

PUBLIC NOTICE



**US Army Corps
of Engineers
Kansas City District**

**Permit No. NWK-2012-1744
Issue Date: January 14, 2013
Expiration Date: February 4, 2013**

21-Day Notice

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Kansas Department of Health and Environment. The Department of Health and Environment will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Kansas Department of Health and Environment, Bureau of Water - - Watershed Management Section, 1000 SW Jackson Street, Suite 420, Topeka, Kansas 66612-1367.

APPLICANT: City of Olpe
P.O. Box 286
Olpe, KS 66865

PROJECT LOCATION (As shown on the attached drawings): The proposed project is located in Olpe City Lake, in Section 10, Township 21 south, Range 11 east, Neosho County, Kansas.
(Latitude: 38.24853 - Longitude: -96.18491) OLPE QUAD

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY (As shown on the attached drawings): The applicant proposes to place an approximate total of 23,412 cubic yards of dredged material within Olpe City Lake for the construction of 9 fishing piers and 1 island. The material used for the construction of the piers would come from the lake bed primarily with limestone rock and concrete placed 5 feet above and below the conservation pool elevation to reduce wave action erosion.

WETLANDS/AQUATIC HABITAT: The upland piers and island would replace existing lacustrine habitat. The lake would also be deepened in order to obtain sufficient dredge material to create the piers and island.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: Sediment removed from the lake bottom would be pushed up into piers and an island, and then they would be seeded with fescue (the current vegetation type) to prevent erosion. To prevent shoreline wave erosion, 3,050 linear feet of riprap would be placed 5 feet above and 5 feet below conservation pool elevation. Considering the lake will be deepened and aquatic habitat enhanced as a result of the project, no additional mitigation is proposed.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting **Patrick H. Trier, U.S. Army Corps of Engineers, Kansas State Regulatory Office, 2710 NE Shady Creek Access Road, El Dorado, Kansas 67042 at telephone 316-322-8247 or via email at Patrick.H.Trier@usace.army.mil**. All comments to this public notice should be directed to the above address.

STATE AUTHORIZATION: The applicant may have applied for a permit from the Kansas Department of Agriculture pursuant to Kansas Statutes Annotated 82a-301 to 305.

CULTURAL RESOURCES: Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and the Federal Register and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the 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 reasonably may be 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, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). 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 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.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.



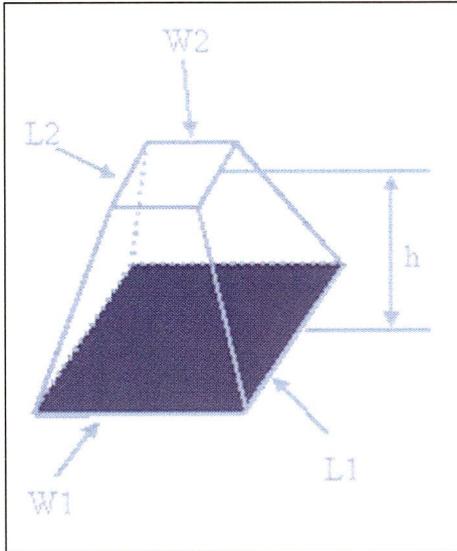
Piers A,B,C,F,G,H =150' long X 50' wide at top X 4' high above water line. Island E = 150' long X 50' wide X 10' high above water line. Piers D,I,J=100' long X 50' wide at top X 4' high above water line . All piers and island have 3:1 slopes. All 3,050 linear feet of pier and island shoreline will be rip-rapped with concrete and limestone five feet above and below conservation elevation.

APPLICATION NO. NWK-2012-1744
 CITY OF OLPE, KANSAS
 CONSTRUCTION OF FISHING PIERS
 OLPE CITY LAKE
 NEOSHO COUNTY, KANSAS
 SHEET 1 OF 2
 DATED 14 JANUARY 2013

Olpe City Lake Pier Fill Volume Calculations

Pier	L2 top length ft.	W2 top width ft.	L1 bottom length ft.	W1 bottom width ft.	shoreline height ft.	h total height ft.	side slopes	shape vol. cu.ft.	shape vol.* 0.5	taper to shore pier vol. cu.yds.	
A	150	50	175.2	100.4	4.4	8.4	3:01	102413	51206	1897	
B	150	50	178.8	107.6	5.6	9.6	3:01	124003	62002	2296	
C	150	50	176.4	102.8	4.8	8.8	3:01	109402	54701	2026	
D	100	50	124.9	99.8	4.3	8.3	3:01	70162	35081	1299	
E	150	0	223.8	123.8	2.3	12.3	3:01	151665		5617	
F	150	50	178.2	106.4	5.4	9.4	3:01	120274	60137	2227	
G	150	50	175.2	100.4	4.4	8.4	3:01	102413	51206	1897	
H	150	50	178.8	107.6	5.6	9.6	3:01	124003	62002	2296	
I	100	50	131.8	113.6	6.6	10.6	3:01	101141	50570	1873	
J	100	50	133	116.0	7.0	11.0	3:01	107107	53553	1983	
										<hr/>	23412

Pier



Island E

