

APPLICATION NO. 19849-1

**JOINT PUBLIC NOTICE
CORPS OF ENGINEERS - STATE OF MISSOURI
(21-Day Comment Period)
(Comment Expiration Date – June 27, 2007)**

TO WHOM IT MAY CONCERN: Comments are invited on the work described below. Please see the Public Involvement section for details on submitting comments.

Point of Contact. If additional information is desired, please contact the project manager, Mr. Louis Clarke, telephone number: (870) 886-3610, mailing address: Little Rock District Corps of Engineers, NE Regulatory Field Office, PO Box 865, Walnut Ridge, Arkansas 72476-0865, e-mail address: <mailto:Louis.E.Clarke@usace.army.mil>

Project Information. Pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**Sho-Me Power Electric Cooperative
3001 W. Jackson
Marshfield, Missouri 65706**

has requested after-the-fact authorization for the placement of dredged and fill material in waters of the United States at four locations associated with the construction of a power transmission line and an attendant substation. Work at two of the locations resulted in wetland impacts totaling 9.86 acres during the clearing for and construction of the transmission line. These impacts are located in wetlands adjacent to Case Bolt Branch, in the NW 1/4 SE 1/4 of section 7, T. 23 N., R. 5 E, and in the NW 1/4 NE 1/4 of section 18. Also, to gain access to the transmission line right-of-way, a crossing was placed in an unnamed tributary to Case Bolt Branch, in the SW 1/4 NE 1/4 of section 18. The fourth location involved the relocation of an unnamed creek during construction of the 345/161/69kv substation south of Highway 160. The creek was originally 1275 feet in length (averaging 4.5 feet in width) and the new creek alignment is 1365 feet in length (averaging 11 feet in width). Approximately 700 feet of the new channel will be lined with stone. The substation work is located in an unnamed tributary of the Little Black River, in the NW 1/4 NE 1/4 of section 7, T. 23 N., R. 5 E., southwest of Poplar Bluff, Butler County, Missouri.

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The main transmission line is approximately 56 miles in length and extends from a western terminus near Thayer, Oregon County, Missouri to a location just east of the Little Black River in Butler County, Missouri. The transmission line crosses the Eleven Point River and the Current River at locations where the water is considered to be historically navigable. The Current River crossing has previously been authorized under Nationwide Permit No. 12 (#19849) on February 27, 2007. The Eleven Point River crossing is also eligible for authorization under Nationwide Permit No. 12, and will be verified under a separate letter.

The purpose of the project is for the distribution of electrical power and energy across southern Missouri to meet the growing power needs of the general public.

The location and general plan for the proposed work are shown on the enclosed sheets.

Proposed Wetland Mitigation. The applicant is willing to conduct wetland mitigation at a suitable offsite location as compensation for permanent wetland impacts (5.28 acres). For those sites having only temporary wetland impacts (4.58 acres), the applicant is proposing to allow vegetative regeneration below the transmission line as long as the woody vegetation can be manually topped periodically.

Water Quality Certification. By copy of this public notice, the applicant is requesting certification from the Missouri Department of Natural Resources that the operation of the proposed facility will apparently not violate the existing water quality criteria of the State of Missouri. The Commission hereby gives notice of its intent to certify this construction. A Corps of Engineers permit will not be issued until such certification has been granted. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources.

Cultural Resources. The National Register of Historic Places has been consulted; and it has been determined that there are no properties currently listed in the Register, or eligible for inclusion therein, which would be affected by the proposed work. A Corps staff archeologist also will review topographic maps and data on reported sites in the area. If it is determined that further review is not warranted, these reviews will constitute the full extent of cultural resources investigation by this office unless we are made aware, as a result of comments received in response to this notice or by other means, of the existence of specific structures or sites which might be affected by the proposed work.

Endangered Species. Our preliminary determination is that the proposed activity will not affect listed Endangered Species or their critical habitat. A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies and constitutes a request to those agencies for information on whether any listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

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Flood Plain. We are providing copies of this notice to appropriate flood plain officials in accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Flood Plain Management.

