PUBLIC NOTICE

US Army Corps
of Engineers
St. Louis District

Permit No. MVSGP-34M
Issue Date: July 28, 2011

STATE OF MISSOURI
REISSUANCE OF REGIONAL GENERAL PERMIT MVSGP-34M
SAND AND GRAVEL EXCAVATION ACTIVITIES
WATERS OF THE U.S. WITHIN THE STATE OF MISSOURI

The U.S. Army Corps of Engineers, St. Louis District, **HAS REISSUED** Regional General Permit MVSGP-34M for Sand and Gravel Excavation Activities in Waters of the United States within the State of Missouri under the authority of Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344).

Duration of this General Permit. The general permit has been issued and is in effect for five (5) years from July 28, 2011 until July 28, 2016, unless revoked or specifically extended.

Notification Procedures. Permit applicants must notify the St. Louis District Regulatory Program to receive authorization under this general permit. The notification must include detailed drawings and sufficient information to determine if the proposed work conforms to the criteria and conditions of the general permit. A Department of the Army (DA) permit application, ENG Form 4345, must be used for this purpose. You may request a copy of this permit application form from our Regulatory Office at 1222 Spruce Street, St. Louis County, Missouri 63103, Telephone: 314-331-8575, Fax 314-331-8741 or the form is also available to download at: www.mvs.usace.army.mil/permits/ENG%20Form%204345.pdf.

Excavation activities are authorized in Waters of the U.S. within the State of Missouri, except those waters which are specifically excluded in the "Project Location" section of the permit. Small, personal use activities as specified in Appendix I of the permit do not require notification to the Corps of Engineers.

If the Corps determines that the work meets the provisions of the general permit, and no extraordinary conditions exist that warrant evaluation as an individual permit, the proponent will be notified to proceed. If the Corps determines that the subject work does not meet the provisions of the general permit, or that extraordinary conditions exist, the applicant will be notified that an individual permit will be necessary. Additional information concerning limitations and general and special conditions of the permit can be obtained by contacting our office referenced above.

Conditions of this General Permit. All activities authorized by this general permit must comply with the general and special conditions, and appendices of the enclosed copy of general permit No. GP-34M (Enclosure).

Enclosure

DEPARTMENT OF THE ARMY PERMIT

Permittee General Public

Permit No. MVSGP-34M, Sand and Gravel Excavation Activities

Issuing Office U.S. Army Engineer District, St. Louis

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, and with the plans and drawings attached hereto which are incorporated in and made a part of this permit.

Project Description: Proposed and/or Completed Work: This permit authorizes the discharge of dredged and/or fill material related to mechanical sand and gravel excavation as described in Appendix I. Discharges authorized are limited to those which occur during the actual excavation process and those associated with preparation and restoration of the site. These discharge activities include but are not limited to temporary stockpiling, access ramps, and construction of berms for siltation control. Activity descriptions for temporary stockpiling, access ramps and road crossings are provided below.

Temporary Stockpiling: Stockpiling will only be allowed during day time operational hours. This general permit does not authorize the stockpiling of material overnight below the ordinary high water mark of the stream where the sand and gravel mining is occurring.

Access Ramps and Stream Crossings: This general permit will allow the construction of access ramps that cause no more than 1/2 acre loss of waters of the United States. Access ramps must be appropriately constructed and maintained such that stream banks are protected from erosion. Stream channel modifications must be kept to the minimum necessary to construct road crossings, and require notification to the Corps (see special condition l).

Note: The general permit does not authorize gravel from the mining area to be used for bank stabilization or siltation control for any reason. This permit does not allow for sorting and washing of excavated material within the stream bed or on a sand/gravel bar or in such a manner as to allow wash water to re-enter the stream. A separate permit and/or settling basin for the discharge of return water may be required under Section 402 of the Clean Water Act from the Missouri Department of Natural Resources, Water Pollution Control Program, Permit Section. (573-751-6825).

You must not excavate sand or gravel below the elevation of the water at the time of removal, unless specified otherwise on the attached project authorization page(s) of this permit. Discharge of dredged or fill material below the water line may require an individual Section 401 water quality certification.

