



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 867
LITTLE ROCK, ARKANSAS 72203-0867

CESWL-RD

December 3, 2008

APPLICATION NO. **05532-1**

JOINT PUBLIC NOTICE
CORPS OF ENGINEERS - STATE OF ARKANSAS
(25-Day Comment Period)
(Comment Expiration Date – December 28, 2008)

TO WHOM IT MAY CONCERN: Comments are invited on the work described below. Please see the Public Involvement section for details on submitting comments.

Point of Contact. If additional information is desired, please contact the project manager, Rod Kelley, telephone number: (501) 324-5296, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, e-mail address: rodney.kelley@usace.army.mil

Project Information. Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403) and Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

Mr. Tom C. Dame
279 CR 707
Cotter, Arkansas 72626

has requested authorization for dredging approximately 422 cubic yards from a slough off the White River, and for the placement of dredged and fill material in waters of the United States associated with 215 feet of bank stabilization, a boat tram installation, and for the installation of a pump for water withdrawal from the White River for filling a proposed pond. The proposed project is located in the White River, mile 405.2, in section 19, T. 19 N., R. 14 W., in Baxter County, Arkansas.

The purpose of the project is to allow boat access to the White River, to provide erosion control, to prevent flooding in the borrow pit, and to fill and maintain the water depth of a pond during extended dry periods. No mitigation is proposed for this project.

The location and general plan for the proposed work are shown on the enclosed sheets.

Water Quality Certification. By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality (ADEQ) in

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accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the comment period and a public hearing, if held, a determination relative to water quality certification will be made. Evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit.

Cultural Resources. The National Register of Historic Places has been consulted; and it has been determined that there are no properties currently listed in the Register, or eligible for inclusion therein, which would be affected by the proposed work. A Corps staff archeologist also will review topographic maps and data on reported sites in the area. If it is determined that further review is not warranted, these reviews will constitute the full extent of cultural resources investigation by this office unless we are made aware, as a result of comments received in response to this notice or by other means, of the existence of specific structures or sites which might be affected by the proposed work.

Endangered Species. Our preliminary determination is that the proposed activity will not affect listed Endangered Species or their critical habitat. A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies and constitutes a request to those agencies for information on whether any listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Flood Plain. We are providing copies of this notice to appropriate flood plain officials in accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Flood Plain Management.

Section 404(b)(1) Guidelines. The evaluation of activities to be authorized under this permit which involves the discharge of dredged or fill material will include application of guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. These guidelines are contained in 40 Code of Federal Regulations (CFR) 230.

Public Involvement. Any interested party is invited to submit to the above-listed POC written comments or objections relative to the proposed work on or before **December 28, 2008**. Substantive comments, both favorable and unfavorable, will be accepted and made a part of the record and will receive full consideration in determining whether this work would be in the public interest. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the

CESWL-RD

proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

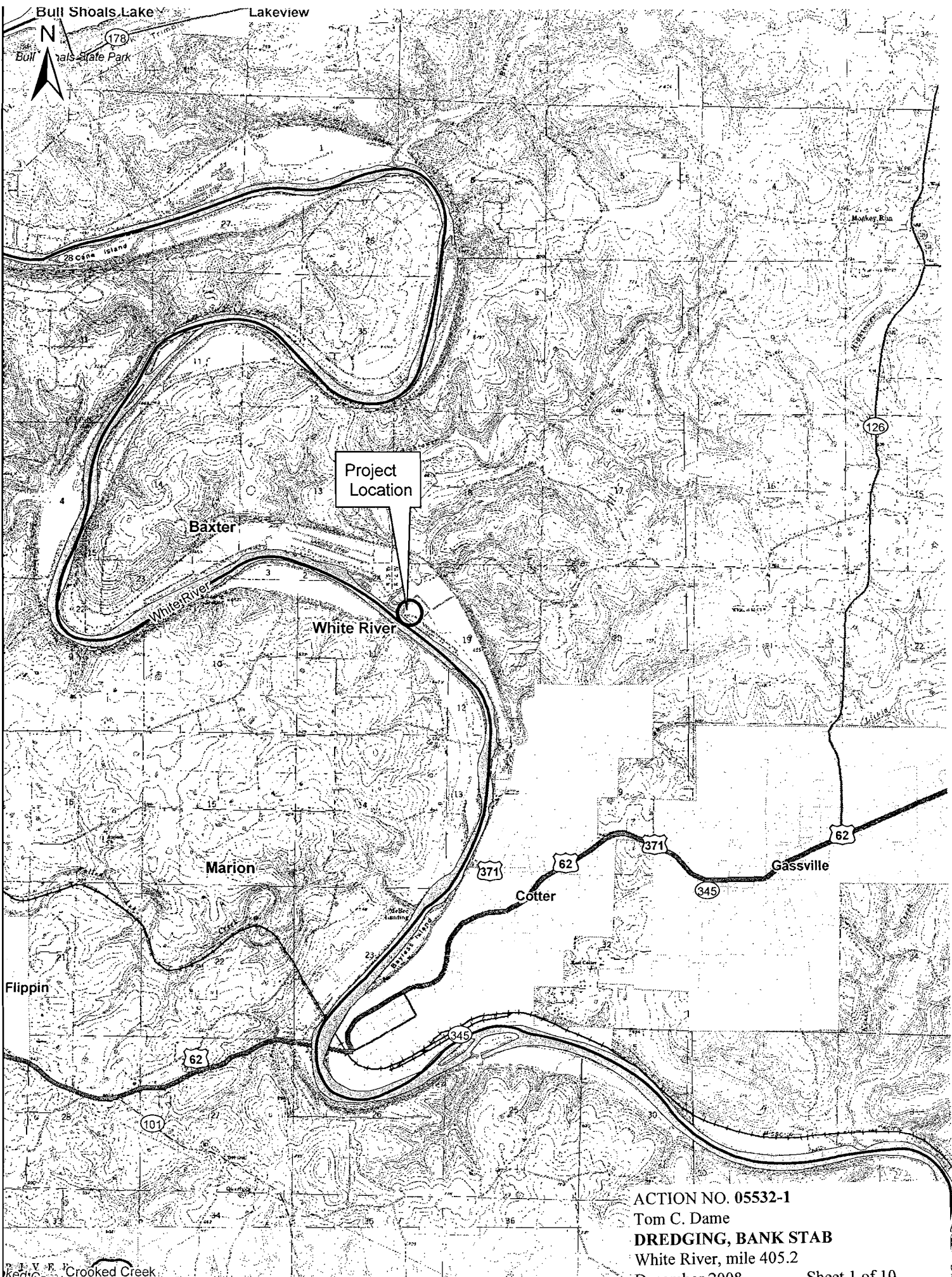
NOTE: The mailing list for this Public Notice is arranged by state and county where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

