



DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS
POST OFFICE BOX 867
LITTLE ROCK, ARKANSAS 72203-0867
www.swl.usace.army.mil/

REPLY TO
ATTENTION OF

CESWL-RD

December 20, 2010

General Permit – 09045-GK

JOINT PUBLIC NOTICE
CORPS OF ENGINEERS - STATES OF ARKANSAS and MISSOURI

ISSUANCE OF A GENERAL PERMIT which authorizes work associated with the discharge of dredged or fill material into some waters of the United States, including wetlands, and work in, over, under, or affecting navigable waters of the United States, associated with the construction of boat launching ramps on waters of the United States within the Little Rock District in Arkansas and Missouri.

TO WHOM IT MAY CONCERN:

Background. On August 13, 2010, the Little Rock District of the Corps of Engineers issued a joint public notice with the States of Arkansas and Missouri announcing consideration of issuance of this general permit associated with the construction of boat launching ramps on all waters of the United States within the Little Rock District in Arkansas and Missouri. 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 Issue. After reviewing 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 issuance of the 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 **December 31, 2015**, 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 appropriate Corps 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. All prospective permittees should review the entirety of the general permit and verification procedures.

Water Quality Certification. Attached to this public notice, you will find a copy of the Section 401 Water Quality Certification and special conditions, which are conditions of your permit. If

CESWL-RD

you have questions concerning compliance with the conditions of the 401 certification, you should contact either the State of Arkansas, Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317, (501) 682-0744 or the State of Missouri, Department of Natural Resources, Water Protection Program, NPDES Permits and Engineering Section, PO Box 176, Jefferson City, Missouri 65102-0176, (573) 751-7023.

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 Division, US Army Corps of Engineers, PO Box 867, Little Rock, Arkansas 72203-0867.

NOTE: The mailing list for this Public Notice is arranged by state and county(s) 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

Joyce C. Perser
Chief, Regulatory Division

DEPARTMENT OF THE ARMY PERMIT

General Permit: **Boat Launching Ramps on Waters of the United States within the Little Rock District in Arkansas and Missouri (including Corps of Engineers lakes)**

Permit No.: **09045 - GK**

Issuing Office: Department of the Army
Little Rock District
PO 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 boat launching ramps and associated bank stabilization. It will cover the following activities when applicable:

- a. Excavating through the bank of the affected waterbody to establish the necessary grade of the ramp. The amount of excavation would be determined by the bank's height above the normal water surface and the relative steepness of the bank.**
- b. The placement of fill material onto the ramp surface to establish the proper grade and the granular fill placed for bedding in conjunction with the ramp.**
- c. The pouring of concrete or placement of precast concrete slabs or other paving material to create a ramp surface. Ramp surface materials not authorized by this general permit include petroleum-based materials such as asphalt, materials containing petroleum products or chemical pollutants, and wooden materials that could be washed into the waterway.**
- d. The placement of riprap or the construction of retaining walls when required as an integral part of ramp construction for bank stabilization.**
- e. The placement of temporary fill material for the construction of a temporary cofferdam when pouring a concrete slab below the normal water surface. The use of recast concrete slabs would preclude the need for cofferdam construction.**

CESWL-RD

This general permit covers launching ramps that require less than 300 cubic yards of permanent fill and 100 cubic yards of temporary fill for cofferdam construction. The permanent fill includes material deposited for subgrade preparation as well as concrete for the ramp and riprap or other fill used for bank stabilization. This general permit does not authorize any dredging or excavation below the ordinary high water mark of the waterbody as may be required for boat access to the ramp. All excess materials resulting from excavation for the ramp or excess fill material will be placed above the ordinary high water mark of the waterbody and outside the limits of any wetlands, and must not be placed in the proximity of a public water supply intake.

Maintenance of boat ramps authorized under this general permit includes excavation and removal of accumulated sediment, provided the dredged material is disposed of at an upland site and proper siltation controls are used.

