

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-2859

Public Notice Date:
February 17, 2014

Expiration Date:
March 10, 2014

Postmaster Please Post Conspicuously Until:

File Number: MVS-2013-702

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: Missouri Department of Conservation, Attention: Laura Ruman, 2901 West Truman Blvd. P.O. Box 180, Jefferson City, Missouri 65102.

LOCATION: The project is located within the August A. Busch Memorial Conservation Area (Busch CA) in Defiance, Missouri. Busch CA is located west of the intersection of Hwy 40 and Hwy 94 and north of the Missouri River. The existing shooting range is located within the southwestern portion of Busch CA, southeast of Route D. The project is located in Section 34, Township 46 North, Range 2 East, St. Charles County.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling operations in a water of the United States for the renovation and expansion of the existing shooting range within the Busch CA. The project is planned to be constructed within two phases. The first phase of construction will include demolition of the existing facility and earthwork: recycling and soil stabilization of lead within the existing facility; clearing and grubbing of the trees; rough grading of the site; and temporary and permanent erosion control measures. The second phase of construction will include the installation of all new structures and facilities in a different orientation, including: 20-position rifle range; 15-position pistol range; five trap and skeet overlays; new shotgun patterning range; new static archery range; an administrative building for an educational classroom, staff offices, public and employee restrooms, storage spaces, and an observation booth for the ranges; a

claybird storage building; a maintenance shop building; an access road and associated parking; and other miscellaneous improvements.

The project purpose for the renovation and expansion is to meet growing public demand for target shooting and to also improve public safety and provide environmental stewardship. Renovation of the existing range will also provide the applicant with the opportunity to recycle lead shot, as well as analyze and stabilize lead impacted soil. The project is being implemented following guidelines listed in the U.S. Environmental Protection Agency's Best Management Practices for Lead at Outdoor Shooting Ranges.

For construction and completion of the current plans, approximately 1,810 linear feet of the ephemeral tributary to Little Femme Osage Creek will be impacted. Approximately 1,759 linear feet of tributary will be encapsulated into a 1,618 linear foot culvert pipe. The encapsulation of the channel will reduce the length of the channel by 251 linear feet. Upstream of the proposed inlet, the channel will be realigned and stabilized with rock for 16 linear feet. Downstream of the proposed outlet structure, 35 linear feet of channel will be lined with rock to dissipate flow and energy.

Although the Missouri Department of Conservation has researched alternatives, reduced the size of the footprint and minimized proposed impacts to the unnamed tributary to Little Femme Osage Creek, they believe that the remaining impacts are unavoidable. The applicant is proposing to participate in an approved in-lieu fee mitigation program for stream impacts determined to be unavoidable.

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: 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 (the Agency) in accordance with Section 401. While the Corps of Engineers may provide all relevant information to DNR 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 review. If issued, Certification 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, 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 endangered Indiana bat (**Myotis sodalis**) and the northern long-eared bat (**Myotis septentrionalis**) that is a proposed candidate for endangered status. A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that this activity may affect the habitat of these listed and candidate species. The applicant is coordinating with the U.S. Fish and Wildlife Service, taking measures to minimize potential effects of the project during construction, and providing habitat enhancement for bats. In order to further complete our evaluation, written comments are solicited by this public notice from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

CULTURAL RESOURCES: The St. Louis District will evaluate the Cultural Resource Investigation Report, provided by Environmental Research Center of Missouri, Inc., dated November 2013. The report includes a Phase I Survey and Phase II Testing and has been submitted to the State Historic Preservation Officer for review and concurrence.

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.

