

US Army Corps
of Engineers
Kansas City District

**KANSAS CITY DISTRICT
CORPS OF ENGINEERS
and
HOLT COUNTY DRAINAGE DISTRICT NO. 7**

**Public Law 84-99 of the Flood Control Act of 1944
Levee Rehabilitation – NEPA Review, Environmental
Assessment & Finding of No Significant Impact**

**MISSOURI RIVER LEVEE SYSTEM UNIT
488-L, FEDERAL LEVEE REHABILITATION
PROJECT**

May 2008



DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
700 FEDERAL BUILDING
KANSAS CITY, MISSOURI 64106-2896

Finding of No Significant Impact

Missouri River Levee System Unit 488-L, Holt County Drainage District No. 7 Levee Rehabilitation Project May 2008

Project Summary

The U.S. Army Corps of Engineers, Kansas City District (USACE), in cooperation with the project sponsor, Holt County Levee District No. 7 proposes to rehabilitate the Missouri River Levee System Unit No. 488-L under the authority of Public Law 84-99 of the Flood Control Act of 1944. The project area is located in Holt County, Missouri along the left descending bank of the Missouri River, between river miles 465 to 476. It is approximately 20 miles northwest of St. Joseph, Missouri. During the May 2007 flood event, severe damages to the levee unit occurred. The damages consist of loss of vegetative cover on the riverward slope of the levee and erosion on the riverside ramps. The recommended plan would consist of seeding and mulching and repair of eroded ramps.

Alternatives

Alternative 1 (Recommended plan). This alternative would consist of seeding the areas of the riverside slope and the immediate foreshore within the permanent right-of-way that were subject to grass kill as a result of the flood event; filling the two eroded areas on the riverward ramps; placing aggregate where it was removed from the ramps, and seeding the ramp slopes disturbed by the repairs.

No-Action Alternative- Under the no-action alternative, the USACE would not repair the damage to the levee caused by the May 2007 flood event.

Summary of Environmental Impacts

This project would result in minor impacts to water quality and minor disturbance to wildlife during construction activities. However, no impacts to wetlands, threatened or endangered species or historical resources are anticipated to occur. Minor, construction related impacts associated with these projects are outweighed by the overall long-term social and economic benefits of this project.

Mitigation Measures

The recommended plan will result in no impacts to mitigable resources as defined in USACE Planning regulations or under Section 404 of the Clean Water Act. Therefore, no mitigation measures are warranted or proposed.

Public Availability

As part of the NEPA review for the proposed project, the USACE circulated a Notice of Availability (Notice) of the Environmental Assessment (EA) and the Draft Finding of No Significant Impact (FONSI), dated June 2, 2008, with a thirty-day comment period ending on July 2, 2008 to the public and resource agencies. The Notice was e-mailed to individuals/agencies/businesses listed on the USACE Regulatory e-mail mailing list. The Notice informed these individuals that the EA and FONSI were available on the USACE webpage or that they could request the EA and FONSI in writing, in order to provide comment.

One comment was received from the U.S. Fish and Wildlife Service (USFWS) by letter dated June 16, 2008. The USFWS stated that the proposed activity is not likely to adversely affect federally listed species or designated critical habitat (Appendix II).

Conclusion

After evaluating the anticipated environmental, economic, and social effects of the proposed activity, it is my determination that construction of the proposed Missouri River Levee System Unit No. 488-L Rehabilitation Project to restore vegetation and eroded levee ramps that occurred after the May 2007 flood event, does not constitute a major Federal action that would significantly affect the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

Date:

11 July 08



Roger A. Wilson, Jr.
Colonel, Corps of Engineers
District Commander



DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
700 FEDERAL BUILDING
KANSAS CITY, MISSOURI 64106-2896

EXECUTIVE SUMMARY

The U.S. Army Corps of Engineers, Kansas City District (USACE), in cooperation with the project sponsor, Holt County Levee District No. 7 proposes to rehabilitate the Missouri River Levee System Unit No. 488-L under the authority of Public Law 84-99 of the Flood Control Act of 1944. The project area is located in Holt County, Missouri along the left descending bank of the Missouri River, between river miles 465 to 476. It is approximately 20 miles northwest of St. Joseph, Missouri. During the May 2007 flood event, severe damages to the levee unit occurred. The damages consist of loss of vegetative cover on the riverward slope of the levee and erosion on the riverside ramps. The recommended plan would consist of seeding and mulching and repair of eroded ramps.

This project would result in minor impacts to water quality and minor disturbance to wildlife during construction activities. However, no impacts to wetlands, threatened or endangered species or historical resources are anticipated to occur. Minor, construction related impacts associated with these projects are outweighed by the overall long-term social and economic benefits of this project.

As part of the NEPA review for the proposed project, the USACE circulated a Notice of Availability (Notice) of the Environmental Assessment (EA) and the Draft Finding of No Significant Impact (FONSI), dated June 2, 2008, with a thirty-day comment period ending on July 2, 2008 to the public and resource agencies. The Notice was e-mailed to individuals/agencies/businesses listed on the USACE Regulatory e-mail mailing list. The Notice informed these individuals that the EA and FONSI were available on the USACE webpage or that they could request the EA and FONSI in writing, in order to provide comment.

One comment was received from the U.S. Fish and Wildlife Service (USFWS) by letter dated June 16, 2008. The USFWS stated that the proposed activity is not likely to adversely affect federally listed species or designated critical habitat (Appendix II).

Additional information concerning this project may be obtained from Ms. Lekesha Reynolds, Environmental Resources Specialist, PM-PR, Kansas City District - U.S. Army Corps of Engineers, by writing the above address, or by telephone at 816-389-3160.

**NEPA REVIEW
ENVIRONMENTAL ASSESSMENT
&
FINDING OF NO SIGNIFICANT IMPACT**

**MISSOURI RIVER LEVEE SYSTEM UNIT NO. 488L
LEVEE REHABILITATION PROJECT
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**NEPA REVIEW
ENVIRONMENTAL ASSESSMENT
&
FINDING OF NO SIGNIFICANT IMPACT**

**MISSOURI RIVER LEVEE SYSTEM UNIT NO. 488-L
LEVEE REHABILITATION PROJECT
HOLT COUNTY, MISSOURI
MAY 2008**

Section 1: INTRODUCTION

This Environmental Assessment provides information that was developed during the National Environmental Policy Act (NEPA) public interest review of the proposed Public Law 84-99 Missouri River Levee System Unit No. 488-L Levee Rehabilitation Project.