Project Location: This general permit is applicable to waters of the United States within the Little Rock District in Arkansas and Missouri including certain lakes constructed and operated by the Army Corps of Engineers. Authorization will not be granted for ramps proposed in areas which conflict with the applicable shoreline and land-use allocations as established by the Little Rock District in the “Master Plan for Development and Management” of each lake. Prospective applicants for ramps must contact the District Office in Little Rock or the appropriate Project Office for the lake involved to obtain a determination on whether the proposed site is acceptable.

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.

CESWL-RD

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. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. This general permit limits the quantities of fill placed below the ordinary high-water mark for construction of boat launching ramps to the following:

Width of boat launching ramp (feet) - 40

Total area of disturbance for ramp construction (acres) - 0.25

Concrete for ramp base and granular material for bedding or paving (cubic yards) - 100

Backfill and concrete for retaining walls and riprap for bank protection (cubic yards) - 200

CESWL-RD

Total permanent fill material (cubic yards) - 300

Temporary cofferdam (cubic yards) - 100

- 3. You shall not construct boat ramps which would affect Corps of Engineers bank stabilization work (dikes, revetments, etc.) if the construction would endanger the structures or adversely affect navigation.**
- 4. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts.**
- 5. You shall place all excavated material on an upland location and not allow any runoff water from the disposal site to enter the waterbody.**
- 6. You shall not locate the structure in the proximity of a public water supply intake.**
- 7. No activity may occur in areas of concentrated shellfish populations.**
- 8. You shall not adversely affect a threatened or endangered species or its critical habitat, as identified under the Endangered Species Act, as amended.**
- 9. You shall seed, replant, or give equivalent type of protection against erosion to areas disturbed or newly created by your construction activity.**
- 10. You shall comply with applicable FEMA-approved state or local floodplain management requirements.**
- 11. This general permit does not authorize any ramp within one-half shoreline mile of another ramp authorized by this general permit or within convenient driving distance of an existing public launching facility.**
- 12. Construction activities below the ordinary high water mark will be prohibited from March 15 to June 15 (the critical period for fish spawning activities).**

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).

CESWL-RD

(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:

CESWL-RD

- 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.

Enclosures

PROCEDURES FOR VERIFYING AUTHORIZATION

GENERAL PERMIT – 09045 – GK

FOR THE PLACEMENT OF DREDGED AND FILL MATERIAL IN WATERS OF THE UNITED STATES ASSOCIATED WITH BOAT LAUNCHING RAMPS ON WATERS OF THE UNITED STATES WITHIN THE LITTLE ROCK DISTRICT IN ARKANSAS AND MISSOURI

1. The US Army Corps of Engineers, Little Rock District, has issued the attached general permit for boat launching ramps on waters of the United States within the Little Rock District in Arkansas and Missouri. The purpose of the general permit is to provide authorization for launching ramps that require less than 300 cubic yards of permanent fill and 100 cubic yards of temporary fill for cofferdam construction.

Your request for authorization under this general permit certifies that you possess the authority to undertake the proposed work.

This general permit is currently valid until **December 31, 2015**.

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 District Engineer, ATTN: CESWL-RD, US Army Corps of Engineers, Little Rock District, PO Box 867, Little Rock, Arkansas 72203-0867 or the appropriate Operations Manager for the Corps of Engineers lake involved, as listed below, at least 30 days prior to proposed commencement of work. This general permit is applicable to waters of the United States within the Little Rock District in Arkansas and Missouri including lakes constructed and operated by the Army Corps of Engineers.

LAKES

OPERATIONS MANAGER

Arkansas River
upstream of
Murray Lock
and Dam

Operations Manager
Russellville Project Office
Corps of Engineers
1598 Lock & Dam Road
Russellville, Arkansas 72802

