



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
John Sponaugle
Howard-Cooper County
Regional Port Authority

Published: October 22, 2025
Expires: November 12, 2025

**Kansas City District
Permit Application No. NWK-2015-01282**

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources, Water Protection Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources by email at 401@dnr.mo.gov or by mail at P.O. Box 176, Jefferson City, Missouri 65102.

TO WHOM IT MAY CONCERN: The Kansas City District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: John Sponaugle
Howard-Cooper County Regional Port Authority
609 Main Street
Boonville, Missouri 65233

AGENT: Gavin Risley
Klingner & Associates, P.C.
616 North 24th Street
Quincy, Illinois 62301

WATERWAY AND LOCATION: The project would affect the Missouri River. The project/review area is located southwest of County Road 463, approximately 0.25-miles east of the intersection of Highway 40 and Route 87 in Sections 4 & 5, Township 48 North, Range 16 West, at Latitude 38.984387 and Longitude -92.737682; in Howard County, Missouri. The project would extend riverward approximately 250-feet beyond Missouri River Bank Stabilization and Navigation Project (BSNP) dikes 204.8 and 205.

EXISTING CONDITIONS: The applicant originally received a Department of the Army (DA) permit for the construction of a sheet pile retaining wall and multi-functioning barge docking facility at this location on July 17, 2018. The original DA permit, which was to expire on December 31, 2021, was extended to December 31, 2023, to allow the applicant to complete the authorized activities. Based upon a review of historic aerial imagery, and the applicant's description, the Corps has determined that the previously authorized instream work was not undertaken. However, the Corps determined that

work continued in the upland areas after the DA permit expired on December 31, 2023, as shown in the enclosed figures with imagery dated August 10, 2023, and May 22, 2025. The applicant identified that construction of the access roadway and two different fill placement projects were undertaken. The fill placement projects utilized clean fill materials from the construction of the Interstate-70 Missouri River Bridge replacement project south of Rocheport, Missouri. The applicant worked with the Missouri Department of Transportation and their contractor to relocate the materials to the applicant's property.

On the north side of the Missouri River, the landscape is dominated by low-lying fields protected by Howard County Levee District No.4. The floodplain has been historically modified for intensive agricultural production. There are accreted lands between the river channel and levee with agricultural fields north (landward) of the levee. These accreted lands are likely the result of the structures associated with the BSNP and are dominated by woody vegetation. The BSNP structures consist of a system of rock and wooden piling river training structures that establish and maintain a navigable river channel. The Missouri River generally flows west to east through the project area. South of the river the landscape is more rugged with shallower bedrock. Areas under agricultural production are heavily interspersed with forested areas along drainages and terrain unsuitable for agricultural production. There is significant urbanization from the City of Boonville and along the Interstate-70 corridor. The Diana Bend Conservation Area, Big Muddy National Fish and Wildlife Refuge, and Overton Bottoms Conservation Area are approximately six miles downstream (east) of the proposed project.

The access roadway to the project site crosses over the top of a levee operated and maintained by Howard County Levee District No.4. The Levee District issued a letter of no objection to the project as originally proposed on May 15, 2017. The Levee District reissued their letter of no objection to the proposed project on September 15, 2025.

PROJECT PURPOSE: The applicant's stated purpose is to develop a secondary docking location for Howard-Cooper Port Authority to better achieve their mission to provide a multi-function platform for the uploading and off-loading of goods on the Missouri River.

As described above in **Existing Conditions** and below in **Proposed Work**, both the original design and the project's purpose have evolved since the original DA permit. Originally, the project's purpose was to construct a sheet pile dock. The applicant has secured a sheet pile dock just upstream of the proposed project and intends to continue operation of the sheet pile dock. The applicant has identified a need for both an additional flood protected development area and an area that can be used to more efficiently load/offload raw materials from barge to truck and vice versa. The applicant intends to operate both the existing (sheet pile) dock and the proposed 18-acre site to further promote economic growth by serving 22 Counties in a 50-mile radius of the proposed port.

Basic: Industrial development

Overall: Construction of a flood protected area with facilities for loading and unloading material to barges via trucks on the Missouri River.