Section 2: AUTHORITY

The Kansas City District – U.S. Army Corps of Engineers (USACE), in cooperation with the project sponsor, Holt County Drainage District No. 7, proposes to construct the Missouri River Levee System Unit 488L Levee Rehabilitation Project under the authority of Flood Control Act of 1944, (Public Law 534, 78th Congress, 2d Session) for the Missouri River Basin.

Section 3: PROJECT LOCATION

The project area is located in Holt County, Missouri along the left descending bank of the Missouri River, between river miles 465 to 476. It is approximately 20 miles northwest of St. Joseph, Missouri.

Section 4: GENERAL DESCRIPTION

The approximately 60,666 linear feet earthen levee protects approximately 8,365 agricultural lands of which approximately 175 acres are in the Monkey Mountain mitigation site. There are two residences, 20 outbuildings and approximately 40 grain silos, the main line of Chicago, Burlington, and Quincy Railroad, one state highway and a county road extends along the entire eastern limits of the unit at the foot of the valley bluffs. The flood protection works in this unit consists of earthen levee, improved channel, and drainage facilities (see Appendix I, Attachment D-5).

Section 5: PROJECT DAMAGES

During the May 2007 flood event, severe damages to the levee unit occurred. The project damages consist of loss of vegetative cover on areas of the levee's riverside slopes (Table 1) and erosion at levee riverside ramps located at Levee Stations 95+05 and 194+00.

Table 1. Loss of Vegetative Cover on the Riverward Slope:

Sta. 168+52 thru Sta. 238+90	4 acres
Sta. 238+90 thru Sta. 274+86	1 acre
Sta. 311+09 thru Sta. 335+30	0.75 acre
Sta. 366+00 thru Sta. 402+65	0.25 acre
Sta. 550+00 thru Sta. 576+80	2 acres
Sta. 576+80 thru Sta. 587+00	1 acre
Sta. 587+00 thru Sta. 606+66	1 acre

Section 6: PURPOSE & NEED FOR ACTION

The project purpose and need is to rehabilitate the damaged levees and restore the associated social and economic benefits. Repair of the levee would restore an estimated level of protection in excess of 100 years.

Section 7: ALTERNATIVES

Alternative 1 (Recommended plan). This alternative would consist of seeding the areas of the riverside slope and the immediate foreshore within the permanent right-of-way that were subject to grass kill as a result of the flood event; filling the two eroded areas on the ramps; placing aggregate where it was removed from the ramps, and seeding the ramp slopes disturbed by the repairs. Approximately 375 cubic yards of fill material would be needed to repair the riverward ramp eroded areas at stations 95+05 and 194+00. Fill material would be obtained from an existing stockpile site. In addition, repairs to the riverward ramp would consist of the placement of 80 tons of aggregate surfacing and 0.25 acres of seed, fertilizer and mulch. The repair actions for the lost of vegetative cover on the riverward slopes would consist of the placement of ten acres of spray herbicide, fertilizer, grass seeds and mulch.

No-Action Alternative- Under the no-action alternative, the USACE would not repair the damage to the levee caused by the May 2007 flood event.

Section 8: NATIONAL ENVIRONMENTAL POLICY ACT REVIEW

As part of the NEPA review for the proposed project, the USACE circulated a Notice of Availability (Notice) of the Environmental Assessment (EA) and the Draft Finding of No Significant Impact (FONSI), dated June 2, 2008, with a thirty-day comment period ending on July 2, 2008 to the public and resource agencies. The Notice was e-mailed to individuals/agencies/businesses listed on the USACE Regulatory e-mail mailing list. The Notice

informed these individuals that the EA and FONSI were available on the USACE webpage or that they could request the EA and FONSI in writing, in order to provide comment.

One comment was received from the U.S. Fish and Wildlife Service (USFWS) by letter dated June 16, 2008. The USFWS stated that the proposed activity is not likely to adversely affect federally listed species or designated critical habitat (Appendix II).

Section 9: AFFECTED ENVIRONMENT:

The project area is located in Holt County, Missouri along the left descending bank of the Missouri River, between river miles 465 to 476. It is approximately 20 miles northwest of St. Joseph, Missouri. Landward of the levee, the area is mainly comprised of agricultural lands. Small pockets of riparian trees and vegetation are interspersed along the riverward extent of the levee. Common trees found within this area include willows, cottonwoods and sycamores. In addition, various wildlife species occupy these pockets of riparian vegetation such as small fur-bearing species, white tail deer, and various birds, including neo-tropical migrants.

Primary resources of concern identified during the evaluation included: water quality, fish and wildlife, threatened and endangered species, riparian woodlands, wetlands, archeological and historical resources, flood control, and economics. Projects impacts to other resources were determined to be no effect.

Section 10: ENVIRONMENTAL CONSEQUENCES:

Water quality

With the implementation of the recommended plan, adverse impacts to water quality are anticipated to be minor. There is a considerable amount of land and some riparian vegetation that exists between the levee and the Missouri River. The natural riparian area would serve as a buffer to lessen the impacts on water quality from the construction activities. .

Under the No-Action Alternative, the damaged levees would not be restored to their pre-damaged levels of protection. Levee failure could result in adverse impacts to water quality from increased levels of nutrient loading and wastes, including runoff of pollutants from industrial sources, pesticides, petroleum products, and non-point sources of human and animal wastes.

Fish and Wildlife

With the implementation of the recommended plan, noise during construction activities may disturb wildlife in the area, in which wildlife such as small mammals, and birds would leave the project area and return once construction activities are completed. No impacts are anticipated to occur to fisheries resources.

Under the No-Action Alternative, there would be minimal impacts on fisheries and wildlife resources. These would primarily be related to flooding within the previously protected area.

Threatened or Endangered Species

The species listed as threatened or endangered within Holt County, Missouri include the Indiana bat (*Myotis sodalis*) (E), pallid sturgeon (*Scaphirhynchus albus*) (E), and the Western prairie fringed orchid (T) (*Plantantera praeciara*). The Bald eagle is no longer federally listed, but is still protected under the Bald and Golden Eagle Act and Migratory Bird Treaty Act.

The USACE has determined that no adverse effects on any federally-listed threatened or endangered species or their habitat would occur with the proposed levee repair work. The Pallid sturgeon (*Scaphirhynchus albus*) is found primarily in the Missouri River and Mississippi River. No work is proposed within the Missouri River. The Indiana bat (*Myotis sodalis*) roosts in exfoliating trees greater than 9 inches diameter breast height during the spring and summer, and hibernate in caves during the fall and winter. Levee work would not impact any Indiana bat habitat. The western prairie fringed orchid is not likely to be found in the project area. No impacts to any state listed endangered species or their habitat were identified.

