

# PUBLIC NOTICE



US Army Corps of Engineers  
Kansas City District

Project No. 2020-005-CW  
Issue Date: 2020-10-06  
Expiration Date: 2020-10-21

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**INTRODUCTION:** The U.S. Army Corps of Engineers, Kansas City District (USACE), has prepared a Draft Environmental Assessment (EA) and associated Finding of No Significant Impact (FONSI) in accordance with the National Environmental Policy Act (NEPA) of 1968, as amended, for the proposed renewal of the emergency dredging general authorization for the Missouri River and Gasconade River harbor. The Draft EA was prepared to assess and document potential effects to the human and natural environment of the project's Proposed Action. The USACE has made a preliminary determination that the Proposed Action would not result in significant degradation to the environment and therefore supports preparation of a Draft FONSI. USACE will use 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. USACE 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 as specified in 33 CFR Parts 335 through 338. The Draft EA, FONSI, and supporting information are provided with issuance of this Public Notice to initiate the 15-day public review and comment period.

This Public Notice and project related information are being provided to solicit public input on the proposed action. Any interested party is invited to submit to this office written facts or objections relative to the proposed project, both favorable and unfavorable in nature. All comments will be accepted and made part of the public record. The USACE will consider all pertinent comments in preparing final documentation for completion of the NEPA process through signature of the FONSI by the USACE Kansas City District Commander.

**CONTACT INFORMATION:** Additional information about this application may be obtained by contacting Michael Snyder, Environmental Resources Specialist, U.S Army Corps of Engineers, Kansas City District, ATTN: Environmental Resources Section, Civil Works Program Branch, 601 East 12th Street, Kansas City, Missouri 64106; by email at michael.v.snyder@usace.army.mil; or by phone at (816) 389-3141. Written comments will be accepted by mail and email. All mailed comments to this public notice should be directed to the above address.

**PROJECT LOCATION:** Missouri River from the confluence with the Mississippi River (Missouri River mile 0.0) in St. Louis and St. Charles Counties, Missouri, to Missouri River mile

498.4 in Richardson County, Nebraska and Holt County, Missouri, and in the Gasconade River Harbor, at the confluence of the Missouri and Gasconade Rivers (Missouri River mile 104.4 and Gasconade River miles 0.0 to 0.4), in Sections 1, 2, 11 and 12, Township 45 north, Range 6 west, in Gasconade County, Missouri [As shown on the attached drawings].

**AUTHORITY:** The proposed dredging operations would be authorized pursuant to Section 404 of the Clean Water Act (33 USC 1344) and comply with regulations found at 33 CFR parts 335 through 338. The Missouri River Bank Stabilization and Navigation Project was first authorized from Kansas City to the mouth by the Rivers and Harbors Act of 1912. The project limits were extended to Sioux City, Iowa in 1927. The Rivers and Harbors Act of 2 March 1945 modified the previous authorizations to provide for a navigable channel 9 feet deep and 300 feet wide between Sioux City and the mouth.

**ACTIVITY:** USACE proposes to renew its emergency maintenance dredging authority for the Missouri River, and for the Gasconade River Harbor, which expired December 31, 2014. A renewal of this authorization would provide for emergency maintenance dredging as required from the date of renewal through December 31, 2030. The proposed dredging is necessary to maintain the navigation channel authorized as the Missouri River Bank Stabilization and Navigation Project, and to allow efficient use of the Gasconade River Harbor facilities. Waterways are to be maintained to fully constructed channel dimensions and therefore, USACE regulatory policy authorizes maintenance dredging in critical and/or shoaling areas.

