

PUBLIC NOTICE



US Army Corps of Engineers

Kansas City District/
St. Louis District/Little Rock District/
Rock Island District

Permit No. NWK-2009-01520
Issue Date: Nov. 12, 2014
Expiration Date: Dec. 12, 2014

30-Day Notice

This Notice Announces an Amendment to the Missouri Conservation Heritage Foundation Stream Stewardship Trust Fund In-Lieu Fee Mitigation Program

AUTHORITY: Pursuant to the Final Rule for the Compensatory Mitigation for Losses of Aquatic Resources, referred to as the Mitigation Rule (33 CFR Parts 325 and 332, and 40 CFR Part 230), dated April 10, 2008; this notice announces an amendment to the Missouri Conservation Heritage Foundation - Stream Stewardship Trust Fund's In-lieu Fee (ILF) program instrument.

IN-LIEU FEE SPONSOR: Missouri Conservation Heritage Foundation
P.O. Box 366
Jefferson City, Missouri 65102-0366

PROGRAM AMENDMENT LOCATION: This public notice applies to the U.S. Army Corps of Engineers Districts in the State of Missouri who have approved the operation of the ILF program in their respective District, which includes the Kansas City, St. Louis, Little Rock, and Rock Island Districts. The ILF Sponsor proposes to amend their ILF program instrument by adding the Grand/Chariton Rivers Ecological Drainage Unit (EDU) into their operational area (see attached map). This geographic and ecologic based watershed unit would serve as an additional program service area where the Sponsor could assume stream mitigation obligations on behalf of Department of the Army permit recipients and fulfill the mitigation obligation through stream and/or riparian restoration, establishment, enhancement, or preservation.

DESCRIPTION OF AMENDMENT TO ILF PROGRAM INSTRUMENT: On June 6, 2013, the Corps Districts in consultation with the Interagency Review Team (IRT) composed of representatives from the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Missouri Department of Natural Resources, and the Missouri Department of Conservation approved the Sponsor's ILF program instrument. The Sponsor identified that they would initially operate in nine EDU's across the State of Missouri, with the potential to request future instrument modifications to expand the program into other EDU's in the state. On June 20, 2014, the Sponsor was authorized to expand their operation of the ILF program into the Upper St. Francis/Castor River EDU. The Sponsor now proposes to amend the instrument a second time by including the Grand/Chariton EDU. The Sponsor states that they will adhere to the terms of the approved ILF program instrument which governs the operation and use of the program. Based on the proposed inclusion of the EDU, the Mitigation Rule requires that ILF

program instruments include a compensation planning framework that will be used to select, secure, and implement aquatic resource restoration, establishment, enhancement, and/or preservation activities in the service area. The Sponsor has developed a compensation planning framework that contains the required elements as identified in the Mitigation Rule. The Sponsor is also requesting the approval of 10,000 advance credits for this service area. Advance credits are those credits available for sale prior to being fulfilled by an approved mitigation project. Advance credits will be fulfilled in accordance with the schedule established within the program instrument. The compensation planning framework for this watershed can be viewed at the following web link:

<http://www.nwk.usace.army.mil/Media/PublicNotices.aspx>

This public notice is posted on the following Corps District's Regulatory web pages:

<http://www.nwk.usace.army.mil/Media/PublicNotices.aspx>

<http://www.mvr.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>

<http://www.mvs.usace.army.mil/Missions/Regulatory/PublicNotices/OpenNotices.aspx>

<http://www.swl.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. James Ptacek, Project Manager, at the Missouri State Regulatory Office, 221 Bolivar Street, Suite #103, Jefferson City, Missouri 65101 (816)389-3834 or by emailing to james.a.ptacek@usace.army.mil. All comments to this public notice should be directed to the above address.

CULTURAL RESOURCES: The ILF mitigation program will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. As specific project sites are identified and brought forward under this program, the Corps in consultation with the IRT will evaluate information provided through this public notice by the State Historic Preservation Officer, Federally-recognized Tribes, the public, and may require a survey of specific project areas if deemed necessary.

