

DEPARTMENT OF THE ARMY PERMIT

Permittee The General Public

Permit No. 198204701 (GP-82-07) Amendment No. 5

Issuing Office Omaha District, Corps of Engineers

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

See page 4 of 11 for a Description of Authorized Work.

Project Location:

South Dakota Waterways – except the Missouri River from mile 753.60 (Ponca State Park) to mile 811.05 (Gavins Point Dam) and from mile 841.00 (near Running Water, South Dakota) to mile 880.00 (Fort Randall Dam).

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on see Special Condition "z" on page 7 of 11. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached. ****This General Permit expires on April 30, 2013.****
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

ENG Form 1721, Nov 86

EDITION OF SEP 82 IS OBSOLETE.

(33 CFR 320-330)

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space

provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

See pages 5 through 11 of 11 for a list of special conditions.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 10 of the River and Harbors Act of 1899 (33 U.S.C. 403).

Section 404 of the Clean Water Act (33 U.S.C. 1344).

Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

_(PERMITTEE) (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

DAVID C. PRESS
_(DISTRICT COMMANDER) (DATE)
Colonel, Corps of Engineers

By: _____
MARTHA S. CHIEPLY
CHIEF, REGULATORY BRANCH, OPERATIONS

DIVISION

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

_(TRANSFEREE) (DATE)

DA Permit
No. 198204701
GP 82-07, Amendment No. 5
Boat Ramps/Erosion Protection
South Dakota Waterways

DETAILED DESCRIPTION OF AUTHORIZED WORK

In accordance with the terms and conditions of this Department of the Army permit, GP 82-07 is authorized by the Secretary of the Army to construct boat launching ramps and associated erosion protection in rivers, streams, artificial and natural lakes within and bordering the State of South Dakota, except the Missouri River from mile 753.60 (Ponca State Park) to mile 811.05 (Gavins Point Dam) and from mile 841.00 (near Running Water, South Dakota) to mile 880.00 (Fort Randall Dam). The ramps will be constructed of poured concrete or concrete slabs on crushed stone, stone spall or gravel base. The ramps will be reinforced concrete poured in place or pre-cast concrete planks mechanically placed in position. Caisson type anchors (see attached drawing) may be incorporated into ramp construction to the extent necessary to ensure that ramp planks are adequately secured from frost heaving and ice damage. The ramps shall have a minimum slope of eight (8) percent, with the desired slope being twelve (12) percent. A maximum slope of eighteen (18) percent may be used for that portion of the ramp placed in the water. Single lane boat ramps will be a minimum of ten (10) feet and a maximum of twenty (20) feet in width. Multiple lane ramps will not exceed a maximum width of seventy (70) feet. A minimum of ten (10) feet will be provided for each lane on a multiple lane facility. A maximum thickness of twenty-four (24) inches of granular fill material will be placed as bedding for boat ramp construction. Additional suitable materials (i.e., rock or broken concrete) may be utilized to stabilize the foundation prior to the placement of the bedding or base material; provided such material is free of any deleterious substances. The ramp facility may be protected from erosion by the placement of rock riprap on both sides of the ramp. A maximum riprap placement of three (3) cubic yards per linear foot of ramp will be allowed on each side of the ramp. Rock riprap may also be placed along the adjacent shoreline, extending a maximum of one hundred (100) feet on each side of the ramp, for erosion protection. A maximum of three (3) cubic yards of riprap per linear foot of shoreline will be allowed. Boat docks, either floatation or slide in types, may be placed adjacent to the ramp to facilitate boat launching and landing.

The work will be completed in accordance with the drawings, sheets 1 through 8 of 8, attached hereto which are incorporated in and made part of this permit.

DA Permit
No. 198204701
GP 82-07, Amendment No. 5

Special Conditions

- a. That all construction debris will be disposed of on land in such a manner that it cannot enter a waterway or wetland.
- b. That equipment for handling and conveying materials during construction shall be operated to prevent dumping or spilling the materials into the water except as approved herein.
- c. That prior to any and all equipment being allowed on the work site, the equipment will be thoroughly inspected for diesel fuel, gasoline, antifreeze, hydraulic fluid, engine oil, gear lubricant, grease and other petroleum leaks. Leaks of any magnitude will be repaired prior to the equipment being used at the work site. If leaks occur while performing the work, the equipment will be immediately repaired prior to its continued use. If repairs require more than two days of maintenance, the equipment shall be removed from the work site for the repairs to be performed. For the purposes of this general permit, "equipment" is defined as any truck, tractor, backhoe, bull dozer, ATV, or other machinery that requires petroleum products for cooling, lubricating, and/or maneuverability.
- d. That during construction and subsequent operation of this facility, no petroleum products, chemicals, or other deleterious materials shall be allowed to enter or be disposed of in such a manner that they could enter the water and that precautions be taken to prevent entry of these materials into the water.
- e. That all work in the waterway is performed in such a manner so as to minimize increases in suspended solids and turbidity, which may degrade water quality and damage aquatic life outside the immediate area of operation.
- f. That only clean riprap materials will be utilized in order to avoid the percolation of fines which would result in excessive local turbidity and that the riprap shall be placed in such a manner so as to provide a reasonably solid mass with no appreciable variation in thickness or slope.
- g. That broken concrete utilized for riprap must be chemically acceptable, free of protruding reinforcing steel or wire mesh and free of other construction debris (i.e., lath, plaster, asphalt, scrap iron, etc.)
- h. Any broken concrete material used shall be reasonably well-graded material to create a dense erosion resistant structure.

(1) The maximum weight of any piece of material shall be 1350 pounds with the material ranging in size from 6 to 36 inches in maximum dimension and the protection layer thickness shall be 1.0 to 1.5 times the largest dimension of any individual piece of material.

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Special Conditions (cont'd)

(2) The material shall be angular in shape. No more than 30 percent of the material shall have the maximum dimension more than 2.5 times the minimum dimension and no material shall have the maximum dimension more than 3.5 times the minimum dimension.

