Public Notice

US Army Corps of Engineers

Memphis District

REFERENCE:
U.S. ARMY CORPS OF ENGINEERS
REPLY TO ATTN: Roger Allan
167 North Main Street, RM B202
Memphis, TN 38103-1894
Telephone: (901) 544-3682
Email: Roger.S.Allan@usace.army.mil
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO.
MVM-2011-428-RSA

Public Notice Date
April 18, 2012

Expiration Date
May 18, 2012

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources (MDNR). The MDNR will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the MDNR, Water Protection Program, P. O. Box 176, Jefferson City, MO 65102-0176.

AUTHORITY: This notice announces an application submitted for a Department of the Army Permit under Section 404 of the Clean Water Act, pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986.

APPLICANT: Ms. Jennifer L. Burns
Associated Electric Cooperative, Inc.
2814 S. Golden
Springfield, MO 65801
Phone (417) 891-5405

LOCATION: The proposed New Madrid Rail Spur is located between the existing Burlington Northern railroad track west of U.S. Highway 61 and the existing Associated Electric Cooperative, Inc., New Madrid Power Plant near Howardville and Marston in New Madrid County, MO, at approximate latitude 36.5493° and longitude -89.5965°, in Sections 13 and 14, Township 22N, Range 13E, and Sections 18 and 19, Township 22N, Range 14E. The project area is shown on the enclosed location map (attachment 1), based on the New Madrid, MO, 7.5 minute quadrangle.

PURPOSE: The applicant's stated project purpose is to increase the reliability of coal deliveries to the New Madrid Power Plant. The addition of a second rail line will allow deliveries when one line is down and will allow the plant to receive coal from other vendors.

DESCRIPTION OF WORK: The proposed project is the construction of a new railroad spur. Construction activities would include grading of the site as well as installation of the railroad. The project would require the placement of approximately 5,800 cubic yards of fill material into a total of approximately 1.2 acres of wetlands. Wetlands impacts would occur at five different locations; the largest impact would entail the filling of approximately 0.486 acre of wetland. Wetland impacts are shown on attachment 2.

Wetlands that would be impacted by the proposed project include emergent/herbaceous, scrub/shrub and forested wetlands. Common plant species found in the emergent wetlands (total of 0.73 acre) include *Heteranthera limosa*, *Eleocharis ovata*, *Sagittaria calycina*, *Leptochloa panicoides*, *Cyperus iria*, and *Ammannia coccinea*. Vegetation within the scrub-shrub wetland (0.34 acre) includes black willow (*Salix nigra*), buttonbush (*Cephalanthus occidentalis*), and eastern cottonwood (*Populus deltoides*). Immediately west of Interstate 55, an approximately 0.13-acre wooded wetland would be impacted. This area is dominated by black willow and American elm (*Ulmus Americana*).

According to the applicant, several alternative alignments were evaluated for the proposed project. The selected route has the least effects on wetlands; moving the corridor in either direction would entail greater wetland impacts. The applicant has also provided a conceptual mitigation plan to offset these impacts by creating 2.91 acres of forested wetlands within a 6.05-acre parcel of property located approximately 4 miles southeast of the proposed impact sites (attachments 3 and 4).

The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

404(b)1 EVALUATION: The Corps of Engineers evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

THREATENED & ENDANGERED SPECIES: No federally endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes, and the public in response to this public notice and we may conduct or require a survey of the project area.

PUBLIC INTEREST REVIEW: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered, 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, considerations of property ownership 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; Federally-listed 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 Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for the proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in 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 overall public interest of the proposed activity.

