

# PUBLIC NOTICE



US Army Corps  
of Engineers  
St. Louis District

Permit No. GP-41 (MVS-2017-0007)  
Issue Date: April 22, 2018  
GP-41 Expiration Date: April 22, 2023

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THE STATE OF MISSOURI  
ISSUANCE OF REGIONAL GENERAL PERMIT (GP) 41 FOR  
DISASTER RECOVERY AND REPAIR ACTIVITIES

The U.S. Army Corps of Engineers, St. Louis District, **HAS ISSUED GP-41** for the protection and the repair of existing damaged structures, damaged land areas, and damaged fills that were previously authorized by a Department of the Army (DA) permit. GP-41 is issued under the authority of Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and/or Section 404 of the Clean Water Act (33 USC 1344). The GP-41 authorizes disaster recovery and repair activities within the State of Missouri, provided that the project proponent, contractor, etc. complies with all general, special and water quality certification conditions included in GP-41. Additionally, GP-41 does not obviate the project proponent from obtaining other Federal, state, and/or local authorizations, required by law, prior to completing the authorized work described in GP-41. The limit of authorization of GP-41 is to those areas within the St. Louis District's regulatory boundary in Missouri that have been declared a natural disaster area by the governor of either state or by the President of the United States. Other Corps of Engineers Districts with regulatory authority in the State of Missouri will issue a similar Department of the Army permit that authorizes disaster recovery activities specific to each of those districts.

**DURATION OF THE GENERAL PERMIT:** The GP-41 is issued and is in effect for a period of five (5) years from the issuance date listed above unless it is specifically modified, suspended, or revoked prior to the expiration date. Prior to the expiration date, GP-41 will be considered for renewal. The GP-41 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, authorized by GP-41, have a significant environmental impact or is otherwise determined to be contrary to the public interest.

**APPLICANT:** General Public

**PROJECT LOCATION:** In waters of the United States located in counties and/or municipalities within the St. Louis District's regulatory boundary in the State of Missouri, which are declared disaster areas by the governor of either state and/or by the President of the United States of America.

**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:** Excavation or placement of fill material for protection and/or repair of existing disaster damaged structures, damaged land areas and/or damaged fills as outlined in the GP-41. Authorized repair activities include the following:

- a. Repair of levees to preexisting elevation and cross-section, including breach closures and associated borrow operations.
- b. Repair of road culverts and/or bridges within the existing roadway/railway alignment including the placement of suitable stone (riprap) to protect embankments and abutments.
- c. In-kind repair of existing roadway or railway embankments and the replacement or the addition of suitable stone protection, at the damage site, including repair to previously authorized fill.
- d. In-kind repair of existing utility structures within the current footprint of that structure, including previously authorized fill.
- e. Placement of rock and/or earth materials for stream/ditch bank protection and/or stream/ditch bank restoration.
- f. Drainage channel/ditch restoration to pre-disaster capacity and flow line unless the flow line must be altered due to other damage associated with the disaster event.
- g. Restoration of creek channels to pre-disaster alignment and capacity.
- h. Construction of temporary roads and temporary fill required to facilitate the completion of any of the above listed activities. Temporary fill must be removed to the original soil surface after repair activities are completed.

Note: The maintenance of existing disaster damaged structures and/or damaged fills, which have been previously authorized, may be authorized by Nationwide Permit No. 3 or exempted by Part 323.4 of Federal Regulations 33 CFR 320-332. The repair of uplands damaged by storms, floods or other discrete events may be authorized by Nationwide Permit No. 45 upon notification and review by the Corps of Engineers.

**NOTIFICATION PROCEDURES:** Individuals proposing to perform activities in accordance with the criteria outlined in GP-41 must review the types of activities that require preconstruction notification (PCN) to the Corps of Engineers prior to commencing repair work. If a PCN is required, all information outlined in Appendix I of GP-41 must be submitted to the Corps of Engineers for review and the Corps must verify that the proposed repair work is authorized by GP-41. An ENG Form 4345 and complete instructions are available at: <http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/> This form may be used for the purpose of preconstruction notification.

All disaster repair activities supervised by the Corps of Engineers, pursuant to Public Law 84-99 or to Section 14 projects, and/or all repairs supervised by the United States Department of Agriculture, pursuant to any USDA Program authorized for disaster recovery can be completed without PCN to the Corps of Engineers. It is the responsibility of these federal agencies to comply with all environmental laws and Presidential Executive Orders. All completed disaster repair work, authorized by this permit, must be reported to the St. Louis District, Corps of Engineers, Regulatory Branch, by the end of the calendar year in which the flood repair project is completed. The project report must include the location of the work, as-built drawings of the structure(s) and/or fill(s), and a discussion of the avoidance and minimization measures incorporated into the project and mitigation measures employed. Reports must be submitted to the U.S. Army Corps of Engineers, St. Louis District, Regulatory Branch, 1222 Spruce Street, St. Louis, Missouri 63103-2833 (ATTN: GP-41).

**SECTION 401 WATER QUALITY CERTIFICATION:** Conditions of the programmatic Section 401 Water Quality Certification issued by the Missouri Department of Natural Resources (MDNR), are conditions of the GP-41. General Condition 5 of the GP states: "If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit."

**ADDITIONAL INFORMATION:** Additional information about GP-41 may be obtained by writing to the

following address: Chief, Regulatory Branch, U.S. Army Corps of Engineers, Federal Building, Room 402, (ODR), 601 East 12<sup>th</sup> Street, Kansas City, Missouri 64106-2824 or by calling Mr. Douglas Berka at 816-389-3657 or by fax at 816-389-2032.