PROPOSED WORK: The applicant requests authorization to continue construction, with a new design as shown in enclosed drawings, of a port designed to load/unload barges via trucks. The following description of proposed work includes the applicant's sequence of activity. First, the project would clear debris and vegetation along approximately 1,200-linear-feet of the north streambank of the Missouri River. The streambank would then be graded to a 3:1 slope. Next, approximately 65,000-cubic-yards of sand would be excavated/dredged from approximately 8.3-acres of the Missouri River, directly adjacent to the project site along the north streambank, to an average depth of 562-feet based upon the National Geodetic Vertical Datum (NGVD). Increasing the depth to streambed would facilitate barge access to the proposed docking area and the dredged material would be used as fill for the construction of the proposed raised area on the project site. Third, the project proposes to remove Corps BSNP dikes 204.8 and 205 and deposit the approximately 12,200-cubic-yards of the riprap material along approximately 1,200-linear-feet of the north streambank for bank stabilization purposes. The proposed riprap deposition would extend from the upstream to the downstream extents of the applicant's 18-acre property and would be placed on the previously regraded streambank's 3:1 slope. A 30-foot-wide ramp would be graded into the streambank for access by trucks to barges on the Missouri River. The ramp would be lined with large concrete slabs tied together and embedded into the coarse aggregate surface material. A square pad would be incorporated into the regraded slope adjacent to the ramp. This flattened pad area would be setup for loading and offloading of barges by a crane and/or excavator.

In addition to the proposed work to construct the facility, the applicant has provided a maintenance plan. The proposed project is not anticipated to require a high level of maintenance. However, the ramp will likely fill with debris and sediment following highwater events. The port would be equipped to handle this maintenance effort through the use of the local workforce. The applicant anticipates using a loader to collect debris (i.e., logs, trash, etc.) that would then be disposed of properly. If necessary, accumulated sediments would be removed using the loader. The applicant anticipates having to freshen the aggregate surface on the ramp and perform riprap replacement on an as needed basis. The overall grading plan and the location of the riverbank would not be modified from the proposed plan as a result of the anticipated future maintenance.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: "All fill will be performed in areas outside of known wetlands, as shown in the project plans." The Corps notes the drawings submitted with the new application show the proposed structure would have a smaller footprint than previously authorized in the original DA permit. This would reduce and minimize impacts to the Missouri River in comparison to the original design.

COMPENSATORY MITIGATION: The applicant did not provide a compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment. It should be noted that the original DA permit, as described above in **Existing Conditions**, did not require compensatory mitigation.

CULTURAL RESOURCES: As discussed above in **Existing Conditions**, the applicant was previously permitted to undertake a similar project which had a larger footprint than the currently proposed port. During the original permit evaluation, the Corps reviewed a Phase I archaeological survey to which the Missouri Department of Natural Resources – State Historic Preservation Office (SHPO) concurred that the project would have no adverse effect to the Rational Register of Historic Places (NRHP) listed Rivercene property. In response to the new application, the Corps conducted an archaeological review of both the original and proposed project and has determined that the project will have continue to have no adverse effect to the NRHP-listed Rivercene property. Additionally, the project is unlikely to effect archeological sites because the 2015 survey identified no sites in the area and a review of historic channel maps found that the project has been crossed by the historic Missouri River channel since the late 19th Century which negates the potential for archeological sites that predate this crossing. Therefore, no additional SHPO or tribal consultation is required.

The District Engineer’s final eligibility and effect determination will be based upon coordination with the SHPO and/or Tribal Historic Preservation Office, as appropriate and required, and with full consideration given to the proposed undertaking’s potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, utilizing the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action. The official species list generated by IPaC (Project Code: 2026-0005367) identified three listed species and three proposed species. No critical habitats were identified within the project area.

Table 1: ESA-listed species potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Gray Bat	<i>Myotis grisescens</i>	Endangered
Indiana bat	<i>Myotis sodalis</i>	Endangered

Tricolored bat	<i>Perimyotis subflavus</i>	Proposed Endangered
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Endangered
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened
Western Regal Fritillary	<i>Argynnis idalia occidentalis</i>	Proposed Threatened

For both the Indiana and Gray bats, the Corps has made a preliminary determination of may affect, not likely to adversely affect (MANLAA). The proposed work is located wholly within Zone 1, as described in the Missouri Bat Programmatic Agreement (MBPA) and identified by maps provided by the USFWS. The MBPA allows for 10-acres of tree removal in Zone 1. Based upon a comparison of aerial imagery and the applicant's drawings, it appears that less than five acres of tree clearing along the streambank could result from the proposed project. Therefore, the Corps anticipates utilizing the MBPA, along with the required special timing restrictions for tree removal, to satisfy required consultation with the USFWS for the two listed bat species. For the pallid sturgeon, the Corps has made a preliminary determination of MANLAA. The Corps will initiated informal Section 7 consultation for this species and propose using the same special condition included in the original permit; "no work activities (excavation or fill) are to occur within the Missouri River during the period of April 1 through August 1."

