

**Class I Legal Advertisement**  
**For Modification of Jurisdictional Dams**  
**Pendleton Run Dam (ID# 09304): N 39.115523, W-79.499830**

Notice is hereby given that the West Virginia Division of Natural Resources (WVDNR) has applied under the WV Dam Control & Safety Act for approval to modify the Pendleton Run (ID# 09304) Dam, located along Pendleton Creek in Blackwater Falls State Park near Davis, in Tucker County, West Virginia. The dam is categorized as a Class 1 (High Hazard) structure, meaning that loss of human life is likely if the dam was to fail.

Modifications to the Pendleton Run Dam include: widening and lining the existing auxiliary spillway within the right abutment, constructing integrated access trails, raising the dam crest elevation by 3 feet, raising the top of the principal spillway intake structure by 1.6 feet while adding a trash rack, and dredging sediment material from the lake.

These modifications will serve to bring the dam into compliance with the WV Dam Control and Safety Act (W.Va. Code 22-14) and Safety Rule (47CSR34). Once completed, the dam will be able to safely store and pass the required Probable Maximum Precipitation design storm.

The land surface covered by this application is owned by the WVDNR and the legal right to conduct operations is by deed.

The name and address of the Director of the Agency is:

Mr. Brett W. McMillion, WVDNR, 324 Fourth Avenue, South Charleston, WV 25303

The location of the dam is shown on the map included with this advertisement. Additional information may be available under the Freedom of Information Act (FOIA) through written request to the DEP address below.

Any person who may be adversely affected by issuance of a Certificate of Approval may request a hearing, provided that such request be in writing, contain specific objections to the issuance of the Certificate of Approval and be received by the Dam Safety Section within fifteen (15) days of this publication.

Address to: Department of Environmental Protection  
Division of Water and Waste Management  
Dam Safety Section  
1000 Technology Drive, Suite 3220  
Fairmont, West Virginia 26554  
Attn: ID # 09304