Under the No-Action Alternative, there would be no impacts to endangered or threatened species since the project area does not contain habitat to support these listed species.

Riparian Woodlands/Vegetation

With the implementation of the recommended plan, no impacts to riparian woodlands would occur. The recommended plan would restore the grassed-levee slopes that existed prior to the declared flood event of 2007.

The "No Action" Alternative could result in increases to the floodplain and to floodplain vegetation if lands are abandoned from farming due to the high risk of flooding. Over time, successional vegetative growth could result in large expanses of floodplain forest.

Wetlands

The recommended plan would have no adverse impacts on wetlands. No wetlands were identified in the areas of the proposed action.

The "No Action" Alternative could result in minor benefits to existing wetlands located on the flood plain within the protected area as these areas would be subject to a high level risk of future flooding.

Archeological and Historical Resources

A cultural resources review of the proposed levee repairs for the L-488 levee rehabilitation in Holt County, Missouri was conducted by the Kansas City District archeologist. No sites listed on or eligible for listing on the National Register of Historic Places are located within or near the proposed project area. Since all repair impacts would be limited to the existing levee facility, the proposed project would have no potential to impact historic properties. Therefore, no coordination with the Missouri State Historic Preservation Office (SHPO) is required for the

project. If project plans change and new right-of-way or borrow is required, then SHPO coordination would be required.

If in the unlikely event that archeological materials are discovered during project construction, work in the area of discovery would cease and the discovery investigated by a qualified archeologist. The findings on the discovery would be coordinated with the SHPO office and appropriate federally recognized Native American tribes.

The "No Action" Alternative would result in no effects to archaeological or historical resources.

Floodplain

The recommended plan would restore a 100-yr level of flood protection to the existing levee system. The proposed action would not directly or indirectly support more development in the floodplain or encourage additional occupancy and/or modification of the base floodplain. Furthermore, the Corps has determined that the recommended plan complies with the intent of Executive Order 11988.

The "No Action" Alternative would continue to expose all public and private infrastructure protected by the levee prior to the flood damage to a high level risk of future flooding.

Economics

With the implementation of the recommended plan, the levees would be restored to a 100-year level of flood protection. Public and private infrastructure protected by the levee prior to the flood damage would continue to be protected against a 100-year flood event. Economic conditions are unlikely to change from those of pre-damage levee conditions with the repair of this levee system.

The "No Action" Alternative has a zero benefit to cost ratio and would continue to expose all public and private infrastructure protected by the levee prior to the flood damage to a high level risk of future flooding. The area would continue to suffer the effects of a levee with a dramatically smaller level of protection and would be exposed to annual damages in millions of dollars.

Section 11: CUMULATIVE IMPACTS

The combined incremental effects of human activity are referred to as cumulative impacts (40 CFR 1508.7). While these incremental effects may be insignificant on their own, accumulated over time and from various sources, they can result in serious degradation to the environment. The cumulative impact analysis must consider past, present, and reasonably foreseeable actions in the study area. The analysis must also include consideration of actions outside of the Corps, to include other State and Federal agencies. As required by NEPA, the Corps has prepared the following assessment of cumulative impacts related to the alternatives being considered in this EA.

Historically, the Missouri River and its floodplain has been altered by past actions such as bank stabilization, dams on the river and its tributaries, roads/bridges, agricultural and urban levees, channelization, farming, water withdrawal for human and agricultural use, urbanization and other human uses. These activities have substantially altered the terrestrial and aquatic ecosystem within the Missouri River watershed.

The repairs of damaged levees are expected to continue in the future as unpredictable flood events of the Missouri River occur. Environmental resources typically affected by levee repair actions such as these may include wetlands, fish and wildlife resources, water quality, agricultural, and riparian woodlands. However, the impacts to these resources are usually short term, and minor and not adverse and long-term.

The proposed action would involve restoring the grassed slopes and eroded banks on Missouri River Levee System Unit 488-L that was damaged during the May 2007 flood to its pre-existing conditions. The proposed levee repair action would result in short-term, minor impacts to wildlife resources from noise generated construction activities. However, these minor construction-related impacts would be greatly offset by restoring the flood risk management capability and its associated social and economic benefits of the existing levee system. The proposed action would not result in any additional adverse impacts to environmental resources that were affected from the aforementioned past actions. Thus, no significant cumulative impacts associated with the proposed rehabilitation of the existing levee system have been identified.

Section 12: MITIGATION MEASURES

The recommended plan will result in no impacts to mitigable resources as defined in USACE Planning regulations or under Section 404 of the Clean Water Act. Therefore, no mitigation measures are warranted or proposed.

Section 13: COMPLIANCE WITH ENVIRONMENTAL QUALITY STATUTES

The Compliance with Designated Environmental Quality Statutes that have not been specifically addressed earlier in this report is covered in Table 2. Additional information is listed for the most pertinent statues following the table.

**Table 2
Compliance of Environmental Statutes**

Federal Polices	Compliance
Archeological Resources Protection Act, 16 U.S.C. 470, et seq.	Full Compliance
Clean Air Act, as amended, 42 U.S. C. 7401-7671g, et seq.	Full Compliance
Clean Water Act (Federal Water Pollution Control Act), 33 U.S.C. 1251, et seq.	Full Compliance
Coastal Zone Management Act, 16 U.S.C. 1451, et seq.	Not Applicable

Endangered Species Act, 16 U.S.C. 1531, et seq.	Full Compliance
Estuary Protection Act, 16 U.S.C. 1221, et seq.	Not Applicable
Federal Water Project Recreation Act, 16 U.S.C. 4601-12, et seq.	Full Compliance
Fish and Wildlife Coordination Act, 16 U.S.C. 661, et seq.	Full Compliance
Land and Water Conservation Fund Act, 16 U.S.C. 4601-4, et seq.	Not Applicable
Marine Protection Research and Sanctuary Act, 33 U.S.C. 1401, et seq.	Not Applicable
National Environmental Policy Act, 42 U.S.C. 4321, et seq.	Full Compliance
National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470a, et seq.	Full Compliance
Rivers and Harbors Act, 33 U.S.C. 403, et seq.	Full Compliance
Watershed Protection and Flood Prevention Act, 16 U.S.C. 1001, et seq.	Full Compliance
Wild and Scenic River Act, 16 U.S.C. 1271, et seq.	Not Applicable
Farmland Protection Policy Act, 7 U.S.C. 4201, et seq.	Full Compliance
Protection & Enhancement of the Cultural Environment (Executive Order 11593)	Full Compliance
Floodplain Management (Executive Order 11988)	Full Compliance
Protection of Wetlands (Executive Order 11990)	Full Compliance
Environmental Justice (Executive Order 12898)	Full Compliance

NOTES:

- a. Full compliance. Having met all requirements of the statute for the current stage of planning (either preauthorization or postauthorization).
- b. Partial compliance. Not having met some of the requirements that normally are met in the current stage of planning.
- c. Noncompliance. Violation of a requirement of the statute.
- d. Not applicable. No requirements for the statute required; compliance for the current stage of planning.

