

PUBLIC NOTICE



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

**Permit No. NWK-2012-1088
Issue Date: September 5, 2012
Expiration Date: September 20, 2012**

15-Day Notice

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Department of Natural Resources 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 Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102.

APPLICANT: North Central Missouri Regional Water Commission
201 North Market Street
Milan, Missouri 63556

PROJECT LOCATION (As shown on the attached drawings): The applicant proposes work at three project sites all located north of Milan in Sullivan County, Missouri.

- Work is proposed on the dam of Elmwood Lake, which is located in Section 35, Township 63 north, Range 20 west (Milan East Quadrangle – Latitude: 40.224561 degrees; Longitude: -93.113248 degrees).
- Work is proposed within the banks of East Locust Creek in Section 35, Township 63 north, Range 20 west (Milan East Quadrangle – Latitude: 40.220408 degrees; Longitude: -93.106548 degrees).
- Work is also proposed within the banks of Locust Creek in Section 29, Township 63 north, Range 20 west (Milan West Quadrangle – Latitude: 40.227306 degrees; Longitude: -93.177891 degrees).

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

ACTIVITY (As shown on the attached drawings): Proposed -The North Central Missouri Regional Water Commission (NCRMWC) proposes three (3) temporary construction activities in waters of the United States to preserve potable water supply for their customers during the present drought. The three proposed activities identified by the applicant to meet the current water supply needs for their area are as follows: 1) to temporarily increase water storage in Elmwood Lake; 2) to install a temporary cofferdam in East Locust Creek; and 3) to install a temporary cofferdam in Locust Creek.

The applicant proposes to attach metal brackets and plates to the current spillway weir of Elmwood Lake with the intent of raising the lake spillway by 1.5 feet, which will offer an additional 330 acre-feet of water storage. No other modifications to the lake's dam or auxiliary spillway are proposed.

The second proposed activity by the applicant is to install a portable cofferdam across East Locust Creek at a location upstream from the confluence of Elmwood Branch and East Locust Creek. The temporary cofferdam will serve to increase the depth of water over a proposed intake structure, which will in turn increase the amount of water that may be captured and utilized for drinking water. The applicant's consultant has calculated that the rise in pool elevation over the ordinary high water mark will be 1½ feet. The intake structure will consist of an 8 inch waterline buried in the stream bank and connected to an existing raw waterline. The proposed ponded water would not exceed the defined top of bank.

The third proposed activity is to modify an existing raw water intake structure located northeast of Milan, Missouri, in Locust Creek. The proposed modifications to the intake would place a temporary cofferdam immediately downstream from the intake structure. The cofferdam would serve to increase the depth of water over the intake to maximize the amount of water that could be obtained from Locust Creek. The proposed ponded water would not exceed the defined top of bank.

The consultant's research indicates that the only downstream municipal intake from the proposed project sites on East Locust and Locust Creek is an emergency intake for the City of Milan, which is presently not structurally usable.

The applicant stated that since the purpose of this proposal is to provide emergency drinking water storage during the current drought, the proposed metal plates and temporary coffer dams will be removed upon removal of the drought classification for the area by the University of Nebraska- Lincoln Drought Monitor. NCMRWC serves drinking water to the cities and businesses in and around Sullivan, Milan, and Green City, Missouri. According to the University of Nebraska – Lincoln Drought Monitor, Sullivan County, Missouri, is currently experiencing a Category D3 Drought, which is an extreme drought where major crop/pasture losses are likely and water shortages/restrictions are common.

WETLANDS/AQUATIC HABITAT: At this time an approved jurisdictional determination has not been completed for the project sites. However, the applicant's consultant has provided the following information concerning the proposed temporary impacts to waters of the United States. Approximately 0.96 acre of emergent and shrub wetlands and 1,335 linear feet of drainages with contributing watersheds of 20-acres or larger will be impacted by the backwaters of Elmwood Lake, if the lake reaches its proposed new maximum carrying capacity after spillway modifications occur. However, continued daily water consumption will always affect the ability for the lake to reach a maximum carrying capacity for any length of time. The consultant has calculated that temporary impacts from installation of both cofferdams would potentially cause an increased water depth upstream from the cofferdams for 3,400 linear feet in East Locust Creek and 5,500 linear feet in Locust Creek.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES:

All potential aquatic impacts will be temporary, with increased inundation susceptible to the amount of rainfall that may occur within the various watersheds. Since the project fills will be removed at the end of the present drought conditions, the applicant believes that compensatory mitigation is not warranted for this proposal.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Mr. James A. Ptacek at the Missouri State Regulatory Office, 221 Bolivar Street, Suite 103, Jefferson City, Missouri 65101 or telephone 816-389-3834, email to james.a.ptacek@usace.army.mil . All comments to this public notice should be directed to the above address.

