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# Public Notice

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**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-2521**  
Public Notice Date  
**February 20, 2006**

Expiration Date  
**March 22, 2006**

**Postmaster Please Post Conspicuously Until:**

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File Number: 2005-2670

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: Rob Gramke

**APPLICANT:** Mr. Lester Arens, 33 Arens Lane, Martinsburg, Missouri 65264.

**LOCATION:** The project area is located in Section 16, Township 50 North, Range 6 West, near Wellsville, Montgomery County, Missouri.

**PROJECT DESCRIPTION:** The applicant seeks authorization to channelize approximately 3000 linear feet of Little Coon Creek to reduce crop damage from flooding and improve agricultural production. Little Coon Creek has approximately 3000-acres of watershed at this location and flows into the West Fork Cuiivre River. The applicant has already cut the new channels, as labeled on the attached maps, through a prior converted agricultural field; this work was accomplished without the need for 404 permit authorization. Over the past 20 to 40 years, the stream has been cleared of its forested riparian corridor and is now dominated by reed canary grass. With the lack of riparian corridor and dominance of reed canary grass, the applicant has witnessed a decrease in both channel width and channel depth, which led to more frequent flooding and crop damage. This project is proposed to rectify the situation. The channelization will include a new channel length of approximately 2300 linear feet, resulting in a net loss of approximately 700 linear feet of Little Coon Creek. Approximately 900 linear feet of the original channel would be filled, in order to achieve a channel block, forcing flow through the newly constructed channels. Secondary impacts may include reduced hydrology to approximately 1000 linear feet of stream channel, stream gradient change,

base-flow reduction, increased volume/flows downstream of the project, increased downstream flooding, increased streambank erosion, and more efficient dewatering of adjacent cropland.

The applicant has proposed the new channel as mitigation, but does not want to restore a forested riparian corridor and wishes to maintain the new slopes and banks as a grass other than reed canary. The applicant has owned the land for over 40 years and wishes to continue maintaining this upper portion of Little Coon Creek as a ditch, constructed in a "Waters of the U.S."

**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/permits/>.

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Rob Gramke, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8187. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to [robert.gramke@mvs02.usace.army.mil](mailto:robert.gramke@mvs02.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

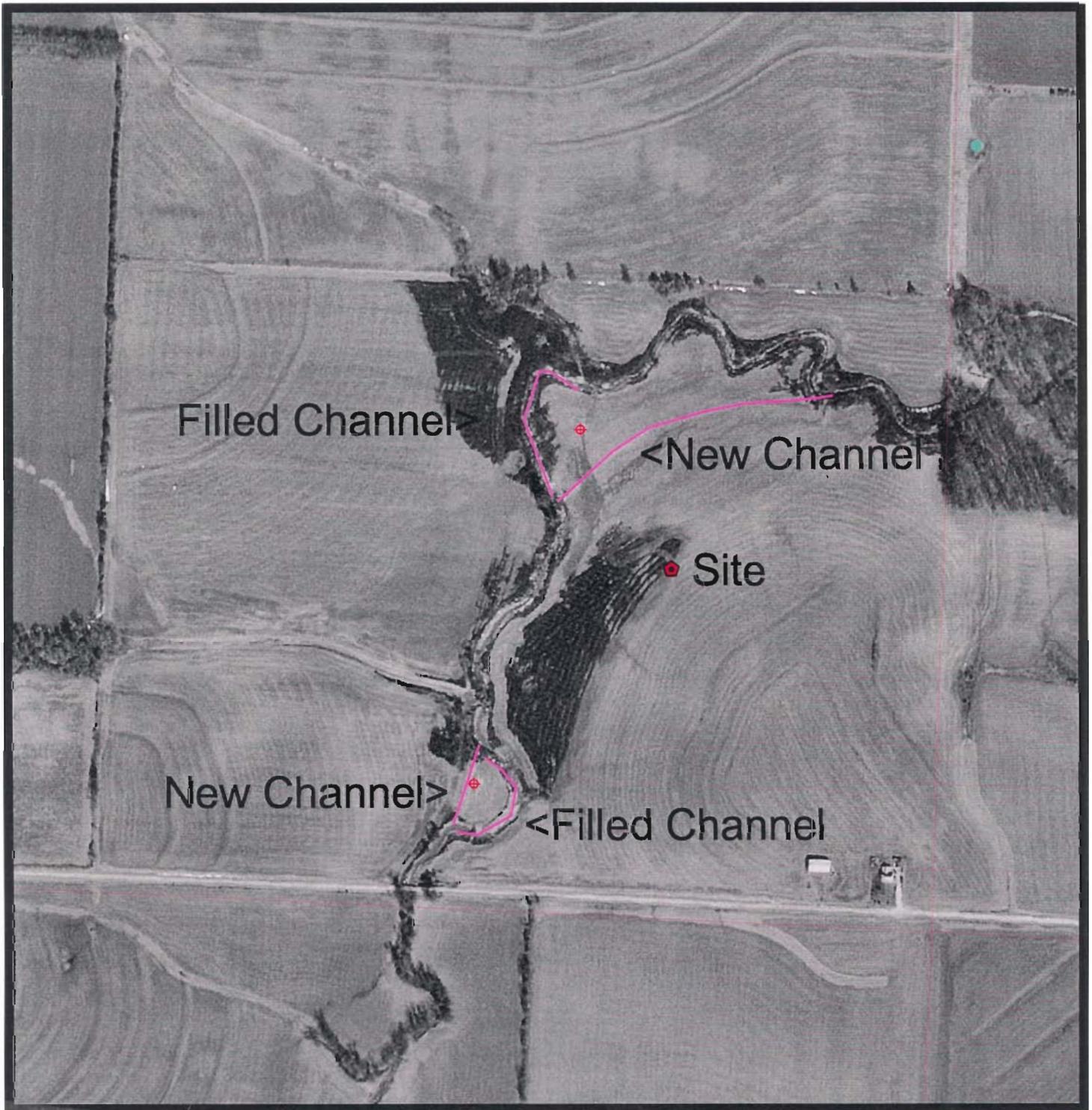
Attachments

**NOTICE TO POSTMASTERS:**

It is requested that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.

