



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-2924

Public Notice Date

May 12, 2015

Expiration Date

June 1, 2015

Postmaster Please Post Conspicuously Until:

File Number: MVS-2013-480 (Private Lake, Madison County, MO)

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: Matt Shively

APPLICANT: Mr. Mark Diamond; 522 Scenic View Lane, Cape Girardeau, Missouri 63701

AGENT: Engineering: John Howland & Associates; 2725 Kenwood Drive, Jefferson City, Missouri 651092; Point of Contact: Mr. John Howland (573) 230-1587. Environmental: Terra Technologies; 1920 West 143rd Street, Suite 140; Leawood, KS 66224. Point of Contact: Mr. Craig Gump (913) 385-9560.

LOCATION: From the city of Fredericktown, the approximate 520-acre project site is located approximately 9 miles southeast on Highways 72 and F. The project site occurs in Section 7, Township 32 North, Range 8 East, in Madison County, Missouri. The geographic coordinates for the approximate location of the impoundment are 37.4758° North, -90.2084° West. The project will impound an unnamed tributary of the Castor River. The Castor River is a secondary tributary to the Mississippi River, a navigable waterbody.

PROJECT DESCRIPTION: The applicant proposes to construct a private recreational lake, with a footprint of approximately 30 acres. The construction of the dam for the lake will result in the placement of fill into 260 linear feet of perennial tributary, and 220 linear feet of intermittent tributary. The project will result in secondary impacts (impoundment of water) to an additional 267 linear feet of

perennial tributary, and 3,682 linear feet of intermittent tributary. The applicant proposes to offset the loss of tributary channel, and conversion of stream habitat to open water, through on-site mitigation. The mitigation generally consists of the preservation, restoration, and enhancement of 13,155 linear feet of intermittent tributaries.

LOCATION MAPS AND DRAWINGS: See attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Matt Shively, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8632. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to matt.s.shively@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: Final project plans will be 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, 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: The USACE will determine, through informal or formal coordination with the US Fish and Wildlife Service, whether the proposed work will be in compliance with the Endangered Species Act. Preliminary information obtained from the Missouri Department of Conservation's Natural Heritage Review database indicates that the site is not within the vicinity of known Federally-listed species or habitats. 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 (SHPO) and the public in response to this public notice. Based upon the comments received concerning the potential for cultural resources within the project site, the District may require a reconnaissance survey of the project area or additional cultural resources preservation measures in compliance with Section 106 of the National Historic Preservation Act.

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.

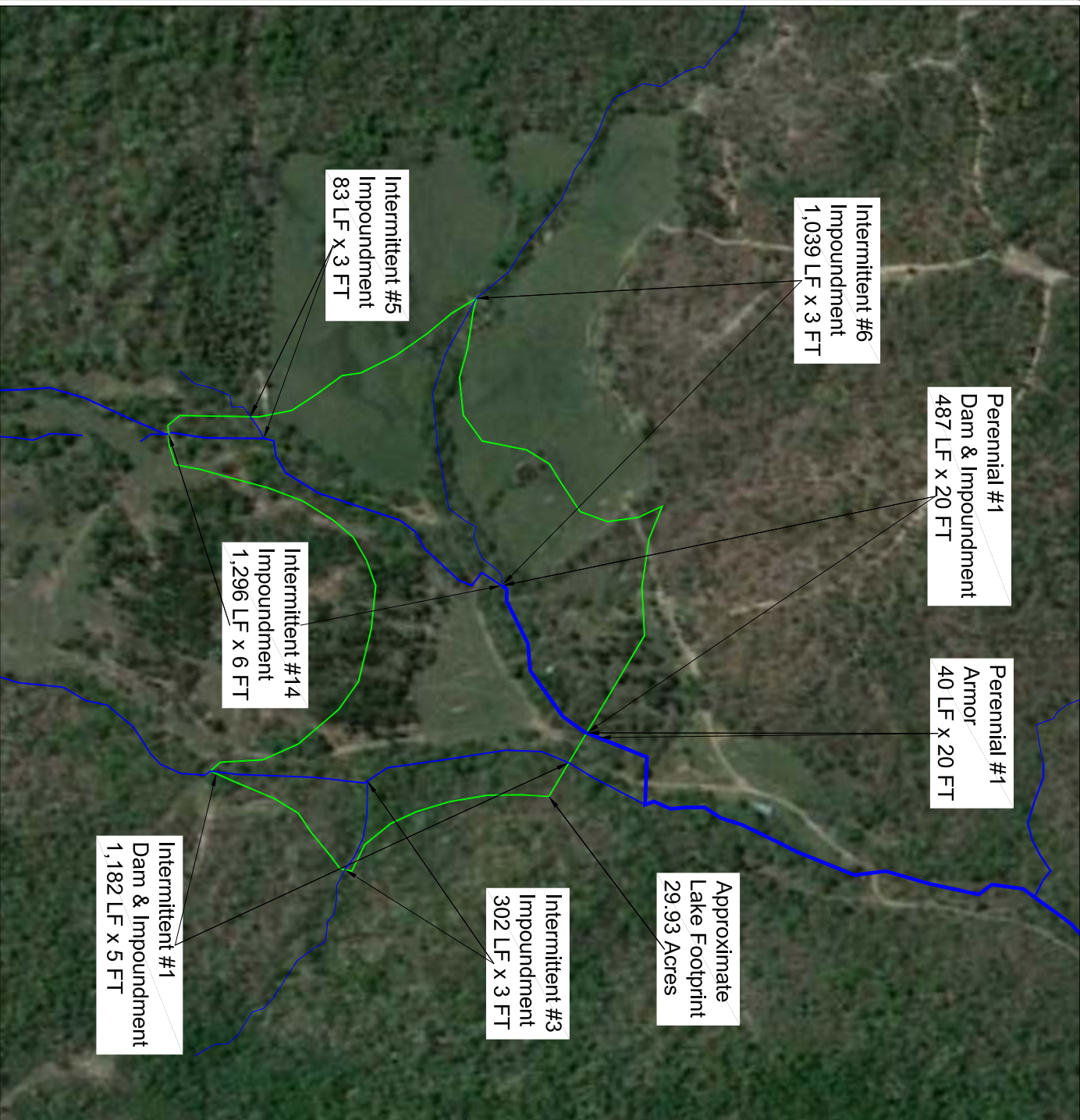
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered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