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.

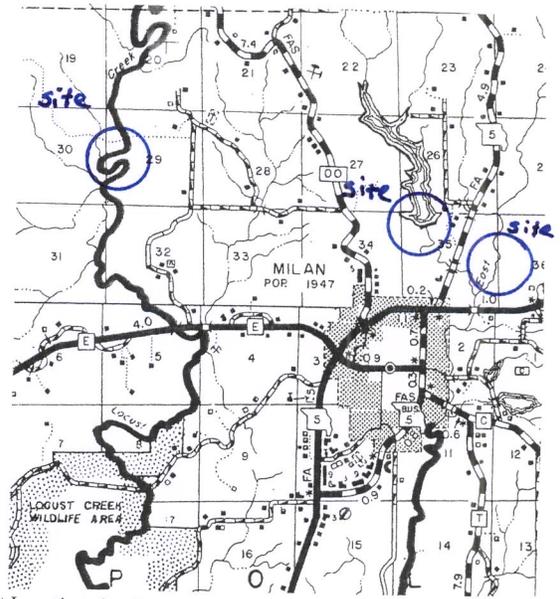
WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application 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

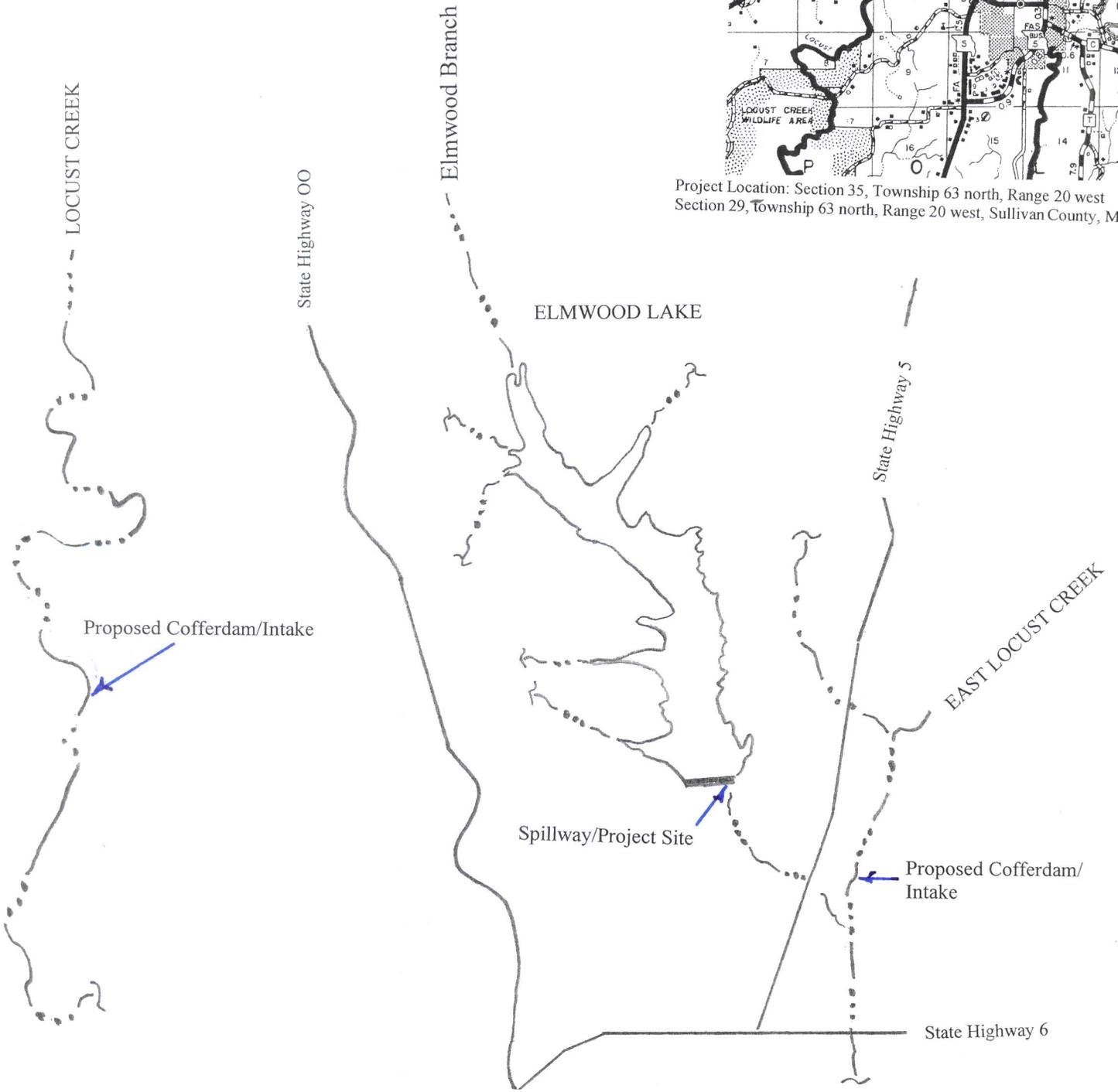
values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The 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 3 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.



