

**10972-GI****PUBLIC NOTICE  
CORPS OF ENGINEERS - STATES OF ARKANSAS AND MISSOURI****THIS DOCUMENT IS FOR INFORMATION ONLY  
NOT FOR COMMENTS**

Revision and Time Extension of a General Permit  
for the construction, operation, and maintenance of recreational facilities in navigable waters of  
the United States within the States of Arkansas and Missouri.

**TO WHOM IT MAY CONCERN:**

Background. On December 19, 2006, the Little Rock District Corps of Engineers, as the lead district in the state of Arkansas, issued a public notice announcing reissuance of this general permit for recreational facilities in navigable waters within the states of Arkansas and Missouri. This general permit may be used in the Little Rock, Vicksburg, and Memphis Districts. The authority for permit issuance is found in 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). Corps districts are authorized to develop general permits in accordance with Title 33, Code of Federal Regulations Parts 325.2(e)(2) and 325.5(c)(1).

Determination to Revise and Extend. After reviewing the previous actions authorized under this general permit and comments received on the public notice, it is our assessment that the work authorized will not have significant adverse environmental impacts and that the public interest will be served by the extension and revision of this general permit.

The policies of this general permit will be subject to reconsideration at any time, but will be reviewed at least every five (5) years. This general permit is therefore issued for a period of 5 years until **April 30, 2012** unless it is revoked or specifically extended in the interim.

Notification/Verification Requirement. Anyone wanting to do work under the proposed general permit would have to notify the Little Rock District and receive verification that the proposed work met the limits of the general permit. The notification/verification details are outlined in the Procedures for Verifying Authorization attached to the general permit.

Consideration of New/Additional Information. If additional information, developed during the life of the permit, indicates factors contrary to the public interest, this general permit may be suspended, modified, or revoked.

Interested parties are requested to provide comments on this general permit at any time during the life of the permit. Comments should be addressed to Chief, Regulatory Office, US Army Corps of Engineers, PO Box 867, Little Rock, Arkansas 72203-0867.

Enclosures

Jerry L. Harris, P.E.  
Chief, Regulatory Office

## PROCEDURES FOR VERIFYING AUTHORIZATION

### GENERAL PERMIT – **10972-GI**

#### RECREATIONAL FACILITIES

1. The U.S. Army Corps of Engineers, Little Rock District, has issued the attached general permit for the construction, operation, and maintenance of recreational facilities in navigable waters of the United States within the States of Arkansas and Missouri for use in the Little Rock, Vicksburg, and Memphis District. This general permit is currently valid until April 30, 2012. The following procedures must be followed to verify authorization to do work under this general permit.

2. Procedures for Verifying Authorization. You shall use the following procedures in verifying authorization under this general permit.

a. You shall submit a written description of the proposed work to the appropriate U. S. Army Corps of Engineers District at least 30 days prior to proposed commencement of work. The addresses are: District Engineer, ATTN: CESWL-RO, U.S. Army Corps of Engineers, Little Rock District, P.O. Box 867, Little Rock, Arkansas 72203-0867, District Engineer, ATTN: CEMVK-OD-F, U.S. Army Corps of Engineers, Vicksburg District, 4155 Clay Street, Vicksburg, Mississippi 39183-3435, and District Engineer, ATTN: CEMVM-CO-R, U.S. Army Corps of Engineers, Clifford Davis Federal Building, Room B-202, Memphis, Tennessee 38103-1894.

b. Included with the submittal shall be drawings which accurately depict the work and its exact location. The type, sizes, and quantities of structures and/or materials to be used should be fully described, including appropriate dimensions. This information should include lot sizes and the proposed distances between neighboring docks or other structures.

c. You shall submit the addresses of the adjacent landowners on each side of your lot.

d. Upon receipt of your request, the Corps of Engineers will determine whether the work falls within the criteria established by this general permit. The length of time required to process each request under this general permit will be directly related to the adequacy and completeness of the information you submit. You will receive a letter of verification if the work is covered by this general permit. If the work cannot be authorized under this general permit, you will be notified that your application must be processed under other procedures, which may involve submission of additional information and likely issuance of a public notice.

e. To comply with the intent of the National Historic Preservation Act (NHPA), each proposed activity that meets the criteria in this general permit will be coordinated with our staff archeologist, for review. The Corps archeologist will (1) review the National Register of Historic Places for known historic properties, (2) review any completed archeological

reconnaissances and surveys in the affected area, and, if indicated, (3) complete an archeological reconnaissance on the proposed site if one has not already been accomplished.