- i. That the clearing of vegetation will be limited to that which is absolutely necessary for construction of the project. All newly created and disturbed areas above the ordinary high water mark, which are not ripped, shall be seeded or otherwise revegetated to protect against erosion.
- j. That, if the boat ramp installation involves the placement of fill or dredged/excavated material in a flowing river environment, close coordination will be maintained by the contractor(s) with downstream water users, advising them of any water quality changes to be caused by the construction.
- k. That all surplus dredged or excavated materials will be placed on an upland site above the ordinary high water line in a confined area, not classified as a wetland, to prevent the return of such materials to the waterway.
- l. That all earthwork operations on shore will be carried out in such a manner that sediment runoff and soil erosion to the water are controlled. At a minimum and regardless of the project size, appropriate erosion and sediment control measures must be installed to control; the discharge of pollutants from the construction site.
- m. That the disposal area, method of disposal, or methods of dredging/excavation will not be changed without prior written approval of the District Commander.
- n. That measures will be employed to prevent wet concrete from entering the waterway.
- o. That concrete trucks will be washed at a site and in such a manner that washwater cannot enter the waterway.
- p. That if/when the District Commander has been notified that the construction or operation of the boat ramp is adversely affecting fish or wildlife resources or the harvest thereof and the District Commander subsequently directs remedial measures, the permittee will comply with such directions as may be received to suspend or modify the activity to the extent necessary to mitigate or eliminate the adverse effect as required.

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Special Conditions (cont'd)

- q. That the discharge (all fill material) shall be free of substances in quantities, concentrations, or combinations which are toxic to aquatic life.
- r. That the fill created by the discharge will be properly maintained to prevent erosion and other non-point source of pollution.
- s. That if historic properties or archeological sites/resources are unearthed during construction, the permittee will immediately cease construction and notify the District Commander of the find. No further work will occur until the resource(s) are evaluated and the effect determined, mitigated or eliminated.
- t. That temporary cofferdams, necessary for the construction of the ramps, will be limited to that which is absolutely necessary to construct or repair the ramp. With the exception of clean sand contained in tightly sealed/bound containers such as sand bags or tubes, dewatering of the work site will be accomplished with the use of non-earthen materials. Examples of these devices include, but are not limited to, jersey barriers, water bladders or sheet piling. Temporary cofferdams will be removed in their entirety immediately upon completion of the construction activity.
- u. That materials that contain creosote, and/or PCB treated wood, crossies, power poles, telephone poles, bridge timbers or man-made products or natural products constructed with or treated with chemicals that may degrade water quality, harm fisheries, wildlife and/or their habitat are not authorized for use under this General Permit.
- v. That the site of the boat ramp and associated facilities will be inspected for any underground pipeline markers or warning signs. If such signs or markers are present, the telephone number shown on the sign will be called prior to the start of construction.
- w. That any barrel used for floatation which has contained a biocide (e.g., herbicide, pesticide or insecticide) will not be utilized as a floatation device.
- x. That the boat dock will not be utilized for long term boat mooring.
- y. That if a floatation type boat dock is used it shall be securely anchored so as not to constitute a safety hazard.
- z. That the construction of any boat ramp facility authorized under the provisions of this General Permit must be started within one (1) year of such authorization and must be completed within three (3) years, or said authorization if not previously revoked or specifically extended shall automatically expire.

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Amendment No. 5

Appendix A

1. To receive consideration under this general permit, the applicant will provide a Notice of Intent to construct a particular project to the District Commander's designee. If the project is located on the Missouri River the designee will be the appropriate Corps of Engineers Lake Manager (addresses listed below). If the project is located on any other waterbody, the designee will be the South Dakota Regulatory Office, 28563 Powerhouse Road, Room 120, Pierre, South Dakota 57501.

Gavins Point Project Office - Project Manager, P.O. Box 710, Yankton, South Dakota 57078.

Fort Randall Project Office - Project Manager, P.O. Box 199, Pickstown, South Dakota 57367.

Big Bend Project Office (Big Bend Dam to Antelope Creek) - Project Manager, 33573 North Shore Road, Chamberlain, South Dakota 57325.

Oahe Project Office (Antelope Creek to North Dakota State Line) - Project Manager, 28563 Powerhouse Road, Pierre, South Dakota 57501.

2. Notice of Intent to construct a particular project on all waters within South Dakota shall also be provided to:

South Dakota Department of Game, Fish and Parks, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501.

US Fish and Wildlife Service, 420 South Garfield, Suite 400, Pierre, South Dakota 57501.

State Historic Preservation Officer, Cultural Heritage Center, 900 Governors Drive, Pierre, South Dakota 57501.

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Amendment No. 5
Appendix A (cont'd)

3. The Notice of Intent, submitted by the applicant, must clearly describe the proposed work so the District Commander or his designee can clearly determine whether or not the proposed work complies with the terms, conditions and limitations of this General Permit, and must contain the following information:

a. A completed permit application form (ENG Form 4345).

b. A cover letter describing the proposed work and indicating how the anticipated work will be accomplished. This letter must also indicate that the offices listed in paragraphs 2, above, have been notified and the date that these agencies were notified.

c. A drawing on an eight and one-half (8½) inch paper showing a vicinity map with the exact location of the project clearly marked , plan view and cross-sectional view(s) of the proposed work.

4. Following receipt of the Notice of Intent, the South Dakota Department of Game, Fish and Parks, and the US Fish and Wildlife Service will notify the District Commander within twenty (20) days of the Notice, of any objections they may have regarding that project. A failure to respond, within the twenty (20) day period, will constitute a lack of objection by those agencies to the proposed work.

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Amendment No. 5
Appendix B

The following will govern the duration, utilization and applicability of this general permit:

1. The cumulative impacts of this general permit may be subject to reevaluation at the discretion of the District Commander at any time, but will be reevaluated at the end of the five (5) years.

2. Any proposed project, which is located in an area containing historic, cultural, or archeological sites as listed in the National Register of Historic Places, or those known to be eligible for such listing, and all monthly supplements thereto; and any proposed project, which is located in a site included in the National Registry of Natural Landmarks, will not be considered under this general permit.

3. Any proposed project located in an area named in Acts of Congress or Presidential Proclamations as National Rivers, National Wilderness Areas, National Recreation Areas, National Lakeshores, National Parks, National Monuments, and such areas as may be established under Federal law for similar and related purposes, such as estuarine and marine sanctuaries, will not be considered under this general permit.

4. Sites where the activity would result in adverse impacts to Federally or state listed threatened and/or endangered species or their critical habitat will not be considered under this general permit. The project must comply with the Endangered Species Act.