Project Location: Waters of the United States within the State of Missouri; excluding the Missouri and Mississippi Rivers, and waters designated by the State of Missouri as Outstanding National Resource Waters or Outstanding State Resource Waters (see attached list, State Regulation 10 CSR 20-7.031 Water Quality Standards, Tables D and E).

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on July 28, 2016. 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.

2. You must maintain the activity authorized by this permit 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.

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 continuation sheets, pages 5 and 6, of this document.

Further Information:

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

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

(x) 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 authorization 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 the 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.

***GENERAL PUBLIC* (SIGNATURE NOT REQUIRED)** _____
(PERMITTEE) (DATE)

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

Danny D. McClendon 7/28/11
(DISTRICT ENGINEER) (DATE)
Christopher G. Hall
Colonel, U. S. Army
District Commander

BY: Danny D. McClendon
Chief, Regulatory Branch
Operations, Readiness & Regulatory 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)

Special Conditions:

a. You must sign and return the attached "Compliance Certification" page after you complete the authorized work and any required mitigation. Your signature will certify that you completed the work in accordance with this permit, including general and specific conditions, and that any required mitigation was completed in accordance with the permit conditions.

b. In addition to the general conditions of the permit, the following special condition applies to your project regarding Section 10 of the Rivers and Harbors Act. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

c. If any part of the authorized work is performed by a contractor or other party, before starting work you must discuss the terms and conditions of this permit with the contractor or party; and, you must give a copy of this entire permit to the contractor or other party involved in the excavation activities. The permittee remains responsible for ensuring compliance with all aspects of this permit.

d. You must limit excavation of sand or gravel deposits to unconsolidated areas containing primarily smaller material (at least 85% is less than 3" in diameter) that is loosely packed and contains no woody perennial vegetation greater than 1-1/2-inch in diameter, measured at breast height (4.5 feet).

e. An undisturbed buffer of twenty-five (25) feet wide shall be maintained in an undisturbed condition landward of the high bank for the length of the gravel removal site. Disturbed areas in this riparian zone shall be limited to maintained access road(s) for ingress and egress only. No clearing within this riparian area is authorized in association with work authorized by this permit.

f. You must maintain an undisturbed buffer of ten (10) feet (or as specified on the attached project authorization page(s) of this permit) between the removal area and the water line at the time of excavation. An undisturbed buffer of ten (10) feet shall also be maintained between the excavation area and the base of the high bank to protect bank integrity; at no time may sand or gravel material be pushed or placed against the bank.

g. You must not excavate sand or gravel below the elevation of the water at the time of removal. If the stream is dry at the time, you must not excavate deeper than the lowest undisturbed elevation of the stream bottom adjacent to the site, unless specified otherwise on the attached project authorization page(s) of this permit.

h. You must not relocate, straighten, or otherwise modify water conveyance areas within the channel. A "water conveyance area within the channel" is defined as that area between the high banks of the creek, where water is flowing or, in the case of a dry stream, where water would flow after a rain event.

i. Within 30 days of the removal of excavation equipment from the site, you must re-vegetate or otherwise protect from erosion, those stream bank areas disturbed by the removal operation (such as access points). For long-term operations (longer than 30 days) or for sites that will be periodically revisited as gravel is deposited, access points must be appropriately constructed and maintained such that stream banks and access roads are protected from erosion.

Special Conditions Continued:

j. Any aggregate, fines, and/or oversized material removed from the site must be placed in an upland, non-wetland site that has been approved by the landowner.

k. You must not excavate in those areas authorized by this general permit during the dates specified on the attached project authorization page(s) in the block identified as "Seasonal Restrictions". This time period restriction is for the purpose of protecting spawning habitat and juveniles indigenous to the cited stream.

l. You must limit vehicles and other equipment to removal sites and existing crossings. Streams must be crossed perpendicular to the stream. You must obtain written approval from the Corps of Engineers, Regulatory Branch, before constructing any temporary or permanent stream crossing(s). Use of off road vehicles in streams is also regulated under Missouri State Law (RSMo 1991 Section 304.013).