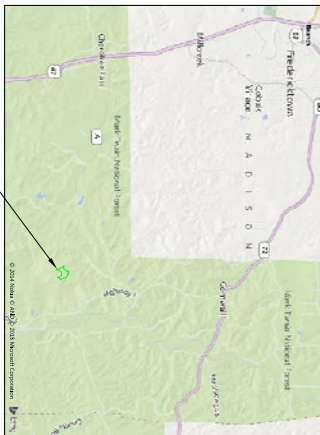
NOTICE TO POSTMASTERS:

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



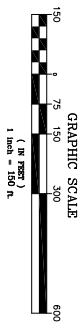
JURISDICTIONAL IMPACTS

Intermittent #1: Dam & Impoundment 1,182 LF x 5 FT
 Intermittent #3: Impoundment 302 LF x 3 FT
 Intermittent #5: Impoundment 83 LF x 3 FT
 Intermittent #6: 1,039 LF x 3 FT
 Intermittent #14: Impoundment 1,296 LF x 3 FT
 TOTAL INTERMITTENT IMPACT LENGTH: 3,902 LF
 Perennial #1: Dam, Impoundment & Armor 527 LF x 20 FT
 TOTAL PERENNIAL IMPACT LENGTH: 527 LF



Site Location

T32N-R8E-S7 & 8
 Madison County, Missouri
 29.93 Acres
 Lat. N37.476573
 Long. W90.206360



