



**US ARMY CORPS
OF ENGINEERS**
St. Louis District
Gateway to Excellence

Public Notice

Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, MO 63103-2833

Public Notice No.

P-2679

Public Notice Date

July 2, 2008

Expiration Date

July 22, 2008

Postmaster Please Post Conspicuously Until:

File Number: 2008-268

Interested parties are hereby notified that an application has been received for a Section 404 permit to place fill material into approximately **3.62 acres** of jurisdictional wetlands and to span approximately 120 linear feet of Joachim Creek, to construct a new roadway, as described below and shown on the attached figures.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers Public Notice Number referenced above and must reach this office no later than the above expiration date of this Public Notice to become part of the record and to be considered in the permit decision process. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CEMVS-OD-F (Charles Frerker)
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: City of Herculaneum, Mr. Bill Whitmer, City Administrator, #1 Parkwood Court, Herculaneum, Missouri 63048 (636-475-4447).

LOCATION: The proposed roadway project corridor extends from the eastern side of Riverview Drive, just south of its intersection with Riverview Plaza Drive, then proceeds to travel eastward, spanning Joachim Creek, to its intersection with School Street and Church Street in Herculaneum, Jefferson County, Missouri. (See Attached Map).

PROJECT DESCRIPTION: The applicant requests authorization to impact approximately 3.62 acres of wooded wetlands and to cross approximately 120 linear feet of Joachim Creek. The impacts are requested to construct a new roadway that will divert frequent semitrailer traffic currently travelling to and from the Doe Run facility off of the City of Herculaneum's residential streets. The majority of the proposed roadway will follow an existing abandoned railroad embankment to avoid and minimize wetland impacts. Slag material generated as byproducts from the Doe Run Company operation would be used as fill material to construct the base and core of the proposed road. Several feet of clean soil would be placed on top of the slag fill to form a protective cap. Asphalt or concrete would be installed on the top of the created roadway crown for future transportation access. The applicant

also requests authorization to repair an existing impoundment structure that blocks natural flows in Joachim Creek. The existing impoundment structure was originally a railroad trestle crossing that was historically filled with rock and concrete material to form an impounding structure. The impoundment structure is currently in bad shape and exhibits many leaks and partially breached areas. The applicant seeks authorization to place eight to 12-inch sized rip rap over the existing impoundment structure and grout it with concrete. Three, 30-inch-diameter by 30-foot-long culverts will be installed beneath the rock and concrete grouting to allow elevated flows to pass through the culverts. The purpose of the impoundment structure repair is twofold. First, the repair would allow the applicant to utilize the repaired structure as a construction access route to haul slag material across Joachim Creek to build the proposed access road. The second purpose is to allow the applicant to keep the repaired impoundment structure in place for maintained recreational opportunities on the upstream impounded section of Joachim Creek. Mitigation for the approximate 3.62 acre wooded wetland impacts would require a minimum 3:1 replacement ratio for a total of 10.86 acres. The applicant indicated wooded wetland mitigation would likely be accomplished at an area on Doe Run's adjacent property.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting the applicant's consultant, Ms. Gina Jones with SCI Engineering, Inc., at 636-757-2629. Mr. Charles Frerker, Project Manager, U.S. Army Corps of Engineers, Regulatory Branch can also be reached at (314) 331-8583 or at electronic mail address: charles.f.frerker@usace.army.mil

AUTHORITY: This permit will be processed under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: By issuance of this public notice, the project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification, if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Pollution Control Program, P.O. Box 176, Jefferson City, Missouri 65102-0176, with copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Request for public hearings shall state, with particularity, the reasons for holding the public hearing.

