

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

Public Notice No. <u>MVS-2017-868</u> Public Notice Date <u>June 21, 2018</u> Expiration Date <u>July 11, 2018</u>

Postmaster Please Post Conspicuously Until:

File Number: MVS-2017-868

Interested parties are hereby notified that the Land Learning Foundation (Sponsor) has requested under their In-Lieu-Fee (ILF) Program Instrument and corresponding amendment; approval for an ILF mitigation project pursuant to 33 CFR 332 and 40 CFR 230 Compensatory Mitigation for Losses of Aquatic Resource; Final Rule (Federal Register / Vol. 73, No. 70 Pages 19594-19705, April 10, 2008).

<u>COMMENTS AND ADDITIONAL INFORMATION</u>: All comments related to this ILF mitigation project and/or requests for public hearing must reach this office no later than the 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: Mr. David Meyer

IN-LIEU FEE SPONSOR: Land Learning Foundation P.O.C. Mr. Larry Pollard P.O. Box 55 Keytesville, MO 65261

LOCATION: The Sponsor proposes this ILF mitigation project (Big Creek Site) within the Central Plains, Cuivre/Salt Ecological Drainage Unit (EDU). The subject site consists of approximately 55.80+/- acres and contains Big Creek. The site is located just north of Wright City, Missouri, the geographic coordinates of the approximate upstream end of the project on Big Creek are 38.89538° North, -91.06474° West and downstream end of the project are 38.89717° North, -91.05501° West.

PROJECT DESCRIPTION: The Sponsor seeks approval from the U.S. Army Corps of Engineers (the Corps) and the Interagency Review Team (IRT); which is composed of representatives from the U.S. Environmental Protection Agency, U.S. Fish & Wildlife Service, Missouri Department of Natural Resources, and Missouri Department of Conservation; to establish the Big Creek project as an authorized source of stream mitigation credit. The Sponsor would make the stream mitigation credit available to Department of the Army permittees seeking to fulfill requirements to purchase compensatory mitigation credit, to offset losses of aquatic functions and services. The mitigation

project includes the preservation and restoration of forested riparian corridor, as well as the stabilization of approximately 2,010 linear feet of highly eroded channel bank.

The Sponsor proposes to restore, protect, and maintain 5,471 linear feet of perennial stream channel and wooded riparian corridor along Big Creek. The restored and preserved corridor will generally extend 50 - 300 feet perpendicular from the channel banks. This consists of tree plantings and the removal of any invasive species.

The stabilization component of the project will restore bank stability to approximately 2,010 linear feet of channel with actively failing, near-vertical banks. The proposed stabilization consists of a combination of rock vanes, longitudinal peaked stone toe protection, and vegetative staking. A full technical description can be found in the attached stabilization plan.

The property owners will record a perpetual conservation easement on the mitigation site. The conservation easement will protect this reach of Big Creek and its forested corridors from future clearing and other disturbances. The Sponsor will assume responsibility for long-term monitoring of the requirements of the conservation easement.

If approved by the Corps, the Big Creek project will create a total potential credit release of 16,270 stream credits. Mitigation credits generated by this project will be released for debiting on an incremental basis, determined by the project's successful achievement of performance criteria as set forth in the ILF Program Instrument.

This ILF mitigation program does not preclude the requirement for any Section 404 permit applicant, who intends or is required to use stream credits generated by this mitigation project, to comply with Clean Water Act Section 404(b)(1) Guidelines; the National Environmental Policy Act; and our evaluation of probable impacts on public interest.

LOCATION MAPS AND DRAWINGS: See attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. David Meyer, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8810. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to david.p.meyer@usace.army.mil.

AUTHORITY: This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

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.

<u>CULTURAL RESOURCES</u>: The ILF mitigation project will be evaluated for compliance with the National Historic Preservation Act of 1966 and 36 CFR 800. The St, Louis District will consider information provided by the State Historic Preservation Office, Federally-recognized tribes, and the public in response to the proposed mitigation project. The Corps may also require an archaeological reconnaissance survey of the project area, if deemed necessary.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of

the proposed ILF project and to solicit comments. The decision to allow or deny the Sponsor to proceed with the mitigation project will be based on an evaluation of all comments received, and all relevant factors to the proposal, including the cumulative effects thereof. These factors include: conservation, economics, aesthetics, 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 the general needs and welfare of the people. The Corps 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 proposed mitigation project.

<u>PUBLIC HEARING</u>: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this ILF mitigation 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.

Robert St. Granke

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DANNY D. MCCLENDON Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

The Corps requests that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.



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Land Learning Foundation – Big Creek Mitigation Site

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IN-STREAM WORKSHEET

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Imagery Date: 10/21/2016 38°53'55.50" N 91°03'40.41" W elev 544 ft eye alt 5181 ft 🔘

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Tim & Dawn Meyer

Lincoln County, Missouri NE 1/4, S30, T48N, R1W



<u>Sheet No.</u> **_** ω 4 Ν <u>Sheet</u> Plan Sheet Cross Section Sheet Details Cover Sheet Index <u>Sheet Title</u>









Height

11821 NW 13th Street - Topeka, Kansas 66615 785-213-3778	Wildhorse Riverworks Inc.	



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Jerry Shaw Site

Lincoln County, Missouri N 1/2, S30, T48N, R1W



<u>Sheet No.</u> ω 4 Ν **_** <u>Sheet Index</u> Cross Section Sheet Details Plan Sheet Cover Sheet <u>Sheet Title</u>







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Jerry Shaw Lincoln County, Missouri Big Creek

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Cross Sections .

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