The Tricolored bat, Monarch Butterfly, and Western Regal Fritillary Butterfly are proposed threatened species and as such do not require, nor are eligible, for consultation under Section 7 of the ESA unless the project's impacts would jeopardize a species' existence. Project impacts would not jeopardize the continued existence of these candidate species. The applicant has chosen not to pursue conferencing for these species and the Corps concurs that conferencing is not required. It may be necessary to re-initiate consultation should the species become listed prior to completion of the proposed project. Pursuant to Section 7 of the ESA, any required consultation with the USFWS will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps. Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the USFWS for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: The Missouri River, within and adjacent to where the proposed work would occur, entirely consists of a federal navigation channel/BSNP.

SECTION 408: The applicant will require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would alter, occupy, or use a Corps Civil Works project. Projects that may alter a Corps civil works project require Section 408 authorization prior to undertaking the activity. An alteration is defined as any action that builds upon, alters, improves, moves, occupies or otherwise affects the usefulness, or the structural or ecological integrity of a Corps federally authorized project. The proposed project would alter the BSNP by removing BSNP dikes 204.8 and 205. The applicant represents removal of these two dikes would generate approximately 12,200-cubic-yards of riprap material which would then be placed along approximately 1,200-linear-feet of the north streambank for bank stabilization purposes. The proposed project may also alter federal projects done under the Missouri River Recovery Program that were constructed in, and adjacent to, the Missouri River to restore, preserve, and enhance habitat for endangered, threatened, and native species. The Corps of Engineers will evaluate this project in accordance with Engineer Circular 1165-2-220. The Corps solicits public input as a part of the decision-making process for the Section 408 request.

WATER QUALITY CERTIFICATION: Water Quality Certification (WQC) will be required from the Missouri Department of Natural Resources, Water Protection Program (MDNR-WPP). Instructions for obtaining WQC from MDNR-WPP are available online at <https://dnr.mo.gov/document-search/how-obtain-individual-water-quality-certification-individual-permits-pub3029/pub3029>. For additional information contact the Water Protection Program, Division of Environmental Quality, P.O. Box 176, Jefferson City, Missouri 65102, call 573-751-1300, or email 401@dnr.mo.gov.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or

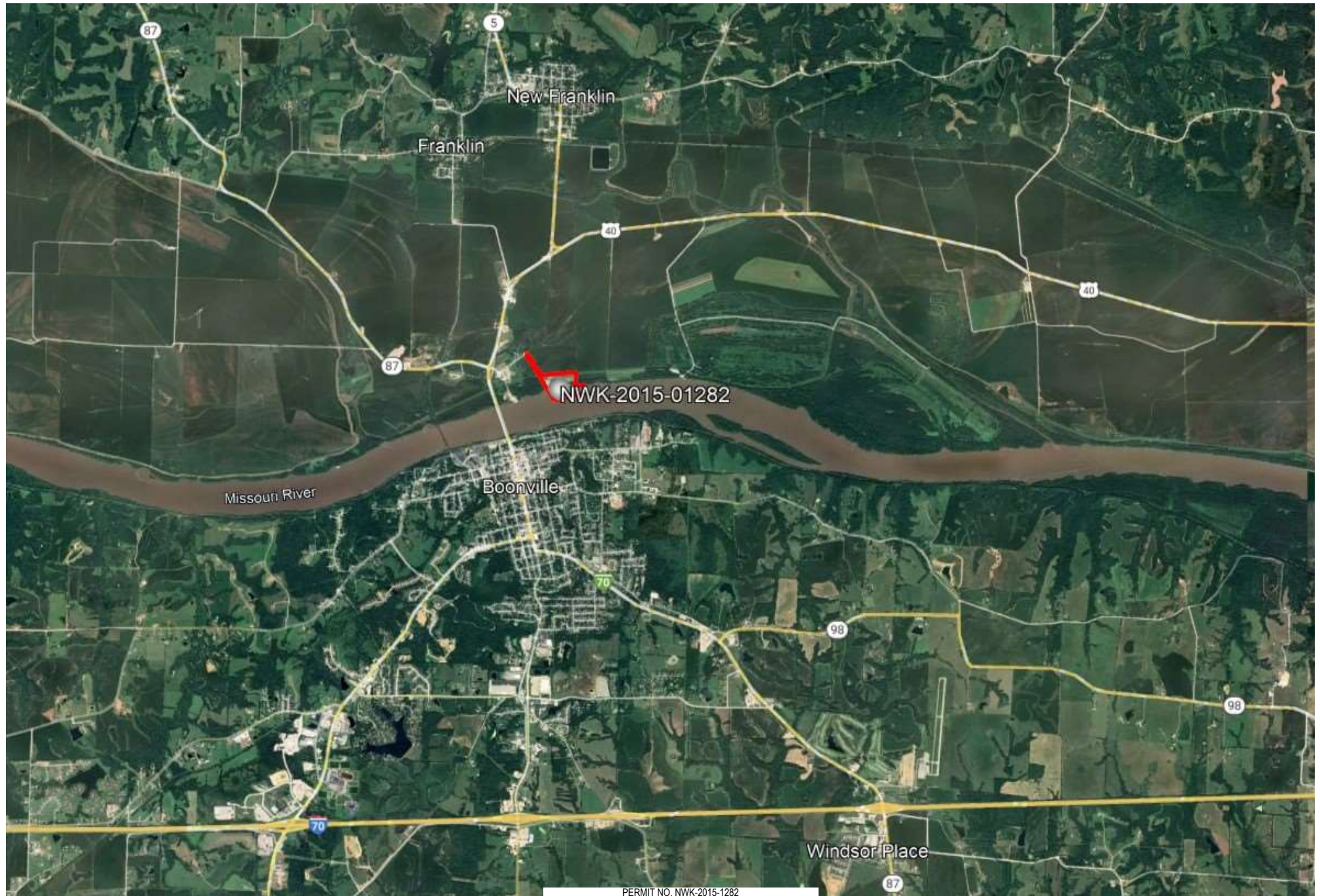
the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Kansas City District will receive written comments on the proposed work, as outlined above, until November 12, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Regulatory.MissouriState@usace.army.mil. Please refer to the permit application number in your comments. Additional information may be obtained by contacting Anthony Koch at 816-400-6081 or anthony.j.koch@usace.army.mil.

