

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-2012-212-RSA

Public Notice Date

November 28, 2012

Expiration Date

December 28, 2012

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources. The Department of Natural Resources 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 Missouri Department of Natural Resources, 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: Missouri Department of Conservation
Attn: Laura Ruman
P.O. Box 170
Jefferson City, MO 65102-0180
Phone (573) 522-4115 extension 3756

LOCATION: The subject property is located on the Duck Creek Conservation Area in Bollinger, Stoddard and Wayne Counties, Missouri. Specific project sites are located in Sections 10, 30 and 32, Township 28N, Range 9E (Bollinger County), Section 4, Township 27N, Range 9E (Stoddard County), and Section 35, Township 28N, Range 8E (Wayne County). The project areas are shown on the enclosed location maps (attachments 1 and 2). The project area can also be found on the Sturdivant, MO, 7.5 minute USGS topographic quadrangle.

PURPOSE: The applicant's stated project purpose is to restore/enhance wetland function on multiple undeveloped tracts, renovate/enhance vegetative and hydrologic features on the original Duck Creek Conservation Area tract, and restore/enhance floodplain connectivity and sheet flow hydrology on a landscape scale.

DESCRIPTION OF WORK: The proposed project entails the second phase of the Duck Creek Golden Anniversary Wetland Initiative. Proposed activities include the following: clearing trees for levee construction; eliminating agricultural drainage ditches; construction of new low-profile levees; removal of unnecessary interior levees; construction of excavated sloughs; construction of habitat mounds; modification of existing roads; connection of relict channel scars; and removal of unneeded access roads. Specific activities and locations are described in the following paragraphs.

Grim Tract (attachment 3): Construction of a low-profile levee and water control structure would result in the filling of 3.4 acres of potential wetlands within an existing crop field (that is currently in cropland/moist soil rotation). Remaining portions of the crop field will be excavated and re-shaped to enhance wetland function; a total of approximately 54 acres of wetlands would be restored on this tract. Additionally, approximately 9.9 acres of existing crop field would be replanted with hardwood trees.

Grinnel Tract (attachment 3): Construction of a low-profile levee would result in the filling of 3.44 acres of wetlands within an existing crop field and 4.34 acres of wooded wetlands. Additionally, approximately 0.11-acre of wetlands would be excavated for the construction of a new outlet channel and approximately 0.7-acre of wetland would be filled within an existing borrow pit. Portions of the existing open fields would be excavated and re-shaped to enhance wetland function. A water control structure would be constructed in the southeastern corner of this tract to facilitate water management. The proposed project also would also entail removal of a section of road/levee in the northwestern portion of this tract; this

would hydrologically connect this tract with Pool 3 within the existing Duck Creek Conservation Area. According to the applicant, flooding of bottomland hardwood stands within Pool 3 will continue to be timed to emulate natural flood event seasonality and duration; this managed hydrologic regime would extend to the Grinnel Tract. A total of approximately 68 acres of wetlands would be restored or enhanced within this tract.

“C” Pool (attachment 4): This area is currently a managed wetland pool. Approximately 0.21-acre of wooded wetland would be impacted by channel excavation (to reroute a channelized ditch into this pool) and approximately 0.7-acre of wetlands that formed within an excavated borrow area would be filled. An existing levee that is currently backing up water onto existing woods would be removed and a water control structure would be constructed. Approximately 79 acres of wetlands would be enhanced at this location.

North Pool Field 1 (attachment 5): Approximately 2.65 acres of wooded wetlands would be cleared for channel/slough restoration and approximately 0.55 acre of wooded wetlands would be filled for construction of a levee to protect the adjacent landowner. The resulting slough would cover approximately 3.7 acres. Additionally, approximately 11 acres of existing crop fields would be planted with hardwood trees. Rock spillways would be constructed within berms adjacent to this tract.

Greenbrier Pool A1 (attachment 5): Approximately 3.01 acres of wooded wetland would be impacted by excavation of an approximately 33-acre wetland management pool. Approximately 1,870 linear feet of channelized ephemeral stream would be impacted by the excavation of the wetland pool and replacement of an existing water control structure. A meandering swale would be excavated to connect the headwaters of the ephemeral stream to the swale at the outlet of the wetland pool. Additionally, approximately 52 acres of existing crop fields surrounding the management pool would be planted with hardwood trees.

Greenbrier Pool C1 (attachment 6): Approximately 1.98 acres of wooded wetland would be impacted by the construction of a low-profile levee and water-control structure. Excavated sloughs would match the elevation of an existing wetland depression. This area (including the excavated areas as well as existing wetland woods) would be managed by allowing the site to flood during the winter. Additionally, approximately 44 acres of existing crop fields would be reforested.

McGhee Park Tract (attachment 6): Approximately 1.9 acres of wetlands within existing idle fields would be filled for the construction of a low-profile levee. Approximately 11 acres of wetlands would be restored on this tract.

Entrance Road/Pool 3 (attachment 7): Approximately 0.4 acres of wooded wetlands would be filled for the construction of a new access road in the southeastern corner of Pool 3 and approximately 0.23 acres of existing emergent wetlands (within borrow pits) would be filled to construct 9 passing areas and an overlook along an existing access road.

AVOIDANCE/MINIMIZATION: The applicant noted that mature trees will be avoided during construction of low-profile levees in the Grinnel Tract. Additionally, the applicant noted that wetland impacts have been minimized by limiting the construction of passing lanes within Pool 3 to provide intermittent dual lane opportunity as opposed to widening the road throughout the tract.

