

10972-GIJOINT PUBLIC NOTICE
CORPS OF ENGINEERS - STATES OF ARKANSAS AND MISSOURI

CONSIDERATION OF TIME EXTENSION OF A GENERAL PERMIT
for the placement of dredged and fill material in waters of the United States associated with the
authorization of recreational facilities
(Comment Period Expiration Date – April 19, 2012)

TO WHOM IT MAY CONCERN: Comments are invited on the renewal of the general permit 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, Ms. Sarah Chitwood, telephone number: (501) 324-5295, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, e-mail address: sarah.l.chitwood@usace.army.mil .

Background. On May 11, 2007, the Little Rock District Corps of Engineers issued a general permit for recreational facilities in navigable waters of the United States within the States of Arkansas and Missouri. As lead Corps District in the state, Little Rock District is responsible for coordinating advertisement and review of comments on this district-wide as well as statewide general permit. Little Rock, Vicksburg, and Memphis Districts are represented in the State. 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).

The area of the proposed work is divided among three Corps of Engineers Districts in Arkansas and two of the Corps of Engineers Districts in Missouri. The Little Rock District, as lead District for statewide general permits in Arkansas, developed this general permit in consultation with the Memphis and Vicksburg Districts. Each district would be responsible for administering the general permit in its respective geographical area of jurisdiction. The jurisdictional areas of the three Corps Districts in Arkansas and two of the Corps Districts in Missouri are shown on the map enclosed with the general permit. Individual submittals for work under this general permit would be reviewed by the Corps District in which the work is to be performed.

Proposed Time Extension. 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. Fifty-three projects have been approved under this general permit since May 11, 2007.

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Revisions to this general permit are found in the Project Location, specifically the restriction of use of the general permit at Morgan Point Bendway Lake and addition that the general permit may be used in Missouri for the Memphis District jurisdictional boundary; and Procedures for Verifying Authorization Parts 2e and 2g have been revised and Part 2h has been added.

A copy of the draft general permit is enclosed. In addition to the revisions listed above, it is as presently administered except the general and special conditions and parts of the basic permit form 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 of Engineers operates.

In the interim this General Permit will be valid until the extension and/or revision period is complete.

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.

Water Quality Certification. By copy of this public notice, water quality certification is being requested from Arkansas Department of Environmental Quality in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the comment period, a determination relative to water quality certification will be made.

Public Involvement. Interested persons are encouraged to provide comments, objections, or suggestions related to this proposed time extension in writing to Ms. Sarah Chitwood, at the email or postal address listed above, or by calling (501) 324-5295. Persons submitting comments should refer to either General Permit No. **10972-GI** or the general permit for the placement of dredged and fill material in waters of the United States associated with authorization for recreational facilities. Written comments will be received until April 19, 2012.

Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this general permit. 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(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.

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Enclosures