



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. 08-49

Date: August 5, 2008

Application No. 2008-00543

Expiration Date: September 5, 2008

Please address all comments to: Nashville District Corps of Engineers, Regulatory Branch (Attn: Maryellen Farmer), 3701 Bell Road, Nashville, TN 37214.
Telephone: (615) 369-7517, Fax (615) 369-7501.

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Community Dock and Concrete Boat Launching Ramp, H.A. Harris Subdivision, Holston River Mile 76.6R, Cherokee Reservoir, Grainger County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 1344)** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**. The boat launching ramp included in this application has been previously authorized for purposes of Section 10 and 404 of the Clean Water Act (33 USC 1344) by existing Nationwide Permit 36 [January 15, 2002, Federal Register, Issuance of Nationwide permits; Notice (67 FR 2020)].

APPLICANT: Lakeview Management and Development
1955 Lakeshore Road
Bean Station, TN 37708

LOCATION: Holston River Mile 76.6R, Cherokee Reservoir, Grainger County, Tennessee. Latitude: 36.28 Longitude: -83.28
USGS Topographic Map: Bean Station, TN

DESCRIPTION: The proposed work consists of the construction of a 60' x 200' covered floating community boat dock with sixteen 4' x 28' fingers, producing fourteen 22' x 28' boatslips and two 10' x 28' slips. This structure would be connected to the shoreline by a 4' x 60' walkway. The walkway would be on rollers and would extend a maximum 75' lakeward during winter drawdown of Cherokee Reservoir. All structures would be constructed of aluminum decking, frames and flooring and approved encapsulated foam floatation. The maximum lakeward extension of the facility would be approximately 135' from the normal summer pool elevation of 1073.0. The community dock would be for the private use of

residents of the proposed Harborside Subdivision. The proposed subdivision would consist of 4 20-unit condominiums. The property is currently owned by Mr. H.A. Harris. Lakeview Management & Development has an option to buy pending permit approval.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the 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 work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The Regulatory Branch Archeologist conducted a file search at the Tennessee Division of Archaeology (TN DOA). Based on the file search conducted at the TN DOA and the limited potential for intact cultural materials to be located within the water pool of Cherokee Reservoir, the Corps has determined that the project as

proposed has no potential to affect historic properties eligible for listing in the National Register of Historic Places. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

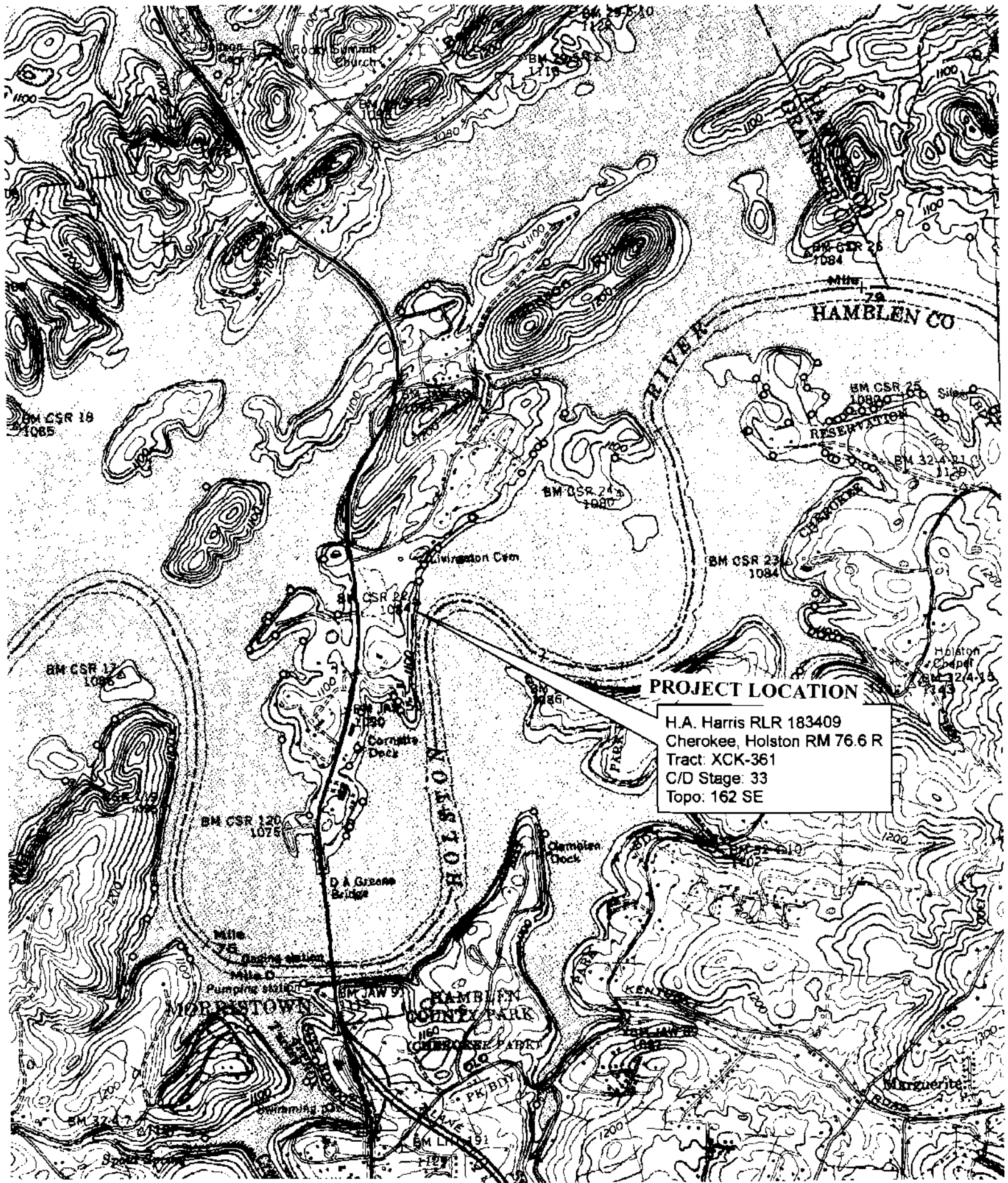
Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