MITIGATION: According to the applicant, approximately 320 acres of cropland and old fields would be restored to a mix of emergent marsh, deepwater sloughs and bottomland hardwood forest. Additionally, the project should increase flood plain connection by reducing levee heights, reconnecting natural depressions and enhancing overland sheet flow.

Although this project will entail impacts to wetlands and other waters of the United States, the applicant's stated purpose is to restore and enhance wetland function on multiple undeveloped tracts of public land. Furthermore, the applicant noted that project would entail extensive bottomland hardwood reforestation (including reforestation in areas without proposed wetland impacts).

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: The Indiana bat (*Myotis sodalis*) may be present within the project area and the applicant has proposed to remove trees between November 1 and March 15. Additionally, 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.

PUBLIC HEARING: 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 a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process and not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

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.

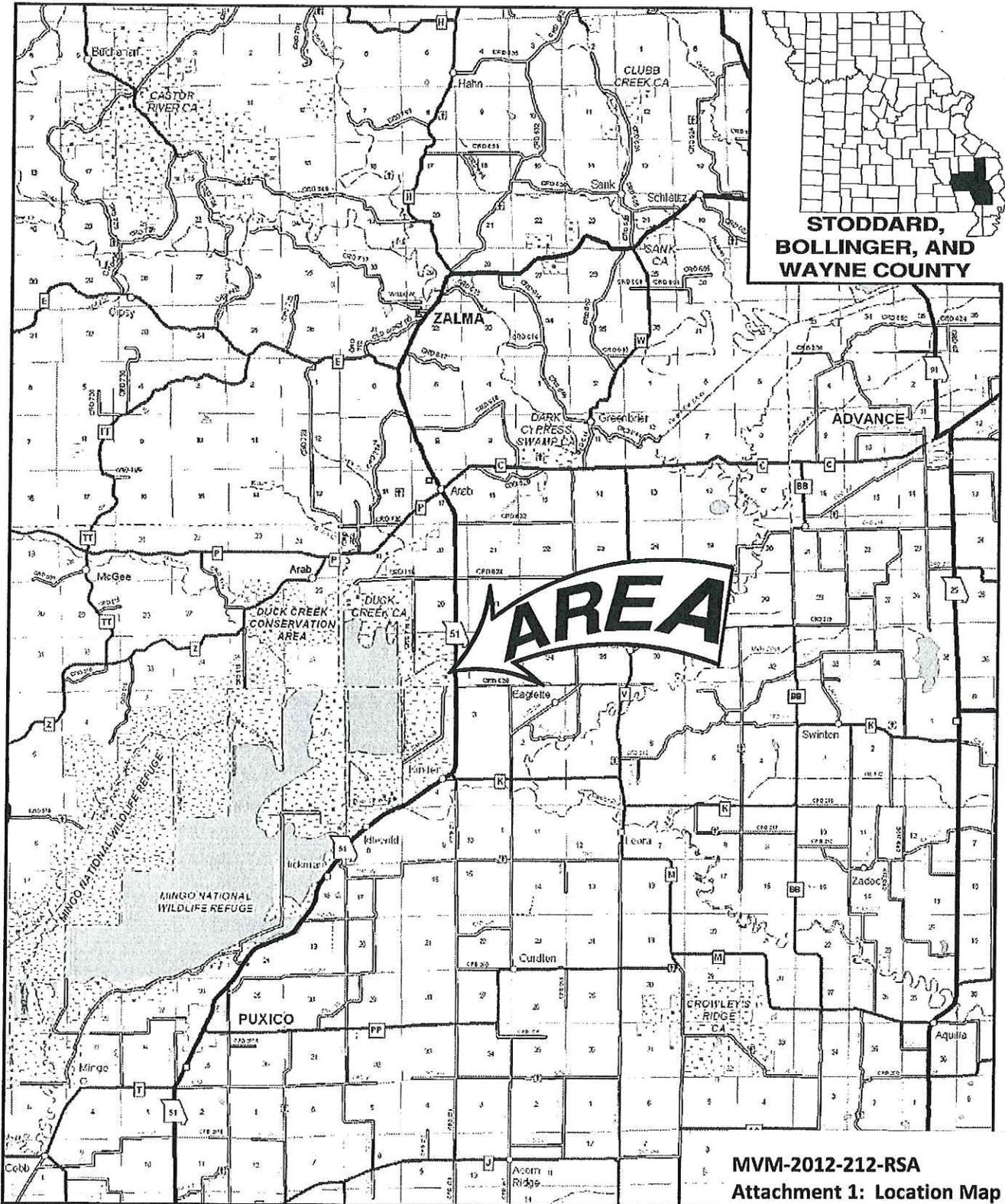
Comments should be forwarded to reach this office by December 28, 2012.