Predetermined work sites have not been identified in the Missouri River, as dredging would be dictated by navigation channel obstructions that would occur at random locations. Emergency dredging may also be necessary to provide access for repair of an existing BSNP structure. The material dredged would be primarily sand, with dredging operations occurring during the navigation season. Dredging would be employed with discharge into the river as close as practicable to the extraction site. As allowed by the equipment capabilities and physical circumstances, discharges will be avoided in: 1) chutes, cutoff channels and tributaries; 2) within 100 feet of the bank or any control structure; 3) within 500 feet upstream of any municipal water intake; 4) in wetlands; 5) within 2 feet below the elevation of normal navigation flow (design line) between sills and dike systems; or 6) in deep scour holes. Whenever possible, USACE will contract with commercial sand dredges to remove the sand for commercial use, with discharges limited to fines and oversized materials. USACE will work with interested Federal and state agencies to determine any beneficial usage of the dredged material for aquatic and riverine species.

It is anticipated that the scope and extent of future dredging under this authorization will be similar to the scope and extent of dredging conducted by the Kansas City District over the last 30 years. Emergency dredging is generally conducted during extreme low flow periods at unpredictable locations. Dimensions of dredged areas are generally less than 2000 feet by 400 feet.

Emergency maintenance dredging over the last 32 years has consisted of:

- **April 2003:** 30,000 cubic yards dredged at river mile 130 by commercial sand dredgers. Material was deposited 500 feet downstream immediately outside the navigation channel and was used to expand an existing sandbar.
- **Oct 2002:** 70,000 cubic yards dredged at river mile 130 and 24,000 cubic yards dredged at river mile 52 by Corps dredge *Potter*. Material was deposited 400 feet landward and 300 feet downstream and was used to expand an existing sandbar.
- **May 1989:** 70,000 cubic yards dredged at river mile 8.5 by Corps dredge *Thompson*. Material was deposited along the left bank dike field.
- **July 1988:** 106,000 cubic yards dredged at river mile 13 and 88,000 cubic yards dredged at river mile 0 by the Corps dredge *Thompson*. Material was deposited along the right bank shoreline.

USACE will notify the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, Missouri Department of Conservation, Missouri Department of Natural Resources, Kansas Department of Wildlife and Parks and the Nebraska Game and Parks Commission, and other agencies if requested, at least 36 hours in advance of the commencement of dredging. If requested, a site inspection will be conducted with interested agencies to discuss the extent of dredging and disposal of spoils.

In the Gasconade River Harbor, dredging would occur during periods of low flow in an area approximately 1,500 feet long by 180-200 feet wide, with disposal in the Missouri River channel, unless a commercial sand dredger is contracted to remove the material.

**PROPERTY ADJACENT TO PROJECT AREA:** Property adjacent to the project area is owned by the U.S. Government (Gasconade River Harbor) or subject to Navigational Servitude.

**WETLANDS:** This activity is being reviewed in accordance with Executive Order 11990, Protection of Wetlands, which directs agencies to minimize the destruction, loss or degradation of wetlands. No dredging in, or discharges into wetlands will occur unless the proposed action receives concurrence from the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service, or unless such restrictions would clearly result in closure of navigation.

**ENDANGERED SPECIES:** USACE has determined that the Proposed Action would result in a determination of “may affect, but not likely to adversely affect” for the pallid sturgeon. The proposed action is not anticipated to jeopardize the continued existence of species listed as endangered or threatened under the Endangered Species Act of 1973, as amended, or result in the destruction or adverse modification of critical habitat.

**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. A number of Missouri River boat wrecks listed, proposed for listing, or eligible for listing in the National Register occur in the

authorization area. A determination has been made that no historic properties will be affected by the proposed dredging, because dredging will be limited to areas of recent accretion within the navigation channel. Accordingly, USACE does not propose to conduct a survey of the proposed dredging sites.

