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-2018-305

Public Notice Date:
March 1,2019

ExpirationDate:
March 21, 2019

Postmaster Please Post Conspicuously Until:

File Number: MVS-2018-305

Interested parties are hereby notified that the Missouri Conservation Heritage Foundation – Stream Stewardship Trust Fund (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).

COMMENTS AND ADDITIONAL INFORMATION: 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: Missouri Conservation Heritage Foundation
P.O. Box 366
Jefferson City, Missouri 65102-0366

LOCATION: The Sponsor proposes this ILF mitigation project (SSTF 1014) within the St. Francis/Castor River Ecological Drainage Unit (EDU). The project is located along Crooked Creek, approximately 39 miles from the confluence of the Headwaters Diversion Channel. The site begins near the junction of County Road 834 and Hwy. OO and extends downstream approximately 5,170 linear feet. The geographic coordinates of the approximate upstream end of the project reach are 37.3714° North, -90.0901° West. The geographic coordinates of the approximate downstream end of the project reach are 37.3620° North, -90.0807° 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 SSTF 1014 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 highly erodible bank, approximately 600 linear feet of in-stream work.

The MCHF proposes to restore/enhance approximately 0.98 miles of riparian corridor (15.4 acres) adjacent to the stream channel, remove livestock access to the stream by protecting the riparian corridor with fencing and installation of an alternative watering system. Approximately 8.33 acres of the forested riparian corridor will require restoration through tree plantings. The preserved and restored corridor will generally extend on average, between 125-147 feet perpendicular from the left descending channel bank.

The stabilization component of the project consists of the installation of five bendway weirs, longitudinal peak stone toe protection with tie-backs, and a single rock vane. The weirs will shift the thalweg away from the vertical and unstable bank, throughout the eroded reach. Stabilization of this reach will decrease sediment input into the watershed. Halting the lateral migration of the bank will also reduce the potential for loss of planted trees, allowing the restored riparian corridor to mature.

The property owner will record a perpetual conservation easement on the mitigation site. The conservation easement will protect the Crooked Creek channel and forested corridor from future clearing and other disturbances. The MCHF will assume responsibility for long-term monitoring of the requirements of the conservation easement.

If approved by the Corps, the SSTF 1014 project will create a total potential credit release of 8,770.5 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 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. 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 David P. Meyer, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8810. Your inquiries may also be sent by electronic facsimile to (314) 331-8810 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).

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 will be submitted to the Missouri Department of Natural Resources, Water Protection Program (the Agency) in accordance with Section 401. While the Corps of Engineers may provide all relevant information to DNR and request Section 401 review on behalf of the applicant, the applicant assumes final responsibility to ensure that both agencies receive all information required to complete their independent review. If issued, Certification 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, P.O. Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

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 ILF mitigation project has been determined to comply with the National Historic Preservation Act of 1966 and 36 CFR 800. The St. Louis District will evaluate 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.

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. Many of the concerns listed above including Air Quality are reviewed, evaluated, and permitted by the Missouri Department of Natural Resources through the State Land Reclamation Permitting Process.

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.