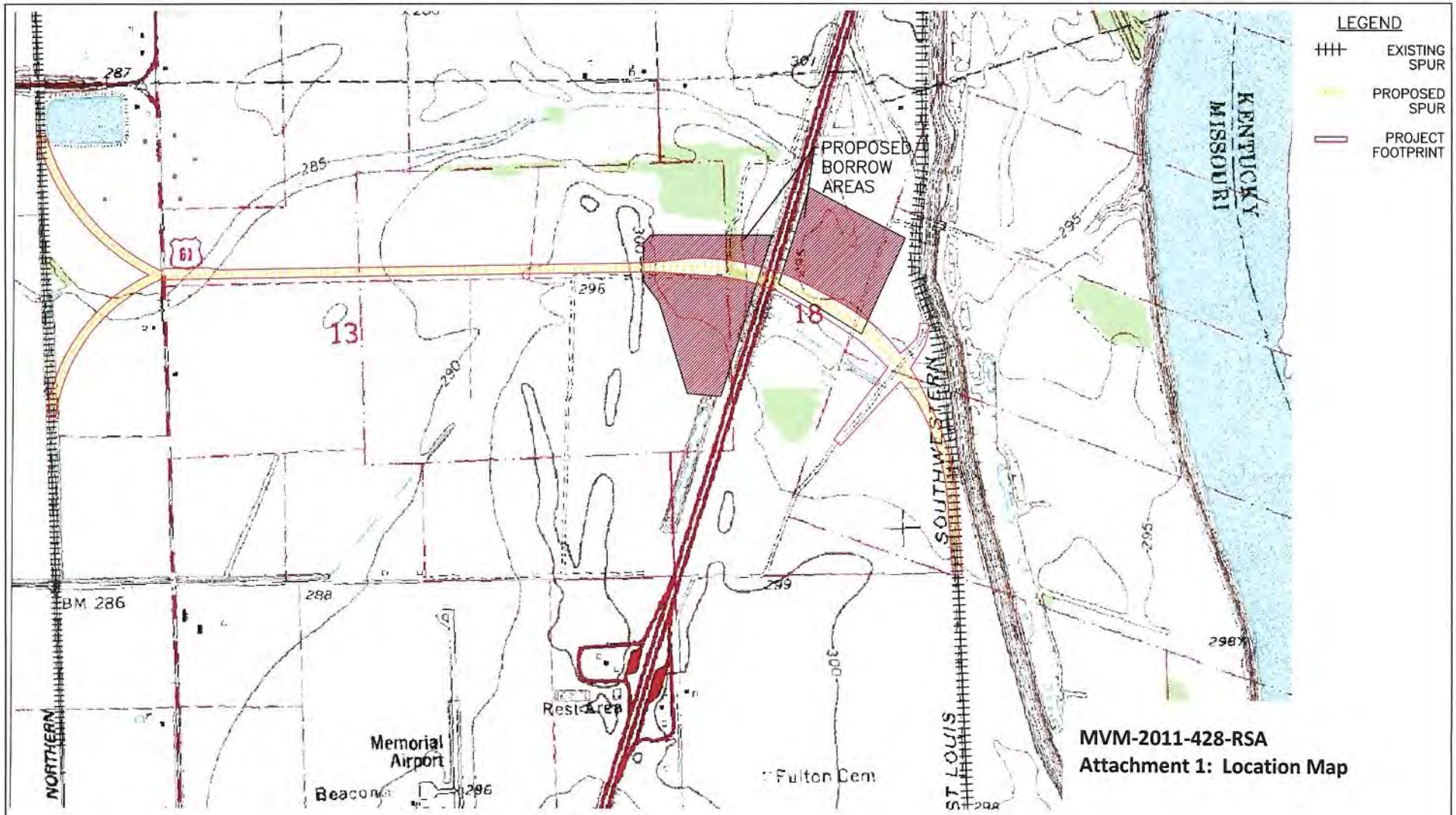
Any person who has an interest, which may be affected by the deposition of this material, may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest, which may be affected, and the manner in which the interest may be affected by this activity. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

If you wish to obtain additional information or to submit comments on the application, please contact Roger Allan at the U.S. Army Corps of Engineers, 167 North Main Street, RM B202, Memphis, Tennessee 38103-1894, telephone 901/544-3682.

Comments should be forwarded to reach this office by May 18, 2012.