**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.

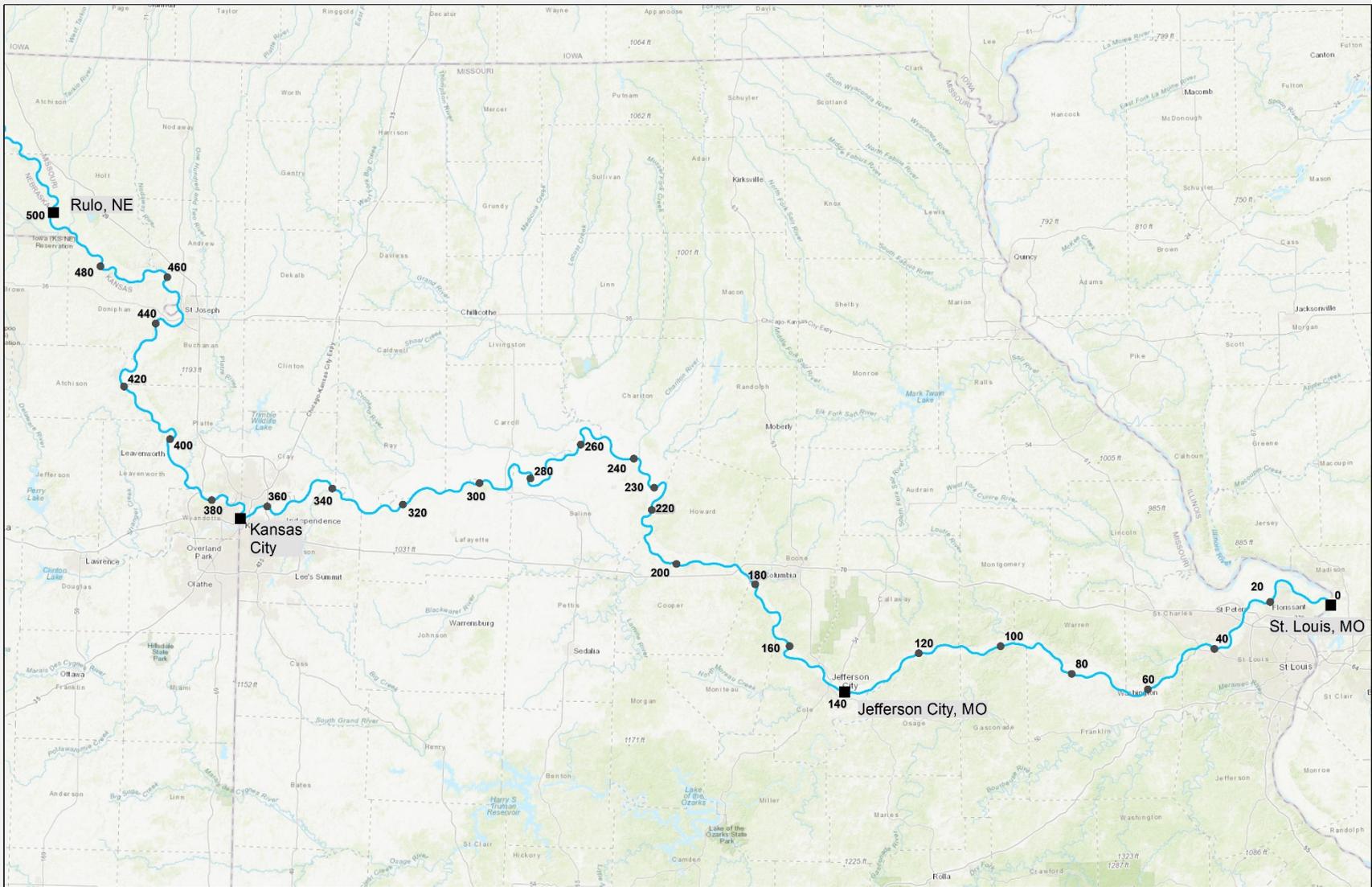
**WATER QUALITY CERTIFICATION:** Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. Comments received on the Draft EA, 404(b)(1) evaluation, and this public notice will be used to support application for a Section 401 water quality certification from the states of Kansas, Missouri, and Nebraska. The discharge must be certified before Department of the Army authorization can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

**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 that 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, 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 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). USACE 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 USACE to determine whether to issue, modify, condition or deny 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 USACE may consider all pertinent comments prior to determining if 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 proponent. 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.



**Geographic Scope of Potential Emergency Dredging Activities on the Lower Missouri River.**



**Gasconade River Harbor Potential Emergency Dredging Area.**