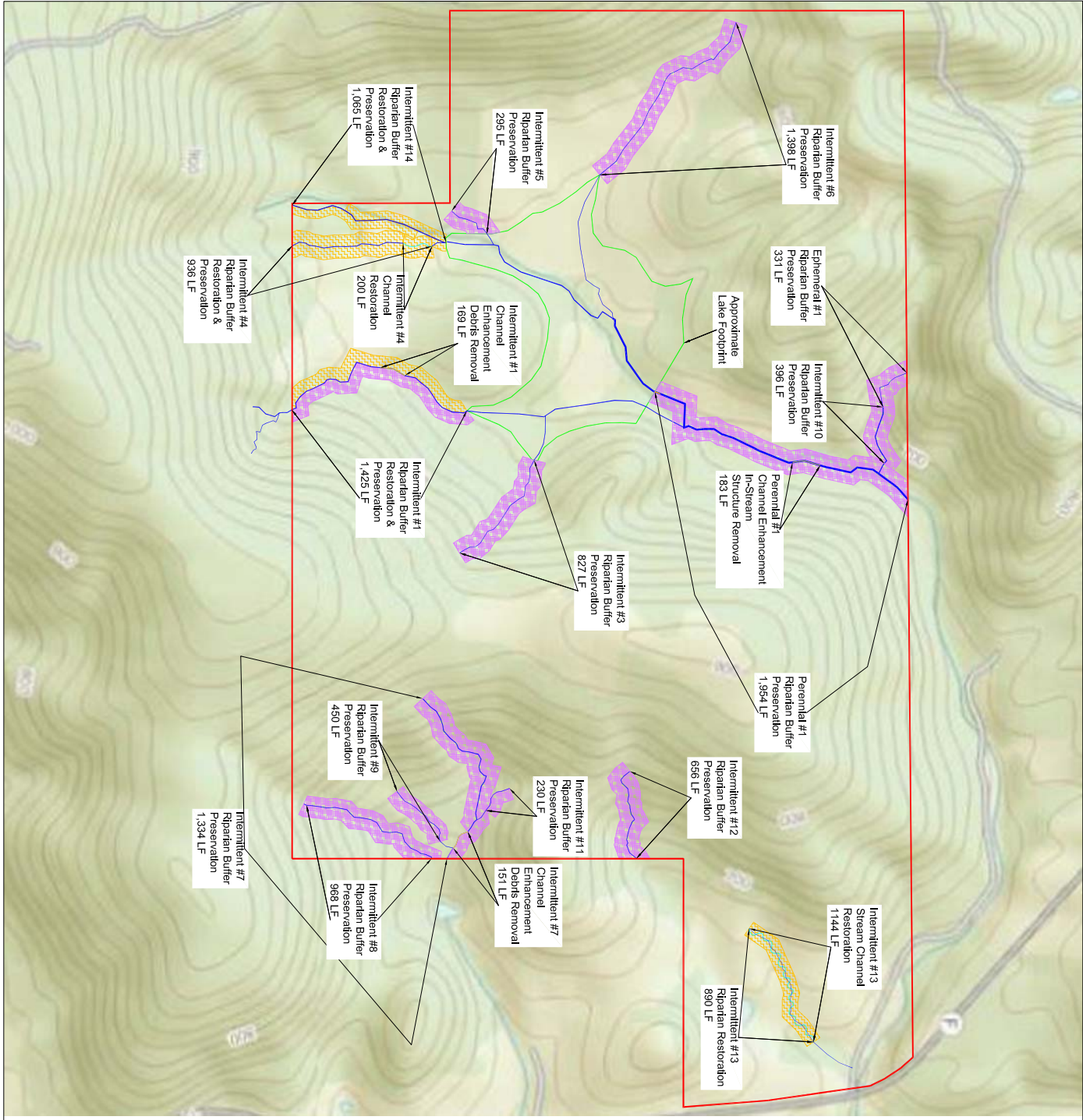
DATE	4/14/15
CREATED BY	MARK BY
SHEET NO.	JI
DATE	XXX
REVISIONS	
DATE	DESCRIPTION
PROJECT	JURISDICTIONAL IMPACTS
CLIENT	DIAMOND LAKE MVS-2013-480
	MARK DIAMOND



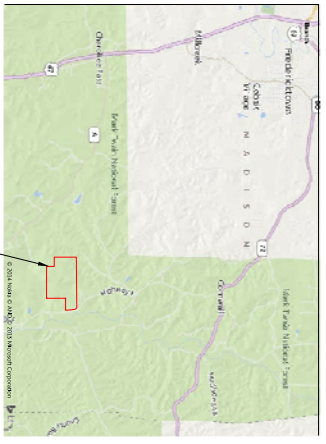


Terra Technologies

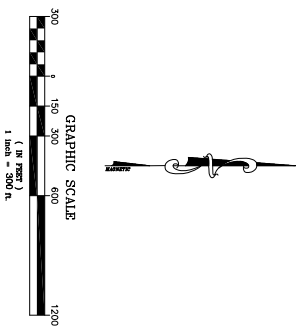
1920 W. 143rd St., Ste. 140
 Leawood, Kansas 66224
 Tel 913.385.9560 Fax 913.385.5295



- Legend**
- Riparian Buffer Restoration
9.57 Acres
 - Riparian Buffer Preservation
31.25 Acres
 - Stream Channel Enhancement
(Not to Scale)
 - Stream Channel Restoration
(Not to Scale)
 - Approximate Lake Footprint
(Not to Scale)
 - Site Boundary
519.21 Acres



Site Location
T32N-R8E-S7 & 8
Madison County, Missouri
519.21 Acres
Lat. N37.476573
Long. W90.206360



Terra Technologies

1920 W. 143rd St., Ste. 140
Leawood, Kansas 66224
Tel 913.385.9560 Fax 913.385.5295

DATE	4/14/15
CREATED BY	SEAN R. BY
SHEET NO.	2
DATE	XXX
REVISIONS	
DATE	DESCRIPTION
PROJECT	STREAM MITIGATION PLAN (USGS)
CLIENT	DIAMOND LAKE MVS-2013-480
	THE DOE RUN RESOURCES CORPORATION