



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

Public Notice

Public Notice No. 04-48

Date: July 29, 2003

Application No. 200401142

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: Existing Floating Docks and Proposed Commercial Marina Expansion at Mile 612.5, Right Bank, Tennessee River, in Knox 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: MEJ Properties, LLC
DBA Choto Marina
12214 Choto Marina Way
Knoxville, Tennessee 37922

LOCATION: Choto Marine Cove, opposite Mile 612.5, right bank, Tennessee River (Fort Loudoun Reservoir), in Knox County, Tennessee, USGS Concord-TN 7.5 Minute Series Quadrangle Map, Lat 35° 49' 11", Long 84° 08' 47". See Exhibit A.

DESCRIPTION: The proposed work consists of the construction of new floating docks and expansion of harbor limits. After-the-fact approval would be necessary for segments of the floating docks that are already on site in temporary locations at the marina. The existing dock segments would be elements of the proposed floating docks described in this notice. Details of the existing and proposed work are offered below. See Exhibits B-E.

a. Existing Dock Segments. Segments of new floating docks are already on site in front of the Joe and Brenda King property. These segments would be moved to locations where new floating docks would be constructed and used as elements of those docks.

b. Proposed Floating Docks. The applicant proposes to construct 37 new boat slips. Dock construction would consist of galvanized steel framing, pressure-treated wood deck, encased flotation, galvanized steel roof with color panels, and pipe piling anchorage. The ship store and fuel dock would also use cable deadmen for anchorage.

- Ship Store and Fuel Dock. This structure would be located at the downstream end of the "J" Dock. Seven uncovered slips would be included with the ship store. The ship store and fuel dock would measure approximately 134' wide by 114' deep.

- "J" Dock Extension. Four covered slips (16' wide x 40' deep) would be added on the downstream end of "J" Dock (upstream of the ship store). The height of the roof would be 16'.

- Dry Stack Holding/Service Dock. This dock would be located at the upstream end of existing "D" Dock. Work would involve construction of four new covered slips (3 @ 18' wide x 50' deep and one @ 20' wide x 60' deep). The roof of the covered slips would be 18' in height. The existing fuel dock would be renovated and a sewage pump-out added. The overall dimensions of the renovated fuel/pump-out dock would be 12'x60'.

- "D" Dock. Nineteen covered slips would be built between the existing "D" dock and new "E" dock. Twelve of the slips would measure 16' wide x 36' deep x 20' high and seven slips would measure 12' wide x 32' deep x 12' high.

- "E" Dock. Three covered slips would be added at the downstream end of the new "D" dock. The slips would measure 16' wide x 48' deep x 20' high.

- Floating Pier (Gangway). A 4'x150' floating pier would be built close to the shoreline in front of the Gerald Victory property. The pier would start approximately 35' east of the Jim Amerson property limit.

c. Harbor Limits Expansion. The applicant has requested several changes to the current harbor limits as shown on the public notice drawings.

Plans of the existing and 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 existing and 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 existing and 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 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 existing and 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.