m. Fuel, oil and other wastes and equipment containing such wastes shall not be stored nor released at any location between the high banks or in a manner such that they could enter the stream channel. You must dispose of such materials at authorized locations.

n. No activity is authorized under this general permit which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the habitat of such species. See Appendix II, paragraph No. 1 for permitting requirements if these species are likely to be present or their habitat would be adversely modified.

o. No activity which may affect Historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR 325, Appendix C. All prospective permittees must notify the District Engineer if the excavation activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places.

p. You must provide notification to the appropriate Corps of Engineers district, as specified in Appendix I, before you initiate any gravel removal activity and receive written confirmation of authorization under this general permit from the Corps of Engineers before you start any excavation or related operations.

STATE OF MISSOURI Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director
DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

APR 25 2011

Colonel Anthony J. Hofmann
U.S. Army Corps of Engineers
Kansas City District
700 Federal Building
601 E. 12th St., Ste. 635
Kansas City, MO 64106-2824

Various Counties
GP-34M/CEK002493
Reissuance

Dear Colonel Hofmann:

The Missouri Department of Natural Resources' Water Protection Program (Department) has reviewed Public Notice No. GP-34M/CEK002493 in which the applicant proposes to reissue General Permit 34 Missouri (GP-34M) which would authorize the discharge of dredged or fill material in association with excavation of sand and gravel in waters of the United States within the State of Missouri. This general permit would be reissued under the authority of Section 404 of the Clean Water Act (33 USC 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403). This general permit was originally issued December 18, 1995, reissued March 16, 2001, reissued November 9, 2005, and expired on December 31, 2010. In the preceding five (5) year period, there were a total of 17 actions authorized under the provisions of this general permit in the Kansas City District.

This office certifies that the proposed project will not cause the general or numeric criteria to be exceeded nor impair beneficial uses established in the Water Quality Standards, 10 CSR 20-7.031, provided the following conditions are met:

1. Projects may involve streams with known or suspected contamination which could pose risks to human health and the environment without proper safeguards in place.

2. Projects undertaken on water bodies listed on Missouri's Impaired Waters list for sedimentation should utilize Best Management Practices to prevent release of sediment.

3. The Department reserves the right to reopen review should cumulative impacts of more than one operation or impacts of any single operation on any water body have detrimental effects on water quality or aquatic habitat. This could include revocation of a certification for any operation that has a detrimental effect on water quality.

4. The permittee shall supply the Department with a completed and signed copy of the Compliance Certificate.

5. Best Management Practices shall be used during all phases of the project to limit the amount of discharge of water contaminants to waters of the state.

[redacted]

6. Permittee shall allow representatives from this Department to inspect the authorized activity at any time deemed necessary to ensure compliance with permit conditions.

7. Submit to the Department at the below referenced address a copy of the signed compliance certification referenced in Nationwide Permit General Condition No. 26 as proof of project completion when the original is submitted to the Army Corps of Engineers.

You may appeal to have the matter heard by the Administrative Hearing Commission (commission). To appeal, you must file a petition with the commission within thirty (30) 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 commission.

This certification is part of the Army Corps of Engineers' permit. Water Quality Standards must be met during any operations authorized by these permits. If you have any questions, please contact Ms. Carrie Schulte by phone at (573) 751-7023, by e-mail at carrie.schulte@dnr.mo.gov, or by mail at Missouri Department of Natural Resources, Water Protection Program, NPDES Permits and Engineering Section, P.O. Box 176, Jefferson City, MO 65102-0176. Thank you for working with the Department to protect our environment.