Section 404(b)(1) Guidelines. The evaluation of activities to be authorized under this permit which involves the discharge of dredged or fill material will include application of guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. These guidelines are contained in 40 Code of Federal Regulations (CFR) 230.

Public Involvement. Any interested party is invited to submit to this office written comments or objections relative to the proposed work on or before **June 27, 2007**. Substantive comments, both favorable and unfavorable, will be accepted and made a part of the record and will receive full consideration in determining whether this work would be in the public interest. The decision whether to issue a permit 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 benefit 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, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain 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; 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 a permit for this 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 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.

Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. The District Engineer will determine if

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the issues raised are substantial and whether a hearing is needed for making a decision.

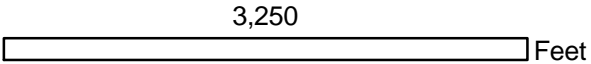
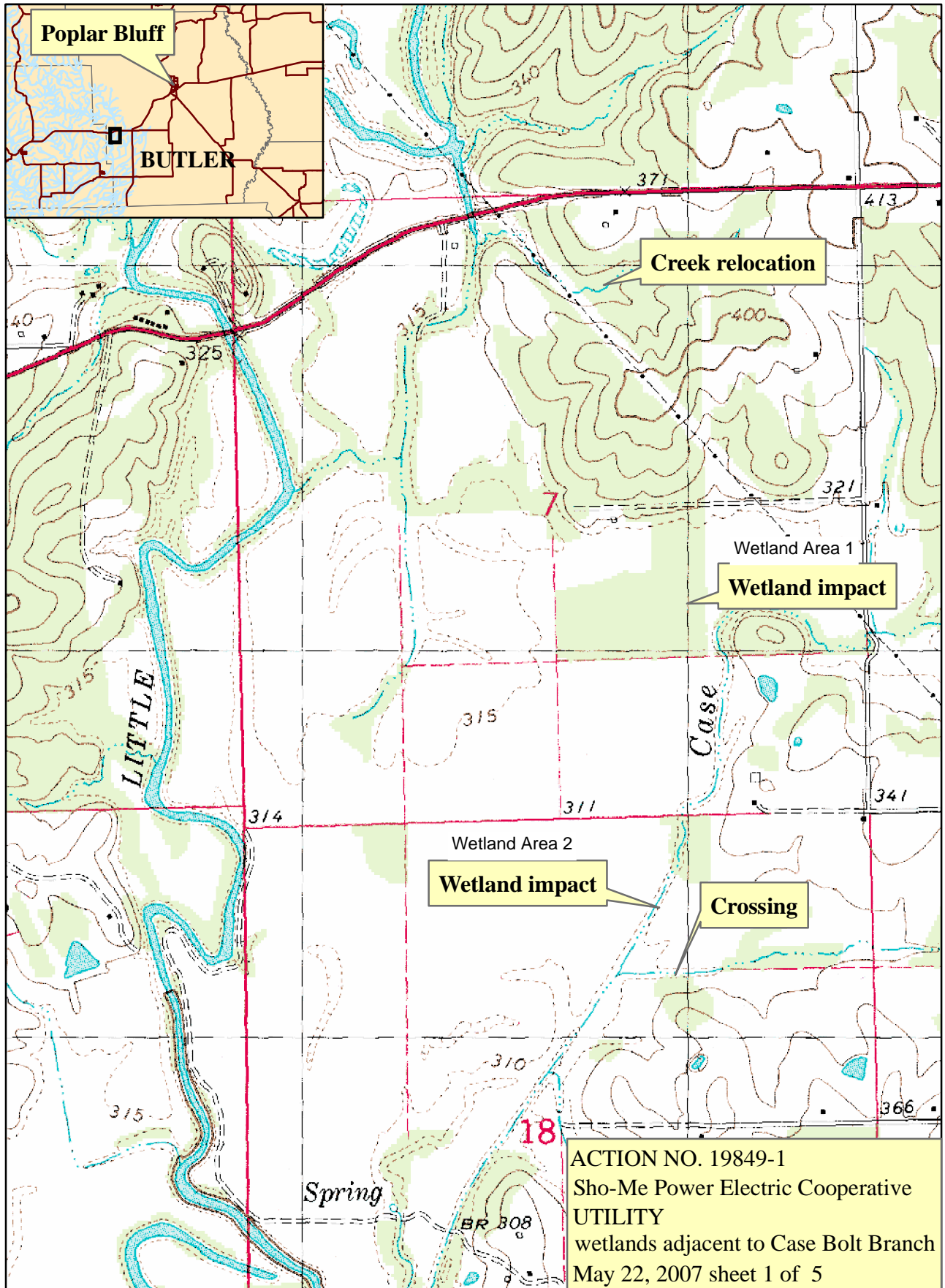
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