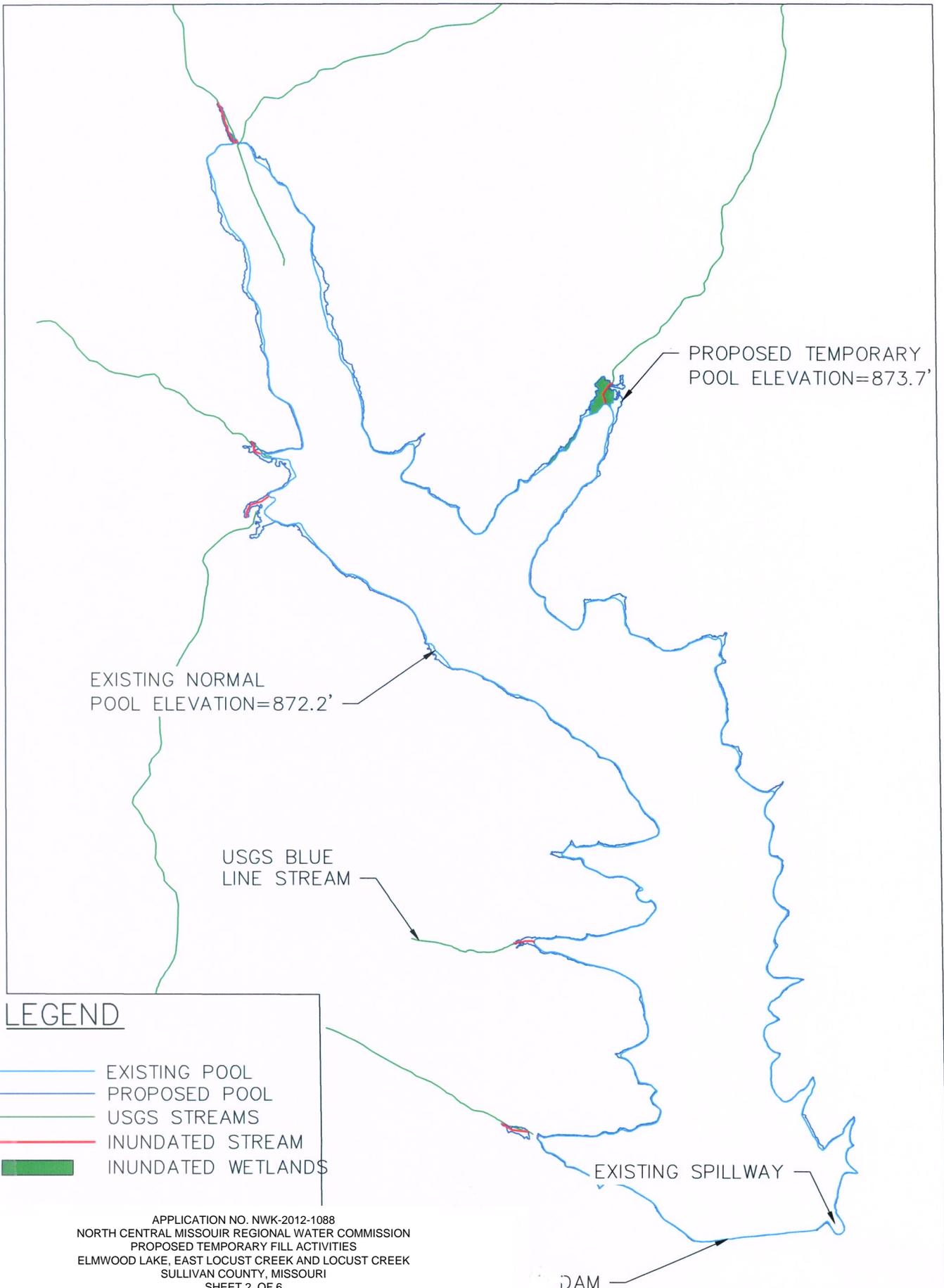
Project Location: Section 35, Township 63 north, Range 20 west
Section 29, Township 63 north, Range 20 west, Sullivan County, Mo.