Sincerely,

WATER PROTECTION PROGRAM

Refaat Mefrakis, P.E., Chief
NPDES Permits and Engineering Section

RM:csp

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c: Army Corps of Engineers, Kansas City District
Army Corps of Engineers, St. Louis District
Army Corps of Engineers, Rock Island District
Army Corps of Engineers, Memphis District
Army Corps of Engineers, Little Rock District
Mr. Rodney Christensen, Army Corps of Engineers, Kansas City District
Mr. Stuart Miller, Missouri Department of Conservation
Mr. David Thorne, Missouri Department of Conservation
Ms. Janet Sternburg, Missouri Department of Conservation
Mr. Bill Goodwin, Missouri Department of Conservation
Ms. Vicky Johnson, U.S. Environmental Protection Agency
Mr. Rick Hansen, U.S. Fish & Wildlife Service
DNR – KCRO, SLRO, NERO, SERO, SWRO

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Table D
Outstanding National Resource Waters

Stream	Location
Current River	Headwaters to Northern Ripley Co. Line
Jacks Fork River	Headwaters to Mouth
Eleven Point River	Headwaters to Hwy. 142

Table E
Outstanding State Resource Waters

Waterbody	Miles/Acres	Location	County(ies)
Baker Branch	4 mi.	Taberville Prairie	St. Clair
Bass Creek	1 mi.	in Three Creek Conservation Area	Boone
Big Buffalo Creek	1.5 mi.	Big Buffalo Creek Conservation Area	Benton-Morgan
Big Creek	5.3 mi.	Sam A. Baker State Park	Wayne
Big Sugar Creek	7 mi.	Cuivre River State Park	Lincoln
Big Lake Marsh	150 ac.	Big Lake State Park	Holt
Blue Springs Creek	4 mi. (1.5 mi. adjacent to owned lands)	Blue Spring Creek Conservation Area	Crawford
Boone Femme Creek	2 mi.	Three Creeks Conservation Area	Boone
Brush Creek	0.7 mi.	Bonanza Conservation Area	Caldwell
Bryant Creek	1.5 mi.	Bryant Creek Natural Area in Rippee Conservation Area	Ozark/Douglas
Cathedral Cave Branch	5 mi.	Onondaga Cave State Park	Crawford
Chariton River	9.8 mi.	Rebels Cove Conservation Area	Putnam-Schuyler
Chloe Lowry Marsh	40 ac.	Chloe Lowry Marsh Conservation Area	Mercer
Coakley Hollow	1.5 mi.	Lake of the Ozarks State Park	Camden
Coonville Creek	2 mi.	St. Francois State Park	St. Francois
Courtois Creek	12 mi.	Mouth to Hwy. 8	Crawford
Crabapple Creek	1.0 mi.	Bonanza Conservation Area	Caldwell
Devils Ice Box Cave Branch	1.5 mi.	Rock Bridge State Park	Boone
East Fork Black River	3 mi.	Johnson's Shut-Ins State Park	Reynolds
First Nicholson Creek (East Drywood Creek)	2 mi.	Prairie State Park	Barton
Gan's Creek	3 mi.	Rock Bridge State Park	Boone
Huzzah Creek	6 mi.	Mouth to Hwy. 8	Crawford
Indian Creek	17.5 mi.	Mark Twain National Forest	Douglas-Howell
Ketchum Hollow	1.5 mi.	Roaring River State Park	Barry
Little Piney Creek	25 mi.	Mouth to 21,35N,08W	Phelps
Little Black River	3 mi.	Mud Puppy Natural History Area S22,T24N,R3E to S25,T24N,R3E	Ripley
Log Creek	0.4 mi.	Bonanza Conservaton Area	Caldwell
Meramec River	8 mi.	Adjacent to Meramac State Park	Crawford/Franklin
Meramec River	3 mi.	Adjacent to Onondaga and Huzzah State Forest	Crawford
Mill Creek	5 mi.	Mark Twain National Forest	Phelps
N. Fork White River	5.5 mi	Mark Twain National Forest	Ozark
Noblett Creek	5 mi.	Above Noblett Lake, Mark Twain National Forest	Douglas-Howell
Onondaga Cave Branch	0.6 mi.	Onondaga Cave State Park	Crawford
Pickle Creek	3 mi.	Hawn State Park	Ste. Genevieve
S. Prong L. Black River	2 mi.	In Little Black Conservation Area	Ripley
Shoal Creek	0.5 mi.	Bonanza Conservation Area	Caldwell
Spring Creek	17 mi.	Mark Twain National Forest	Douglas
Spring Creek	6.5 mi.	Mark Twain National Forest	Phelps
Taum Sauk Creek	5.5 mi.	Johnson's Shut-Ins State Park Addition S23,T33N,R2E to S5,T33N,R3E	Reynolds-Iron
Turkey Creek	4.6 mi.	In Three Creeks Conservation Area	Boone
Van Meter Marsh	80 ac.	Van Meter State Park	Saline
Whetstone Creek	5.1 mi.	Whetsone Creek Conservation Area	Callaway

