



**US Army Corps
of Engineers®**
Nashville District

Public Notice

Public Notice No. 04-38

Date: June 1, 2004

Application No. 200400505

Please address all comments to:
Regulatory Branch, 3701 Bell Road, Nashville, TN 37214-2660

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

SUBJECT: Proposed Fixed Covered Community Dock at Mile 531.7, Left Bank, Tennessee River, in Meigs County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403)**.

APPLICANT: Mr. Barry Roberson
1402 Valley Reserve Drive
Kennesaw, Georgia 30152

LOCATION: Mile 531.7, left bank, Tennessee River (Watts Bar Reservoir), in Meigs County, Tennessee, Lat 35° 38' 40", Long 84° 46' 36", Spring City-TN, USGS 7.5 Minute Series Quad Map. See Exhibits A and B.

DESCRIPTION: The proposed work consists of the construction of a fixed covered community boat dock for residential use only. The dock would measure 50' wide by 120' long and contain six 14' wide slips. The proposed deck would be at Elevation (EI) 743, i.e., two feet above Watts Bar Reservoir's normal summer pool (NSP), EI. 741. An access ramp would connect the dock to the shoreline. The dock would be constructed of quality materials and use encased Styrofoam flotation. See Exhibits C and D.

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. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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 before a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. 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.

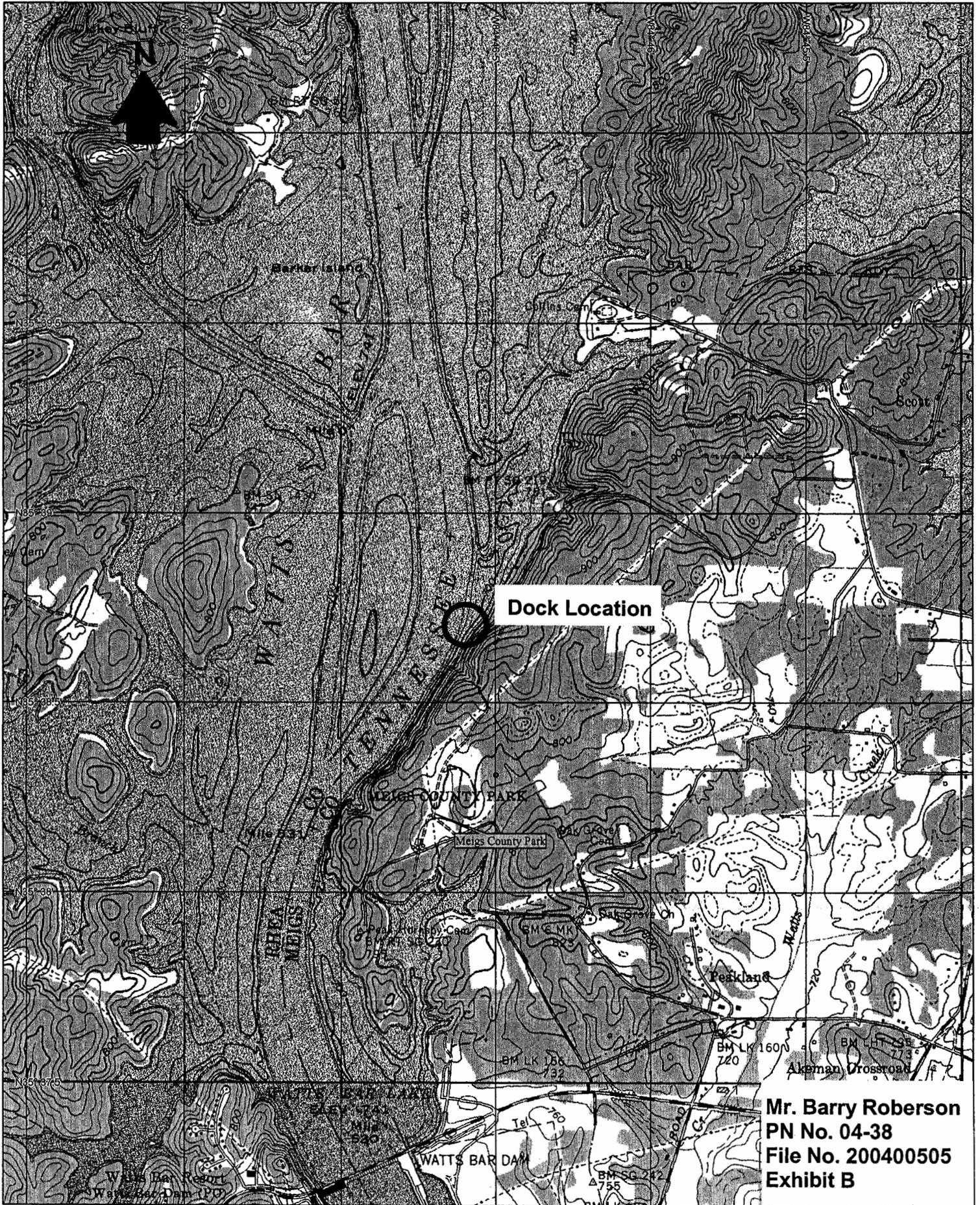
Other federal, state, and/or local approvals required for the proposed work are as follows:

- 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.

