



DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
700 FEDERAL BUILDING
KANSAS CITY, MISSOURI 64106-2896

May 30, 2007

REPLY TO
ATTENTION OF:

Regulatory Branch
(NWK-2007-1014)
(Platte, Missouri, NWP14)

Mr. Eric Viera
Transystems Corporation
2400 Pershing Road, Suite 400
Kansas City, Missouri 64108

Dear Mr. Viera:

This is in response to an application received on behalf of the City of Kansas City, for a Department of the Army (DA) permit. The proposed work concerns road improvements for N.W. 64th-68th Streets involving the placement of fill material within Line Creek and tributary channels. The project is located in Sections 20 and 21, Township 51 North, Range 33 West, Platte County, Missouri.

The Corps of Engineers has jurisdiction over all waters of the United States. Discharges of dredged or fill material in waters of the United States, including wetlands, require prior authorization from the Corps under Section 404 of the Clean Water Act (33 USC 1344). The implementing regulation for this Act is found at 33 CFR 320-330.

This letter contains a preliminary determination (PJD) of the waters of the United States on the project site. In addition, a Notification of Administrative Appeal Options and Process and Request for Appeal form (FORM) describes your options in Section E of the FORM. This preliminary JD cannot be appealed. If you object to this preliminary JD, you may request an approved JD by contacting our office at the following address:

District Commander
ATTN: Chief, Regulatory Branch
U.S. Army Engineer District, Kansas City
601 East 12th Street, Room 706
Kansas City, MO 64106-2896
Voice: 816-389-3990 – FAX: 816-389-2032

We have reviewed the information furnished and have determined that your project is authorized by nationwide permit (NWP)14 provided you ensure that the conditions listed in the enclosed copy of excerpts from the March 12, 2007 Federal Register, Issuance of Nationwide Permits; Notice (72 FR 11092) are met.

The Missouri Department of Natural Resources has certified that this NWP will not violate existing state water quality standards provided you comply with the conditions included in their attached certification document. All conditions included in the water quality certification become conditions of the NWP authorization. Please review all conditions associated with this NWP. If you have any questions concerning state water quality standards or compliance issues with the associated certification conditions, please contact the Chief of the Planning Section, Water Pollution Control Program, MDNR, P.O. Box 176, Jefferson City, Missouri 65102-0176. You may call 573-751-1404 for information.

General condition 26 requires you to sign and submit the enclosed "Compliance Certification" upon completion of the authorized work and any required mitigation.

In addition to the general conditions of this permit verification, the following special condition applies to this permit:

A mitigation plan, for the impact of the project upon a total of 0.68 acres of stream channel within the project areas, must be submitted and approved by this office prior to performing work in jurisdictional waters at the crossing locations. On-site mitigation plans must describe the establishment, maintenance, location, protection and size of any areas proposed for this use within the project area.

Although an individual DA permit is not required, other Federal, state and/or local permits may be required. You should verify this yourself.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. We have placed an automated version of our Customer Service Survey form on our website at: <http://per2.nwp.usace.army.mil/survey.html>. At your request, we will mail you a paper copy that you may complete and return to us by mail or fax.

Mr. Brian T. Donahue, Regulatory Specialist, reviewed the information furnished and made this determination. If you have any questions concerning this matter, please feel free to contact Mr. Donahue at 816-389-3703 (FAX 816-389-2032). Please reference Permit No. 2007-1014 in all comments and/or inquiries relating to this project.

Enclosures

Copies Furnished: (See Attached List)