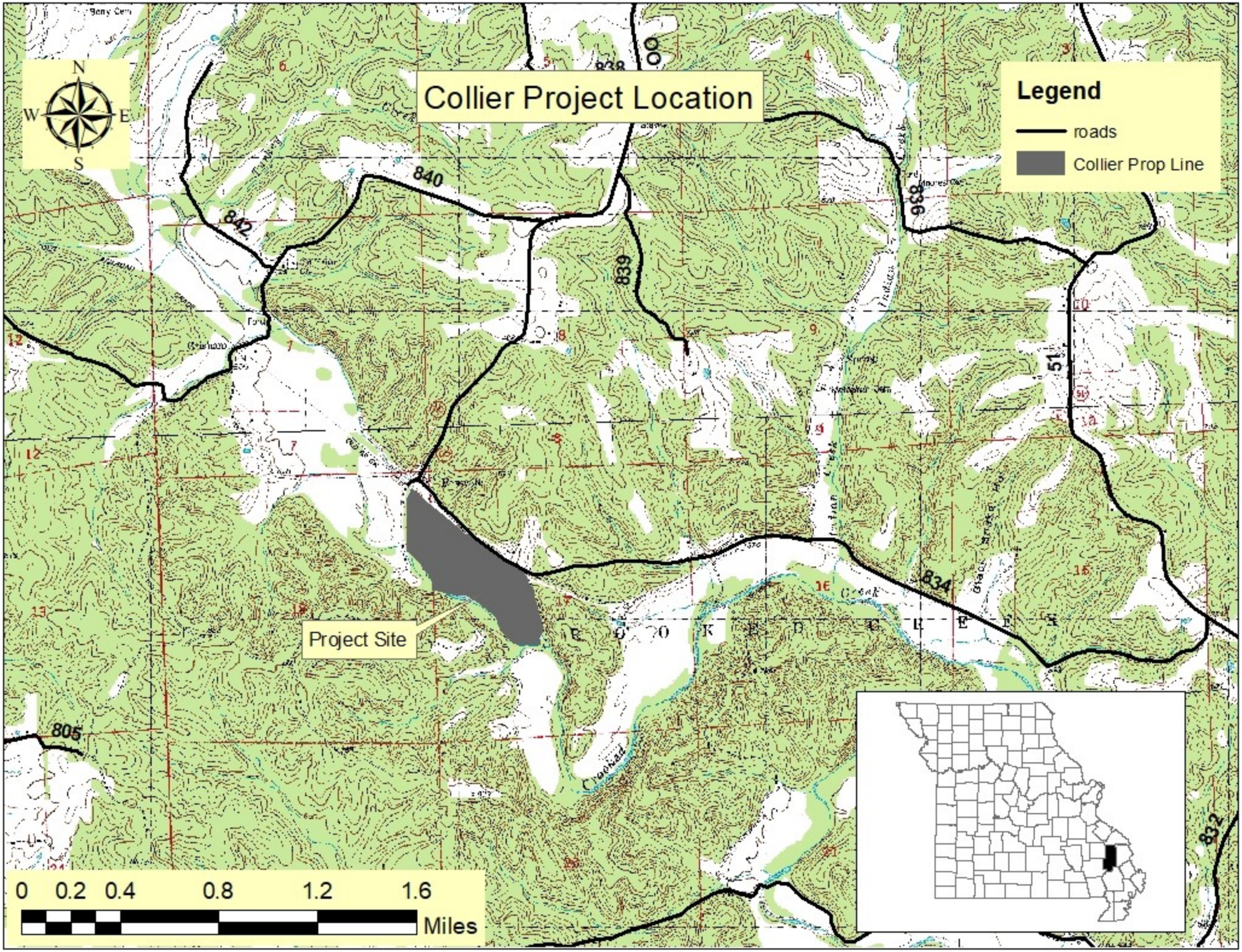
Robert A. Gramke

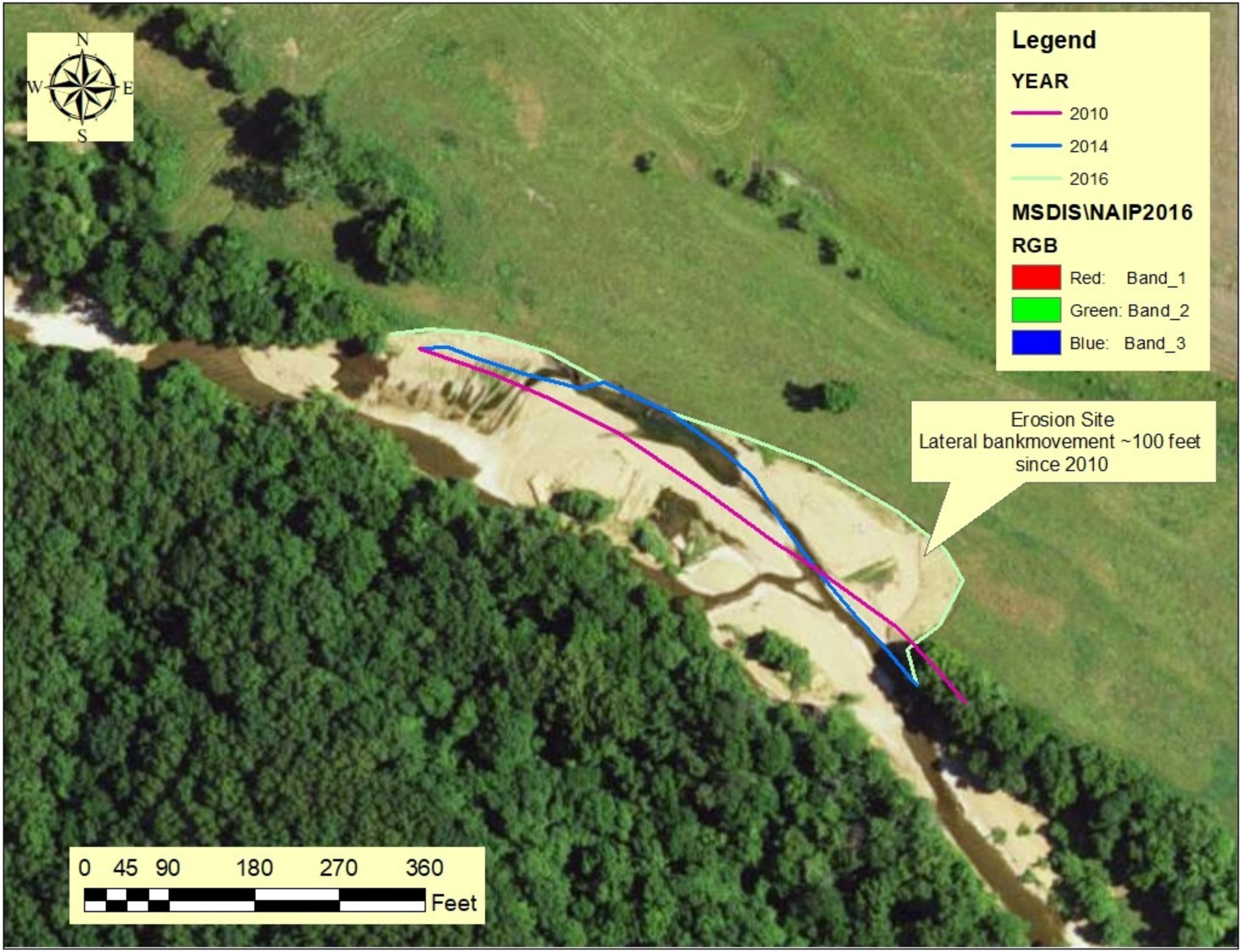
Digitally signed by GRAMKE.ROBERT.S.1230396023
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA, cn=GRAMKE.ROBERT.S.1230396023
Date: 2019.03.01 09:35:06 -06'00'