f. In areas where the United States has acquired an interest in the real estate under the jurisdiction of the Corps of Engineers, such as easements for occasional flooding, a real estate instrument will be required. Processing of the real estate instrument will begin when plans are received from you. If the request for use of the real estate is disapproved, the authority granted under this general permit will be null and void.

g. Additionally, the proposed project will be coordinated for possible conflicts with navigation when it is proposed for construction on the McClellan-Kerr navigation system. Each applicant must comply with applicable FEMA-approved state or local floodplain management requirements. These Corps reviews, with the exception of execution of required real estate instruments, will be completed within five (5) days.

DEPARTMENT OF THE ARMY PERMIT

General Permit: **RECREATIONAL FACILITIES**  
**Arkansas and Missouri**

Permit No.: **10972-GI**

Issuing Office: Department of the Army  
Little Rock District  
P.O. Box 867  
Little Rock, Arkansas 72203-0867

NOTE: The term "you" and its derivatives, as used in this general permit, means any of the permittees whose work is authorized under its terms and conditions. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description: Work authorized under this general permit is restricted to the construction, operation, and maintenance of certain facilities designed and intended for recreational use. Authorized structures include pile supported or floating docks, mooring piles, and marine railways. Structures shall not extend more than 50 feet waterward of where the ordinary high water elevation intersects the bankline or 15 percent of the waterway width, whichever is less. Docks or other structures located on the section of Lake Taneycomo upstream of the Union Pacific Railroad Bridge (navigation mile 520.35) shall not extend waterward more than 12 percent of the waterway width. Configuration of docks may vary provided that the surface area does not exceed 1000 square feet. The length of the dock parallel to the shoreline shall not exceed 50 percent of the landowner's shoreline frontage. Docks shall not be placed within 50 feet of another dock unless the width of the lot does not allow this minimum distance. In that case, the distance between the proposed dock and the property line must be a minimum of 20 percent of the landowner's shoreline frontage.**

**Fill material used to complete railway systems should not exceed 15 cubic yards below the ordinary high water mark. No activity may use unsuitable material (e.g., trash, debris, asphalt). Materials used for construction must be free from toxic pollutants in toxic amounts.**

**Note: It is recommended that the construction of new recreational facilities or the repair of existing, permitted facilities be in accordance with the design criteria attached as APPENDIX I.**

Project Location: **This general permit is applicable to all navigable waters of the United States in the Little Rock District and the State of Arkansas including the Vicksburg and Memphis districts with the exceptions of: (1) the portion of Lake Taneycomo upstream of White River navigation mile 525.5 (Fall Creek vicinity), (2) any portion of the Arkansas River inside the navigation channel, and (3) those lakes constructed and operated by the U.S. Army Corps of Engineers where the surrounding property is under complete Federal ownership and administered under 36 CFR, Part 327, paragraphs 1 - 30.**

Permit Conditions:

General Conditions:

1. Authorization under this general permit is valid for **three years** from the date of the verification letter to you. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this general permit in good condition and in conformance with the terms and conditions of this general permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this general permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this general permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this general permit, you must inform the new owner to contact this office so that the authorization can be transferred or reissued.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this general permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this general permit.

Special Conditions:

- 1. You must take all appropriate steps to ensure the integrity of the permitted structure through adequate construction practices and secure anchorage. Recommended design criteria are attached as APPENDIX I.**
- 2. Materials used in the construction or repair of structures must either be metal or pressure treated wood to retard rotting and/or decomposition. Note: In Missouri you may not use lumber products treated with pentachlorophenol or creosote for the construction of docks, walkways, or support piers, or for any repair of said structures.**
- 3. On all new floating docks, flotation shall be of materials that will not become waterlogged, are resistant to damage by animals, and will not sink or contaminate the water if punctured. Foam bead flotation is authorized provided that it meets the above criteria, is not subject to deterioration through loss of beads, and has a minimum density of 1.2 lb/cubic foot. Foam bead flotation with a density of 1.2 lb/cubic foot, but which does not otherwise meet the above criteria, is authorized provided it is encased in an approved protective coating which enables it to meet the specifications above. An approved coating is defined as warranted by the manufacturer for a period of at least eight years against cracking, peeling, sloughing, and deterioration from ultra violet rays, while retaining its resiliency against ice and bumps by watercraft.**
- 4. You must remove all excess construction materials and debris from the bank after completion of the work.**
- 5. You must protect all areas disturbed along the bank during construction from subsequent erosion. Any excavation or other disturbance shall be limited to that minimum amount necessary to install and anchor boat docks or other facilities.**
- 6. There shall be no unreasonable interference with navigation by the existence of the authorized activity.**
- 7. No structure shall be constructed within the established buffer zone of an intake for a public water system, or 300 feet, whichever is larger.**
- 9. You shall not use trees as an anchoring point for the structure.**

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(x) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403).