ENDANGERED SPECIES: The ILF mitigation program will comply with the Endangered Species Act. Acceptance of this ILF program and specific mitigation projects that are proposed will be coordinated with the U.S. Fish and Wildlife Service (USFWS). The USFWS has a representative on the IRT.

FLOODPLAINS: Acceptance of this ILF program and specific mitigation projects that are proposed will be reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative.

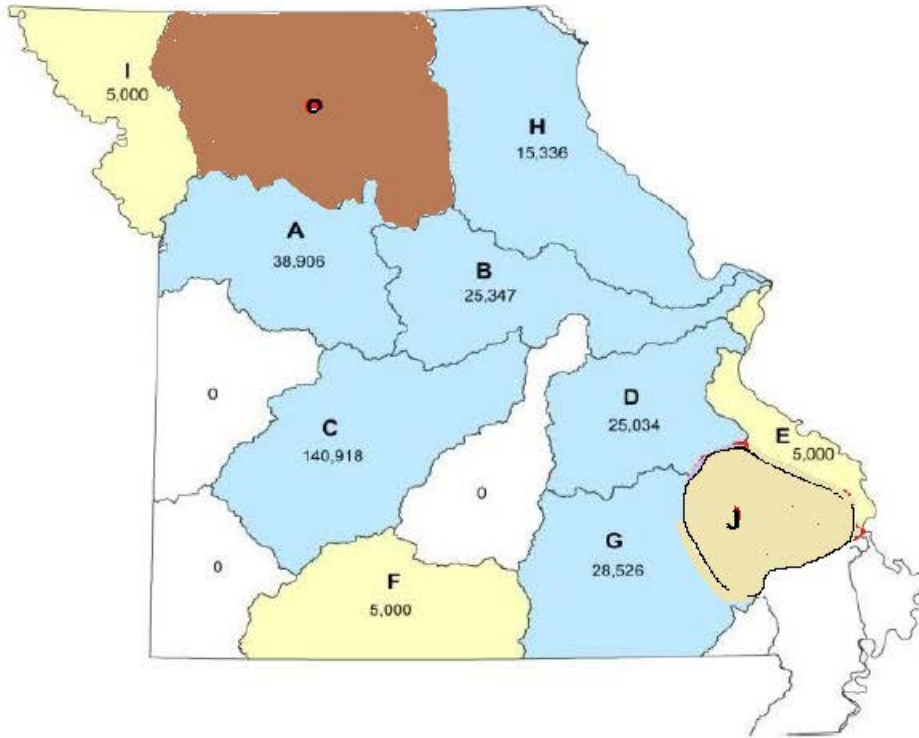
PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the proposed ILF amendment and to solicit comments. The decision to allow or deny the Sponsor to move forward with the addition of a service area and/or a mitigation project will be based on an evaluation of all comments received, and all relevant factors to the proposal including the cumulative effects thereof; among those are 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, in general, the needs and welfare of the people. The 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 amendment to the ILF program instrument.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

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 application. Such requests shall state, with particularity, the reasons for holding a public hearing.

Stream Stewardship Trust Fund Approved and Proposed Service Areas



Approved Service Area with advanced SSTF Credits
Approved Service Area with released SSTF Credits
Proposed Service Area with Advanced SSTF Credits
Service Area Not Proposed by Sponsor at this Time

Label	EDU	Released Credits	Advanced Credits
A	Central Plains/Blackwater/Lamine	38,906	
B	Ozark/Moreau/Loutre	25,347	
C	Ozark/Osage	140,918	
D	Ozark/Meramec	25,034	
E	Ozark/Apple/Joachim		5,000
F	Ozark/White		5,000
G	Ozark/Black/Curent	28,526	
H	Central Plains/Cuivre/Salt	15,336	
I	Central Plains/Nishnabotma/Platte		5,000
J	Ozark/Upper St. Francis/Castor		10,000
O	Grand/Chariton Rivers		10,000

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Missouri Conservation Heritage Foundation
Stream Stewardship Trust Fund, In-Lieu Fee Mitigation Program
Service Area Modification