5. Projects involving filling activities, permanent and/or temporary, that would impair the flow in and out of wetlands will not be considered under this general permit.

6. Projects located within the boundaries of environmentally sensitive areas; such as wetlands, river chutes, and backwater areas that provide spawning, nesting, feeding and resting areas, etc., will not be considered under this general permit.

7. Projects that adversely impact wetlands will require compensatory mitigation as determined by the District Commander on a case-by-case basis.

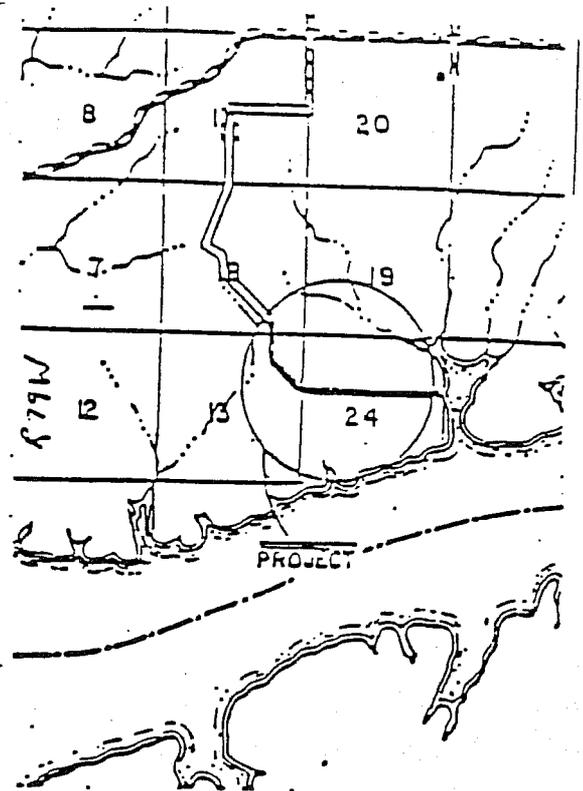
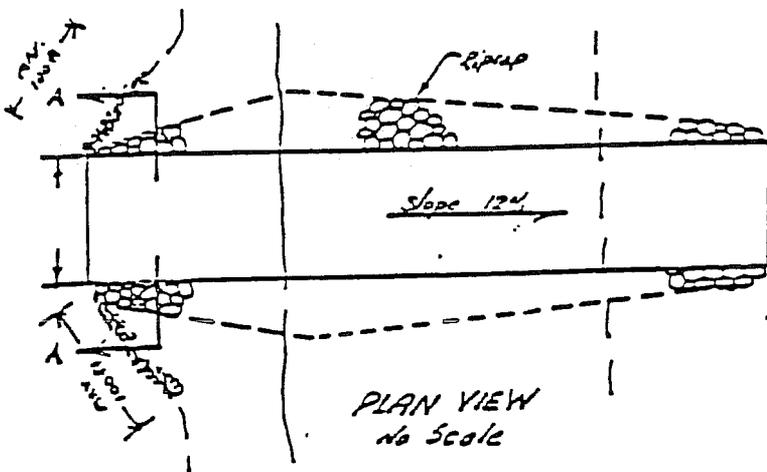
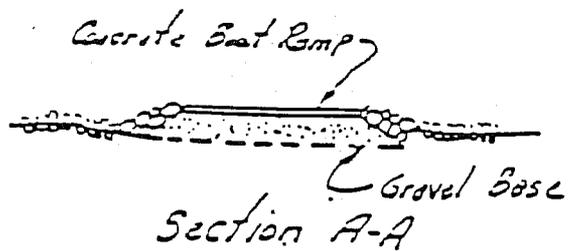
8. Areas in which the density of boat ramps exceeds five (5) ramps per mile of river, on either side of the river, will not be considered under this general permit.

General Permit 82-07 (198204701)
Amendment No. 5
Appendix B (cont'd)

9. The provisions of this general permit will not apply to filling activities, other than that authorized herein, associated with the construction of appurtenant facilities, such as access roads, parking areas, etc., proposed in conjunction with a boat launching ramp.

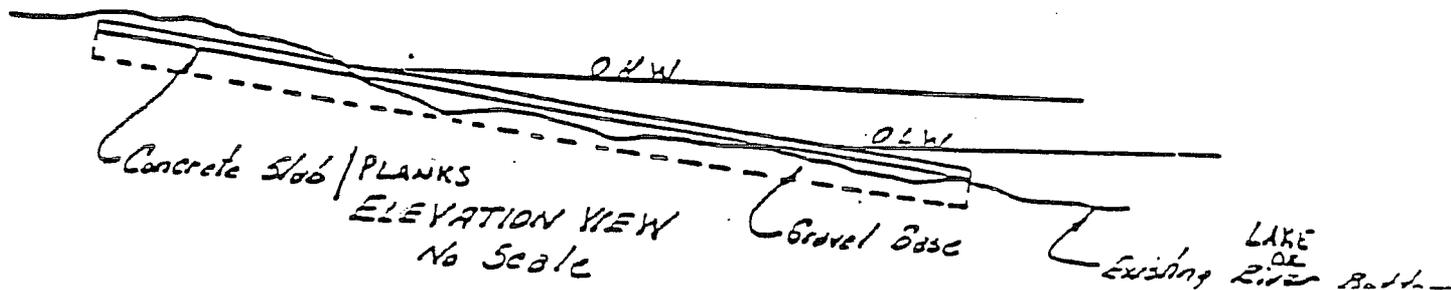
10. In the event of extended periods of low water conditions, boat ramps and their associated facilities may be extended to the extent necessary to provide for a functional facility. If it is necessary to extend the boat ramps, prior Department of the Army authorization shall be obtained by the permittee before implementation of the extension.

11. The District Commander has the discretion to require an individual permit on a case-by-case basis for any of the activities authorized herein.



T127 N

LOCATION MAP



PURPOSE: General Boat Ramps
DATUM: SD Site Plan
ADJACENT PROPERTY OWNERS:
1.