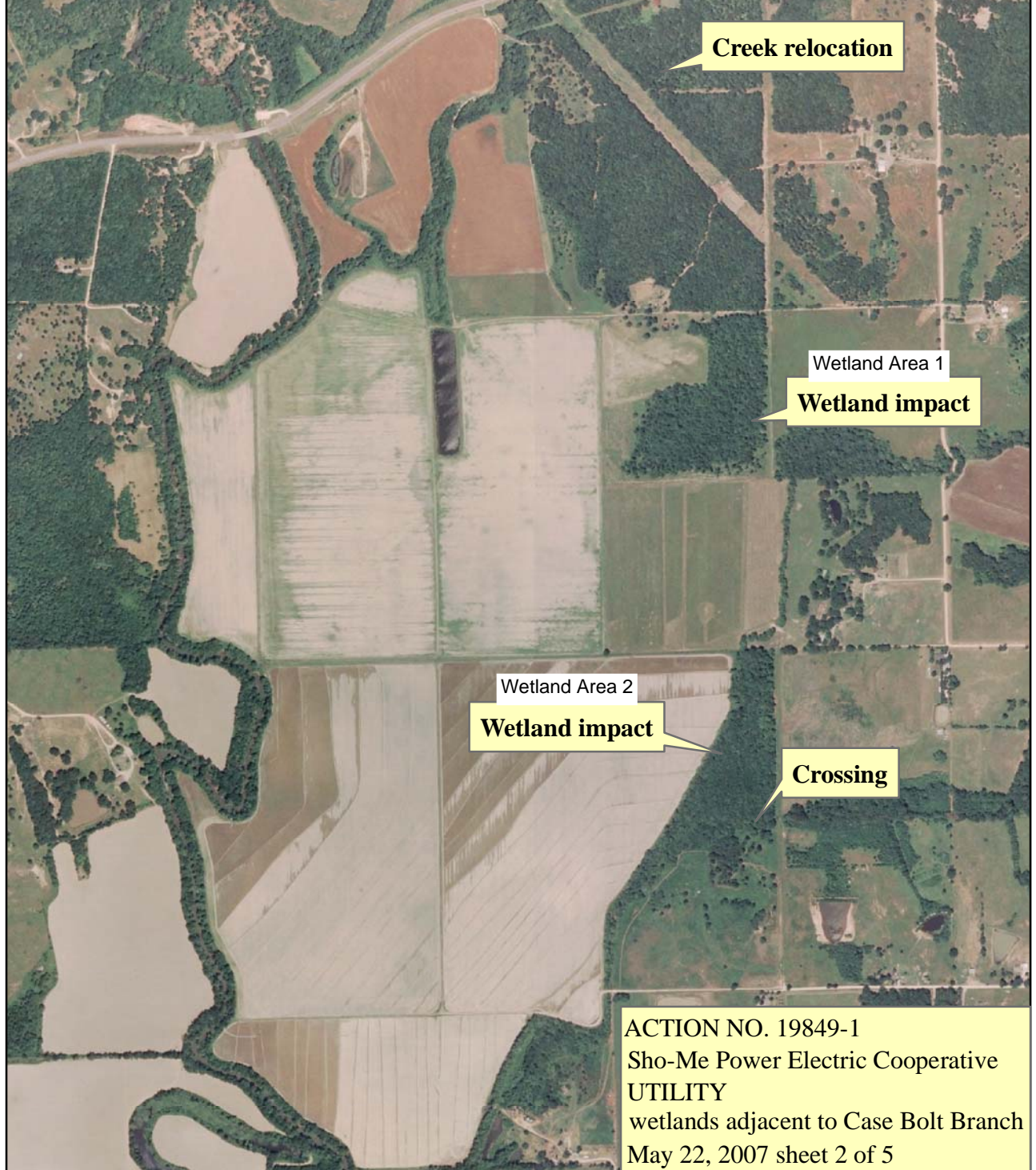
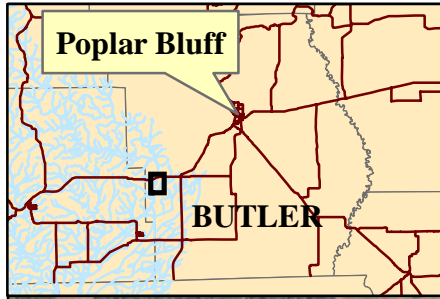
Enclosure