APPENDIX I

CRITERIA FOR AUTHORIZATION BY GENERAL PERMIT MVSGP-34M

1. The appropriate District Engineer has the discretion to require an individual permit on a case-by-case basis for any activity authorized herein.

2. This general permit applies to the general public and governmental agencies when such activities are performed to provide immediate construction materials or materials stockpiled in an upland area for private use or commercial sale. Excavation and dredging activities occurring in flowing or open water, such as hydraulic dredging, are not included in this authorization.

3. Private property owners are authorized to remove up to a total of 100 cubic yards of gravel per year from any single gravel bar location on their property, for their personal use, without regard to special condition n. (notification requirements). Excavation activities for personal use must comply with all conditions of this permit. This does not relieve any personal use applicant from notifying the appropriate Corps district if the activity may affect a Federally threatened or endangered species or its habitat (see Appendix II, Endangered Species Consultation). If you have any questions concerning threatened and endangered species possibly occurring in your project area, you should contact the appropriate Corps of Engineers district or the U.S. Fish and Wildlife Service.

4. The cumulative impacts of this general permit may be reevaluated at the discretion of the Corps of Engineers at any time, but will be reevaluated at least every five (5) years.

5. **APPLICANT NOTIFICATION REQUIREMENTS**. (*does not apply to personal use activities under 100 cubic yards, see Appendix I, paragraph 3, above*)

If you wish to perform work under the authority of this General Permit, you must provide notification to the appropriate Corps of Engineers district before you initiate any gravel removal activity. You must submit the following information in this notification:

(1) A completed application form ENG 4345, or equivalent information.

(2) A clearly marked site location map.

(3) A drawing showing the details of the proposed work (Plan and Cross-sectional views of each excavation area).

(4) An operation plan which describes how you will conduct the work, details how impacts to the stream and riparian area will be avoided and/or minimized, and measures to restore the site (including gravel bars, stream banks, and riparian areas) following completion of excavation.

You must receive written confirmation of authorization under this general permit from the Corps of Engineers before you start any excavation or related operations. Completed activities considered for authorization after-the-fact under the general permit must conform to all conditions of the permit. After-the-fact authorization under this general permit will generally be limited to one activity per applicant.

Note to Commercial Operators: As set forth in the Land Reclamation Act, Chapter 444.770.3. RSMo, this Section 10 and 404 general permit may satisfy your permitting requirements with the Missouri Department of Natural Resources' Land Reclamation Program (LRP). If your activity is authorized by this general permit, the Corps of Engineers will forward a copy of this permit to the LRP. You should contact the LRP at 573-751-4041 to determine whether or not an LRP permit is also required.

APPENDIX II

CORPS REVIEW PROCEDURES FOR AUTHORIZATION BY GENERAL PERMIT MVSGP-34M (For Corps Use Only)

1. **ENDANGERED SPECIES CONSULTATION**. The excavation activity must not be located in any waterbody identified as containing potential habitat for any Federally listed threatened or endangered species unless, following coordination with the U.S. Fish and Wildlife Service, a "no effect" or "not likely to adversely affect" determination is agreed upon between the Corps of Engineers and the U.S. Fish and Wildlife Service. These waterbody locations will be maintained by the Corps of Engineers and will be referenced for each individual activity.

