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.
MVS-2016-161
Public Notice Date
May 9, 2016
Expiration Date
June 30, 2016

Postmaster Please Post Conspicuously Until:

File Number: MVS-2016-121

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. Matt Shively

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 1009) within the St. Francis/Castor River Ecological Drainage Unit (EDU). The project is located along Little Whitewater Creek. The site begins at the Kinder Ford crossing on Bollinger County Road 368, and extends downstream approximately 3,900 linear feet. The geographic coordinates of the approximate upstream end of the project reach are 37.4360° North, -89.8800° West. The geographic coordinates of the approximate downstream end of the project reach are 37.4386° North, -89.8688° 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 1009 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 520 linear feet of highly eroded channel bank.

The MCHF proposes to establish approximately 24 acres of permanently-protected forested riparian corridor within the project reach. Approximately 13 acres of the forested riparian corridor will require restoration through tree plantings. The preserved and restored corridor will generally extend 100 feet perpendicular from the channel bank; although some portions will be wider or narrower depending upon property boundaries. The preserved and restored corridor will occur on both banks within the reach, excluding a short section of the northern bank that occurs off of the Kasten property.

The stabilization component of the project consists of the installation of seven bendway weirs. 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 Little Whitewater 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 1009 project will create a total potential credit release of 8,027 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.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. Matt Shively, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8632. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to matt.s.shively@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.

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.

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.

PUBLIC HEARING: 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.

DANNY D. MCCLENDON
Chief, Regulatory Branch

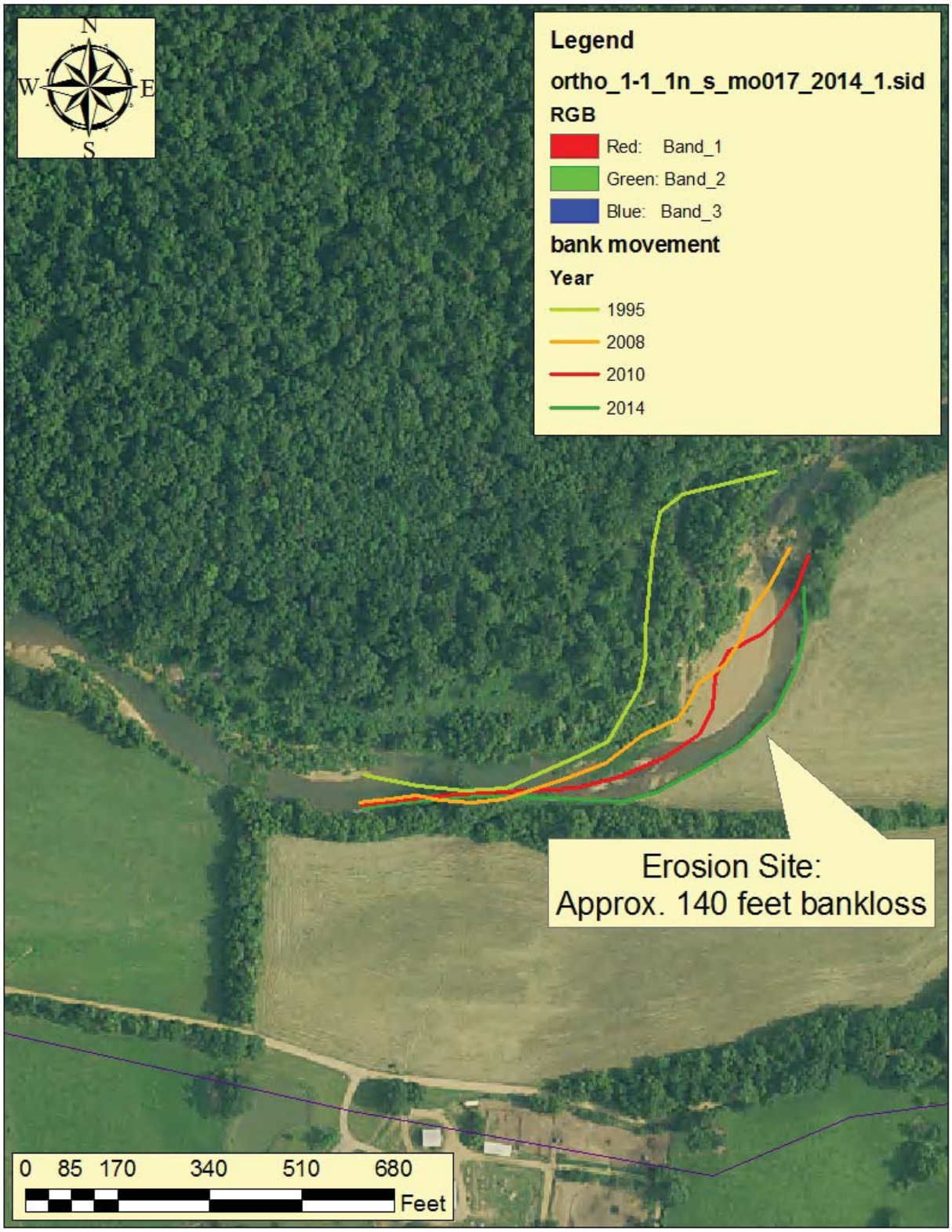
Attachments

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.