IN: WATERS OF So. DAK
AT:
COUNTY OF:
APPLICATION BY

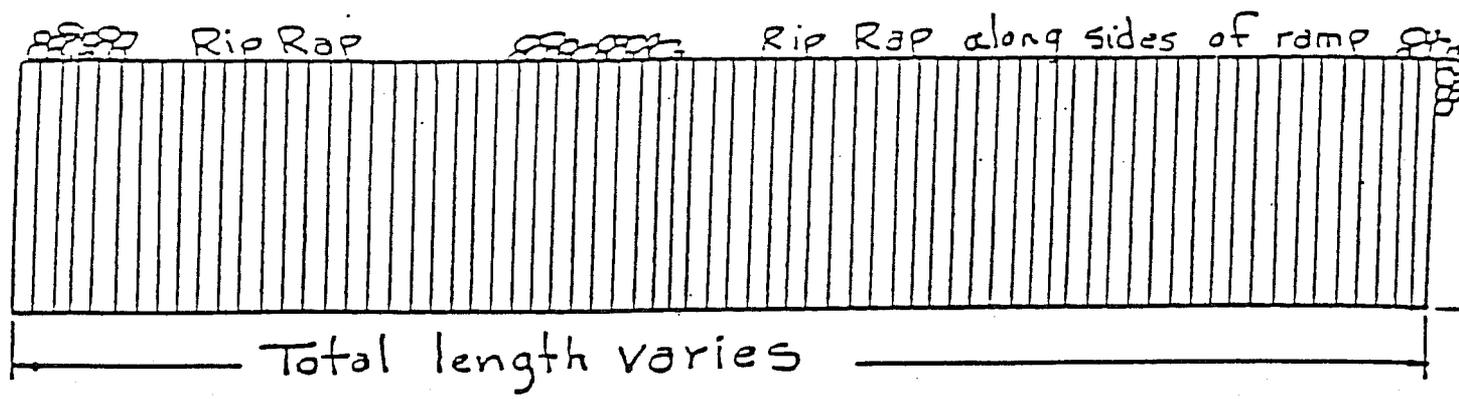
STATE: S.D.

GENERAL PUBLIC

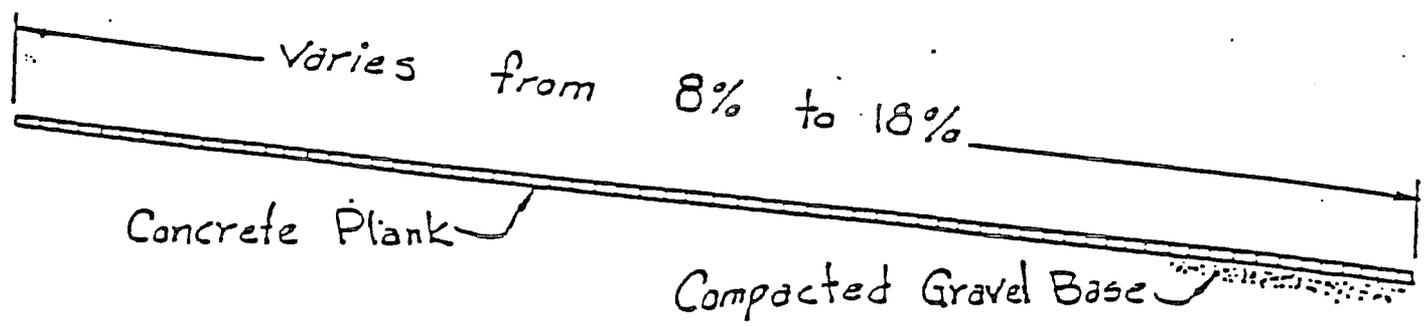
SHEET 1 OF 8

DATE: 1/15/08

Concrete Plank Boat Ramp



TYPICAL BOAT RAMP PLAN



TYPICAL BOAT RAMP PROFILE

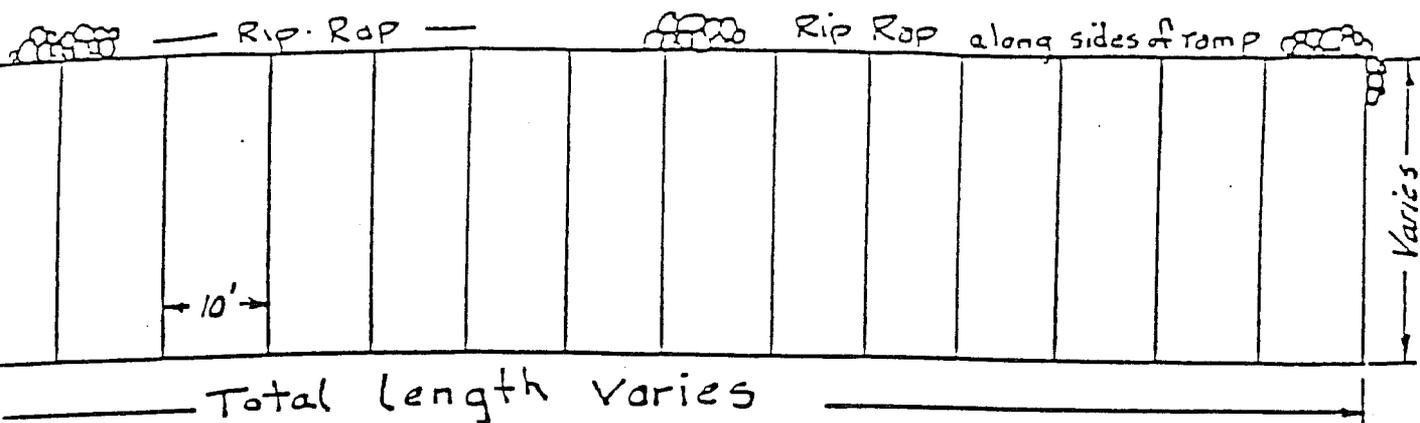
PURPOSE: General Boat Ramps
DATUM: SD Site Plan
ADJACENT PROPERTY OWNERS:
1.
2.

