

Appendix A

Public Notice 07-88A

Page intentionally blank



**US Army Corps
of Engineers.**

Public Notice

Public Notice No. 07-88A Date: October 12, 2007

Nashville District Application No. 200702061 Expires: November 11, 2007

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

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
and
Tennessee Valley Authority

SUBJECT: Revision of Original Public Notice 07-88, Proposed
Construction of Three Floating Community Dock Structures at
Watauga River Mile 7.2 R, Boone Lake, Sullivan County, Tennessee
(The Cliffs Subdivision)

TO ALL CONCERNED: Public Notice 07-88 was posted on October 9,
2007, and stated incorrectly that the following project had
already been approved by Tennessee Valley Authority (TVA). The
proposed project has not been approved by TVA. Therefore, this
revised version of the original public notice is sent to clarify
the current situation. 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 USC 403)**.

APPLICANT: RPT Partnership
P.O. Box 4806
Johnson City, TN 37602

LOCATION: Watauga River Mile 7.2 R, Boone Lake, Sullivan County,
Tennessee, (Latitude 36.4082; Longitude -82.3755; Boone Dam, TN
USGS Quadrangle)

DESCRIPTION: The proposed work consists of three floating
community dock structures. Each floating dock would have 10 dual
slips intended to provide moorage for 20 boats. The slips would
measure 30' long (24' docking space) by 20' wide with 4' walkways.
Measurements for each floating dock would be 244' x 30'. A 40' x
4' floating walkway would attach to each dock and tie directly
into the shoreline. All three floating docks would parallel the
shoreline. The docks would be constructed with aluminum framing,
decking and roofing and encapsulated foam flotation. At the
proposed location, Boone Lake is approximately 600' wide. The
structures would be used to provide moorage to a total of 60
homeowners within The Cliffs Subdivision. Plans of the proposed
work and a location map 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, 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.

Public Notice No. 07-88A

File No. 200702061

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 US Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work include 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.

