



Public Notice

**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

**Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, Missouri 63103-2833**

Public Notice No.

P-2791

Public Notice Date

May 18, 2011

Expiration Date

June 7, 2011

Postmaster Please Post Conspicuously Until:

File Number: MVS-2010-546

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Jennifer L. Brown

APPLICANT: Unimin Corporation, Attention: Daniel Rowe, 2968 Highway Z, Pevely, Missouri 63070.

LOCATION: The project area is located north of Highway Z and east of Kerkoff Road, in the City of Pevely. The project is located in Section 22, Township 41 North, Range 5 East, Jefferson County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling operations in jurisdictional waters of the United States. The project plans include placing overburden material from the existing quarry into the subject tract. The overburden material is to be dumped and pushed into the ravine where the jurisdictional streams are located. Approximately 330,000 cubic yards of overburden material is to be displaced at this location. The project site currently exists as an undisturbed forested tract. Located within the tract are five ephemeral stream segments, one intermittent stream segment and a non-jurisdictional emergent wetland. The applicant requests approval to fill in 62 linear feet of Stream 1A, approximately 625 linear feet of Stream 1, and approximately 160 linear feet of Stream 2. Total stream impacts would include 847 linear feet.

Stream 1A is an ephemeral stream and has a 1-2 foot wide sandstone substrate. The stream flows north until it plunges 30 feet over a rock bluff.

A plunge pool exists at the bottom of the bluff, which is the start of Stream 1. Stream 1 is an intermittent, blue-line stream that is approximately 6-7 feet wide. Stream 1 flows through the site from south to north and exits the site in the northeast corner, where it continues off site as an open channel. The substrate of Stream 1 consists of fine sediments, organic muck and bedrock. Stream 1 is a primary tributary to Sandy Creek.

Stream 2 originates on site at the base of a rock bluff. The stream flows, from west to east, for approximately 160 linear feet before its confluence with Stream 1. Stream 2 is approximately 2-3 feet wide with an organic muck substrate.

The Unimin Corporation has researched alternatives and has attempted to minimize impacts to the three unnamed tributaries to Sandy Creek. However, the applicant stated that the impacts are unavoidable due to this being the closest area to the project site that does not contain mining opportunities. The applicant is exploring mitigation options through the Missouri Conservation Heritage Foundation's Stream Stewardship Trust Fund. Trust Fund dollars are designated for restoration, enhancement, and/or protection of priority stream systems and associated riparian habitats in all of Missouri's major watersheds.

LOCATION MAPS AND DRAWINGS: See attached. In addition, the project plans may be viewed in color and in more detail by visiting the Public Notice section of our website at <http://www.mvs.usace.army.mil/ConOps/permits/pn.htm>

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jennifer L. Brown, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8579. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Jennifer.L.Brown@usace.army.mil.

AUTHORITY: This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

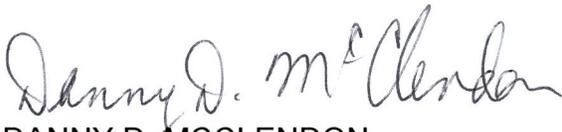
ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation

request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

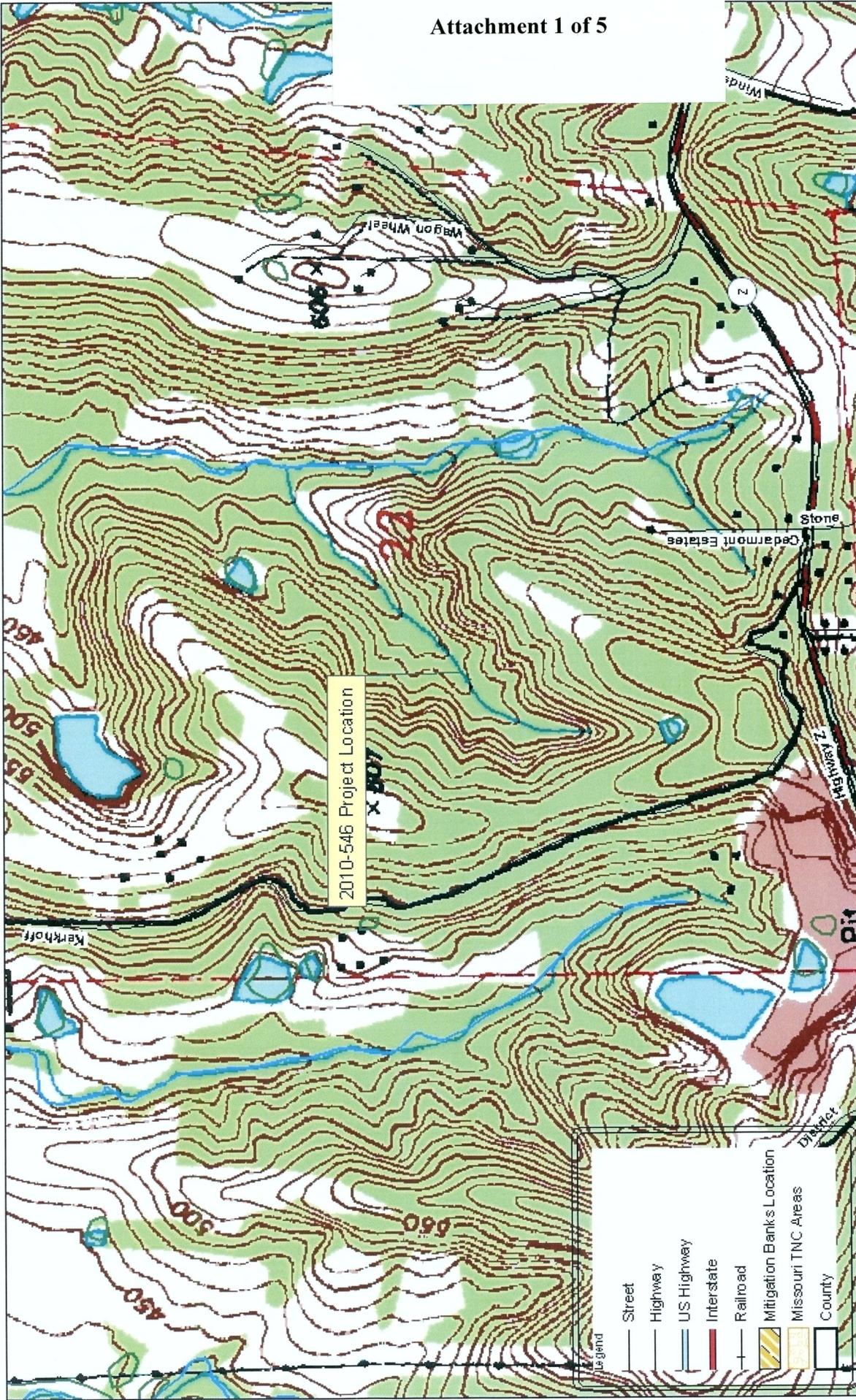
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army 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 other public interest factors listed above. Comments are used in the 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.


DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

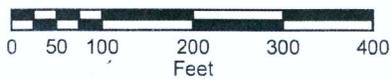
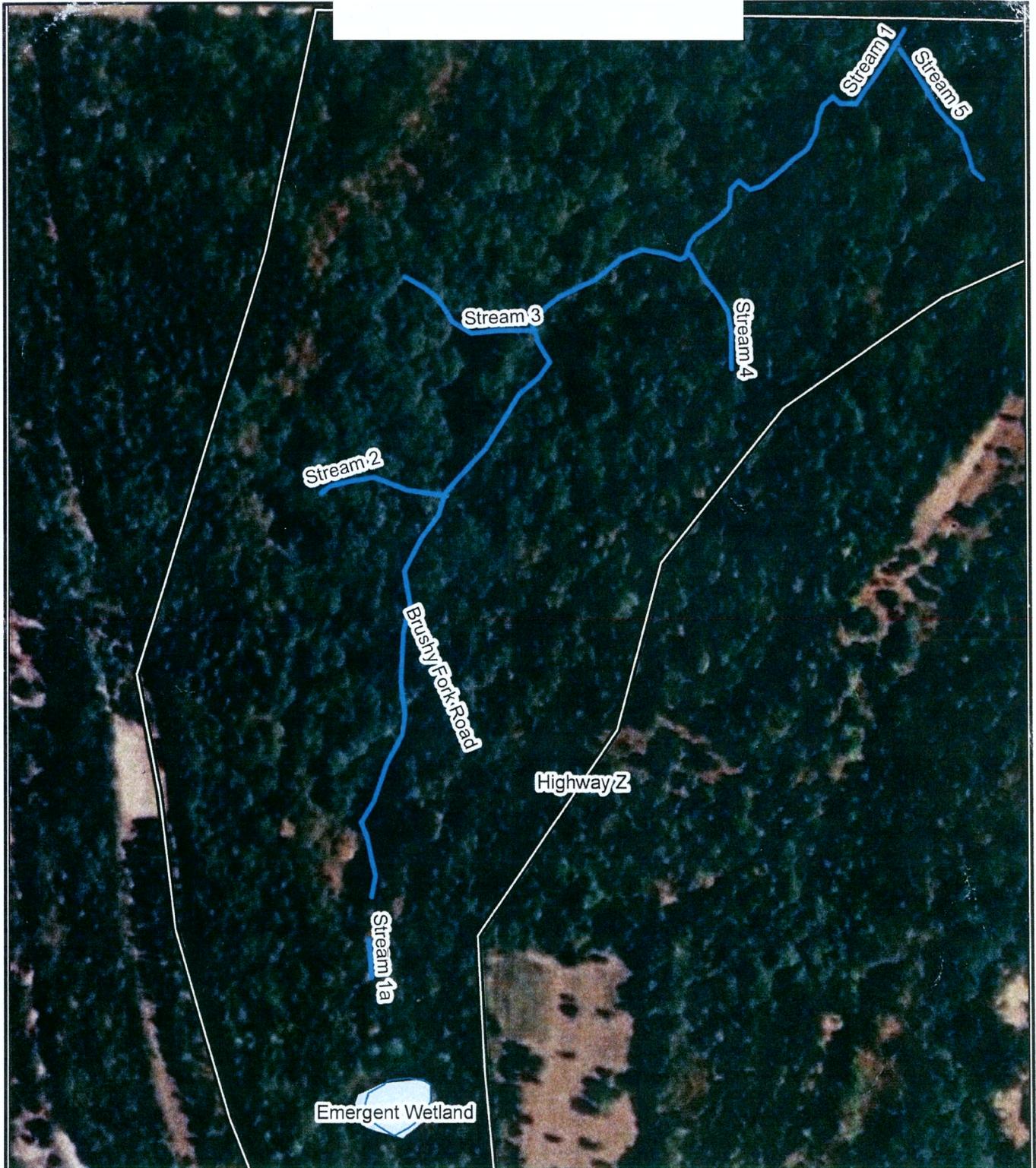


Unimin Corporation
Project Location Map - MVS-2010-546
City of Pevely, Jefferson County, Missouri