Enclosures

Approximate Coordinates of Project Center

Latitude: **36.30865** Longitude: **-92.53355**

UTM Zone: **15** North: **4018283** East: **541876**



Project Location

Baxter

White River

Marion

Cotter

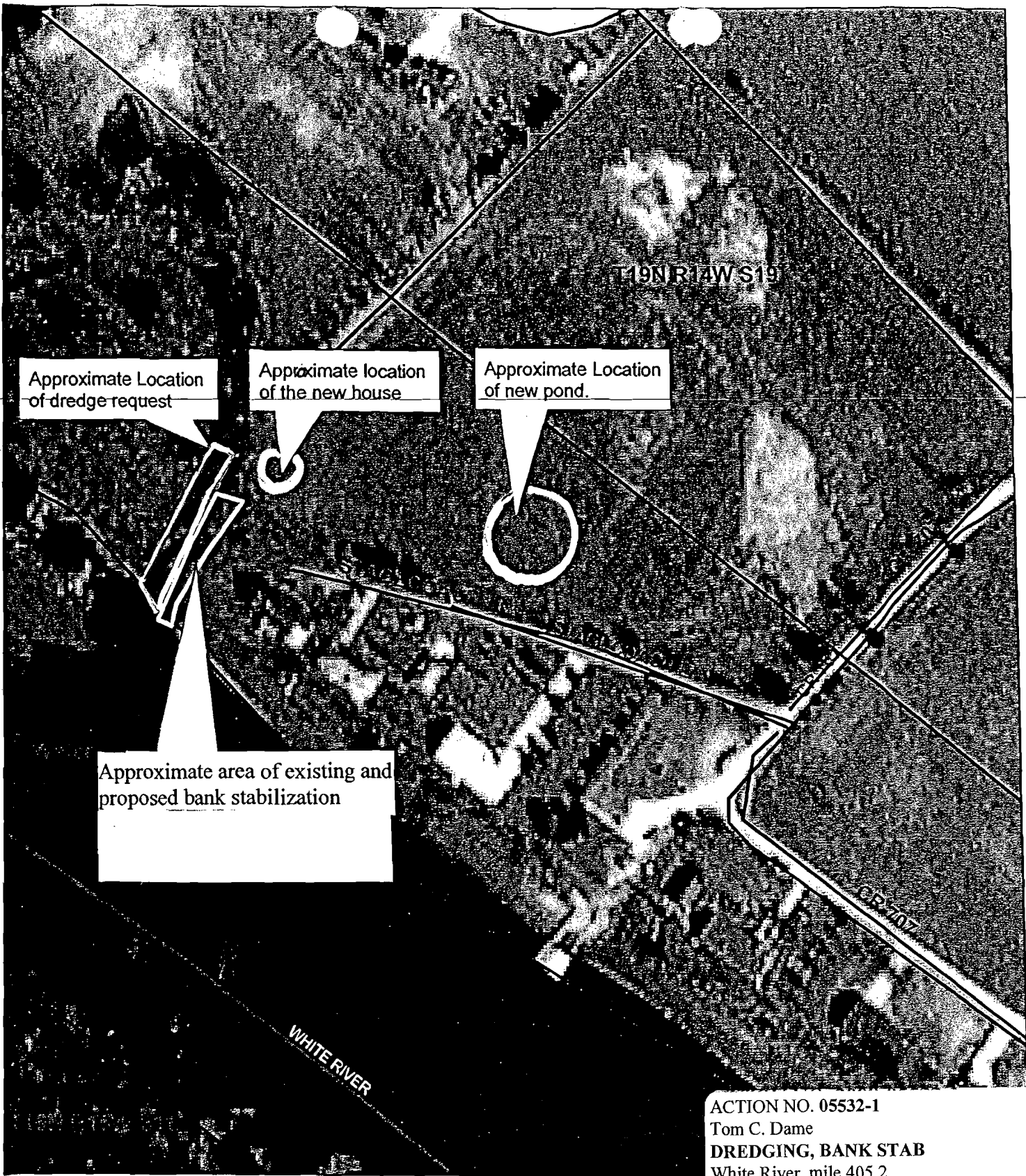
Gassville

Flippin

ACTION NO. 05532-1
Tom C. Dame
DREDGING, BANK STAB
White River, mile 405.2
December 2008

Sheet 1 of 10

Kea Creek
Crooked Creek

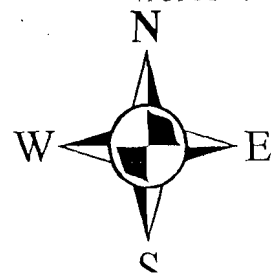


ACTION NO. 05532-1
 Tom C. Dame
DREDGING, BANK STAB
 White River, mile 405.2
 December 2008

Sheet 2 of 10

Tom Dame
 63 Breckenridge
 Mountain Home, Arkansas
 White River LB, RM 405.2
 Baxter, County. AR.

