# 24-0031-MG
Page 2

The third documented architectural resource is the Harmony Grove Schoolhouse (MG-0428), which was initially constructed in 1925 to serve the educational needs of the Harmony Grove community. However, the building was sold to private owners in the 1970s who converted the property to commercial use before turning the building into a private residence sometime during the 1980s. The building is still used as a private residence and as such has experienced substantial renovations. Therefore, we concur that the building no longer retains the integrity or significance necessary to be eligible for the National Register.

The fourth and final architectural resource was the Old Lock #11 Office Building (MG-0305), which was initially documented in 1991. At that time, the building was not assessed for eligibility in the National Register while it was noted to be in a partially destroyed condition. Field survey completed for this project confirmed that the building is no longer extant. Therefore, we concur that the former resource is not eligible for the National Register.

As the next step in the Section 106 review process, once project plans are finalized, please provide an assessment of effect for the proposed project on the National Register-listed Harmony Grove Meeting House. We will provide additional comments upon receipt of the requested information; however, we reserve the right to request additional information

Cemetery Resources:

Submitted documentation indicates that a small formerly unnamed family cemetery, now called the Rail Street Cemetery, is located within the proposed undertaking's indirect Area of Potential Effect for visual effects. However, we concur that the cemetery lacks the integrity and significance necessary to be eligible for the National Register because the gravestones were removed as a result of earlier agricultural activity. No further consultation is necessary regarding cemetery resources; however, we ask that you contact our office if your project should change.

Consulting Parties/Public Comments:

It is our understanding that the initial public meeting for this project occurred on October 3, 2023 at the Westover Middle School. We understand that any correspondence or comments regarding cultural resources will be sent to our office.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Benjamin M. Riggle, Structural Historian, at (304) 558-0240.*

Sincerely,



Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/BMR

CC: Sondra L. Mullins (sondra.l.mullins@wv.gov)
Randy T. Epperly (randy.t.epperly@wv.gov)



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

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

Alanna J. Keller, P.E.
Deputy Secretary of Transportation
Deputy Commissioner of Highways

Jimmy Wriston, P. E.
Secretary of Transportation
Commissioner of Highways

October 12, 2023

**Ms. Susan Pierce, Deputy State
Historic Preservation Officer
Division of Culture and History
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305**

Dear Ms. Pierce:

**State Project X231-MIP/AS-01
Federal Project STBG-2023(259)D
Morgantown Industrial Park Access Road
US 119 to River Road
Monongalia County**

**Attached, for your review, is a Historic Architectural Resource Survey And
Determination of Eligibility Report for the above project in the City of Morgantown, West
Virginia.**

**Should you require additional information, please contact Randy Epperly of our
NEPA Compliance and Permitting Section at (304) 414-6439 or at
Randy.T.Epperly@wv.gov.**

Very truly yours,

**Travis E. Long
Division Director
WVDOH Technical Support Division**

**TEL:e
Attachments
bcc: DSN (RE)**

Archaeological Resources

Appendix E – Cultural Resources Coordination



West Virginia Department of
**ARTS, CULTURE
AND HISTORY**

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

Randall Reid-Smith, Curator
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

October 24, 2023

Mr. Travis Long
Director
Technical Support Division
West Virginia Division of Highways
1334 Smith Street
Charleston, West Virginia 25301
Via email: travis.e.long@wv.gov

RE: Morgantown Industrial Park Access Road US 119 to River Road, Monongalia County
State Project: X231-MIP/AS-01; Federal Project: STBG-2023(259)D
FR#: 24-0031-MG-1

Dear Mr. Long:

We have reviewed the information and archaeological survey report that were submitted in support of the above-mentioned project. As required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR § 800: "Protection of Historic Properties," we submit our comments.

According to the submitted information, the West Virginia Division of Highways (WVDOH) proposes to construct a new road and bridge across the Monongahela River in Monongalia County between CR 45 (River Road) near Harmony Grove to US 119 in the City of Morgantown. Alternative 3, which is the recommended preferred alternative, will include minor upgrades to Rail Street from River Road to just south of Mountaintop Beverage; new roadway construction from Rail Street from just south of Mountaintop Beverage; construction of a new multi-span bridge crossing the active Norfolk Southern Railroad, Monongahela River, and Mon River Trail; and new roadway construction from the south bank of the Monongahela River to US 119 (Don Knotts Boulevard) with an intersection at WV 73 (Smithtown Road). The area of potential effect (APE) totals 50.5 hectares (124.8 acres).

Archaeological Resources:

According to the archaeological survey report, which was prepared by Skelly and Loy, the APE was investigated via background research, visual inspection, and augur boring excavation. A geomorphological assessment was also conducted on the terrace above the north bank of the Monongahela River to assess the potential for the presence of deeply buried cultural deposits. In general, the APE is situated on moderately to steeply sloped terrain that has been subject to extensive industrial and commercial development. This was confirmed by the Phase I survey. Augur borings excavated within the visibly undisturbed portions of APE south of the Monongahela River encountered disturbed soils consistent with grading and filled areas. Several augur boring attempts made by the geomorphologist on the terrace north of the river; almost were rejected within 10 centimeters of the ground surface by rocky fill. However, a small area of the terrace was identified

October 24, 2023
Mr. Long
FR# 24-0031-MG-1
Page 2

with an intact soil profile. A total of four shovel test pits were excavated in this area. No cultural materials were identified. As a result, we concur with the determination made by the WV Division of Highways that the proposed project will have no effect on archaeological historic properties and that no further archaeological investigations are needed.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Lora A. Lamarre-DeMott, Senior Archaeologist, at (304) 558-0240.*

Sincerely,



Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/LLD

CC: Sondra L. Mullins (sondra.l.mullins@wv.gov)
Rodney C. DeMott (rodney.c.demott@wv.gov)



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110

Charleston, West Virginia 25305-0430 • (304) 558-3505

Alanna J. Keller, P.E.
Deputy Secretary of Transportation
Deputy Commissioner of Highways

Jimmy Wriston, P. E.
Secretary of Transportation
Commissioner of Highways

October 23, 2023

Ms. Susan Pierce, Deputy State
Historic Preservation Office
Department of Arts, Culture and History
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0430

Dear Ms. Pierce:

Phase I Archaeological Survey
Morgantown Industrial Park Access
US 119 to River Road
State Project: X231-MIP/AS-01
Federal Project: STBG-2023(259)D
Monongalia County, West Virginia

Please find enclosed for your review one Phase I Survey report for the Morgantown Industrial Park Access Project and one set of GIS files.

As a result of the investigation no significant archaeological resources were located. It is therefore recommended that the project be allowed to proceed as described.

We ask for your concurrence with these findings.

Should you require additional information, please contact Rodney DeMott at (304) 414-6435.

Sincerely,

Travis E. Long, Director
Technical Support Division

TEL:d

Attachments

Bcc: DSN(RCD)