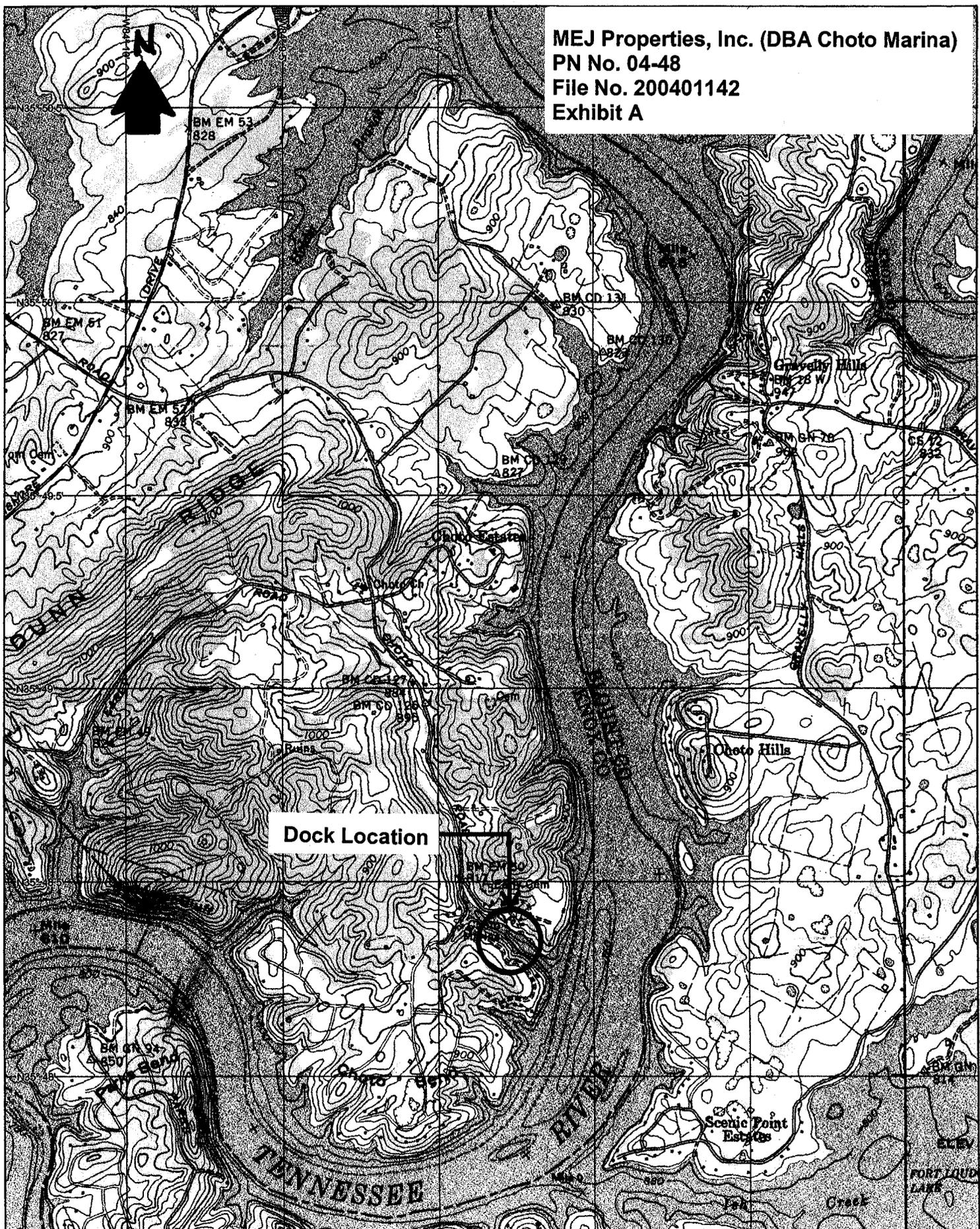
Other federal, state, and/or local approvals required for the existing and proposed work are as follows:

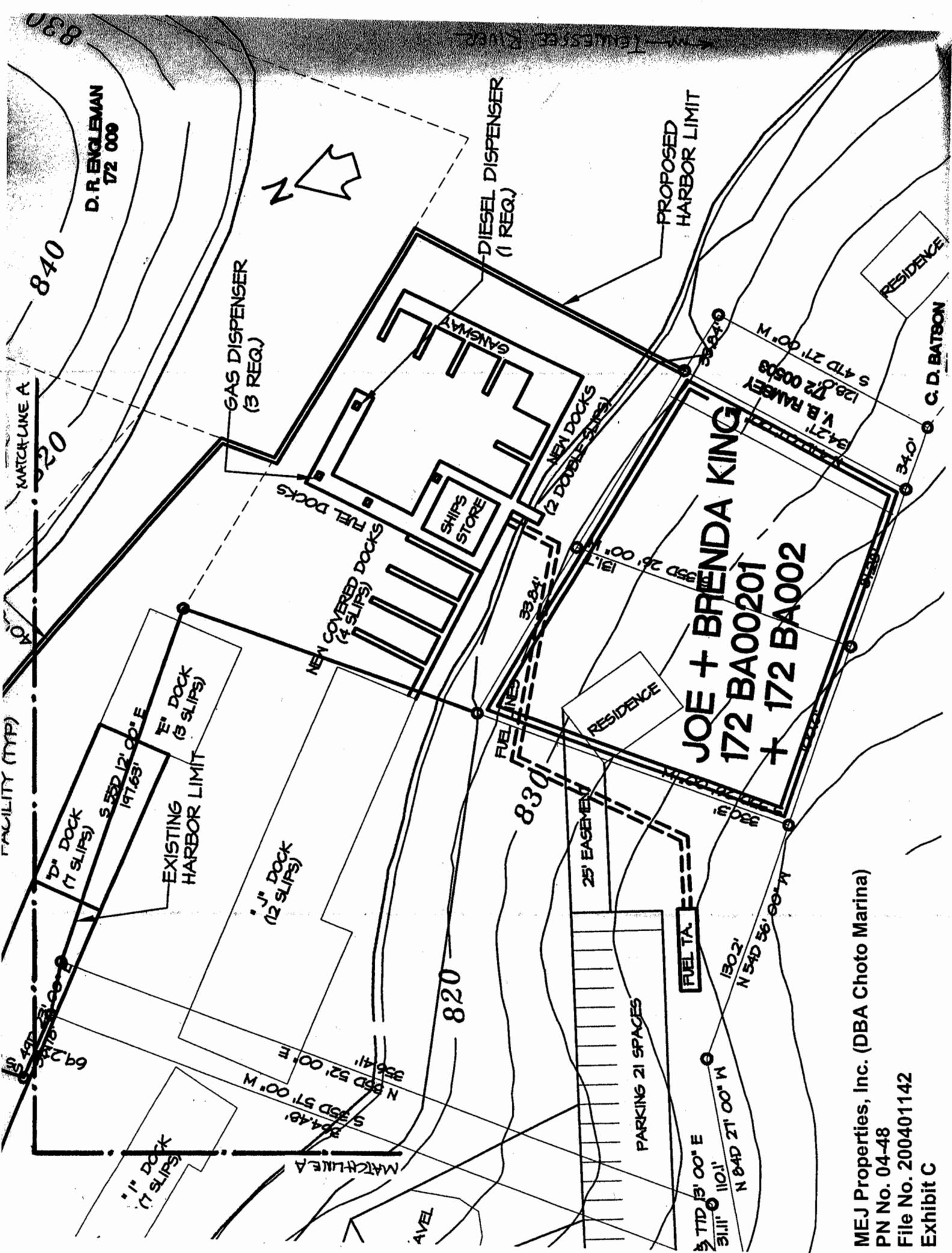
- Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

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 August 28, 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, Attention: 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 Little Tennessee Watershed Team, Attention: Gary Pettway, Suite 300, 804 Highway 321 North, Lenoir City, Tennessee 37771-6440.

