

PUBLIC NOTICE



**US Army Corps
of Engineers
Kansas City District**

**Permit No. 200400885
Issue Date: March 10, 2004
Expiration Date: March 31, 2004**

21-Day Notice

PUBLIC NOTICE: This public notice is issued by the Kansas City District, Corps of Engineers to receive comments on the following project.

APPLICANT: Kansas City District, Corps of Engineers
700 Federal Building
Kansas City, Missouri 64106-2896

PROJECT LOCATION (As shown on the attached drawings): The proposed project locations along the Missouri River are as follows: Monkey Mountain (RM466-464), Worthwine Island (RM459-456), Dupree (RM452-450), Benedictine Bottoms (RM428-424), Weston Bend SP (RM403-402), Liberty Bend (RM352-351), Baltimore Bend (RM300-296), Grand Pass (RM272-267), Lisbon-Jameson (RM 218-210), Diana Bend (RM189-187), Overton South (RM185-178), Eagle Bluffs (RM176-171), Marion Bottoms (RM164-158), Smokey Waters (RM134-132)

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344), the Missouri River Fish and Wildlife Mitigation Project as authorized in the Water Resources Development Acts of 1986 and 1999, Operation and Maintenance of the Missouri River Bank Stabilization and Navigation Project (BSNP), and the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e).

ACTIVITY (As shown on the attached drawings): **PROPOSED WORK:** This is in reference to the Corps of Engineers, Kansas City District's, development of between 535 and 708 acres of new shallow water habitat for partial implementation of Reasonable and Prudent Alternatives (RPA) III.a and VII.1.b of the U.S. Fish and Wildlife Service's (Service) 2003 Amendment to the 2000 Biological Opinion (BiOp) on the operation of the Missouri River Mainstem Reservoir System (Mainstem System), the operation and maintenance of the Missouri River Bank Stabilization and Navigation Project, and the operation of the Kansas River Reservoir System (2003 Amended BiOp). The Shallow Water Habitat restoration at the above mentioned public land sites includes a variety of methods ranging from bank notches, pilot channels landward of revetments, side-channel chutes, dike notches and combinations of these methods. Three basic excavation types will be utilized to construct shallow water habitat. Type 1 is a pilot channel landward of the revetment connected to the river by a series of revetment notches., Type 2 is a bank notch which consists of excavating a notch in a stonefill dike landward of the high bank, and Type 3 is a side-channel chute. Each type will vary in length, width, depth, and excavation quantity due to variations in bank geometry, property boundaries, and other site-specific features; however, the typical geometry will remain essentially constant. Figure 1 presents a sketch to illustrate the three basic excavation types. Typical excavation volumes are summarized in Table 1.

Table 1: Typical Excavation Volumes

Type	Work Description	Volume (cu yd)
Revetment Notch w/ Pilot Channel	Rock Excavation / Dike notch	400
	Soil Excavation / 100-ft length	10,870
	Rock Excavation / Revetment Notch	345
Bank Notch	Rock Excavation	400
	Soil Excavation	14,570
Chute	Rock Excavation / Dike	400
	Soil Excavation / 100-ft length	11,110

A detailed work plan will be generated for each site prior to starting construction. The purpose of these projects is to create additional riverine shallow water habitat and to diversify and improve the existing riverine habitat for the benefit of native fish species. Excavated material will be placed riverward of the ordinary high water mark. This work will return sediments to the river from recently accreted lands formed by deposits of modern alluvium in and around the dike fields and behind the revetments. The additional sediments will deposit in the vicinity of the projects, thereby creating additional shallow water and sandbar habitat.