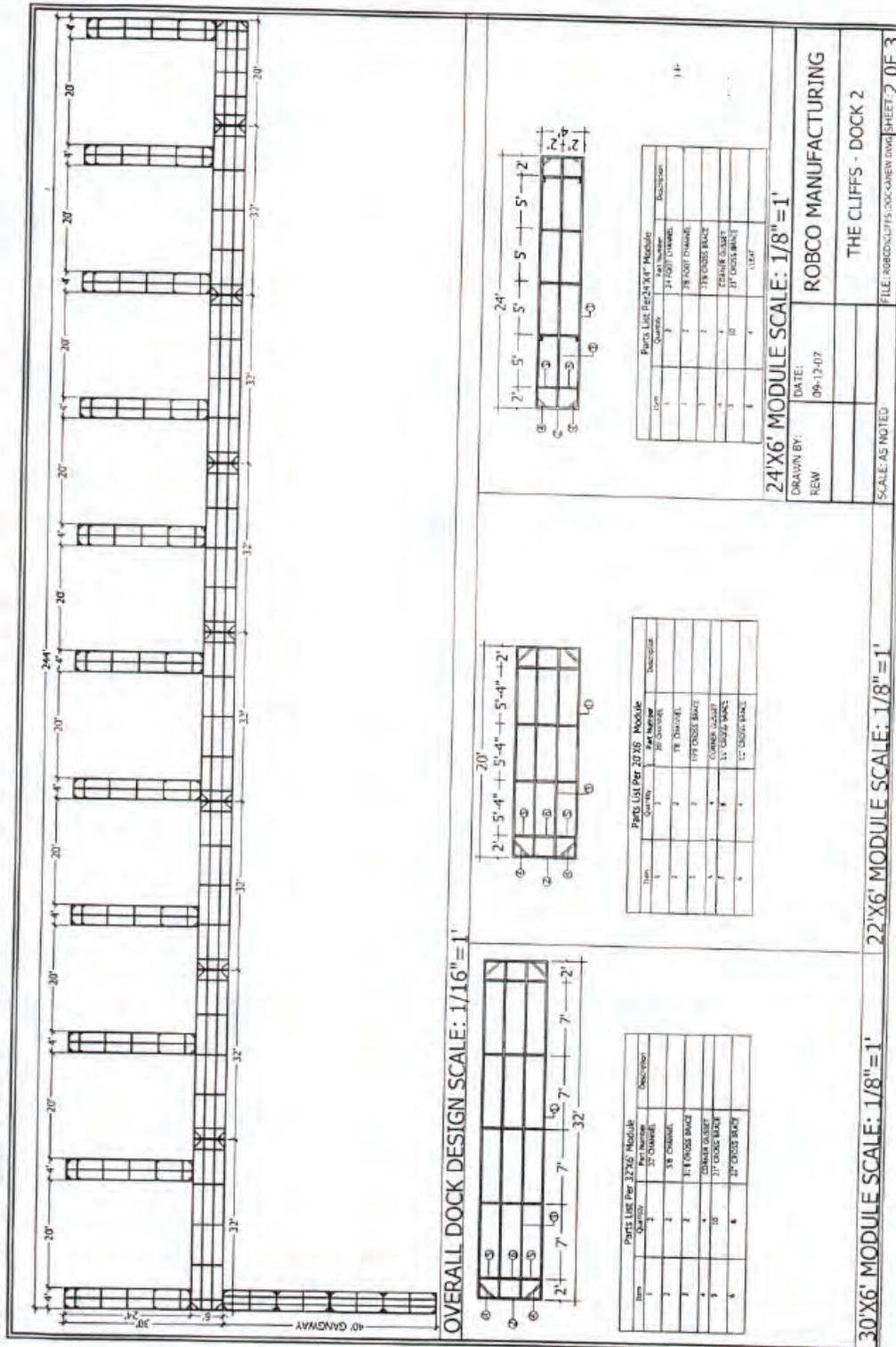
Written statements received in this office on or before **November 11, 2007** will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Travis Wiley, at the above address, telephone (615) 369-7513.

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 Mr. Wiley at the above address or phone number.

**RPT Partnership
Proposed Community Dock Project for The Cliffs Subdivision
File No. 200702061 Public Notice No. 07-88**



