CITY OF JOPLIN
ADDENDUM NUMBER 1

Issued to all Bid Document Holders of Record.

Date: 1/27/2026

Project Name: Grand Falls Trail – Tree Clearing

This addendum forms a part of the contract described above. The original Contract Documents and any prior addenda remain in full force and effect as modified by the following that shall take precedence over any contrary provisions in the prior documents.

1) **The following are clarifications/reiterations to the JSPs or plans:**

   Only branches, limbs, brush, etc. under 6" in diameter may be chipped for mulch for the project. Nothing over 6" is to be chipped. No material is required to be chipped, it is at the preference of the contractor.

   The intent for tree debris and vegetation to remain on-site is for the material to be left as close as is practical to where it is cleared. It is to be moved out of the trail path and shall not be placed in the river or in the roadway or the existing cleared limits near the roadway. It is understood that this is not possible in certain areas such as where the river is near the roadway. That vegetation may be moved to other nearby areas of the project where it can be placed and meet conditions given above.

   As mentioned in JSP 2.0, grubbing is not to be performed, just clearing. Stumps are to be left in place and topsoil is to be disturbed as little as possible.

   As mentioned in the notes in the plans, all clearing must be completed by March 15th for compliance with the City's USACE Nationwide Permit. Debris can be moved after that date and before the completion date of March 25th, but all trees must be felled by the 15th.

2) **Changes to bid:**
   a. The bid states that the job is non-prevailing wage, however if the total sum of the bid exceeds $75,000, the job must comply with prevailing wage rates.

3) **The City's USACE Nationwide permit has been included with this addendum as all work performed must comply with this permit.**

Daniel Johnson, PE
Director of Public Works

1-27-16
Date

Each bidder shall acknowledge receipt of this addendum by affixing his signature below by noting this addendum on his bid form, and by attaching this addendum to his bid.

ACKNOWLEDGEMENT
The undersigned acknowledges receipt of this addendum and the Bid submitted in accordance with information, instructions and stipulations set forth herein.

Bidder: _____

Signed By: _____

Date: _____

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, LITTLE ROCK DISTRICT
P.O. BOX 867
LITTLE ROCK, AR 72203-0867

July 30, 2025

Regulatory Division

NATIONWIDE PERMIT NO. **SWL2025-00039**

City of Joplin Public Works
c/o Mr. Dan Johnson Director of Public Works
602 South Main Street
Joplin, Missouri 64801

Dear Mr. Johnson:

Please refer to your application dated January 21, 2025, on behalf of the City of Joplin Public Works, concerning Department of the Army permit requirements pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344). You requested authorization for work, including the placement of dredged and fill material, in waters of the United States associated with the construction of an elevated boardwalk and a culverted crossing to facilitate the construction of the Grand Falls Trail. The project is located in Shoal Creek, an unnamed tributary to Shoal Creek, and an unnamed wetland, on the left descending bank, in the NE 1/4 of section 28, T. 27 N., R. 33 W., Joplin, Newton County, Missouri.

The proposed activity is authorized by 3 Department of the Army Nationwide Permits (NWPs) No. **42** (copy enclosed), provided that the conditions therein, and the following added special conditions, are met. You should become familiar with the conditions and maintain a copy of the permit at the worksite for ready reference. If changes are proposed in the design or location of the facilities, you should submit revised plans to this office for approval before construction of the change begins.

An Individual Section 401 water quality certification has been issued with conditions for the referenced NWP by the Missouri Department of Natural Resources, Water Protection Program (copy enclosed). In addition to the specific criteria and conditions of the NWP, you must comply with the conditions specified in the certification as special conditions to this permit.

Special Conditions:

1. **The clearing of suitable habitat trees and/or snags (typically greater than 3 inches in diameter at breast height that have exfoliating bark, cracks, crevices, and/or hollows) associated with this project must be conducted between November 15th and March 15 to avoid impacts to threatened or endangered bats identified in the Endangered Species Act Section 7 review of the proposed project area. Alternatively, a professional biologist can perform a habitat assessment to ensure that no threatened or endangered bats are present outside of this hibernation**

period. This assessment must be submitted to the Corps of Engineers Regulatory Division for review, coordination with Federal and state agencies, and approval before tree removal can commence.

2. **Drilling activities to facilitate the raised boardwalk columns must be conducted between November 15th and March 15 to avoid impacts to threatened or endangered bats identified in the Endangered Species Act Section 7 review of the proposed project area.**

Please refer to NWP General Condition No. 12, which stipulates that appropriate erosion and siltation controls be used during construction and all exposed soil be permanently stabilized. Erosion control measures must be implemented during and after construction of the proposed project to comply with this permit condition.

In order to fully comply with the conditions of the NWP, you must submit the enclosed compliance certification within 30 days of completion of the project. This is required pursuant to NWP General Condition No. 30 of the permit.

This permit action is based upon a Corps of Engineers determination that the subject work is within the jurisdiction of the Department of the Army regulatory program, but does not address nor include any consideration for geographic jurisdiction on aquatic resources and shall not be interpreted as such. You may contact the Little Rock District Regulatory Division if you wish to discuss your options for appealing this determination.

The NWP determination will be valid until March 14, 2026. If NWP No. **42** is modified, suspended, or revoked during this period, your project may not be authorized unless you have begun or are under contract to begin the project. If work has started or the work is under contract, you would then have twelve (12) months to complete the work.

The authorization of this work by a NWP does not relieve you of complying with other applicable local, state, and Federal laws, nor does it grant any property rights or exclusive privileges.

If you have any questions about this permit or any of its provisions, please contact me at (501) 340-1387 and refer to Permit No. **SWL2025-00039**.

Please submit your comments or suggestions on our Customer Service Survey: https://regulatory.ops.usace.army.mil/customer-service-survey/

Sincerely,

John Bridgeman
Regulatory Specialist

Enclosures

cc:
US Environmental Protection Agency, Region 7,
Missouri Department of Natural Resources,
Missouri Department of Conservation,
Proj Mgr, Beaver Lake PO
Ch, Regulatory Division
Pablo Bacon, Regulatory Enf Branch

PERMITTEE COMPLIANCE CERTIFICATION

PERMIT NO.: SWL2025-00039 **NWP/S NO.:** 42

PERMITTEE NAME: City of Joplin Public Works c/o Mr. Dan Johnson Director of Public Works

DATE OF ISSUANCE: July 30, 2025

PROJECT MANAGER: John Bridgeman

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US Army Corps of Engineers, Little Rock
ATTENTION: CESWL-RD
PO Box 867
Little Rock, Arkansas 72203-0867

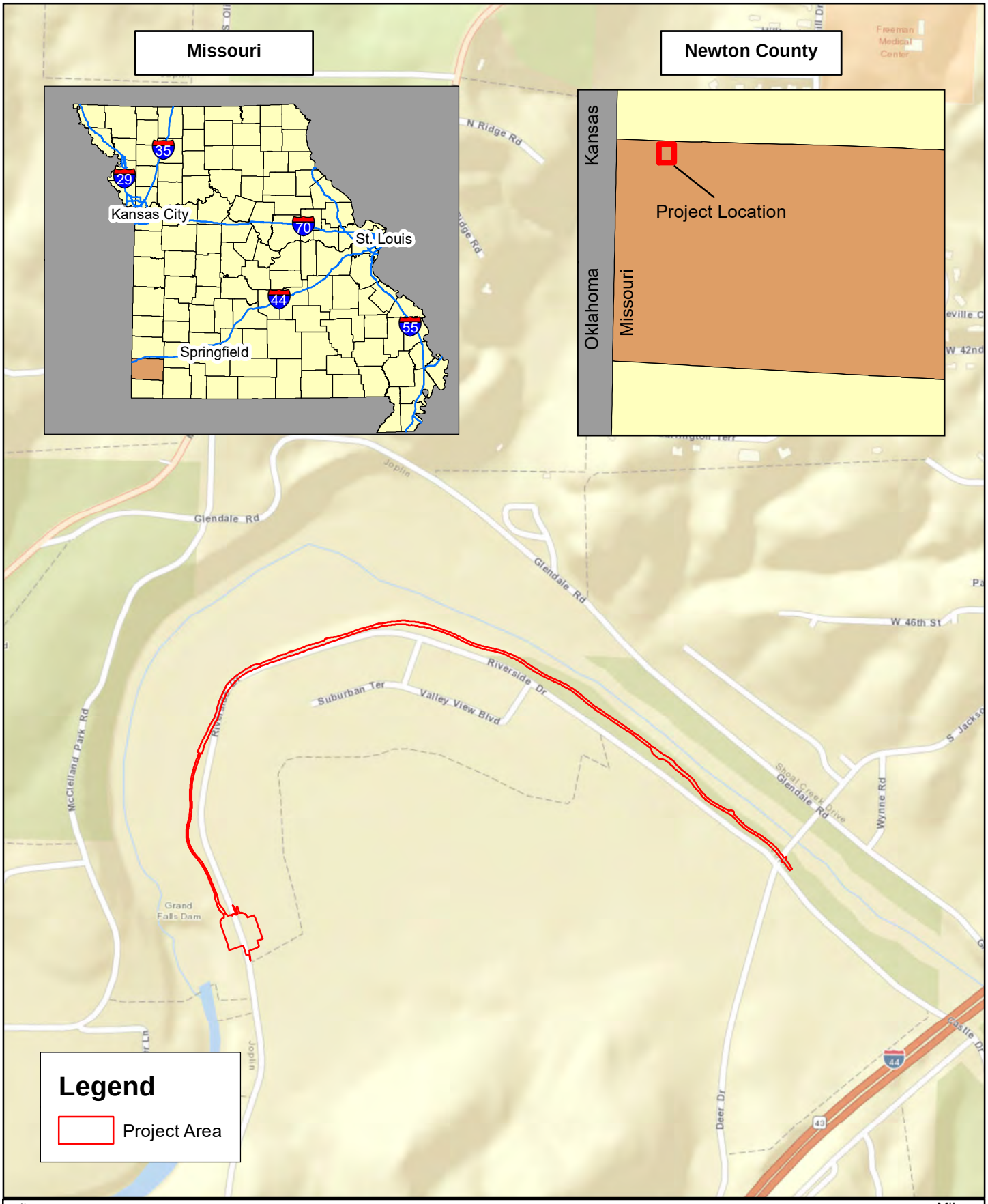
Please note that your permitted activity is subject to a compliance inspection by a US Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

DATE WORK COMPLETED: _____

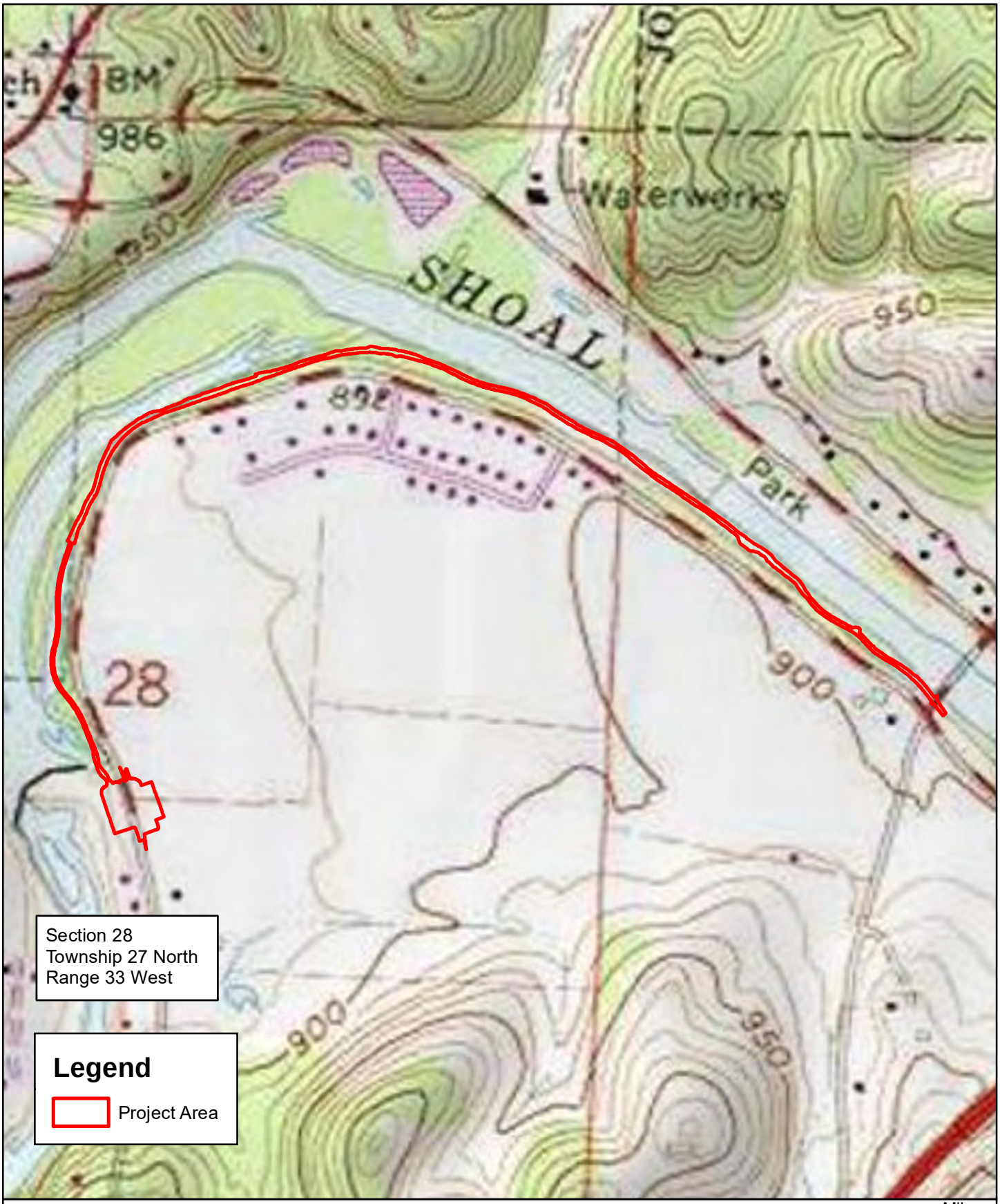
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SIGNATURE OF PERMITTEE **DATE**



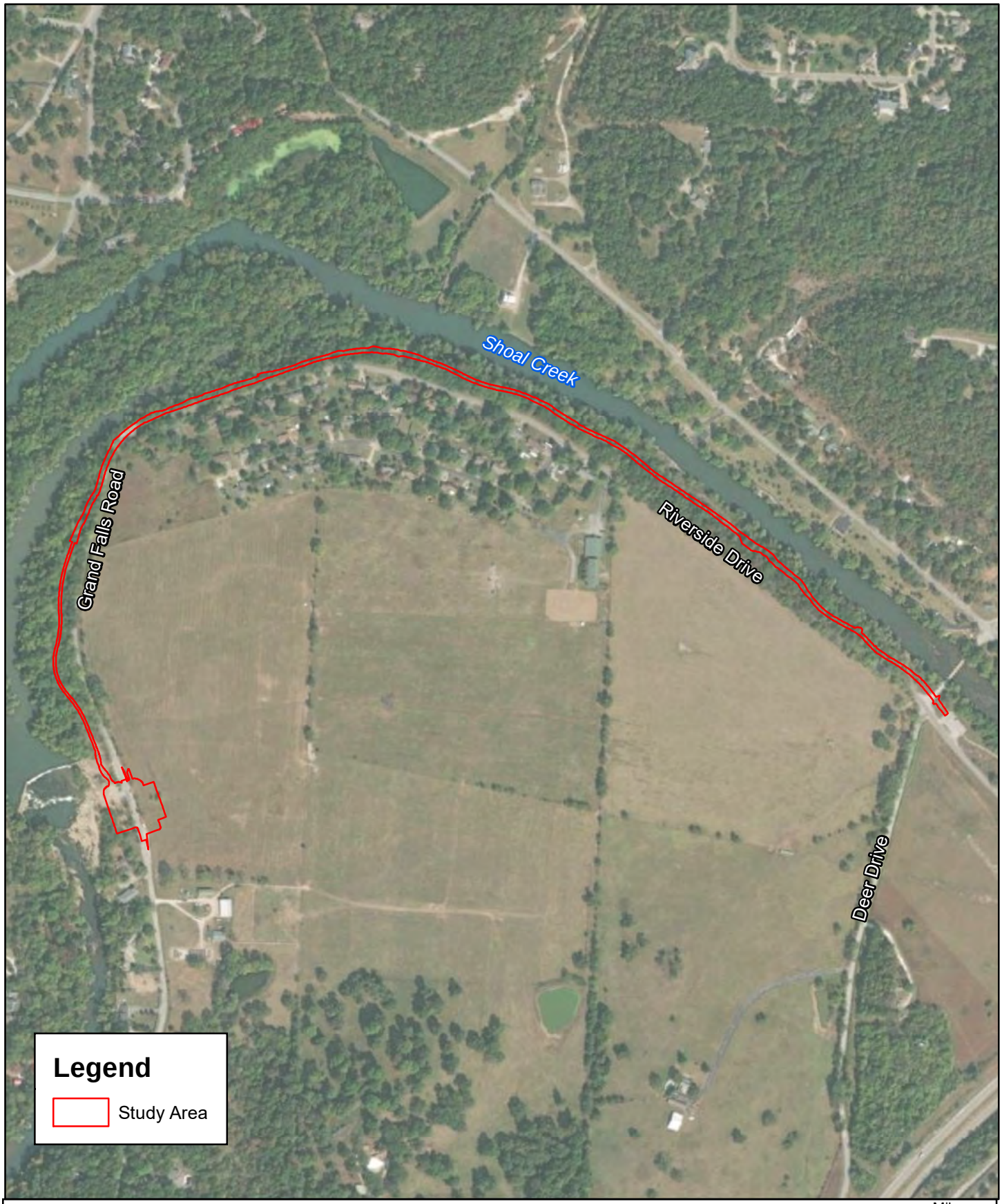
Project Number: 022-04049	**Location Map** Grand Falls Parking Lot and Trail Joplin, Missouri	DISCLAIMER : This Geographic Inform components are designed as a source inquiries, for planning and for modeling. G replace legal description information in information contained in official governme Clerk and Recorders office or the courts. of locations in this GIS cannot be substi
Drawn By: JMW		
Revision Date: 2/10/2023		

Action No.: SWL 2024-00414
Joplin, Missouri
City of Joplin Public Works
Grand Falls Trail and Parking Lot Development Project
T. 27 N., R. 33 W., Section 28
July 2025 **Page 1 of 22**



Project Number: 022-04049	**Topographic Map** Grand Falls Parking Lot and Trail Joplin, Missouri	DISCLAIMER : This Geo components are designed inquiries, for planning and replace legal description information contained in off Clerk and Recorders office of locations in this GIS ca
Drawn By: JMW		
Revision Date: 2/10/2023		

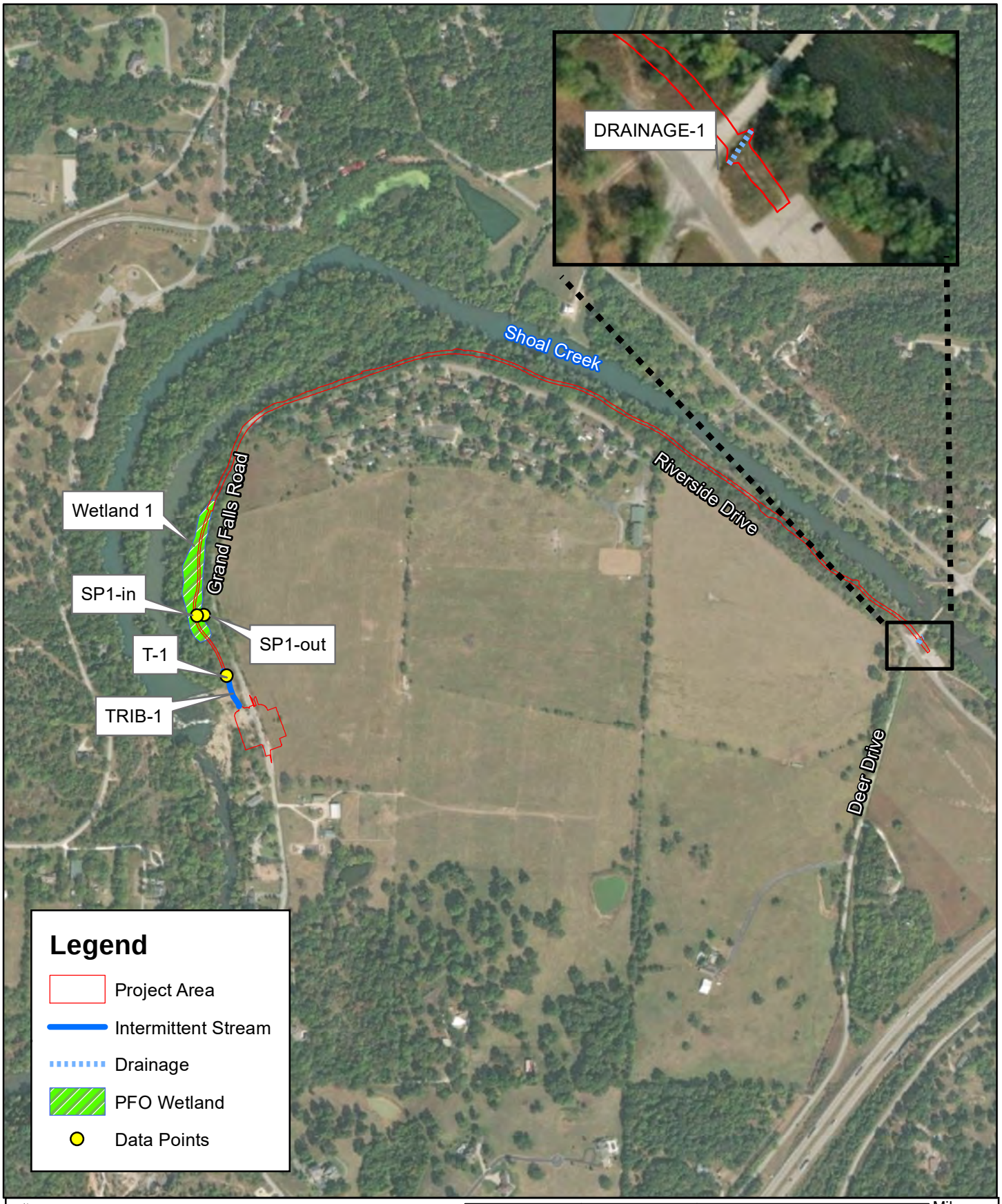
Action No.: SWL 2024-00414
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City of Joplin Public Works
Grand Falls Trail and Parking Lot Development Project
T. 27 N., R. 33 W., Section 28
July 2025 **Page 2 of 22**



Project Number: 022-04049	**Aerial Map** Grand Falls Parking Lot and Trail Joplin, Missouri	DISCLAIMER : This Geograph components are designed as inquiries, for planning and for m replace legal description inform information contained in official Clerk and Recorders office or the of locations in this GIS cannot
Drawn By: JMW		
Revision Date: 2/15/2023		

Action No.: SWL 2024-00414
Joplin, Missouri
City of Joplin Public Works
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Project Number: 022-04049	**Aquatic Features Map** Grand Falls Parking Lot and Trail Joplin, Missouri	DISCLAIMER : This Geogr components are designed inquiries, for planning and for replace legal description int information contained in offic Clerk and Recorders office or of locations in this GIS cann	**Action No.: SWL 2024-00414** **Joplin, Missouri** **City of Joplin Public Works** **Grand Falls Trail and Parking Lot Development Project** **T. 27 N., R. 33 W., Section 28**
Drawn By: JMW			
Revision Date: 2/15/2023			**July 2025** **Page 4 of 22**

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ENTRY SIGNAGE

BOARDWALK

TRAILHEAD AMENITIES

COLORED / STAMPED CONCRETE

ACCESSIBLE PATH

FALLS OVERLOOK AND AMENITIES

COLORED / STAMPED CONCRETE

VEGETATED SCREENING TO NEIGHBORING PROPERTY

ASPHALT PARKING (35 STALLS)

PROPOSED ROW

GRAND FALLS RD / RIVERSIDE DR.