Table 2: Expected Project Details

PROJECT	DESCRIPTION OF WORK
Monkey Mountain	Up to 15 bank notches / small side-channel chute
Worthwine Island	Up to 10 bank notches / Up to three side-channel chutes
Dupree	Pilot channel behind revetment up to 100' wide by 2300' long. Four revetment notches
Benedictine Bottoms	Up to 14 bank notches/ up to two pilot channels
Weston Bend SP	Revetment notches and pilot channels
Liberty Bend	Pilot channel behind revetment up to 150' wide by 6000' long. Five revetment notches
Baltimore Bend	Up to 12 bank notches
Grand Pass	Up to 12 bank notches
Lisbon-Jameson	Lower existing entrance structure to improve chute environment
Diana Bend	One to two chutes approx. 1500' long. Up to 10 bank notches.
Overton South	Up to four small chutes. Up to 8 bank notches.
Eagle Bluffs	Up to 15 bank notches.
Marion Bottoms	Two small chutes up to 6,000' long. Up to 10 bank notches.
Smokey Waters	Pilot channel behind revetment with up to 6 revetment notches. Up to 8 bank notches

A preliminary determination has been made that the proposed work at each of these sites would be authorized by Nationwide Permit No. 27, Stream and Wetland Restoration Activities.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) OF 1968, as amended: The Corps has made a preliminary determination that the proposed project would not result in significant degradation of the human environment and therefore the proposed project would support a Finding of No Significant Impact (FONSI). The Corps will utilize comments received in response to this Public Notice to complete our evaluation of the project for compliance with the requirements of NEPA, and other Federal, state, and local regulations, including this review for project compliance with the requirements of Section 404 of the Clean Water Act. The Corps has made a preliminary determination that the project as proposed would not be contrary to the public interest and is in compliance with the Section 404(b)(1) Guidelines.

ADDITIONAL INFORMATION: Additional information about this public notice may be obtained by contacting Ms. Lisa A. Peterson, U.S. Army Corps of Engineers, Environmental Resources Section, 601 East 12th Street, Room 843, Kansas City, Missouri 64106, at telephone 816-983-3909 (FAX 816-426-2142) or via e-mail at Lisa.A.Peterson@usace.army.mil. All comments to this public notice should be directed to the above address.

WETLANDS: No jurisdictional wetlands will be filled by the project.

DRAWINGS: The attached drawings provide location details of the proposed project.

PROPERTY ADJACENT TO PROJECT AREA: Property adjacent to the project areas are owned by the following entities: Missouri Department of Conservation - Worthwine Island, Arthur Dupree, Liberty Bend, Grand Pass, Diana Bend, Eagle Bluffs, Marion Bottoms, Smokey Waters; US Fish and Wildlife Service - Baltimore Bend, Lisbon-Jameson Island; COE - Benedictine Bottoms, Overton South, Monkey Mountain; MO Dept of Natural Resources - Weston Bend SP.

CULTURAL RESOURCES: The proposed project has been reviewed in compliance with the National Historic Preservation Act of 1966 (Public Law 89-665) including a check of the National Register of Historic Places and supplements thereto. No properties listed, proposed for listing, or eligible for listing in the National Register were identified in the project area. Kansas City District has determined that all construction work associated with the project would occur on Corps structures, i.e. dikes and revetments, and recently accreted lands formed by deposits of modern alluvium in and around the dike fields and behind the revetments. Therefore, we have determined that archeological surveys of the project areas are not required, since all work would occur on existing structures and recently accreted land within the last 50 years. Furthermore, our evaluation of potential impacts to historic properties indicates that the project would not impact any properties listed, proposed for listing, eligible for listing, or potentially eligible for listing in the National Register of Historic Places. Kansas City District will evaluate input by the State Historic Preservation Officer and the public in response to this public notice.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work may affect, but is not likely to adversely affect, species designated as threatened or endangered or adversely modify or destroy critical habitat. In order to complete our evaluation of this activity, comments are being solicited from the U.S. Fish and Wildlife Service (directly under separate correspondence) and other interested agencies and individuals.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