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 N 4018260.43

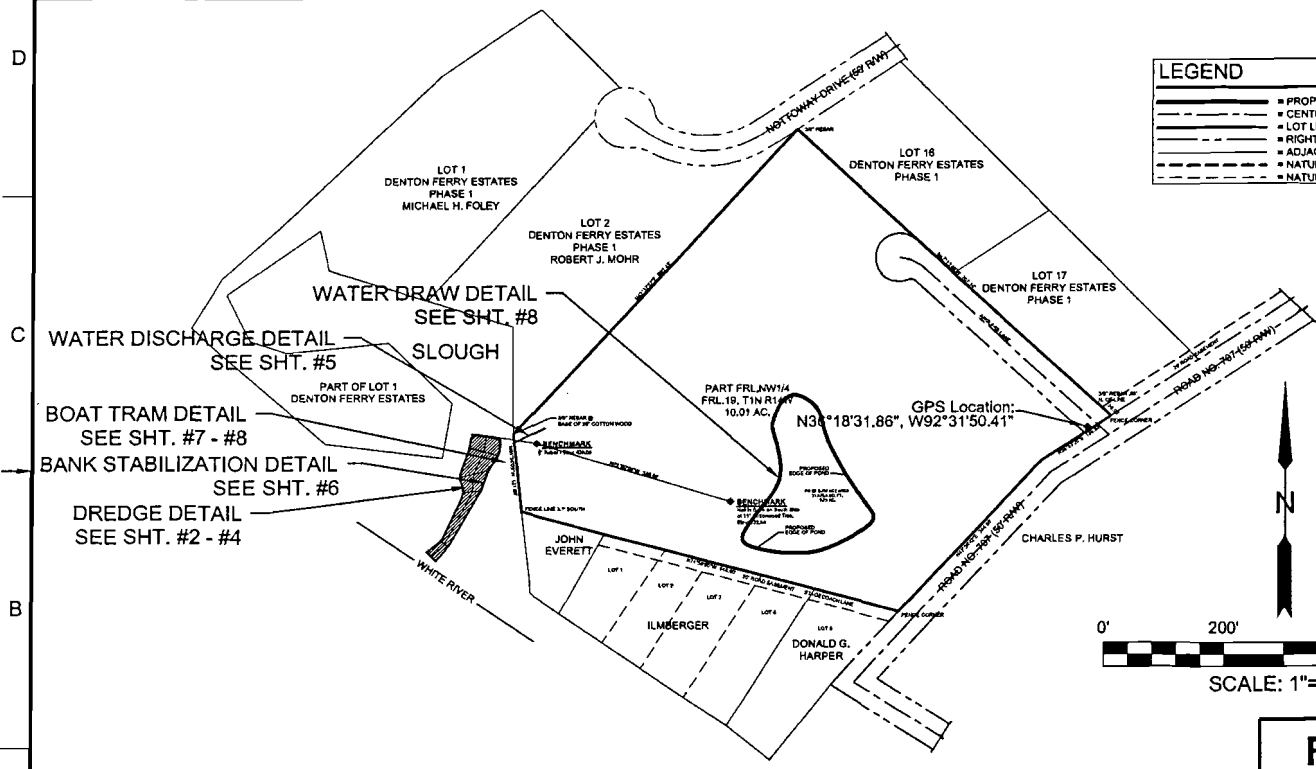
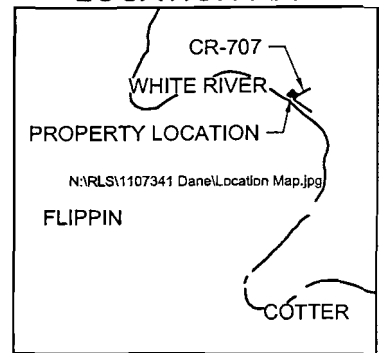
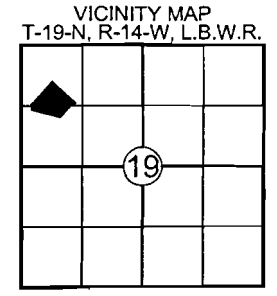


MRC
 MHPO
 02/08

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REVISIONS				
ZONE	DATE	DESCRIPTION	(REV)	APPR. BY
	10-27-08	Ordinary High Water Mark Elevation Revised to 428' from 421'; Topographic Survey Adjusted Accordingly	RLS	TCD

LEGEND	
	PROPERTY BOUNDARY
	CENTER LINE
	LOT LINE
	RIGHT OF WAY (ROW)
	ADJACENT PROPERTY
	NATURAL CONTOUR (Index)
	NATURAL CONTOUR



SHEET INDEX	
SHEET #1:	PLAN OVERVIEW
SHEET #2:	DREDGE OVERVIEW
SHEET #3:	DREDGE PLAN VIEW WITH EXISTING TOPOGRAPHIC
SHEET #4:	DREDGE REVISED TOPOGRAPHIC & VOLUME CALCULATIONS
SHEET #5:	WATER DISCHARGE DETAIL
SHEET #6:	BANK STABILIZATION DETAIL
SHEET #7:	BOAT TRAM DETAIL
SHEET #8:	WATER ALLOCATION DETAIL

Rose's Land Surveying, Inc.
811 Highway 5 North, Mountain Home, Arkansas 72653

Tom C. Dame
Cotter, Baxter County, AR

DATE: 02-20-07	PLAN OVERVIEW	DRAWN BY: DRP
SCALE: AS NOTED		REVISED: 10-27-08
Department of the Army Little Rock District, Corps of Engineers Permit Application Drawing		APPROVED BY:
FOR: Tom C. Dame 63 Breckenridge Court, Mountain Home, AR 72653		SHEET # 1 OF 8
		DRAWING NO: 0108025C

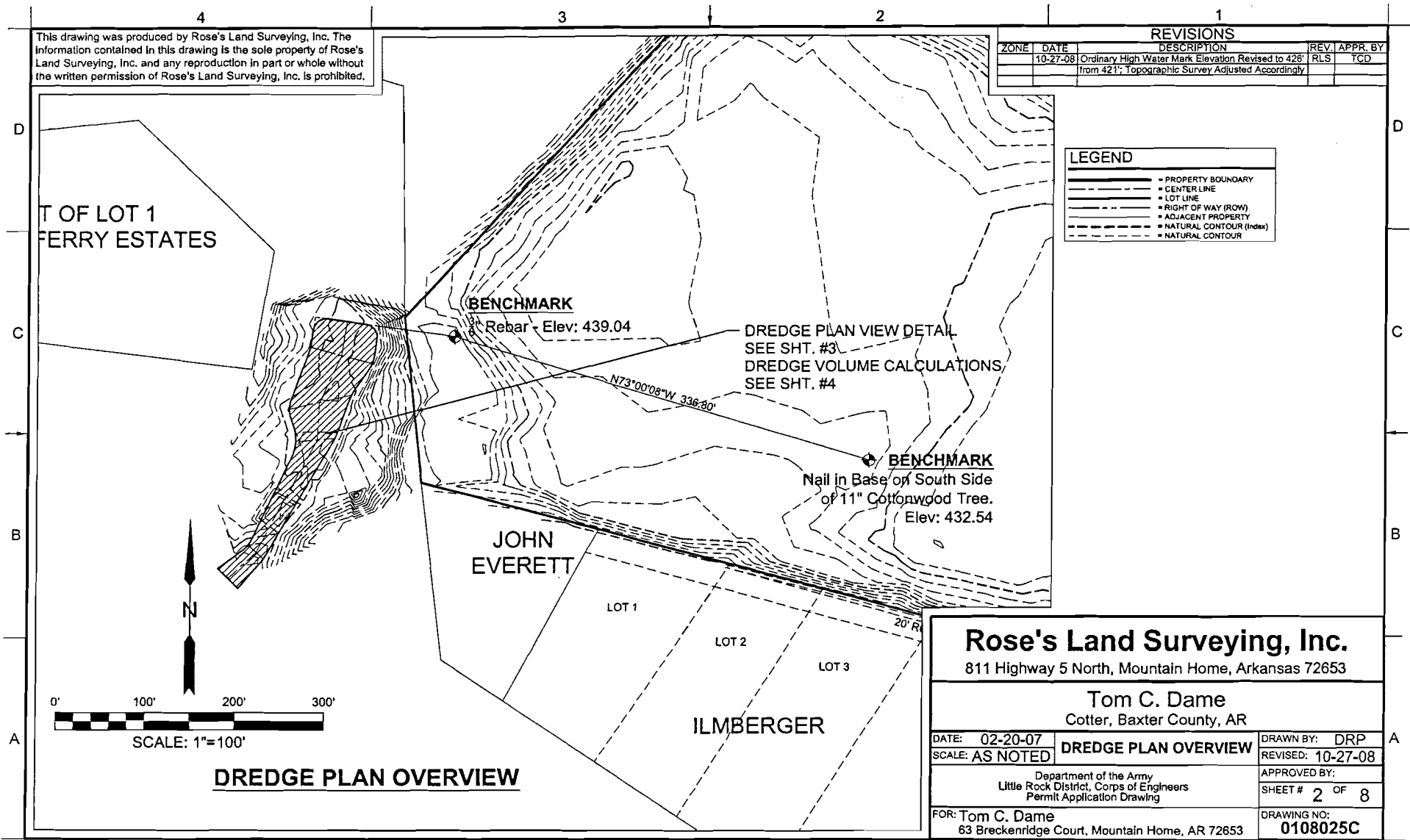
ACTION NO. 05532-1
Tom C. Dame
DREDGING, BANK STAB
White River, mile 405.2
December 2008 Sheet 3 of 10