APPROXIMATE LOCATION OF NEW POWER POLE

BUS PARKING / LOADING

UPPER LANDING AREA

STAIR ACCESS

PRC: 7+08.23

PCC: 6+96.13

PT: 7+74.

PRC: 5+

PT: 5

Action No.: SWL 2024-00414
Joplin, Missouri
City of Joplin Public Works
Grand Falls Trail and Parking Lot Development Project
T. 27 N., R. 33 W., Section 28
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Grand Falls Trailhead and Parking Lot - Concept A

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O 816.842.8844 / olsson.com

SCALE IN FEET
0 15' 30' 60' 40
1" = 30' 1" = 20'
20'

N

GRAND FALLS - CONCEPTUAL TRAILHEAD AND PARKING LOT LAYOUT
Joplin, MO
June 2nd, 2025 / 022-04049



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Joplin, Missouri
City of Joplin Public Works
Grand Falls Trail and Parking Lot Development Project
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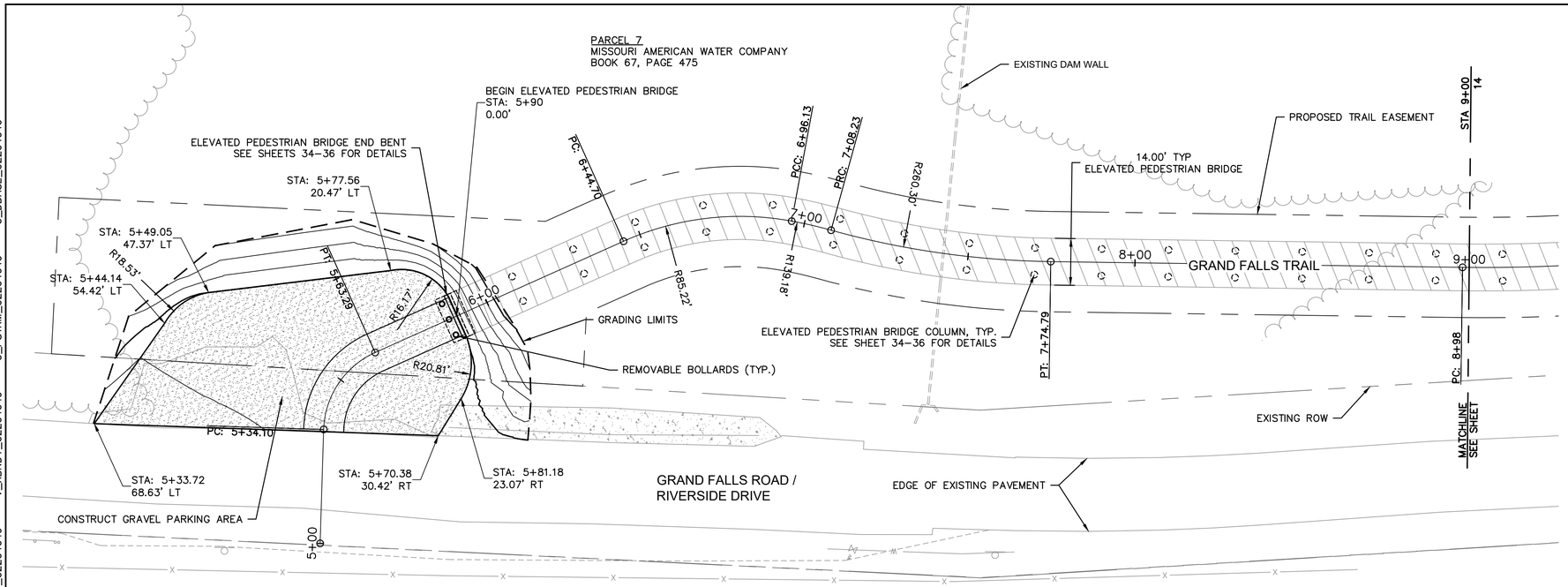
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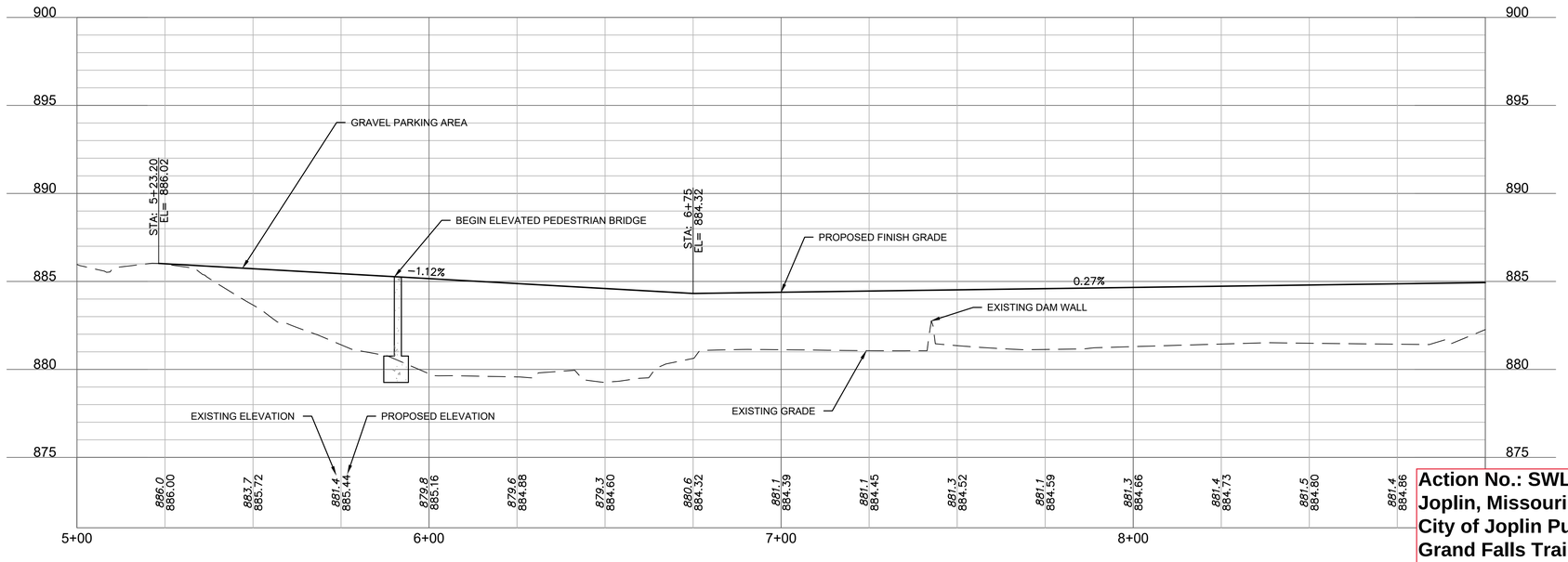
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1814 Main Street / Kansas City, MO 64108
O 816.842.8844 / olsson.com

SCALE: 1" = 40' FEET
0 15' 30' 60' 40'
1" = 30' 1 = 20'
20'

N

GRAND FALLS - CONCEPTUAL TRAILHEAD AND PARKING LOT LAYOUT
Joplin, MO
June 2nd, 2025 / 022-04049





LEGEND

- CONCRETE TRAIL
- CONCRETE BOARDWALK
- GRAVEL PARKING AREA
- GRADING LIMITS
- WETLAND BOUNDARY
- CONCRETE ABUTMENT
- PROPOSED TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

8'

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Missouri Certificate of Authority # 001592
1027 S. Main Street, Suite 503
Joplin, MO 64801
TEL 417.781.0643
www.olsson.com

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REVISIONS

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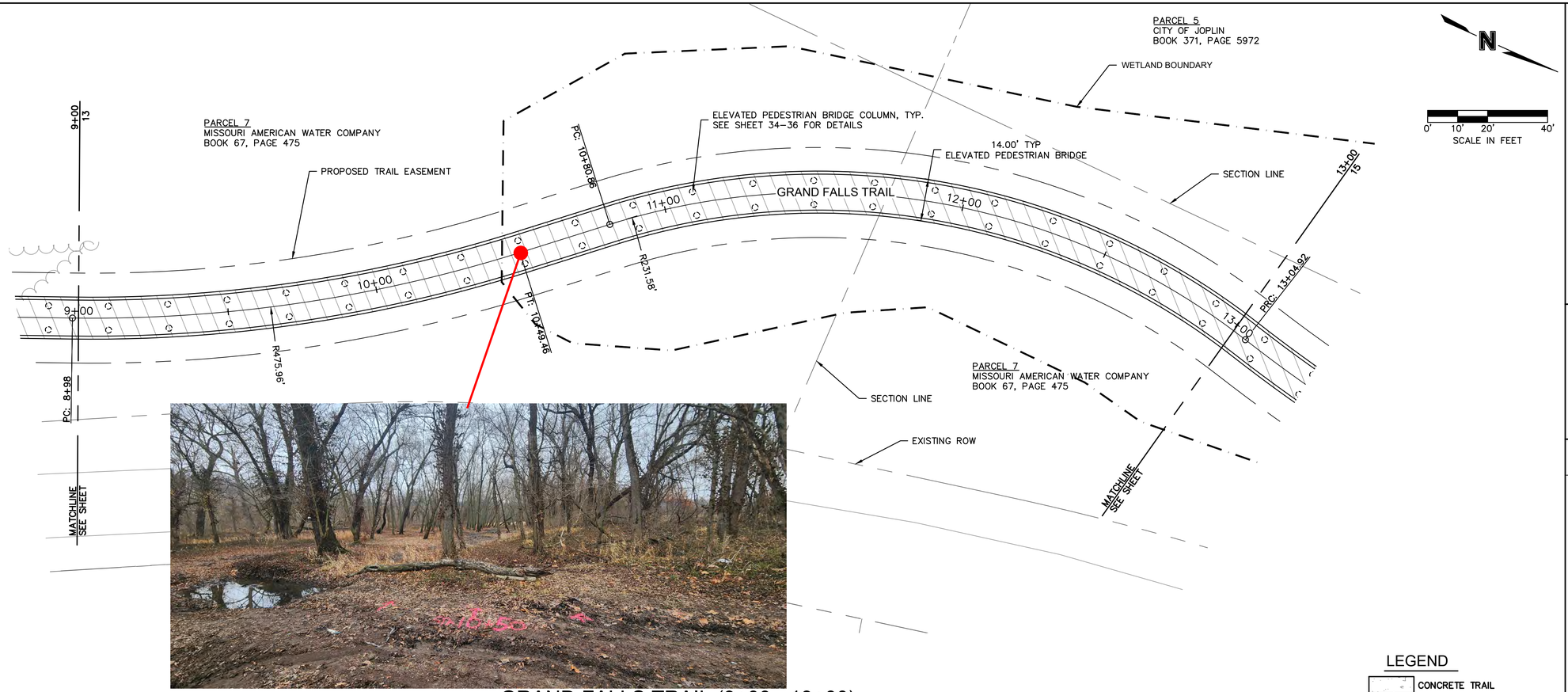
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JOPLIN, MISSOURI

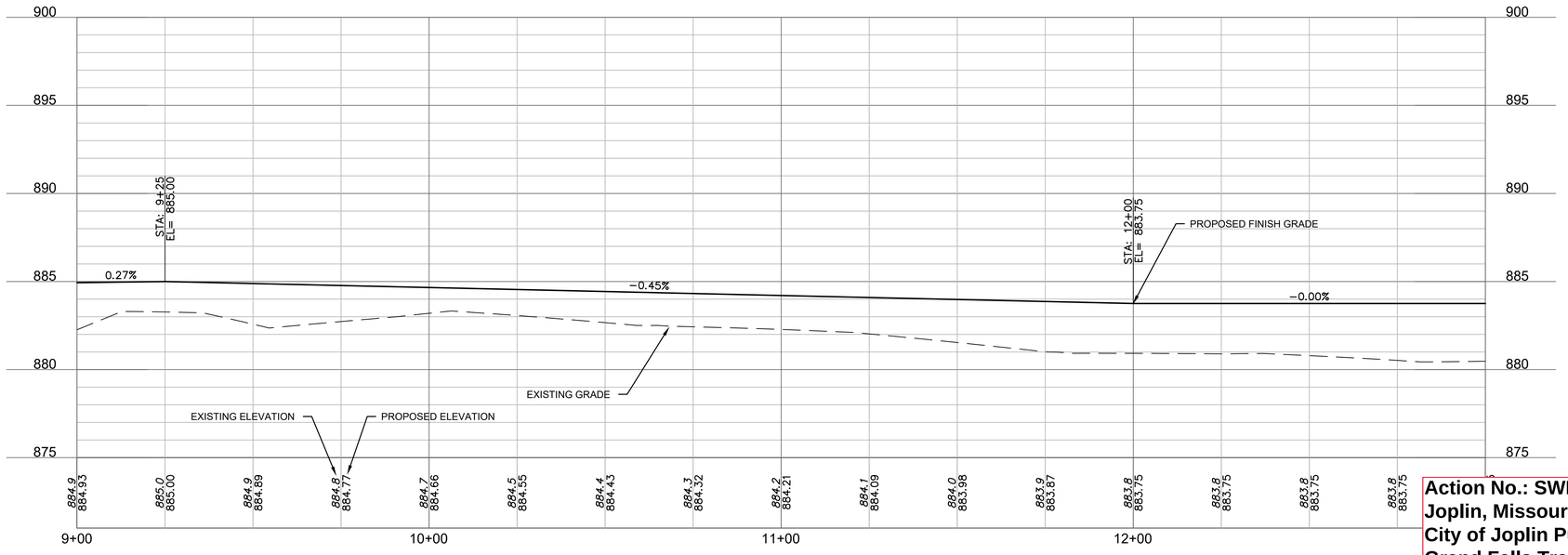
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July 2025 **Page 7 of 22**

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GRAND FALLS TRAIL (9+00 - 13+00)



LEGEND

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- PROPOSED TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

8' 4' 2' 0'

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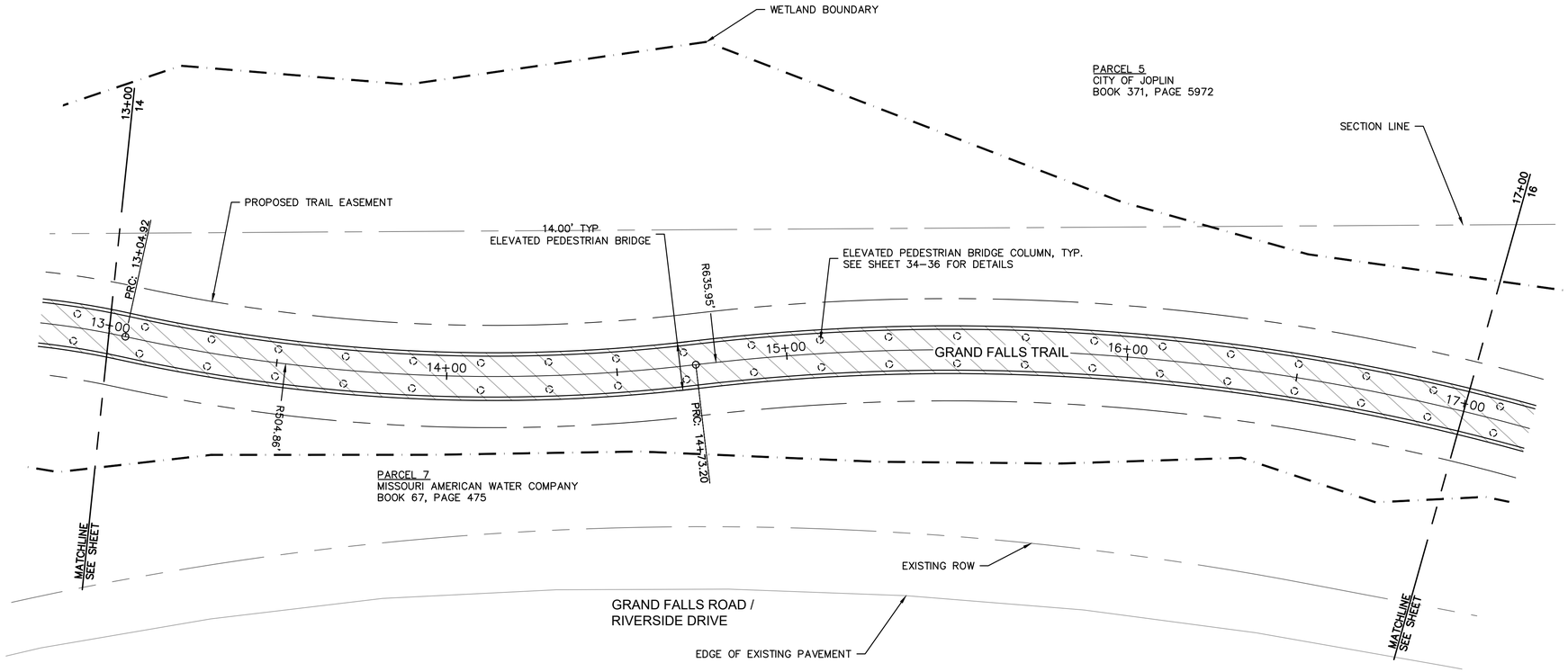
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GRAND FALLS TRAIL PROJECT

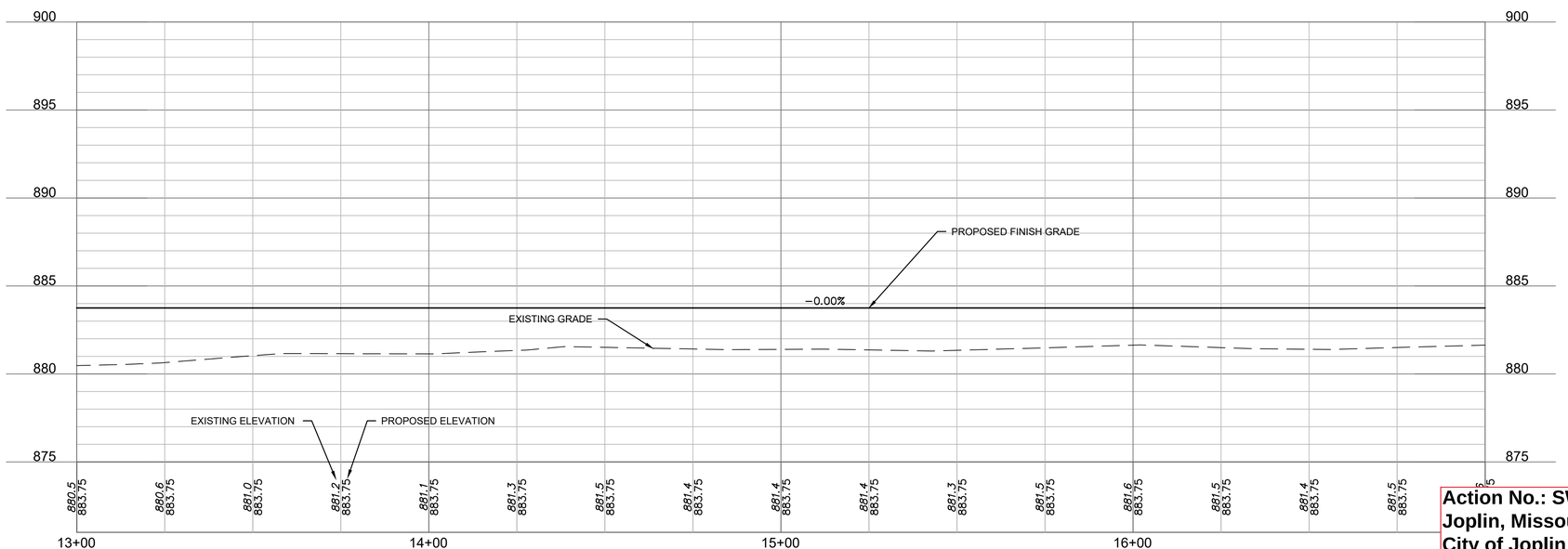
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GRAND FALLS TRAIL (13+00 - 17+00)



LEGEND

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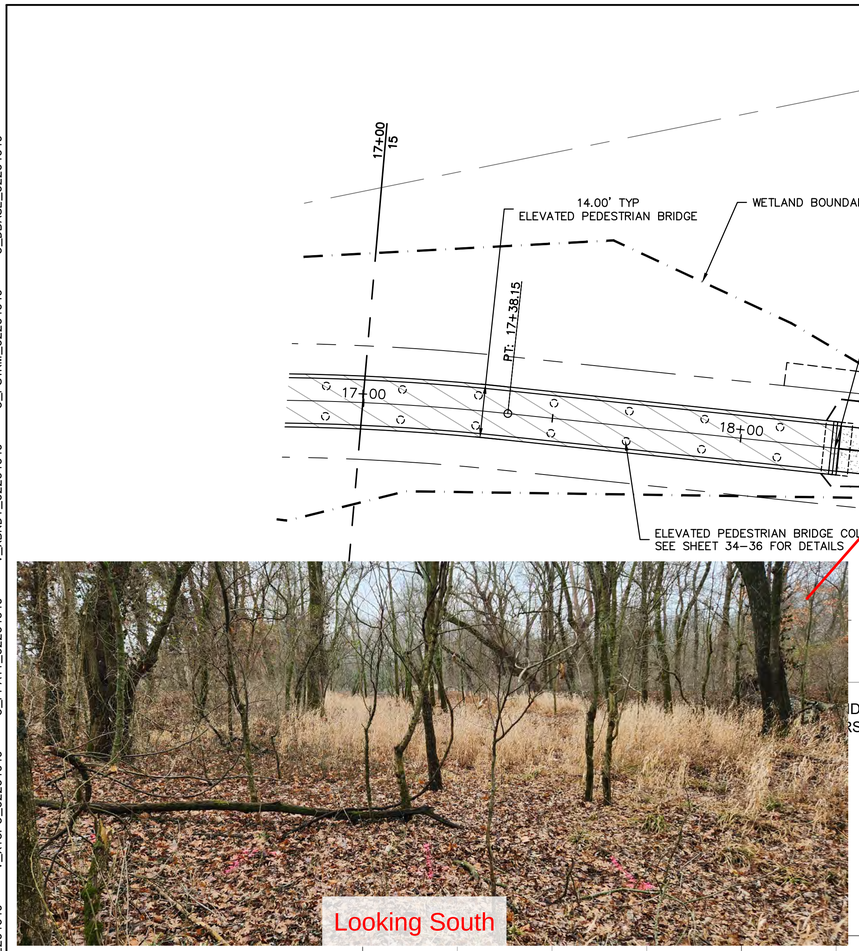
GRAND FALLS TRAIL PROJECT