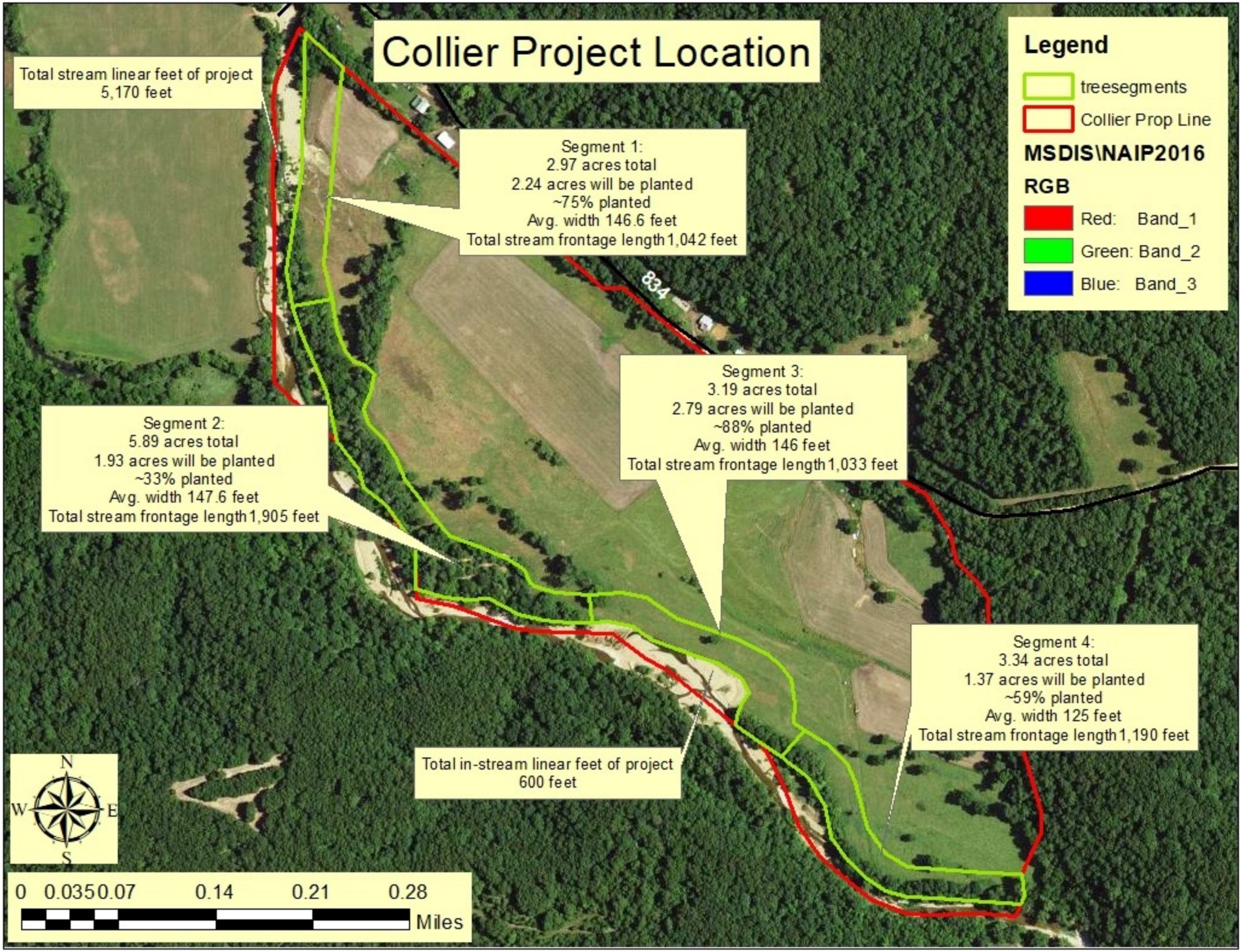
Robert S. Gramke
Chief, Regulatory Branch