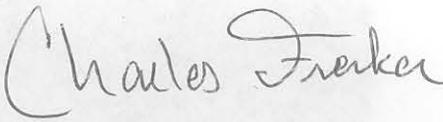
ENDANGERED SPECIES: The proposed project is within the range of the endangered Indiana bat (**Myotis sodalis**) and Gray bat (**Myotis grisescens**). A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that this proposed activity is not likely to affect species designated as threatened or endangered, or adversely affect critical habitat. In order to complete our evaluation, comments are solicited by this public notice from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a reconnaissance survey of the project area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion, and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

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

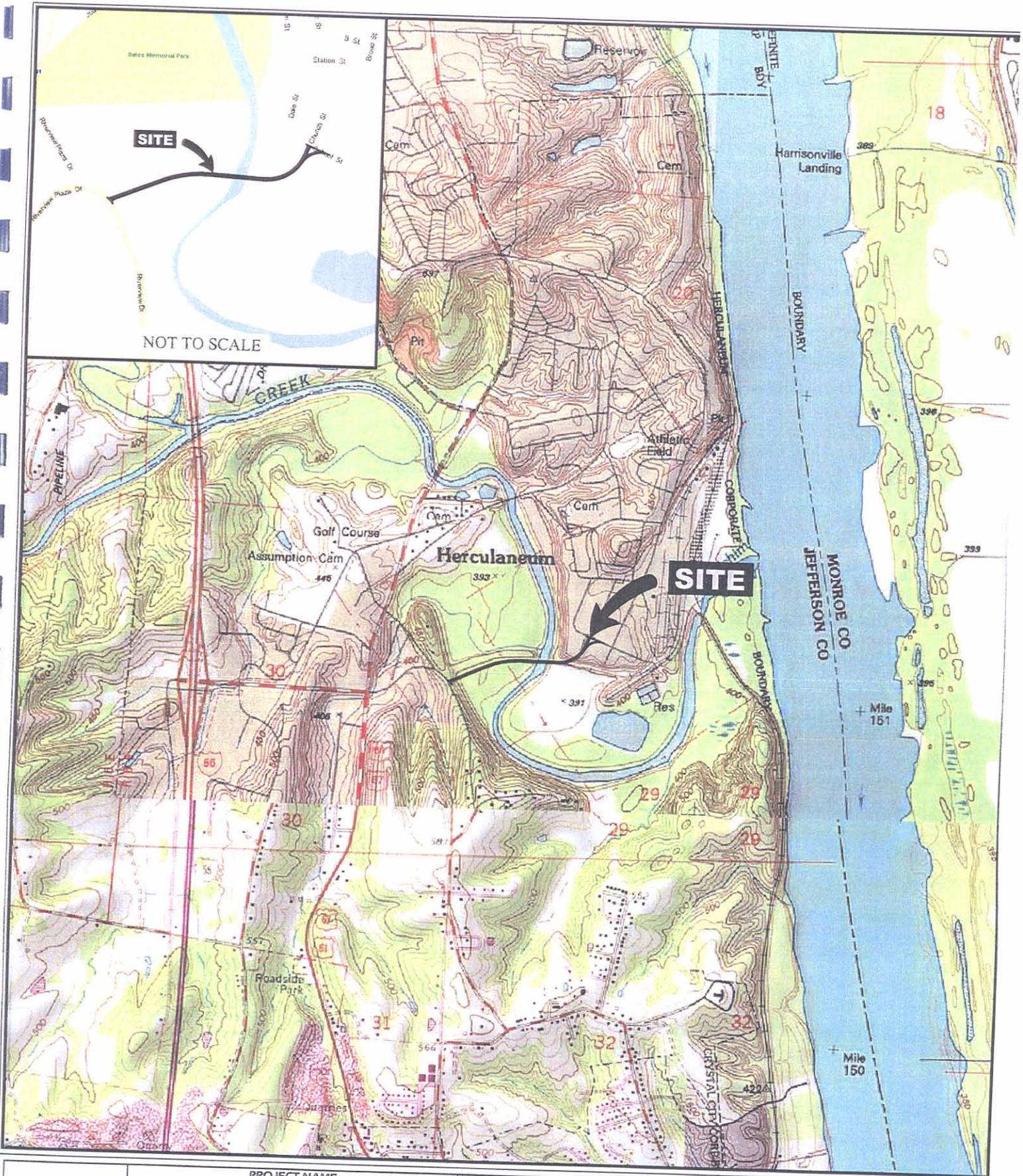
In accordance with 33 CFR 325.3, it is presumed that all interested parties and agencies will wish to respond to public notices; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project.


for/ Danny D. McClendon
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.