APPLICATION NO. NWK-2012-1088
NORTH CENTRAL MISSOURI REGIONAL WATER COMMISSION
PROPOSED TEMPORARY FILL ACTIVITIES
ELMWOOD LAKE, EAST LOCUST CREEK AND LOCUST CREEK
SULLIVAN COUNTY, MISSOURI
SHEET 1 OF 6
DATED 5 SEPTEMBER 2012

MILAN, MO.

Not to Scale

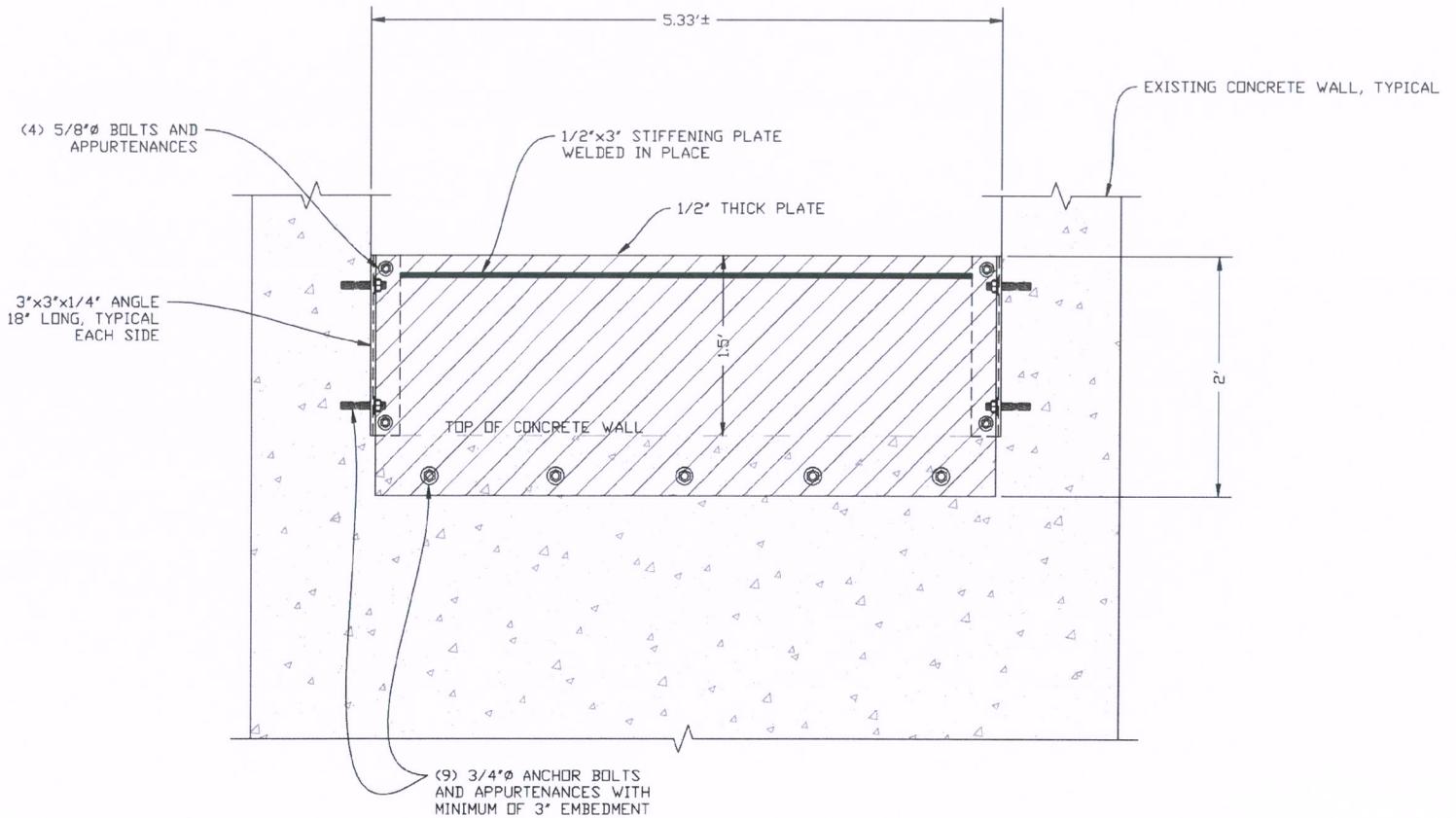


LEGEND

- EXISTING POOL
- PROPOSED POOL
- USGS STREAMS
- INUNDATED STREAM
- INUNDATED WETLANDS

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 SHEET 2 OF 6
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Principal Spillway Modifications