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

Project Location Map



PERMIT NO. NWK-2015-1282
HOWARD-COOPER COUNTY REGIONAL PORT AUTHORITY
MARINE TERMINAL/GRAIN ELEVATOR
MISSOURI RIVER
HOWARD COUNTY, MISSOURI
SHEET 1 OF 11
22 OCTOBER 2025

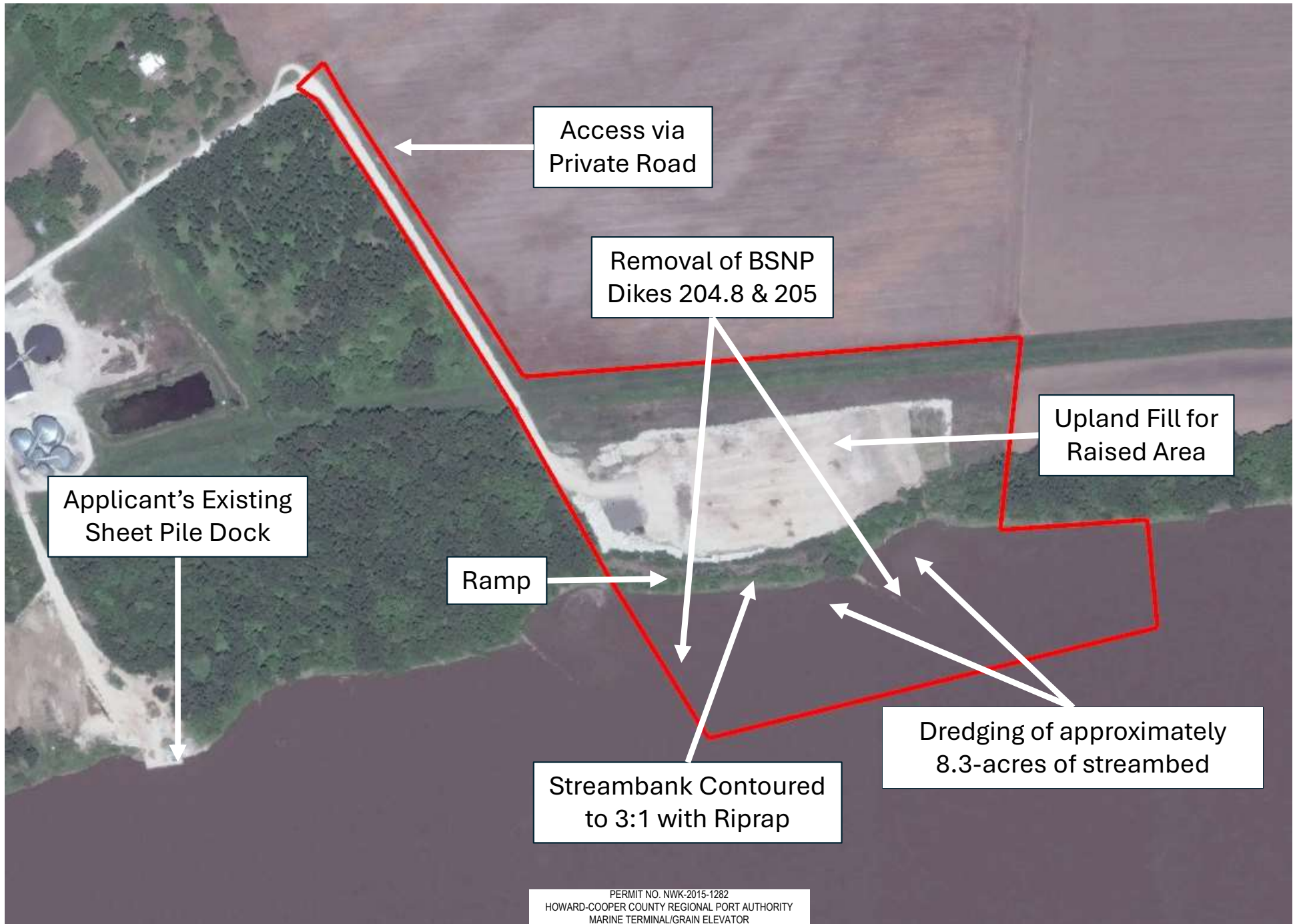
Corps Project Boundary

Red Polygon Denotes
Corps 33-acre Review Area
