

PUBLIC NOTICE



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

**Permit No. NWK-2015-25
Issue Date: February 10, 2015
Expiration Date: March 12, 2015**

30-Day Notice

APPLICANT/IN-LIEU FEE SPONSOR: Missouri Conservation Heritage Foundation
P.O. Box 366
Jefferson City, Missouri 65102-0366

PROJECT LOCATION (As shown in the referenced mitigation plan): The proposed mitigation plan No. SSTF1005-Morgan County is located on Richland Creek southwest of Syracuse, Missouri near Highway JJ in Section 20, Township 45 north, Range 18 west, Morgan County, Missouri. The project is within the Central Plains/Blackwater/Lamine Ecological Drainage Unit (EDU).

[USGS QUAD - Otterville East -- Latitude: 38.64899 degrees -- Longitude: -92.91774 degrees]

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

ACTIVITY (As described in the referenced mitigation plan): The Missouri Conservation Heritage Foundation (Sponsor) proposes under its Stream Stewardship Trust Fund (SSFT) In-Lieu Fee (ILF) Instrument to establish mitigation plan No. SSTF1005-Morgan County, which is entitled the Richland Creek Stream Bank Stabilization Project. A draft copy of the mitigation plan has initially been reviewed by the Interagency Review Team (IRT) which is composed of representatives from the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Missouri Department of Natural Resources, and the Missouri Department of Conservation.

The Sponsor proposes to construct three (3) bendway weirs and 275 linear feet of stone-toe revetment along +/-550 feet of the right descending bank of Richland Creek. The weirs will be thirty (30) feet long and keyed into the bed and bank of the stream. They will be angled to redirect stream flow away from the toe of the stream channel. The stone-toe revetment will be installed downstream from the weirs. A 100-foot-wide tree corridor will be planted on the high bank landward from the rock work to re-establish a riparian zone in what is now currently a farm crop field. An additional approximately 3,550 feet of existing wooded corridor adjacent to the bank stabilization site will be protected by a conservation easement that will perpetually maintain the bankline in trees and other vegetation. The mitigation plan and design drawings are posted at: <http://www.nwk.usace.army.mil/Media/PublicNotices.aspx>. The Sponsor will conduct annual monitoring of the site for five years and report those findings to the Corps to assess meeting required performance standards for project success.

The mitigation project is designed to provide rock-based stabilization and re-establish and protect the riparian zone along a highly eroding portion of Richland Creek that is actively being farmed. The work will expand vegetated riparian corridors and reduce sediment inputs into Richland Creek that will help to improve stream habitat and water quality. The upper and middle portions of Richland Creek are Aquatic Conservation Opportunity Areas (ACOA) for the Missouri Department of Conservation. The project site is downstream from the ACOA areas; however, the Sponsor's goals for this project align with the goals of the ACOA by reducing erosion and protecting stream habitat through conservation easements.

If approved by the Corps, in consultation with the IRT, the project will have a total potential of 6,129 mitigation credits. These credits will be released as the project meets performance measures. The credits will be used as release credits to complete future stream mitigation actions for this EDU.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: The project is proposed under the Sponsor's ILF instrument as compensatory mitigation for stream impacts authorized by Department of the Army permits. The Sponsor has avoided and minimized impacts to waters of the U.S. to the maximum extent practicable through project design. If any adverse effects occur at the project site the Sponsor is required through their instrument to address the issues on a case-by-case basis with best management practices that have been approved through consultation with the Corps and the IRT. No additional compensatory mitigation is proposed for this project.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Mr. James A. Ptacek, U.S. Army Corps of Engineers, Missouri State Regulatory Office, 221 Bolivar Street, Suite 103, Jefferson City, Missouri 65101, telephone No. 816-389-3834, or 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.