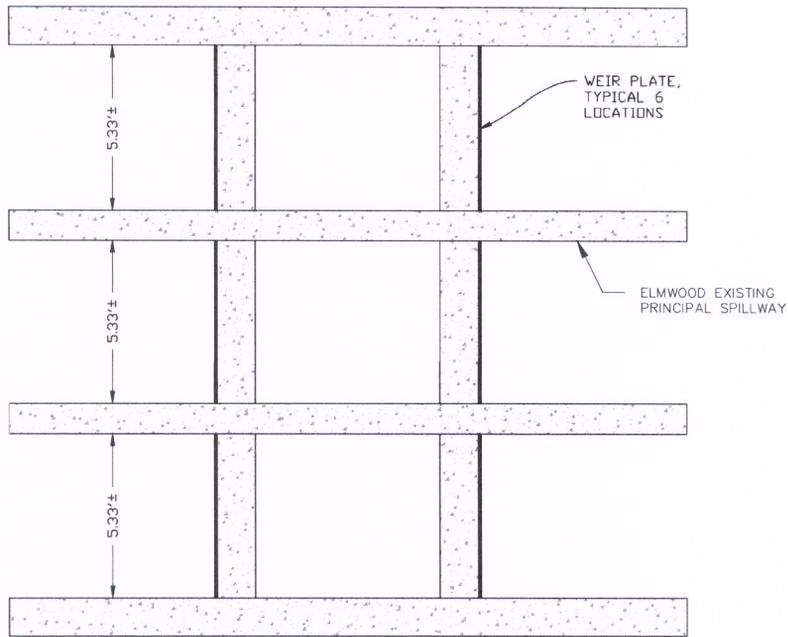
TYPICAL WEIR DETAIL (6 REQUIRED)

NOTE:

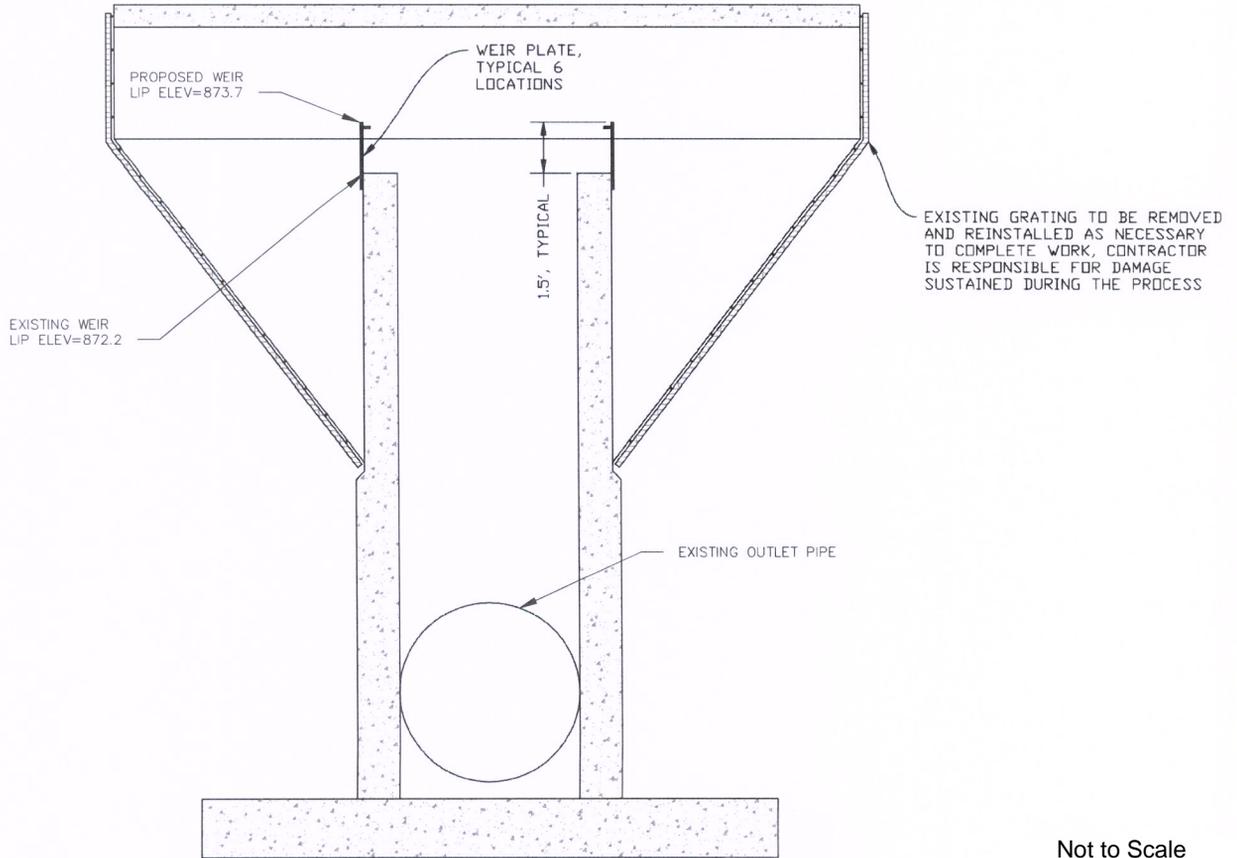
- WEIR PLATE MATERIAL SHALL BE ALUMINUM, HOT DIP GALVANIZE, OR PAINTED STEEL.
- BOLTS, NUTS, WASHERS, AND APPURTENANCES SHALL BE CORROSION RESISTANT.
- A MINIMUM 1/8" THICK NEOPRENE GASKET SHALL BE INSTALLED AT THE PLATE/ANGLE, PLATE/WALL, AND ANGLE/WALL JOINTS.
- PLATES SHALL BE REMOVABLE BY REMOVING 5 NUTS & WASHERS AND 4 BOLTS, NUTS, & WASHERS.
- CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS AND DIMENSIONS.