(x) Section 404 of the Clean Water Act (33 U.S. Code 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization:

a. This general permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This general permit does not grant any property rights or exclusive privileges.

c. This general permit does not authorize any injury to the property or rights of others.

d. This general permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this general permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this general permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this general permit.



4. **Reliance on Applicant's Data:** The determination of this office that your proposed work complies with the terms and conditions of this general permit was made in reliance on the information you provided.

5. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this general permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

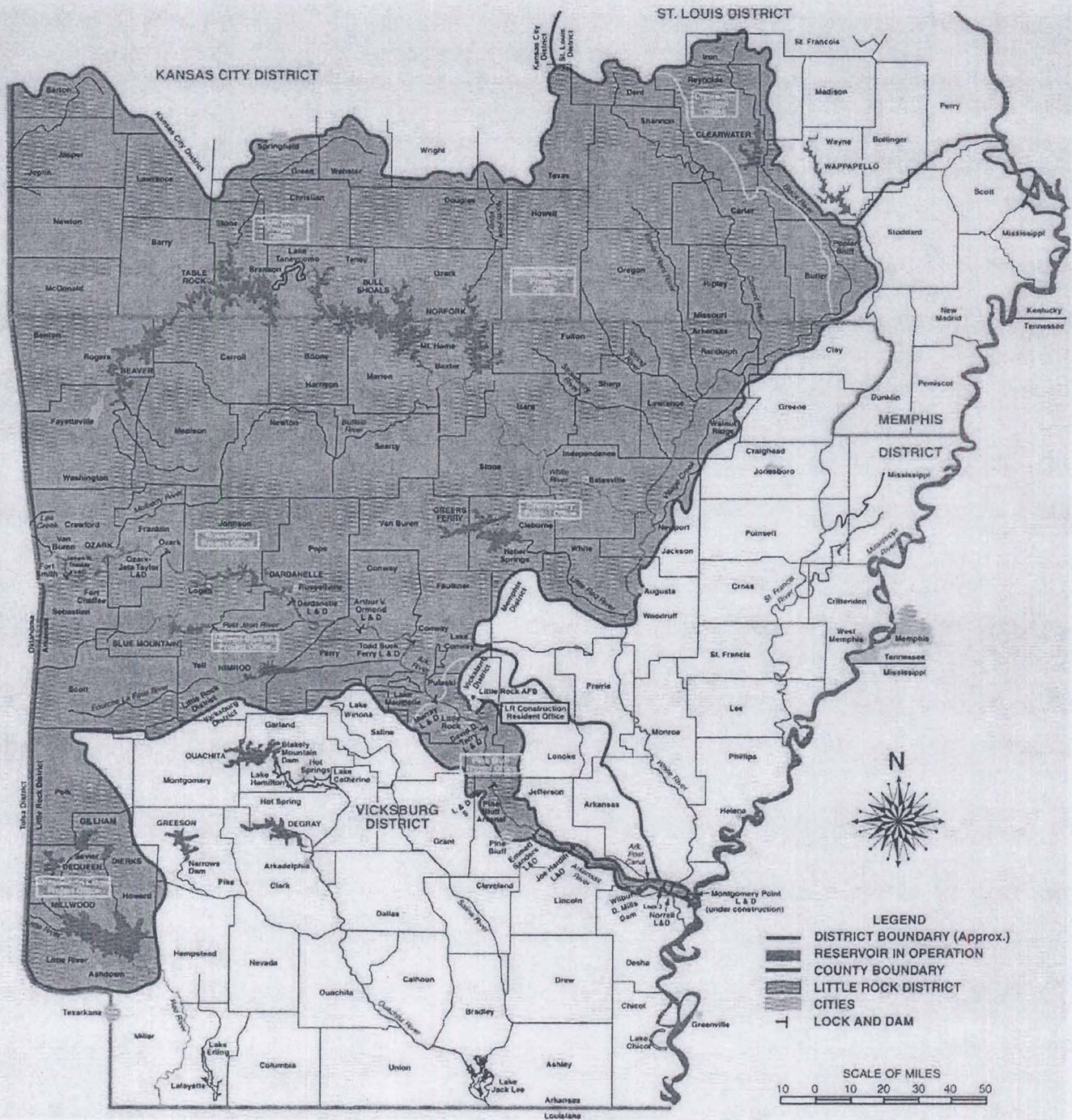
a. You fail to comply with the terms and conditions of this general permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your general permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions:** General Condition 1 establishes a time limit for the completion of your activity authorized by this general permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.