Activities authorized under this general permit may affect the following species and/or habitat; Arkansas darter, Neosho madtom, Niangua darter, Topeka shiner, Curtis' pearly mussel, Fat pocketbook, Neosho mucket, Pink mucket pearly mussel, Scaleshell, Sheepnose, Spectaclecase, Winged mapleleaf, Ozark hellbender, Indiana bat and Hine's emerald dragonfly. The Corps of Engineers will maintain a list of waters where the activities authorized under this permit may affect such listed species or designated critical habitat. If the proposed activity is located in any water included in this list, the following conditions must be met and will be coordinated by the appropriate Corps of Engineers District:

a. Each proposed activity within the range of the above species must be coordinated with the U.S. Fish and Wildlife Service and Missouri Department of Conservation to allow for timely, site specific evaluation and concurrence that the activity, as conditioned under the general permit, is not likely to adversely affect listed species or designated critical habitat.

b. Additional project specific conditions must be imposed if, through timely informal consultation between the Service and the Corps, they are determined to be necessary to avoid the likelihood of adverse effects to listed species or designated critical habitat.

c. In the event that the likelihood of adverse effects to listed species or designated critical habitat cannot be avoided, authorization will not be provided under the general permit until such time as: i) formal consultation between the Service and the Corps is provided; ii) a non-jeopardy Biological Opinion is issued; and iii) the terms and conditions of any associated Incidental Take Statement are incorporated as enforceable conditions to the project authorization under the general permit.

2. **PROJECT DOCUMENTATION AND COMPLIANCE**. The authorized work must be documented on the attached Project Authorization Page(s) by the Corps of Engineers. A separate Project Authorization Page must be completed for each separate excavation site. This allows multiple copies of this page to be attached to the general permit, thereby documenting site specific requirements for several excavation locations conducted by a single applicant. The Project Authorization Page(s) also serves to document site specific variances from special conditions e. and i. of the general permit or to add special conditions for protection of Federally listed species. A separate plan view depicting the relative location of several sites in relation to one another may also be attached to clarify site number locations. Also, these data will be used as a tool to insure compliance with the conditions of the general permit.

THIS ENTIRE PAGE WILL BE COMPLETED BY THE CORPS OF ENGINEERS

VERIFICATION OF MVSGP-34M PROJECT AUTHORIZATION

1. Identification Number and/or Site No. (Assigned by Corps)	2. Corps Approving Official (Not Valid Unless Signed)
3. Applicant (Company or Name)	4. Responsible Person (If Different from Applicant)

5. Detailed Location Description (A Drawing on the Reverse Side May Also Be Used in Addition to This Block)

6. Minimum Buffer Strip Distances		Approving Official
6a. Excavation Area to Water Line	feet	
6b. Excavation Area to Bank/Bank Vegetation	feet	
6c. Other (specify)	feet	

7. Excavation Depth Information
(Note: If authorization allows excavation below the elevation of the adjacent stream bottom, justification is required such as presence of bed rock to prevent head cutting, excessive bedload, or other appropriate reasons.)

8. Season Restrictions (You must not excavate during time frames specified below) Restricted Excavation – Start Date through End Date, inclusive (mm/dd/yy)	Approving Official
8a.	
8b.	
8c.	
8d.	

9. Comments, Site Specific Conditions, etc.

COMPLIANCE CERTIFICATION
GENERAL PERMIT MVSGP-34M

Special Condition "a." of this permit document requires that you submit a signed certification regarding the completed work and any required mitigation. This certification page satisfies this condition if it is provided to the St. Louis District at the address shown at the bottom of this page upon completion of the project.

APPLICATION NUMBER:

NAME:

ADDRESS:

PROJECT LOCATION:

NAME OF STREAM/RIVER:

PROJECT MANAGER (if applicable):

a. I certify that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions.

b. I certify that any required mitigation was completed in accordance with the permit conditions.

c. Your signature below, as permittee, indicates that you have completed the authorized project as certified in paragraphs a and b above.

_____ (Permittee)

_____ (Date)

Return this certification to:

U.S. Army Corps of Engineers
St. Louis District Regulatory Branch
1222 Spruce St.
St. Louis, Missouri 63103