CESWL-RD

Arkansas River downstream of Murray Lock and Dam	Operations Manager Pine Bluff Project Office Corps of Engineers 4305 Charles W. Wooden Road Pine Bluff, Arkansas 71611
Beaver	Operations Manager Beaver Project Office Corps of Engineers 2260 North 2 nd Street Rogers, Arkansas 72756
Bull Shoals Norfolk	Operations Manager Mountain Home Project Office Corps of Engineers 324 West 7 th Street Mountain Home, Arkansas 72653
Clearwater	Operations Manager Clearwater Project Office Corps of Engineers RR #3, Box 3559D Piedmont, Missouri 63957
Dardanelle Ozark	Operations Manager Russellville Project Office Corps of Engineers PO Box 1087 Russellville, Arkansas 72801
Greers Ferry	Operations Manager Greers Ferry Project Office Corps of Engineers 700 Heber Springs Road North or PO Box 1088 Heber Springs, Arkansas 72543

CESWL-RD

Millwood Operations Manager
Dequeen Millwood-Tri Lakes
Dierks Project Office
Gillham 1528 Highway 32 East
Ashdown, Arkansas 71822

Nimrod Operations Manager
Blue Mountain Nimrod-Blue Mountain Project Office
Corps of Engineers
3 Highway 7 South
Plainview, Arkansas 72857

Table Rock Operations Manager
Table Rock Project Office
Corps of Engineers
4600 State Highway 165
Branson, Missouri 65616-8980

b. Included with the submittal shall be drawings that 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 of the boat ramp, parking area, and access road.

c. Upon receipt of your request, the District's Regulatory Project Manager 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 submitted. The Project Manager will coordinate the request with other District subject matter experts as follows:

(1) To comply with the intent of the National Historic Preservation Act (NHPA), each proposed activity will be coordinated with our staff archaeologists.

(2) Any project located on Section 10 navigable waterways will be coordinated with the Engineering Division, Hydraulics and Technical Services Branch and the Operations Technical Support Branch.

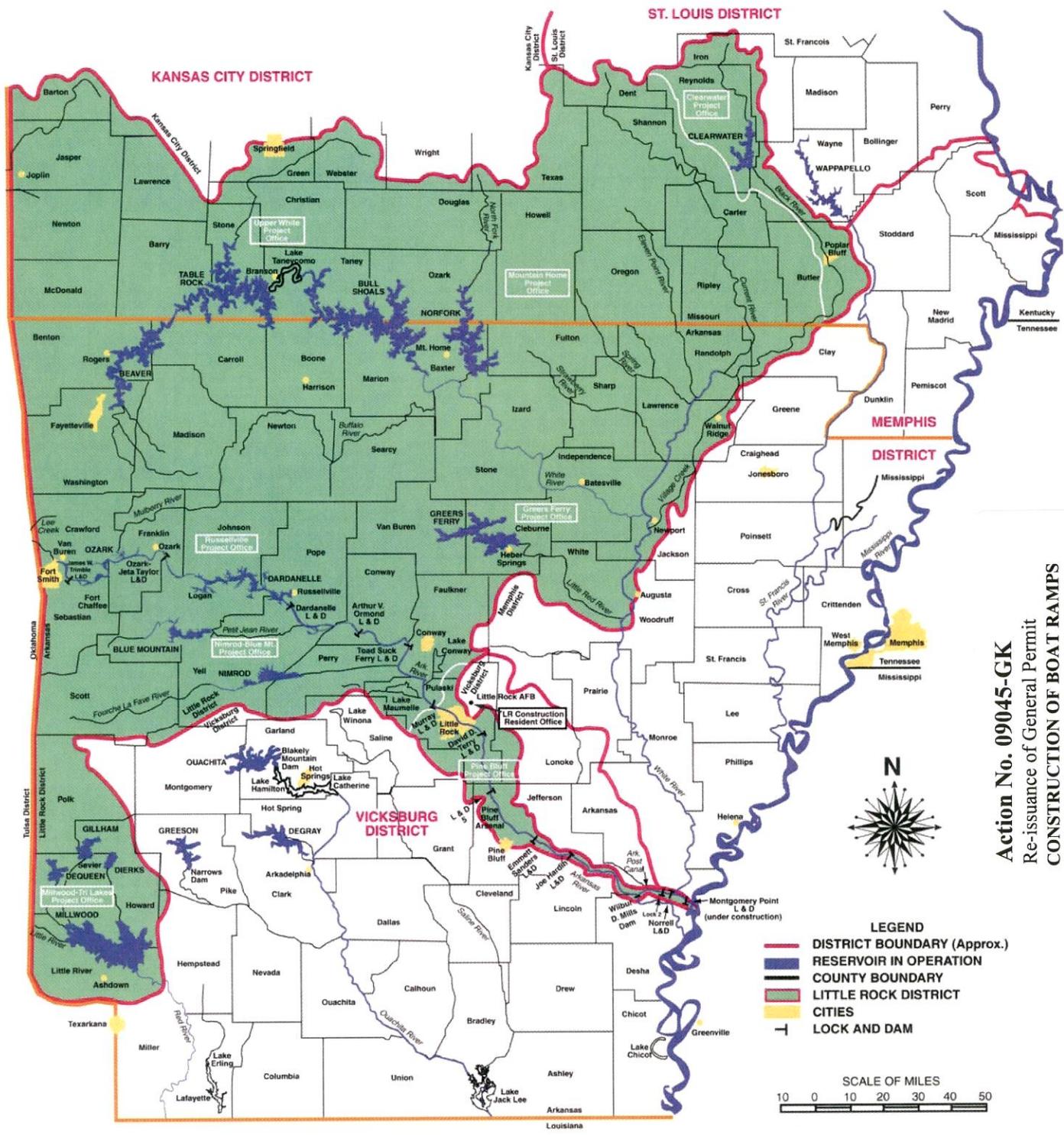
(3) All requests for authorization under this general permit will be coordinated with the District expert on floodplains.