Boone Dam Quadrangle Map



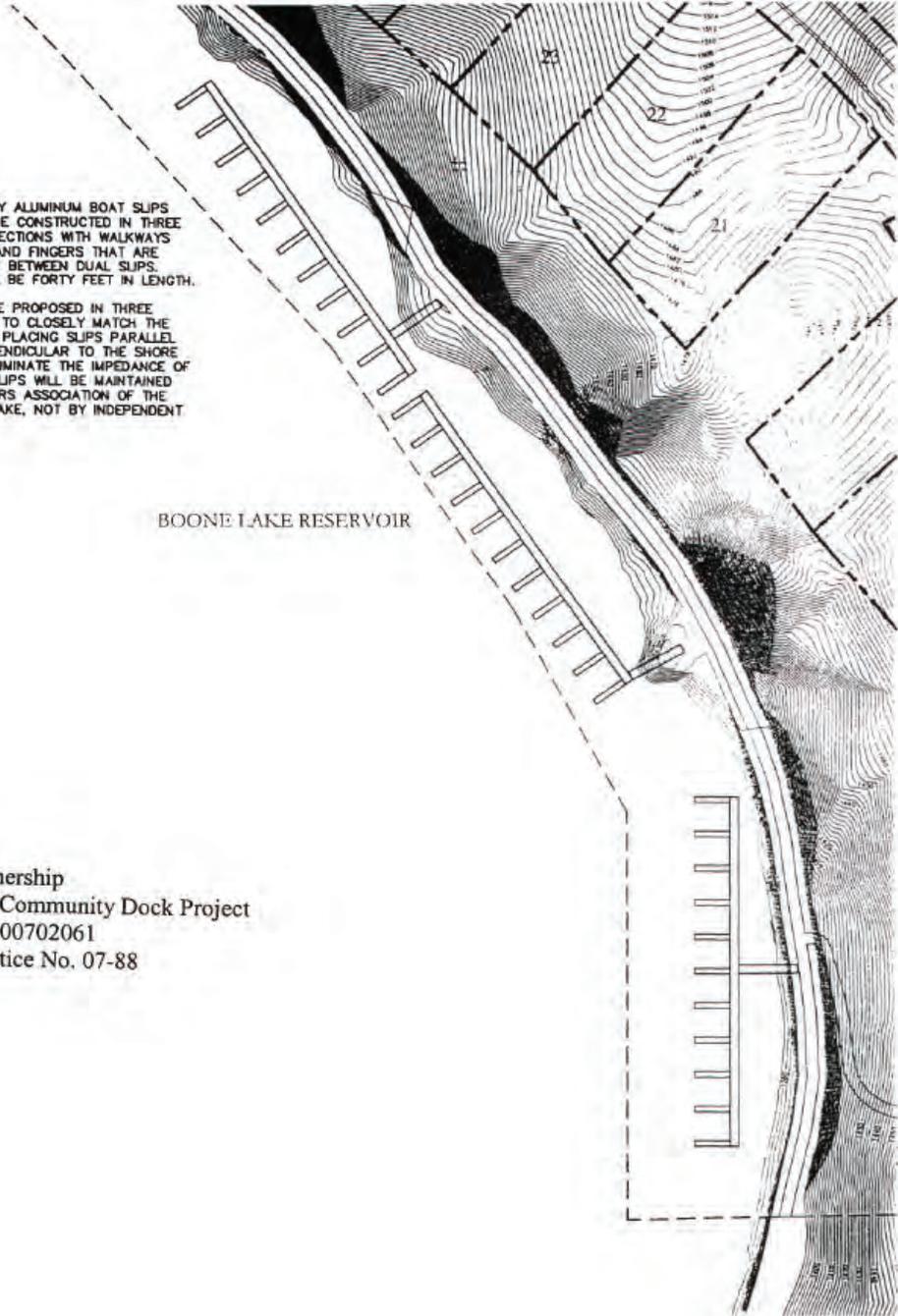
RPT Partnership
 Proposed Community Dock Project
 File No. 200702061
 Public Notice No. 07-88