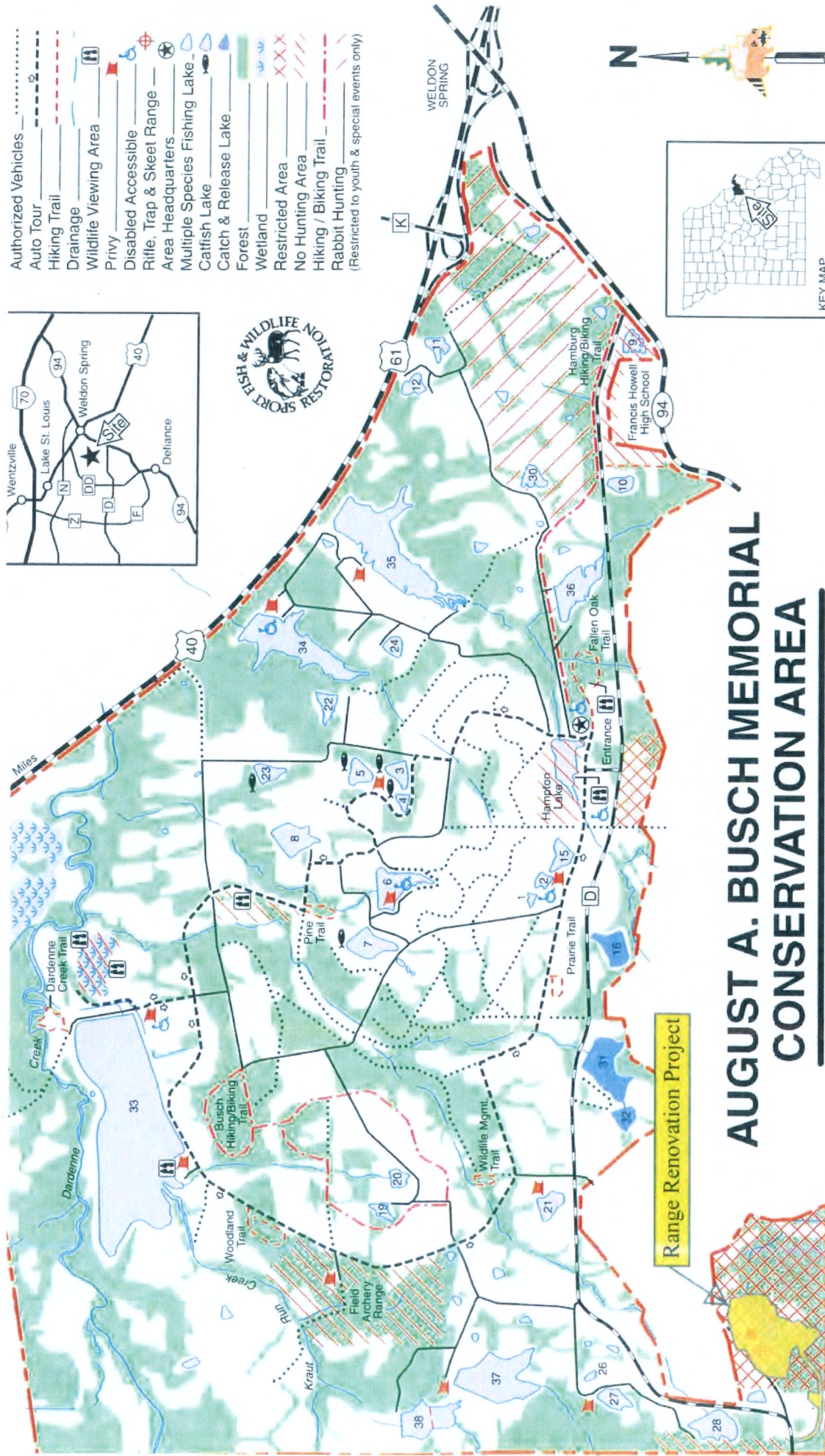
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered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