Imagery Dated 10 August 2023

Corps Project Boundary

Red Polygon Denotes
Corps 33-acre Review Area
Imagery Dated 22 May 2025

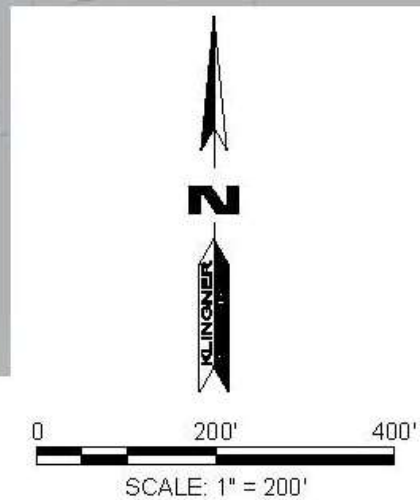
Applicant's Proposed Activities



Existing Aquatic Resources

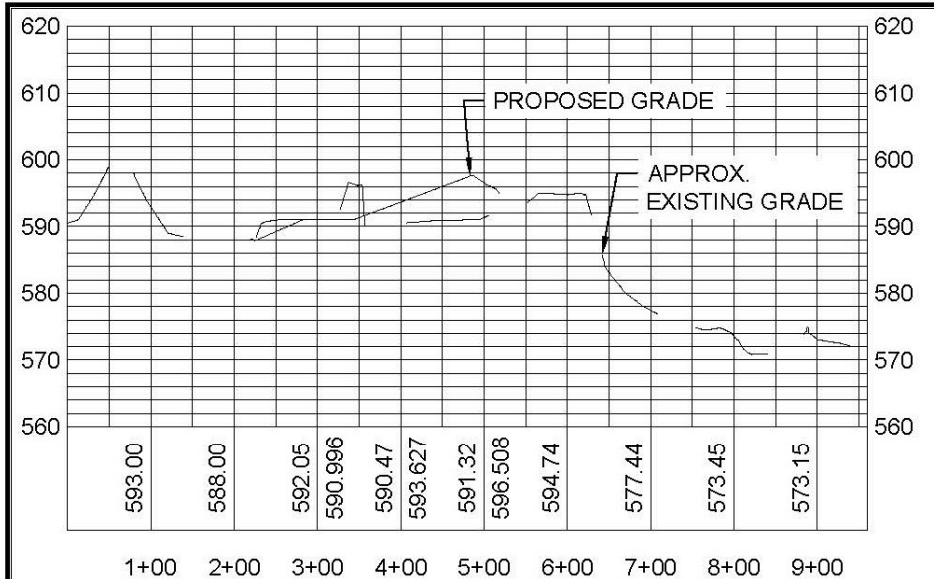


Missouri River
12.7-acres/1,350-linear-feet

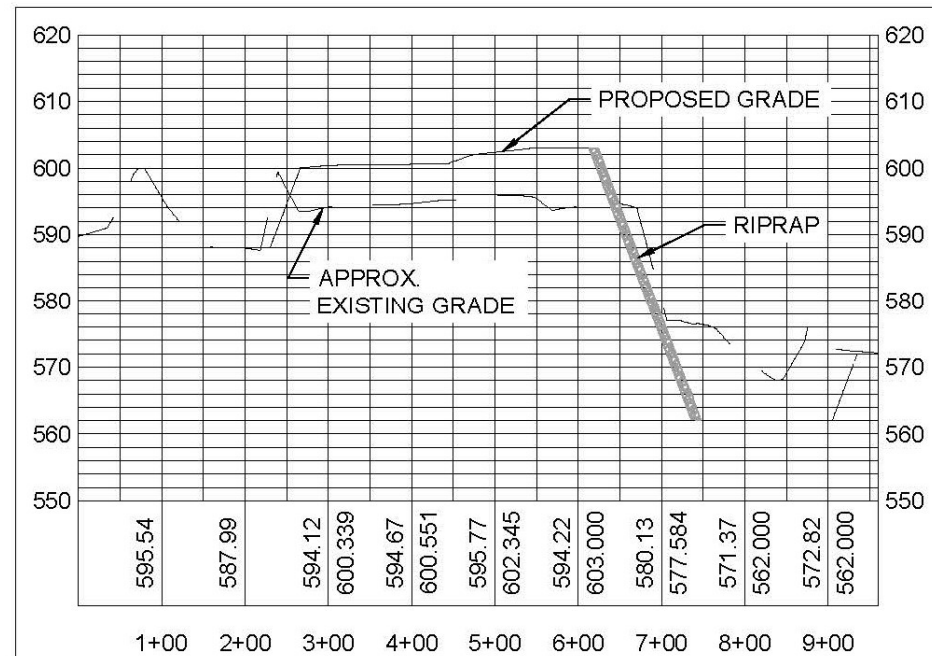