Approximate Coordinates of Project Center

Latitude: **36 -38-51.3960** Longitude: **90 -33-44.2800**

UTM Zone: **15** North: **4058350.00** East: **717918.00**





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UTILITY
wetlands adjacent to Case Bolt Branch
May 22, 2007 sheet 2 of 5

3,200

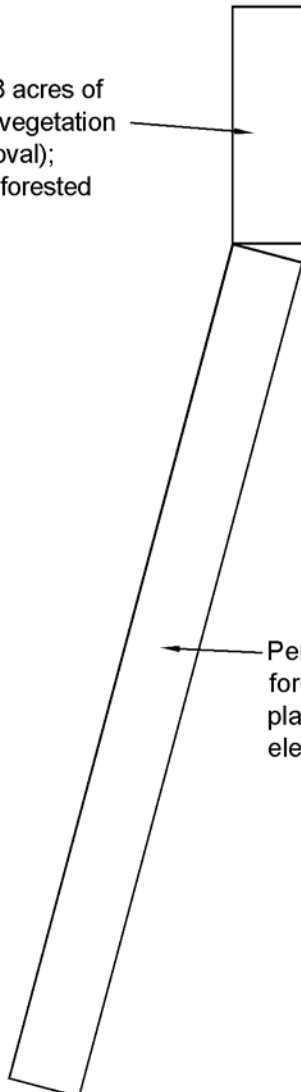
Feet

Wetland Area 1
Temporary wetland impacts to 3.3 acres of forested wetlands from removal of vegetation to ground level (i.e., no stump removal)