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. Written statements received in this office on or before September 5, 2008, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Maryellen Farmer, at the above address, (615) 369-7517, Fax (615) 369-7501.

The email address is Maryellen.J.Farmer@usace.army.mil. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to:

TVA - Holston, Cherokee, Douglas Watershed Team
Attn: Mr. Brian Stewart
3726 E. Morris Blvd.
Morristown, TN 37813-1270

If you received this notice by mail and wish to view all of the diagrams, visit our web site at:
<http://www.lrn.usace.army.mil/cof/notices.htm>, or contact Mrs. Farmer at the above address or phone number.

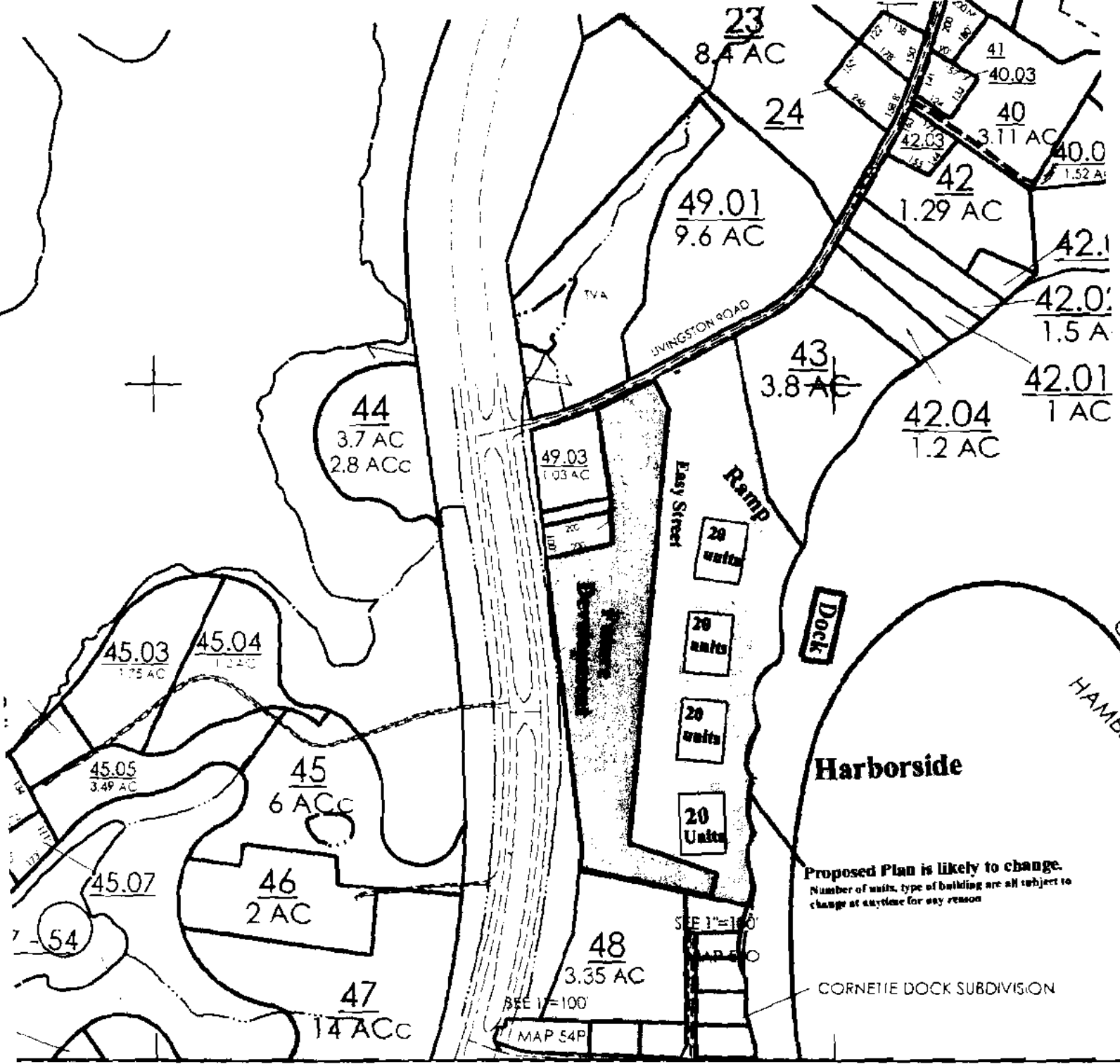


PROJECT LOCATION
H.A. Harris RLR 183409
Cherokee, Holston RM 76.6 R
Tract: XCK-361
C/D Stage: 33
Topo: 162 SE