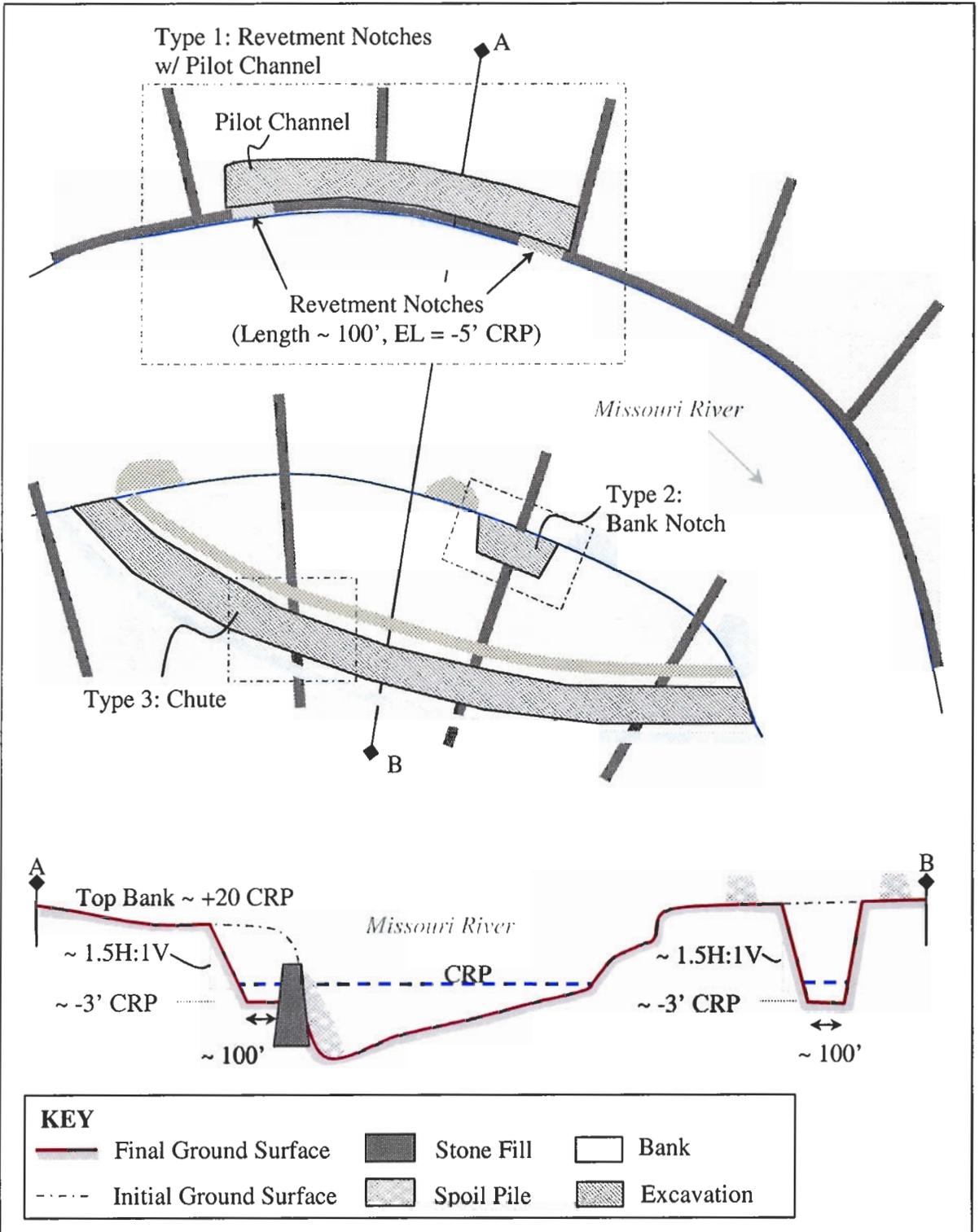
WATER QUALITY CERTIFICATION: Under the authorization of NW 27, Section 401 of the Clean Water Act (33 USC 1341) has been complied with at Benedictine Bottoms by the Kansas Department of Health and Environment and by the Missouri Department of Natural Resources for the remaining sites.

PUBLIC INTEREST REVIEW: The decision to issue authorization will be based on an evaluation of the probable impact including the 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 the cumulative effects thereof; among those are conservation, economics, esthetics, 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 evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). 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 impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny an authorization for this proposal. To make this decision, comments are used to address impacts on endangered species, historic properties, water quality, general environmental effects, and 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 need for a public hearing and to determine the overall public interest of the proposed activity.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of an authorization would be in the public interest. 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 authorization. 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 1 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.