Gregg Williams
Chief
Regulatory Branch

Enclosures

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**STODDARD,
BOLLINGER, AND
WAYNE COUNTY**

**MVM-2012-212-RSA
Attachment 1: Location Map**

VICINITY MAP

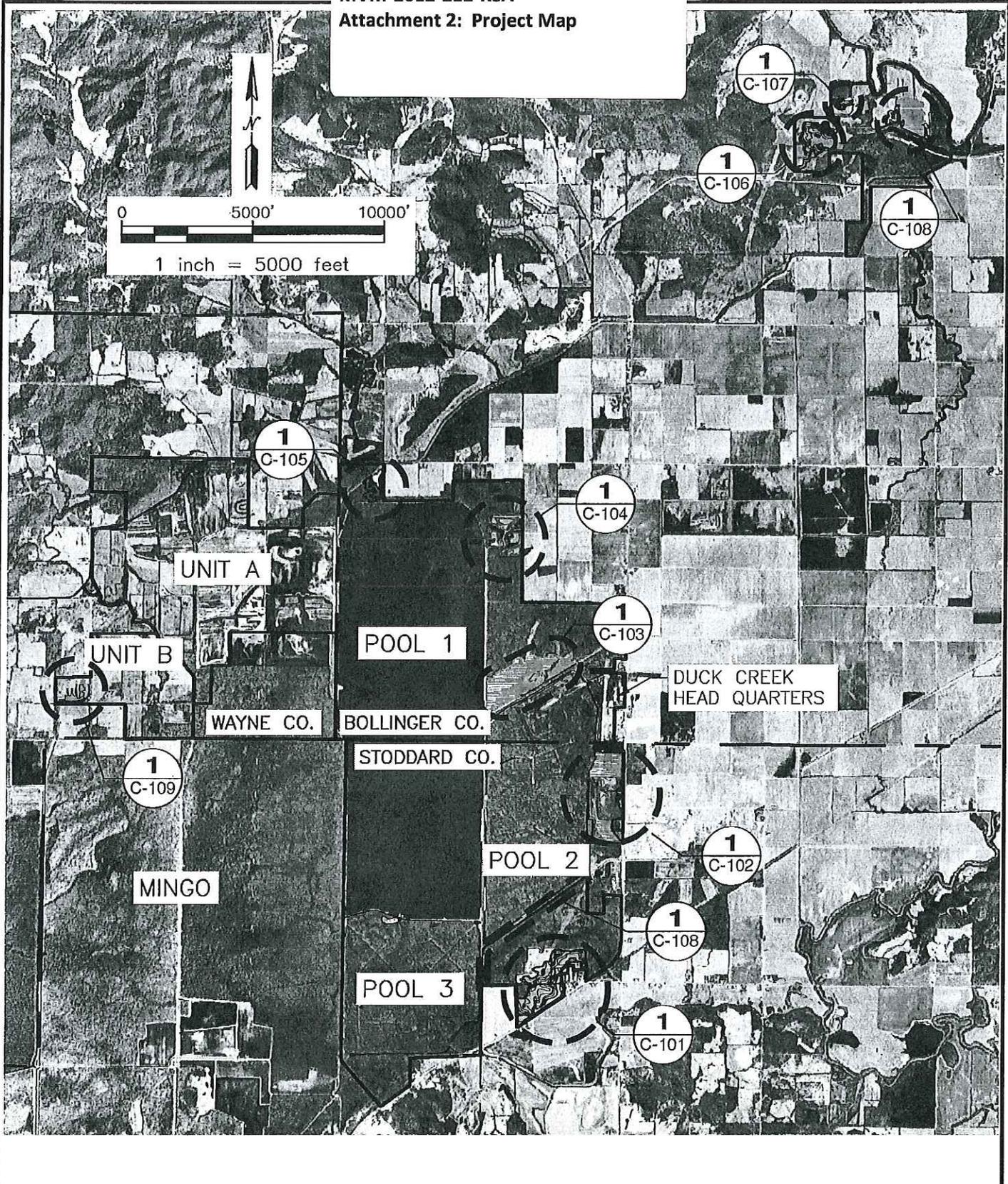
DUCK CREEK CONSERVATION AREA	
PHASE II WETLANDS RESTORATION	
DATE 6/13/12	DESIGN KGS
DRAWN DCR	CHECKED HDT



DESIGN AND DEVELOPMENT
MISSOURI DEPARTMENT OF CONSERVATION
P.O. BOX 100, JEFFERSON CITY, MO 65102 (573) 522-4115

VICINITY MAP	
PROJECT NO.	50-01-50
	C-001
SHEET 1	OF 20

MVM-2012-212-RSA
Attachment 2: Project Map



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**DUCK CREEK
CONSERVATION AREA**

**PHASE II
WETLANDS RESTORATION**

DATE 6/13/12 DESIGN KGS
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DESIGN AND DEVELOPMENT