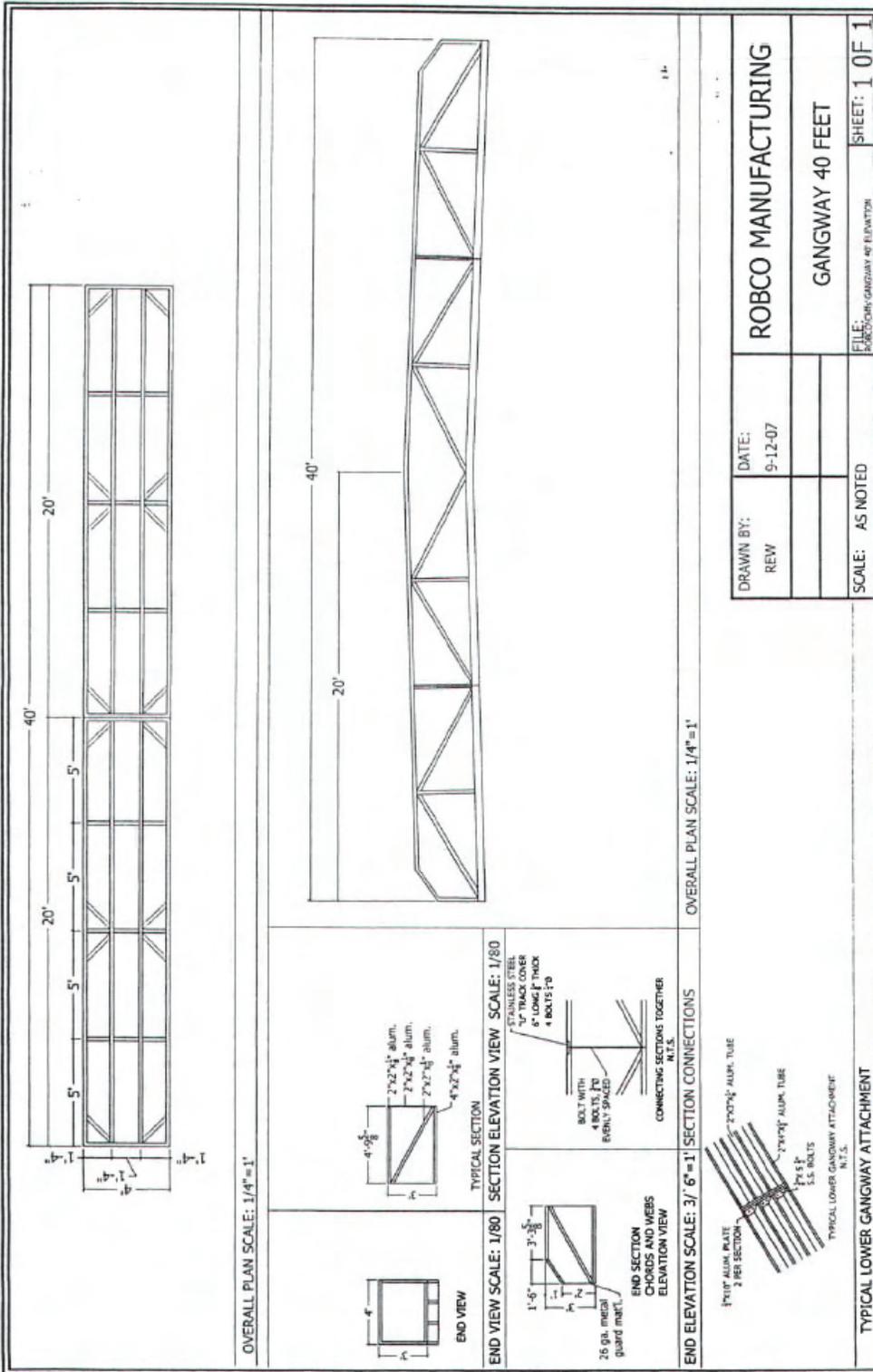
THE PROPOSED SIXTY ALUMINUM BOAT SLIPS ARE EXPECTED TO BE CONSTRUCTED IN THREE FLOATING 20 SLIP SECTIONS WITH WALKWAYS SIX FEET IN WIDTH AND FINGERS THAT ARE FOUR FEET IN WIDTH BETWEEN DUAL SLIPS. THE GANGWAYS WILL BE FORTY FEET IN LENGTH.

THE BOAT SLIPS ARE PROPOSED IN THREE SECTIONS IN ORDER TO CLOSELY MATCH THE NATURAL TERRAIN. PLACING SLIPS PARALLEL RATHER THAN PERPENDICULAR TO THE SHORE WILL MINIMIZE OR ELIMINATE THE IMPEDANCE OF NAVIGATION. THE SLIPS WILL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION OF THE CLIFFS ON BOONE LAKE, NOT BY INDEPENDENT HOME OWNERS.

