



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

CESAM-PD-EI
PUBLIC NOTICE NO. FP10-WP01-12

14 May 2010

PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
PROPOSED SHORELINE MANAGEMENT PLAN REVISION
WEST POINT LAKE, GEORGIA
A FEDERALLY AUTHORIZED PROJECT

Interested persons are hereby notified that the United States Army Corps of Engineers (USACE), Mobile District proposes a minor programmatic change to revise Paragraph 19.d. (3) of the 1993 West Point Lake Shoreline Management Plan. The following changes represent an effort to improve operational efficiencies and environmental stewardship measures at West Point Lake.

This public notice is issued in accordance with rules and regulations published in the *Federal Register* on 26 April 1988. The recipient of this notice is requested specifically to review the proposed action and provide your comment on any potential impact or effect that may result from this action.

PROJECT AUTHORIZATION: Congress authorized the construction of the West Point Lake project in the Flood Control Act of 1962. The project purposes are flood control, hydroelectric power, navigation, fish and wildlife, water quality, and general recreation. Federal actions (i.e. leasing of lands, significantly changing lakeshore management and shoreline management plans) require the preparation and consideration of National Environmental Policy Act documentation in order to assess the environmental impacts of the proposed action. In this case, the USACE's decision to revise the existing approved Shoreline Management Plan (SMP) to enhance operational efficiencies represents a federal action requiring such an evaluation via this EA.

ER 1130-2-406, Shoreline Management at Civil Works Projects, allows minor revisions to the SMP without a complete update of the plan. Implementation of these changes is needed and requires approval by the District Commander.

Section 4, 58 Stat. 887 (as amended), authorizes the U. S. Army Corps of Engineers to construct, maintain and operate public parks and recreational facilities at (its) water resource development

projects. Such development is also authorized by Section 460d of Title 16, United States Code; Section 209 of the Flood Control Act of 1954; Section 207 of the Flood Control Act of 1962; and by the Land and Water Conservation Fund Act of 1965 (as amended). ER 1130-2-406, Shoreline Management at Civil Works Projects, dated 28 May 1999 provides policy and guidance on management of shorelines of Civil Works projects where 36 CFR Part 327 is applicable.

It should also be noted that the proposed project area is not considered Navigable Waters as specified by Section 10 of the Rivers and Harbors Act. Therefore, that authority will not be applicable to this minor programmatic change. Further, neither Section 404 nor 401 of the Clean Water Act are applicable to this minor programmatic change. Therefore, no water quality certification or Section 404(b)(1) report will be required for this action.

DESCRIPTION OF THE PROPOSED ACTION: As previously mentioned, the USACE, Mobile District proposes a minor programmatic change to revise Paragraph 19.d. (3) of the 1993 West Point Lake Shoreline Management Plan. The following changes represent an effort to improve operational efficiencies and environmental stewardship measures at West Point Lake. These changes are not significant and in accordance with the provisions of ER 1130-2-406, which provides for minor revisions of shoreline management plans on a periodic basis without a complete update. Specifically, the proposal is to revise Paragraph 19.d. (3) of the 1993 West Point Lake Shoreline Management Plan to read as follows:

“(3) Size Limitations for Individual Floating Facilities. Floating facility dimensions are calculated exclusive of gangwalks. Less than maximum allowable sizes may be mandated by site conditions such as width of the cove or channel and density of development.

The maximum permissible size for a platform dock, with no slips, is 330 square feet. The minimum dimensions, not including gangwalks, are 8' x 8'.

The maximum allowable size for a boat slip dock, whether covered or uncovered, is 1024 sq. ft. Boat slip dock dimensions are figured on an overall basis, including boat slip(s) and any roof overhang. All boat shelter docks must be open sided; chain link mesh or similar material is permitted for security purposes.”

In summary, the 1993 West Point Lake Shoreline Management Plan in Paragraph 19.d.(3) specifies a maximum size of 260 square feet for “individual” docks and a maximum of 720 square feet for “boat shelter” docks. The proposed change will allow the maximum size to be increased to 330 square feet for docks without slips and 1024 square feet for boat docks with slips, whether they are covered or not.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS: A Draft Environmental Assessment (EA) was prepared for the proposed minor change. The EA is available for review at the USACE, Mobile District webpage: <http://www.sam.usace.army.mil/pd/Pd1.htm>. A preliminary evaluation by the EA indicates that the proposed action would have no significant impact on the human environment suggesting that

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an Environmental Impact Statement is likely not required. Upon completion of the 15-day coordination period set forth in this notice, comments received will be incorporated into the EA and a final determination of NEPA documentation requirements made. If the determination is to finalize the EA and prepare a Finding of No Significant Impact, these documents will be placed on the USACE, Mobile District webpage for future reference.

EVALUATION: The decision whether to proceed with the proposed action will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be reasonably expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain 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.

COORDINATION: The USACE, Mobile District is soliciting comments from the general public; Federal, State, and local agencies, and officials; American Indian Tribes, and other interested parties in order to consider and evaluate the effects of the proposed activity. Any comments received will be used by the USACE, Mobile District to determine whether or not to proceed with the proposed action. 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 also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity and in preparing an Environmental Assessment and/or an Environmental Impact Statement pursuant to the NEPA compliance.

Among the agencies receiving copies of the Public Notice are:
Region IV, U. S. Environmental Protection Agency
Field Supervisor, Fish and Wildlife Service
Georgia State Historic Preservation Officer
Georgia Department of Natural Resources, Wildlife Resources Division
Alabama Department of Environmental Management
Alabama Department of Conservation and Natural Resources
Alabama Historical Commission

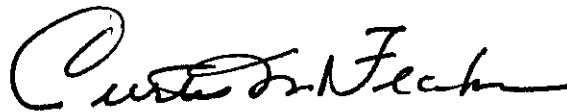
You are requested to communicate the information contained in this notice to any other parties who may have an interest in the proposed action.

PUBLIC HEARING: Any person who may be affected by the proposed action may request a public hearing. The request must be submitted in writing to the District Commander within the

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15-day comment period of this public notice. The request must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity.

CORRESPONDENCE: Correspondence concerning this public notice should refer to **Public Notice Number FP10-WP01-12** and should be directed to the Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628, Attention: CESAM-PD-EI (Attn: Howard Ladner) within **15 calendar days** from the date of this public notice. We may be contacted at telephone number **(251) 694-3874** or e-mail address **howard.w.ladner@usace.army.mil** for additional information.



CURTIS M. FLAKES
U.S. Army Corps of Engineers
Mobile District