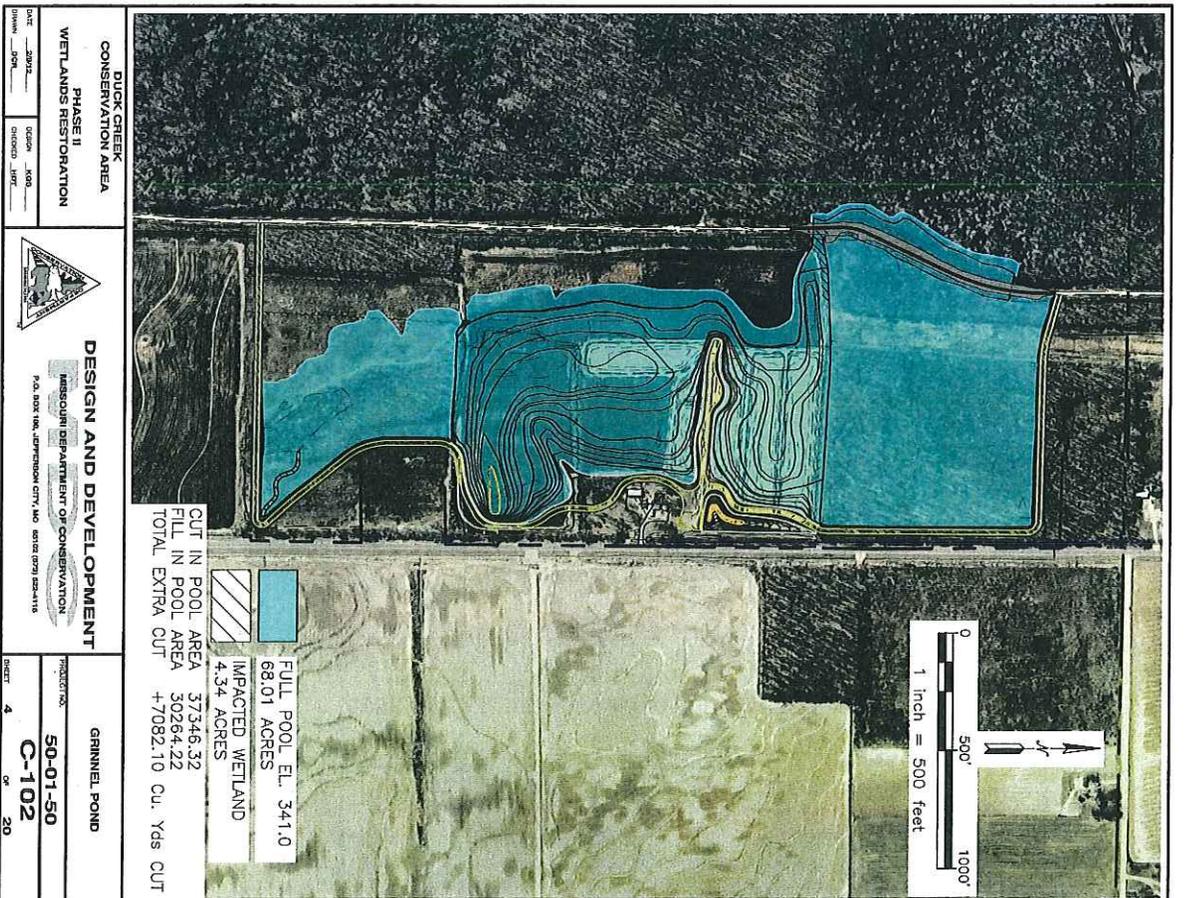
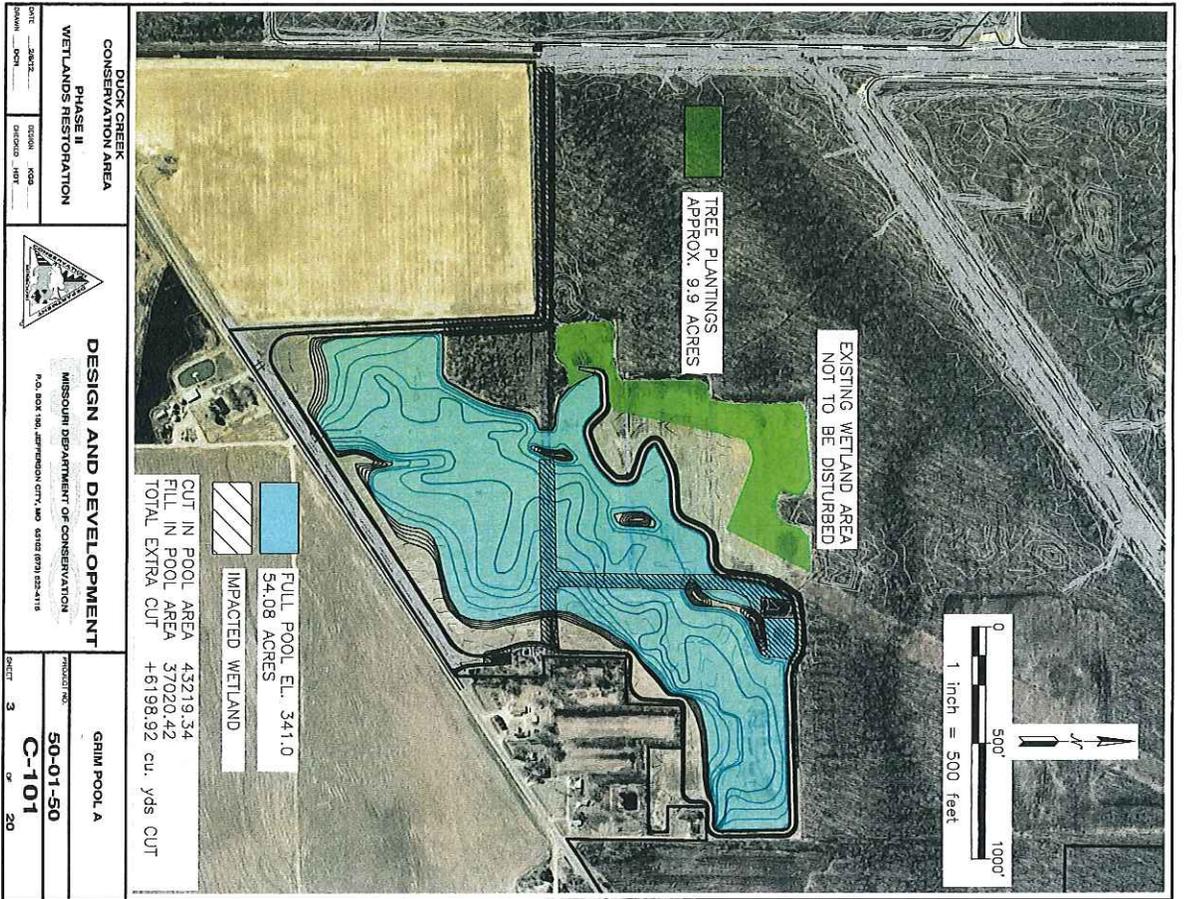
MISSOURI DEPARTMENT OF CONSERVATION