(4) 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

CESWL-RD

when plans are received from the applicant. If the request for use of the real estate is disapproved, the authority granted under this general permit will be null and void.

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.



Action No. 09045-GK
 Re-issuance of General Permit
CONSTRUCTION OF BOAT RAMPS
 Little Rock District in Arkansas and Missouri
 November 2010 SHEET 1 of 2

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

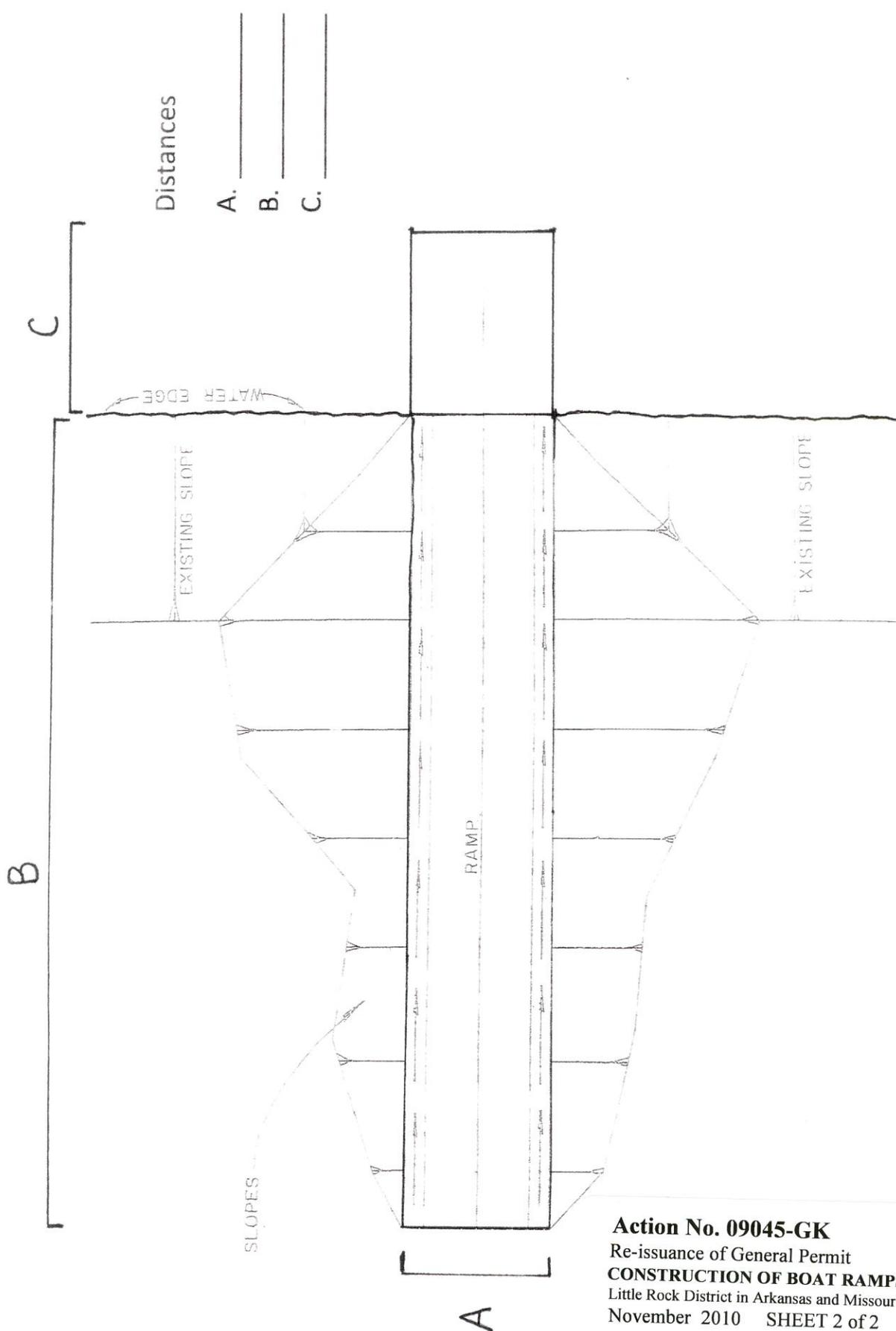
Little Rock District
 ATTN: CESWL-PR-R
 P.O. Box 867
 Little Rock, AR 72203-0867
 (501) 324-5295