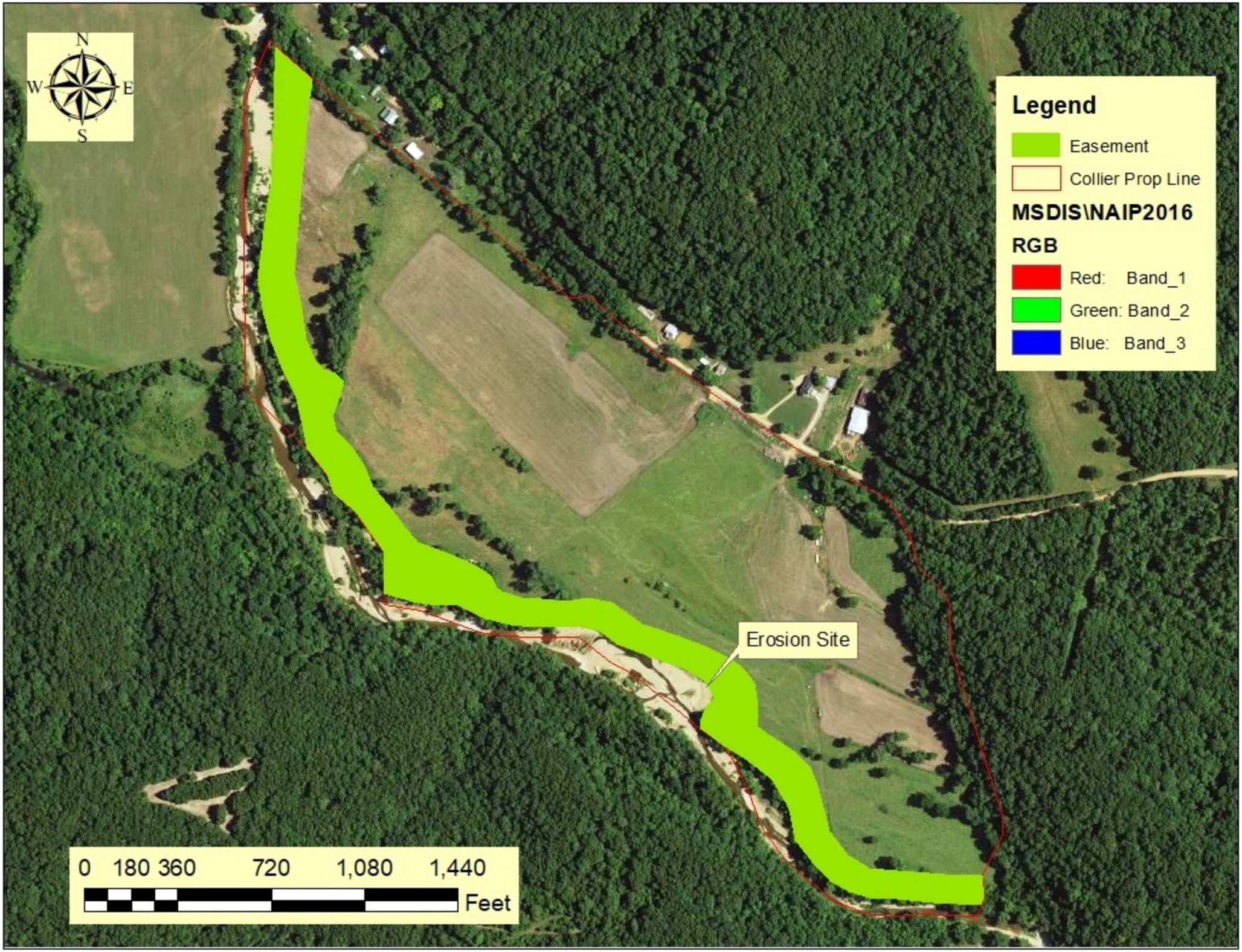
Attachments

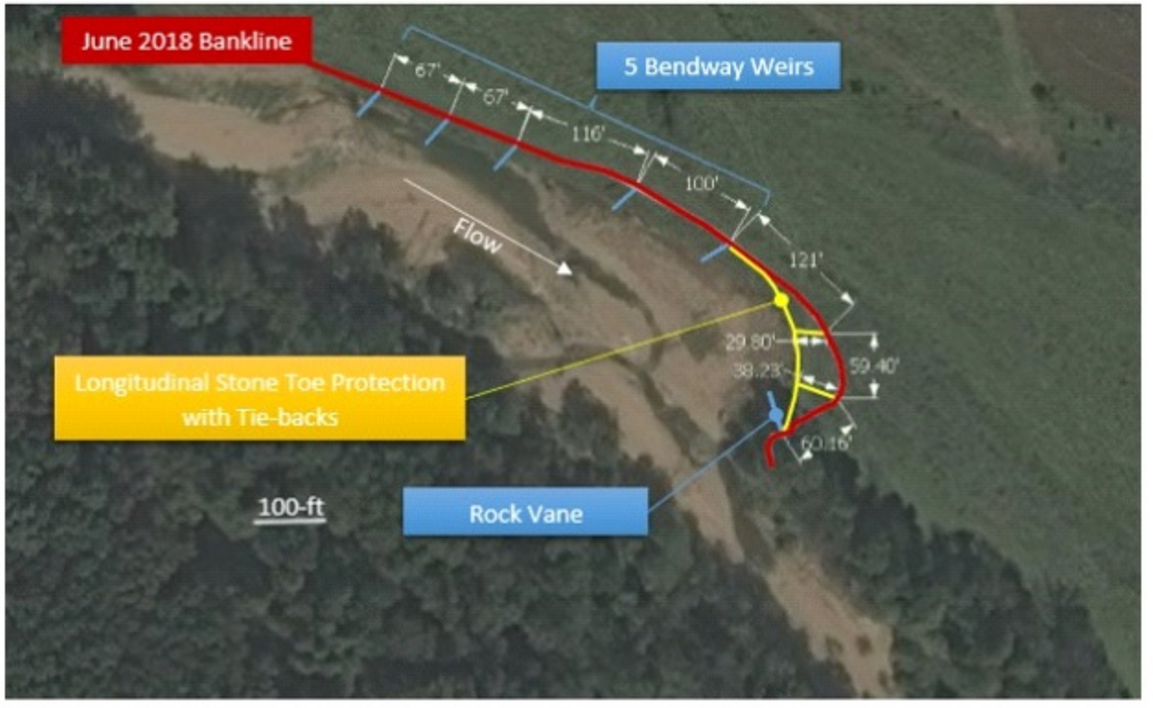
NOTICE TO POSTMASTERS:
It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.


Collier Project Location
Legend
roads
Collier Prop Line
Project Site
N
S
E
W
840
842
839
836
51
834
805
832
0 0.2 0.4 0.8 1.2 1.6
Miles


N
W
E
S
Legend
YEAR
2010
2014
2016
MSDIS\NAIP2016
RGB
Red: Band_1
Green: Band_2
Blue: Band_3
Erosion Site
Lateral bankmovement ~100 feet
since 2010
0 45 90 180 270 360
Feet


Collier Project Location
Total stream linear feet of project
5,170 feet
Segment 1:
2.97 acres total
2.24 acres will be planted
~75% planted
Avg. width 146.6 feet
Total stream frontage length 1,042 feet
834
Segment 2:
5.89 acres total
1.93 acres will be planted
~33% planted
Avg. width 147.6 feet
Total stream frontage length 1,905 feet
Segment 3:
3.19 acres total
2.79 acres will be planted
~88% planted
Avg. width 146 feet
Total stream frontage length 1,033 feet
Segment 4:
3.34 acres total
1.37 acres will be planted
~59% planted
Avg. width 125 feet
Total stream frontage length 1,190 feet
Total in-stream linear feet of project
600 feet
Legend
treesegments
Collier Prop Line
MSDIS\NAIP2016
RGB
Red: Band_1
Green: Band_2
Blue: Band_3
N
W
E
S
0 0.035 0.07 0.14 0.21 0.28
Miles


N
W
E
S
Legend
Easement
Collier Prop Line
MSDIS\NAIP2016
RGB
Red: Band_1
Green: Band_2
Blue: Band_3
Erosion Site
0 180 360 720 1,080 1,440
Feet



1. 5 Bendway Weirs (480-tons) to control conveyance of flow energy 2. Longitudinal Stone Toe Protection (360-tons) with Tie-backs (350-tons) to convey flow through a mild bend. (400-cy of onsite gravel to fill area between toe rock, tie-backs and bank) 3. Rock Vane (60-tons) to control exit conveyance

In total, an estimated 1250-tons of rock would be required to provide passive restoration system.