SITE

NOT TO SCALE

SITE



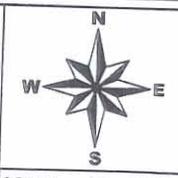
PROJECT NAME
 JOACHIM AVENUE NEW SOUTH ALIGNMENT
 HERCULANEUM, MISSOURI

VICINITY AND TOPOGRAPHIC MAP

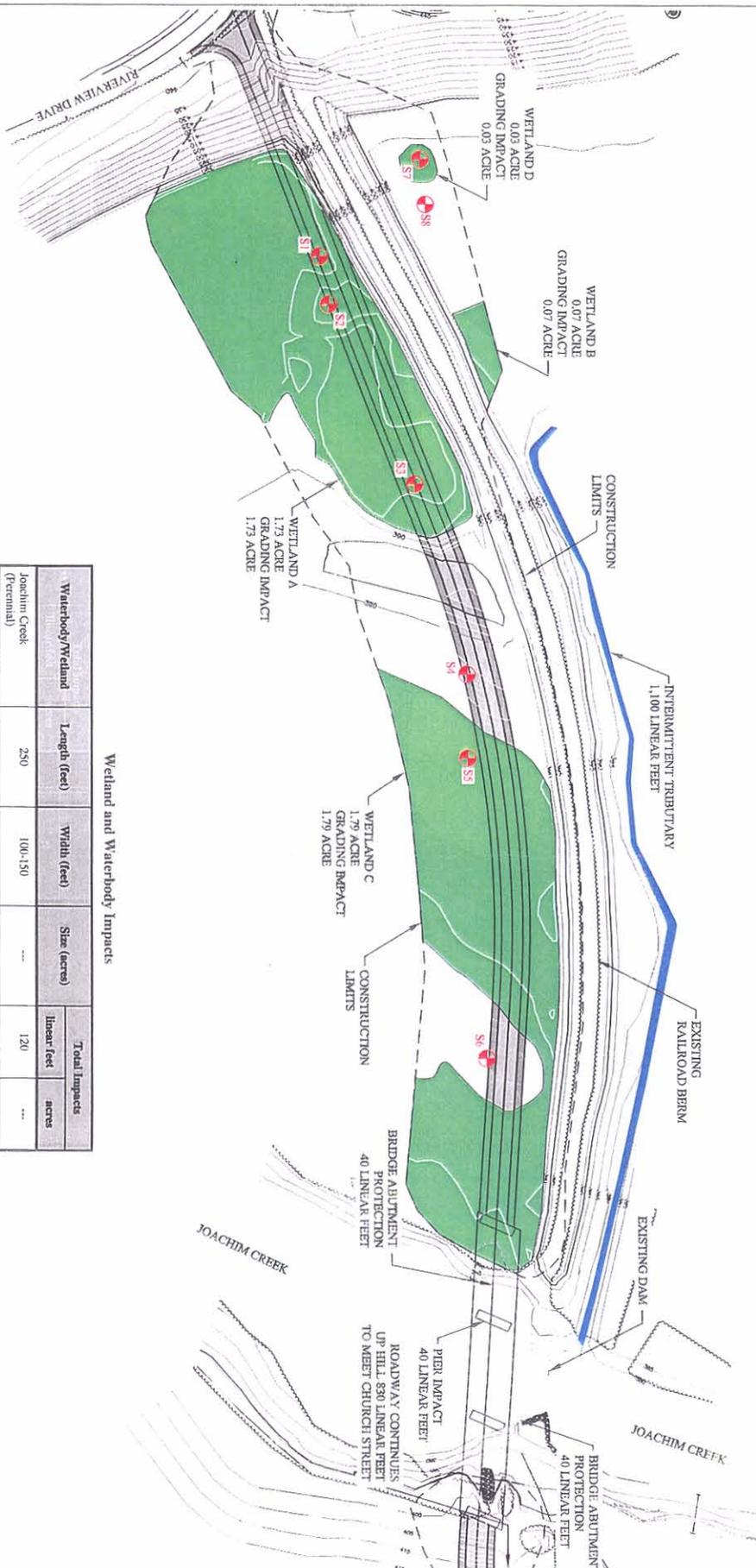
DRAWN BY	LAP	DATE	04/2008	JOB NUMBER	2007-2354.50
CHECKED BY	GGJ				

