



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, ST. LOUIS DISTRICT  
1222 SPRUCE STREET  
ST. LOUIS, MISSOURI 63103-2833

REPLY TO  
ATTENTION OF:

March 10, 2023

Regulatory Branch  
File Number: MVS-2023-41



Dear [REDACTED]:

We have reviewed your submittal of the approved jurisdictional determination request for the approximately 10-acre parcel in Bonne Terre, Missouri. The project area is an active lime mine and is in Section 25, Township 37 North, and Range 4 East of the 5th Principal Meridian. Approximate geographic coordinates for the center of the site are 37.8955°, -90.5328°.

After review of the submitted delineation report, dated January of 2023, and other available resources, we have determined that the identified resources do not meet the definition of WOTUS as they were created incidental to the ongoing mining operation and therefore, no Section 404 of the Clean Water Act verification is required for the proposed work.

This determination is applicable only to the permit program administered by the Corps of Engineers Regulatory Branch. It does not eliminate the need to obtain other federal, state, or local approvals before beginning work. You are reminded that although your proposal does not need a Section 404 permit, based on your submitted plans, any revisions to your proposal may be subject to Section 404 and require subsequent authorization from this office.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form. For an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

**This approved jurisdictional determination may be relied upon for five years from the date of this letter** unless new information warrants revision of this determination before the expiration date. This determination may be renewed at the end of the five-year period provided you submit a written request, and our staff are able to verify that the limits established during the original determination are still accurate. This review is applicable only to the permit program

administered by the Corps of Engineers. It does not eliminate the need to obtain other Federal, state or local approvals before beginning work and any modification that includes impacts to potential waters may require subsequent review and authorization from this office.

If you have any questions, please contact me at [REDACTED] or [REDACTED]. In any correspondence or inquiries, please refer to the File Number **MVS-2023-41**. The St. Louis District Regulatory Branch is committed to providing quality and timely service to our customers. To improve customer service, please take a moment to go to our Customer Service Survey found on our web site at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

[REDACTED]

[REDACTED]  
Project Manager  
Regulatory Branch