JOPLIN, MISSOURI

2022

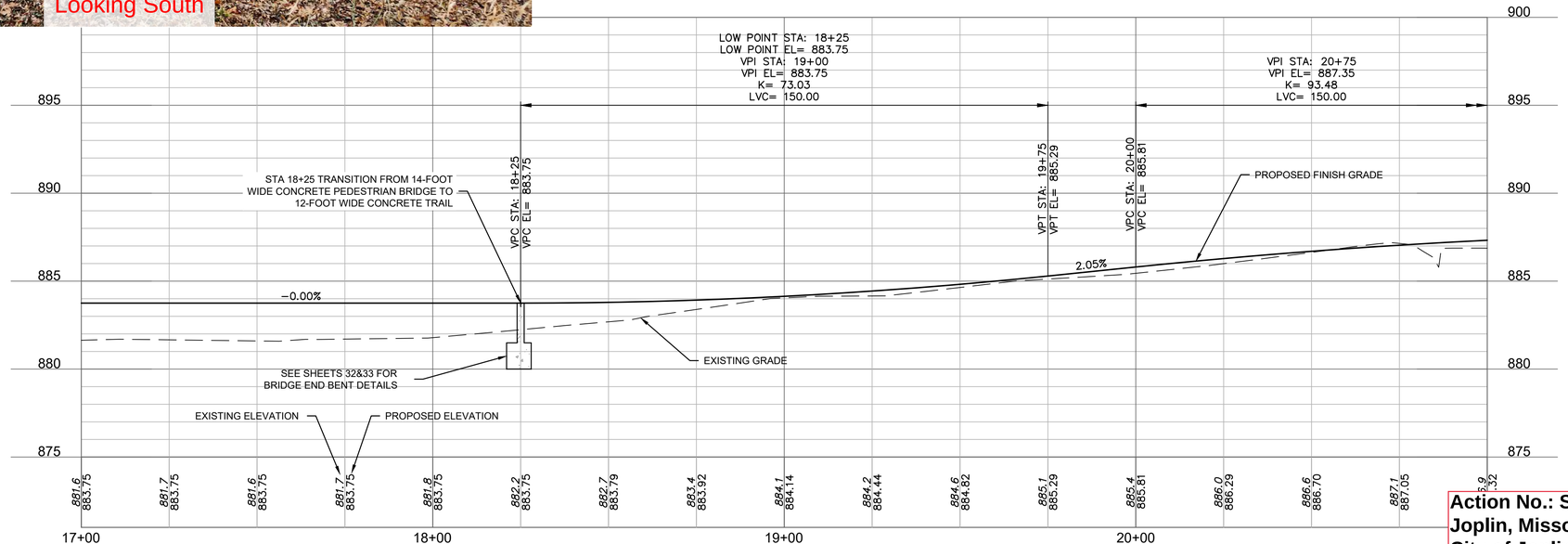
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Grand Falls Trail and Parking Lot Development Project
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GRAND FALLS TRAIL (17+00 - 21+00)



LEGEND

- CONCRETE TRAIL
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- TEMPORARY CONSTRUCTION EASEMENT

8'
4'
2'
0'

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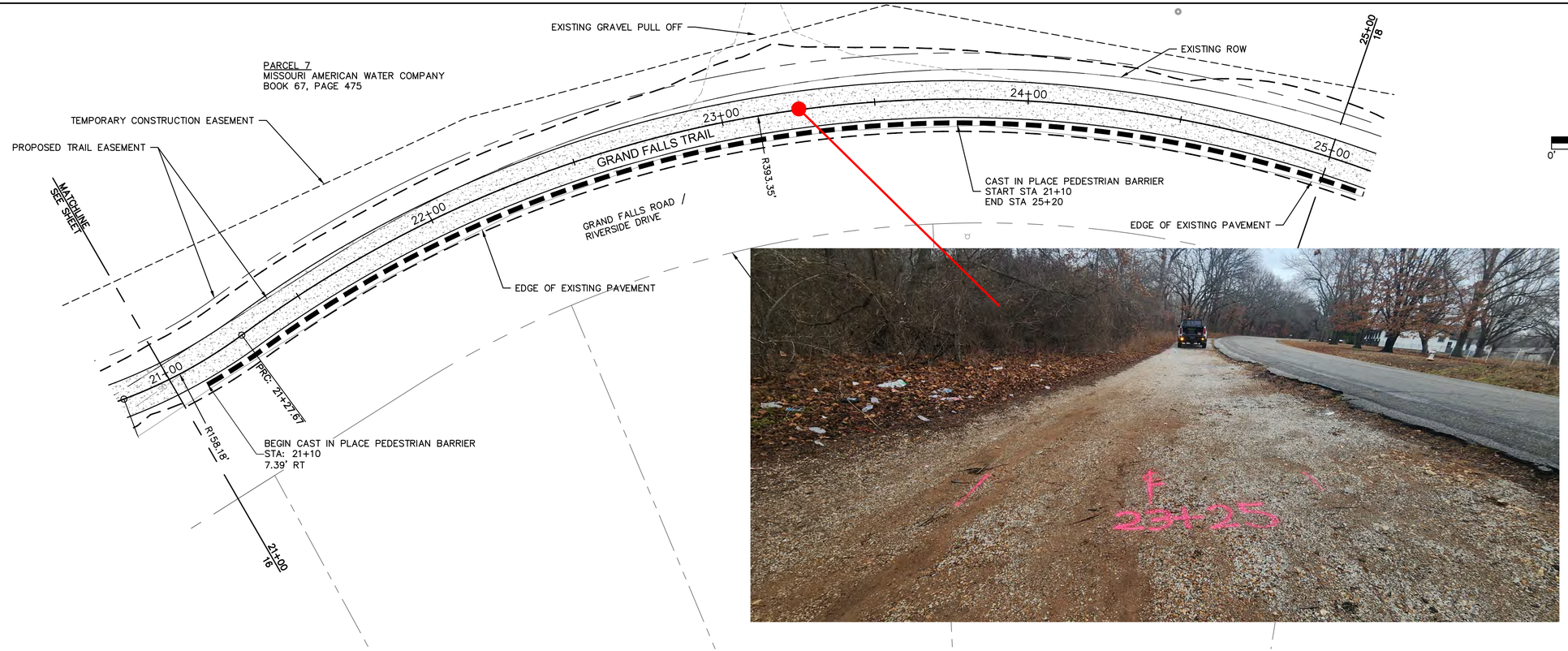
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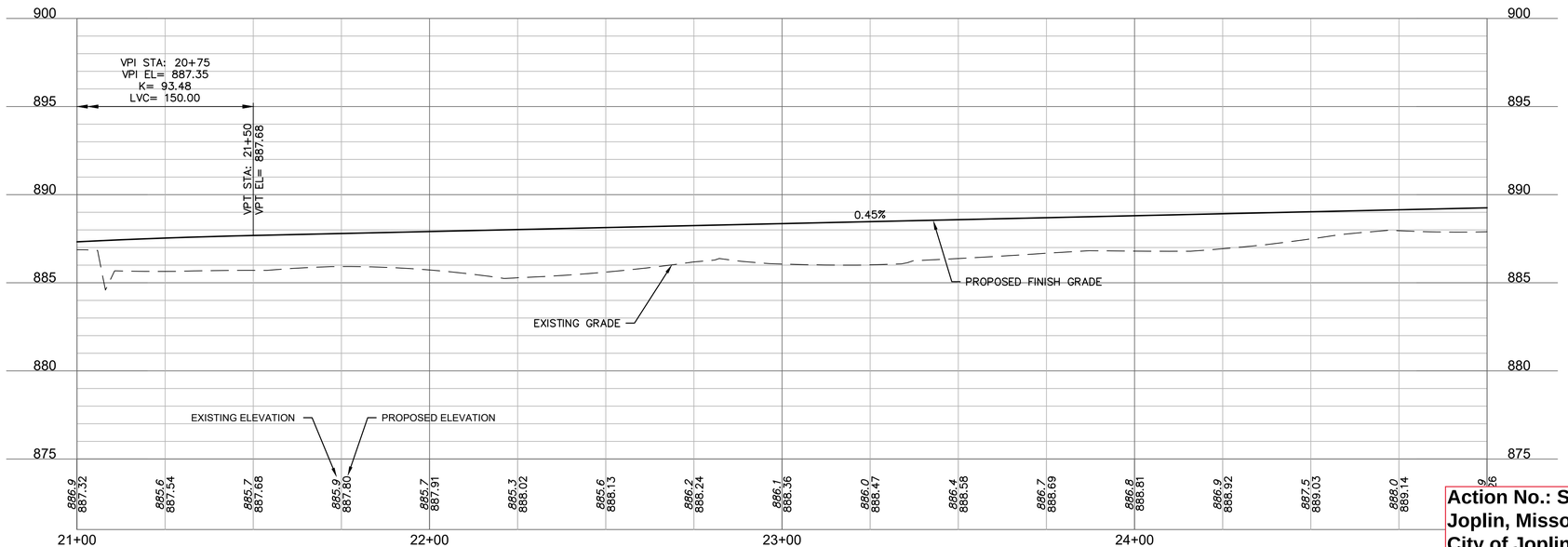
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USER: mmayforth



GRAND FALLS TRAIL (21+00 - 25+00)



LEGEND

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8' 4' 2' 0'

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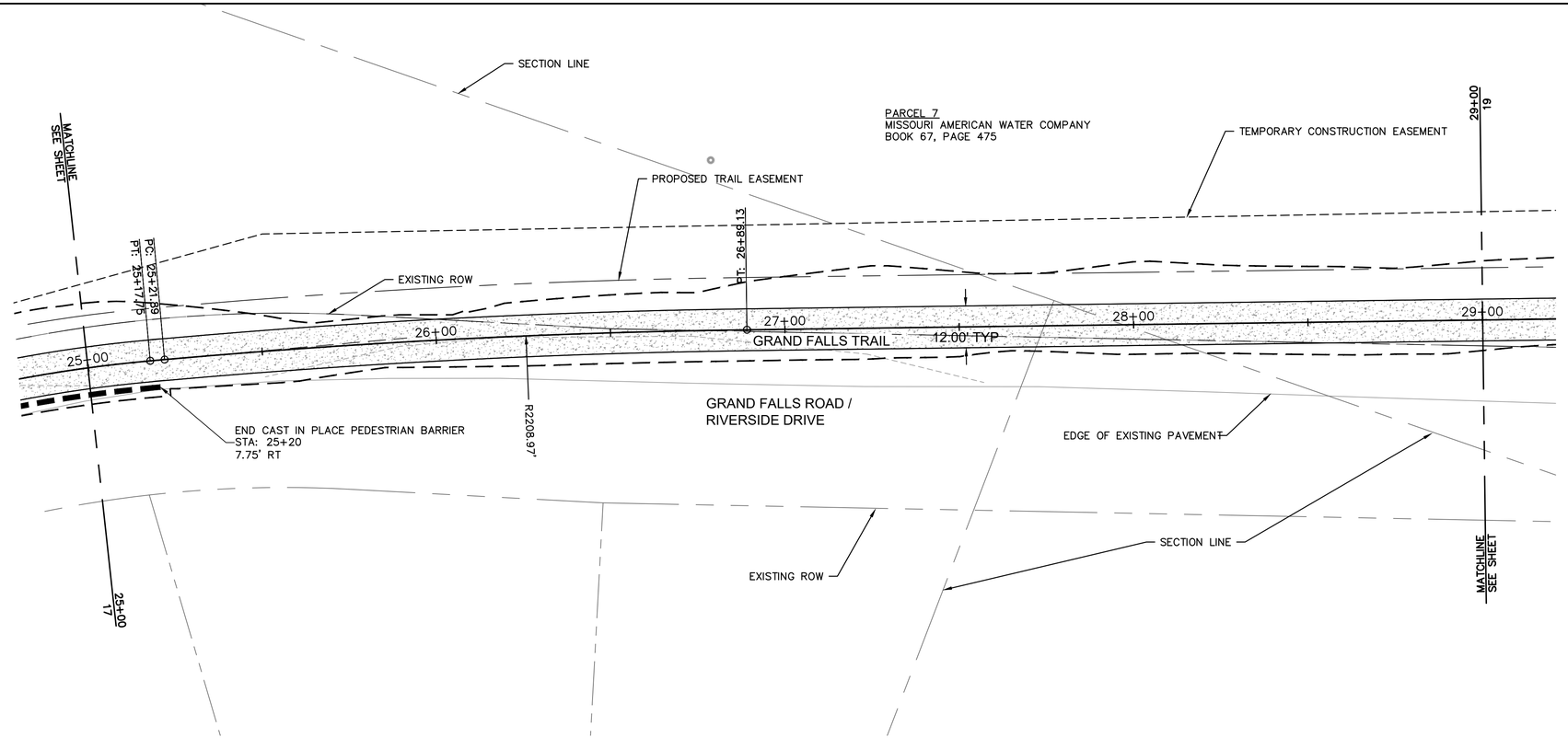
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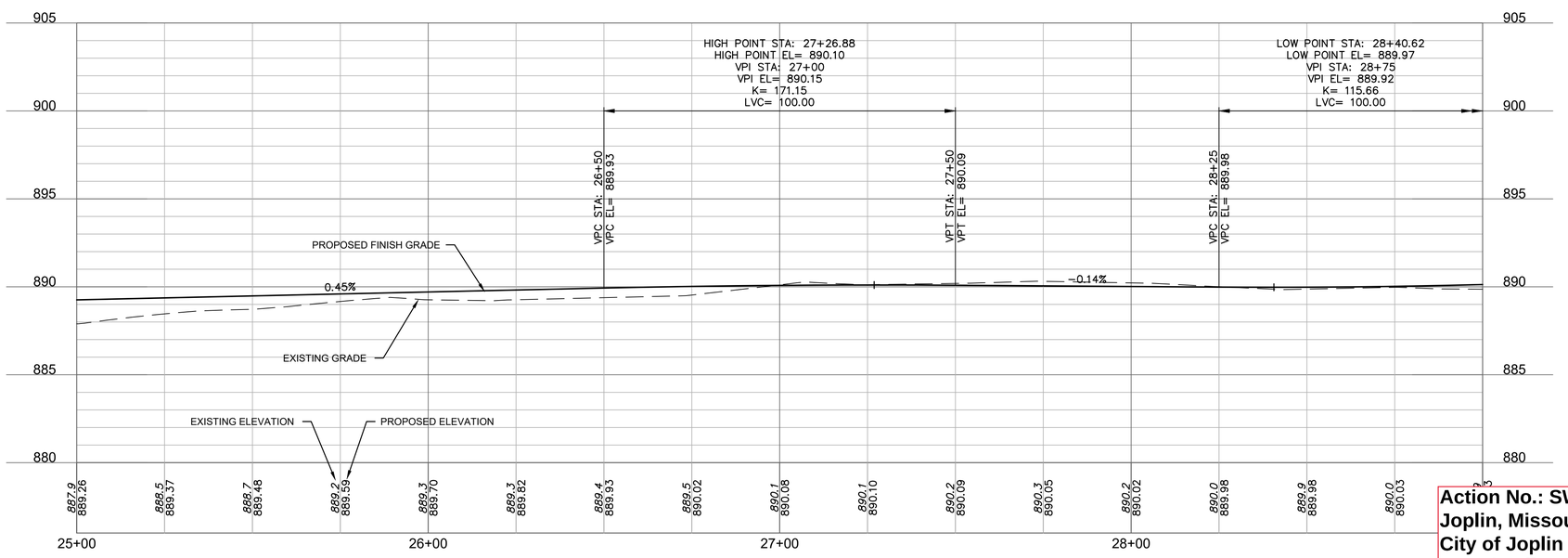
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GRAND FALLS TRAIL (25+00 - 29+00)



LEGEND

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8' 4' 2' 0'

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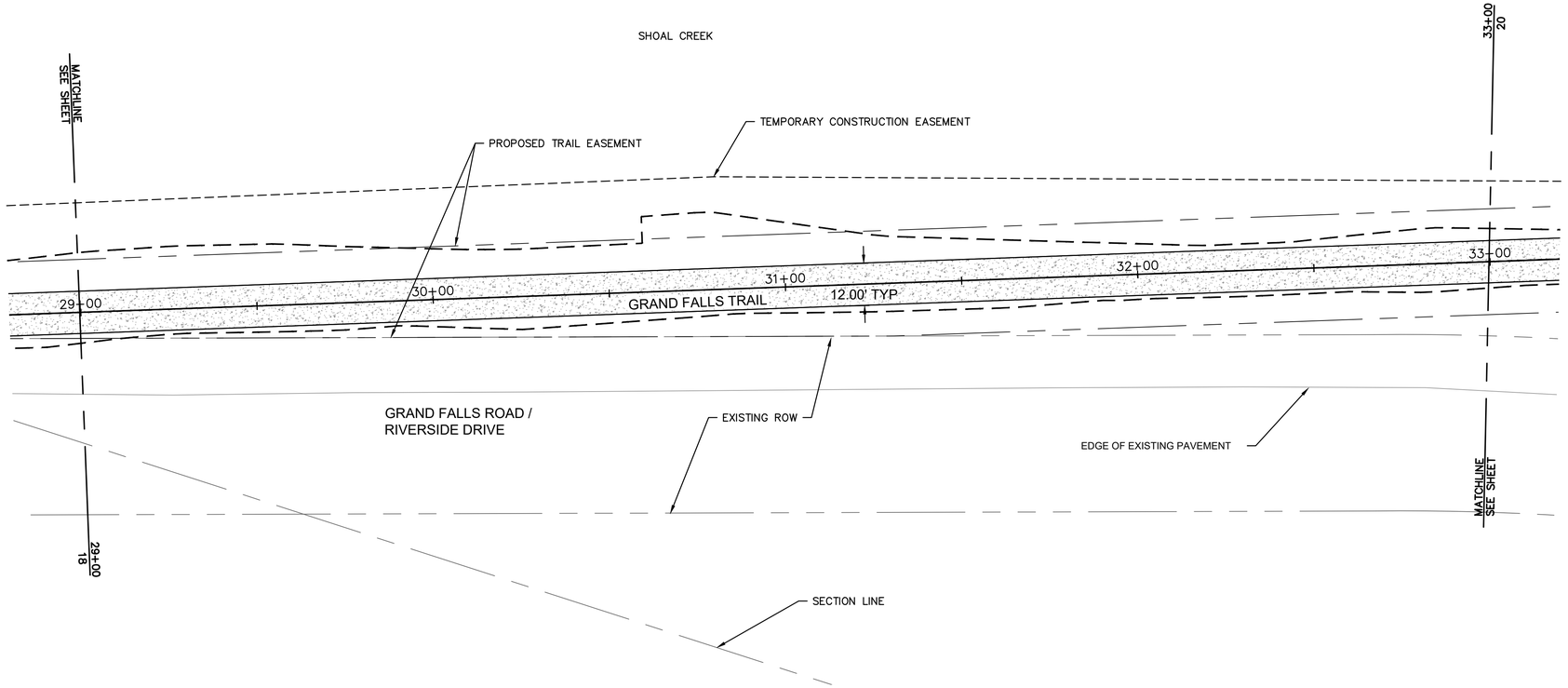
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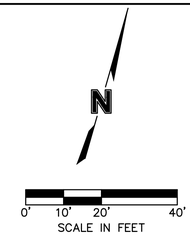
JOPLIN, MISSOURI

2022

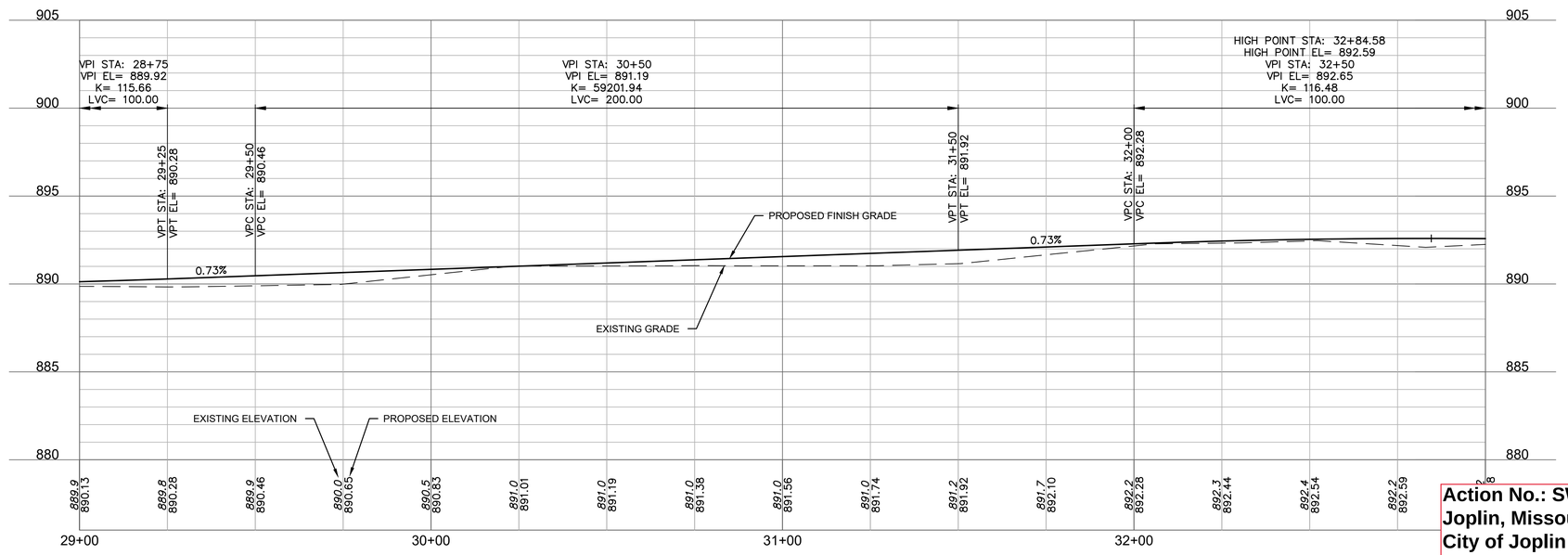
Action No.: SWL 2024-00414
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Grand Falls Trail and Parking Lot Development Project
T. 27 N., R. 33 W., Section 28
July 2025 **Page 12 of 22**

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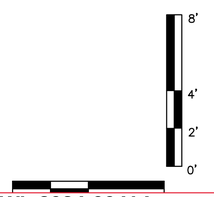


GRAND FALLS TRAIL (29+00 - 33+00)



LEGEND

- CONCRETE TRAIL
- CONCRETE BOARDWALK
- GRAVEL PARKING AREA
- GRADING LIMITS
- WETLAND BOUNDARY
- CONCRETE ABUTMENT
- PROPOSED TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT



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REV. NO.	DATE	REVISIONS DESCRIPTION	BY
		REVISIONS	

TRAIL PLAN AND PROFILE

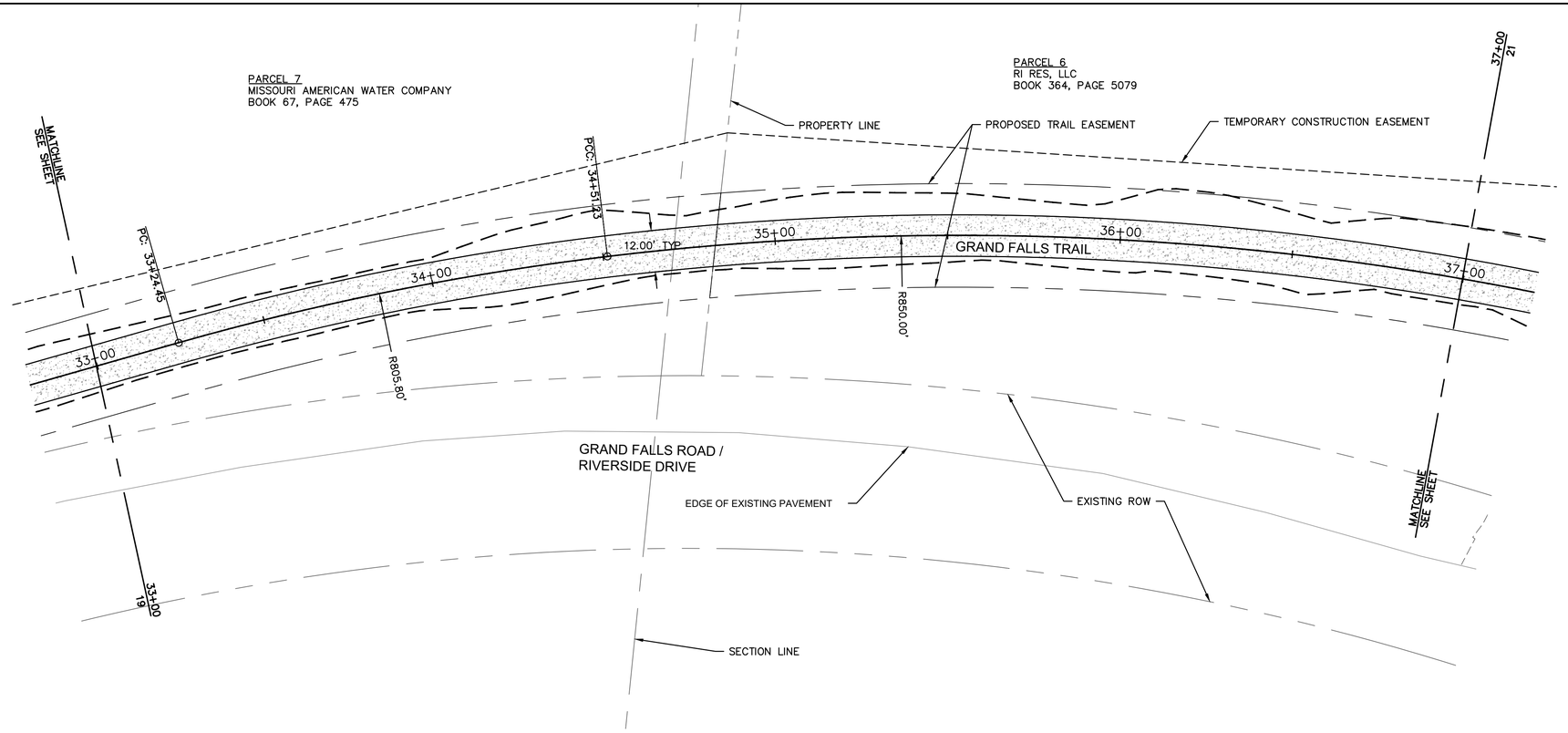
GRAND FALLS TRAIL PROJECT

JOPLIN, MISSOURI

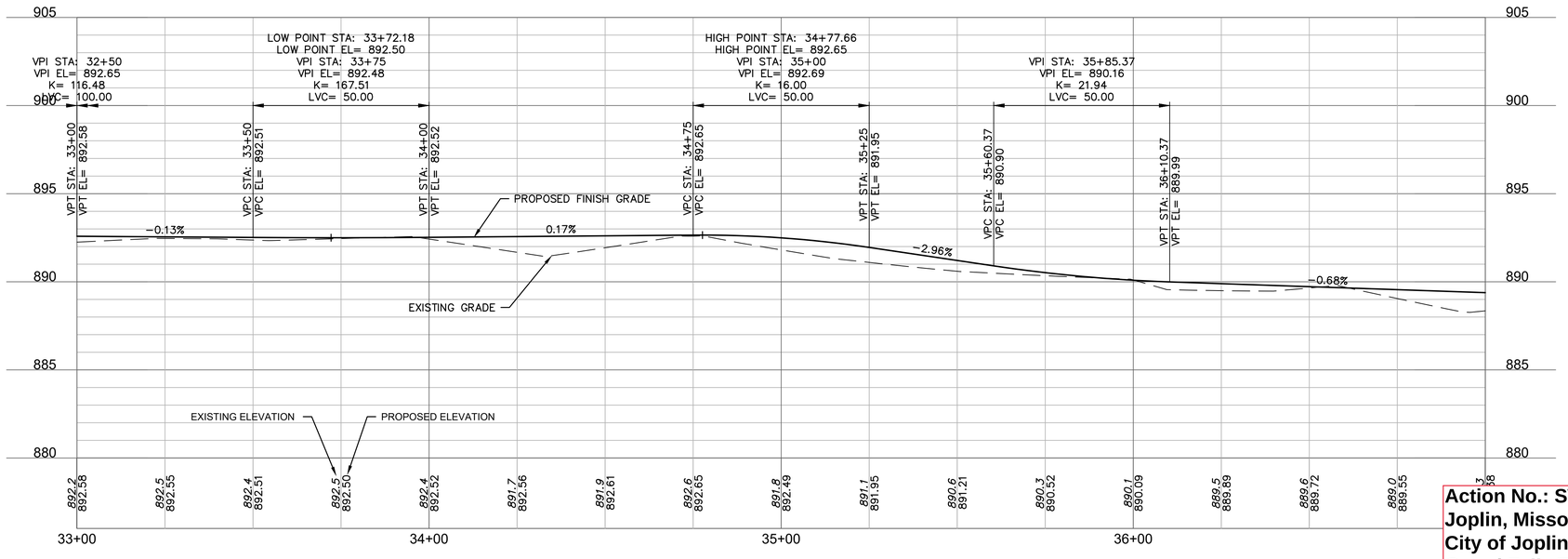
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July 2025

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GRAND FALLS TRAIL (33+00 - 37+00)



LEGEND

- CONCRETE TRAIL
- CONCRETE BOARDWALK
- GRAVEL PARKING AREA
- GRADING LIMITS
- WETLAND BOUNDARY
- CONCRETE ABUTMENT
- PROPOSED TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

8' 4' 2' 0'

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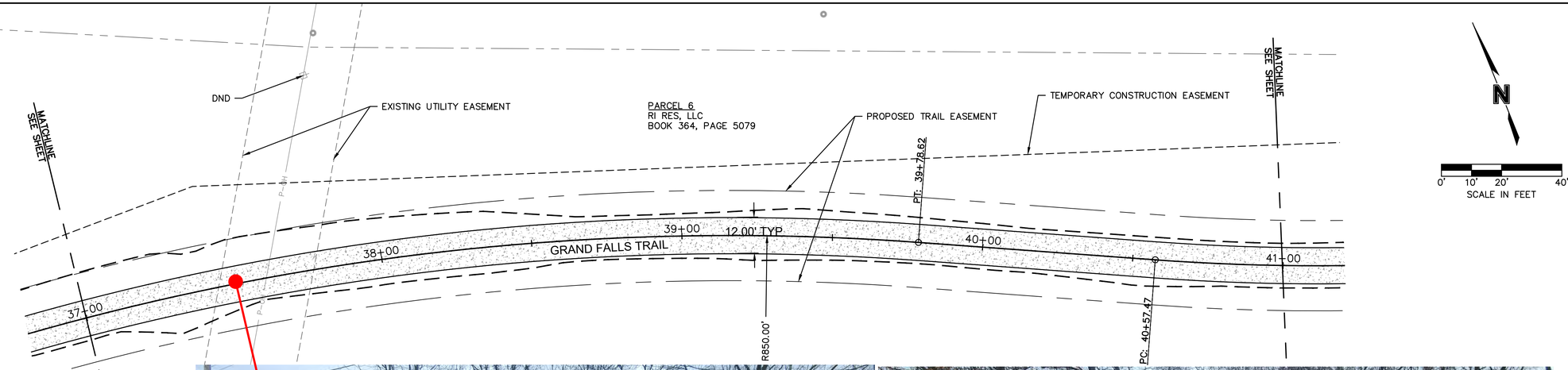
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OPLIN, MISSOURI

2022

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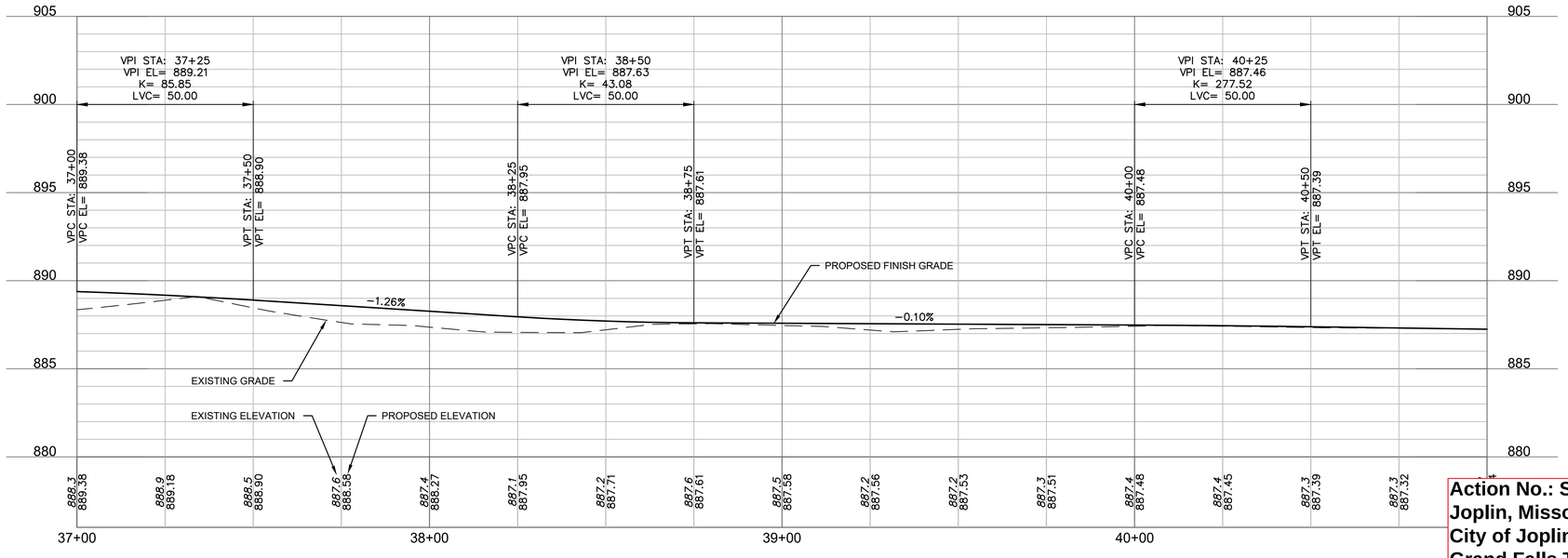
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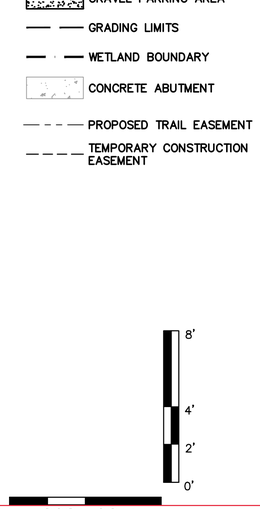






GRAND FALLS TRAIL (37+00 - 41+00)





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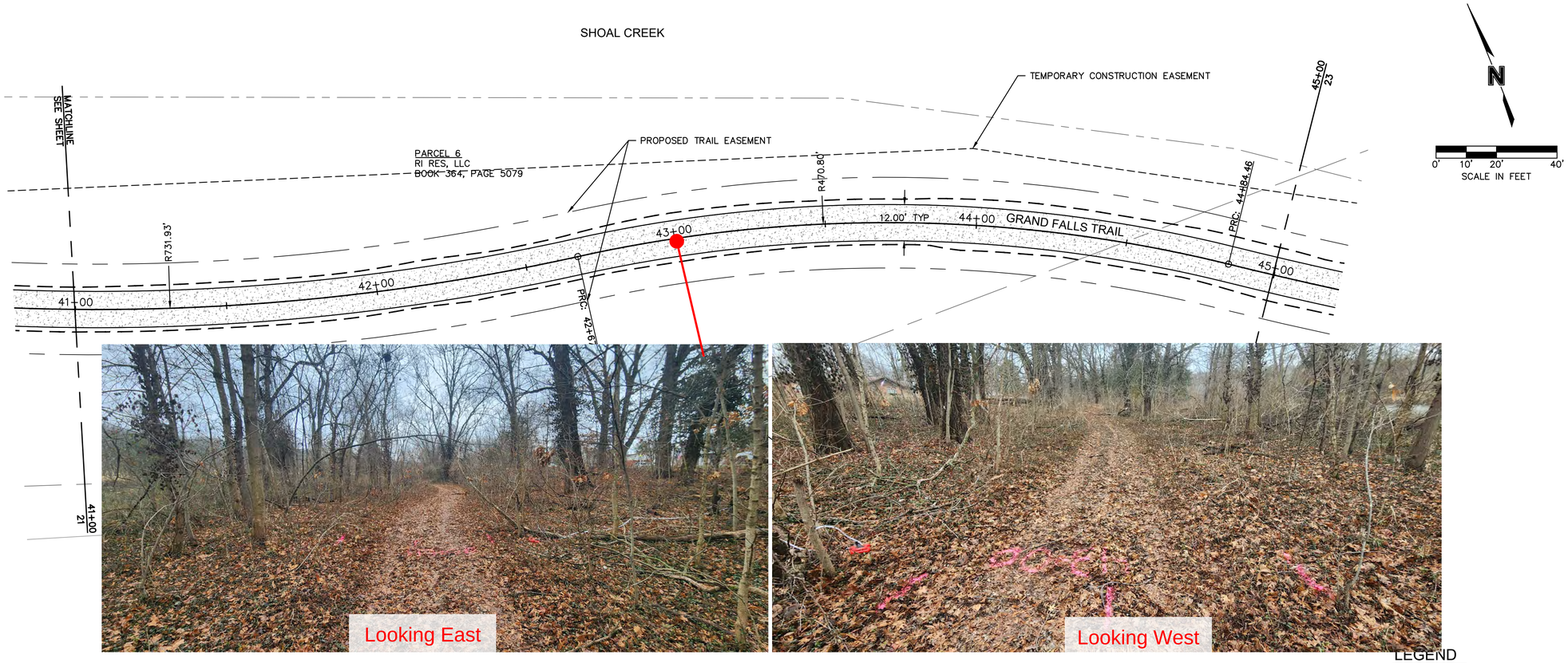
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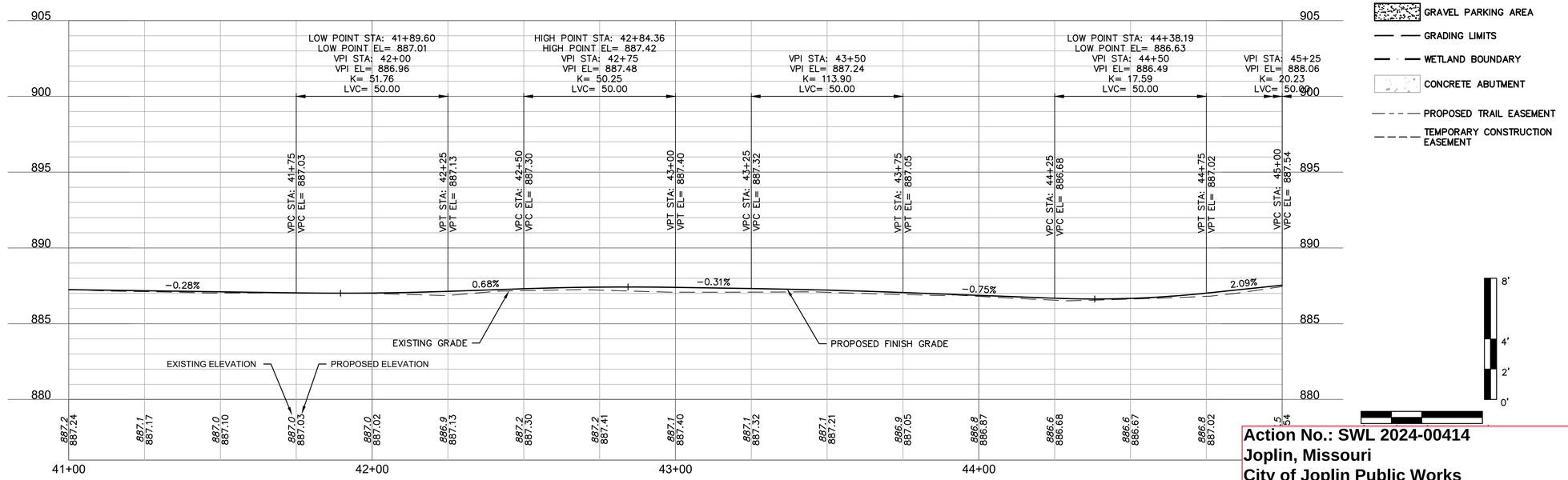
GRAND FALLS TRAIL PROJECT

JOPLIN, MISSOURI

2022

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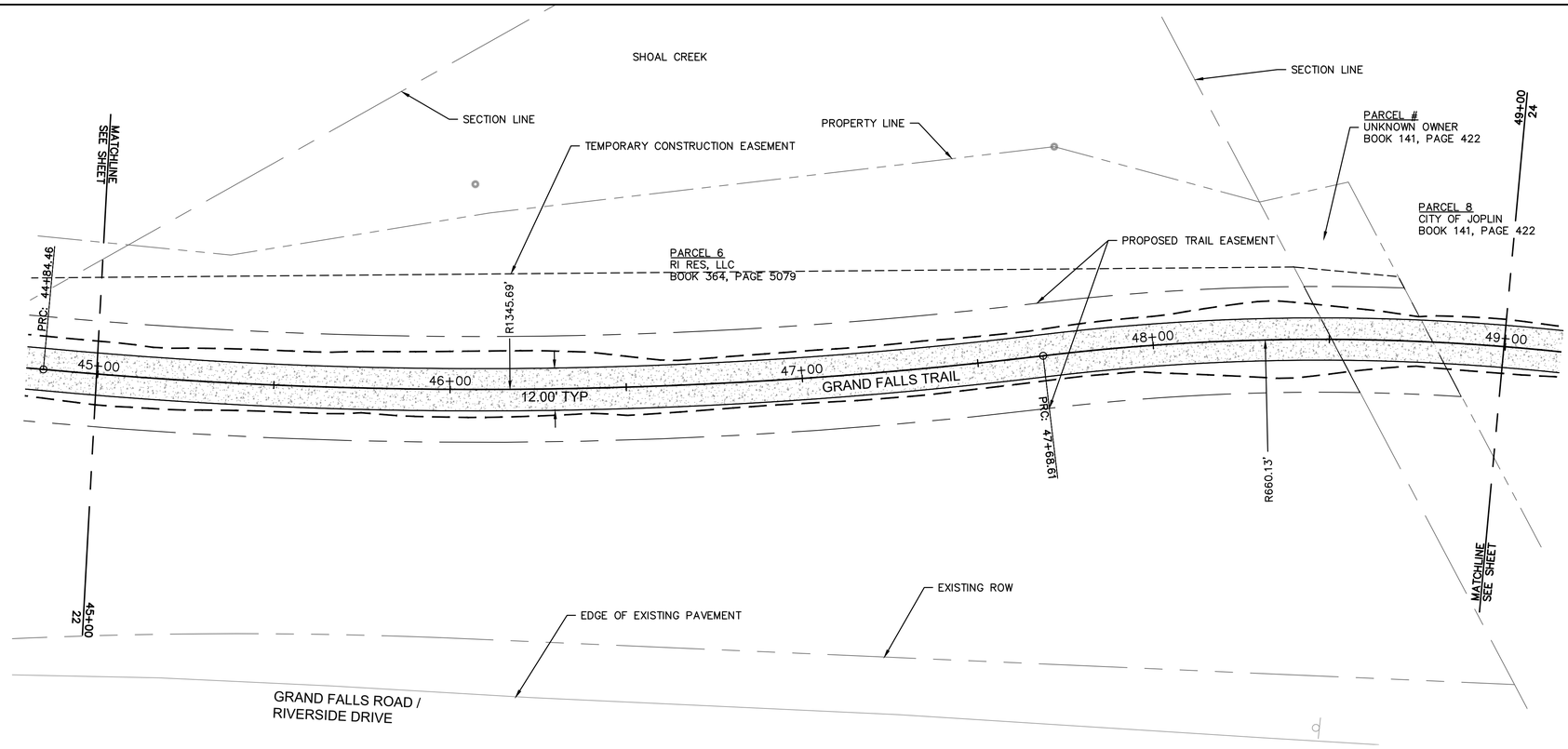
GRAND FALLS TRAIL PROJECT

JOPLIN, MISSOURI

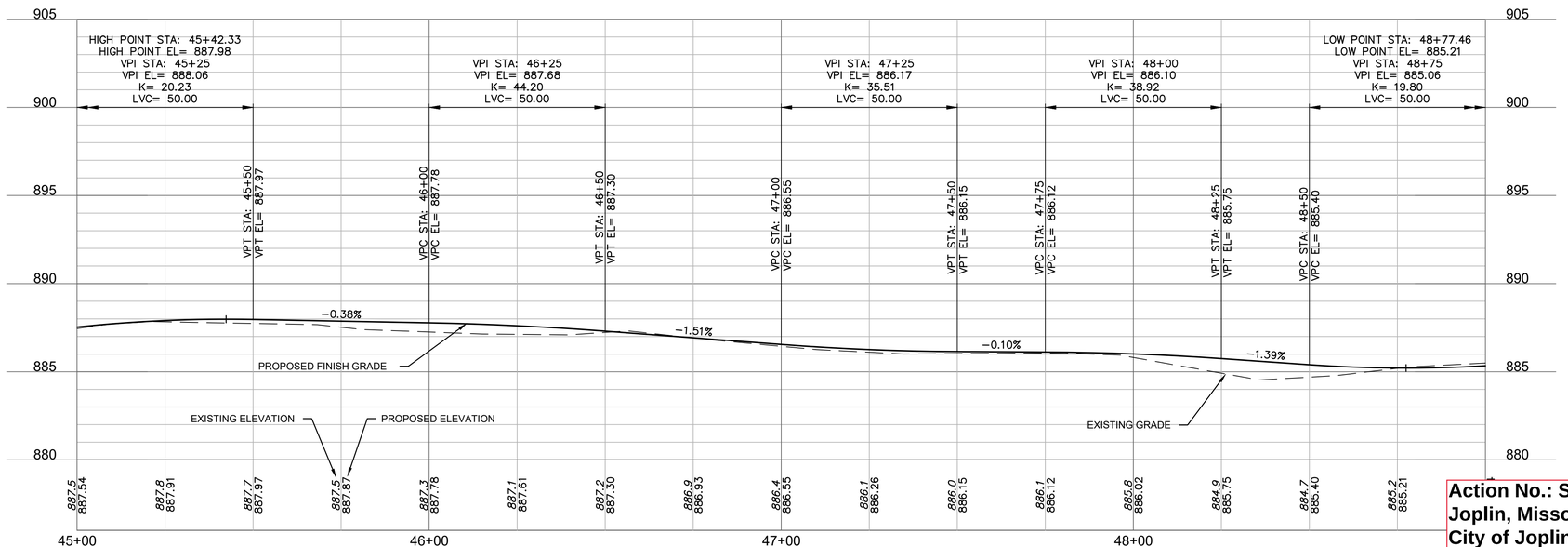
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GRAND FALLS TRAIL (45+00 - 49+00)



LEGEND

- CONCRETE TRAIL
- CONCRETE BOARDWALK
- GRAVEL PARKING AREA
- GRADING LIMITS
- WETLAND BOUNDARY
- CONCRETE ABUTMENT
- PROPOSED TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