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REVISIONS			
ZONE	DATE	DESCRIPTION	REV. APPR. BY
	10-27-08	Ordinary High Water Mark Elevation Revised to 426' from 421'; Topographic Survey Adjusted Accordingly	RLS TCD

LEGEND	
	PROPERTY BOUNDARY
	CENTER LINE
	LOT LINE
	RIGHT OF WAY (ROW)
	ADJACENT PROPERTY
	NATURAL CONTOUR (Index)
	NATURAL CONTOUR



Rose's Land Surveying, Inc.
 811 Highway 5 North, Mountain Home, Arkansas 72653

Tom C. Dame
 Cotter, Baxter County, AR

DATE: 02-20-07	DREDGE PLAN OVERVIEW	DRAWN BY: DRP
SCALE: AS NOTED		REVISED: 10-27-08
Department of the Army Little Rock District, Corps of Engineers Permit Application Drawing		APPROVED BY:
FOR: Tom C. Dame 63 Breckenridge Court, Mountain Home, AR 72653		SHEET # 2 OF 8
		DRAWING NO: 0108025C

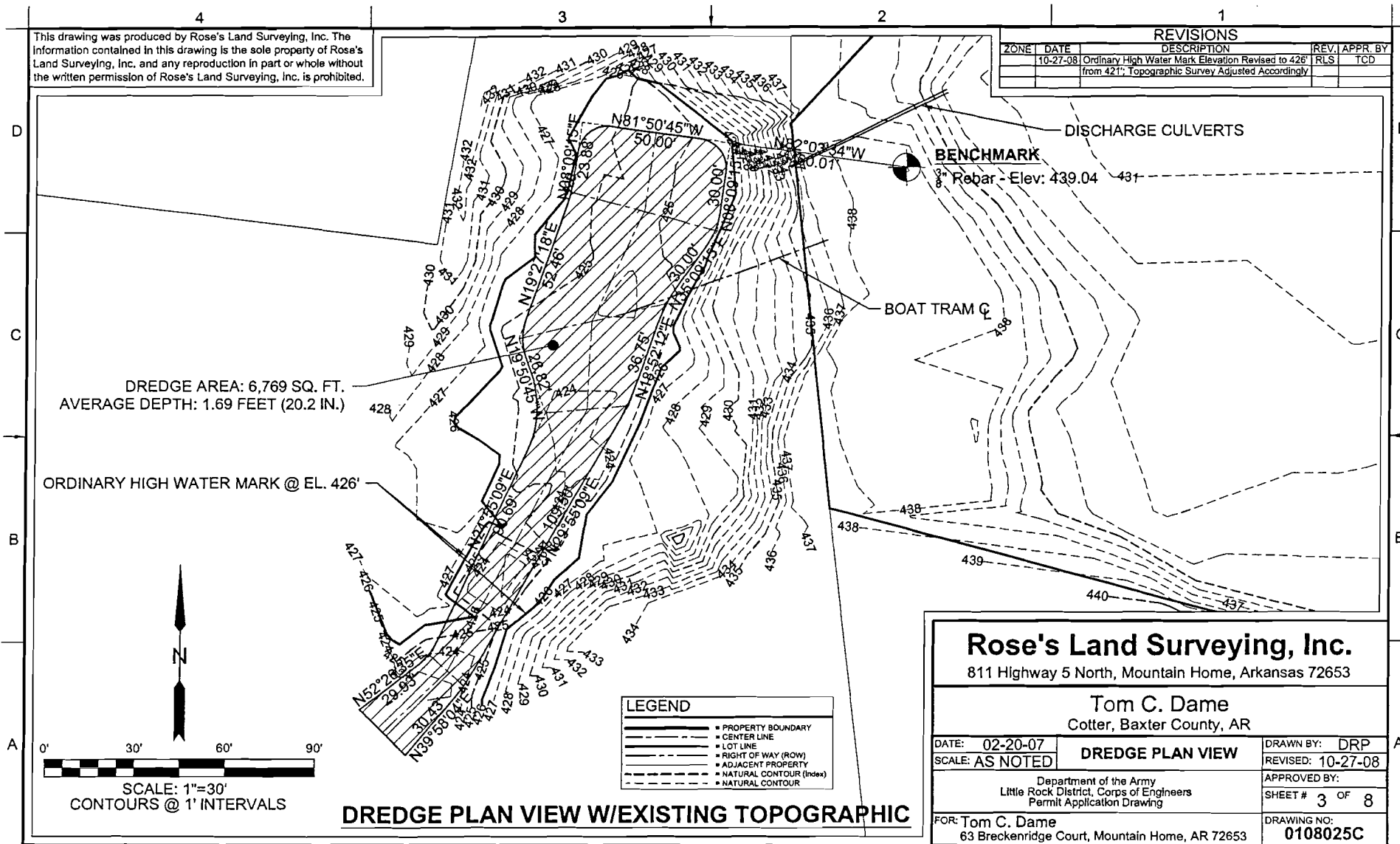
DREDGE PLAN OVERVIEW

ACTION NO. 05532-1
 Tom C. Dame
DREDGING, BANK STAB
 White River, mile 405.2
 December 2008 Sheet 4 of 10

