



**DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, KANSAS CITY DISTRICT  
TRUMAN REGULATORY SATELLITE OFFICE  
15837 TRUMAN ROAD  
WARSAW, MISSOURI 65355**

February 16, 2016

Truman Regulatory Satellite Office  
(No. NWK-2016-00067)

Mr. Mitch Drury  
Drury Properties Inc.  
863 North State Hwy 125  
Springfield, MO 65802

Dear Mr. Drury:

This is in response to your emails, dated January 20 and 21, 2016, for a jurisdictional determination request on a site proposed for industrial development. The site, approximately 99-acres, is located in Sections 27 and 34, Township 29 north, Range 23 west, Greene County, Missouri. The request has been assigned Regulatory File No. NWK-2016-00067. Please reference this file number on any correspondence to us or to other interested parties concerning this matter.

In accordance with the December 2, 2008, National Guidance of Clean Water Act jurisdiction, this letter contains two approved jurisdictional determinations for the aforementioned 99-acre site. Each jurisdictional determination is valid for a 5-year period from the date of this letter unless new information warrants revision of the determination (or determinations) before the expiration date. The determinations document two areas at the site, an isolated wetland and uplands, which are not regulated by the Corps of Engineers (Corps). If you object to one or both of the determinations, you may request an administrative appeal under Corps regulations at 33 C.F.R. Part 331. Enclosed you will find two Notification of Administrative Appeal Options and Process and Request for Appeal (NAO-RFA) forms. If you request to appeal one or both of these determinations, you must submit a completed NAO-RFA form to the Northwestern Division Office at the following address:

Division Engineer  
ATTN: Mary J. Hoffman  
Administrative Appeals Review Officer  
U.S. Army Corps of Engineers  
1125 NW Couch Street  
Portland, OR 97209  
Telephone: 503-808-3888

In order for an NAO-RFA to be accepted by the Corps, the Corps must determine that it is completed, that it meets the criteria for appeal under 33 C.F.R. Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAO-RFA. Should you decide to submit an NAO-RFA form, it must be received at the above address within 60 days of this

letter. It is not necessary to submit an NAO-RFA form to the Division Office if you do not object to the determinations in this letter.

In the event that you disagree with an approved jurisdictional determination and you have **new information** not considered in the original determination, you may request reconsideration of that determination by the Corps District prior to initiating an appeal. To request this reconsideration based upon new information, you must submit the completed NAO-RFA form and the new information to the District Office so that it is received within 60 days of the date of the NAO-RFA. Send approved jurisdictional determination reconsideration requests to:

District Commander  
ATTN: Mark D. Frazier  
Chief, Regulatory Branch  
U.S. Army Engineer District, Kansas City  
601 East 12<sup>th</sup> Street, Suite 402  
Kansas City, MO 64106-2824  
Voice: 816-389-3990- FAX: 816-389-2032

The Corps 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 403) and /or Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403). The implementing regulations for these Acts are found at 33 C.F.R. 320-332.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps Regulatory Program. Please feel free to complete our Customer Service Survey form on our website at: [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey). You may also call and request a paper copy of the survey which you may complete and return to us by mail or fax.

If you have any questions regarding this letter, please feel free to contact me at 816.389.3986. Please reference No. **NWK-2016-00067** in all correspondence concerning this matter.

Sincerely,

Sean Beyke  
Project Manager

Enclosures

Copies Furnished (electronically w/o enclosures):

Environmental Protection Agency, Watershed Planning and Implementation Branch