# Arens Channel Modificaitons

2005-02380



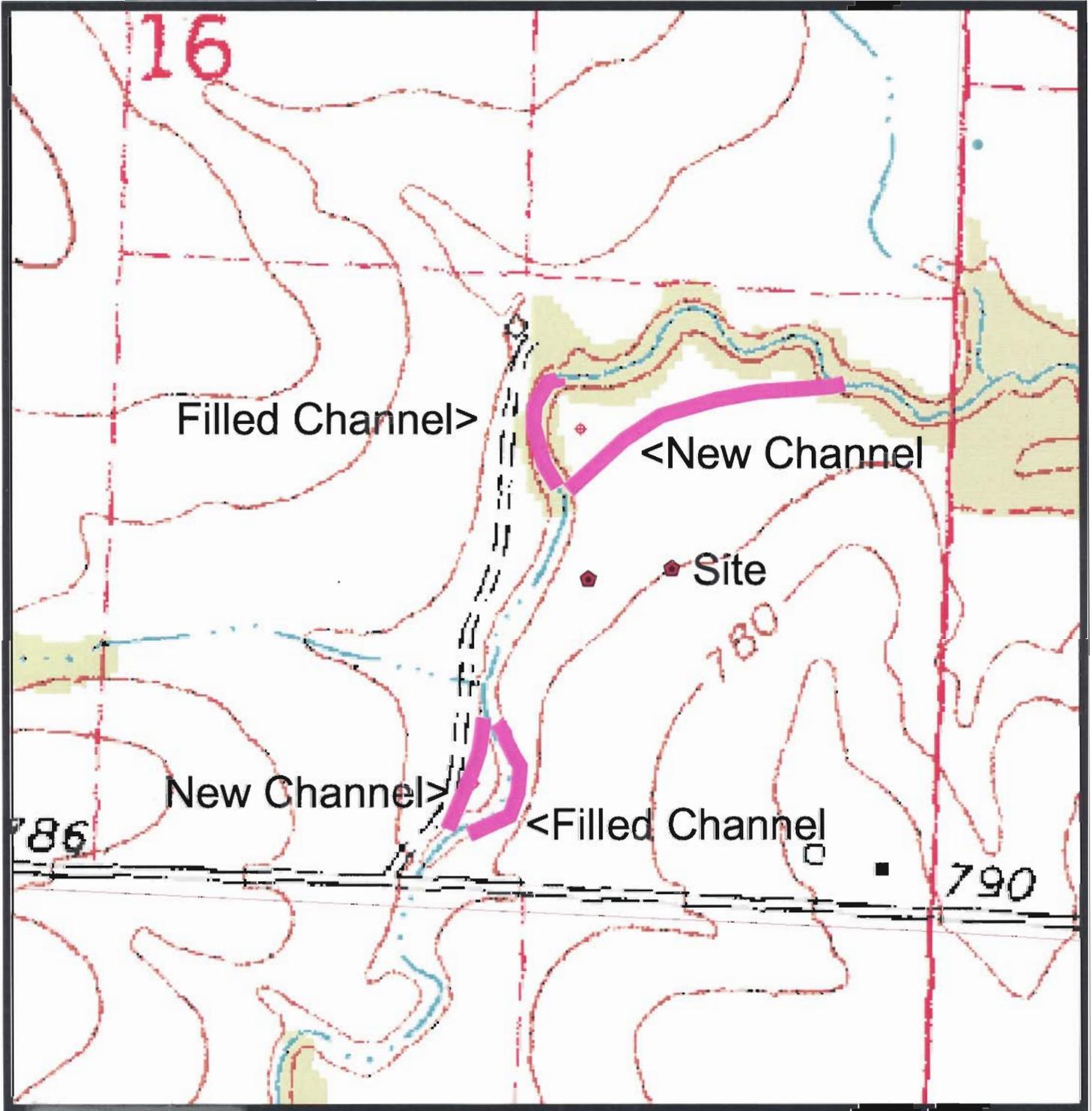
Sheet 1 of 3  
P-2521  
File #2005-2670



State: Missouri  
County: Montgomery  
Nearest City: Wellsville  
Latitude: 39:06:16.0853  
(39.10446813)  
Longitude: -91:34:43.3204  
(-91.57870011)  
UTM X: 0622897.429

UTM Y: 4329122.991  
UTM Zone: 15  
USGS Quad: Wellsville  
HUC 8 Name: Cuivre  
HUC 8 Number: 07110008  
Section: 16  
Township: 50 N  
Range: 6 W  
Q Section:

TOPO  
2005-02380



Sheet 2 of 3  
P-2521  
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State: Missouri  
County: Montgomery  
Nearest City: Wellsville  
Latitude: 39:06:15.7155  
(39.10436541)  
Longitude: -91:34:46.6748  
(-91.57963188)  
UTM X: 0622817.035

UTM Y: 4329110.330  
UTM Zone: 15  
USGS Quad: Wellsville  
HUC 8 Name: Cuivre  
HUC 8 Number: 07110008  
Section: 16  
Township: 50 N  
Range: 6 W  
Q Section:

