

PUBLIC NOTICE



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

**Permit No. CEMVS-MGP-4
Issue Date: July 15, 2005
Expiration Date: August 15, 2005**

30-Day Notice

STATE OF MISSOURI
PROPOSED ISSUANCE / RENEWAL OF GENERAL PERMIT FOR
PRIVATE BOAT DOCKS, ASSOCIATED DOCK STRUCTURES, & MINOR DISCHARGES
ON THE MISSOURI RIVER, MISSISSIPPI RIVER & NAVIGABLE PORTIONS OF THE
MERAMEC RIVER, AND SALT RIVER

In accordance with Title 33 CFR 325.2 and 325.7(e), as published in the November 13, 1986, Federal Register, the U.S. Army, Corps of Engineers, St. Louis District, in conjunction with the Kansas City District, proposes to renew authorization of General Permit No. 4 for another 5-year period. This general permit was originally issued on May 17, 1978, and renewed on July 17, 2000, with expanded scope of authorization. The general permit presently authorizes the placement of small private boat docks, associated dock structures, and minor discharges up to 25 cubic yards, including excavation, in the Missouri River at locations as described in Appendix I of the permit Mississippi River, and in the navigable portions of the Meramec River, and Salt River.

Note: The Kansas City District will concurrently issue a public notice describing the proposed renewal of this general permit within their regulatory geographic region. The Kansas City District can be contacted by writing to: U.S. Army Corps of Engineers, Missouri State Regulatory Office, 221 Bolivar Street, Suite 103, Jefferson City, Missouri 65101.

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 Water Quality Certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102.

AUTHORITY: Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY: Construction, installation, and maintenance of fixed or floating private boat docks, no larger than 40-feet-long by 20-feet-wide, with attendant features that are necessary for the use and maintenance of the dock, i.e. walkways, piers, deadmen, and stairs. In addition, minor discharges up to 25 cubic yards, including the volume of any area excavated, which are necessary for installation of the dock and protection of the adjacent riverbank. No commercial docks are authorized. A copy of the general permit and appendices may be accessed at: <http://www.mvs.usace.army.mil/permits/pn.htm>

WETLANDS: No discharge of dredged or fill material is authorized in wetlands by this general permit.

CRITERIA FOR AUTHORIZATION: Applications for authorization under this general permit have been and will continue to require individual review with case-by-case determinations for authorization.

DURATION OF THE GENERAL PERMIT: The general permit would expire 5 years from the date of issuance / renewal unless it is specifically modified, suspended, or revoked prior to that date. Upon its next expiration the general permit would be considered for renewal. The general permit may be modified, suspended or revoked, in whole or in part, at any time if it is determined that the cumulative effects of the activities would have a significant environmental impact or are otherwise not in the public interest. This general permit does not and would not obviate the need to obtain other federal, state, or local authorizations required by law.

PROCEDURE FOR APPLYING: Individuals desiring to perform activities in accordance with the criteria for this general permit must notify the Corps of Engineers. 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. An ENG Form 4345 may be used for this purpose. Copies of the ENG Form 4345 and instructions for applying for the general permit may be obtained by writing or calling the appropriate Corps district, or by accessing the following address: <http://www.mvs.usace.army.mil/permits/engf4345.pdf>.

CULTURAL RESOURCES: The St. Louis District will comply with the National Historic Preservation Act and 36 CFR 800. No structure authorized by this general permit may be located in the proximity of a property listed in the National Register of Historic Places unless, after coordination with the State, and the Advisory Council on Historic Preservation, a determination of “no effect” or “no adverse effect” is made in accordance with established criteria. Also, if any historical or archeological materials are revealed during the construction or installation of the authorized structures, both the District Engineer and the State must be notified. We will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and we may conduct or require on an individual basis a reconnaissance survey of any permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat, which occur in the geographic limits of the general permit. Also, comments will be solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals concerning the potential impacts to federally listed threatened or endangered species within the scope of the general permit by distribution of this public notice. Reference Appendix II for permitting requirements if federally listed threatened or endangered species are likely to be present or their habitat would be modified in any permit area.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

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. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to renew the general permit will be based on an evaluation of the probable impacts including the cumulative impacts of the authorized work on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the general permit on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts associated with the authorized work. Any comments received will be considered by the Corps of Engineers to determine whether to renew, modify, condition or deny the general permit. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. During the administration of the general permit, no adverse environmental effects related its' operation have been identified. Comments will be used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments will also be used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if renewal of the general permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to renew the Department of the Army general permit. Comments should be mailed to the address shown on page 1 of this public notice.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting: Mr. Charles Frerker at telephone number 314-331-8583, or e-mail to charles.f.frerker@usace.army.mil. All comments to this public notice should be directed to the

above address.

NOTICE TO EDITORS: This notice is provided as background information for your use in formatting new stories. This notice is not a contract for classified display advertising.

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 .