Clean Water Act, Section 404 and 401

The recommended plan does not involve placement of fill material in a Water of the United States and therefore, Clean Water Act, Section 401 Water Quality Certification and Section 404b1 are not required.

Clean Water Act, Section 402

A NPDES permit has been received from Missouri Department of Natural Resources and is located in Appendix II.

Endangered Species Act, Section 7

The Corps of Engineers has made a determination that no impacts to any federally listed threatened or endangered species or their habitat would occur with the project action. Coordination of Endangered Species Act would be completed upon review of this EA and concurrence of this determination with the USFWS.

National Historic Preservation Act

No sites listed on or eligible for listing on the National Register of Historic Places are located within or near the proposed project area. Therefore, no coordination with the Missouri State Historic Preservation Office (SHPO) is required for the project.

Section 14: ENVIRONMENTAL SUMMARY

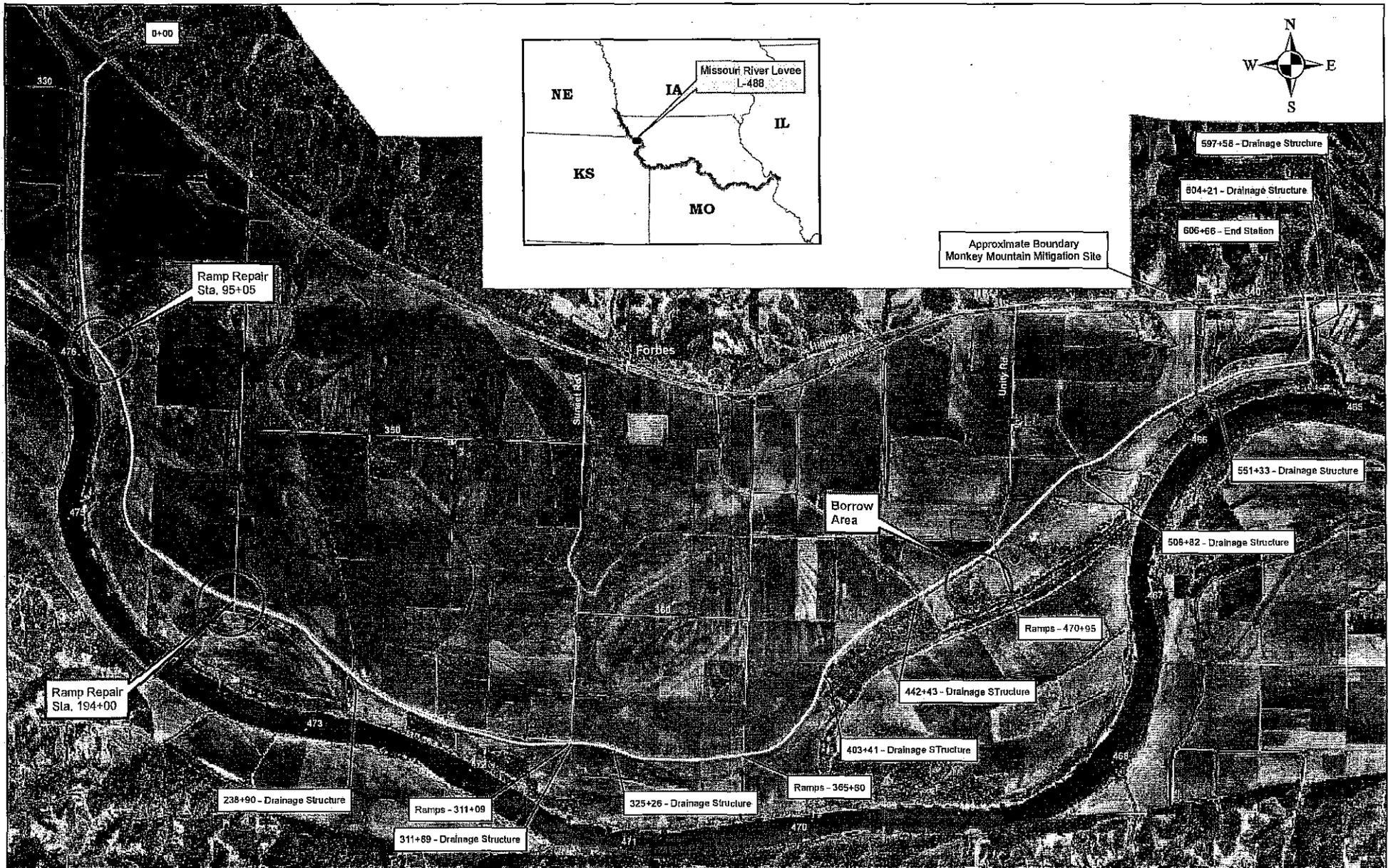
This project would result in minor impacts to water quality and minor disturbance to wildlife during construction activities. However, no impacts to wetlands, threatened or endangered species or historical resources are anticipated to occur. Minor, construction related impacts associated with these projects are outweighed by the overall long-term social and economic benefits of this project.

Section 15: PREPARERS

This EA and the associated draft FONSI was prepared by Ms. Lekesha Reynolds (Environmental Resource Specialist), with relevant sections prepared by Mr. Timothy Meade (Cultural Resources). The address of the preparers is: U.S. Army Corps of Engineers, Kansas City, District; PM-PR, Room 843, 601 E. 12th St, Kansas City, MO 64106.

APPENDIX I – PROJECT DRAWINGS

*Missouri River Levee System Unit 488-L,
Federal Levee Rehabilitation Project,
Holt County, Missouri
May 2008*



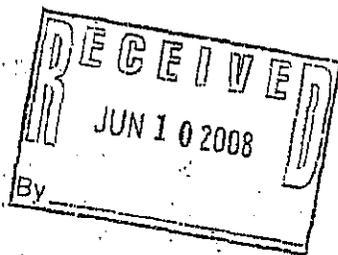
**MISSOURI RIVER LEVEE SYSTEM
Levee Unit L - 488**

APPENDIX II – NEPA REVIEW

*Missouri River Levee System Unit 488-L,
Federal Levee Rehabilitation Project,
Holt County, Missouri
May 2008*



DEPARTMENT OF THE ARMY
 KANSAS CITY DISTRICT, CORPS OF ENGINEERS
 700 FEDERAL BUILDING
 KANSAS CITY, MISSOURI 64106-2896



REPLY TO
 ATTENTION OF: June 6, 2008
 Planning, Programs and Project Management Division
 Planning Branch

Charlie Scott
 US Fish and Wildlife Service
 101 Park DeVille Drive, Suite A
 Columbia, Missouri 65203

In accordance with provisions of the National Environmental Policy Act of 1969 (NEPA), enclosed for your review and comment is the Environmental Assessment (EA) and Draft Finding of No Significant Impacts (FONSI) for the Missouri River Levee System Unit No. 488-L Levee Rehabilitation Project.