General Notes/Legend
 USGS TOPOGRAPHIC MAP
 HERCULANEUM, MISSOURI QUADRANGLE
 DATED 1993
 FESTUS, MISSOURI QUADRANGLE
 DATED 1980
 PHOTO REVISED 1982
 10' CONTOURS

MICROSOFT STREETS AND TRIPS 2005



SCALE 1" = 2000'
FIGURE 1

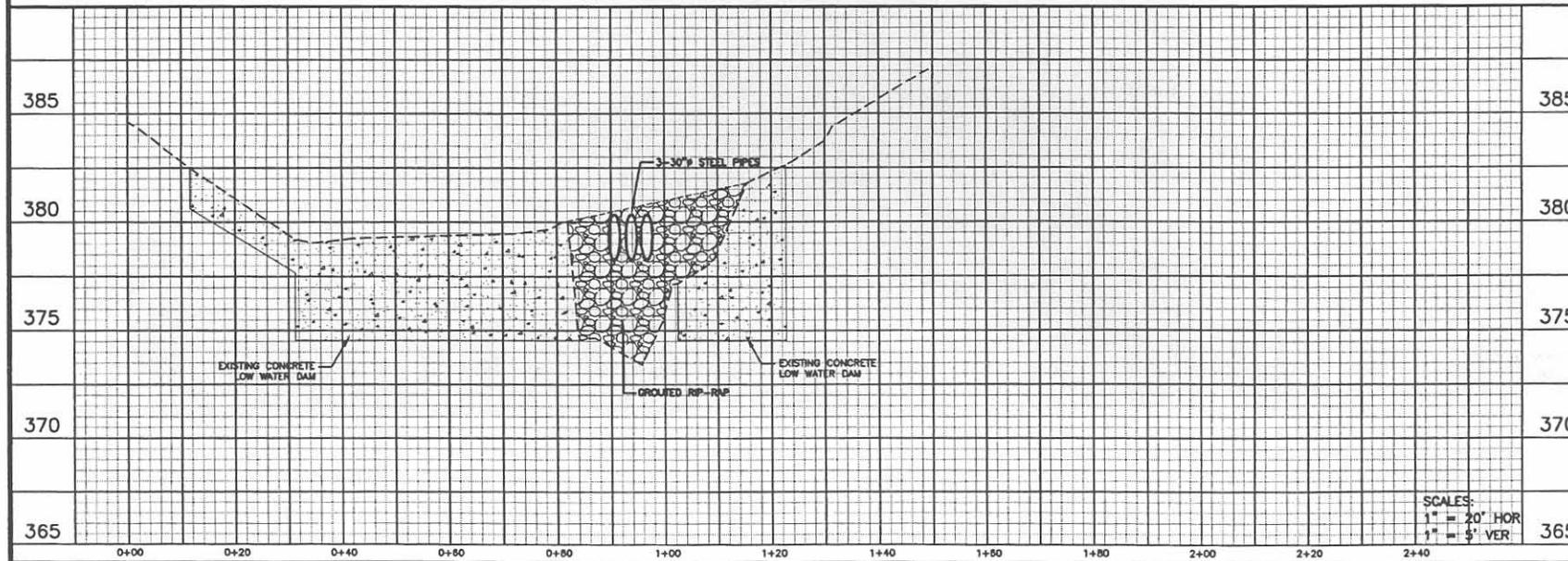
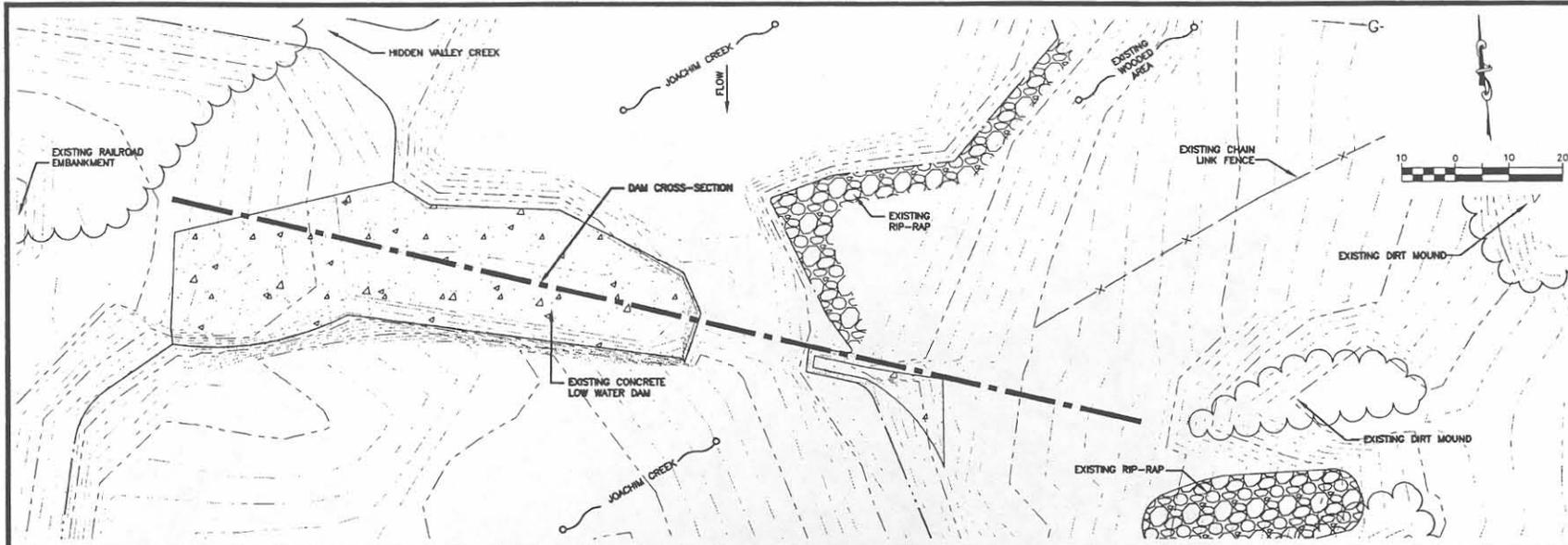