60d NAIL IN LIGHT POLE IN CENTER OF TURN AROUND - ELEV 597.38

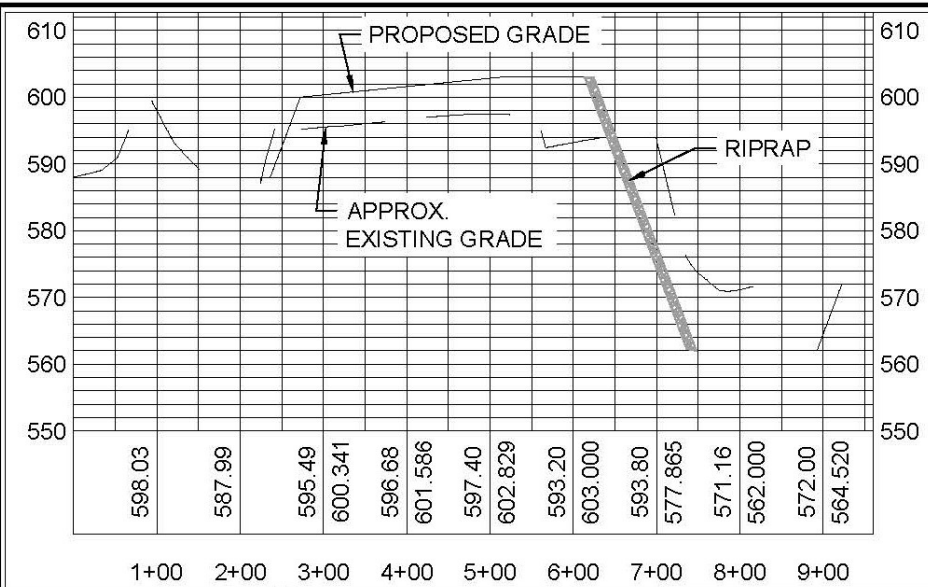
PERMIT NO. NWK-2015-1282
HOWARD-COOPER COUNTY REGIONAL PORT AUTHORITY
MARINE TERMINAL/GRAIN ELEVATOR
MISSOURI RIVER
HOWARD COUNTY, MISSOURI
SHEET 6 OF 11
22 OCTOBER 2025



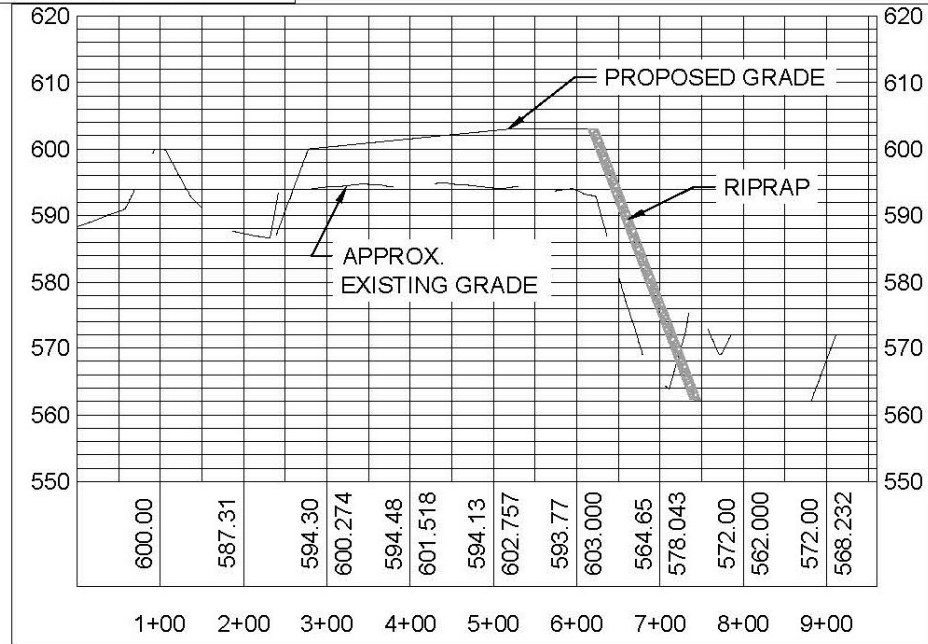
1 SECTION A
1"=200' HORZ., 1"=25' VERT.