The U.S. Army Corps of Engineers, Kansas City District (USACE), in cooperation with the project sponsor, Holt County Levee District No. 7 proposes to rehabilitate the Missouri River Levee System Unit No. 488-L under the authority of Public Law 84-99 of the Flood Control Act of 1944. Under this authority, the Corps of Engineers can provide assistance to public agencies in responding to flood emergencies such as the rehabilitation of flood control works damaged or destroyed by floods.

The project area is located in Holt County, Missouri along the left descending bank of the Missouri River, between river miles 465 to 476. The proposed project would consist of seeding the areas of the riverside slope and the immediate foreshore within the permanent right-of-way that were subject to grass kill as a result of the May 2007 flood event; filling the two eroded areas on the riverward ramps; placing aggregate where it was removed from the ramps, and seeding the ramp slopes disturbed by the repairs.

Written comments on the EA and Draft FONSI should be mailed to Ms. Lekesha Reynolds, Environmental Resources Specialist, Corps of Engineers, Kansas City District, PM-PR, 601 E. 12th Street, Kansas City, Missouri 64106-2896, or by phone at (816) 389-3160 or by email at lekesha.w.reynolds@usace.army.mil. The public review and comment period for the EA and draft FONSI will end 30 days from the date of this letter.

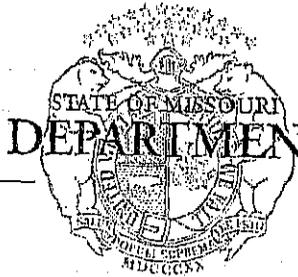
Sincerely,

David R. Hibbs
 Acting Chief, Environmental Resources Section

"The U.S. Fish and Wildlife Service has reviewed the subject proposal and accompanying information and determined that the activity as described is not likely to adversely affect federally listed species or designated critical habitat. Consequently, this concludes section 7 consultation. Please contact the Missouri Department of Conservation (573/522-4115) for state listed species of concern"

Field Supervisor
 6/10/2008
 Date

U.S. Army Corps of Engineers, KC District
MO-R100043, Various County



Matt Blunt, Governor • Doyle Childers, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

NOV 30 2007

U.S. Army Corps of Engineers, KC District
700 Federal Building, 601 E. 12th Street
Kansas City, MO 64106

Dear Permittee:

Pursuant to the Federal Water Pollution Control Act, under the authority granted to the State of Missouri and in compliance with the Missouri Clean Water Law, we have issued and are enclosing a General State Operating Permit for U.S. Army Corps of Engineers, KC District.

Please review the requirements of your permit. Monitoring reports that may be required by this permit must be submitted on a periodic basis. Copies of the necessary report forms, if required, are enclosed and should be mailed to the regional office listed below. Please contact that office for additional forms.

This General Permit is both your federal discharge permit and your new state operating permit and replaces all previous state operating permits and letters of approval for the discharges described within. In all future correspondence regarding this permit, please refer to your general permit number as shown on page one of your permit.

If you were affected by this decision, you may appeal to have the matter heard by the administrative hearing commission. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission.

If you have any questions concerning this permit, please do not hesitate to contact the Water Protection Program at PO Box 176, Jefferson City, MO 65102 (573) 751-1300.

Sincerely,

WATER PROTECTION PROGRAM

A handwritten signature in black ink, appearing to read "Robert M. Feltz".

NPDES Permit and Engineering Section

Enclosure

RECEIVED
REGULATORY BRANCH
07 DEC -5 PM 2:30

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT
WATER POLLUTION CONTROL PROGRAM**

General Operating Permit

In compliance with the Missouri Clean Water Law, (chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

Permit No.: MO-R100043

Owner: U.S. Army Corps of Engineers, KC District
Address: 700 Federal Building, 601 E. 12th Street
Kansas City, MO 64106

Continuing Authority: Same
Same

Facility Name: U.S. Army Corps of Engineers, KC District
Facility Address: 700 Federal Building, 601 E. 12th Street
Kansas City, MO 64106

Legal Description: See Page 2, Various County

Receiving Stream: See Page 2
First Classified Stream: See Page 2

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein.

FACILITY DESCRIPTION All Outfalls, SIC 1629

Construction or land disturbance activity (e.g., clearing, grubbing, excavating, grading, and other activity that results in the destruction of the root zone) that are performed by or under contract to a city, county, or other governmental jurisdiction that has a storm water control program for land disturbance activities that has been approved by the Missouri Department of Natural Resources.

This permit authorizes only wastewater, including storm waters, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System, it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

May 31, 2007 November 30, 2007
Effective date Issue date

Doyle Childers
Doyle Childers, Director, Department of Natural Resources
Executive Secretary, Clean Water Commission

May 30, 2012
Expiration date
MO 780-1481 (7-94)

Edward Galbraith
Edward Galbraith
Director of Staff, Clean Water Commission

Page 2

Permit Number MO-R100043

This permit accompanies the applicant's General Permit 41 (GP0-41) for the repair of levees due to damages from flooding.

Repair activities may take place anywhere along the Missouri and Grand Rivers and tributaries thereof. Location would be in any county along these waterways from Rulo Nebraska to Saint Louis Missouri.

Detailed receiving stream information is available upon request.

APPLICABILITY

1. This general permit **authorizes** the discharge of storm water and certain non-storm water discharges from land disturbance sites that are performed by or under contract to a city, county, or other governmental jurisdiction that has a storm water control program and/or SWPPP for land disturbance activities that has been approved by the Missouri Department of Natural Resources.
2. If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner/operator of a permitted site to apply for site specific permits, the Department may require a city, county, or other governmental jurisdiction to obtain a site specific operating permit [10 CSR 20-6.010 (13) and 10 CSR 20-6.200(6)].

The Department may require the permittee to apply for and obtain a site specific or different general permit if:

- a. The permittee is not in compliance with the conditions of this general permit;
- b. The discharge no longer qualifies for this general permit due to changed site conditions and regulations; or
- c. Information becomes available that indicates water quality standards have been or may be violated.