P.O. BOX 180, JEFFERSON CITY, MO 65102 (573) 522-4115

SITE PLAN

PROJECT NO. **50-01-50**
C-002

SHEET **2** OF **20**



MVM-2012-212-RSA
Attachment 3: Grim Tract and Grinnel
Tract Details

DUCK CREEK CONSERVATION AREA
PHASE II WETLANDS RESTORATION

DESIGN AND DEVELOPMENT
MISSOURI DEPARTMENT OF CONSERVATION
P.O. BOX 196, JEFFERSON CITY, MO 64101 (877) 832-4119

GRIM POOL A

PROJECT NO. **50-01-50**
C-101

SHEET **3** OF **20**

DATE: 2/20/12
DRAWN: DCH
DESIGN: KMG
CHECKED: JBT

DUCK CREEK CONSERVATION AREA
PHASE II WETLANDS RESTORATION

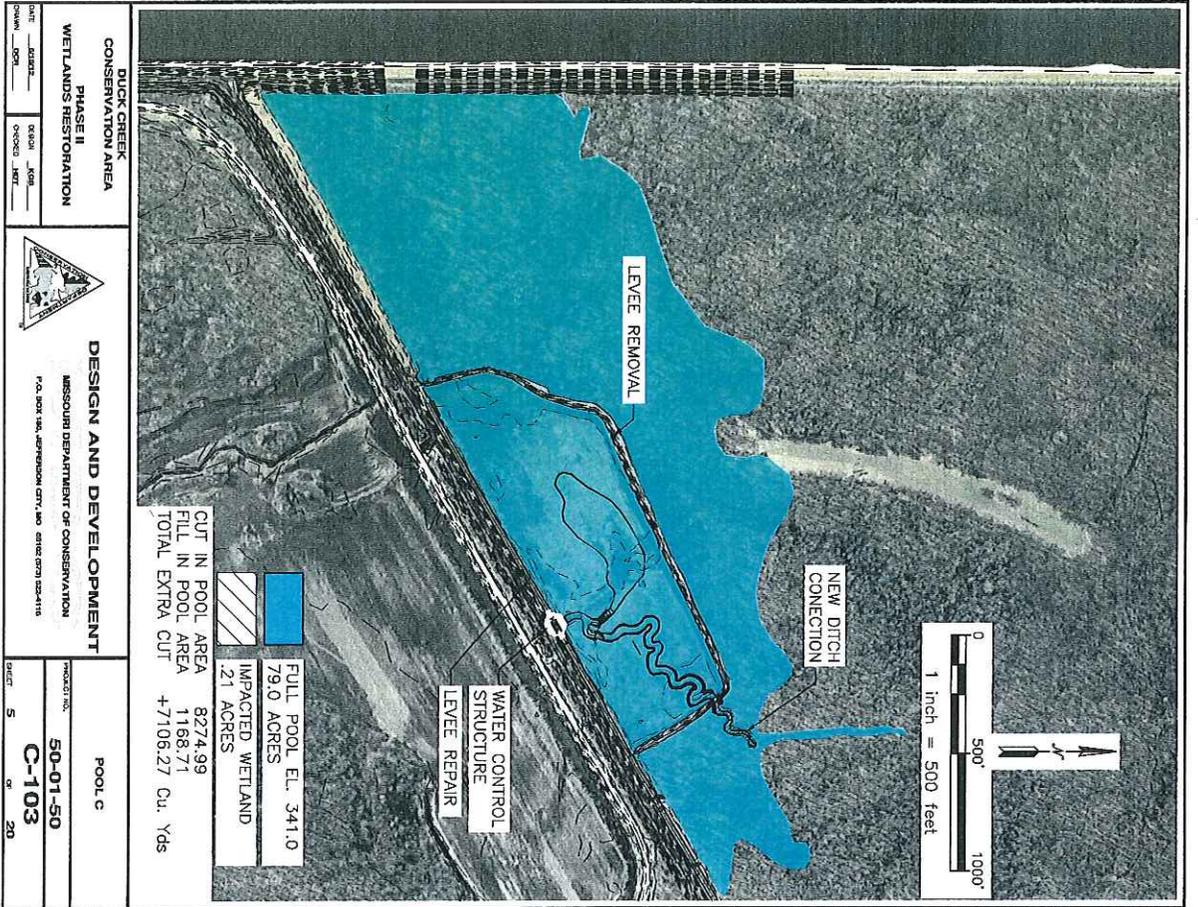
DESIGN AND DEVELOPMENT
MISSOURI DEPARTMENT OF CONSERVATION
P.O. BOX 196, JEFFERSON CITY, MO 64101 (877) 832-4119