IN: WATERS OF SO. DAK.
AT:
COUNTY OF: STATE:
APPLICATION BY

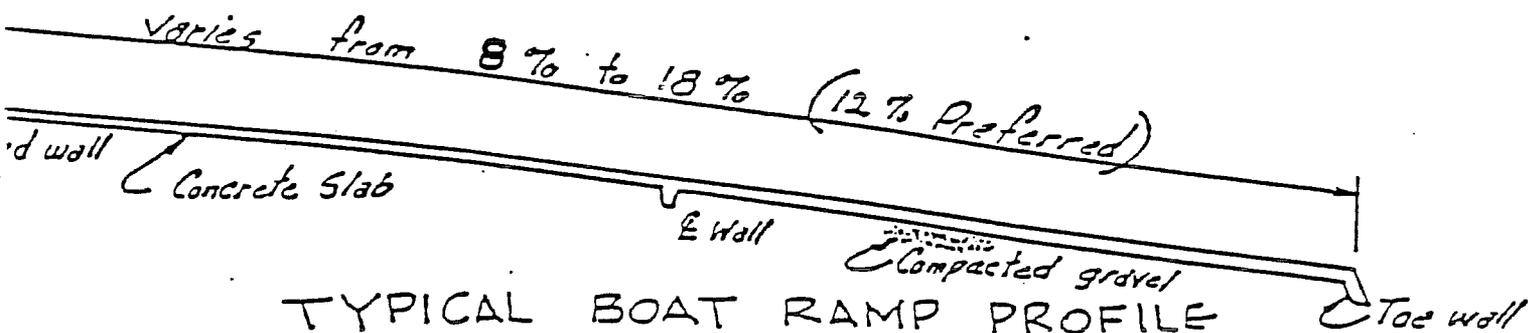
SHEET 2 OF 8

GENERAL PUBLIC
DATE: 1/15/08

Concrete Slab Boat Ramp



TYPICAL BOAT RAMP PLAN



TYPICAL BOAT RAMP PROFILE

NOTES:

1. Ramp width varies. Single Lane Ramps: 10' Minimum, 20' Maximum
Multiple Lane Ramps: 10' Minimum per lane, Overall Maximum of 70'
2. Base material will consist of a maximum of 24" of granular material
3. Ramp slope varies from 8% to 18% with 12% preferred. The 18% slope will only be utilized for that portion of the ramp which is under water.

PURPOSE: General Boat Ramps

DATUM: SD Site Plan

ADJACENT PROPERTY OWNERS:

1.

2.

IN: WATERS OF S.D. DAK.

AT:

COUNTY OF:

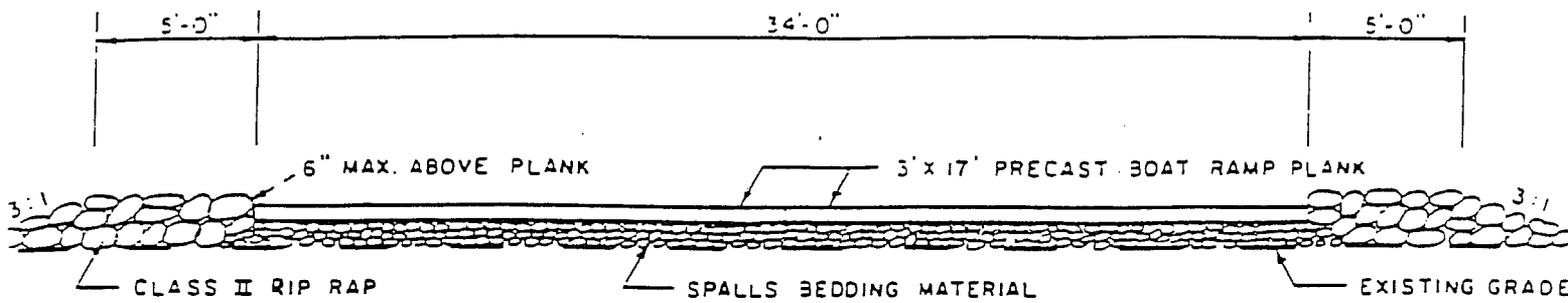
STATE: S.D.

APPLICATION BY

GENERAL PUBLIC

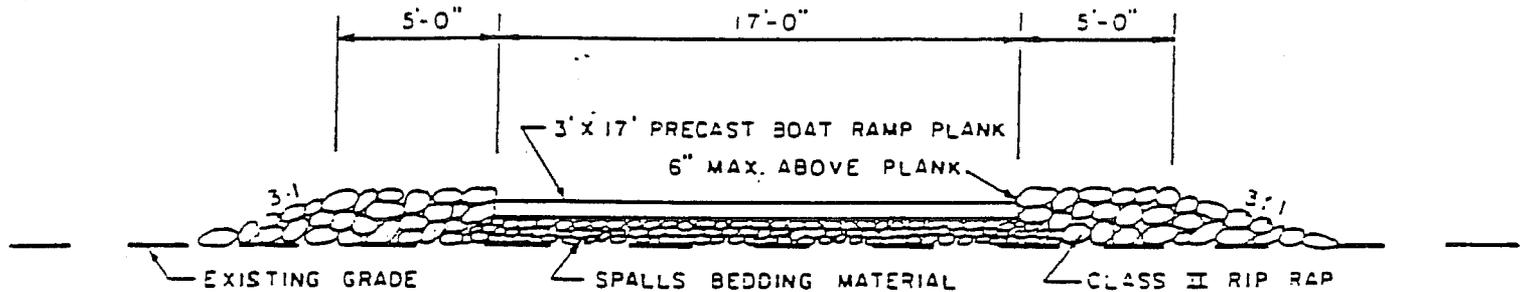
SHEET 3 OF 8

DATE: 1/15/08



TYPICAL BOAT RAMP SECTION

SCALE 1" = 5'



TYPICAL BOAT RAMP SECTION

SCALE 1" = 5'

1/15/08

PURPOSE: General Boat Ramps
 DATUM: SD Site Plan
 ADJACENT PROPERTY OWNERS:

1.