The Department will notify the permittee in writing if there is a need to apply for a site-specific permit or a different general permit. When a site specific permit or different general permit is issued to the authorized permittee, the permit that has been replaced will be automatically terminated upon the effective date of the site specific or different general permit, whichever the case may be. The permittee shall submit the appropriate forms to the Department to terminate the permit that has been replaced.

3. Any owner/operator authorized by a general permit may request to be excluded from the coverage of the general permit and apply for a site-specific permit [10 CSR 20-6.010 (13) and 10 CSR 20-6.200(6)].
4. The owner of the property and/or right-of-way on which a land disturbance site is located is responsible for compliance with this permit. This remains true in the event the owner chooses to contract for the design and/or construction of a project.
5. This permit does not authorize land disturbance activities in violation of the Historic Preservation Act or the Endangered Species Act.
6. This permit is not transferable to other owners or operators.

EXEMPTIONS FROM STATE PERMIT REQUIREMENTS

1. Sites that discharge all storm water runoff directly to a combined sewer system are exempt from state storm water permit requirements.
2. Land disturbance activities as identified in 10 CSR 20-6.200(1)(B) are exempt from state storm water permit requirements as long as there is no violation of water quality standards.
3. Sites that disturb less than one acre of total land area that are not part of a common plan or sale are exempt from state storm water requirements as long as there is no violation of water quality standards.
4. Agricultural storm water discharges and irrigation return flows are exempt from state storm water permit requirements as long as there is no violation of water quality standards. Animal Feeding Operations (AFO) are not included in the agricultural exemption.

REQUIREMENTS

1. All water pollution controls on site shall conform to the DNR-approved storm water control program and/or SWPPP of the city, county, or other governmental jurisdiction in which such land disturbance activities are occurring. The requirements of the approved storm water control program and/or SWPPP must be at least as stringent and may be more stringent than those described in this permit and 10 CSR 20-6.200. The requirements of the DNR approved program and/or SWPPP are enforceable under this permit. The permittee must conduct inspections of all land disturbance sites as described under Requirements, 12. of this permit. If the permittee is a regulated MS4, the approved program and/or SWPPP must comply with the Permittee's MS4 permit.
2. The permittee shall provide a list of active land disturbance sites (of one acre or more) to the department on a quarterly bases. The list shall contain the name of the project, location, receiving stream(s) for each outfall, description of the project, number of acres disturbed, and projected date for completion of the project. The permittee shall submit quarterly reports each January, April, July, and October. The reports must be recieved by the end of the specified month.
3. Discharges shall not cause violations of the Water Quality Standards 10 CSR 20-7.031(3), which states, in part, that no water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - a. Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - b. Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - c. Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - d. Waters shall be free from substances or conditions in sufficient amounts to have a harmful effect on human, animal or aquatic life.
 - e. There shall be no significant human health hazard from incidental contact with the water;
 - f. There shall be no acute toxicity to livestock or wildlife watering;
 - g. Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
 - h. Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles, or equipment and solid waste as defined in Missouri's Solid Waste Law, Section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to Section 260.200-260.247.
4. Good housekeeping practices shall be maintained by the permittee to keep solid waste from entering waters of the state.
5. The permittee shall comply with all federal and state regulations regarding underground storage, above ground storage, and dispensers of fueling facilities.
6. The permittee shall manage hazardous wastes in accordance with the provisions of the Missouri Hazardous Waste Laws and Regulations. This includes hazardous wastes that are transported, stored, or used for maintenance, cleaning, and repair.
7. The permittee shall designate an individual to be responsible for environmental matters. The individual responsible for environmental matters shall have a thorough and demonstrable knowledge of the site's SWPPP and sediment and erosion control practices in general. The individual responsible for environmental matters or a designated inspector knowledgeable in erosion, sediment, and stormwater control principles, shall inspect all structures that function to prevent pollution of waters of the state.

8. The permittee shall store all paint, solvents, petroleum products and petroleum waste products, and storage containers (such as drums, cans, or cartons) according to best management practices (BMPs). The materials exposed to precipitation shall be stored in watertight, structurally sound, closed containers. All containers shall be inspected for leaks or spillage during the once per week inspection of BMPs.
9. The primary requirement of this permit is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The permittee must retain a copy of the SWPPP on the construction site during normal working hours and make it available to a department representative upon request.

The SWPPP shall:

- a. Incorporate required practices identified below,
- b. Incorporate erosion control practices specific to site conditions, and
- c. Provide for maintenance and adherence to the plan.

Before any land disturbance activity takes place, the permittee shall develop a SWPPP. This plan must be developed before a permit can be issued and made available as specified under RECORDS

The permittee shall fully implement the provisions of the SWPPP required under this part as a condition of this general permit throughout the term of the land disturbance project.

The purpose of the SWPPP is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of sediment and other pollutants in storm water discharges associated with the land disturbance activities; comply with the Missouri Water Quality Standards; and ensure compliance with the terms and conditions of this general permit.

The permittee shall select, install, use, operate, and maintain appropriate BMPs for the permitted sites. The following manuals are acceptable resources for the selection of appropriate BMPs.

Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices, (Document number EPA 832-R-92-005) published by the United States Environmental Protection Agency (USEPA) in 1992. **This manual is available at The USEPA internet site <http://cfpub1.epa.gov/npdes/stormwater/swppp.cfm>;**

The latest version of ***Protecting Water Quality: A field guide to erosion, sediment and storm water best management practices for development sites in Missouri***. This manual is available on the department's internet site at: <http://www.dnr.mo.gov/env/wpp/wpcp-guide.htm>

The permittee is not limited to the use of these guidance manuals. Other guidance publications may be used to select appropriate BMPs. However, all BMPs should be described and justified in the SWPPP. EPA and DNR continue to update BMP information on their web sites. It is recommended that the permittee review this information when developing a SWPPP.

10. SWPPP Requirements: The following information and practices shall be provided for in the SWPPP.
 - a. **Site Description:** In order to identify the site, the SWPPP shall include the facility and outfall information provided in the application form. The SWPPP shall have sufficient information to be of practical use to contractors and site construction workers to guide the installation and maintenance of BMPs. Site boundaries and outfalls shall be marked on a site map included as part of the SWPPP.
 - b. **Selection of Temporary and Permanent Non-Structural BMPs:** The permittee shall select appropriate non-structural BMPs for use at the site and list them in the SWPPP. The SWPPP shall require existing vegetation to be preserved where practical. The time period for disturbed areas to be without vegetative cover is to be minimized to the maximum extent practicable. For sites that will be inactive six months or more, establishing a vegetative cover is a highly recommended choice for a proper BMP.