GRINNEL POND

PROJECT NO. **50-01-50**
C-102

SHEET **4** OF **20**

DATE: 2/20/12
DRAWN: DCH
DESIGN: KMG
CHECKED: JBT



DUCK CREEK CONSERVATION AREA
PHASE II
WETLANDS RESTORATION

DESIGN AND DEVELOPMENT
 MISSOURI DEPARTMENT OF CONSERVATION
 P.O. BOX 180, SPRINGFIELD, MO 65801-0180

PROJECT NO. 50-01-50
POOL C
C-103

SHEET 5 **OF** 20



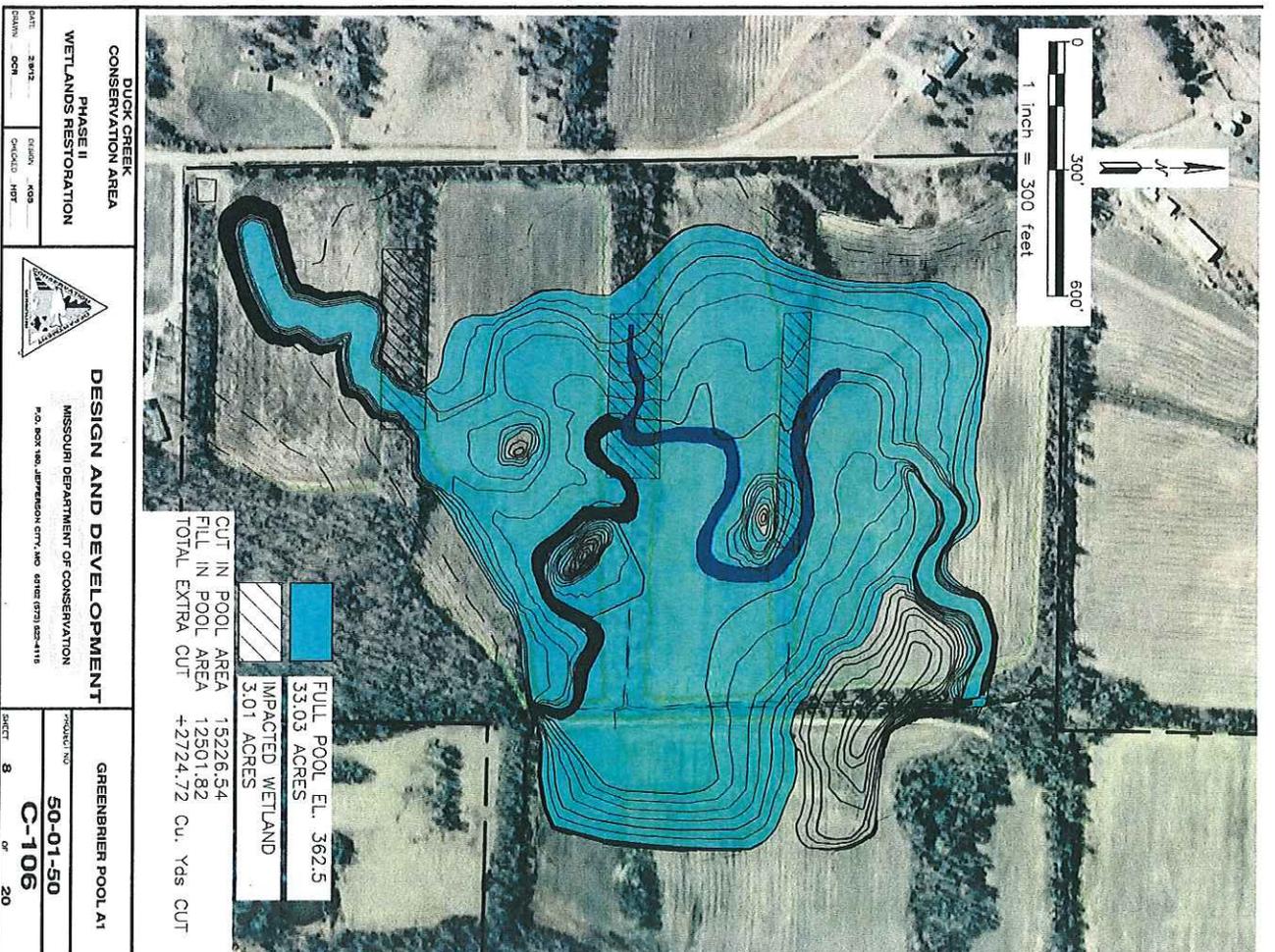
DUCK CREEK CONSERVATION AREA
PHASE II
WETLANDS RESTORATION