Figure 1. Map of location of project site with county and property boundary illustrated.

Figure 2. Map of Little Whitewater Creek lateral stream migration from 1995 to 2014. Note the lateral movement of approximately 140 feet since 2008 where proposed streambank stabilization is requested.



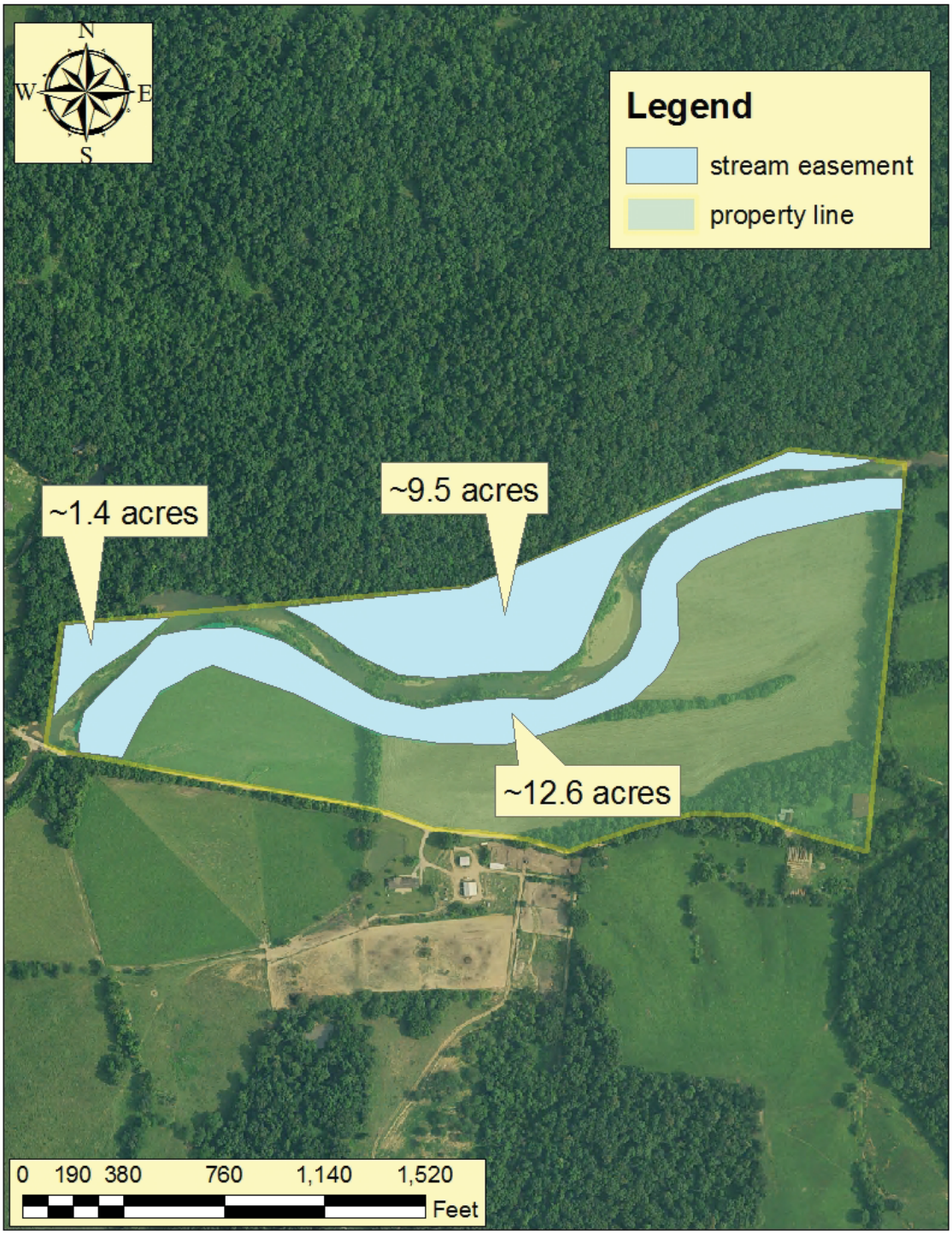
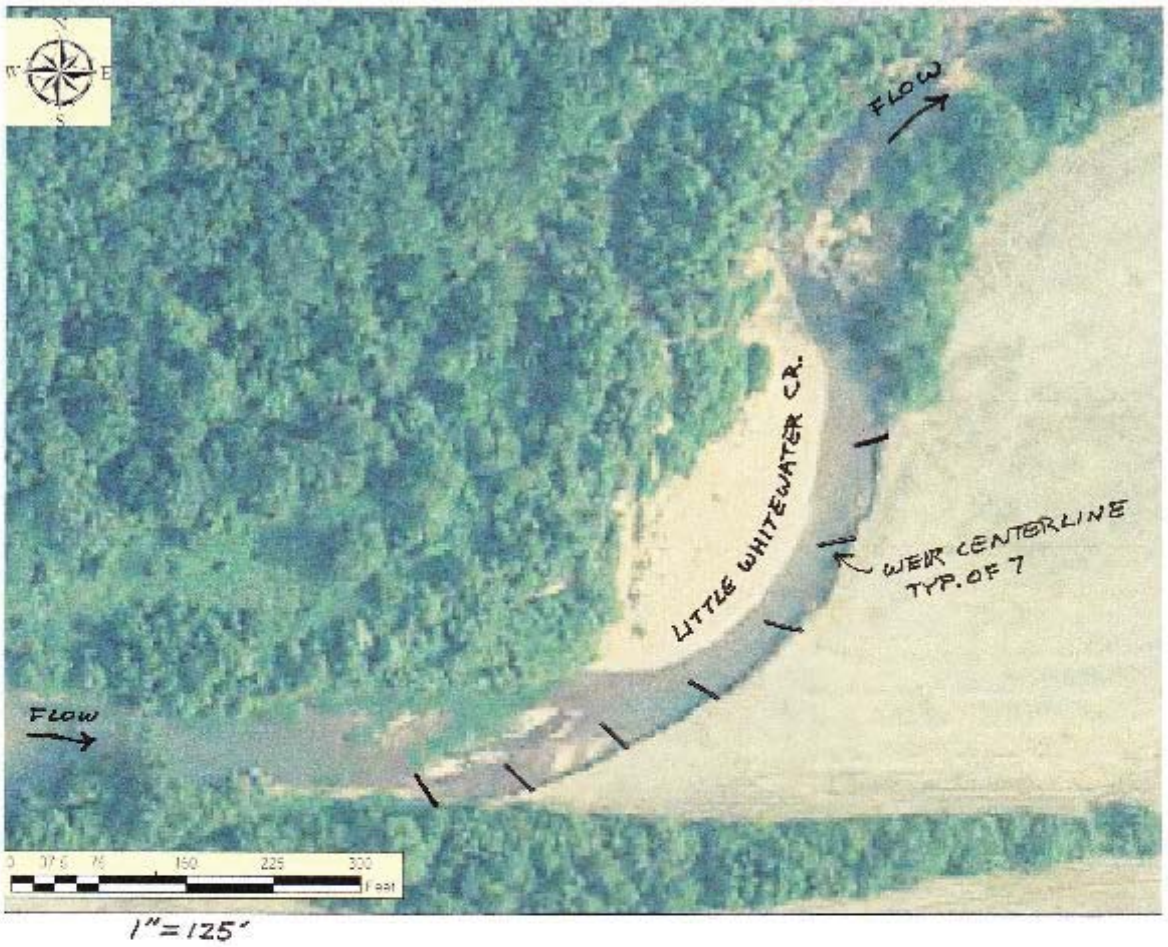


Figure 4. Map showing stream easement on both sides of the stream. Right descending bank at 100 feet and left descending bank variable from 10 – 300 feet.

Figure 5. Engineered drawings of the approximate placement of bendway weirs. Also included is the amount of rock needed.



KASTLN PROPERTY
LITTLE WHITEWATER CREEK
BOLLINGER COUNTY
7 30' BENDWAY WEIRS REQUIRED TO PROTECT 600' OF BANK
WEIR CREST ELEVATION IS 1.5 TO 2' ABOVE BASE FLOW

QUANTITIES FOR PRELIMINARY ESTIMATE
115 TONS PER WEIR = 805 TONS
ESTIMATE OF CONTRACTED UNIT PRICE IS $16 TO $24/TON FOR MODOT TYPE 2 ROCK BLANKET
ESTIMATED RANGE OF CONTRACTED CONSTRUCTION IS $13,000 TO $19,000

PE
11-12-2015