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TRAIL PLAN AND PROFILE

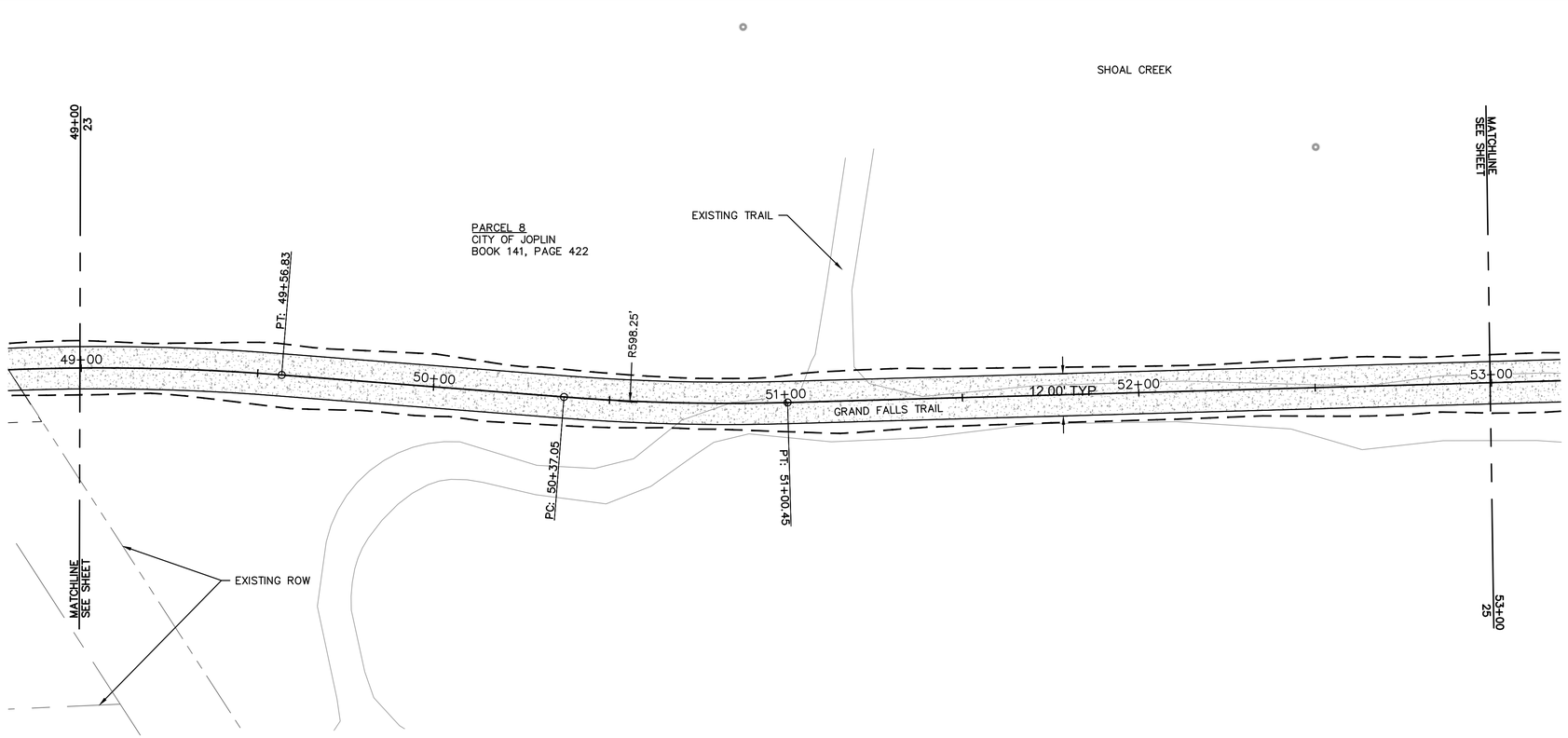
GRAND FALLS TRAIL PROJECT

JOPLIN, MISSOURI

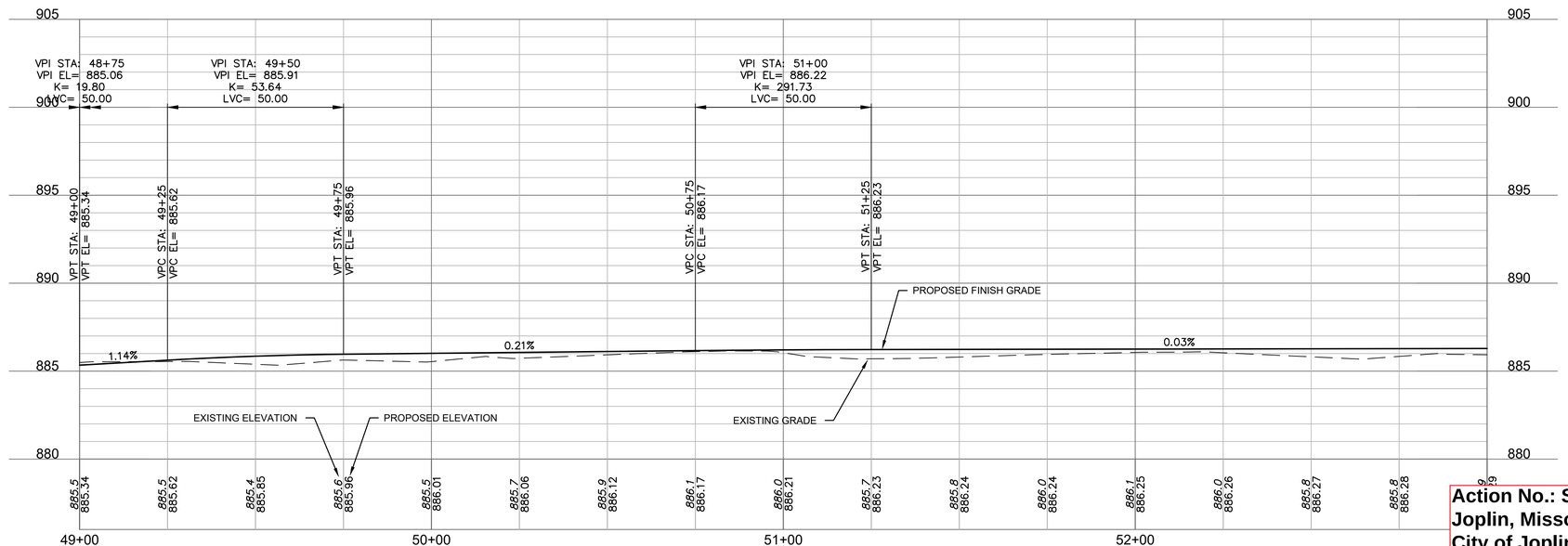
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USER: mmayforth



GRAND FALLS TRAIL (49+00 - 53+00)



LEGEND

- CONCRETE TRAIL
- CONCRETE BOARDWALK
- GRAVEL PARKING AREA
- GRADING LIMITS
- WETLAND BOUNDARY
- CONCRETE ABUTMENT
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- TEMPORARY CONSTRUCTION EASEMENT

8' 4' 2' 0'

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TRAIL PLAN AND PROFILE

GRAND FALLS TRAIL PROJECT

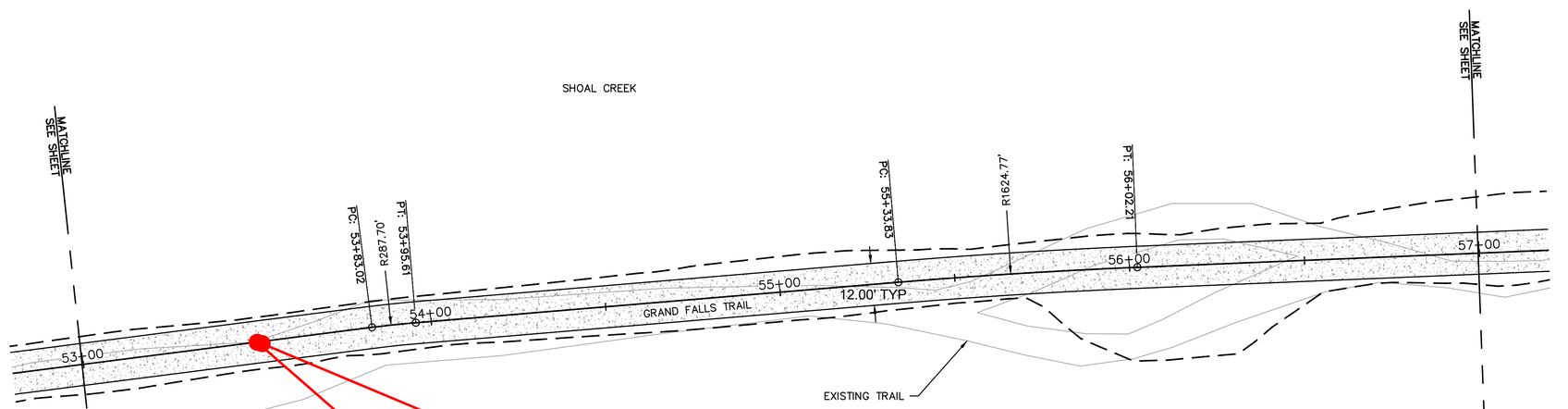
JOPLIN, MISSOURI

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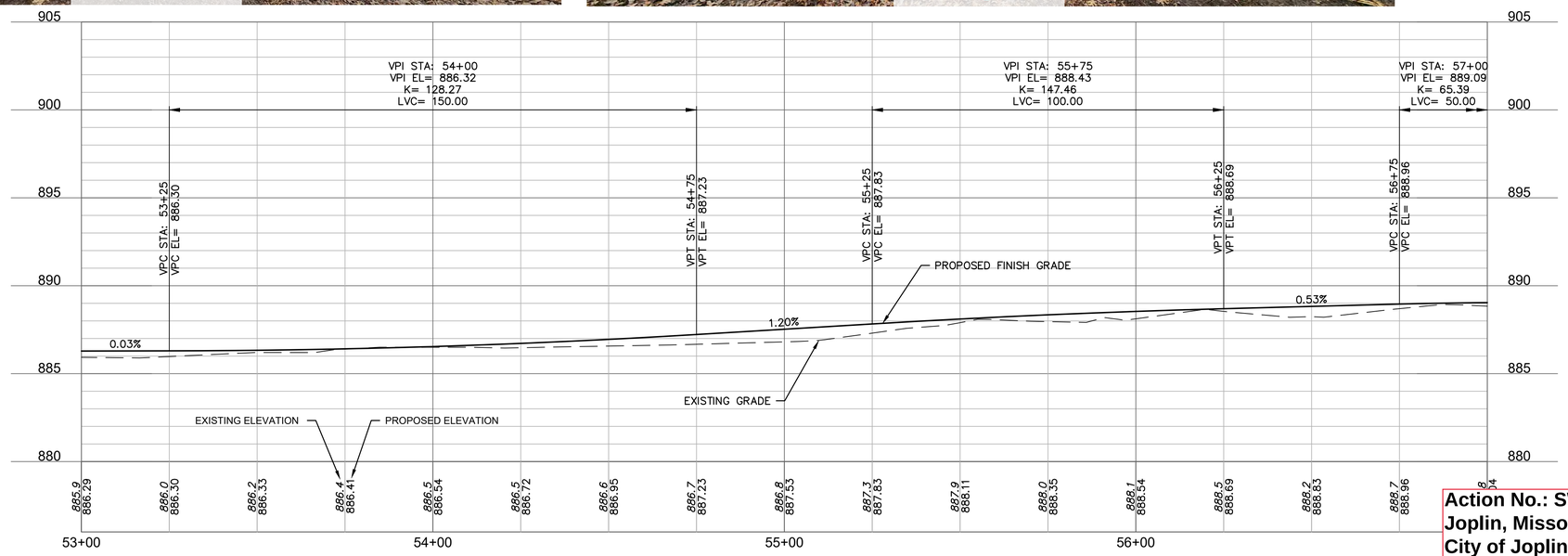
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LEGEND

- CONCRETE TRAIL
- CONCRETE BOARDWALK
- GRAVEL PARKING AREA
- GRADING LIMITS
- WETLAND BOUNDARY
- CONCRETE ABUTMENT
- PROPOSED TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

8' 4' 2' 0'

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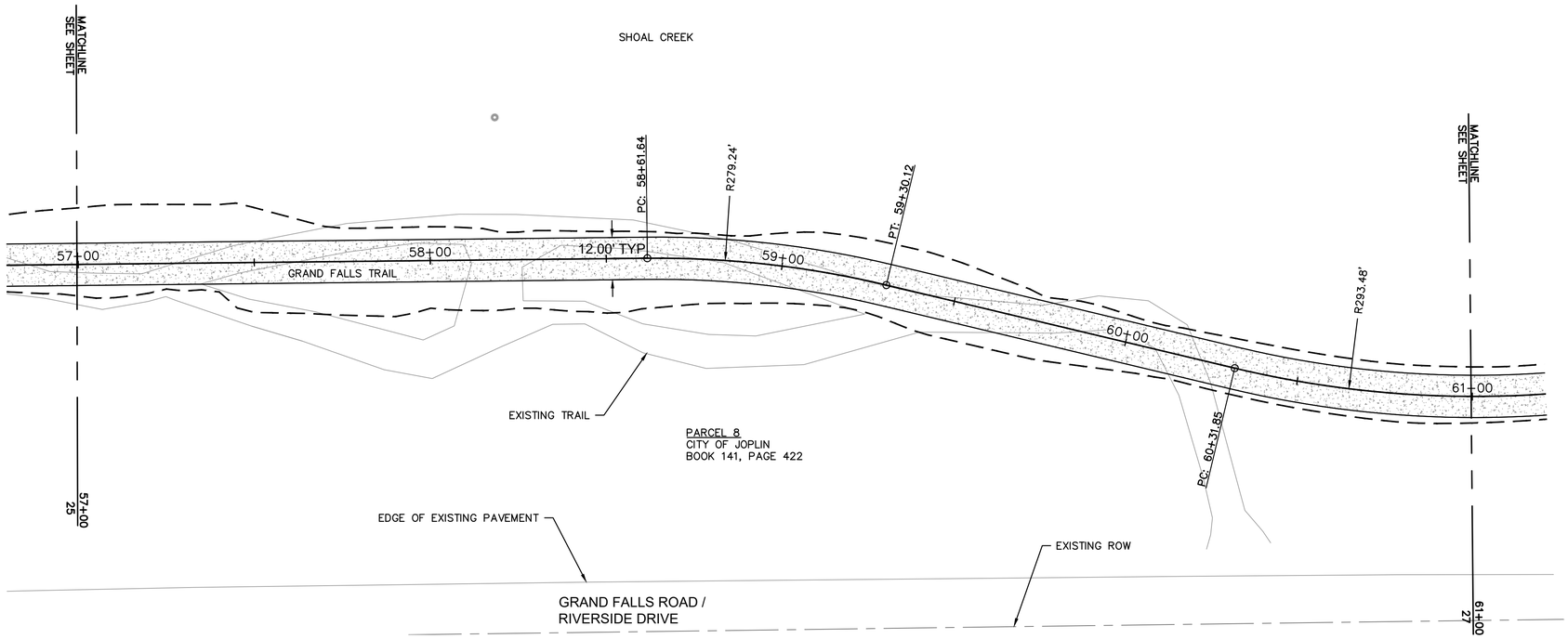
TRAIL PLAN AND PROFILE

GRAND FALLS TRAIL PROJECT

OPLIN, MISSOURI

2022

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T. 27 N., R. 33 W., Section 28
July 2025



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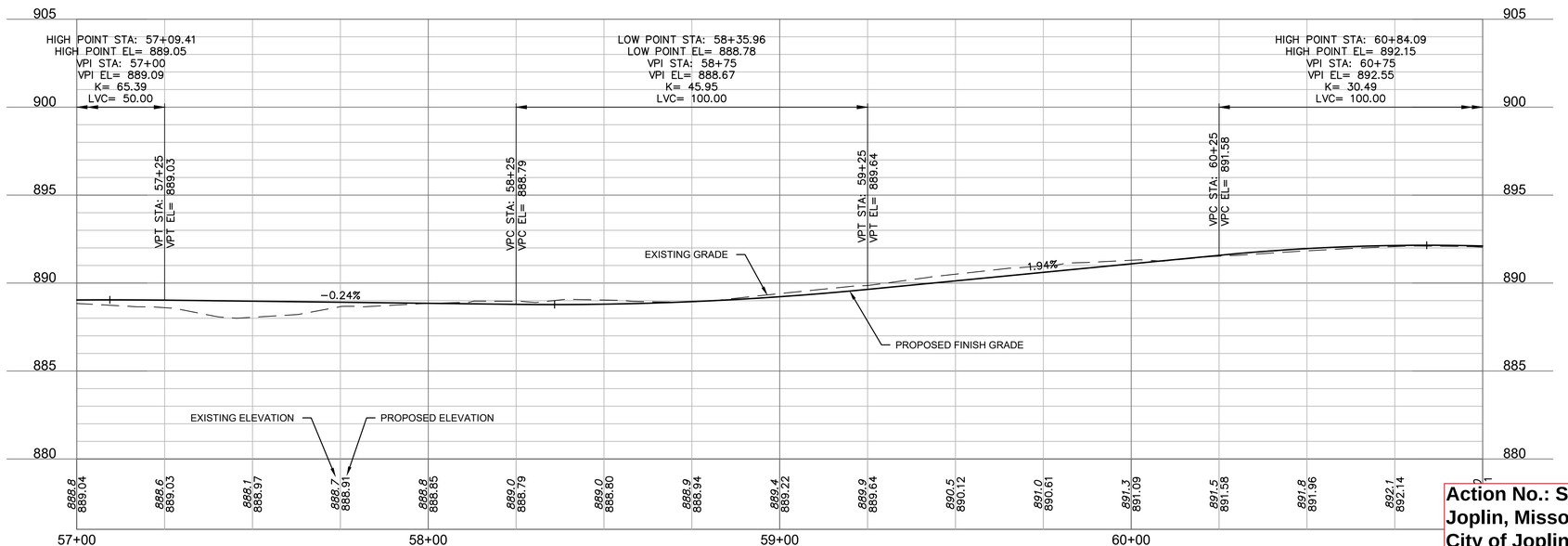
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SCALE IN FEET

LEGEND

- CONCRETE TRAIL
- CONCRETE BOARDWALK
- GRAVEL PARKING AREA
- GRADING LIMITS
- WETLAND BOUNDARY
- CONCRETE ABUTMENT
- PROPOSED TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

GRAND FALLS TRAIL (57+00 - 61+00)



8'
4'
2'
0'

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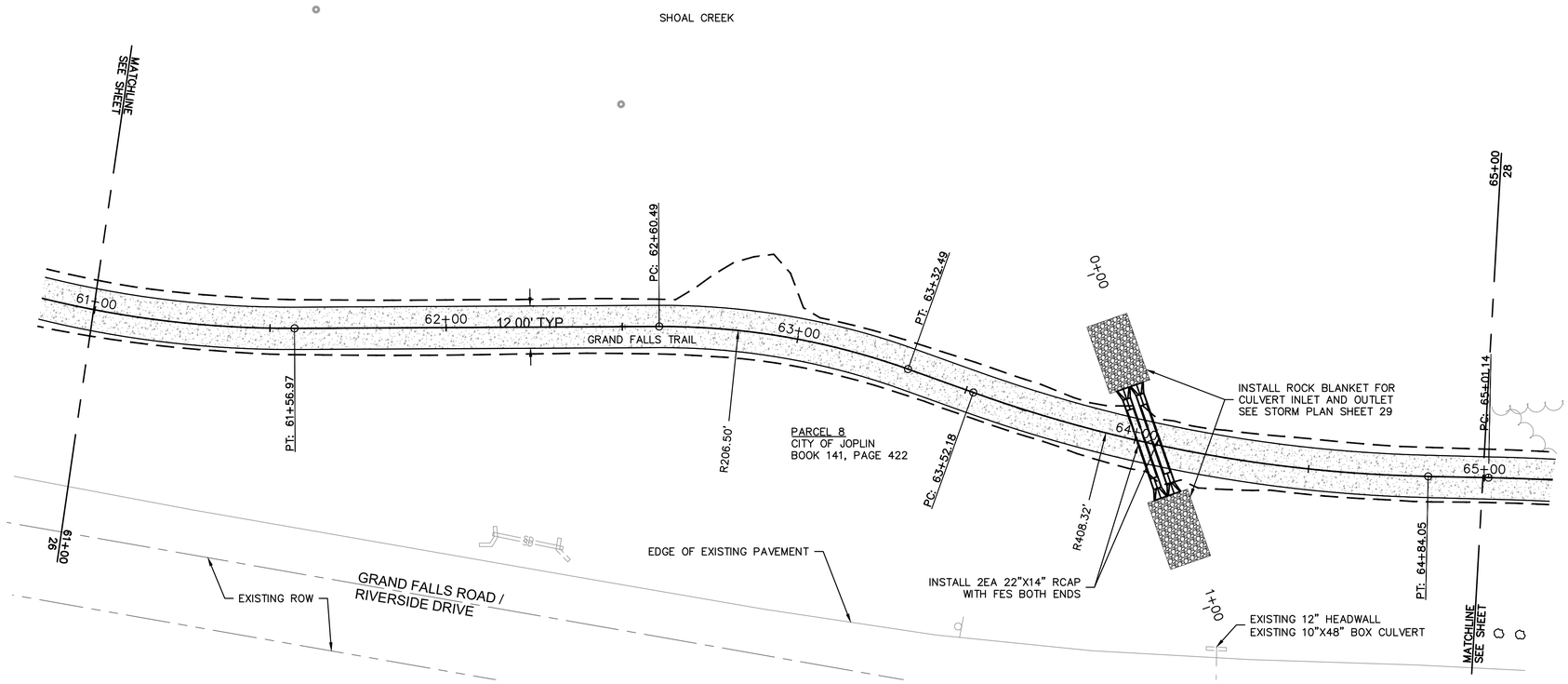
GRAND FALLS TRAIL PROJECT

JOPLIN, MISSOURI

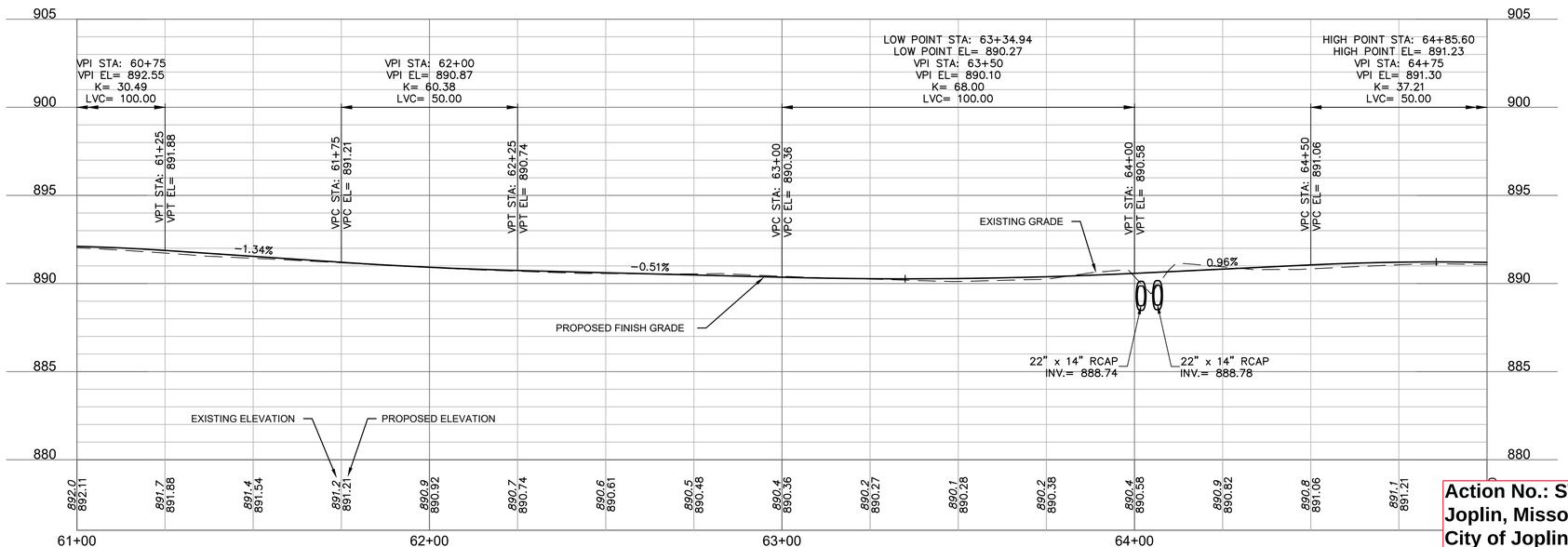
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GRAND FALLS TRAIL (61+00 - 65+00)