Gregg Williams
Acting Chief
Regulatory Branch

Enclosures



MVM-2011-428-RSA
Attachment 1: Location Map

0 500 1000
SCALE IN FEET

PRELIMINARY DRAFT

NO.	BY	CHK.	APP.	DATE	REVISION DESCRIPTION

CLIENT / BID / CONSTRUCTION
RELEASED TO/FOR: A B C 0 1 2 3
DATE RELEASED

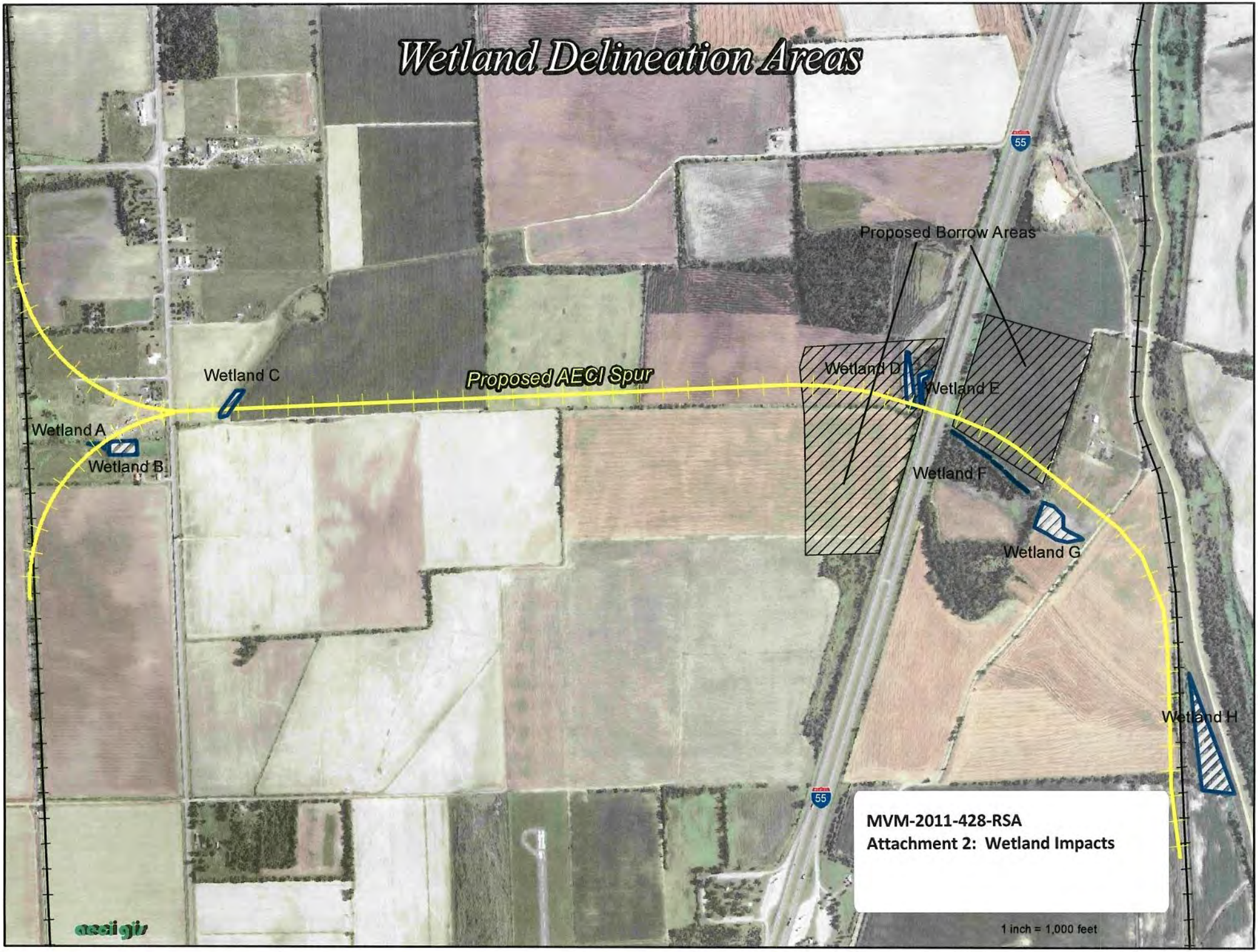
BARR
Project Office: BARR ENGINEERING CO. 1001 DIAMOND RIDGE SUITE 1100 JEFFERSON CITY, MO 65109 Ph: 1-888-324-3933 Fax: (573) 638-5001 www.barr.com
Corporate Headquarters: Minneapolis, Minnesota Ph: 1-800-632-2277