**Points of Contact  
U. S. ARMY CORPS OF ENGINEERS  
Regulatory Activities – Little Rock District & Adjacent Districts**

Little Rock District  
ATTN: CESWL-PR-R  
P.O. Box 867  
Little Rock, AR 72203-0867  
(501) 324-5295

Memphis District  
ATTN: CEMVM-OD-R  
167 N. Main Street  
Room B-202  
Memphis, TN 38103-1894  
(901) 544-3471

Vicksburg District  
ATTN: CEMVK-OD-F  
4155 E Clay Street  
Vicksburg, MS 39183  
(601) 631-5276

**ACTION NO. 10972**  
**GENERAL PERMIT – GI**  
**Recreational Facilities**  
Little Rock District - Arkansas  
April 27, 2007 SHEET 1 OF 1

## APPENDIX I

### RECOMMENDED DESIGN CRITERIA

#### **Minimum Design Loads:**

- (1) Deck loads and walkways (substructure) 30#/sq ft
- (2) Wind loads (sub and superstructure) 20#/sq ft
- (3) Roof loads (superstructure) 10#/sq ft

1. **Wood Construction:** Wood materials will be of good quality, suitable for the intended purpose. All connections will be secured to resist movement that would tend to dismantle the structural connections.

(a) Wooden floor joists and flotation frames shall be not less than 2" x 8" with a maximum spacing of 24" center to center.

(b) Wood columns may be 4" x 4" and/or double 2" x 4" spaced not more than 4'-0" center-to-center or single 2" x 4", spaced not more than 2' -0" center-to-center. Where the roof structure has adequate bracing, the 4" x 4" vertical supports may be spaced up to 8' -0" on centers. Columns will be spaced symmetrically on each side of walkways and bolted through the 4" dimension to 2" x 8" stringers or flotation frames.

(c) Wooden walkways and decking shall be not less than 1" rough, 2" x 6" S4S, 3/4" exterior plywood, or other material capable of supporting a minimum design load of 30#/sq. ft.

(d) Wood roof joists or rafters shall be 2" x 6" spaced not more than 2' -0" center-to-center. Consideration will be given to 4' -0" spacing with 2" x 8" rafters. Purlins shall be 2" x 4" spaced not more than 24" center to center.

(e) Wood roof decking may consist of 1" nominal tongue and groove, shiplap, or 1/2" plywood sheathing covered with 90-pound asphalt roll roofing or asphalt shingles. When asphalt shingles are used, the roof slope must be at least 4 on 12. Roofs must be securely fastened to the superstructure to resist wind uplift.

2. **Metal Construction:** New metal on the exposed exterior of the superstructure is desired. Used metal may be authorized if it is in good condition with no rust. Either welded or bolted connections may be used.

(a) Metal floor joists and flotation frames shall be the equivalent of 2" ID standard pipe. Framing for metal wall or column construction shall be the equivalent of 1-1/4" ID standard pipe. Studs shall not exceed 48" center to center. Other standard steel or aluminum structural sections may be approved if designed for a minimum design load of 30# sq. ft.

(b) Metal roof joists or rafters shall be the equivalent of 1-1/4" ID standard pipe or larger spaced not more than 2' -0" center-to-center. Consideration will be given to approving 4' -0" spacing where sufficient vertical supports and bracing are provided. Other standard steel or aluminum structural sections may be approved if designed for a minimum design load of 10# sq. ft.

(c) Metal roofs must be a minimum of 28 gauge for steel and aluminum roofs must have a thickness of at least 0.032 inches. Roofs must be securely fastened to the superstructure to resist wind uplift.