Not to Scale

Principal Spillway Modifications



TYPICAL PLAN VIEW
TOP REMOVED

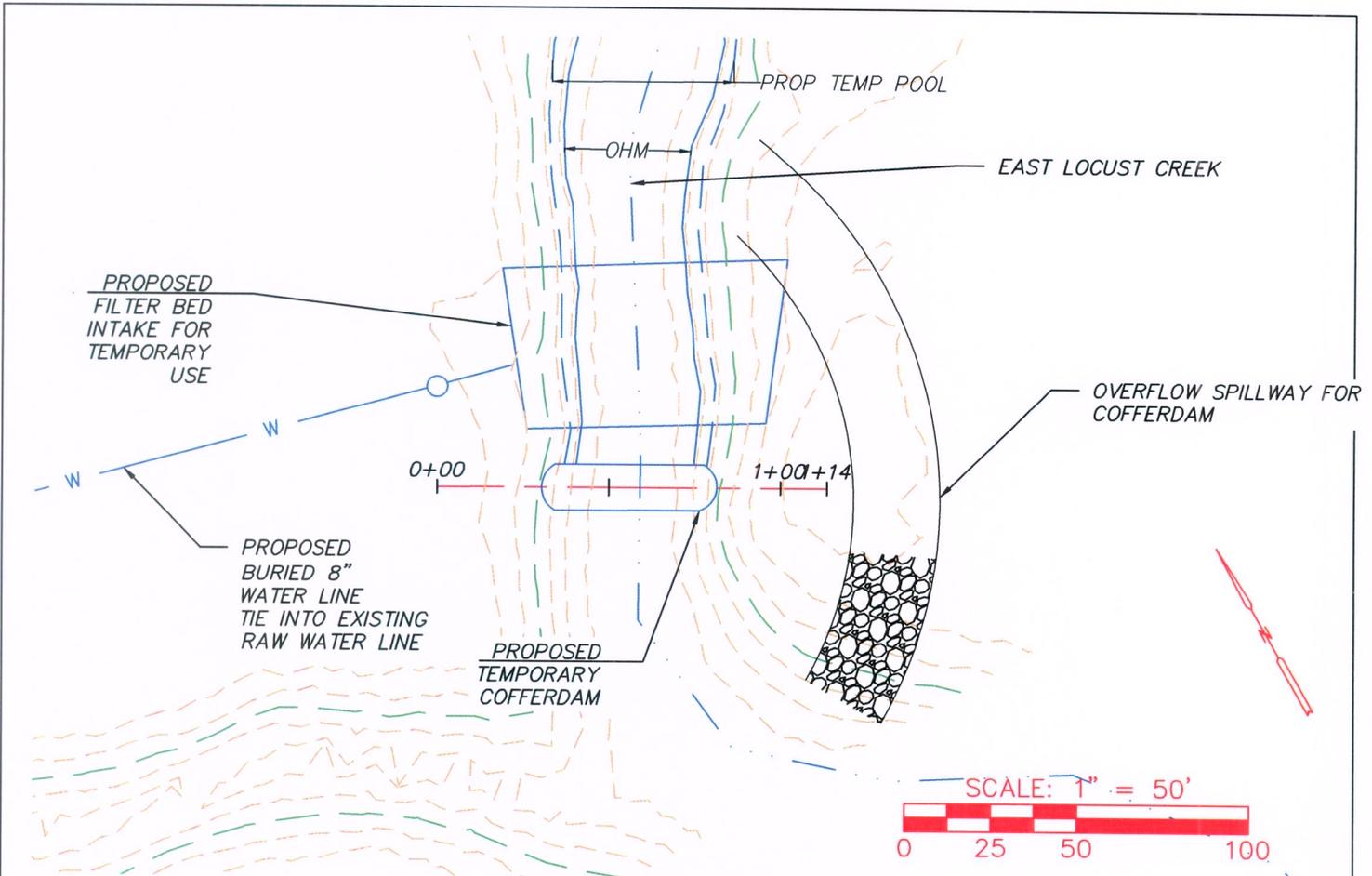


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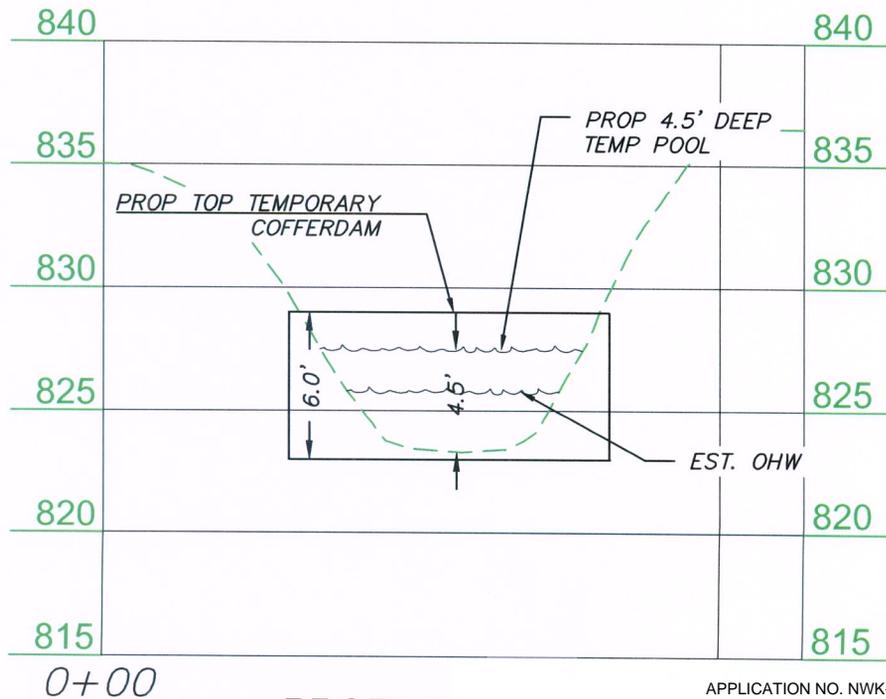
TYPICAL CROSS SECTION