J. Brown



**US Army Corps
of Engineers**
St Louis District



Legend

 Approximate Study Limits

Unimin Corp
Jefferson County, Missouri

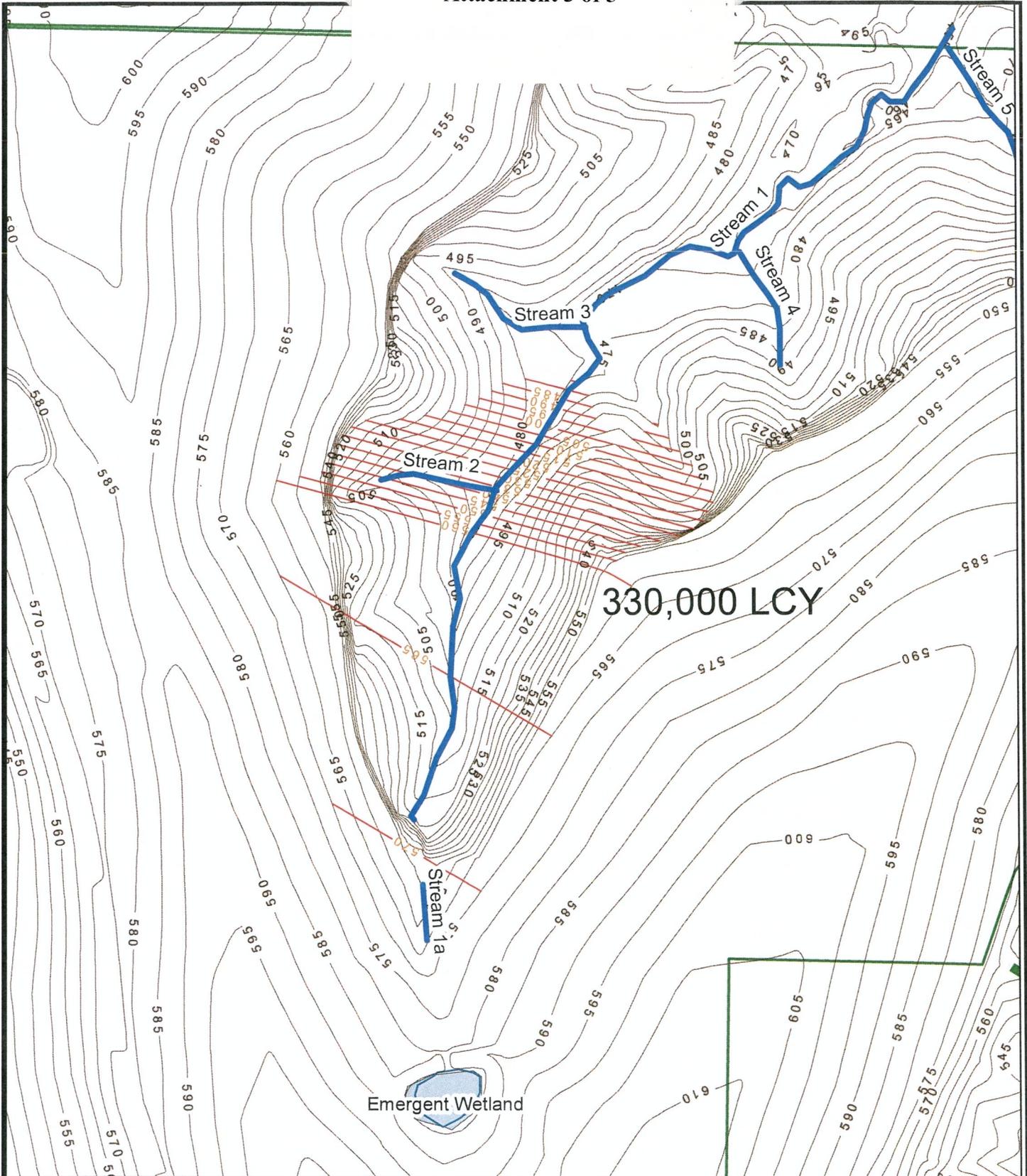
Detailed Site Plan

August 2010

41-1-37011-001

 **SHANNON & WILSON, INC.**
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIGURE 4



Legend

-  Jurisdictional Stream Segments
-  Proposed Contours
-  Existing Contours

Unimin Corp - Pierce Tract Mine Move
Jefferson County, Missouri

Proposed Detailed Site Plan

February 2011

41-1-37011-001

 **SHANNON & WILSON, INC.**
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIGURE 3

Stream 1A; Facing downstream at Drop-Off



Stream 2; Facing Upstream



Stream 1; Facing Downstream



OUR PUBLIC NOTICES ARE NOW AVAILABLE ON THE WORLD WIDE WEB AT OUR ST. LOUIS DISTRICT HOME PAGE (<http://www.mvs.usace.army.mil/ConOps/permits/pn.htm>). If you have any trouble, please call Danny McClendon at (314) 331-8574 or by e-mail to: Danny.D.McClendon@usace.army.mil

WE ARE ATTEMPTING TO REDUCE OUR PUBLIC NOTICE MAILING COSTS; CHECK OUR WEB PAGE THEN CONTACT US TO HAVE YOUR NAMED REMOVED FROM OUR MAILING LIST, please call Jaynie Doerr at (314) 331-8581, or by email to: Jaynie.G.Doerr@usace.army.mil, or mail this cover-sheet to the St. Louis District, OD-F, 1222 Spruce Street, St. Louis, MO 63103-2833, ATTN: Regulatory Branch, indicating that your name or company named be removed. Changes to our mailing list may take a few weeks to take effect.

US ARMY ENGINEER DISTRICT, ST. LOUIS
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1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833