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

Kansas City District
 ATTN: CENWK-CO-R
 700 Federal Bldg.
 Room 700
 601 East 12th Street
 Kansas City, MO
 (816) 983-3670

St. Louis District
 ATTN: CEMVS-CO-F
 1222 Spruce Street
 St. Louis, MO
 63103-2833
 (314) 331-8575



Action No. 09045-GK
 Re-issuance of General Permit
CONSTRUCTION OF BOAT RAMPS
 Little Rock District in Arkansas and Missouri
 November 2010 SHEET 2 of 2

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Kip A. Stetzler, Acting Director

www.dnr.mo.gov

OCT -1 2010

Colonel Glen A. Masset
U.S. Army Corps of Engineers
Little Rock District
P.O. Box 867
Little Rock, AR 72203-0867

Various Counties
09045-GK/CEL000267
Revised Certification

Dear Colonel Masset:

The Missouri Department of Natural Resources (Department), Water Protection Program, has reviewed the Public Notice for General Permit 09045-GK dated August 13, 2010, in which the applicant, the Army Corps of Engineers' (Corps) Little Rock District, proposes renewal of the existing permit.

Historically, within the Little Rock District there have been two general permits used to authorize boat ramps. General Permit 09045-GK authorized boat ramps in most waters of the United States within the Little Rock District in Arkansas and Missouri. General Permit 09090-GD authorized boat ramps on the Corps' lakes within the Little Rock District in Arkansas and Missouri. In an attempt to streamline the permit process and to more efficiently process permit requests, the Corps' Little Rock District combined General Permits 09045-GK and 09090-GD on February 7, 2006. The Corps' Little Rock District issued a joint public notice with the States of Arkansas and Missouri announcing the proposal to combine the two general permits into 09045-GK. The purpose of General Permit 09045-GK is to provide authorization for the minimal impacts of the construction of boat launching ramps on all waters of the United States within the Little Rock District in Arkansas and Missouri.