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Rose's Land Surveying, Inc.
 811 Highway 5 North, Mountain Home, Arkansas 72653

Tom C. Dame
 Cotter, Baxter County, AR

DATE: 02-20-07	DREDGE PLAN VIEW	DRAWN BY: DRP
SCALE: AS NOTED		REVISED: 10-27-08
Department of the Army Little Rock District, Corps of Engineers Permit Application Drawing		APPROVED BY:
FOR: Tom C. Dame 63 Breckenridge Court, Mountain Home, AR 72653		SHEET # 3 OF 8
		DRAWING NO: 0108025C

DREDGE PLAN VIEW W/EXISTING TOPOGRAPHIC

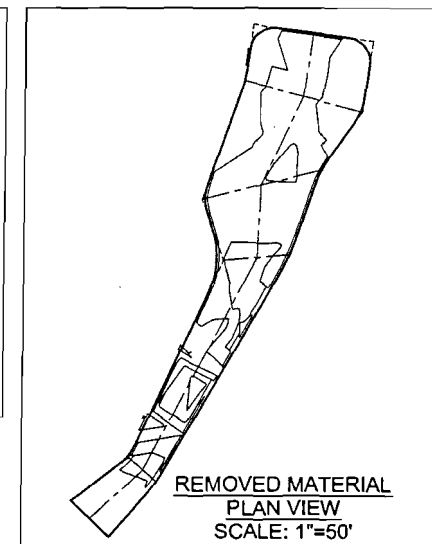
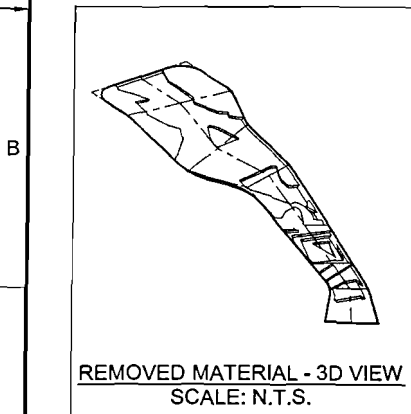
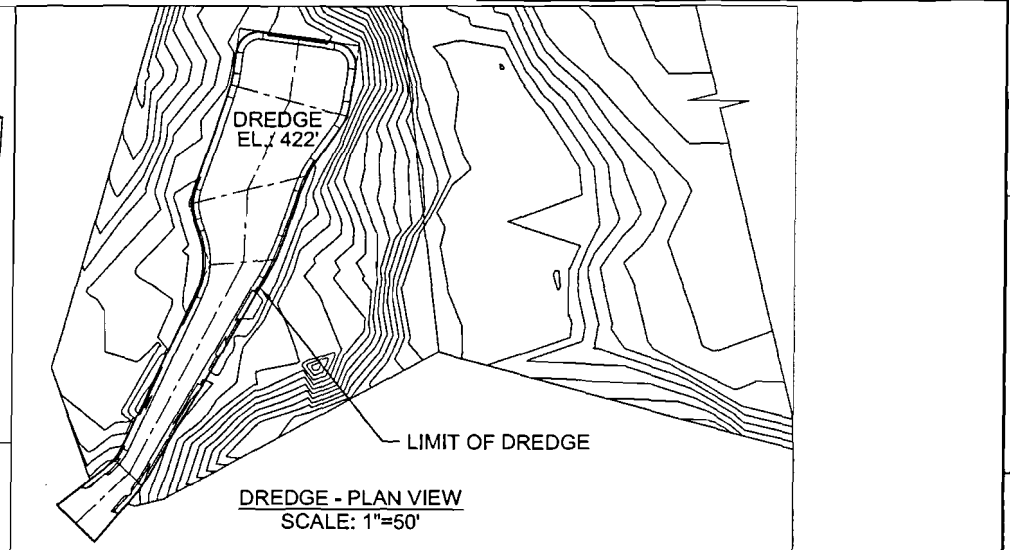
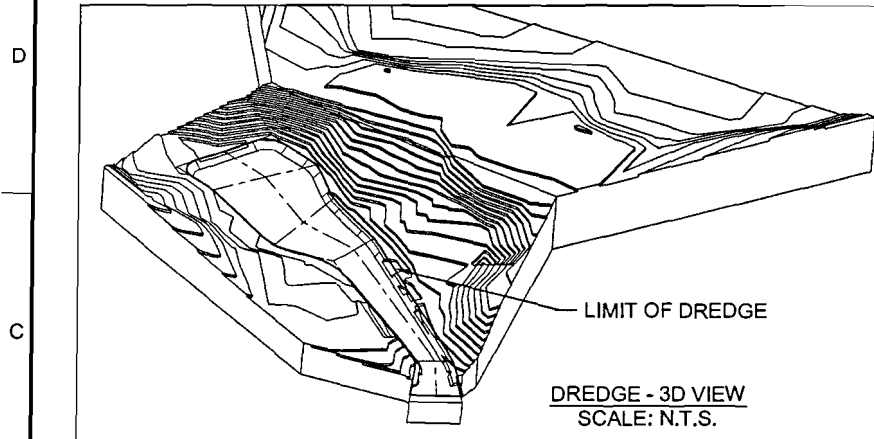
LEGEND	
	PROPERTY BOUNDARY
	CENTER LINE
	LOT LINE
	RIGHT OF WAY (ROW)
	ADJACENT PROPERTY
	NATURAL CONTOUR (Index)
	NATURAL CONTOUR

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ACTION NO. 05532-1
 Tom C. Dame
DREDGING, BANK STAB
 White River, mile 405.2
 December 2008 Sheet 5 of 10

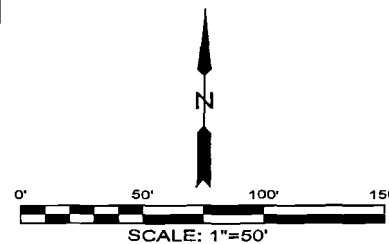
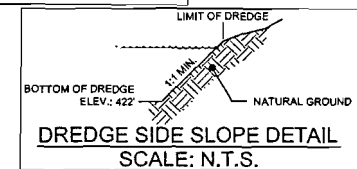
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DREDGE AREA: 6,769 SQ. FT.
DREDGE BOTTOM ELEVATION: 422'
CUT VOLUME W/1:1 SLOPE = 11,407 CU. FT. (422 CU. YD.)