LEGEND

- CONCRETE TRAIL
- CONCRETE BOARDWALK
- GRAVEL PARKING AREA
- GRADING LIMITS
- WETLAND BOUNDARY
- CONCRETE ABUTMENT
- PROPOSED TRAIL EASEMENT
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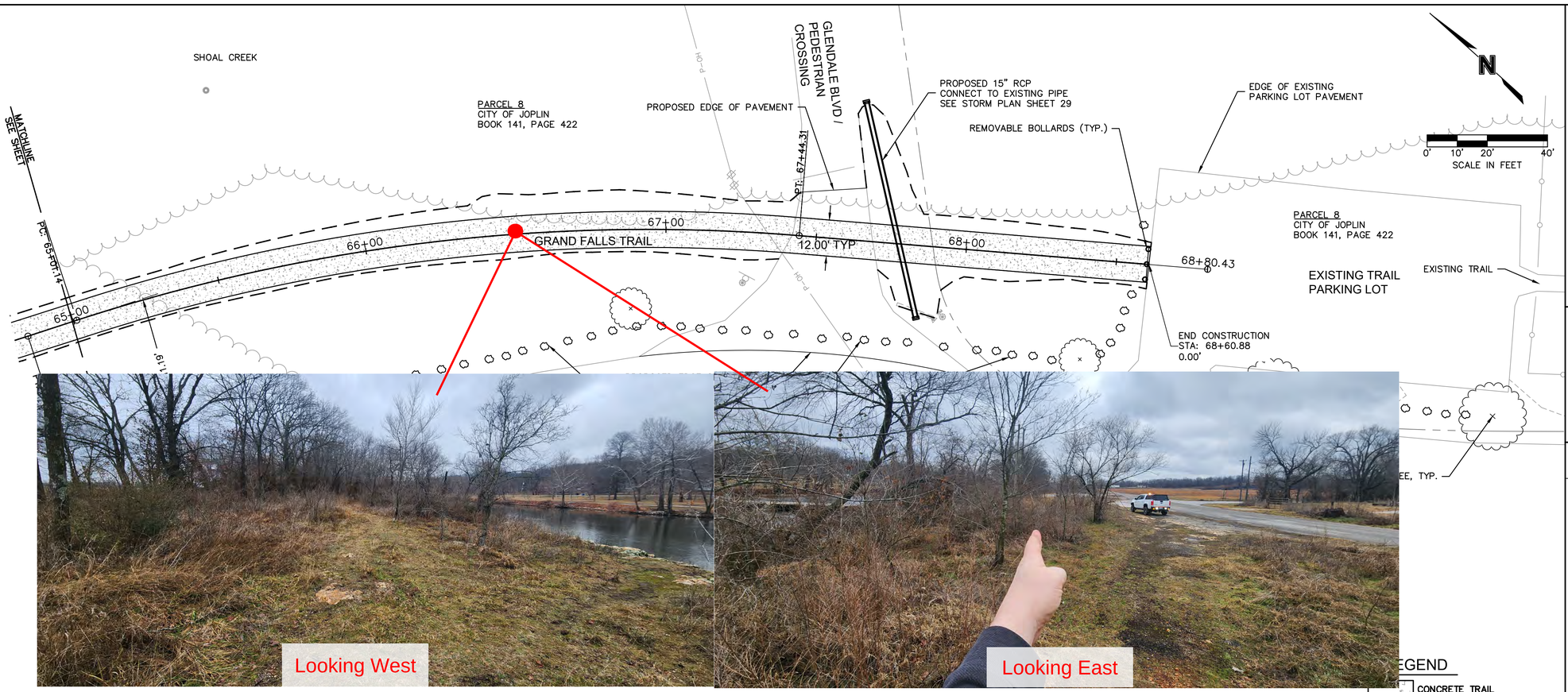
TRAIL PLAN AND PROFILE

GRAND FALLS TRAIL PROJECT

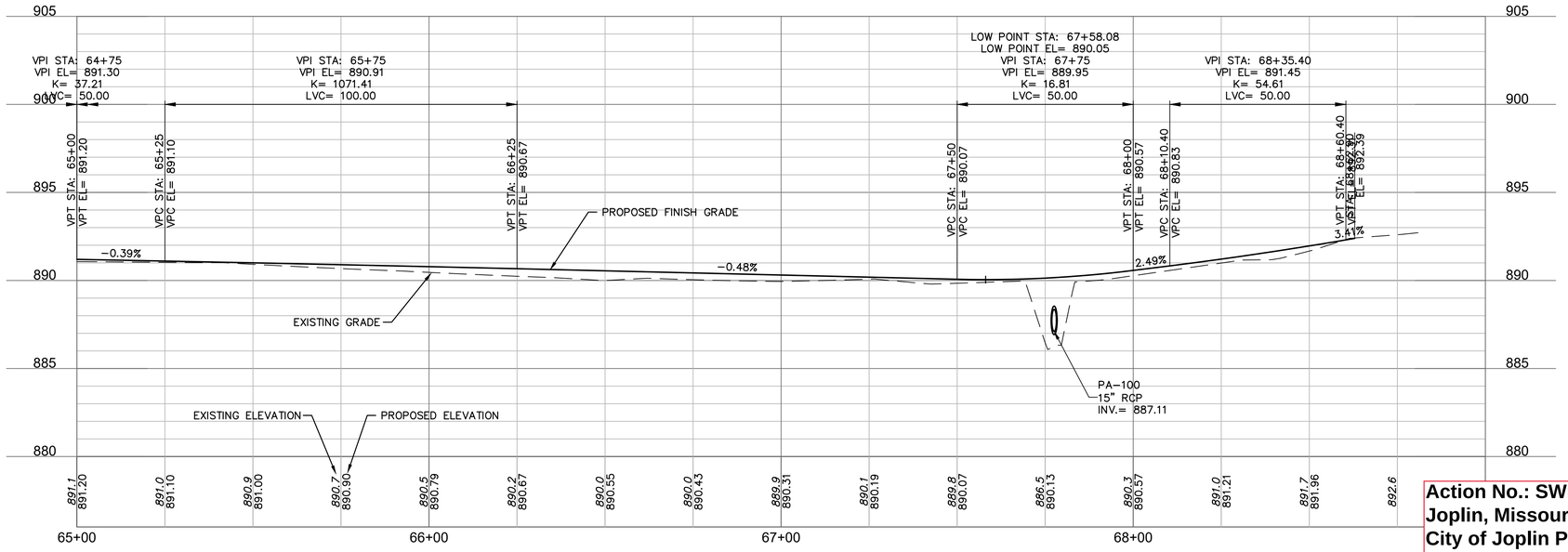
JOPLIN, MISSOURI

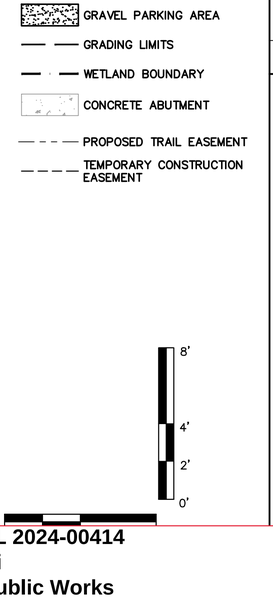
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GRAND FALLS TRAIL (65+00 - 69+00)





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GRAND FALLS TRAIL PROJECT

JOPLIN, MISSOURI

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Nationwide Permit No. 42

Recreational Facilities. Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of recreational facilities. Examples of recreational facilities that may be authorized by this NWP include playing fields (e.g., football fields, baseball fields), basketball courts, tennis courts, hiking trails, bike paths, golf courses, ski areas, horse paths, nature centers, and campgrounds (excluding recreational vehicle parks). This NWP also authorizes the construction or expansion of small support facilities, such as maintenance and storage buildings and stables that are directly related to the recreational activity, but it does not authorize the construction of hotels, restaurants, racetracks, stadiums, arenas, or similar facilities.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authority: Section 404)

2021 Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48 or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Structures and Fills. Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding "activities that are reasonably certain to occur" and "consequences caused by the proposed action."

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a

copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at http://www.fws.gov/ or http://www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/esa/ respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties. (a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. Permittees that discover any previously unknown historic, cultural, or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction

notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate, or the adverse environmental effects of the proposed activity are no more than minimal and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate, or the adverse environmental effects of the proposed activity are no more than minimal and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to

ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. (a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1⁄3-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

(Transferee)

_____

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30-day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN, and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization

but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A

letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so, contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life, or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the single and complete crossings of waters of the United States that require PCNs to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings of waters of the United States authorized by an NWP. If an applicant requests a waiver of an applicable limit, as provided for in NWPs 13, 36, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the

NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by an NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters. The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure that the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

Further Information

1. District engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

Nationwide Permit Definitions

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term "discharge" means any discharge of dredged or fill material into waters of the United States.

Ecological reference: A model used to plan and design an aquatic habitat and riparian area restoration, enhancement, or establishment activity under NWP 27. An ecological reference may be based on the structure, functions, and dynamics of an aquatic habitat type or a riparian area type that currently exists in the region where the proposed NWP 27 activity is located. Alternatively, an ecological reference may be based on a conceptual model for the aquatic habitat type or riparian area type to be restored, enhanced, or established as a result of the proposed NWP 27 activity. An ecological reference takes into account the range of variation of the aquatic habitat type or riparian area type in the region.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s) but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps Regulatory Program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project

that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance but are still reasonably foreseeable.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. The loss of stream bed includes the acres of stream bed that are permanently adversely affected by filling or excavation because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters or wetlands for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the United States.

Navigable waters: Waters subject to section 10 of the Rivers and Harbors Act of 1899. These waters are defined at 33 CFR part 329.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of flowing or standing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of "open waters" include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: The term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

Perennial stream: A perennial stream has surface water flowing continuously year-round during a typical year.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required, and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a

gain in aquatic resource function but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a course substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands next to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term "single and complete project" is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of "independent utility"). Single and complete non-linear projects may not be "piecemealed" to avoid the limits in an NWP authorization.

Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized jurisdictional stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat

ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a jurisdictional wetland that is inundated by tidal waters. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line.

Tribal lands: Any lands title to which is either: 1) held in trust by the United States for the benefit of any Indian tribe or individual; or 2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.
Tribal rights: Those rights legally accruing to a tribe or tribes by virtue of inherent sovereign authority, unextinguished aboriginal title, treaty, statute, judicial decisions, executive order or agreement, and that give rise to legally enforceable remedies.

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWPs, a waterbody is a "water of the United States." If a wetland is adjacent to a waterbody determined to be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)).

June 26, 2025

City of Joplin Public Works
ATTN: Dan Johnson
602 S. Main Street
Joplin, MO 64801

RE: SWL-2025-00039 in Newton County

City of Joplin Public Works:

The Missouri Department of Natural Resources' Water Protection Program has reviewed your request for Clean Water Act (CWA) Section 401 Water Quality Certification (WQC) to accompany the U.S. Army Corps of Engineers' (USACE) Permit for Nationwide Permit 14 for "Linear Transportation Projects."

The proposed project does not comply with the State of Missouri's 2021 programmatic general WQC condition 11; therefore, an individual WQC is required. General condition 11 states that individual Water Quality Certification is required for a project occurring on a water body listed on the 303(D) list for a sediment-related impairment

The proposed project is located in Section 28, Township 27 North, Range 33 West in Newton County, MO. Approximate coordinates for the proposed project are 37.032146°N, 94.541310°W.

According to Missouri Water Quality Standards [10 CSR 20-7.031], Shoal Creek, Water Body Identification Number 3222, is classified for 50.20 miles as a permanently flowing water with the designated beneficial uses [10 CSR 20-7.031(1)(F)] of: warm water habitat, cool water habitat; drinking water supply; industrial water supply; irrigation; livestock and wildlife protection; secondary contact recreation; recreation in and on the water - whole body contact category A; and human health protection – fish consumption.

This WQC is being issued under Section 401 of Public Law 95-217, the CWA of 1977 and subsequent revisions. Pursuant to Section 121.7(d), this office certifies the proposed project will comply with Missouri water quality requirements, provided the following conditions are met:

1. Missouri Water Quality Standards antidegradation requirements dictate all appropriate and reasonable Best Management Practices (BMPs) related to erosion and sediment control, project stabilization, and prevention of water quality degradation are applied and maintained [10 CSR 20-7.031(3)(D)]; for example, preserving vegetation, streambank stability, and basic drainage.

Because Shoal Creek is impaired for Zinc in the sediment, special care shall be taken to select appropriate BMPs to prevent re-entrainment and deposition of contaminated sediments.

BMPs shall be properly installed prior to conducting authorized activities and maintained, repaired, and/or replaced as needed during all phases of the project to limit the amount of discharge of water contaminants to waters of the state. The project shall not involve more than normal stormwater or incidental loading of sediment caused by project activities so as to comply with Missouri's general water quality criteria [10 CSR 20-7.031(4)].

2. The stream channel shall not be relocated, straightened, cut-off, shortened, widened, or otherwise modified. BMPs shall be implemented for adjacent land disturbing activities to ensure streambed gradient is not adversely impacted during project construction and accelerated bed or bank erosion does not occur. This will ensure compliance with the Missouri Water Quality Standards general criterion requiring waters to be free from physical, chemical, or hydrologic changes that would impair the natural biological community [10 CSR 20-7.031(4)(H)].

3. Only clean, nonpolluting fill should/shall be used. The following materials are not suitable where contact with water is expected and shall not be used due to their potential to cause violations of the general criteria of Missouri's Water Quality Standards [10 CSR 20-7.031(4)]:
    a. Earthen fill, gravel, and broken concrete where the material does not meet the Suitable Material specifications stated in the "Missouri 2021 Nationwide Permit Regional Conditions" (https://www.mvr.usace.army.mil/Portals/48/docs/regulatory/2022%20Nationwide%20Permits/ENCL2%202022%20MO%20Regional%20Conditions.pdf?ver=-4e6YQZU7fqQ56Quyg26zA%3D%3D) in locations where erosive flows are expected to occur on a regular basis, such as streambanks and/or lake shorelines.
    b. Asphalt.
    c. Concrete with exposed rebar.
    d. Tires, vehicles or vehicle bodies, and construction or demolition debris are solid waste and are excluded from placement in the waters of the state.
    e. Liquid concrete, including grouted riprap, if not placed in forms as part of an engineered structure.
    f. Any material that would result in violation of Missouri Water Quality Standards general criteria [10 CSR 20-7.031(4)] or specific criteria [10 CSR 20-7.031(5)].

4. Waste concrete or concrete rinsate shall be disposed of in a manner that does not result in any discharge to the jurisdictional water ways. This will ensure compliance with the Missouri Water Quality Standards general criteria requiring waters be free from unsightly bottom deposits [10 CSR 20-7.031(4)(A)]; substances resulting in toxicity to human, animal, or aquatic life [10 CSR 20-7.031(4)(D)]; and physical, chemical, or hydrologic changes that would impair the natural biological community [10 CSR 20-7.031(4)(H)].

5. Clearing of vegetation and trees shall be the minimum necessary to accomplish the activity except for the removal of invasive or noxious species and placement of ecologically beneficial practices. This will ensure compliance with the Missouri antidegradation requirement for BMPs [10 CSR 20-7.031(3)(D)].

6. All efforts shall be made to minimize exposure of unprotected soils. When possible, clearing and grading shall be done in phases, starting further from the stream and maintaining a vegetated buffer, to ensure minimal sediment is made available for transport. To the best of your or your contractor's ability, project activity shall be conducted at times of little or no rainfall to limit the amount of overland flow as well as sediment disturbance and transport caused by heavy equipment. This will ensure compliance with the Missouri antidegradation requirement for BMPs [10 CSR 20-7.031(3)(D)] and general criteria [10 CSR 20-7.031(4)].

7. Disturbed riparian area, banks, upland, etc., shall be restored to a stable condition to protect water quality as soon as possible. Seeding, mulching, and needed fertilization should be initiated immediately and completed within three days of final contouring. To ensure erosion of soil and deposition of sediment in waters of the state are not occurring from this project, on-site inspections of these areas should be conducted as necessary until successful revegetation and stabilization have been achieved. This will ensure compliance with the Missouri antidegradation requirement for BMPs [10 CSR 20-7.031(3)(D)].

8. Sand, gravel, or other materials shall not be stockpiled within the channel, placed against the banks, or otherwise disposed of in a manner that will redirect erosive forces within the channel or threaten the stability of the channel or the bank lines. This will ensure compliance with the Missouri Water Quality Standards antidegradation requirement that waters of the state shall be maintained and protected [10 CSR 20-7.031(3)] and general criterion requiring waters to be free from physical, chemical, or hydrologic changes that would impair the natural biological community [10 CSR 20-7.031(4)(H)].

9. Any stockpiled material shall be managed with appropriate BMPs or removed from the site and placed beyond the high bank on a non-wetland site. This will ensure compliance with the Missouri Water Quality Standards antidegradation requirement that waters of the state shall be maintained and protected [10 CSR 20-7.031(3)] and general criterion requiring waters to be free from physical, chemical, or hydrologic changes that would impair the natural biological community [10 CSR 20-7.031(4)(H)].

10. Care shall be taken to keep machinery out of the water way as much as possible. If work in the water way is unavoidable, it shall be performed during low-flow conditions and in a way that minimizes the duration and amount of any disturbance to banks, substrate, and vegetation to prevent increases in turbidity. This will ensure compliance with the Missouri Water Quality Standards antidegradation requirement for BMPs [10 CSR 20-7.031(3)(D)] and general criteria [10 CSR 20-7.031(4)].

11. Fuel, oil and other petroleum products, equipment, construction materials, and any solid waste shall not be stored below the ordinary high-water mark at any time or in the adjacent flood-prone areas beyond normal working hours. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent waters as a result of this operation. This will ensure compliance with the Missouri Water Quality Standards antidegradation requirement for BMPs [10 CSR 20-7.031(3)(D)] and Missouri Water Quality Standards general criteria requiring waters be free from substances preventing beneficial uses [10 CSR 20-7.031(3)(A)]; substances causing unsightly color or turbidity [10 CSR 20-7.031(4)(C)]; and physical, chemical, or hydrologic changes that would impair the natural biological community [10 CSR 20-7.031(4)(H)].

12. Petroleum products spilled into any water or on the banks where the material may enter waters of the state shall be cleaned up immediately and disposed of properly. Any such spills of petroleum shall be reported as soon as possible, but no later than 24 hours after discovery to the department's Environmental Emergency Response phone line at 573-634-2436 or website at http://dnr.mo.gov/env/esp/esp-eer.htm. This will ensure compliance with Missouri Environmental Improvement Authority [Section 260.015, RSMo] to provide for the conservation of state water resources by the prevention of pollution and proper methods of disposal and Missouri Water Quality Standards general criteria requiring waters be free from substances that prevent maintenance of beneficial uses; cause unsightly color, turbidity, or toxicity; and/or impair the natural biological community [10 CSR 20-7.031(4)(A), -(B) -(H)].

13. The quality of downstream water supplies shall not be adversely affected by this project. Any water supply intakes or other activities which may be affected by suspended solids and turbidity increases caused by work in the watercourse shall be investigated and sufficient notice given to the owners to allow preparation for any changes in water quality. The department's Water Protection Program's Public Drinking Water Branch may be contacted by phone at 573-526-0269 for the presence of drinking water supply intakes. This condition will ensure compliance with Missouri Safe Drinking Water Law [Section 640.100.1, RSMo] and Missouri's general water quality criteria [10 CSR 20-7.031(4)(A)-(H)].

14. Due to the potential re-entrainment of sediments contaminated by Zinc, precautions shall be taken with excavated material to prevent the re-entrainment and deposition of contaminants. Unless materials excavated from the bed and bank of the stream are tested and show Zinc with contamination levels below the 150 percent of the Probable Effects Concentration (PEC), there shall be no deposition or disposal of excavated bed or bank materials into the river unless it is capped with riprap and/or geotextile fabrics immediately after clearing and grading. Excess excavated bed and bank materials not tested to show contamination levels below the 150 percent of the Probable Effects Concentration (PEC) and not capped and stabilized, shall be disposed of at an appropriate off-site disposal facility. Work shall be done as quickly as possible, during low flows and water levels, and when precipitation is not anticipated. The table below lists the applicable PEC thresholds for Zinc. This condition represents Missouri requirements

based on the CWA Section 305(b) report and Missouri Water Quality Standards. This will ensure compliance with the Missouri Antidegradation requirement for maintenance and protection of designated uses [10 CSR 20-7.031(3)] and general water criteria [10 CSR 20-7.031(4)(D), (F), and (G)].

Pollutant	PEC	150% PEC	Units
Zinc, Zn	459	688.5	mg/kg

This WQC is based on the plans as submitted, reviewed, and certified in compliance with the procedures defined in 40 CFR Part 121. Should any project modifications occur, please contact the department to determine whether the WQC remains valid or needs to be modified.

Where the project proponent becomes aware that it failed to submit any relevant facts in a WQC request, or submitted incorrect information in a WQC request or in any report to the department, it shall promptly submit such facts for information.

Land disturbance activities disturbing one or more acres of total area for the entire project or less than one acre for sites that are part of a common promotional plan of development or sale may require a stormwater permit. This will ensure compliance with CWA Section 402 National Pollutant Discharge Elimination System Permit requirements under Missouri Clean Water Law [Section 644.026.1, RSMo]. Instructions on how to apply for and receive the online land disturbance permit are located at https://dnr.mo.gov/data-e-services/water/electronic-permitting-epermitting; for technical assistance contact the ePermitting hotline at 573-526-2082 or toll free at 855-789-3889. Questions regarding permit requirements may be directed to the department's Land Disturbance Permit Coordinator at 573-526-1139.

The city of Joplin is covered under a Municipal Separate Storm Sewer System Permit MO- with measures to control stormwater. The stormwater requirements of the Stormwater Management Plan and any related ordinances are not replaced or superseded by acquisition of a WQC. This ensures compliance with CWA Section 402 National Pollutant Discharge Elimination System Permit requirements under Missouri Clean Water Law [Section 644.026.1, RSMo].

Pursuant to Chapter 644, RSMo, commonly referred to as the Missouri Clean Water Law, and fee regulations under 10 CSR 20-6.011(2)(H)1., this WQC shall be valid only upon payment of a fee of $150. The enclosed invoice contains the necessary information on how to submit your fee. Payment must be received within 10 business days of receipt of this WQC.

If you were adversely affected by this decision, you may be entitled to an appeal before the Administrative Hearing Commission (AHC) pursuant to Section 621.250, RSMo. To appeal, you must file a petition with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC. Contact information for the AHC is: Administrative Hearing Commission, United States

Post Office Building, Third Floor, 131 West High Street, P.O. Box 1557, Jefferson City, MO 65102; phone: 573-751-2422; fax: 573-751-5018; and website: https://ahc.mo.gov.

This WQC is part of the USACE's permit. Water Quality Standards must be met during any operations authorized. If you have any questions, please contact Lauren Roberts by mail at Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176; phone at 573-522-3524; or email at lauren.roberts@dnr.mo.gov. Thank you for working with the department to protect our aquatic resources.