Examples of non-structural BMPs which the permittee should consider specifying in the SWPPP include: preservation of trees and mature vegetation, protection of existing vegetation for use as buffer strips (vegetative buffer strips of 50 feet are especially encourage along drainage courses), mulching, sodding, temporary seeding, final seeding, geotextiles, stabilization of disturbed areas, preserving existing stream channels as overflow areas when channel straightening or shortening is allowed, soil stabilizing emulsions and tackifiers, mulch tackifiers, stabilized site entrances/exits, and other appropriate BMPs.

- c. Selection of Temporary and Permanent Structural BMPs: The permittee shall select appropriate structural BMPs for use at the site and list them in the SWPPP. Examples of structural BMPs that the permittee should consider specifying in the SWPPP include: diverting flows from undisturbed areas away from disturbed areas, silt (filter fabric and/or straw bale) fences, earthen diversion dikes, drainage swales, sediment traps, rock check dams, subsurface drains (to gather or transport water for surface discharge elsewhere), pipe slope drains (to carry concentrated flow down a slope face), level spreaders (to distribute concentrated flow into sheet flow), storm drain inlet protection and outlet protection, reinforced soil retaining systems, gabions, temporary or permanent sediment basins, and other appropriate BMPs.
- d. Description of Best Management Practices: The SWPPP shall include a description of both structural and non-structural BMPs that will be used at the site. The SWPPP shall provide the following general information for each BMP which will be used one or more times at the site:
- i. Physical description of the BMP,
 - ii. Site and physical conditions that must be met for effective use of the BMP,
 - iii. BMP installation/construction procedures, including typical drawings, and
 - iv. Operation and maintenance procedures for the BMP.

The SWPPP shall provide the following information for each specific instance where a BMP is to be installed:

- vi. Whether the BMP is temporary or permanent,
 - vii. Where, in relation to other site features, the BMP is to be located,
 - viii. When the BMP will be installed in relation to each phase of the land disturbance procedures to complete the project, and
 - viiii. What site conditions must be met before removal of the BMP if the BMP is not a permanent BMP.
- e. Discharges to Valuable Resource Waters:

Storm water discharges as described in 10.e.1, 10.e.2, and 10.e.3 shall be considered discharges to "valuable resource waters".

1. Storm water discharges within 1000 stream feet of: Streams identified as a losing stream*,
 - i. Streams or lakes listed as an outstanding national or state resource water*;
 - ii. Reservoirs or lakes used for public drinking water supplies*; or
 - iii. Streams, lakes or reservoirs identified as critical habitat for endangered species*;
 - iv. Streams, lakes, or reservoirs listed as impaired for sediment and/or an unknown pollutant by standard MDNR methodology.*
2. Storm water discharges:
 - i. Within 100 stream feet of a permanent stream (class P) or major reservoir (class L2)*, or
 - ii. Within two stream miles upstream of biocriteria reference locations*.
3. Storm water discharges where:
 - i. Any of the disturbed area is defined as a wetland (Class W), by 10 CSR 20-7.031(1)(F)7*; or
 - ii. The storm water discharges to a sinkhole or other direct conduit to groundwater.

- f. Total Settable Solids from a storm water outfall must not exceed 2.5 ml/L/hr.
- g. If the disturbed area discharges to a valuable resource water, Total Settable Solids shall not exceed 0.5 ml/L/hr.

(For the purpose of this permit, the term "stream feet" shall mean the distance in feet following the nearest drainage channel from the land disturbance to the valuable resource water.)

* Identified or described in 10 CSR 20, Chapter 7. These regulations are available at many libraries and may be purchased from MDNR by calling the Water Pollution Control Program at (573)751-1300. The regulations are also available from the Missouri Secretary of States Office.

- h. Disturbed Areas: Slopes for disturbed areas must be defined in the SWPPP. A site map or maps, defining the sloped areas for all phases of the project, must be included in the SWPPP. Where soil disturbing activities cease in an area for 14 days or more, the permittee shall construct BMPs to establish interim stabilization. Interim stabilization shall consist of well established and maintained BMPs that are reasonably certain to protect waters of the state from sediment pollution. These BMPs may include a combination of sediment basins, check dams, sediment fences, and mulch. The types of BMPs used must be suited to the area disturbed, taking into account the number of acres exposed and the steepness of the slopes. If the slope of the area is greater than 3:1 (3 feet horizontal to 1 foot vertical) or if the slope is greater than 3% and greater than 150 feet in length, then the permittee must establish interim stabilization within 7 days of ceasing operations on that part of the site. Delays in work caused by inclement weather or equipment malfunction are not considered "ceasing operations" for the purpose of this section, as long as work resumes as soon as possible.
- i. Installation: The permittee shall ensure the BMPs are properly installed at the locations and relative times specified in the SWPPP. Peripheral or border BMPs to control runoff from disturbed areas shall be installed or marked for preservation before general site clearing is started. Storm water discharges from disturbed areas, which leave the site, shall pass through an appropriate impediment to sediment movement, such as a sedimentation basin, sediment traps, silt fences, etc. prior to leaving the land disturbance site. A drainage course change shall be clearly marked on a site map and described in the SWPPP. The location of all BMPs must be indicated on a site map, included in the SWPPP.
- j. Sedimentation Basins: The SWPPP shall require a sedimentation basin for each drainage area with 10 or more acres disturbed at one time. The sedimentation basin shall be sized to contain a volume of at least 3600 cubic feet per each disturbed acre draining thereto. Accumulated sediment shall be removed from the basin as needed to ensure the minimum volume of 3600 cubic feet is maintained. Discharges from the basin shall not cause scouring of the banks or bottom of the receiving stream. The SWPPP shall require the basin be maintained until final stabilization of the disturbed area served by the basin.

Where use of a sediment basin of this size is impractical, the SWPPP shall evaluate and specify other similarly effective BMPs to be employed to control erosion and sediment delivery. These similarly effective BMPs shall be selected from appropriate BMP guidance documents authorized by this permit. The BMPs must provide equivalent protection. The SWPPP shall require both temporary and permanent sedimentation basins to have a stabilized spillway to minimize the potential for erosion of the spillway or basin embankment.