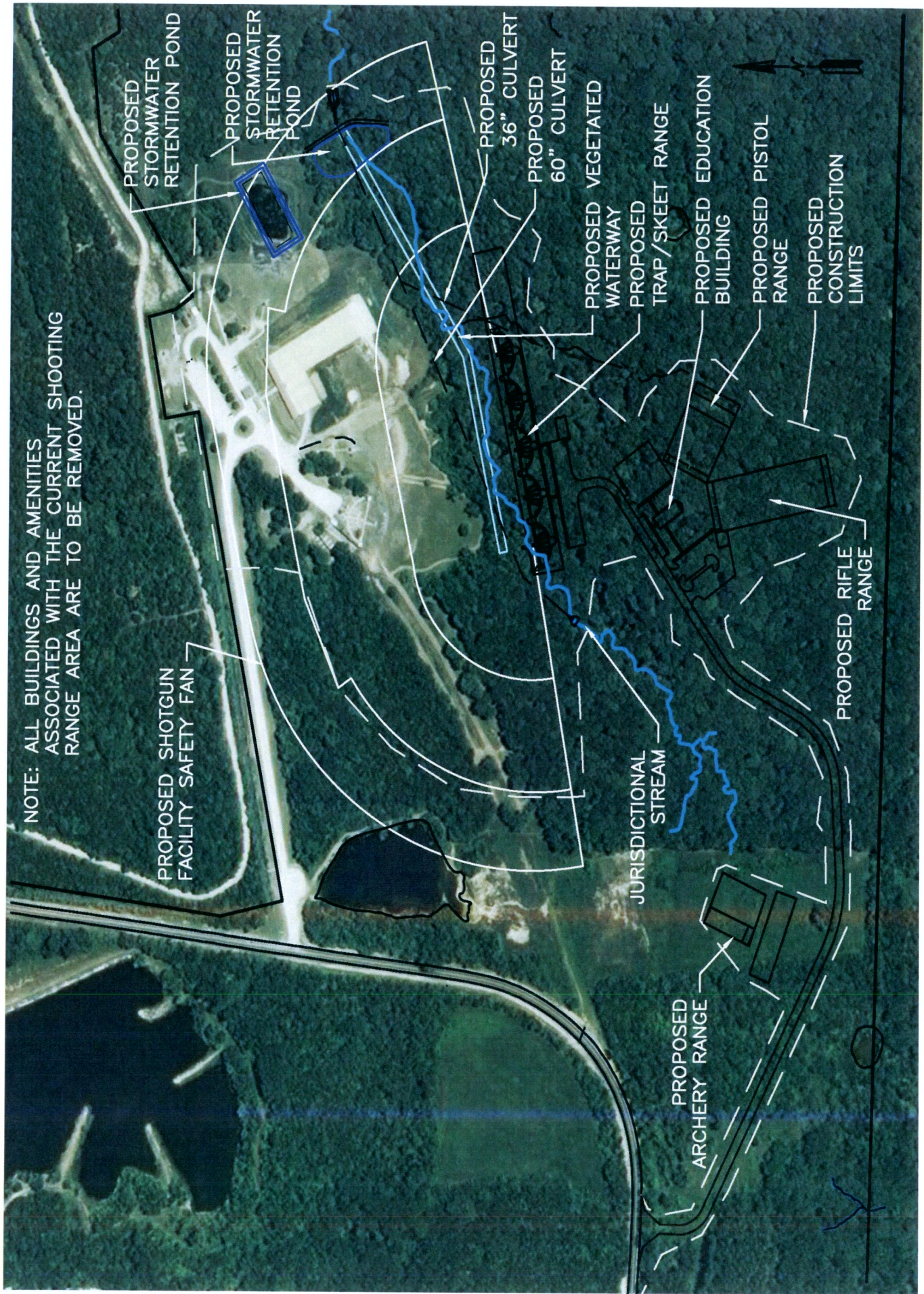

DANNY D. MCCLENDON
Chief, Regulatory Branch

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.





Attachment 2 of 3: Proposed Site Plan



Stream 1 at west end of project area, facing downstream to east, December 12, 2012



Stream 1 within project area, facing upstream to west, July 10, 2012