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East Locust Creek Intake



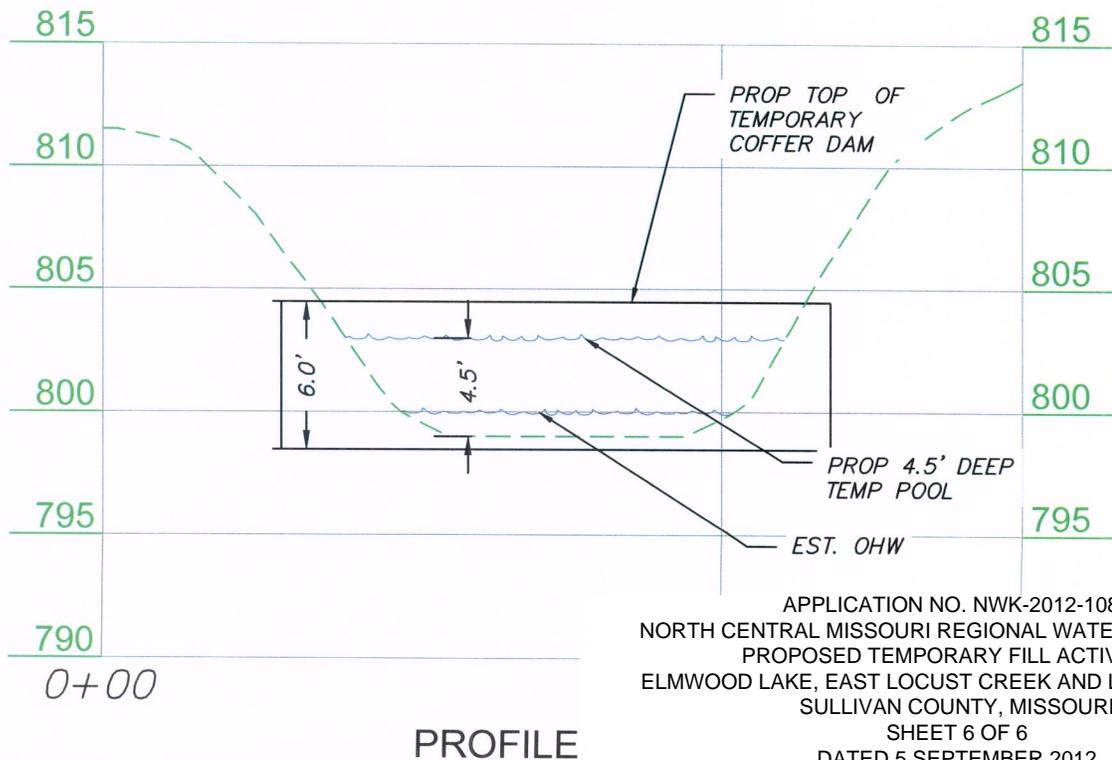
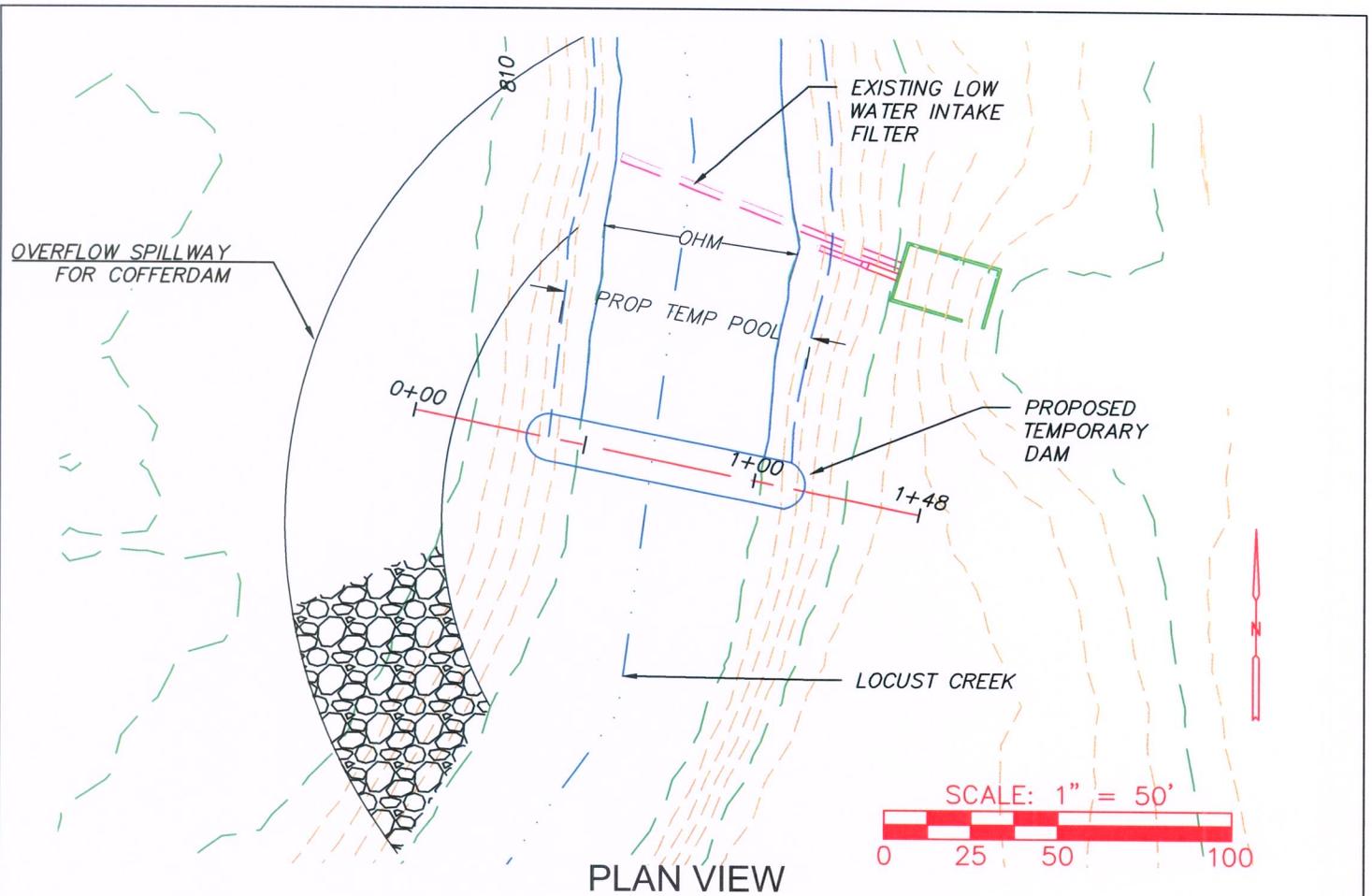
PLAN VIEW



PROFILE

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Locust Creek Intake Location



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