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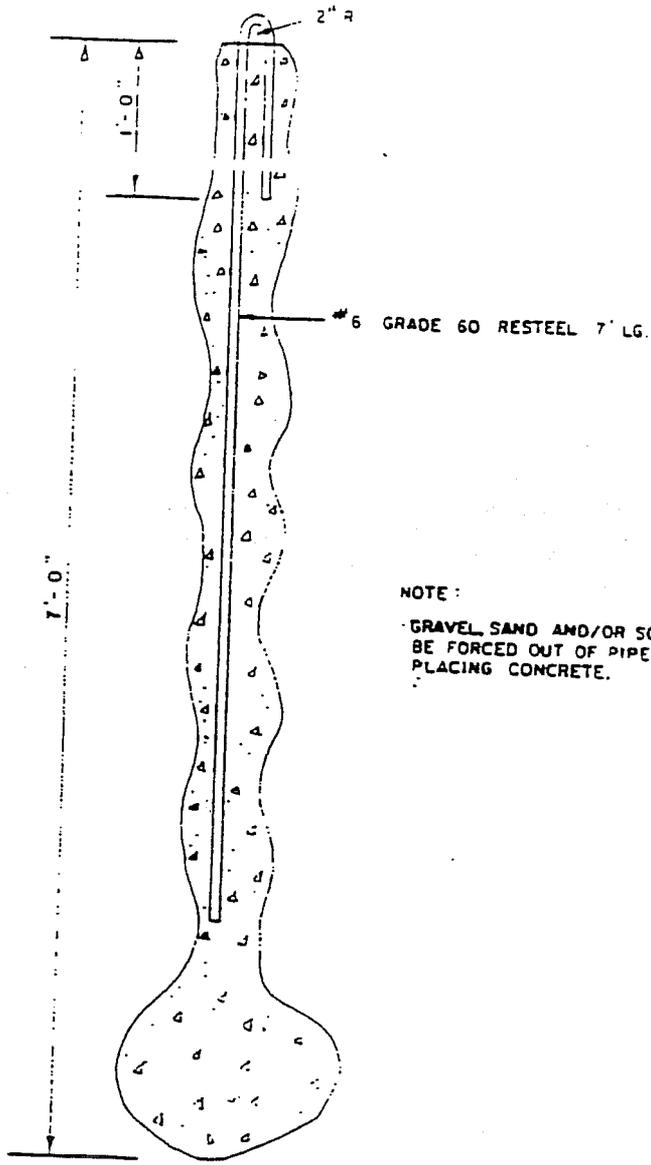
IN: WATERS OF S.D. DAK.
 AT:
 COUNTY OF:
 APPLICATION BY

STATE: S.D.

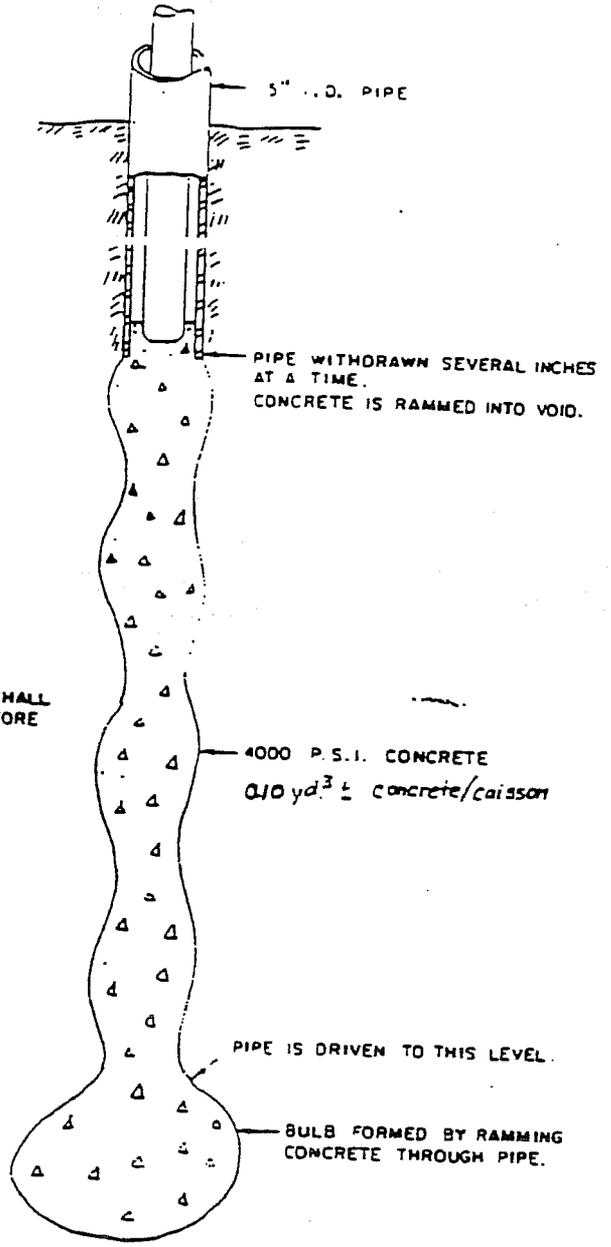
GENERAL PUBLIC

SHEET 4 OF 8

DATE: 1/15/08



CAISSON SECTION
SCALE 1" = 1'

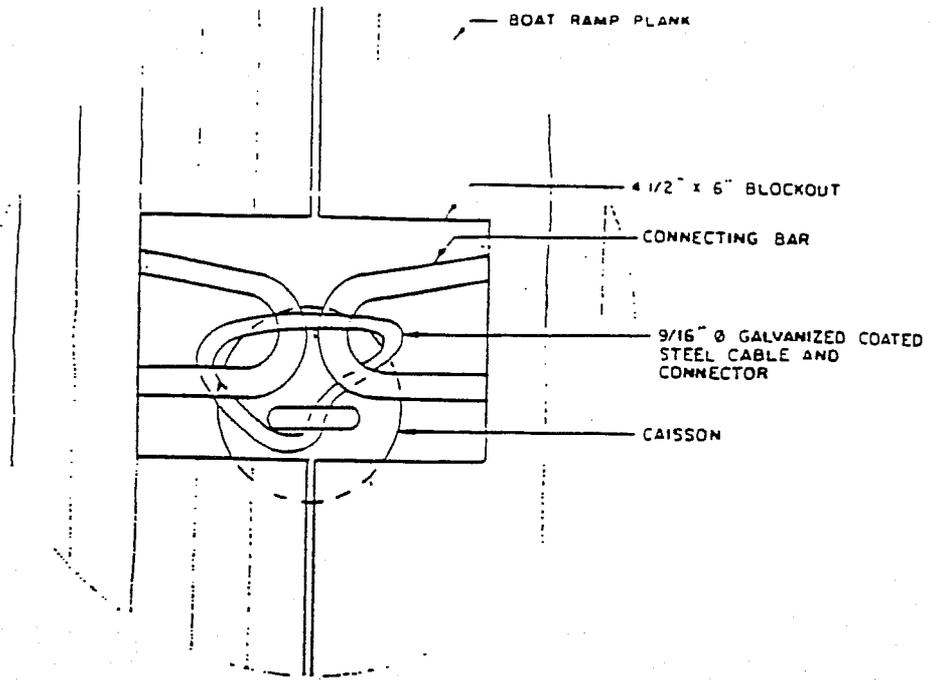


CAISSON INSTALLATION SECTION
SCALE 1" = 1'

