



US Army Corps
of Engineers®

PUBLIC NOTICE

**Kansas City District
Permit Application
No. NWK-2005-01869
Reissuance of
General Permit 34M
(GP-34M)**

Published: April 13, 2026
Expires: May 4, 2026

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources, Water Protection Program. 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 by email at 401@dnr.mo.gov or by mail at P.O. Box 176, Jefferson City, Missouri 65102.

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), Kansas City District proposes to renew GP-34M for another 5-year period. The purpose of this public notice is to solicit comments from the public and information necessary to evaluate the probable impact on the public interest regarding the proposed renewal.

APPLICANT: General public, government agencies

LOCATION OF PROPOSED ACTIVITY: Waters of the United States within the State of Missouri, except for the following waters: Missouri and Mississippi Rivers and waters designated by the State of Missouri as Outstanding National Resource Waters or Outstanding State Resource Waters (see list within State Regulation 10 CSR 20-7.031 Water Quality Standards, Tables D and E).

PROPOSED ACTIVITY: In accordance with Title 33 CFR 325.2 and 325.7(e), as published in the November 13, 1986, Federal Register, the U.S. Army Corps of Engineers, Kansas City District proposes to reissue a Regional General Permit (RGP), GP-34M, which would authorize sand and gravel excavation activities. The RGP would be reissued for a period of 5 years.

The GP-34M authorizes the discharge of dredged and/or fill material related to mechanical sand and gravel excavation as described in Appendix I of the attached permit document. Discharges authorized are limited to those which occur during the actual excavation process and those associated with preparation and restoration of the site. These discharge activities include, but are not limited to temporary stockpiling, access ramps, and construction of berms for siltation control. Activity descriptions for temporary stockpiling, access ramps and road crossings are subject to the general and special conditions of GP-34M, and the criteria in Appendix I and Appendix II.

From August 2021 to March 2026, there have been fifty-two (52) verifications issued statewide with twenty-six (26) verifications issued by the Kansas City District under the provisions of this RGP. The currently approved GP-34M is scheduled to expire on August 16, 2026.

MITIGATION: Projects authorized by GP-34M are evaluated to ensure that impacts to the aquatic environment have been avoided and minimized to the maximum extent practicable while meeting the outlined special conditions of the permit.

HISTORIC PROPERTIES/CULTURAL RESOURCES: Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), requires Federal agencies to consult with the appropriate State and/or Tribal Historic Preservation Officers to take into account the effects of actions they undertake or permit on historic properties listed in or eligible for listing in the National Register of Historic Places.

Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C and applicable guidance.

The USACE's final eligibility and effect determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes, and other interested parties, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the USACE-identified permit area.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act (ESA) (16 U.S.C. § 1536) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or that may adversely modify designated critical habitat (or critical habitat proposed such designation).

Projects eligible for authorization under this RGP may be located within the known range of Federally listed, threatened or endangered species. All Projects located within the known range of any Federally listed species will require consultation with the U.S. Fish and Wildlife Service, pursuant Section 7 of the Endangered Species Act (ESA), to determine the potential effects on a particular species or critical habitat. The USACE will comply with the ESA.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

NAVIGATION: Projects authorized by GP-34M are evaluated on a case-by-case basis to ensure all impacts to navigation have been avoided and minimized to the maximum extent practicable while meeting the outlined special conditions of the permit. As per

the conditions of GP-34M, sand and gravel excavation activities are prohibited in the Missouri and Mississippi Rivers, as well as in waters designated by the State of Missouri as Outstanding National Resource waters or Outstanding State Resource Waters (see list within State Regulation 10 CSR 20-7.031 Water Quality Standards, Tables D and E).

SECTION 408: Section 408 authorization is required for work to alter a USACE civil works project. An alteration is defined as any action that builds upon, alters, improves, moves, occupies or otherwise affects the usefulness, or the structural or ecological integrity of a USACE federally authorized project. Projects authorized by GP-34M will be evaluated on a case-by-case basis in accordance with Engineer Circular 1165-2-220.

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Water Certification Improvement Rule (Certification Rule, 40 CFR 121), effective November 27, 2023, requires certification for any license or permit that authorizes an activity that may result in a discharge. The Kansas City District, as the project proponent for this RGP renewal, is responsible for requesting certification and providing the required information to the certifying agencies. The Kansas City District has determined that the appropriate certifying agencies for this RGP renewal are the U.S. Environmental Protection Agency and the Missouri Department of Natural Resources. Adhering to the guidance provided in the preamble to the Water Certification Improvement Rule and requirements of 40 CFR 121.5(a)(2), the Kansas City District will request certification after publication of the draft Federal permit. The requests for certification will be in accordance with 40 CFR 121.5 and 121.

EVALUATION: The decision to reissue this RGP will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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 proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Tribal Nations; and other interested parties in order to

consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny this RGP. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the 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. Please note that all comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this reissuance. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

The Kansas City District will receive written comments on the reissuance of GP-34M, as outlined above, until May 4, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Regulatory.MissouriState@usace.army.mil. Please refer to the permit application number in your comments. Additional information may be obtained by contacting Ryan King, 573-465-3441, or by email at Regulatory.MissouriState@usace.army.mil.