USGS
BEAN STATION, TN

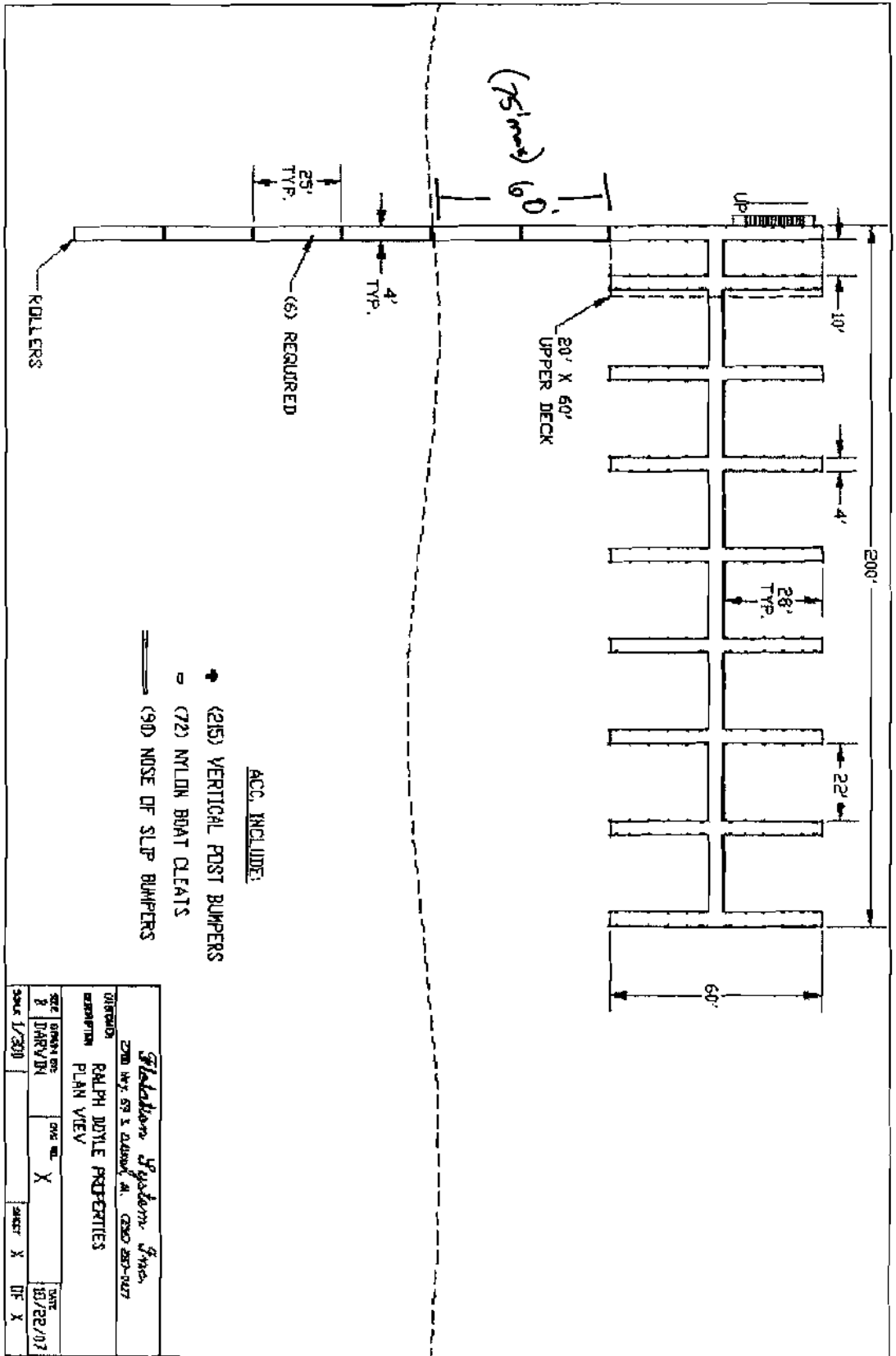
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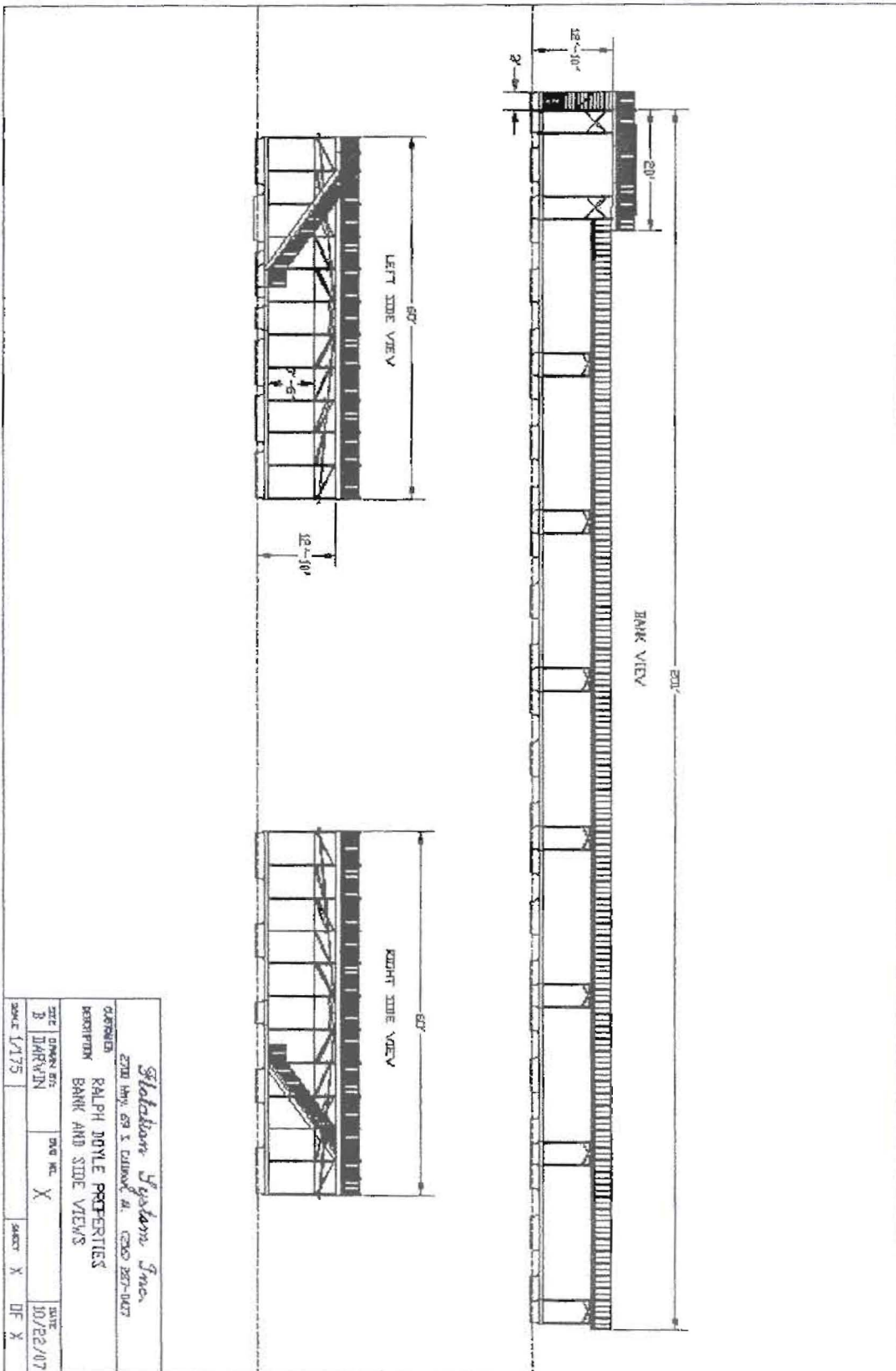
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<i>Station System Inc.</i>			
2701 Hwy. 69 S. CLARK, AL. COND 287-047			
OWNER	RALPH DOYLE PROPERTIES		
DESCRIPTION	BANK AND SIDE VIEWS		
DATE DRAWN BY	DATE	NO. REC.	DATE
B. DARWIN		X	10/22/07
SCALE 1/4"=1'-0"		SHEET X	OF X

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