- A copy of this notice is being sent to the Watts Bar Interagency Working Group for review and comments since lake-bottom disturbance (dock piling) will occur below Elevation 735.0.

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 July 1, 2004, 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, Attn: J. Ruben Hernandez, at the above address, telephone (615) 369-7519. 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 Mr. Gary Chappelle, Watts Bar-Clinch Watershed Team, 2009 Grubb Road, Lenoir City, Tennessee 37771-7129.



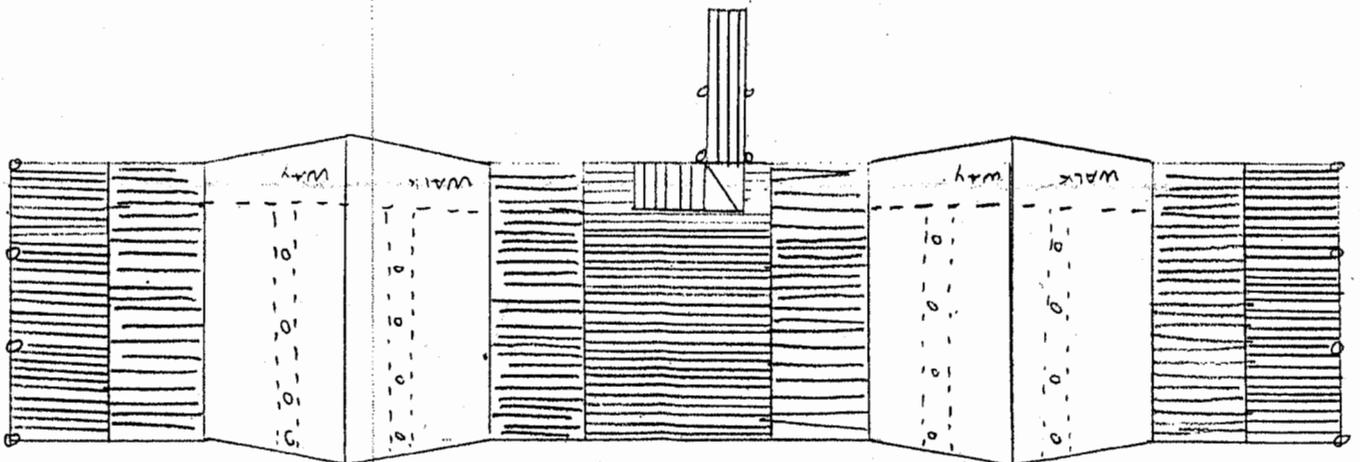
Dock Location

**Mr. Barry Roberson
 PN No. 04-38
 File No. 200400505
 Exhibit B**

Mr. Barry Roberson
PN No. 04-38
File No. 200400505
Exhibit C

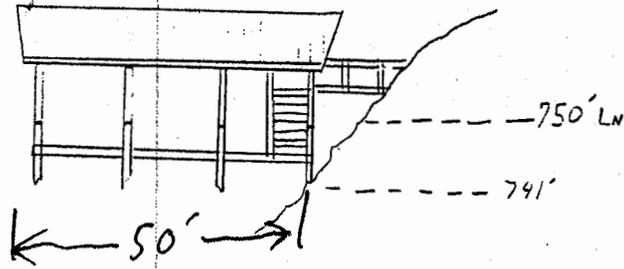


Ridge Elevation

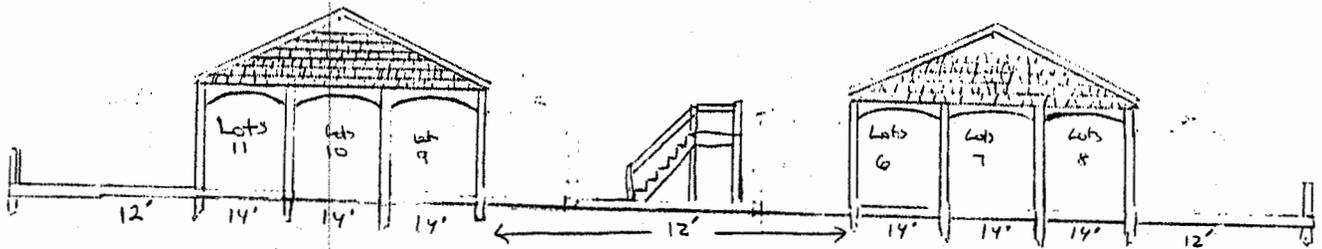


Scale: 1" = 10 feet

Rt. & Lt. Elevation



Front Elevation



Scale: 1ft = 10 feet

Mr. Barry Roberson
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Exhibit D