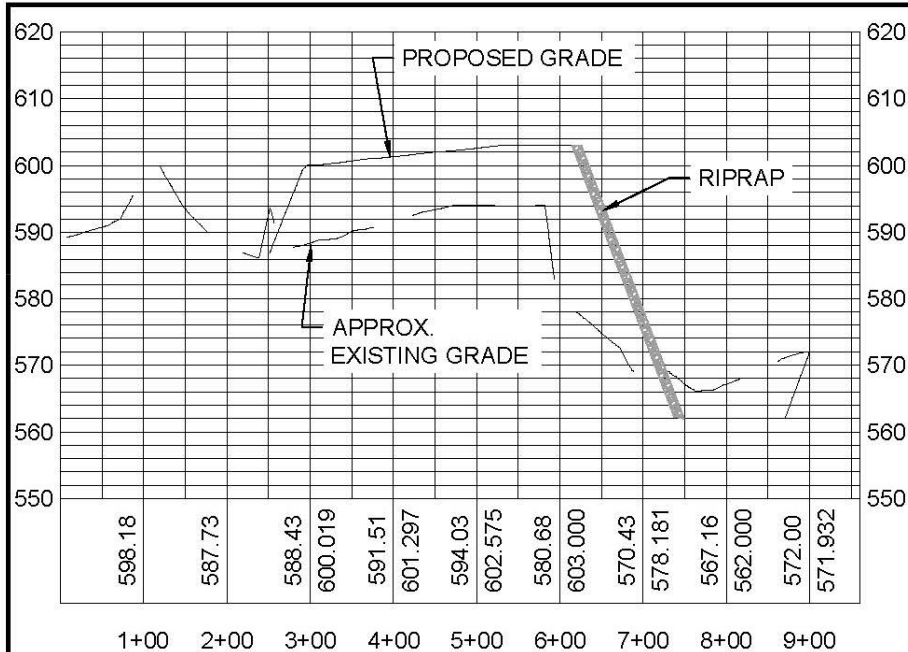
2 SECTION B
1"=200' HORZ., 1"=25' VERT.



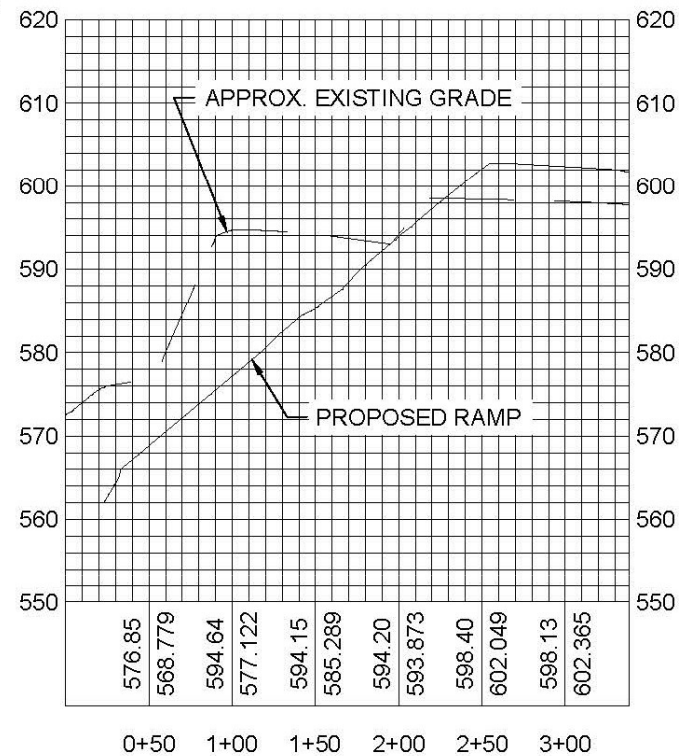
1 SECTION C
1"=200' HORZ., 1"=25' VERT.



