



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.
MVS-2000-1430**

**Public Notice Date
October 18, 2022**

**Expiration Date
November 7, 2022**

Postmaster, Please Post Conspicuously Until:

File Number: MVS-2000-1430

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: Travis Schepker

APPLICANT: Two Branch Marina Inc, 2021 Highway C, Saint Charles, Missouri, 63301. (ATTN: Mr. John Kjar)

LOCATION: The project is located on the right descending bank of Mississippi River mile 231.5, St. Charles County, Missouri. The approximate Latitude and Longitude coordinates associated with the site are 38.874414°, -90.619828°.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct maintenance dredging operations within the pre-existing Two Branch Marina. Previous permitting authorized the construction of the Marina, as well as subsequent permitting that authorized the placement of materials into the Mississippi River in an open water disposal site just outside the Marina's mouth. Multiple high-water events, specifically the flood event of 2019, have caused the re-deposition of fine materials within the Marina itself. The project purpose is to maintain the Marina in such a condition that recreational boats have ingress and egress to the site. The proposed dredging will only remove material deposited by the river and will not alter the previously authorized contours of the marina. The applicant is proposing to dredge a maximum of 10,000 cubic yards of material per year over the course of five years. The applicant's objective is to dredge 2000 cubic yards of material per year using a small Dino 6" hydraulic dredging system. Material would be discharged below the water surface of the Mississippi River, roughly 75' down river from the mouth of the harbor and 75' into the channel (approximate Lat/Long: 38.874283°, -90.619147°).

LOCATION MAPS AND DRAWINGS: See attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Travis Schepker, Project Manager, U.S. Army Corps of Engineers, at (314) 925-5082, or by e-mail Travis.J.Schepker@usace.army.mil.

AUTHORITY: This permit will be processed under the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

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. The project plans will be submitted to the Missouri Department of Natural Resources, Water Protection Program (MDNR) in accordance with Section 401. While the Corps of Engineers may provide all relevant information to MDNR and request Section 401 review on behalf of the applicant, the applicant assumes final responsibility to ensure that both agencies receive all information required to complete their independent reviews. If issued, Certification will express the MDNR'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, P.O. 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: The proposed project is within the range of the federally endangered Gray bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), and the threatened Northern Long-eared Bat (*Myotis septentrionalis*) and Decurrent False Aster (*Boltonia Decurrens*). A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that the proposed activities are not likely to adversely affect bat and plant species designated as threatened or endangered, as the project occurs in a Section 10 water with no bat habitat or terrestrial plant fauna to impact. However, to complete our evaluation, this public notice solicits comments from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

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. The St. Louis District has determined the proposed project area is previously disturbed and the proposed activities should have no effect on cultural, historic, or prehistoric areas. This office will evaluate any new or additional information provided by the State Historic Preservation Officer, Native American Tribes, and the public in response to this public notice.

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.

Keith A. McMullen

ROBERT S. GRAMKE
Chief, Regulatory Branch

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.



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