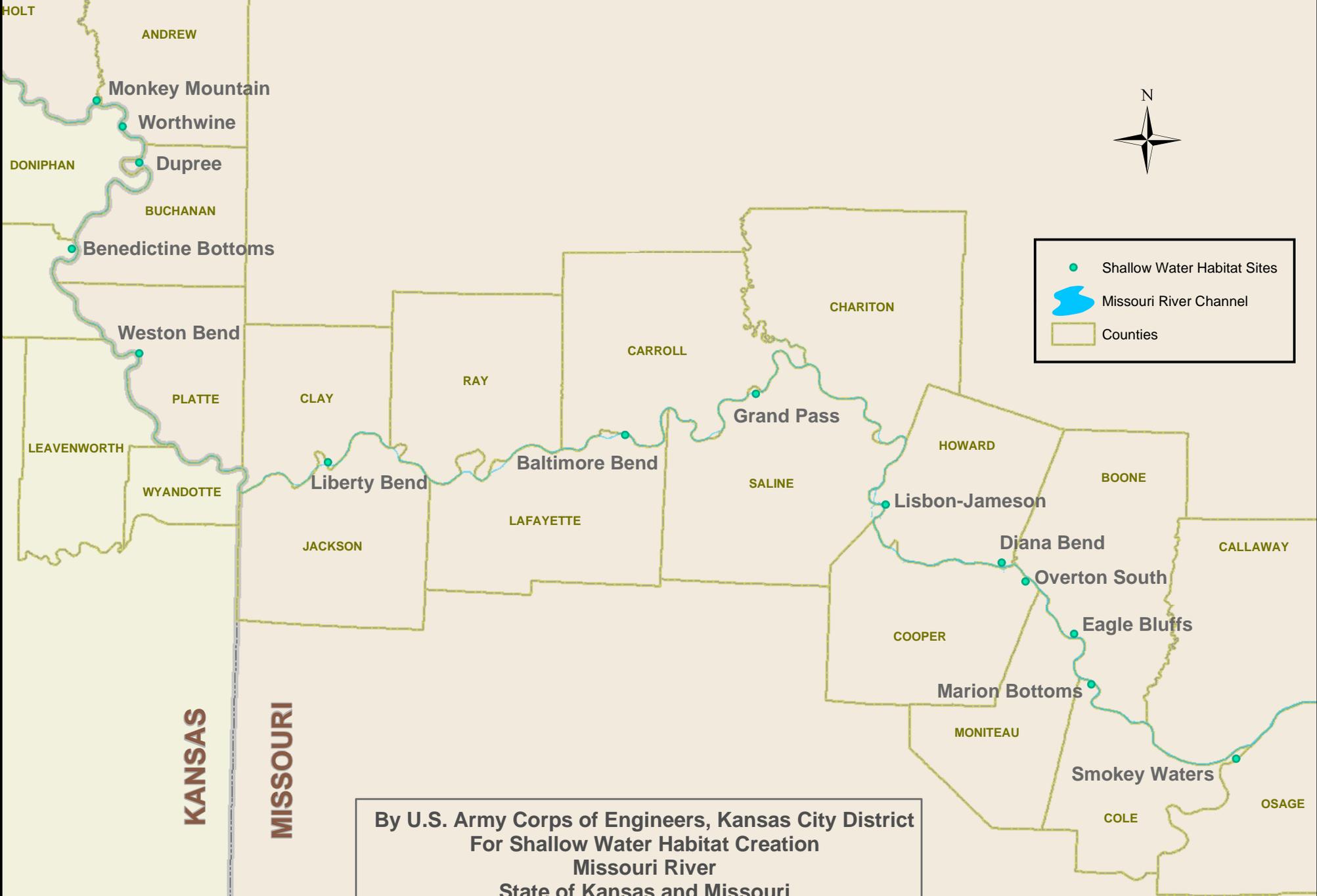
FIGURE 1: TYPICAL SHALLOW WATER HABITAT EXCAVATION TYPES



*CRP = Construction Reference Plane = Elevation representing flow exceeded 75% of the time

**By U.S. Army Corps of Engineers, Kansas City District
 For Shallow Water Habitat Creation
 Missouri River
 State of Kansas and Missouri**

SHALLOW WATER HABITAT LOCATIONS



- Shallow Water Habitat Sites
- 🌊 Missouri River Channel
- ▭ Counties

By U.S. Army Corps of Engineers, Kansas City District
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Missouri River
State of Kansas and Missouri