2 SECTION D
1"=200' HORZ., 1"=25' VERT.



1 SECTION E
1"=200' HORZ., 1"=25' VERT.



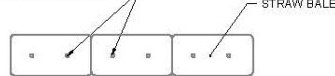
2 RAMP PROFILE
1"=80'-0" HORZ.



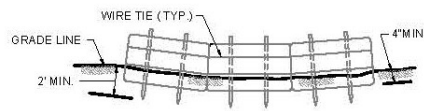
FILTER FENCE AND POST INSTALLATION

SECTION

FOR EACH STRAW BALE, DRIVE 2 NO. 5 REBARS, STEEL PICKETS, OR 2"x 2" WOODEN STAKES INTO THE GROUND. ANGLE FIRST STAKE TOWARD PREVIOUSLY PLACED BALE.



PLAN VIEW



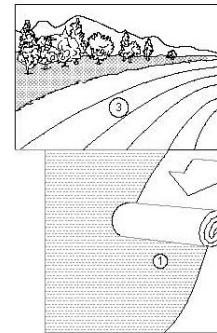
SECTION VIEW

STRAW BALE INSTALLATION

1. STRAW BALES TO BE STACKED IN A SINGLE ROW & EMBEDDED IN THE SOIL TO A DEPTH OF 4 INCHES MINIMUM.
2. ALL BALES ARE TO BE SECURELY BOUND WITH WIRE OR STRING.
3. LENGTH OF SEDIMENT BARRIER AS INDICATED ON THE PLANS.
4. SCATTER LOOSE STRAW OVER THE AREA IMMEDIATELY UPSLOPE FROM SEDIMENT BARRIERS. FILL GAPS BETWEEN BALES WITH LOOSE STRAW.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING SEDIMENT BARRIERS IN A CONDITION THAT IS SATISFACTORY TO THE CONTRACTING OFFICER UNTIL FINAL ACCEPTANCE OF WORK.

1 TEMPORARY EROSION CONTROL BARRIER DETAILS

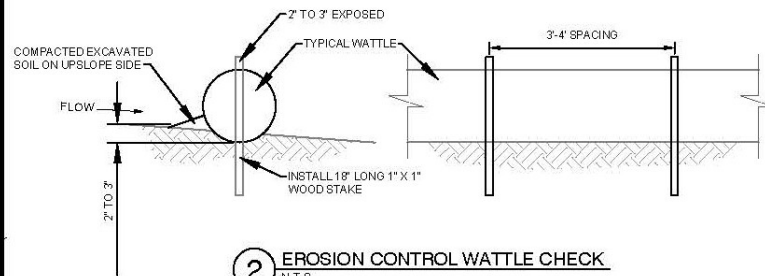
N.T.S.



1. PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL PRODUCTS (RECP'S), INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED. SEEDING WILL BE COMPLETED BY THE CONTRACTOR. COORDINATE PROPER TIMING FOR THE SEEDING AND EROSION BLANKET INSTALLATION.
2. BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE RECP'S IN A 6" DEEP X 6" WIDE TRENCH. ANCHOR THE RECP'S WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" (30 CM) PORTION OF RECP'S BACK OVER SEED AND COMPACTED SOIL. SECURE RECP'S OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" APART ACROSS THE WIDTH OF THE RECP'S.
3. ROLL THE RECP'S (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. RECP'S WILL UNROLL WITH APPROXIMATE SIDE AGAINST THE SOIL SURFACE. ALL RECP'S MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROXIMATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE. WHEN USING THE DOT SYSTEM, STAPLES/STAKES SHOULD BE PLACED THROUGH EACH OF THE COLORED DOTS CORRESPONDING TO THE APPROPRIATE STAPLE PATTERN.
4. THE EDGES OF PARALLEL RECP'S MUST BE STAPLED WITH APPROXIMATELY 2" - 54" OVERLAP DEPENDING ON RECP'S TYPE.
5. CONSECUTIVE RECP'S SPICED DOWN THE SLOPE MUST BE PLACED END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART ACROSS ENTIRE RECP'S WIDTH.
NOTE:
IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" MAY BE NECESSARY TO PROPERLY SECURE THE RECP'S.
6. EROSION CONTROL BLANKET SHALL BE USED ON ALL SLOPES 4:1 AND STEEPER.

3 EROSION CONTROL BLANKET INSTALLATION DETAILS

N.T.S.



2 EROSION CONTROL WATTLE CHECK

N.T.S.