Wetland and Waterbody Impacts

Waterbody/Wetland	Length (feet)	Width (feet)	Size (acres)	Total Impacts	
				linear feet	acres
Joachim Creek (Perennial)	250	100-150	...	120	...
Unnamed Tributary (Intermittent)	1,100	5-6	...	...	...
Waterbody Subtotal	1,350	...	...	120	...
Wetland A	...	...	1.73	...	1.73
Wetland B	...	...	0.07	...	0.07
Wetland C	...	...	1.79	...	1.79
Wetland D	...	...	0.03	...	0.03
TOTAL	1,350	...	3.62	120	3.62

<p>SCALE 1" = 120'</p> <p>FOR NUMBER 2007-2354.50</p> <p>DATE 06/20/08</p> <p>DRAWN BY CAB</p> <p>CHECKED BY JAF</p> <p>FIGURE 1</p>		<p>PROJECT NAME JOACHIM AVENUE NEW SOUTH ALIGNMENT HERCULANEUM, MISSOURI</p> <p>WETLAND DELINEATION AND PRELIMINARY ROADWAY PLAN</p>	<p>General Notes/Legend</p> <p>INDICATES APPROXIMATE SOIL BORING LOCATIONS</p> <p>BASED ON UNDATED PLAN PROVIDED ELECTRONICALLY ON 06/04/2008 FROM COCHRAN ENGINEERING, INC. DIMENSIONS AND LOCATIONS ARE APPROXIMATE. ACTUALS MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.</p>	
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Drawing Name: J:\007-088\CREK PROJ\LE.dwg Title: 11x17 30" - C02-STD-2007 Plotted on: May 15, 2008 - 2:31pm Plotted by: hvdhaker



SCALES:
 1" = 20' HOR
 1" = 5' VER

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OCHRAN

Professional Engineers & Surveyors
 Missouri License No. 0000000000
 Professional Land Surveyors
 Missouri License No. 0000000000

T.J.V.
 MAY 12, 2008
 AS NOTED
 SC07-088

DAM CROSS-SECTION
 1 of 2

JOACHIM CREEK SOUTH ALIGNMENT
 PROJECT NO. DP-9900(617)
 CITY OF HERCULANEUM, MO



Photograph 3. Breached dam across Joachim Creek, facing west.



Photograph 4. Intermittent tributary, facing west.