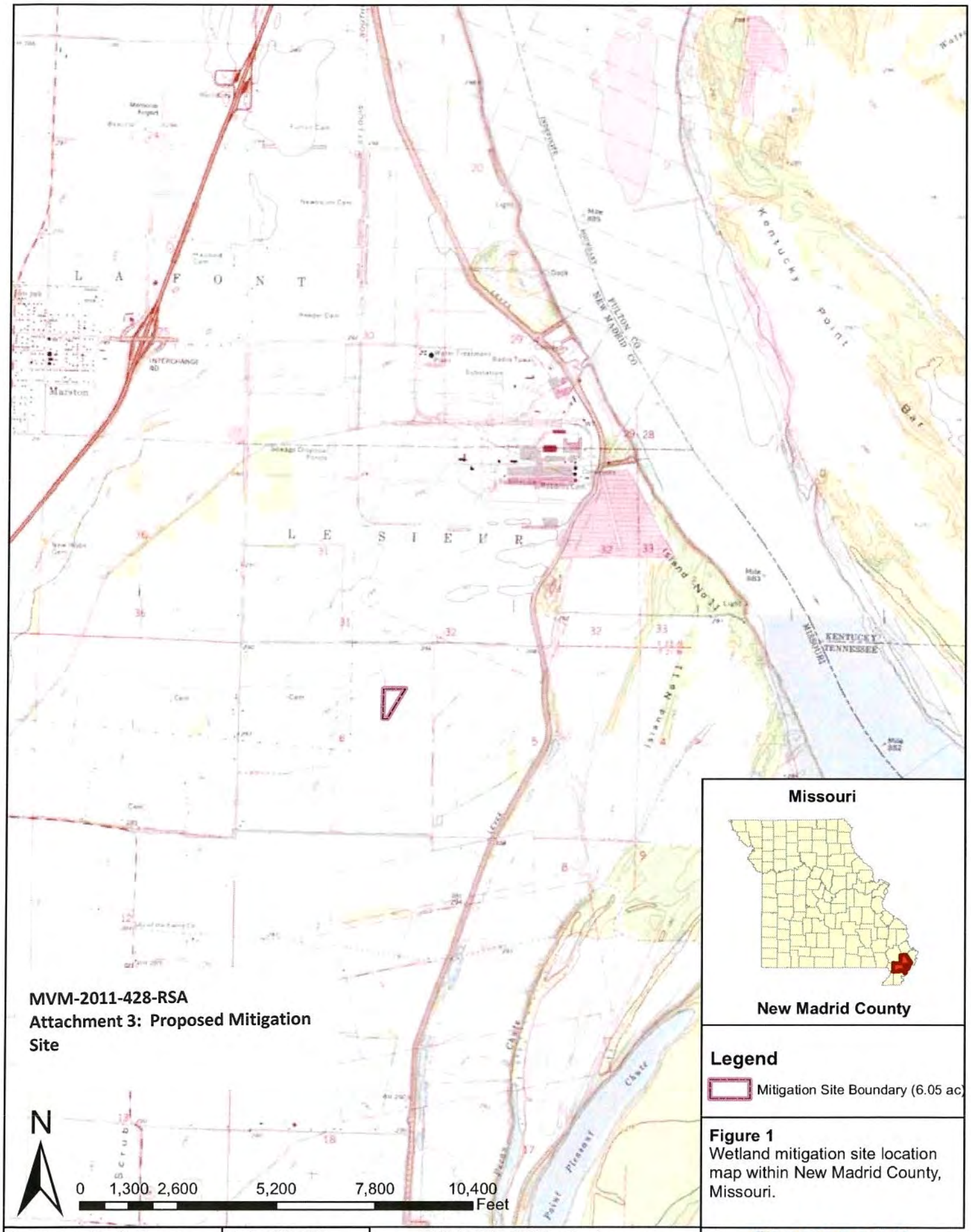
Scale	AS SHOWN
Date	12/10/11
Drawn	AAB
Checked	ALO2
Designed	ALO2
Approved	EBG

WETLAND DELINEATION REPORT
ASSOCIATED ELECTRIC COOPERATIVE, INC.
NEW MADRID COUNTY, MISSOURI

TOPOGRAPHIC SITE MAP–OVERALL VIEW
SOURCE: USGS TOPOGRAPHIC MAP

BARR PROJECT No. 25/A9–1002
CLIENT PROJECT No.
DWG. No. FIGURE 3
REV. No.


Wetland Delineation Areas
Proposed Borrow Areas
Wetland C
Proposed AECI Spur
Wetland D
Wetland E
Wetland A
Wetland B
Wetland F
Wetland G
Wetland H
55
55
MVM-2011-428-RSA
Attachment 2: Wetland Impacts
1 inch = 1,000 feet
aecigis



MVM-2011-428-RSA
Attachment 3: Proposed Mitigation Site

Figure 1
Wetland mitigation site location map within New Madrid County, Missouri.