Sincerely,

WATER PROTECTION PROGRAM



John Hoke
Director

JH:lrj

c: Fiscal Management Section, Budget and Fees Unit

US Army Corps
of Engineers
Kansas City District

STATE OF MISSOURI
2021 NATIONWIDE PERMIT REGIONAL CONDITIONS

For All Nationwide Permits

1. Stream Crossings. In addition to requirements of General Condition 2 and General Condition 9 of the Nationwide Permits, the following guidelines for stream crossings apply for regulated activities in waters of the United States (WOTUS). The guidelines are available at:
https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll11/id/6216

- Corps Districts may waive RC 1 when project site geomorphology (i.e. bedrock, gradient) or existing alterations (i.e. adjacent impoundment, as part of a dry detention basin) creates conflict with the guidelines. The applicant must provide Pre-construction Notification (PCN) to the District Engineer for any waiver request.

2. Seasonal Restrictions for Activities Proposed in Spawning Areas. In addition to the requirements of General Condition 3 of the Nationwide Permits, the following specific seasonal restrictions apply for regulated activities in WOTUS. Between the closed dates listed in the Missouri Combined Stream Spawning List, the permittee must not excavate from or discharge into the listed waters. The list of waters with seasonal restrictions is available on request from the Corps or at:
https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll11/id/6215

- Corps Districts may waive RC 2 when the applicant demonstrates imminent threats to public safety and health, or to property. The Corps will consult with the U.S. Fish and Wildlife Service and Missouri Department of Conservation before granting the waiver and may add additional special conditions to protect aquatic life during the operation. The applicant must PCN to the District Engineer for any waiver request.

3. Suitable Material. In addition to the specific examples in General Condition 6 of the Nationwide Permits, the following materials are not suitable for fill activities in WOTUS: garbage, tires, treated lumber products that do not comply with the Registration Documents issued by the U.S. Environmental Protection Agency (USEPA) under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and that are not in accordance with standards issued by American Wood Protection Association of the International Code Council, liquid concrete not poured into forms, grouted riprap, bagged cement and sewage or organic waste.

- Broken concrete used as bank stabilization must be reasonably well graded, consisting of pieces varying in size from 20 pounds up to and including at least 150-pound pieces to withstand expected high flows. Applicants must break all large slabs to conform to the well graded requirement. Generally, the maximum weight of any piece should not be more than 500 pounds. Gravel and dirt should not exceed 15% of the total fill volume when using broken concrete as fill. All protruding reinforcement rods, trash, asphalt, and other extraneous materials must be removed from the broken concrete prior to placement in WOTUS.

4. Priority Watersheds. The applicant must provide PCN to the District Engineer for any regulated activity in a priority watershed. The list of priority watersheds requiring notification is available on request from the Corps or at:
https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll11/id/6217

5. Sensitive Aquatic Species. The applicant must provide PCN to the District Engineer for any regulated activity in waters listed at: https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll11/id/6218. The submitted PCN will be coordinated in accordance with General Condition 32(d) with the U.S. Fish and Wildlife Service as determined appropriate by the Corps.

For Specific Nationwide Permits:

6. Lake of the Ozarks. The applicant must provide a PCN to the District Engineer for any regulated activity associated with Nationwide Permit 12, 57, and 58 within Lake of the Ozarks. A copy of this notification must also concurrently be sent to Ameren Missouri. Nationwide Permits 29 and 44 are revoked in the Lake of the Ozarks. The Corps and Ameren Missouri, regardless of the request to use any Nationwide Permit, may verify the activity under the provisions of Regional General Permit 38M, which can be found at https://www.nwk.usace.army.mil/Missions/Regulatory-Branch/General-Permits/. Additional information on Ameren Missouri and Lake of the Ozarks permit requirements can be found at the following webpage: https://www.ameren.com/missouri/residential/lake-of-the-ozarks/permitting-process-forms.

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Note: PCN to the District Engineer must be in accordance with General Condition 32 of the Nationwide Permits.

US Army Corps
of Engineers
Kansas City District

General Guidelines for Stream Crossings
Regional Condition 1

For all Nationwide Permits that involve the construction/installation of culverts and low water crossings, measures will be included in the construction, design, and installation that will allow for the passage of flows and promote the safe passage of fish and other aquatic organisms. The following General Guidelines are required to supplement General Condition (2) Aquatic Life Movements and General Condition (9) Management of Water Flows.

Culverts:

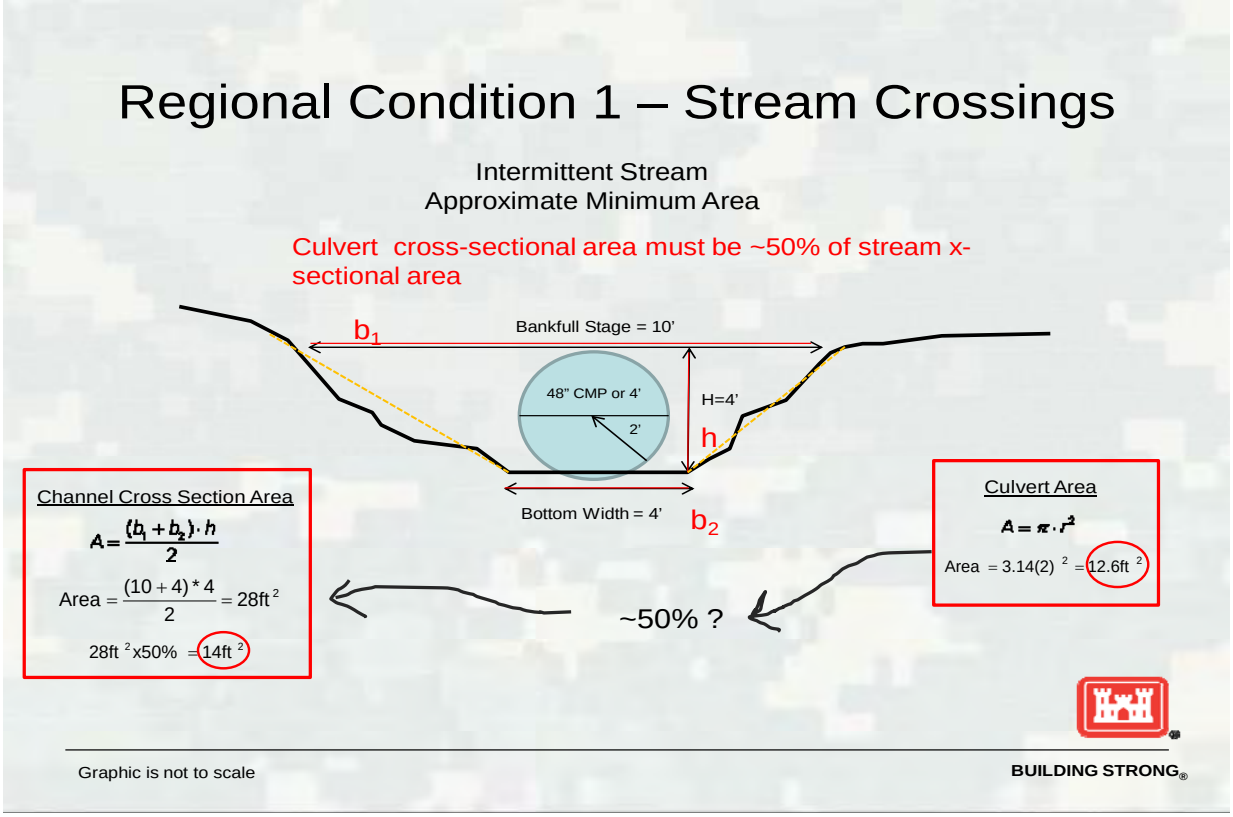
- New or replacement culverts (e.g., box or tubular, pipes, etc.) must be designed, sized, and placed correctly. Culverts perched above the grade of the stream are not allowed. This includes other in-stream structures placed at the inlet with the purpose to reduce sedimentation within the stream crossing. It is acceptable for a portion of the water to pass over the structure if it is designed to be overtopped. Culverts must be the shortest length necessary to meet the project purpose, and a single culvert is encouraged.

- Drop boxes or other structures placed at the inlet with the purpose to reduce sedimentation within the stream crossing are not allowed. Culvert must be the shortest length necessary to meet the project purpose.

- New or replacement culverts, in conjunction with the associated fill material, shall have an appropriately sized opening that allows water flow through and over the crossing that is relative to the bankfull area (See Image 1). For purposes of this regional condition, bankfull area is defined as the height and width of the stream channel within the project to the top of the high bank(s). In addition, if elevations differ on both sides of the stream the lowest elevation shall be used as the height. The following basic guidelines shall be used when designing new or replacement crossing projects:

Stream Type	% of crossing profile that shall remain open
Perennial	Designed to allow an 85% opening to include the culvert(s) and area above the crossing up to the bankfull area.
Intermittent	Designed to allow a 50% opening to include the culvert(s) and area above the crossing up to the bankfull area.
Ephemeral	Placed at a depth below or at the natural steam bottom to provide for passage during low flow conditions.

Image 1



- For permanent crossings, the culvert must be embedded and backfilled below the grade of the stream on both the upstream and downstream sides ≥ 1 foot for culverts >48 inches. On culverts ≤ 48 inches the bottom of the culvert must be placed at a depth below or at the natural stream bottom to provide for aquatic organism passage during low flow conditions. Culverts in streams with non-erodible beds (i.e. bedrock or stable clay) must be constructed flush with the stream bed, but do not need to be embedded. Culverts in streams with highly erodible beds must be embedded deeper to lessen the chance of future perching due to downstream degradation and may be accompanied with other grade control measures to prevent erosion while maintaining General Condition (2) Aquatic Life Movements.

Low Water Crossings:

- The applicant must notify the District Engineer when repairing, rehabilitating or replacing low water crossings when discharges of dredged or fill material would raise or lower the lowest elevation of the crossing.

- When replacing or removing low water crossings the applicant must propose and employ measures to mitigate for and minimize the potential of streambed headcutting where channel incision has occurred downstream of the structure and the structure is providing grade control that is preventing channel incision from migrating upstream.

US Army Corps
of Engineers
Kansas City District

Missouri Regional Condition #2 to Nationwide Permits
Seasonal Restrictions for Activities Proposed in Fish Spawning Areas
March 2021

ID	Stream Name	Downstream Boundary (From)	Upstream Boundary (To)	Closure Period	Listing Criteria	Length (Miles)	County
1	Baker Branch	the tributary (Unnamed Creek ⑦) confluence immediately downstream of CR-SW 1075	the upstream MDC boundary (Taberville Prairie CA)	15 May - 15 July	2,4,5	4.4	St. Clair
2	Barren Fork ①	its mouth (confluence with Tavern Creek)	MO-17	15 March - 15 June	2,4	2.9	Miller
3	Barren Fork ②	its mouth (confluence with Sinking Creek)	CR-A-D	15 Nov. - 15 Feb.	6	3.4	Shannon
4	Bass Creek	its mouth (confluence with Turkey Creek)	US-63	15 May - 15 July	2,5,7	4.4	Boone
5	Bear Creek	RT-A	the south section line (6, 33N, 24W)	15 March - 15 June	2,4	10.5	Cedar, Polk
6	Beaver Creek	Bull Shoals Lake (654' AMSL)	MO-76	15 March - 31 July	2,4	24.3	Taney
7	Big Buffalo Creek	Lake of the Ozarks (660' AMSL)	its headwaters	1 April - 30 June	2,5	10.8	Benton, Morgan
8	Big Cane Creek	the Missouri-Arkansas border	its source (convergence of Cane Creek & Little Cane Creek)	1 March - 15 June	2,7	4.2	Butler
9	Big Creek	its mouth (confluence with St. Francis River)	MO-143	15 March - 15 June	5,6	12.3	Wayne, Iron
10	Big Piney River	its mouth (confluence with Gasconade River)	MO-17	15 March - 15 June	2,4,6,7	84.8	Pulaski, Phelps, Texas
11	Big River	its mouth (confluence with Meramec River)	the upstream MDC boundary (Leadwood Access)	15 March - 15 June	2,6	108.4	Jefferson, Washington, St. Francois
12	Black River ①	the Missouri-Arkansas border	Clearwater Dam	1 Feb. - 15 June	2,4,6,7	91.8	Butler, Wayne
13	Black River ②	Clearwater Lake (498' AMSL)	its source (convergence of West Fork Black River & East Fork Black River)	1 April - 31 July	2,4	27	Reynolds
14	Blue River	the Missouri-Kansas border	RT-W (Bannister RD)	1 April - 30 June	4,7	10.8	Jackson
15	Blue Spring Branch	its mouth (confluence with Bois Brule Creek)	RT-M	1 Dec. - 31 March	2	6.3	Perry
16	Blue Springs Branch	its mouth (confluence with Blue Springs Creek)	its source (Blue Springs)	15 Nov. - 15 Feb.	6	0.2	Crawford
17	Blue Springs Creek	its mouth (confluence with Meramec River)	the confluence of Blue Springs Branch	15 Nov. - 15 Feb.	5,6	4.3	Crawford
18	Bonne Femme Creek	CR-Andrew Sapp RD	US-63	15 May - 15 July	2,5,7	9.8	Boone
19	Bourbeuse River	its mouth (confluence with Meramec River)	the confluence of Clear Creek	15 March - 15 June	2,4	139.6	Franklin, Crawford, Gasconade, Phelps
20	Brush Creek ①	its mouth (confluence with Shoal Creek)	its headwaters	15 March - 15 June	2,4,5	8.4	Caldwell
21	Brush Creek ②	its mouth (confluence with Sac River)	the south section line (6, 35N, 24W)	15 March - 15 June	1,2	13.8	St. Clair, Cedar, Polk
22	Brushy Fork	its mouth (confluence with Barren Fork)	MO-17	15 March - 15 June	2,4	2	Miller
23	Cahoochie Creek	its mouth (confluence with Thomas Creek)	the west section line (3, 36N, 20W)	15 March - 15 June	2,4	2.8	Dallas, Hickory
24	Cane Creek ①	its mouth (convergence with Little Cane Creek & source of Big Cane Creek)	the north section line (11, 22N, 5E)	1 Feb. - 15 June	2	5.5	Butler

25	Cane Creek ②	MO-158	the confluence of Tenmile Creek	1 Feb. - 15 June	2	14.2	Butler
26	Castor River	its mouth (confluence with Castor River Diversion Channel)	CR-208	1 Feb. - 31 May	2,4	59.8	Bollinger, Wayne, Madison
27	Chariton River	US-136	the Missouri-Iowa border	1 March - 30 April	2,4,5,7	19	Schuyler, Putnam
28	Cinque Hommes Creek	the confluence of Bois Brule Creek	US-61	1 Dec. - 31 March	2	11.5	Perry
29	Clear Creek ①	its mouth (confluence with Fishing River)	RT-W	1 June - 31 August	2	23.2	Clay, Clinton
30	Clear Creek ②	its mouth (confluence with Lamine River)	its headwaters	15 May - 15 July	2	12.7	Cooper
31	Courtois Creek	its mouth (confluence with Huzzah Creek)	MO-8	15 March - 15 June	4,5,6	15.8	Crawford
32	Crabapple Creek	its mouth (confluence with Shoal Creek)	its headwaters	15 March - 15 June	2,4,5	9.3	Caldwell
33	Crane Creek	Quail Spur RD	CR-1240	15 Nov. - 15 Feb.	6	10	Stone, Lawrence
34	Crooked River	MO-10	its headwaters	15 March - 15 June	2,4	65.5	Ray, Caldwell, Clinton
35	Culley Creek	its mouth (confluence with Moniteau Creek)	the north section line (14, 46N, 17W)	15 May - 15 July	2	1.9	Cooper
36	Current River	the Carter-Ripley county line (downstream NPS boundary (Ozark National Scenic Riverways))	its source (convergence of Pigeon Creek & Montauk Spring Branch)	15 March - 15 June	2,5,6	112	Carter, Shannon, Texas, Dent
37	Des Moines River	its mouth (confluence with Mississippi River)	US-27	1 March - 15 June	2	14.8	Clark
38	Dousinbury Creek	its mouth (confluence with Niangua River)	RT-JJ	15 March - 15 June	2	0.8	Dallas
39	Draffen Branch	its mouth (confluence with Moniteau Creek)	CR-Harned RD	15 May - 15 July	2	3.3	Cooper
40	Dry Fork	its mouth (confluence with Meramec River)	MO-8	15 Nov. - 15 Feb.	6	5.8	Crawford, Phelps
41	East Fork Big Creek	its mouth (convergence with West Fork Big Creek & source of Big Creek)	the Missouri-Iowa border	15 March - 15 June	2,4	39.5	Harrison
42	East Fork Crooked River	its mouth (confluence with Crooked River)	its headwaters	15 May - 15 July	2,4	32.2	Ray, Caldwell
43	East Fork Niangua River	its mouth (convergence with West Fork Niangua River and source of Niangua River)	the south section line (33, 32N, 18W)	15 March - 15 June	2,4	0.6	Webster
44	Eleven Point River	the Missouri-Arkansas border	the Middle Fork Eleven Point River confluence	15 March - 15 June	5,6	54.4	Oregon
45	Elk River	the Missouri-Oklahoma border	its source (convergence of Big Sugar Creek & Little Sugar Creek)	15 March - 15 June	4,6	24.7	McDonald
46	Fiery Fork	its mouth (confluence with Little Niangua River)	the tributary confluence immediately upstream of CR-7-17H (Fiery Fork RD)	15 March - 15 June	2	3.6	Camden
47	First Nicholson Creek (East Drywood Creek)	the downstream MDNR boundary (Prairie State Park)	the most upstream crossing of CR-West Central RD	15 March - 15 June	4,5,7	4.1	Barton
48	Flat Creek	Table Rock Lake (915' AMSL)	MO-39	15 March - 15 June	2	16.1	Stone, Barry
49	Fleck Creek	the downstream MDNR boundary (Prairie State Park)	the first tributary (Unnamed Creek ⑧) confluence upstream	15 March - 15 June	4,7	1	Barton
50	Fourmile Creek	its mouth (confluence with Niangua River)	RT-P	15 March - 15 June	2	0.8	Dallas

51	Gans Creek	its mouth (convergence with Clear Creek & source of Little Bonne Femme Creek)	US-63	15 March - 15 June	5,7	5.4	Boone
52	Gasconade River	its mouth (confluence with Missouri River)	MO-5	15 March - 15 June	2,4,6,7	289.9	Gasconade, Osage, Maries, Phelps, Pulaski, Laclede, Wright
53	Grand River	its mouth (confluence with Missouri River)	the Thompson River confluence	1 March – 15 June	2,4	61.3	Carroll, Chariton, Livingston
54	Greasy Creek	its mouth (confluence with Niangua River)	the south section line (34, 33N, 20W)	15 March - 15 June	2,4	14.2	Dallas
55	Greer Spring Branch	its mouth (confluence with Eleven Point River)	its source (Greer Spring)	15 Nov. - 15 Feb.	4,6	1.4	Oregon
56	Grindstone Creek	its mouth (confluence with Grand River)	its headwaters	15 May - 15 July	2,4	42.5	Daviess, DeKalb, Clinton
57	Hickory Creek ①	MO-6	its headwaters	15 May - 15 July	2	8.6	Grundy, Daviess
58	Hickory Creek ②	its mouth (confluence with Shoal Creek)	CR-Monark DR	15 Feb. - 15 July	2	7.6	Newton
59	High Creek	the confluence of McElroy Creek	its headwaters	1 June - 31 August	2	10.7	Atchison
60	Howard Creek	its mouth (confluence with Smiley Creek)	its headwaters	15 May - 15 July	2	4.1	Cooper, Moniteau
61	Huzzah Creek	its mouth (confluence with Meramec River)	CR-Willhite RD	15 March - 15 June	4,5,6	35.8	Crawford
62	Jack Buster Creek	its mouth (confluence with Saline Creek)	RT-MM	15 March - 15 June	2	3.6	Miller
63	Jack's Fork	its mouth (confluence with Current River)	its source (convergence of North Prong Jack's Fork & South Prong Jack's Fork)	15 March - 15 June	5,6	46.7	Shannon, Texas
64	James River	Table Rock Lake (915' AMSL)	Lake Springfield Dam	15 March - 15 June	2,6	51.1	Stone, Christian, Greene
65	Joachim Creek	RT-A	RT-V	15 March - 15 June	6	18.3	Jefferson
66	Jones Creek	its mouth (confluence with Niangua River)	CR-Jones Creek RD	15 March - 15 June	2	0.3	Dallas
67	Kelley Branch	its mouth (confluence with Silver Fork)	RT-U	15 March - 15 July	2,4,7	6.6	Boone
68	Kenser Creek	its mouth (confluence with Tavern Creek)	MO-42	15 March - 15 June	2	0.3	Miller
69	La Barque Creek	its mouth (confluence with Meramec River)	its headwaters	15 March - 15 June	4,7	6.2	Jefferson
70	Lane Spring Branch	its mouth (confluence with Little Piney Creek)	its source (Lane Spring)	15 Nov. - 15 Feb.	6	0.2	Phelps
71	Little Black River	the east section line (25, 24N, 3E)	its source (convergence of North Prong Little Black River & South Prong Little Black River)	15 March - 15 June	2,4,5	8.6	Ripley
72	Little Maries Creek	its mouth (confluence with Maries River)	the south section line (33, 43N, 10W)	15 March - 15 June	2	3.4	Osage
73	Little Niangua River	Lake of the Ozarks (660' AMSL)	the east section line (26, 36N, 19W)	15 March - 15 June	1,2,4,7	46.8	Camden, Hickory, Dallas
74	Little Piney Creek	the confluence of Beaver Creek	the Phelps-Dent county line	15 Nov. - 15 Feb.	2,5,6	15.1	Phelps
75	Little Pomme de Terre River	its mouth (confluence with Pomme de Terre River)	US-65	15 March - 15 June	2	9.5	Polk, Greene
76	Little Saline Creek	its mouth (confluence with Saline Creek)	its headwaters	15 March - 15 June	2	9.8	Miller
77	Little Wilson Creek	its mouth (confluence with Pomme de Terre River)	CR-244th ST	15 March - 15 June	2	2.1	Polk
78	Locust Creek	MO-6	US-136	1 March - 30 April	2,4,7	36.5	Sullivan, Putnam