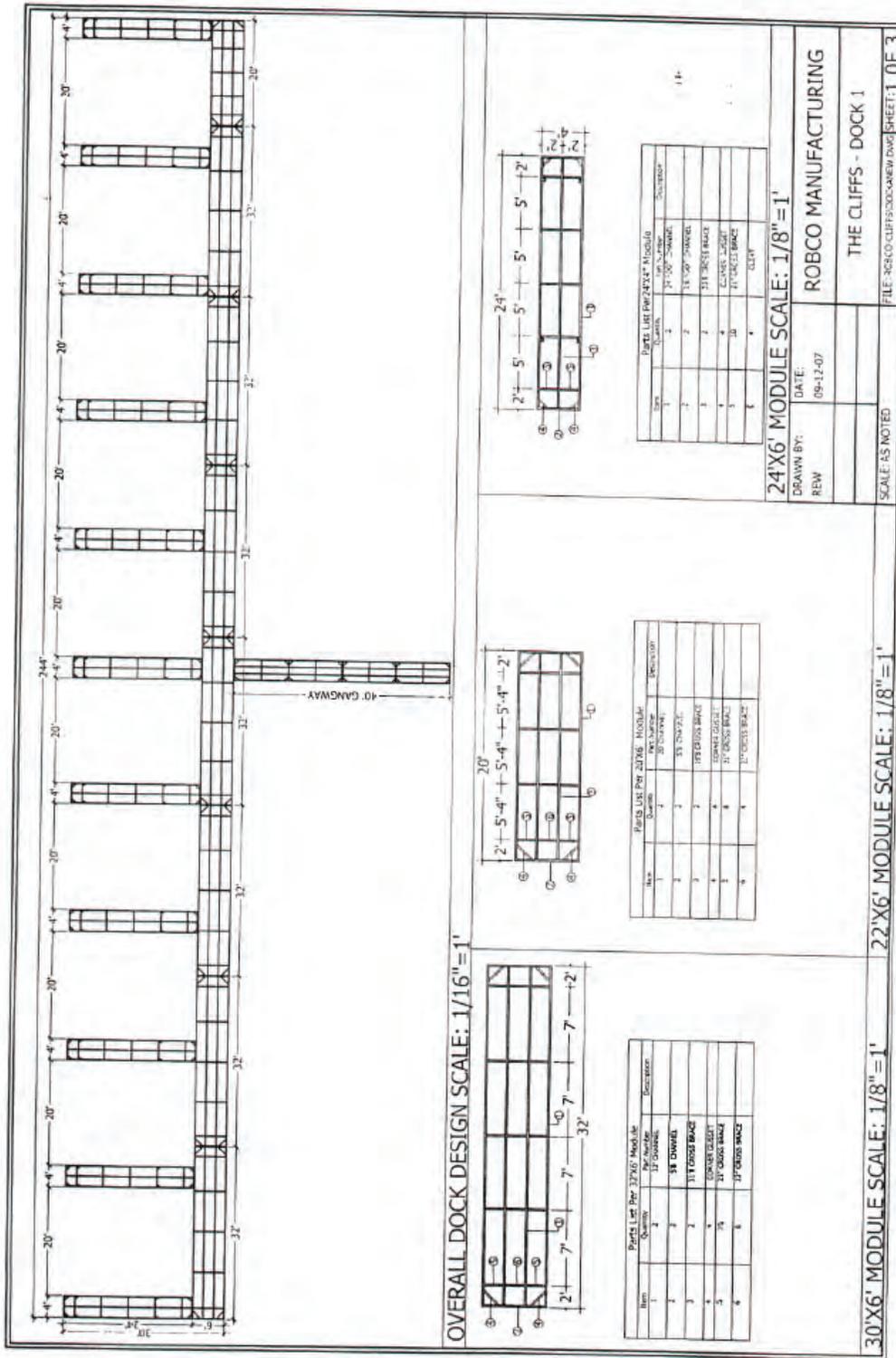
BOONE LAKE RESERVOIR

RPT Partnership
Proposed Community Dock Project
File No. 200702061
Public Notice No. 07-88





RPT Partnership
 Proposed Community Dock Project
 File No. 200702061
 Public Notice No. 07-88



RPT Partnership
 Proposed Community Dock Project
 File No. 200702061
 Public Notice No. 07-88

Page intentionally blank