Drawn by: Heath Garner	*Date: 2/29/12*	*2010 USDA NAIP ortho imagery*

ENERCON

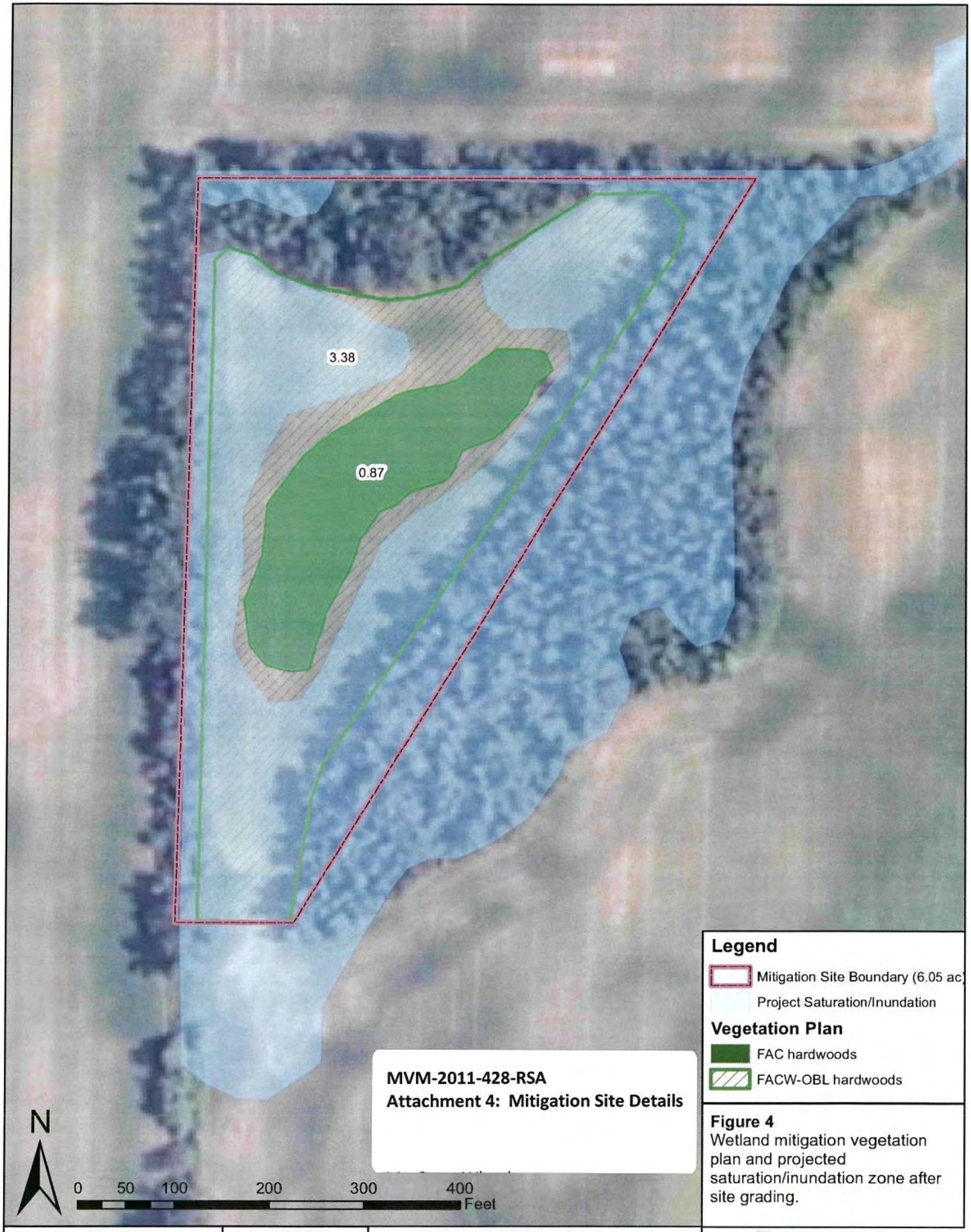


Figure 4
Wetland mitigation vegetation plan and projected saturation/inundation zone after site grading.

Drawn by: Heath Garner	Date: 2/29/12	2010 USDA NAIP ortho imagery

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