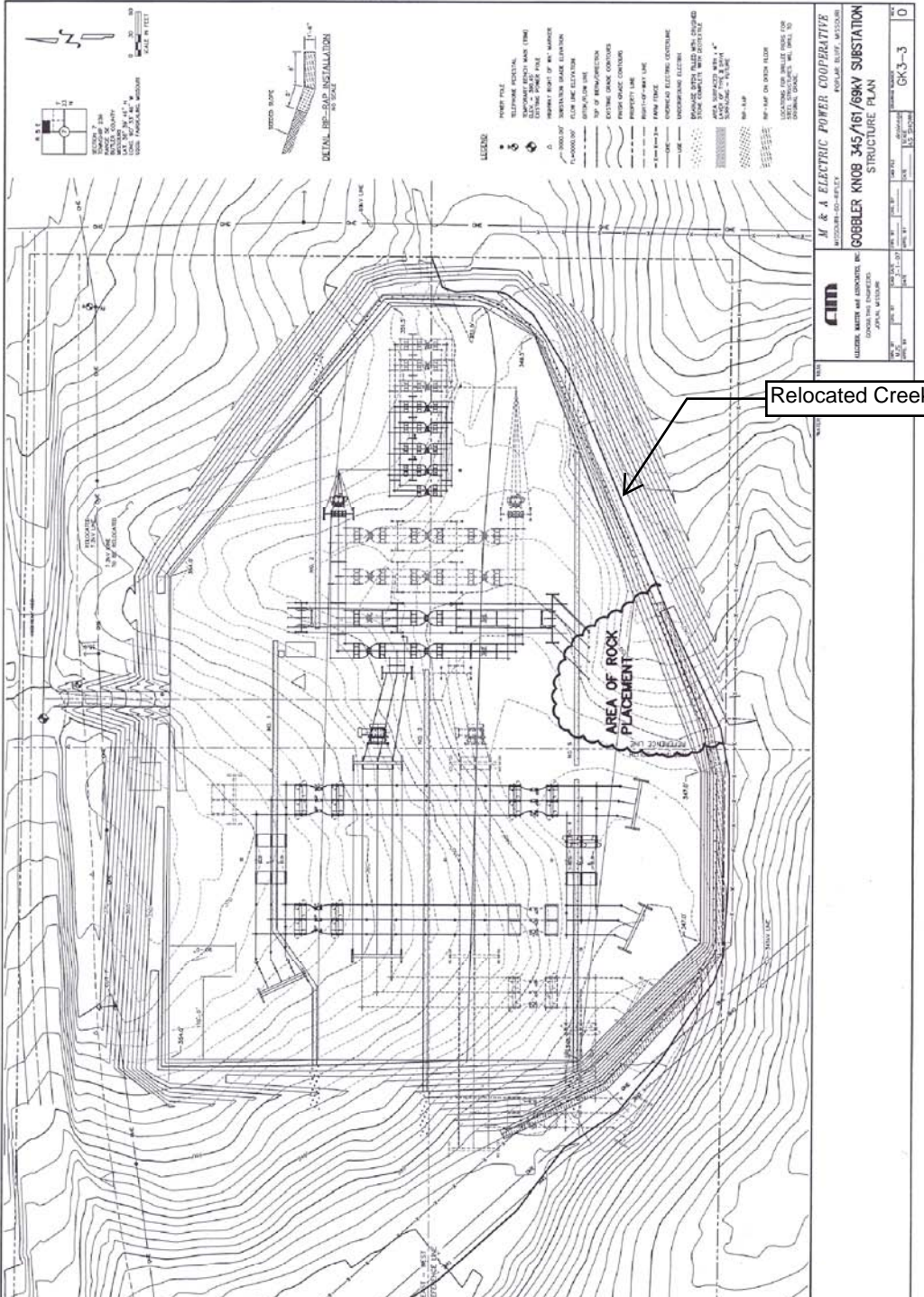


No wetland impacts.

Wetland Area 2
Temporary wetland impacts to 1.28 acres of forested wetlands from removal of vegetation to ground level (i.e., no stump removal); permanent impacts to 0.32 acre of forested wetlands by stump removal.



Wetland Area 2
Permanent wetland impacts to 4.96 acres of forested wetlands from stump removal and placement of fill to a level above previous elevation.



Relocated Creek

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M & A ELECTRIC POWER COOPERATIVE MEMBER: CO-OP/REC 8000 W. STATE ST. WOODBURN, IA 50091	
LEONARD MAYER AND ASSOCIATES, INC. CONSULTING ENGINEERS 1000 W. 11TH ST. WOODBURN, IA 50091 TEL: 563-241-1107 FAX: 563-241-1108	
PROJECT NO. 04-01-01 SHEET NO. CK-3-3 DATE: 05/22/07	DRAWN BY: J. B. BROWN CHECKED BY: J. B. BROWN SCALE: AS SHOWN