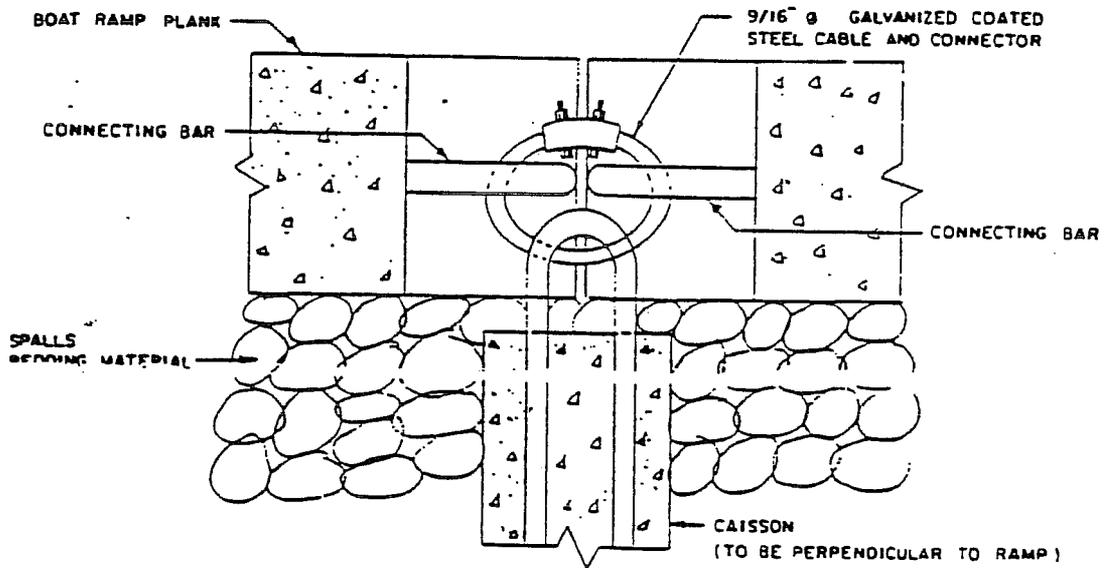
NOTE:
GRAVEL SAND AND/OR SOIL SHALL
BE FORCED OUT OF PIPE BEFORE
PLACING CONCRETE.

PURPOSE: General Boat Ramps
 DATUM: SD Site Plan
 ADJACENT PROPERTY OWNERS:
 1.
 2.
 P 82-07 (198204701)

IN: WATERS OF S.D. DAK.
 AT:
 COUNTY OF: STATE: S.D.
 APPLICATION BY: GENERAL PUBLIC
 SHEET 5 OF 8 DATE: 1/15/08



PLAN VIEW
SCALE 3"=1'



SECTION
SCALE 3"=1'

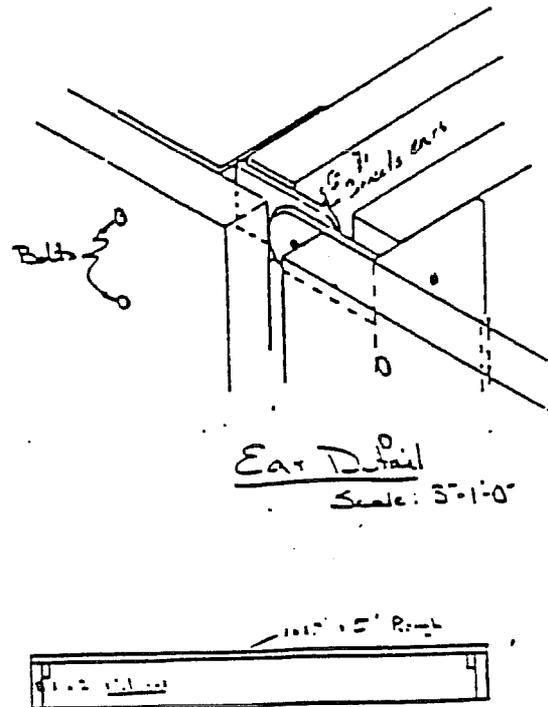
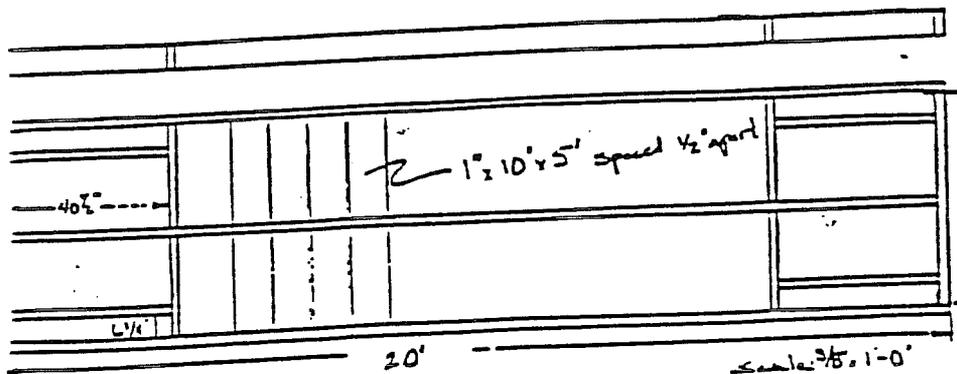
PURPOSE: General Boat Ramps
DATUM: SD Site Plan
ADJACENT PROPERTY OWNERS:

IN: WATERS OF SO. DAK.
AT:
COUNTY OF: STATE: S. D.
APPLICATION BY

GENERAL PUBLIC
DATE: 1/15/08

TYPICAL FLOATING BOAT DOCK

No Scale ..