3. **Bracing.** All columns and studwalls will be adequately braced to resist windloads. Bracing will be designed and constructed to counteract design loads while allowing sufficient flexibility so wave action will not damage the structural and/or roof system.

4. **Anchorage.** The anchorage system shall provide secure mooring of the structure. Anchorage systems utilizing a deadman or ground stakes shall be installed flush with the existing grade. Anchor cables or other securing devices shall be maintained in good repair, and located to minimize obstruction hazards.

5. **Walkways:**

(a) Main walkways shall be at least 3 feet in width. The minimum width walkway between slips shall be 3 feet when used as access to boats.

(b) Walkways from shore to dock shall be free from excessive spring, deflection, and lateral movement.

(c) Walkways shall be above the water at all times.

(d) The method of permanently attaching the walkway to the dock and anchoring it to the shore will be shown in detail on the dock plans.

6. **Handrails:**

(a) Handrails will be provided on at least one side of the walkways leading to the dock and around the outside of the dock except where an opening is needed for loading and unloading boats.

(b) Handrails shall be at least 2" x 4", approximately 42" high with a guardrail at 20" above the deck. Posts for handrails shall be spaced not more than 8' -0" on center and must be the equivalent of 4" x 4" if wood or 2" OD standard pipe if metal.

7. Electrical. All electrical work shall meet the requirements of any local or state codes and the National Electric Code. Particular attention should be given to article 555 of the National Electric Code. It is strongly recommended that any electrical work be done by a licensed electrician, engineer, or electrical contractor. Where a meter pole is used, a fused disconnect switch should be provided for de-energizing the feeder cable at its source.

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT  
(33 CFR 328)

OMB APPROVAL NO. 0710-003  
Expires October 1996

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Service, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Please DO NOT RETURN your form to either of these addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or effecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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ITEMS BELOW TO BE FILLED BY APPLICANT

5. APPLICANT'S NAME Joe and Jane Applicant	8. AUTHORIZED AGENT'S NAME AND TITLE <small>(see agent is not required)</small>
6. APPLICANT'S ADDRESS 123 River Lane Eddy, Arkansas 70000	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NOS. W/AREA CODE a. Residence (501) 555-1347 b. Business (501) 555-1234	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business

STATEMENT OF AUTHORIZATION

I hereby authorize, \_\_\_\_\_ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

*Joe Applicant*  
APPLICANT'S SIGNATURE

1/1/96  
DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)