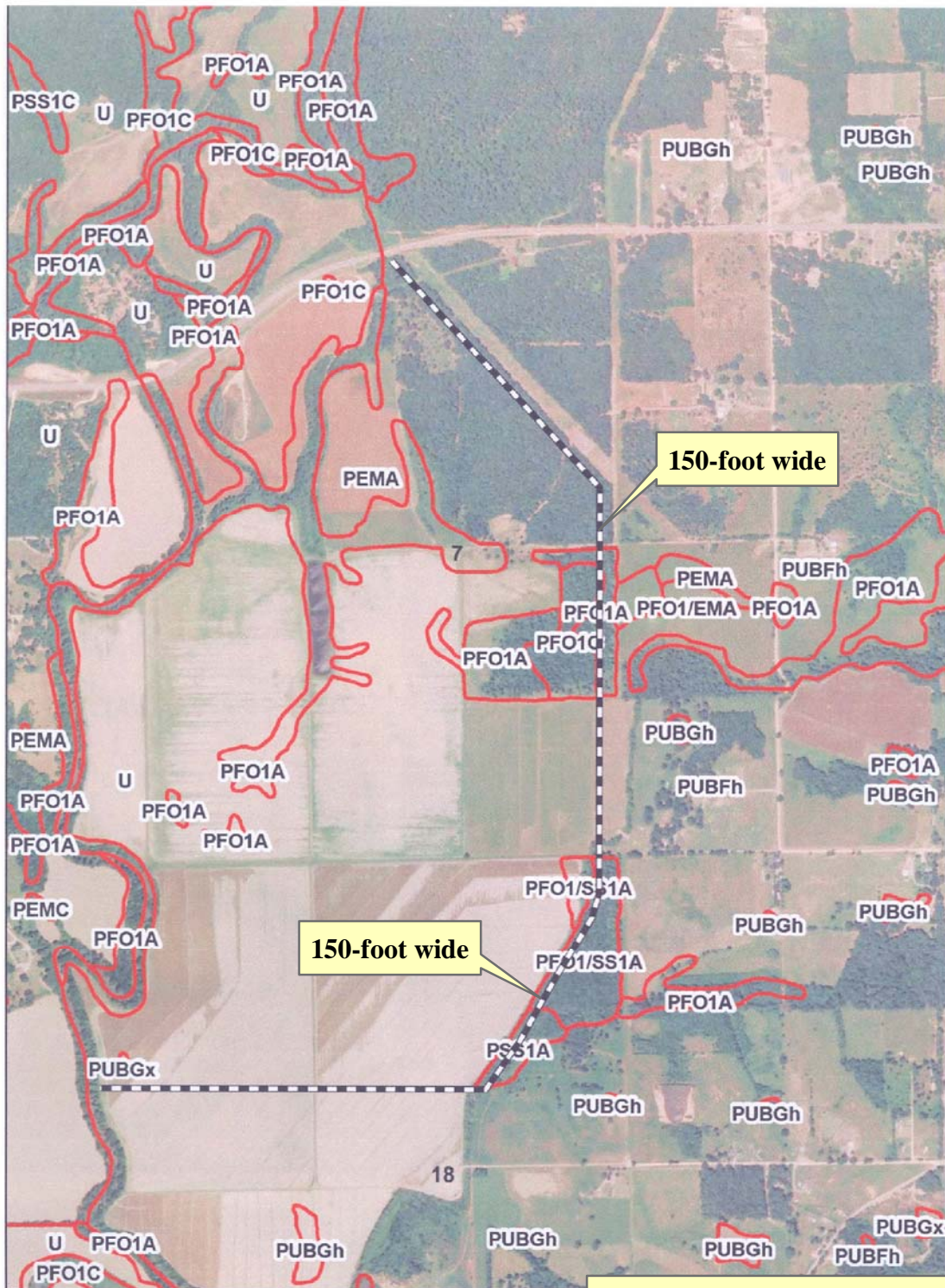


Figure 2. Map showing Little Black River wetland in USGS topographic quadrangle Fairdealing, ACTION NO. 19849-1 Sho-Me Power Electric Cooperative UTILITY wetlands adjacent to Case Bolt Branch May 22, 2007 sheet 5 of 5