This general permit has been renewed multiple times since 1976. The authority for permit issuance is found in Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403) and in Section 404 of the Clean Water Act (33 U.S. Code 1344). The 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).

This general permit has proven to be successful in authorizing a minor, noncontroversial category of work that has had no significant individual nor cumulative adverse environmental impacts, and we propose to extend the expiration date an additional five (5) years. Approximately twenty projects have been approved under this general permit since the last reissuance on February 7, 2006.

The draft general permit is as presently administered with exception to the general and special conditions and parts of the basic permit form, which have been revised in accordance with Title 33

of the Code of Federal Regulations as provided in Part 325 (Appendix A). These changes are to bring the general conditions and format of the general permit into compliance with the present regulations under which the Corps operates.

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 meets the limits of the general permit. The notification/verification details are outlined in the "Procedures for Verifying Authorization" that is attached to the general permit.

This Clean Water Act Section 401 Water Quality Certification (certification) replaces the certification issued on September 30, 2010.

This office certifies that the proposed project will not cause the general or numeric criteria to be exceeded nor impair beneficial uses established in the Water Quality Standards, 10 CSR 20-7.031, provided the following conditions are met:

1. General Permit 09045-GK shall not be valid for any project on a water body that:
 - Is listed as impaired pursuant to Section 303(d) of the Clean Water Act. Listed waters can be found at <http://www.dnr.mo.gov/env/wpp/waterquality/303d.htm>.
 - If activities are located in or occur within two miles upstream of a designated "Outstanding State or National Resource Water" and "Metropolitan No-Discharge Streams." Listed waters can be found in 10 CSR 20-7.031, Tables D, E and F or at <http://www.sos.mo.gov/adrules/csr/current/10csr/10c20-7.pdf>.
 - Has a United States Environmental Protection Agency approved Total Maximum Daily Load (TMDL). Listed waters can be found at <http://www.dnr.mo.gov/env/wpp/tmdl/wpc-tmdl-EPA-Appr.htm>.

If more detail than what is provided at these websites is needed to precisely pinpoint your location, please call (573) 522-2552. In the event the project does not meet this condition, the applicant must obtain an individual certification from the Missouri Department of Natural Resources.

2. Projects shall not involve more than normal stormwater or incidental loading of sediments caused by construction disturbance.
3. Best Management Practices shall be used during all phases of a project to limit the amount of erosion into the waterways and to avoid causing bed or bank erosion as a result of the project.

4. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent water bodies as a result of this operation. Petroleum products spilled into any water body or on the banks where the material may enter waters of the state shall be immediately cleaned up and disposed of properly. Any such spills of petroleum shall be reported as soon as possible to the Department's 24-hour Environmental Emergency Response number at (573) 634-2436.
5. Water supply intakes or other activities, which may be affected by suspended solids and turbidity increases caused by work in the watercourse, shall be investigated and sufficient notice given to the owners to allow preparation for any changes in water quality. The Department's Water Protection Program's Public Drinking Water Branch may be contacted at (573) 751-0124 for the presence of such supplies.
6. Proposed projects could potentially encounter sites of conservation concern, including concerns that have not been recorded. Please visit the Missouri Department of Conservation's website titled "Natural Heritage Review" by going on-line to <http://mdcgis.mdc.mo.gov/heritage/newheritage/heritage.htm>. If the proposed project encounters and will potentially affect a federally-listed species, please report it to the United States Fish and Wildlife Service or the Missouri Department of Conservation.
7. The following materials are not suitable for bank stabilization and shall not be used due to their potential to cause violations of the general criteria of the Water Quality Standards, 10 CSR 20-7.031(3)(A)–(H):
 - a. Earthen fill, gravel, broken concrete where the material does not meet the specifications outlined below and fragmented asphalt, since these materials are usually not substantial enough to withstand erosive flows;
 - b. Concrete with exposed rebar;
 - c. Tires, vehicles or vehicle bodies, construction or demolition debris are solid waste and are excluded from placement in the waters of the state; and
 - d. Liquid concrete, including grouted riprap, if not placed as part of an engineered structure.
8. Work shall be conducted during low water stages whenever possible.
9. If compensatory mitigation is required by the Corps, the approved plan and any corresponding documentation pertaining to the purchase of compensatory mitigation credits and/or conservation restrictions shall be provided to Ms. Carrie Schulte, Missouri Department of Natural Resources, Water Protection Program, NPDES Permits and Engineering Section, P.O. Box 176, Jefferson City, MO 65102-0176.