- k. Dewatering: The SWPPP shall require a description of any anticipated dewatering methods, including the anticipated volume of water to be discharged and the anticipated maximum flow discharged from these dewatering activities, expressed in gallons per minute. Maximum flow may be stated in the SWPPP as an estimate based on the type and capacity of equipment being used for dewatering. The SWPPP shall call for specific BMPs designed to treat water pumped from excavations and in no case shall this water be pumped off site without being treated by the specified BMPs.
- l. Roadways: Where applicable, upon installation of or connection to roadways, all efforts should be made to prevent the deposition of earth and sediment onto roadways through the use of proper BMPs. Where sediment is present on roadways all storm water curb inlets shall have inlet protection. Where storm water will flow off the end of where a roadway terminates, a sediment catching BMP (ex. gravel berm, silt fence, etc.) shall be provided. Roadways and curb inlets shall be cleaned weekly or following a rainfall that generates a run-off. Stabilized construction entrances shall be used to prevent sediment trackout.

11. Amending/Updating the SWPPP: The permittee shall amend and update the SWPPP as appropriate during the term of the land disturbance activity. The permittee shall amend the SWPPP, at a minimum, whenever the:
 - a. Design, operation, or maintenance of BMPs is changed;
 - b. Design of the construction project is changed that could significantly affect the quality of the storm water discharges;
 - c. Permittee's inspections indicate deficiencies in the SWPPP or any BMP;
 - d. MDNR notifies the permittee in writing of deficiencies in the SWPPP;
 - e. SWPPP is determined to be ineffective in significantly minimizing or controlling erosion and sedimentation (e.g., there is visual evidence, such as excessive site erosion or excessive sediment deposits in streams or lakes);
 - f. Total Settleable Solids from a storm water outfall exceed 2.5 mg/L/hr (or 0.5 mg/L/hr if discharged to a valuable resource water);
 - g. MDNR determines violations of Water Quality Standards may occur or have occurred.

12. Site Inspections Reports: Regularly scheduled inspections shall be at a minimum once per seven calendar days. These inspections shall be conducted by the person responsible for environmental matters at the site, or a person trained by and directly supervised by the person responsible for environmental matters at the site. For disturbed areas that have not been finally stabilized, all installed BMPs and other pollution control measures shall be inspected for proper installation, operation and maintenance. All storm water outfalls shall be inspected for evidence of erosion or sediment deposition. The receiving stream shall also be inspected for 50 feet downstream of the outfall. Any problems shall be noted in an inspection report and corrected within seven calendar days of the inspection. If a rainfall causes storm water runoff to occur on site, the BMPs must be inspected within a reasonable time period (not to exceed 48 hours). The SWPPP must explain how the person responsible for erosion control, will be notified when storm water runoff occurs. If weather conditions make it impossible to correct the problem within seven days, a detailed report of the problem (including pictures), must be filed with the regular inspection reports. The permittee shall correct BMP malfunctions as soon as weather conditions allow. Parts of the site that have been finally stabilized may be inspected once per month. (A once per month inspection schedule may be implemented for a site with interim stabilization if the permittee makes a written request for the schedule and it is approved by the Department.) A log of each inspection shall be kept. The inspection report is to include the following minimum information: inspector's name, date of inspection, observations relative to the effectiveness of the BMPs, actions taken or necessary to correct problems, and listing of areas where land disturbance operations have permanently or temporarily stopped. The inspection report shall be signed by the permittee or by the person performing the inspection if duly authorized to do so.

13. Proper Operation and Maintenance: The permittee shall at all times maintain all pollution control measures and systems in good order to achieve compliance with the terms of this general permit.

14. Public Notification: The permittee shall post a copy of the public notification sign described by the department on the information board at the main entrance to the site. The public notification sign must remain posted at the site until the site has been *finally* stabilized.

OTHER DISCHARGES

1. Hazardous Substance and Oil Spill Reporting: Refer to Section B, #14 of Part I of the Standard Conditions that accompany this permit.
2. Removed substances: Refer to Section B, #6 of Part I of the Standard Conditions that accompany this permit.
3. Change in discharge: In the event soil contamination or hazardous substances are discovered at the site during land disturbance activities, the permittee shall notify the MDNR regional office by telephone as soon as practicable and no later than 24 hours after discovery. The permittee must also notify the MDNR regional office in writing no later than 14 calendar days after discovery.

SAMPLING REQUIREMENTS AND EFFLUENT LIMITATIONS

1. Discharges shall not violate Water Quality Standards 10 CSR 20-7.031(3). Total Settable Solids shall not exceed a maximum of 2.5 ml/L/hr. for each storm water outfall. If there is a discharge to valuable resource waters, Total Settable Solids shall not exceed a maximum of 0.5 ml/L/hr.
2. There are no regular sampling requirements in this permit. However, the Department may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or other such evidence of off-site contamination from activities at the site. If such an action is needed, the Department will specify in writing any additional sampling requirements, including such information as location, extent, and parameters.

RECORDS

1. The permittee shall retain copies of this general permit, the SWPPP and all amendments for the site named in the State Operating Permit, results of any monitoring and analysis, and all site inspection records required by this general permit. The records shall be accessible during normal business hours. The records shall be retained for a period of at least three years from the date of the Letter of Termination.
2. The permittee shall provide a copy of the SWPPP to MDNR, USEPA, or any local agency or government representative if they request a copy in the performance of their official duties.
3. The permittee shall provide those who are responsible for installation, operation, or maintenance of any BMP a copy of the SWPPP.
4. The permittee, their representative, and/or the contractor(s) responsible for installation, operation, and maintenance of the BMPs shall have a current copy of the SWPPP with them when on the project site.

TERMINATION

This permit may be terminated upon the request of the applicant when all sites have been stabilized. A site is considered to be stabilized when either perennial vegetation, pavement, buildings, or structures using permanent materials cover all areas that have been disturbed. With respect to areas that have been vegetated, vegetative cover shall be at least 70% of fully established plant density over 100% of the disturbed area.

In order to terminate the permit, the permittee shall notify MDNR by submitting Form H,

included with the State Operating Permit. The permittee shall complete Form H and mail it to MDNR at the address noted in the cover letter of this permit.

This general permit will expire five years from the effective date of the permit (see page 1). The issue date is the date the State Operating Permit is issued to the applicant. The expiration date may or may not coincide with the date when the authorized project or development is scheduled for completion.

If the project or development completion date will be after the expiration date of this general permit, then the permittee must reapply to the department for the permit to be re-issued. The permittee will receive notification of the expiration date of the permit before the expiration date listed on page 1 of this permit. In order for the permit to be re-issued, the permittee should submit the appropriate application form(s) at least 180 days before the expiration of the permit if land disturbance activity is expected to continue past the expiration date of this general permit.

If the permittee does not apply for the renewal of this permit, this permit will automatically terminate on the expiration date. Continued discharges from a site that has not been fully stabilized are prohibited beyond the expiration date, unless the permit is reissued or the permittee has filed a timely application for the reissuance of this permit.

DUTY TO COMPLY

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6.200. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

MAILING ADDRESS