PURPOSE: General Boat Ramps
 DATUM: SD Site Plan
 ADJACENT PROPERTY OWNERS:

1.

GP 82-07 (198204701)

IN: WATERS OF S.D. DAK.

AT:

COUNTY OF:

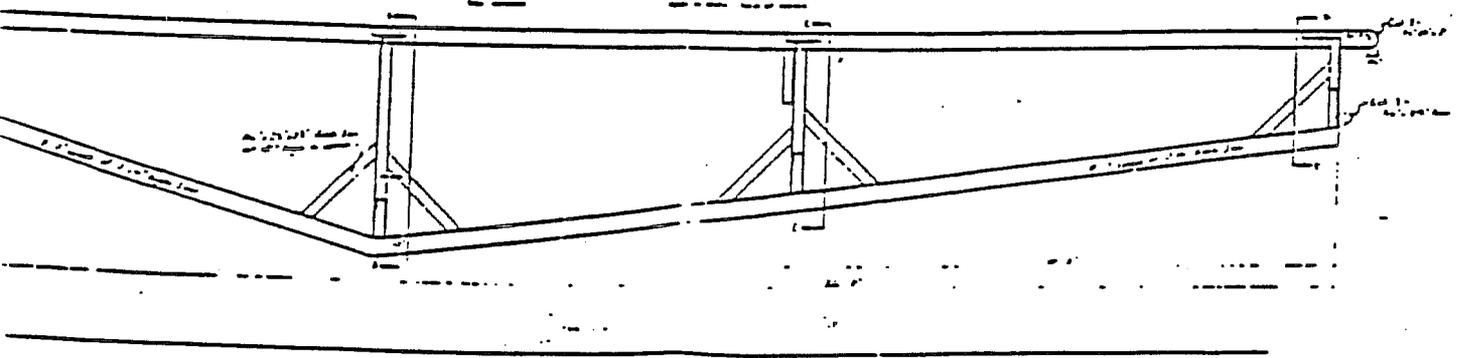
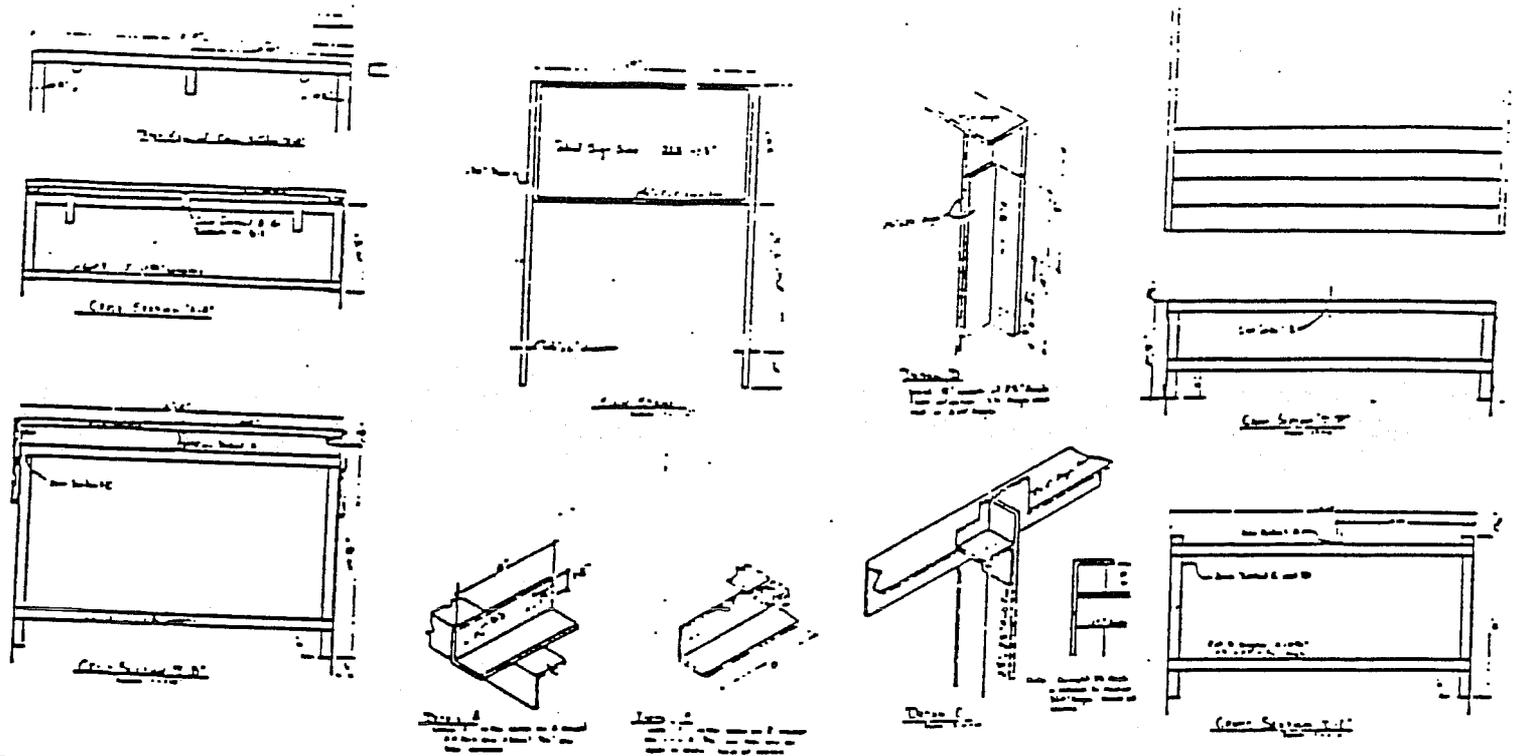
STATE: S.D.

APPLICATION BY

GENERAL PUBLIC

SHEET 7 OF 8

DATE: 1/15/08



TYPICAL SLIDE IN TYPE BOAT DOCK

PURPOSE: General Boat Ramps
 DATUM: SD Site Plan
 ADJACENT PROPERTY OWNERS:
 1.
 2.

IN: WATERS OF So. DAK,
 AT:
 COUNTY OF: STATE: SD
 APPLICATION BY GENERAL PUBLIC
 DATE: 1/15/08