NOTE:
1. Results as calculated by SolidWorks solid modeling CAD software.
2. Contours @ 1' (ft.) intervals.



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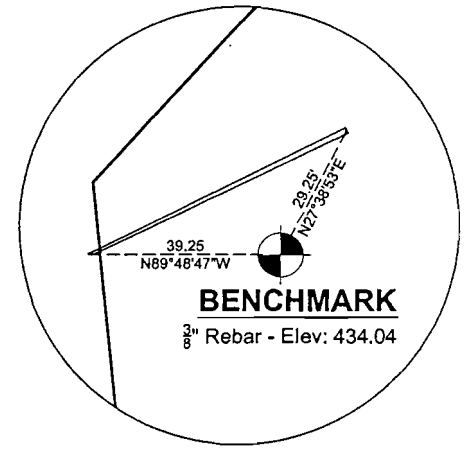
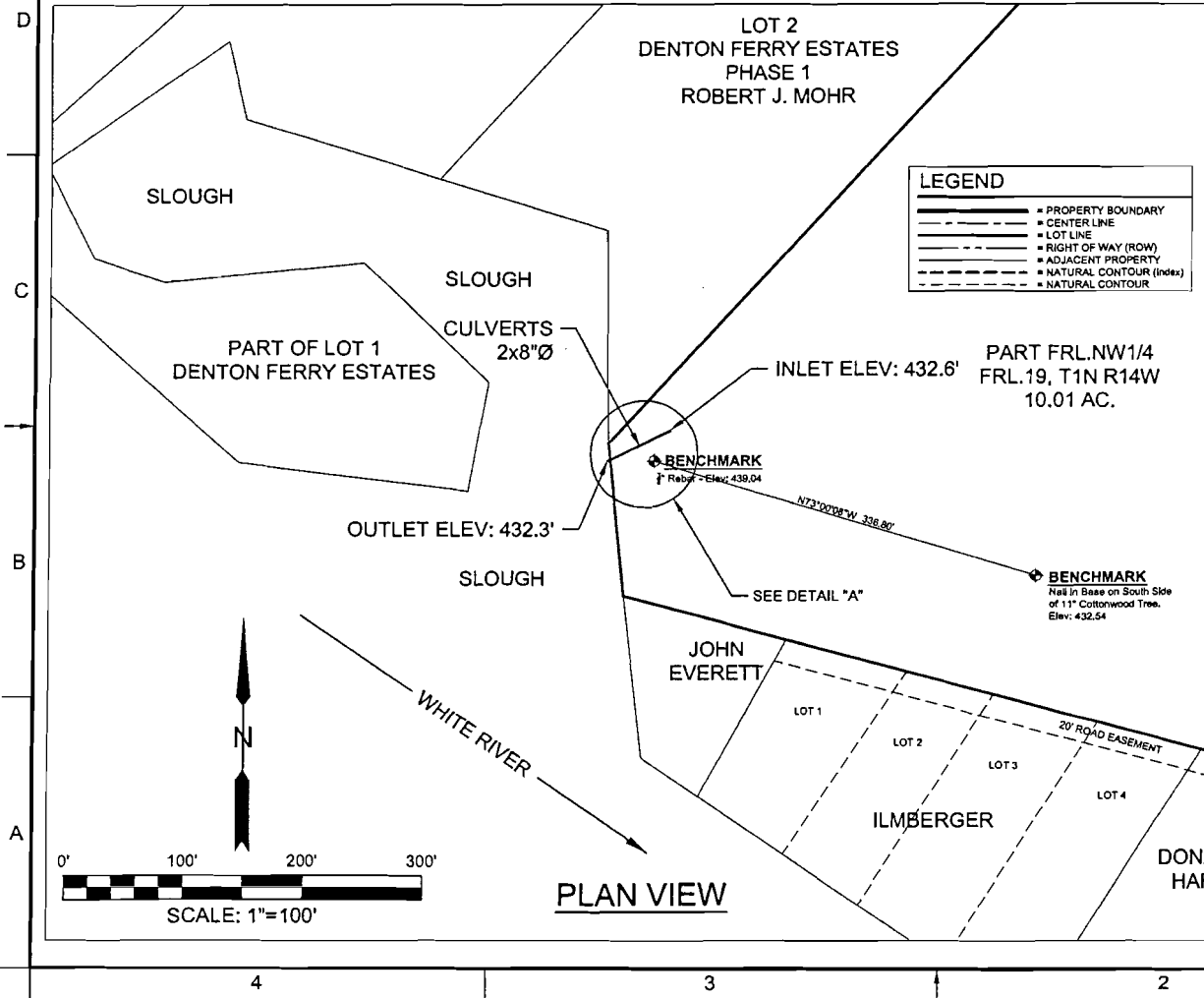
Tom C. Dame
Cotter, Baxter County, AR

DATE: 02-20-07	DREDGE VOLUME	DRAWN BY: DRP
SCALE: AS NOTED		REVISED: 10-27-08
Department of the Army Little Rock District, Corps of Engineers Permit Application Drawing		APPROVED BY:
FOR: Tom C. Dame 63 Breckenridge Court, Mountain Home, AR 72653		SHEET # 4 OF 8
		DRAWING NO: 0108025C

ACTION NO. 05532-1
Tom C. Dame
DREDGING, BANK STAB
White River, mile 405.2
December 2008 Sheet 6 of 10

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NOTE: See Storm Water Pollution Prevention Plan for inlet and outlet protection.