Colonel Thomas O'Hara

Page 4

10. If a "Compliance Certification" or "Certificate of Work Completion" is required by the Corps, a copy of the completed and signed document shall be provided to the Department at the above address.
11. Acquisition of a certification shall not be construed or interpreted to imply the requirements for other permits are replaced or superceded. Any National Pollutant Discharge Elimination System (NPDES) Permits, Land Disturbance Permits, or other requirements shall be complied with. Applicants with questions are encouraged to call the Department's Regional Office in your area. A regional office map with contact information can be located at www.dnr.mo.gov/regions/regions.htm.

You may appeal to have the matter heard by the Administrative Hearing Commission (commission). To appeal, you must file a petition with the commission within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the commission.

This certification is part of the Corps' permit. Water Quality Standards must be met during any operations authorized by these permits. If you have any questions, please contact Ms. Carrie Schulte by phone at (573) 751-7023, by e-mail at carrie.schulte@dnr.mo.gov, or by mail at the above referenced address. Thank you for working with the Department to protect our environment.

Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
NPDES Permits and Engineering Section

RM:csp

c: Ms. Pamela Foster, Southeast Regional Office
Mr. Jason Gramlich, Army Corps of Engineers, Little Rock District
Mr. Brad Ledbetter, Southeast Regional Office
File Copy

ADEQ

A R K A N S A S
Department of Environmental Quality

October 15, 2010



Colonel Glen A. Masset
District Commander, Little Rock District Corps of Engineers
P. O. Box 867
Little Rock, Arkansas 72203-0867

Dear Colonel Masset:

RE: JOINT PUBLIC NOTICE: GENERAL PERMIT NO. 09045-GK

The Arkansas Department of Environmental Quality ("ADEQ") has completed its review of the above referenced permit for the **Little Rock District Corps of Engineers** to extend the expiration date an additional five years. The purpose of General Permit 09045-GK is to provide authorization for minimal impacts from the construction of boat launching ramps on all waters of the United States within the Little Rock District in Arkansas.

ADEQ has determined there is a reasonable assurance that this will be conducted in a manner which, according to the Arkansas Pollution Control and Ecology Commission's Regulation No.2, will not physically alter a significant segment of the waterbody and will not violate the water quality criteria.

Therefore, pursuant to §401(a)(1) of the Clean Water Act, the ADEQ hereby issues water quality certification for this project contingent upon the following conditions:

- 1) Individual Water Quality Certification requests must be submitted to ADEQ for any activity impacting Extraordinary Resource Waters, Ecologically Sensitive Waters, and Natural and Scenic Waters as identified in Regulation # 2.
- 2) The applicant shall contact ADEQ for a Short Term Activity Authorization needs determination for activities that have the potential to violate water quality criteria.
- 3) The applicant shall comply with NPDES Stormwater Program requirements.
- 4) In issuing this certification, ADEQ does not assume any liability for the following:
 - a. Damages to the proposed project, or uses thereof, as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity specified in this certification.
 - c. Design or construction deficiencies associated with this proposed project.

Please contact Jason Hooks, of the Water Division, at (501) 682-0028 if you have any questions regarding this certification.

Sincerely,

A handwritten signature in cursive script that reads "Teresa Marks".

Teresa Marks
Director

cc: Jason Gramlich, Project Manager, Little Rock District, USACE
J. Randy Young, P.E., Chairman, Technical Review Committee, ANRC
Craig Uyeda, Chief, River Basins Section, Arkansas Game and Fish Commission
Lindsey Lewis, US Fish and Wildlife Service
Raul Gutierrez, Region VI, Environmental Protection Agency