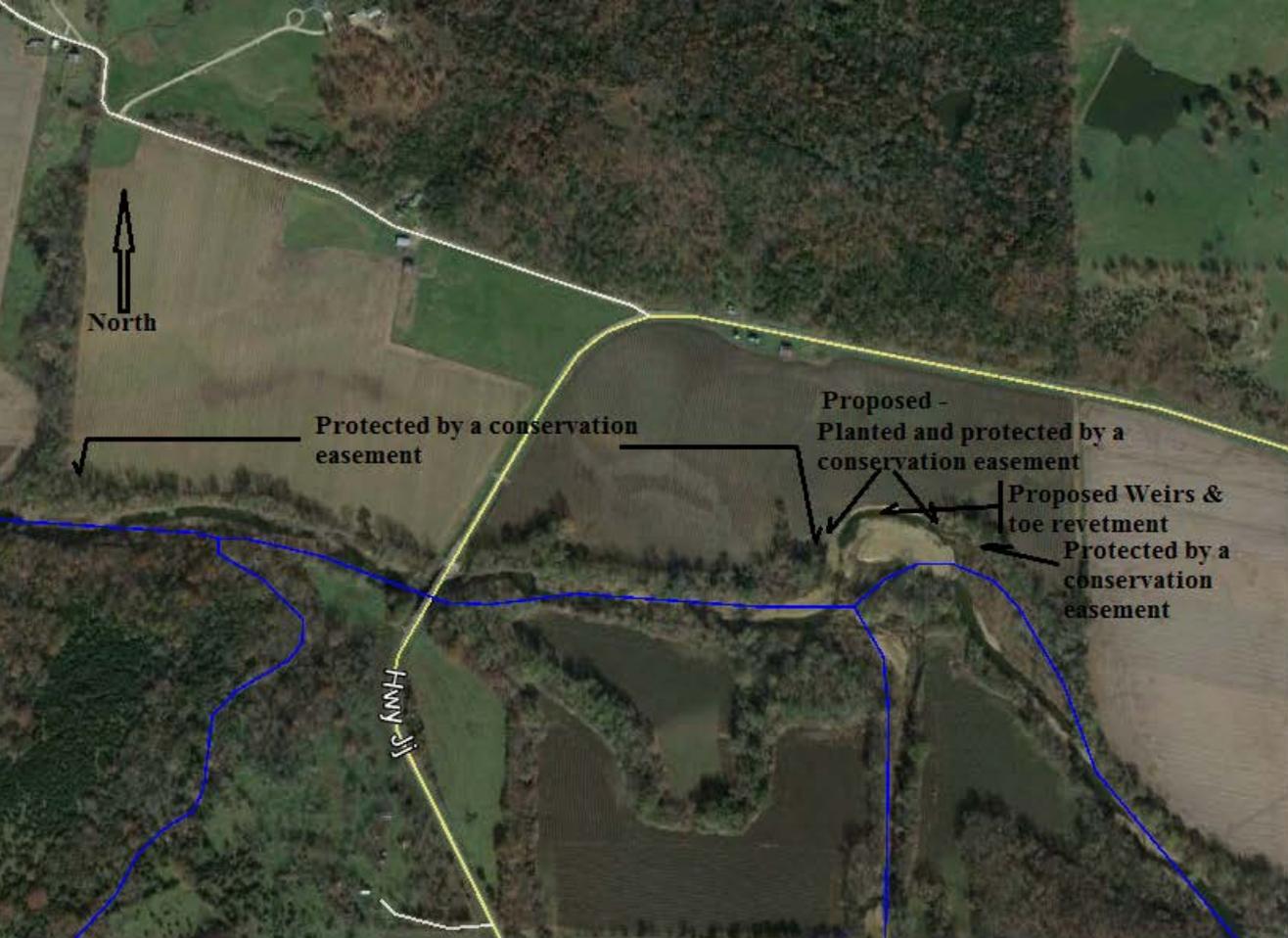
FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies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

WATER QUALITY CERTIFICATION: If authorized, this project will meet the conditions of a nationwide permit, which presently has certification under Section 401 of the Clean Water Act (33 USC 1341) in compliance with applicable effluent limitations and water quality standards. Certification expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to approve the mitigation plan and verify compliance with a nationwide 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 mitigation plan. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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

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



Protected by a conservation easement

Proposed -
Planted and protected by a conservation easement

Proposed Weirs &
toe revetment
Protected by a conservation easement

Hwy-211

APPLICATION NO. NWK-2015-25
MISSOURI CONSERVATION HERITAGE FOUNDATION
RICHLAND CREEK STREAM BANK STABILIZATION PROJECT
MORGAN COUNTY, MISSOURI
SHEET 1 OF 1
DATED 10 FEBRUARY 2015