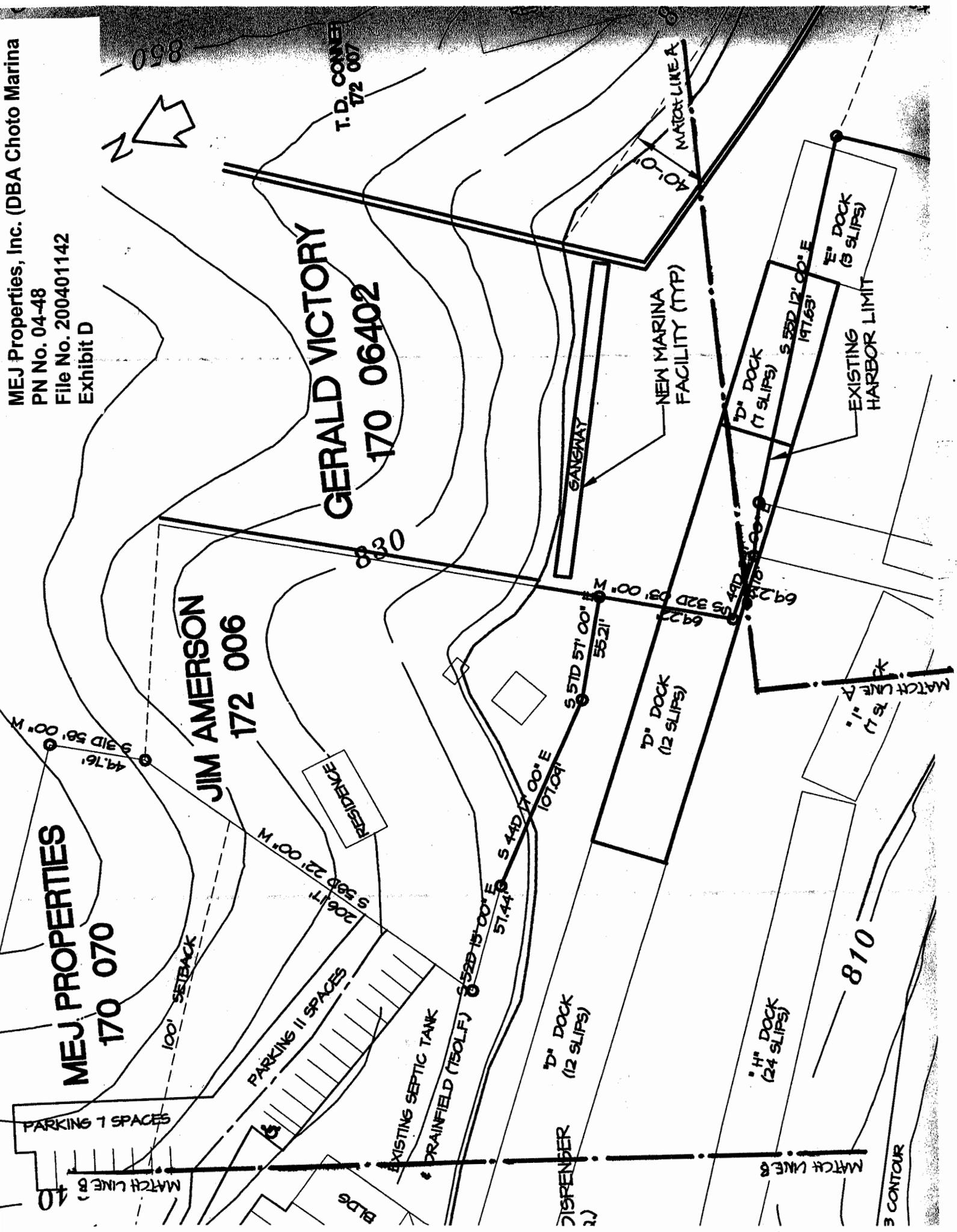
MEJ Properties, Inc. (DBA Choto Marina)
PN No. 04-48
File No. 200401142
Exhibit A





MEJ Properties, Inc. (DBA Choto Marina)
 PN No. 04-48
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 Exhibit C