DESIGN AND DEVELOPMENT
 MISSOURI DEPARTMENT OF CONSERVATION
 P.O. BOX 180, SPRINGFIELD, MO 65801-0180

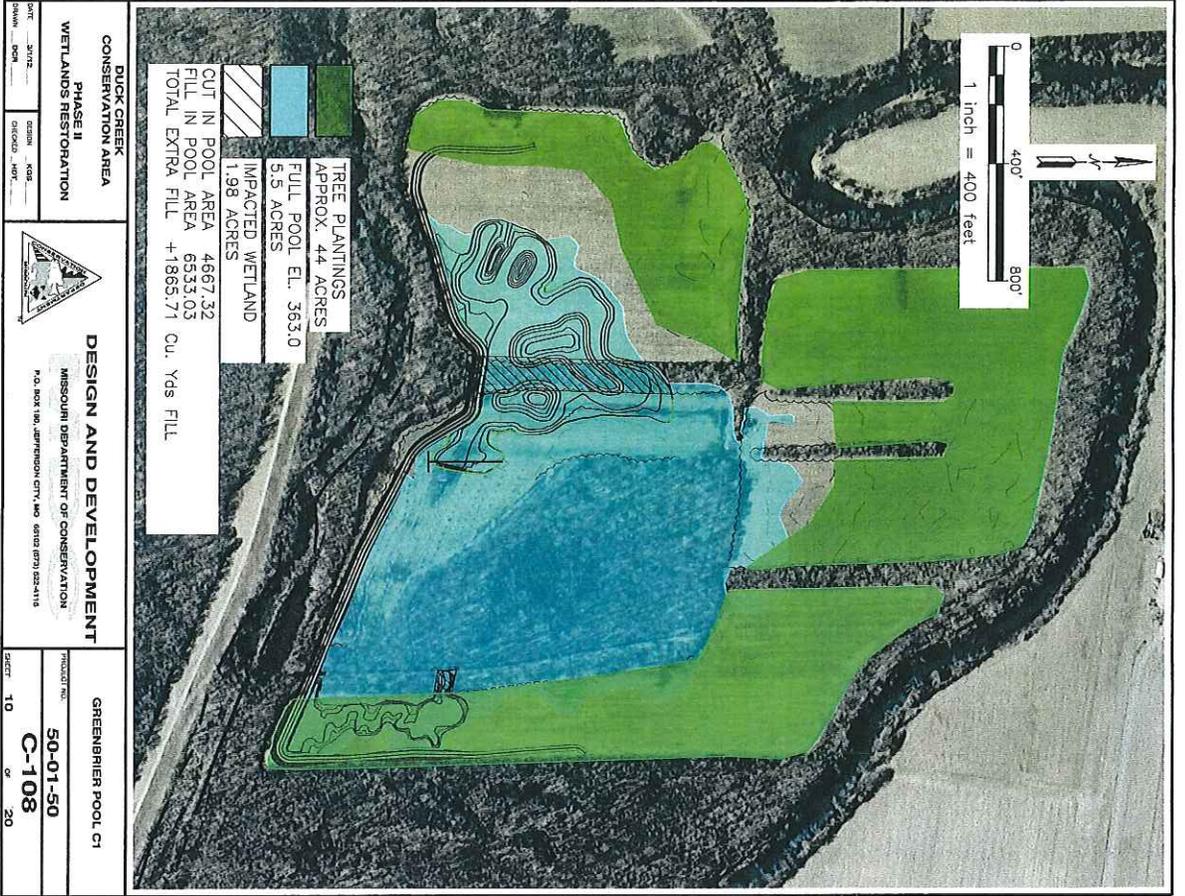
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THOMSON RIDGE
C-104

SHEET 6 **OF** 20

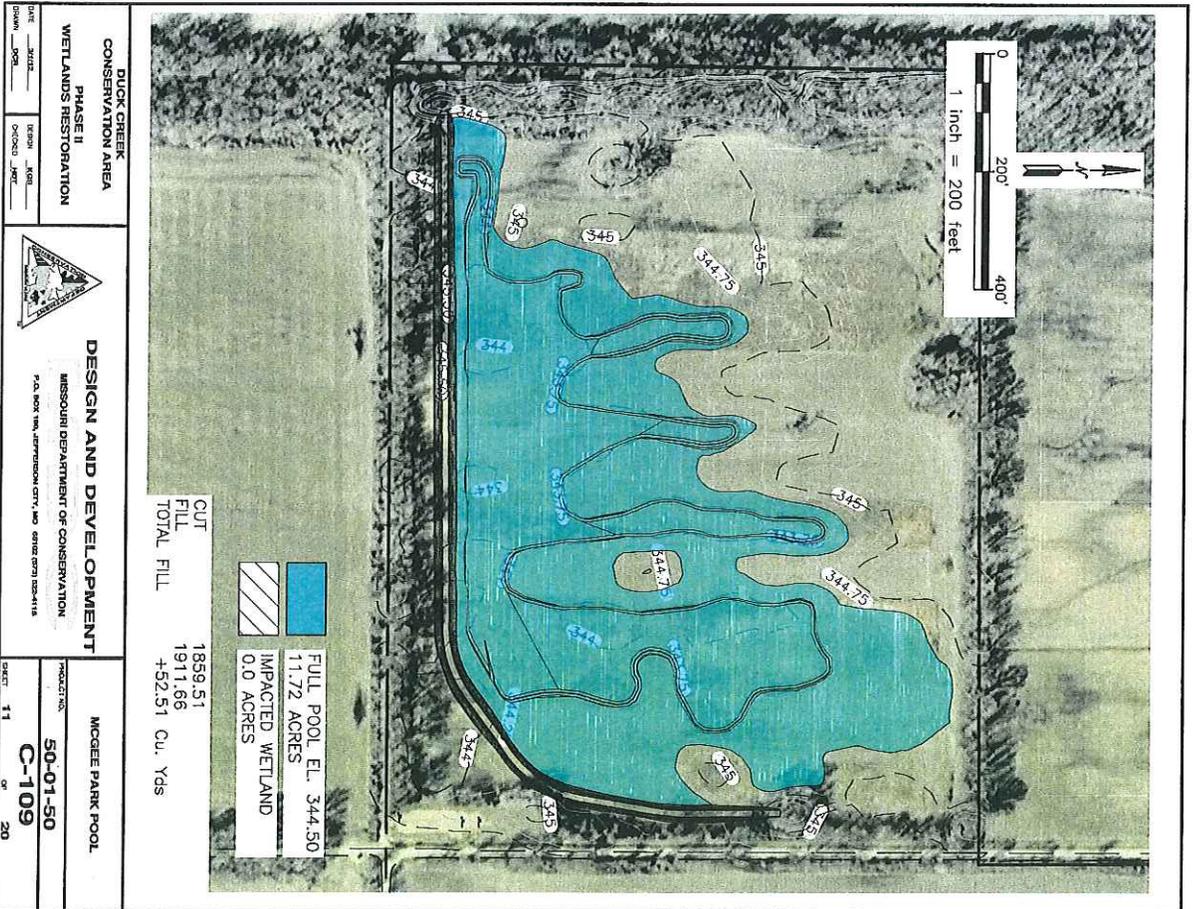
MVM-2012-212-RSA
 Attachment 4: "C" Pool and
 Additional Project Details



