



---

# 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.  
MVS-1998-10100

Public Notice Date:  
June 13, 2023

Expiration Date:  
July 05, 2023

Postmaster Please Post Conspicuously Until:

---

**File Number: MVS-1998-10100**

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: Alan Edmondson

**APPLICANT:** Port Charles Harbor, (ATTN: Ms. Linda Bingaman), 6247 Hwy V, St. Charles, Missouri, 63301

**LOCATION:** The project is located on the right descending bank of Mississippi River at approximate mile 221.5, St. Charles County, Missouri. Specifically, the project is located on the Grafton USGS quadrangle maps, Section 08, Township 48 North, Range 5 East.

**PROJECT DESCRIPTION:** Port Charles Harbor is an existing harbor facility which offers wet/dry slips, mechanical & refinishing service, boat restoration, and a ship store. The applicant seeks authorization to conduct maintenance dredging operations within the harbor, as multiple high water events, specifically the flood event of 2019, have caused the re-deposition of fine materials within the harbor. Previous permitting authorized the construction of the harbor, as well as subsequent permitting that authorized the placement of materials into the Mississippi River in an open water disposal site just outside the harbor's mouth. The project purpose is to reissue the maintenance dredging permit previously authorized to maintain the harbor in such a condition that recreational vessels have a safe ingress and egress to the site. The proposed dredging will only remove material deposited by the river and will not alter the previously authorized contours of the Harbor. The applicant anticipates dredging up to 1,000 cubic yards annually. The applicant seeks reauthorization to continue with periodic maintenance by placing dredged material into the river just outside the harbor

entrance at river mile 221.5.

**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/Missions/Regulatory/PublicNotices/OpenNotices.aspx>

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Alan Edmondson, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8811. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to [alan.r.edmondson@usace.army.mil](mailto:alan.r.edmondson@usace.army.mil)

**AUTHORITY:** This permit will be processed under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 USC 1344).

**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.

**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 have been submitted to the Missouri Department of Natural Resources, Water Protection Program (MDNR) in accordance with Section 401, and Water Quality Certification was issued on May 26, 2023.

**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 federally endangered Indiana bat (**Myotis sodalis**), the northern long-eared bat (**Myotis septentrionalis**), the tri-colored bat (**Perimyotis subflavus**), gray bat (**Myotis grisecens**), Monarch butterfly (**Danaus plexippus**) that currently is a threatened species and is a proposed candidate for endangered status, and the threatened Decurrent False aster (**Boltonia decurrens**). 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. The Corps is coordinating with the U.S. Fish and Wildlife Service and the applicant is taking measures to minimize potential effects of the project during construction. 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. Informal coordination for this project has been initiated.

**CULTURAL RESOURCES:** The St. Louis District will evaluate input by the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice. The Corps has reviewed information on known cultural resources and/or historic properties and found none are within or adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified to assure compliance with Section 106 of the National Historic Preservation Act. The Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

**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.

*Robert S. Gramke*

Robert S. Gramke  
Chief, Regulatory Branch

**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.