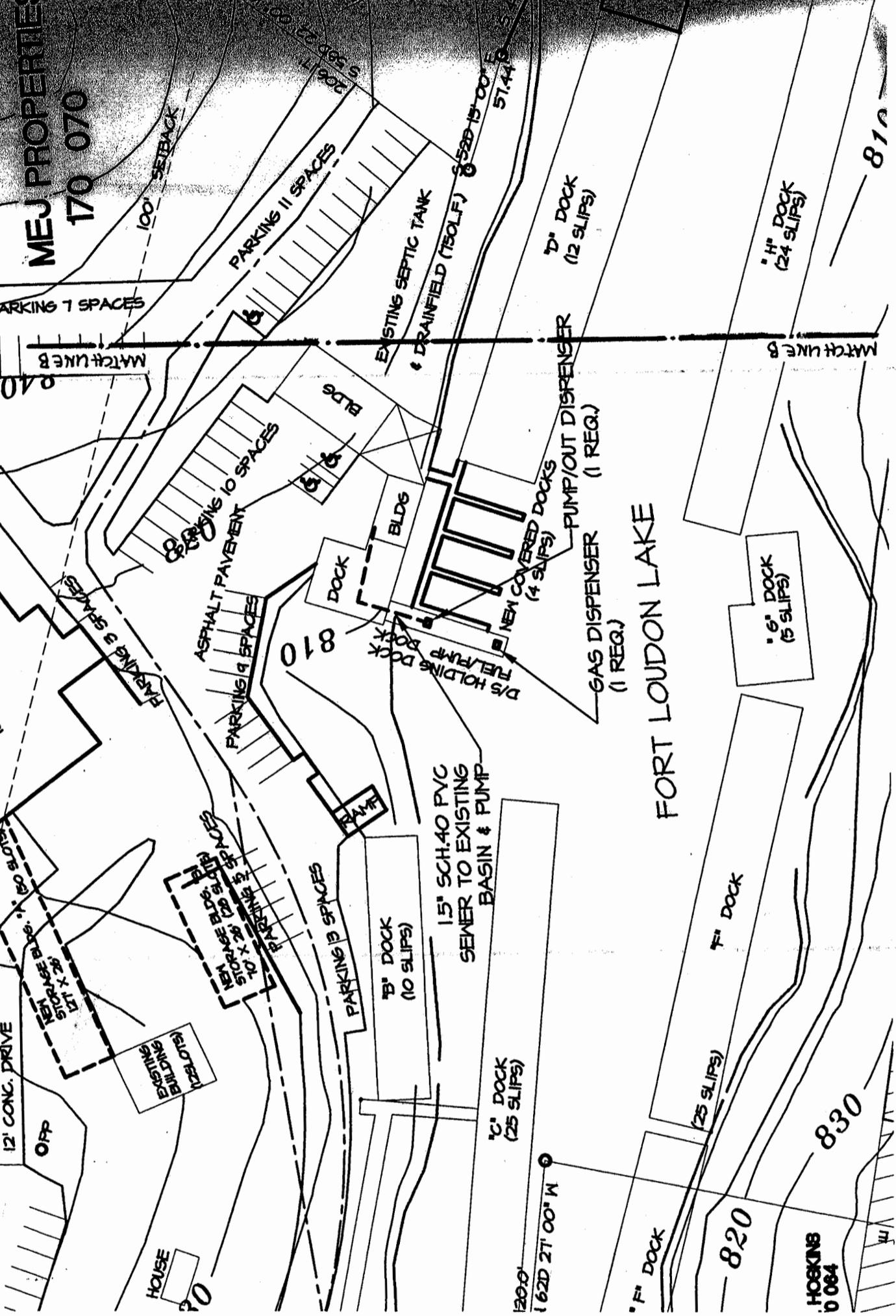
MEJ Properties, Inc. (DBA Choto Marina)
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Exhibit D



810

3 CONTOUR

MEJ Properties, Inc. (DBA Choto Marina)
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File No. 200401142
Exhibit E



MEJ PROPERTIES
170 070

FORT LOUDON LAKE

HOKING
0 084

830

820

810

OPP

HOUSE

12' CONC. DRIVE

NEW STORAGE BLDG. (20' X 26')

NEW STORAGE BLDG. (20' X 26')

EXISTING BUILDING (20' X 26')