Recreational Facility

13. NAME OF WATERBODY, IF KNOWN (if applicable)

Blue River

14. PROJECT STREET ADDRESS (if applicable)

Same as applicants

15. LOCATION OF PROJECT

Any  
COUNTY

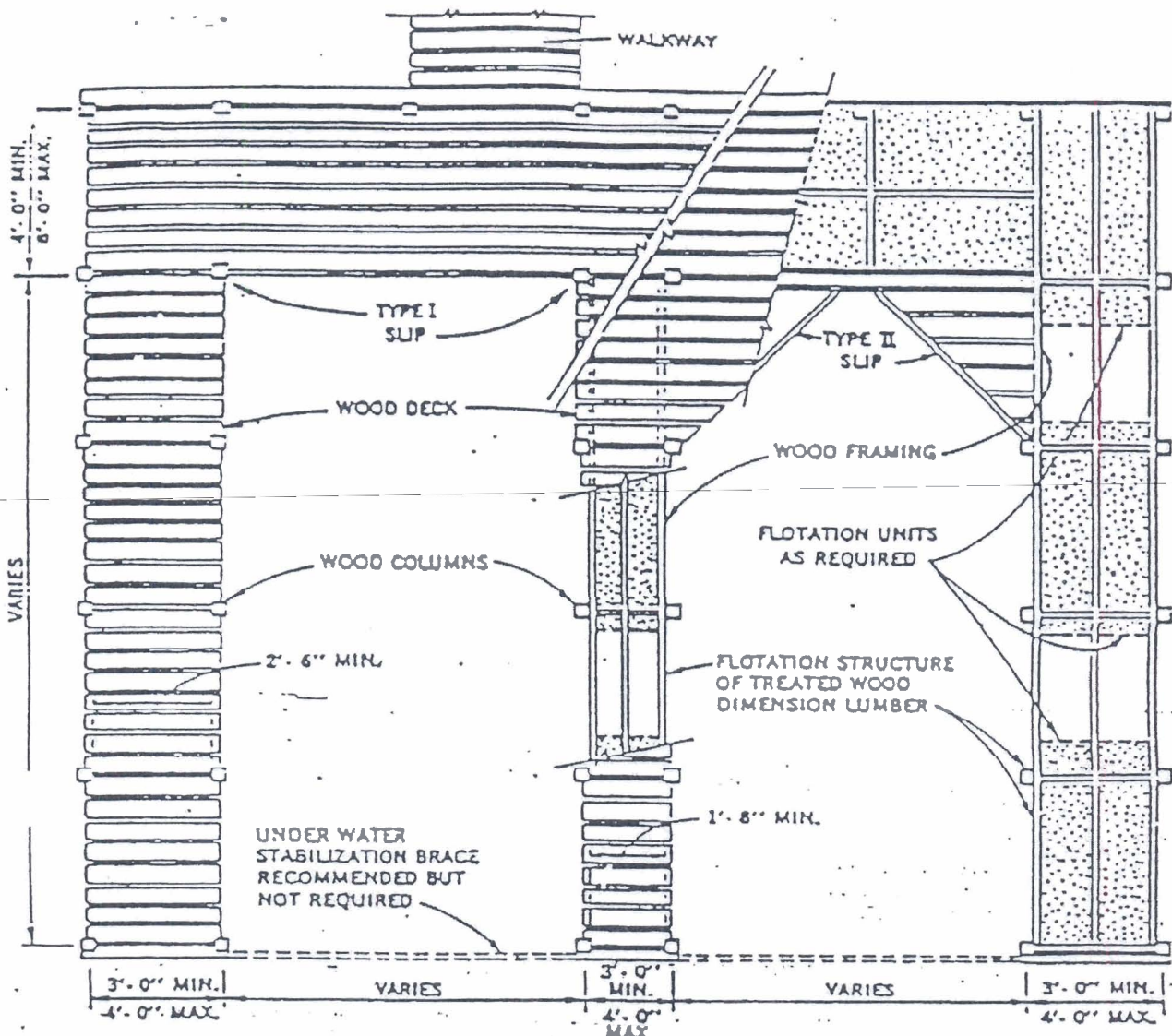
AR/MO  
STATE

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, (see instructions)

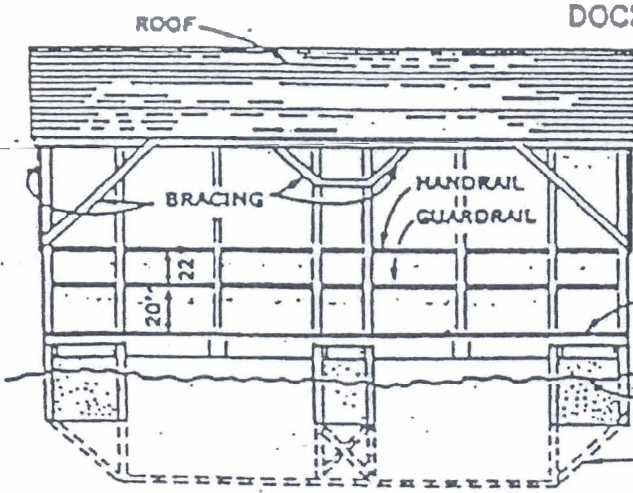
River Mile 398.2, right descending bank, Blue River

17. DIRECTIONS TO THE SITE

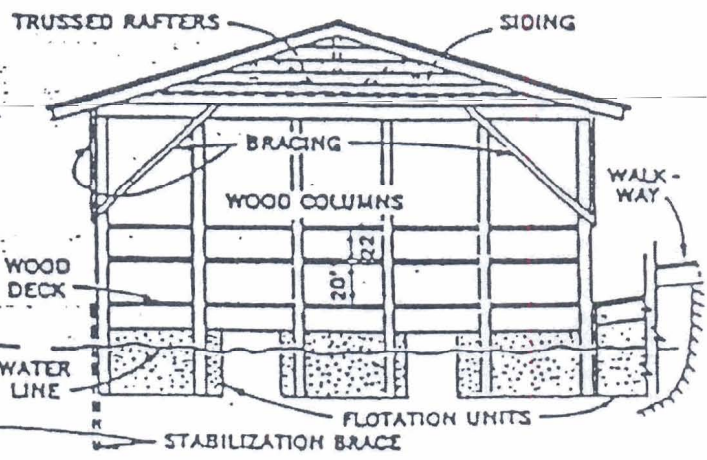
EXAMPLE



DOCK PLAN



FRONT ELEVATION

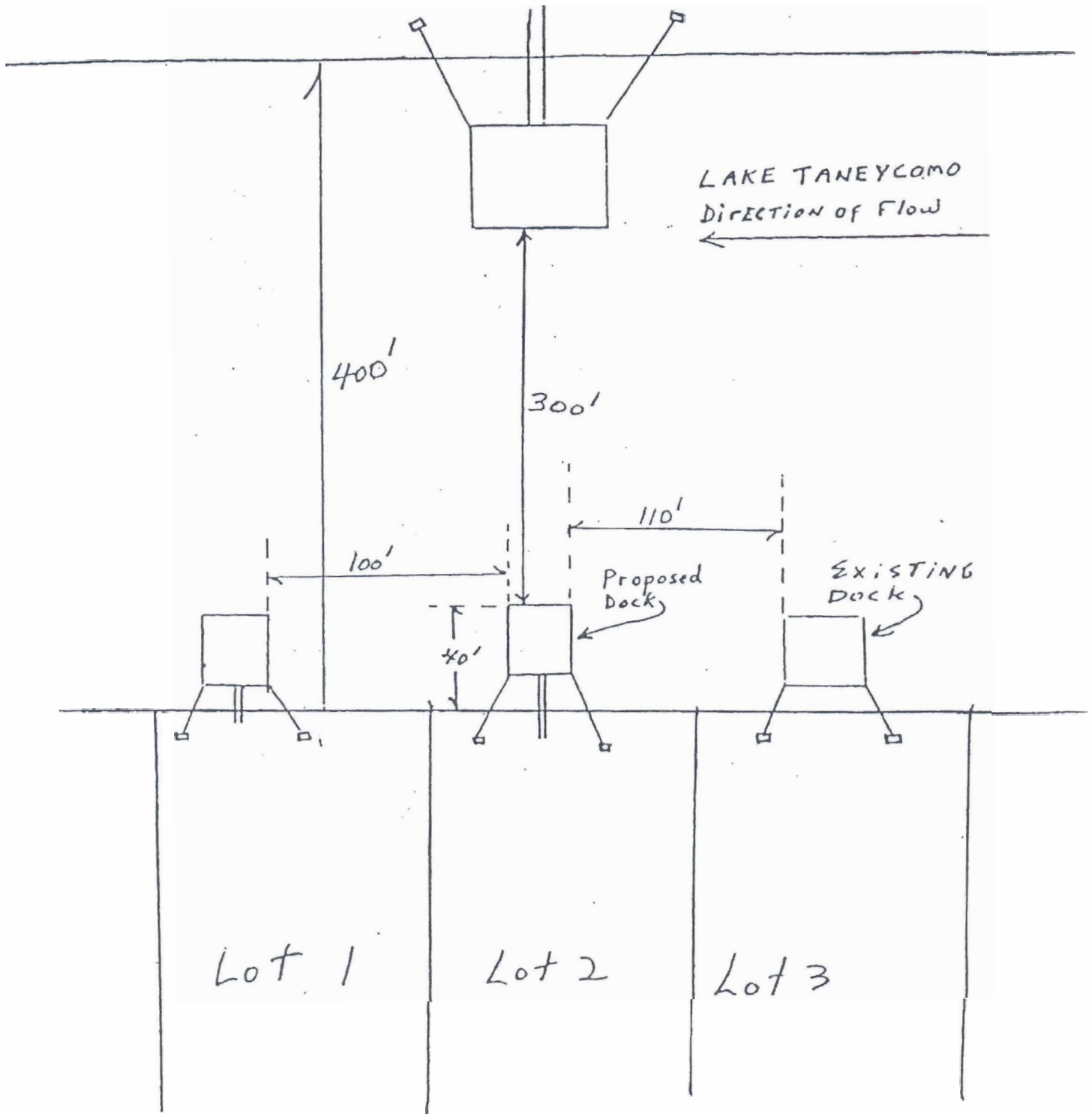


SIDE ELEVATION

# EXAMPLE

NOT TO SCALE

# EXAMPLE LAKE TANEYCOMO





# EXAMPLE

## LAKE TANEYCOMO

SCALE 1" = 10'