Rose's Land Surveying, Inc.
811 Highway 5 North, Mountain Home, Arkansas 72653

Tom C. Dame
Cotter, Baxter County, AR

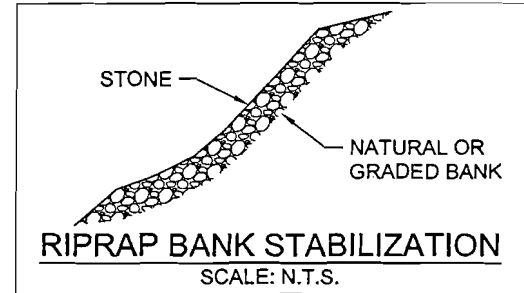
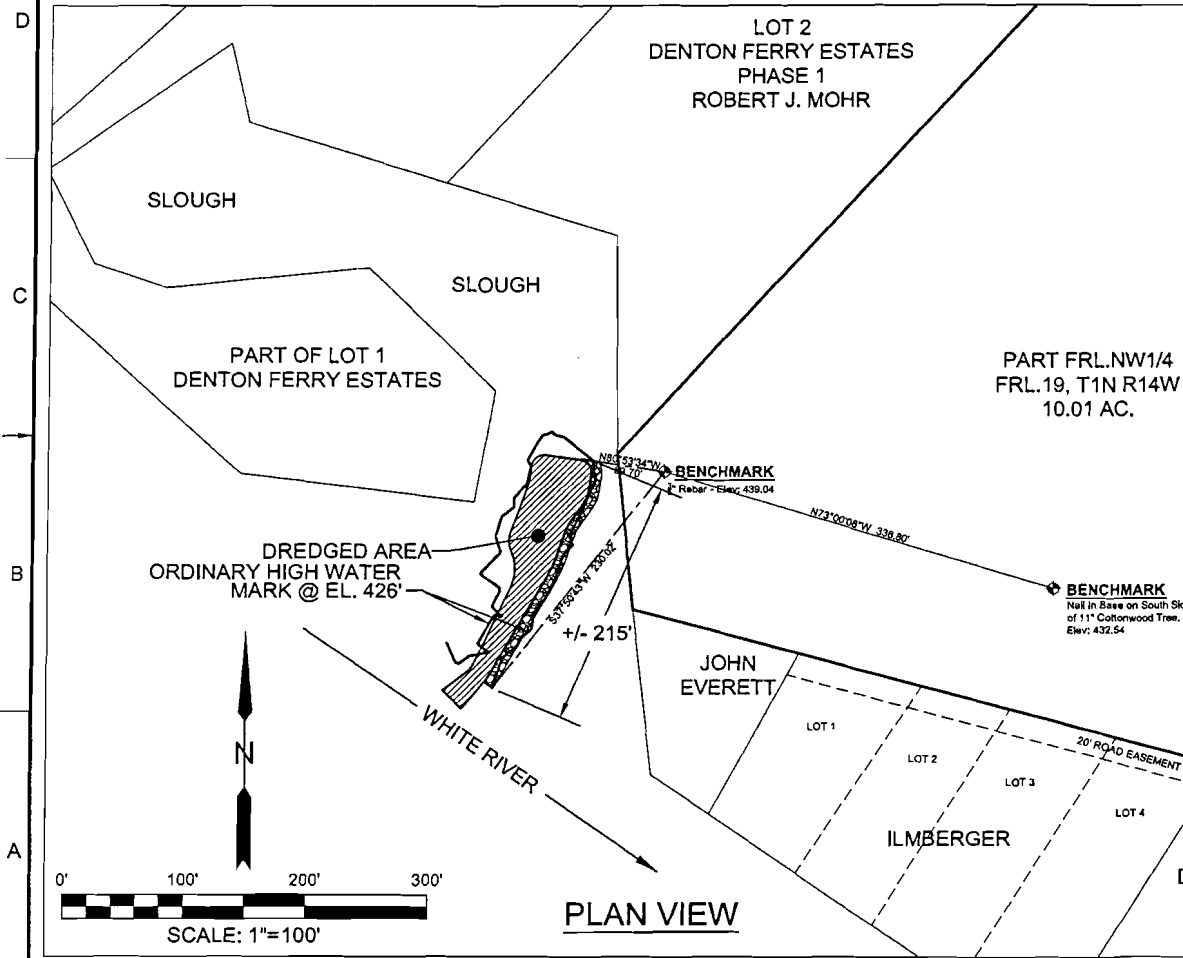
DATE: 02-20-07	WATER DISCHARGE DETAIL	DRAWN BY: DRP
SCALE: AS NOTED		REVISED: 10-27-08
Department of the Army Little Rock District, Corps of Engineers Permit Application Drawing		APPROVED BY:
FOR: Tom C. Dame 63 Breckenridge Court, Mountain Home, AR 72653		SHEET # 5 OF 8
		DRAWING NO: 0108025C

ACTION NO. 05532-1
Tom C. Dame
DREDGING, BANK STAB
White River, mile 405.2
December 2008 Sheet 7 of 10

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Riprap Bank Stabilization Specifications

1. The maximum amount of stone will not exceed 3 cubic yards per linear foot of bankline.
2. Riprap materials will not be placed on a slope steeper than 1 horizontal to 1 vertical. The bank may be graded to achieve appropriate slope. Any material generated from grading should not be placed in the water body.
3. No work will be conducted in a wetland. See attached U.S. Department of Agriculture soils report for the project site.
4. Only clean, non-pollutational material will be used for construction.
5. All construction activity should be performed in a manner that will minimize increased turbidity of the water in the work area and otherwise avoid adverse effects on water quality and aquatic life.
6. All excavated material will be placed on land and no runoff water from the disposal site will be allowed to enter the river.
7. This project will not destroy or endanger the critical habitat of a threatened or endangered species, as identified under the Endangered Species Act. See attached U.S. Fish & Wildlife report.

Riprap Material Specification

1. 2 inch to 6 inch washed creek run gravel and rock.
 2. Approximate length of work is 215 feet consisting of approximately 65 cubic yards of riprap.
- Reference:** Previous Department of the Army General Permit No.: W-ND-050-03-G.M.-024-5532. File No.: 5532. Date: October 6, 1986. Permittee: Roger Sallee. See attached copy of permit.

Rose's Land Surveying, Inc.

811 Highway 5 North, Mountain Home, Arkansas 72653

Tom C. Dame
Cotter, Baxter County, AR

DATE: 02-20-07	BANK STABILIZATION	DRAWN BY: DRP
SCALE: AS NOTED		REVISED: 10-27-08
Department of the Army Little Rock District, Corps of Engineers Permit Application Drawing		APPROVED BY:
FOR: Tom C. Dame 63 Breckenridge Court, Mountain Home, AR 72653		SHEET # 6 OF 8
		DRAWING NO: 0108025C