MVM-2012-212-RSA
Attachment 5: North Pool Field 1 and
Greenbrier Pool A1 Details

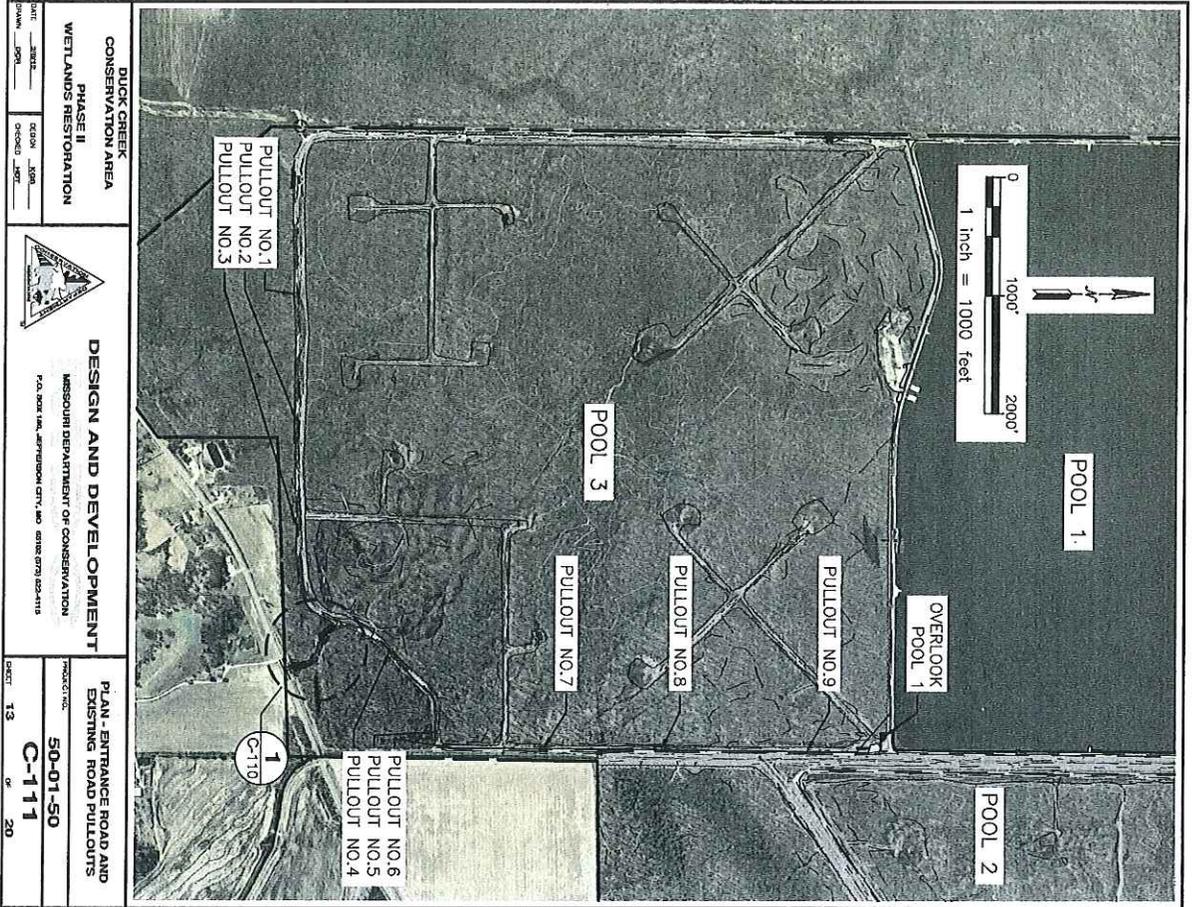


DUCK CREEK CONSERVATION AREA PHASE II WETLANDS RESTORATION		MISSOURI DEPARTMENT OF CONSERVATION P.O. BOX 190, JEFFERSON CITY, MO 65122-0190	GREENBRIER POOL C1	
DATE: 2/12/12 DRAWN: JRM	DESIGN: JRM CHECKED: JRM		PROJECT NO.: 50-01-50 C-108	SHEET: 10 OF 20



DUCK CREEK CONSERVATION AREA PHASE II WETLANDS RESTORATION		MISSOURI DEPARTMENT OF CONSERVATION P.O. BOX 190, JEFFERSON CITY, MO 65122-0190	MCGEE PARK POOL	
DATE: 2/12/12 DRAWN: JRM	DESIGN: JRM CHECKED: JRM		PROJECT NO.: 50-01-50 C-109	SHEET: 11 OF 20

MVM-2012-212-RSA
 Attachment 6: Greenbrier Pool C1 and
 McGee Park Pool Details



MVM-2012-212-RSA
 Attachment 7: Pool 3/Entrance Road
 Details