79	Log Creek	its mouth (confluence with Shoal Creek)	its headwaters	15 March - 15 June	2,4,5	14.7	Caldwell
80	Lost Creek	the Missouri-Oklahoma border	RT-CC	1 May - 31 July	2	7.1	Newton
81	Macks Creek	its mouth (confluence with Little Niangua River)	Coffey Hollow RD	15 March - 15 June	2	2.2	Camden
82	Maries River	its mouth (confluence with Osage River)	the south section line (26, 41N, 10W)	15 March - 15 June	2	37.4	Osage, Maries
83	Maze Creek	Stockton Lake (867' AMSL)	CR-231	15 March - 15 June	2	4	Dade
84	McElroy Creek	its mouth (confluence with High Creek)	the Missouri-Iowa border	1 June - 31 August	2	6.6	Atchison
85	Meramec River ①	CR-Thurman Lake RD (upstream boundary of Scott's Ford Access)	MO-8	15 Nov. - 15 Feb.	6	8.8	Crawford, Phelps
86	Meramec River ②	its mouth (confluence with Mississippi River)	MO-19	15 March - 15 June	2,4,5,6	205.8	St. Louis, Jefferson, Franklin, Crawford, Dent
87	Meyers Branch	its mouth (confluence with Tavern Creek)	its headwaters	1 May - 31 July	2,7	2.5	Callaway
88	Mill Creek ①	MO-111	its headwaters	15 March - 15 June	2,4	9.7	Atchison
89	Mill Creek ②	its mouth (confluence with Little Piney Creek)	the confluence of Deep Hollow Creek	15 Nov. - 15 Feb.	5,6	9.3	Phelps
90	Mill Creek ③	its mouth (confluence with Wet Glaize Creek)	MO-7	15 March - 15 June	7	4.9	Camden
91	Mineral Fork	its mouth (confluence with Big River)	RT-F	15 March - 15 June	4,6	14.9	Washington
92	Mississippi River	the Missouri River confluence	Mel Price Lock & Dam	1 April - 15 June	2	5.6	St. Charles
93	Moniteau Creek	MO-87	its headwaters	15 March - 15 July	2	30.9	Moniteau, Cooper
94	Niangua River	Lake of the Ozarks (660' AMSL)	its source (convergence of East Fork Niangua River & West Fork Niangua River)	15 March - 15 June	1,2,7	109	Camden, Dallas, Laclede, Webster
95	North Dry Sac River	its mouth (confluence with Little Sac River)	the east section line (19, 31N, 21W)	15 March - 15 June	2,4	9.2	Polk, Greene
96	North Fork River	Norfork Lake (554' AMSL)	the Ozark-Douglas county line	15 Nov. - 15 Feb.	4,5,6	23.9	Ozark
97	North Little Tavern Creek	its mouth (confluence with Tavern Creek)	the Miller-Maries county line	15 March - 15 June	2	3.3	Miller
98	Osage Fork of the Gasconade River	its mouth (confluence with Gasconade River)	RT-F	15 March - 15 June	2,6,7	68.6	Laclede, Wright, Webster
99	Osage River	its mouth (confluence with Missouri River)	Bagnell Dam	15 March - 15 June	2,4,7	85.6	Cole, Osage, Miller
100	Panther Creek	its mouth (confluence with Brush Creek)	the St. Clair-Polk county line	15 March - 15 June	2	2.5	St. Clair
101	Piney Spring Branch	its mouth (confluence with Little Piney Creek)	its source (Piney Spring)	15 Nov. - 15 Feb.	6	0.2	Phelps
102	Pisgah Creek	its mouth (confluence with Moniteau Creek)	RT-W	15 May - 15 July	2	8.1	Cooper
103	Pomme de Terre River ①	Pomme de Terre Reservoir (839' AMSL)	RT-D	15 March - 15 June	4	12.4	Polk
104	Pomme de Terre River ②	E 475th RD	the first tributary confluence upstream of CR-Arrow Head RD	15 March - 15 June	1,2,4	31.8	Polk, Dallas, Greene, Webster
105	Roubidoux Creek ①	the north section line (10, 34N, 12W)	MO-32	15 March - 15 June	2	24.4	Pulaski, Texas
106	Roubidoux Creek ②	its mouth (confluence with Gasconade River)	the upstream MDC boundary (Roubidoux Creek CA)	15 Nov. - 15 Feb.	6	2.2	Pulaski

107	Sac River ①	from Harry S. Truman Reservoir (706’ AMSL)	the west section line (14, 36N, 26W)	1 March - 1 June	4	3.2	St. Clair
108	Sac River ②	Stockton Lake (867’ AMSL)	CR-34	15 March - 15 June	4	13	Dade, Green
109	Saint Francis River ①	the Missouri-Arkansas border	Wappapello Dam	1 Feb. - 31 June	2,4	113	Dunklin, Butler, Stoddard, Wayne
110	Saint Francis River ②	Wappapello Lake (355' AMSL)	MO-72	1 Feb. - 31 May	2,4,6	63.2	Wayne, Madison
111	Saline Creek	its mouth (confluence with Osage River)	US-54	15 March - 15 June	2	13.1	Miller
112	Salt Creek	its mouth (confluence with Missouri River)	its headwaters	1 June - 31 August	2,7	5.9	Howard
113	Shoal Creek	RT-D	its headwaters	15 May - 15 July	2,4,5	74.8	Livingston, Caldwell, Clinton
114	Silver Fork	US-63	RT-V	15 March - 15 July	2,4,7	9.6	Boone
115	Smiley Creek	its mouth (confluence with Moniteau Creek)	its headwaters	15 May - 15 July	2	8.2	Cooper, Moniteau
116	South Fabius River	US-24/US-61	the Marion-Shelby county line	15 March - 15 June	4,7	42.1	Marion
117	South Fork Pomme de Terre River	its mouth (confluence with Pomme de Terre River)	CR-J RD	15 March - 15 June	2	3.7	Greene, Webster
118	South Fork Turkey Creek	its mouth (convergence with North Fork Turkey Creek & source of Turkey Creek)	RT-H	15 March - 15 July	2,7	2.7	Boone
119	South Little Tavern Creek	its mouth (confluence with Tavern Creek)	the confluence of Atwell Creek	15 March - 15 June	2,4	1.6	Miller
120	South Prong Little Black River	its mouth (convergence with North Prong Little Black River & source of Little Black River)	MO-21	15 March - 15 June	2,4,5	5.5	Ripley
121	Spring Creek	its mouth (confluence with Big Piney River)	the confluence of Bradford Branch	15 Nov. - 15 Feb.	5,6	7.9	Phelps
122	Spring River ①	RT-H	US-60	15 Nov. - 15 Feb.	2,4	14.1	Lawrence
123	Spring River ②	the Missouri-Kansas border	MO-43	15 April - 15 July	2,4	12.3	Jasper
124	Starks Creek	its mouth (confluence with Little Niangua River)	the north section line (22, 38N, 20W)	15 March - 15 June	2	2.2	Hickory
125	Sugar Creek ①	MO-146	its headwaters	15 March - 15 July	2,4	25.7	Grundy, Harrison
126	Sugar Creek ②	its mouth (confluence with Cuivre River)	RT-B	15 March - 15 June	4,5,7	13.5	Lincoln
127	Swan Creek	Bull Shoals Lake (654' AMSL)	the upstream USACE boundary	15 March - 15 June	2	4.6	Taney
128	Tavern Creek ①	its mouth (confluence with Missouri River	its headwaters	1 May - 31 July	2,7	8.4	Callaway
129	Tavern Creek ②	its mouth (confluence with Osage River)	Bennett RD	15 March - 15 June	1,2,4	43.8	Miller
130	Tenmile Creek	its mouth (confluence with Cane Creek)	RT-B	15 March - 15 June	6	15.4	Butler, Carter
131	Thomas Creek	its mouth (confluence with Little Niangua River)	CR-Howard Chapel RD	15 March - 15 June	2,4	8.7	Hickory, Dallas
132	Thompson River	the south section line (11, 66N, 26W)	the Missouri-Iowa border	15 March - 15 June	2,4	6.9	Harrison
133	Tombstone Creek	its mouth (confluence with Sugar Creek)	its headwaters	15 May - 15 July	2,4	10.9	Harrison, Daviess
134	Turkey Creek	its mouth (confluence with Boone Femme Creek)	its source (convergence of North Fork Turkey Creek & South Fork Turkey Creek)	15 March - 15 July	2,5,7	7.2	Boone
135	Turnback Creek	Stockton Lake (867’ AMSL)	the Old Dilday Mill Dam	15 March - 15 June	4	13.4	Dade

136	Unnamed Creek ①	its mouth (confluence with Sugar Creek)	its headwaters	15 May - 15 July	2	5	Harrison
137	Unnamed Creek ②	its mouth (confluence with Sugar Creek)	its headwaters	15 May - 15 July	2	5.9	Harrison
138	Unnamed Creek ③	its mouth (confluence with Moniteau Creek)	its headwaters	15 May - 15 July	2	3.9	Cooper
139	Unnamed Creek ④	its mouth (confluence with Bass Creek)	the south section line (33, 47N, 12W)	15 May - 15 July	2	1.8	Boone
140	Unnamed Creek ⑤	its mouth (confluence with Baker Branch)	its headwaters	15 May - 15 July	2,4	0.9	St. Clair
141	Unnamed Creek ⑥	its mouth (confluence with Baker Branch)	its headwaters	15 May - 15 July	2,4	3.5	St. Clair
142	Unnamed Creek ⑦	its mouth (confluence with Baker Branch)	its headwaters	15 May - 15 July	2,4	2.7	St. Clair
143	Unnamed Creek ⑧	its mouth (confluence with Fleck Creek)	CR-West Central RD	15 March - 15 June	4,7	2.5	Barton
144	Weaubleau Creek	the downstream MDC boundary (Kings Prairie Access)	the St. Clair-Hickory county line	15 May - 15 July	2,4	14	St. Clair
145	West Brush Creek	its mouth (confluence with Moniteau Creek)	RT-O	15 March - 15 July	2	3.4	Cooper, Moniteau
146	West Fork Big Creek	its mouth (convergence with East Fork Big Creek & source of Big Creek)	the Missouri-Iowa border	15 March - 15 June	2,4	38.7	Harrison
147	West Fork Crooked River	its mouth (confluence with Crooked River)	its headwaters	15 May - 15 July	2,4	21.5	Ray
148	West Fork Niangua River	its mouth (convergence with East Fork Niangua River & source of Niangua River)	the south section line (33, 32N, 18W)	15 March - 15 June	2	0.3	Webster
149	West High Creek	its mouth (confluence with High Creek)	the Missouri-Iowa border	1 June - 31 August	2	6.2	Atchison
150	Wet Glaize Creek	its mouth (convergence with Dry Auglaize Creek & source of Grand Glaize Creek)	the confluence of Mill Creek	15 March - 15 June	7	6.6	Camden
151	Whetstone Creek	its mouth (confluence with Loutre River)	I-70	15 March - 15 June	2,4,5,7	17.7	Montgomery, Callaway
152	Whitewater River	its mouth (confluence with Castor River Diversion Channel)	RT-K	1 Feb. - 31 May	2,7	40.7	Cape Girardeau, Bollinger
153	Wilkins Spring Branch	its mouth (confluence with Mill Creek)	its source (Wilkins Spring)	15 Nov. - 15 Feb.	6	0.2	Phelps

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Priority Waters

Stream Reach Name	Tributary Reaches Included	Counties
Belle Fountain Ditch		Dunklin, Pemiscot
Big Muddy Creek		Gentry
Big Piney River		Phelps, Pulaski, Texas
Big River	Mineral Fork	Jefferson, St. Francois, Washington
	Cedar Creek	
Black River	Cane Creek	Butler, Wayne
Bourbeuse River	Dry Fork	Franklin, Gasconade, Phelps
Bryant Creek		Douglas, Ozark
Center Creek		Jasper
Courtois Creek		Crawford, Washington
Cuivre River	Elkhorn Creek	Audrain, Lincoln, Montgomery, Pike
	Bear Creek	
	Camp Creek	
	North Fork Cuivre River	
	Indian Creek	
	West Fork Cuivre River	
	Sulphur Creek	
Current River	Big Creek	Carter, Dent, Ripley, Shannon, Texas
	Spring Valley Creek	
	Sinking Creek	
Dry Fork		Dent, Phelps
Eleven Point River	Frederick River	Oregon
	Hurricane Creek	
	Spring Creek	
Elk River		McDonald
Gasconade River	Osage Fork	Gasconade, Laclede, Maries, Osage, Pulaski, Wright
	Beaver Creek	

Haw Creek		Morgan, Benton
Huzzah Creek		Crawford
Jacks Fork		Shannon, Texas
Joachim Creek		Jefferson
Little Black River		Butler, Ripley
Little Creek		Harrison
Little Dry Wood Creek		Vernon
Little Niangua River		Camden, Hickory
Little Platte River		Clinton
Little River		Dunklin
Locust Creek	West Locust Creek East Locust Creek	Chariton, Linn, Livingston, Putnam, Sullivan
Main Ditch		Pemiscot
Maries River		Maries, Osage
Marrowbone Creek		Daviess
Meramec River		Crawford, Dent, Franklin, Jefferson, St. Louis
Moniteau Creek		Cooper, Moniteau
Moreau River		Cole, Moniteau
Niangua River	Greasy Creek	Camden, Dallas, Webster
North Fork River	Spring Creek	Ozark
Osage River		Miller, Cole, Osage
Peno Creek		Pike

Pomme de Terre River		Dallas, Greene, Polk
Pomme de Terre River		Benton, Hickory
Sac River		Greene, Polk
Sac River		Cedar, St. Clair
Saint Francis River	Mingo Ditch	Butler, Dunklin, Madison,
	Lick Creek	
Saint Johns Diversion Ditch		New Madrid
Shoal Creek (NE)		Putnam
Shoal Creek (SW)		Newton
South Fabius River	Little Fabius River	Knox, Lewis, Marion, Shelby
	North Fork	
	South Fork	
Spring Creek		Adair, Sullivan
Spring River	North Fork	Barton, Jasper, Lawrence
Sugar Creek		Grundy, Harrison
Tavern Creek		Miller
Whetstone Creek		Callaway, Montgomery
Yellow Creek	East Yellow Creek	Chariton, Linn, Sullivan
	West Yellow Creek	

US Army Corps
of Engineers
Kansas City District

Sensitive Aquatic Species Waters
Regional Condition 5

Sensitive Aquatic Species: Includes all mussel and hellbender species with a Federal status, including Endangered, Threatened, Proposed Endangered (published in Federal Register).

Curtis Pearlymussel (E)

Pink mucket (E)

Higgins Eye (E)

Scaleshell (E)

Fat pocketbook (E)

Winged mapleleaf (E)

Spectaclecase (E)

Sheepnose (E)

Snuffbox (E)

Neosho mucket (E)

Rabbitsfoot (E)

Ozark Hellbender (E)

1. **Belle Fountain/State Line Ditch** – from the Route NN Bridge on the border of Pemiscot and Dunklin Counties, to the Missouri (Dunklin County)-Arkansas (Mississippi County) border, including all portions of the waterbody that make up the border between Missouri and Arkansas.

2. **Big Piney River** – from the confluence of Arthur Creek in Texas County to its confluence with the Gasconade River in Pulaski County.

3. **Big River** – from confluence of Belews Creek in Jefferson County to its confluence with the Meramec River in Jefferson/St. Louis Counties.

4. **Black River** – from the point of discharge from Clearwater Dam in Wayne County to the Missouri (Butler County)-Arkansas (Clay County) border in Butler County.

5. **Bourbeuse River** – from the confluence of Clear Creek in Phelps County to its confluence with the Meramec River in Franklin County.

6. **Bryant Creek** – from the confluence of Planer Branch in Douglas County to its confluence with the North Fork of the White River in Ozark County.

7. **Cane Creek** – from the confluence of Kenner Spring Branch in Butler County to the confluence of Harviell Ditch in Butler County.

8. **Castor River** – from the confluence of Pond Creek in Bollinger County including all unchannelized reaches to the Castor River Diversion Channel in Bollinger County.

9. **Center Creek** – from 0.4 miles upstream of Missouri Route 71 in Jasper County to 0.35 miles upstream from confluence with Spring River in Jasper County.

10. **Current River** – from the confluence of Pigeon Creek in Dent County to the confluence of Spring Bluff Creek in Ripley County.

11. **Eleven Point River** – from the confluence of Greer Spring Branch in Oregon County to the Missouri (Oregon County)-Arkansas (Randolph County) border.

12. **Elk River** – from the confluence of Indian Creek in McDonald County to 1.25 miles upstream of the Missouri (McDonald County)-Oklahoma (Delaware County) border in McDonald County.

13. **Gasconade River** – from the confluence of Crocker Creek in Wright County to its confluence with the Missouri River in Gasconade County.

14. **Indian Creek** – from 0.5 miles downstream of the confluence of Elkhorn Creek in McDonald County to its confluence with Elk River in McDonald County.

15. **Jack's Fork River** – from the Missouri Route 106 Bridge in Shannon County to its confluence with the Current River in Shannon County.

16. **Little Black River** – from the convergence of the North Prong Little Black River and the South Prong Little Black River in Ripley County to the Missouri (Ripley County) –Arkansas (Clay County) border.

17. **Main Ditch** – from 0.5 miles upstream from the confluence of Main Ditch and Belle Fountain/State Line Ditch in Dunklin County to its confluence with Belle Fountain/State Line Ditch in Dunklin County.

18. **Meramec River** – from the confluence of Pine Branch in Crawford County to its confluence with the Mississippi River in Jefferson/St. Louis County.

19. **Mississippi River** – from the confluence of the Des Moines River in Clark County to the mouth of the Cuivre Slough in St. Charles County.

20. **North Fork of the White River** – from the Missouri Route 14 Bridge in Douglas County to 0.5 miles downstream of the confluence of Bryant Creek in Ozark County.

21. **North Fork Spring** River – from the confluence of Buck Branch in Jasper County to its confluence with Spring River in Jasper County.

22. **Osage Fork of the Gasconade** – from the confluence of Little Cobb Creek in Laclede County to its confluence with the Gasconade River in Laclede County.

23. **Osage River** – from the point of discharge from Bagnell Dam in Miller County to its confluence with the Missouri River in Cole/Osage County.

24. **Sac River** – from the point of discharge from Stockton Dam in Cedar County to the confluence of Coon Creek in St. Clair County.

25. **Salt River –** from the confluence of Spencer Creek in Ralls County to its confluence with the Mississippi River in Pike County.

26. **Shoal Creek**– from 1.3 miles downstream of the confluence of Joyce Branch in Barry County to 0.6 miles upstream of the Missouri (Newton County)-Oklahoma (Cherokee County) border in Newton County.

27. **South Prong Little Black River** – from the Missouri Route 21 Bridge in Ripley County to its confluence with the North Prong Little Black River in Ripley County.

28. **Spring River**– from 0.6 miles upstream of Missouri Route 97 in Lawrence County to the Missouri (Jasper County)-Oklahoma (Cherokee County) border in Jasper County.

29. **St. Francis River** - from the confluence of Twelvemile Creek in Madison County to the confluence of Holiday Creek in Wayne County.

Table 1. Approximate number of river miles affected, by stream.

Stream	River Miles (Approx.)
Belle Fountain/State Line Ditch	9
Big Piney River	64.4
Big River	21
Black River	85.2
Bourbeuse River	134.6
Bryant Creek	40.7
Cane Creek	8.6
Castor River	15
Center Creek	25.9
Current River	127.4
Eleven Point River	33
Elk River	15.5
Gasconade River	234.1
Indian Creek	20.1
Jack's Fork River	13.6
Little Black River	46.3
Main Ditch	0.5
Meramec River	149.6
Mississippi River	128
Niangua River	33.5
North Fork of the White River	25.5
North Fork Spring River	10.2
Osage Fork of the Gasconade	25.5
Osage River	80.1
Sac River	44.3
Salt River	29.4
Shoal Creek	56.2
South Prong Little Black River	5.3
Spring River	53.9
St. Francis River	40
Total	1542.9

Table 2. UTM coordinates of the up and downstream boundaries of affected streams.

Stream	Upstream Boundary		Downstream Boundary	
	UTM X	**UTM Y**	**UTM X**	**UTM Y**
Belle Fountain/State Line Ditch	774043	3990025	760027	3987542
Big Piney River	593201	4143076	582326	4193333
Big River	707281	4245958	707755	4260876
Black River	697778	4112108	693911	4054007
Bourbeuse River	621128	4218921	684299	4252203
Bryant Creek	546217	4083083	563653	4050270
Cane Creek	723077	4068498	726147	4061507
Castor River	754001	4117222	766310	4110702
Center Creek	383973	4107775	356915	4112945
Current River	616571	4146679	693910	4054007
Eleven Point River	648210	4073798	663668	4040697
Elk River	370249	4049463	357338	4054844
Gasconade River	553621	4135739	626296	4281813
Indian Creek	381177	4064777	370249	4049463
Jack's Fork River	638066	4112527	652894	4117344
Little Black River	701987	4069127	703629	4041635
Main Ditch	760625	3987762	760027	3987541
Meramec River	640007	4208265	732120	4252098
Mississippi River	634210	4470987	705669	4307614
North Fork of the White River	575418	4075419	563642	4049557
North Fork Spring River	373315	4124811	363873	4125767
Osage Fork of the Gasconade	547178	4158807	549159	4178300
Osage River	532836	4228480	591605	4272311
Sac River	432132	4172089	434943	4202936
Salt River	643164	4379439	667061	4370415
Shoal Creek	406567	4074863	356712	4100494
South Prong Little Black River	695553	4068918	701987	4069127
Spring River	416479	4110808	356374	4117655
St. Francis River	725098	4139242	726688	4108421

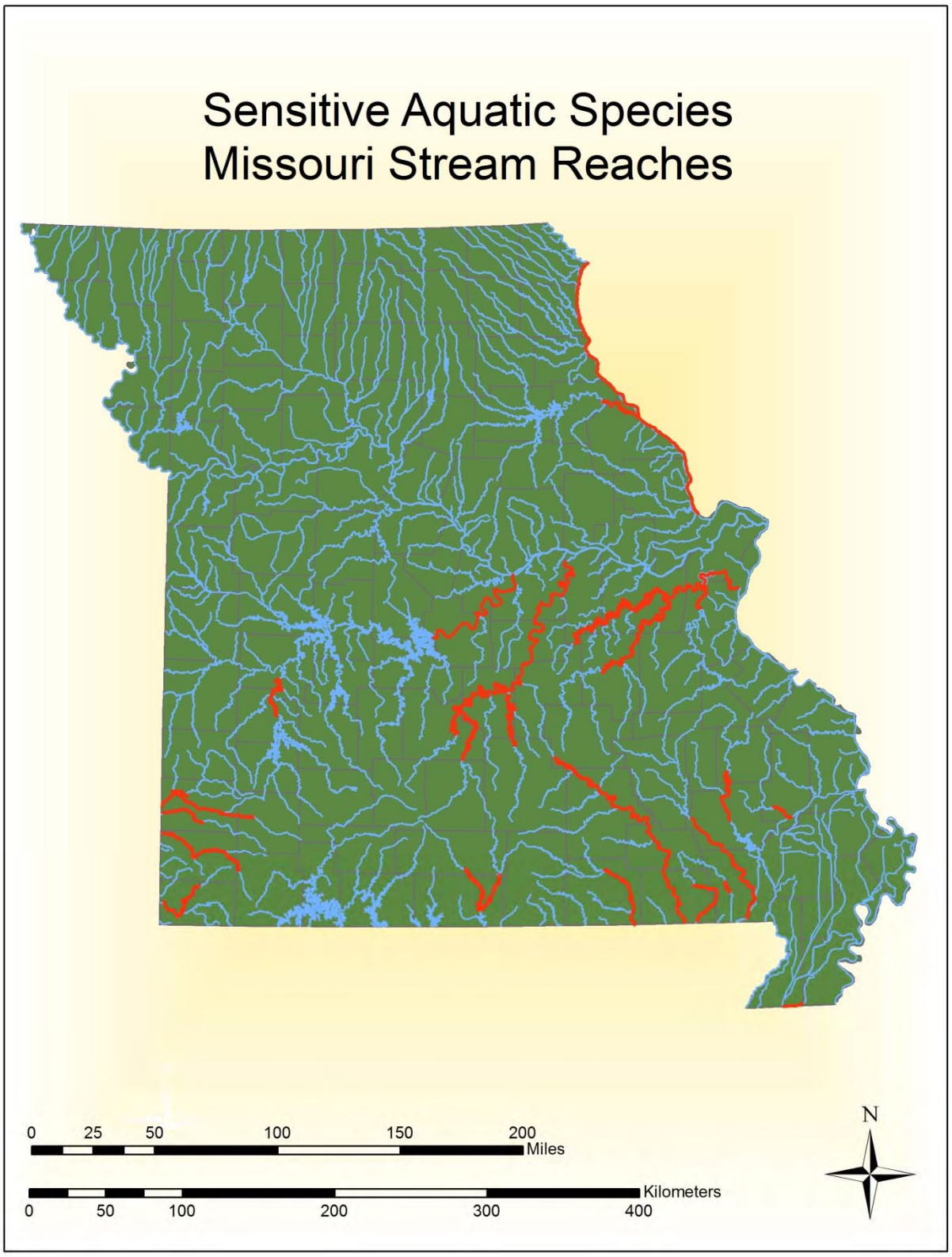


Figure 1. Location of affected streams within Missouri.