ACTION NO. 05532-1

Tom C. Dame

DREDGING, BANK STAB

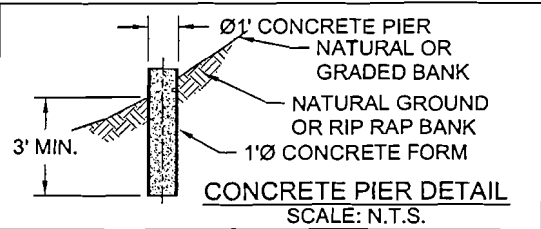
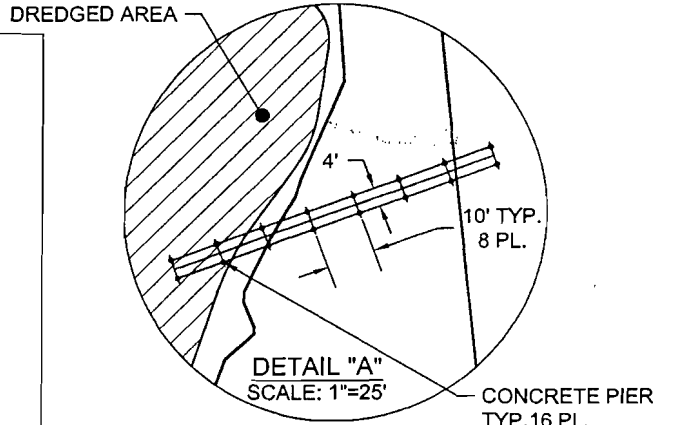
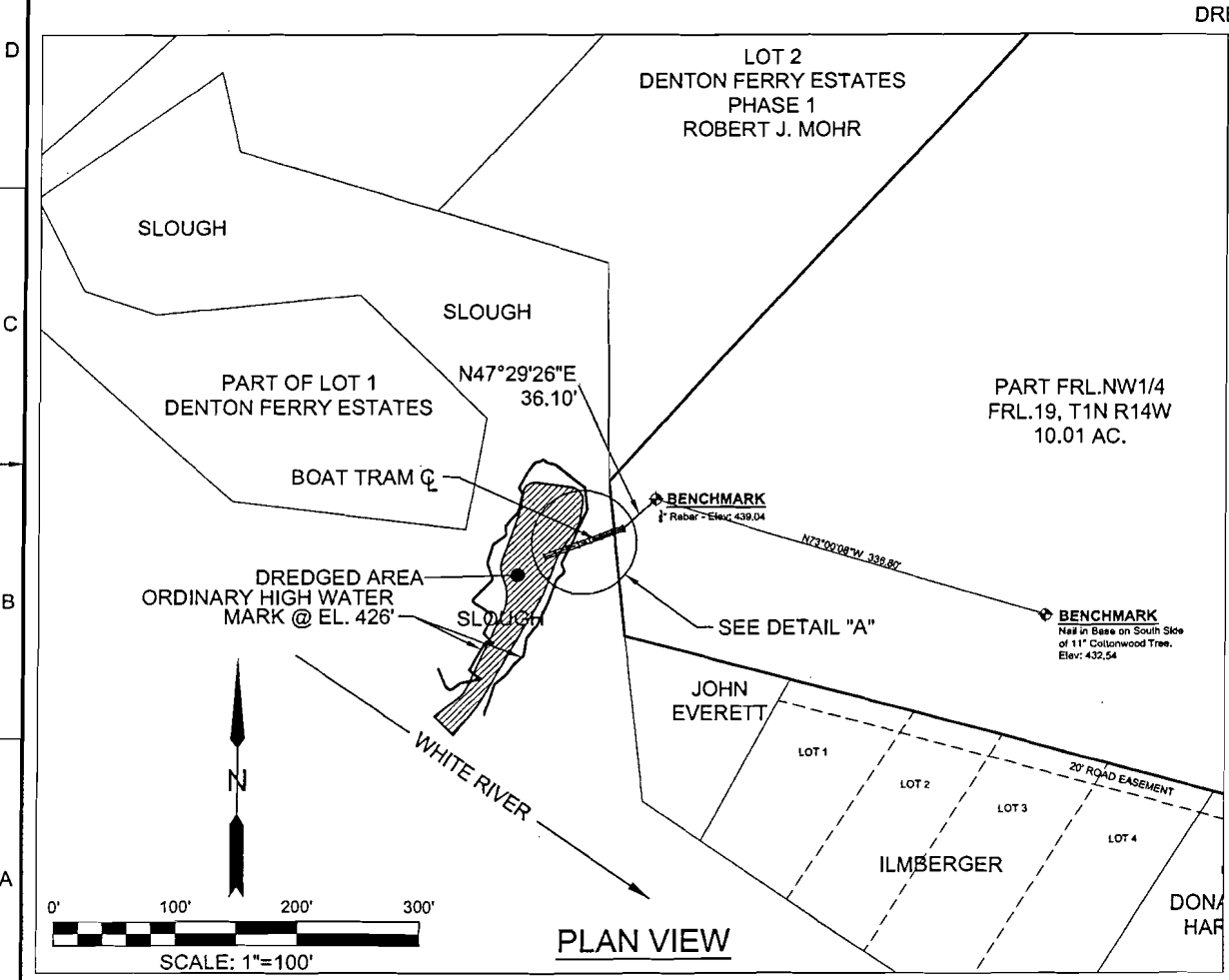
White River, mile 405.2

December 2008

Sheet 8 of 10

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REVISIONS			
ZONE	DATE	DESCRIPTION	REV. APPR. BY
	10-27-08	Ordinary High Water Mark Elevation Revised to 426' from 421'; Topographic Survey Adjusted Accordingly	RLS TCD



NOTE: No concrete truck washout is allowed on the site.

Rose's Land Surveying, Inc.
 811 Highway 5 North, Mountain Home, Arkansas 72653

Tom C. Dame
 Cotter, Baxter County, AR

DATE: 02-20-07	BOAT TRAM DETAIL	DRAWN BY: DRP
SCALE: AS NOTED		REVISED: 10-27-08
Department of the Army Little Rock District, Corps of Engineers Permit Application Drawing		APPROVED BY:
FOR: Tom C. Dame 63 Breckenridge Court, Mountain Home, AR 72653		SHEET # 7 OF 8
		DRAWING NO: 0108025C

ACTION NO. 05532-1
 Tom C. Dame
DREDGING, BANK STAB
 White River, mile 405.2
 December 2008 Sheet 9 of 10

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WATER ALLOCATION DETAIL

WATER VOLUME CALCULATION
FOR PERIODIC POND FILLING PURPOSES

POND SURFACE AREA = 31,763.8 SQ. FT.
AVERAGE DEPTH = 3 FEET

POND VOLUME = 95,291.4 CU. FT.
X 7.48 GAL/CU. FT.

TOTAL GALLONS = 712,780 GAL.

LEGEND	
	PROPERTY BOUNDARY
	CENTER LINE
	LOT LINE
	RIGHT OF WAY (ROW)
	ADJACENT PROPERTY
	NATURAL CONTOUR (Index)
	NATURAL CONTOUR

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Cotter, Baxter County, AR

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FOR: Tom C. Dame 63 Breckenridge Court, Mountain Home, AR 72653		SHEET # 8 OF 8
		DRAWING NO: 0108025C

ACTION NO. 05532-1

Tom C. Dame

DREDGING, BANK STAB

White River, mile 405.2

December 2008

Sheet 10 of 10

