

Public Notice

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

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

Public Notice No.
P-2711
Public Notice Date
April 3, 2009
Expiration Date
April 24, 2009

Postmaster Please Post Conspicuously Until:

File Number: MVS-2008-811

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

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

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Matt Shively

APPLICANT: Metropolitan St. Louis Sewer District, 2350 Market Street, St. Louis, Missouri, (314) 768-2724.

LOCATION: The proposed project is generally located between Verona Avenue and East Milton Avenue in Overland, Missouri (St. Louis County). The project proposes impacts to two separate reaches of an unnamed, ephemeral urban channel. The upstream reach is 330 feet in length, and extends downstream (west) from East Milton Avenue. The downstream reach is 300 feet in length, and extends upstream (east) from Verona Avenue. The project occurs in Township 46 North, Range 6 East, Section 28, Fifth Principal Meridian. The approximate geographic coordinates of the tributary reaches are 38° 42' 6.2" North, 90° 21' 28.7" West (upstream reach), and 38° 42' 8.4" North, 90° 21' 34.5" West (downstream reach). Please see the location maps for additional information. The unnamed channel is a tributary to Coldwater Creek. Coldwater Creek is a tributary to the Missouri River.

PROJECT DESCRIPTION: The applicant seeks authorization to construct a new enclosed stormwater conveyance system between East Milton Avenue and Verona Avenue. The stormwater system will replace an existing system comprised of a combination of open channel and existing stormwater piping. The construction of a new system is necessary due to yard and structural flooding caused by insufficient stormwater drainage.

The proposed construction will result in the enclosure of the two segments of open channel. The channel segments are generally degraded, urban ephemeral channels serving primarily as stormwater drainage. The channel is piped upstream and downstream of the project reach, as well as between the two channel segments. Construction of the project will result in the combined loss of 630 linear feet of channel.

The Applicant will submit a detailed Analysis of Alternatives for the project. The Analysis of Alternatives will describe the avoidance and minimization measures considered for the project, as well as economic, environmental, engineering, and civic justifications for the proposed impacts. The Applicant will be required to provide mitigation for the proposed impacts. The project location is not within the service area of an approved mitigation bank. Therefore, the St. Louis District will consider alternative mitigation sources including (but not limited to) out-of-service area credit from an authorized stream mitigation bank, at a higher ratio; or the purchase of mitigation credit from an authorized in-lieu-fee service provider.

LOCATION MAPS AND DRAWINGS: See attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Matt Shively, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8632. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to matt.s.shively@usace.army.mil.

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

WATER QUALITY CERTIFICATION: 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 is requested as of the date of this Public Notice, and 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 Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a 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 the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer (SHPO) and the public in response to this public notice. Based upon the

comments received concerning the potential for cultural resources within the project site, the District may require a reconnaissance survey of the project area or additional cultural resources preservation measures in compliance with Section 106 of the National Historic Preservation Act.

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 activity described, will be considered including the cumulative effects. Among factors considered 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.

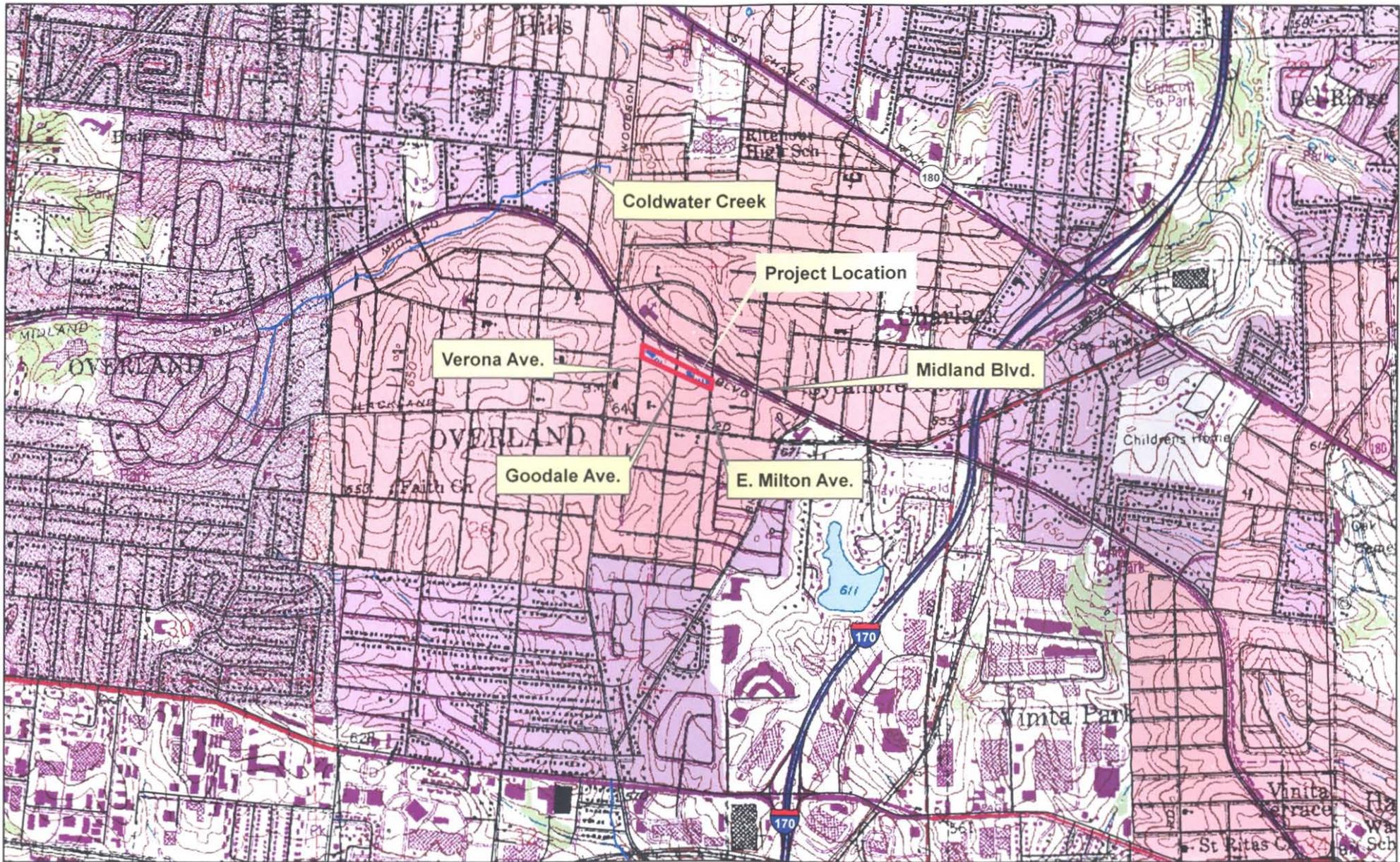
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered 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.


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.



- Legend**
- Street
 - State Hwy
 - US Hwy
 - Interstate
 - Stream

Goodale & Verona Stormwater Improvements
Project Location - MVS-2008-811
Overland, St. Louis County, Missouri

Attachment 1 of 4







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Legend

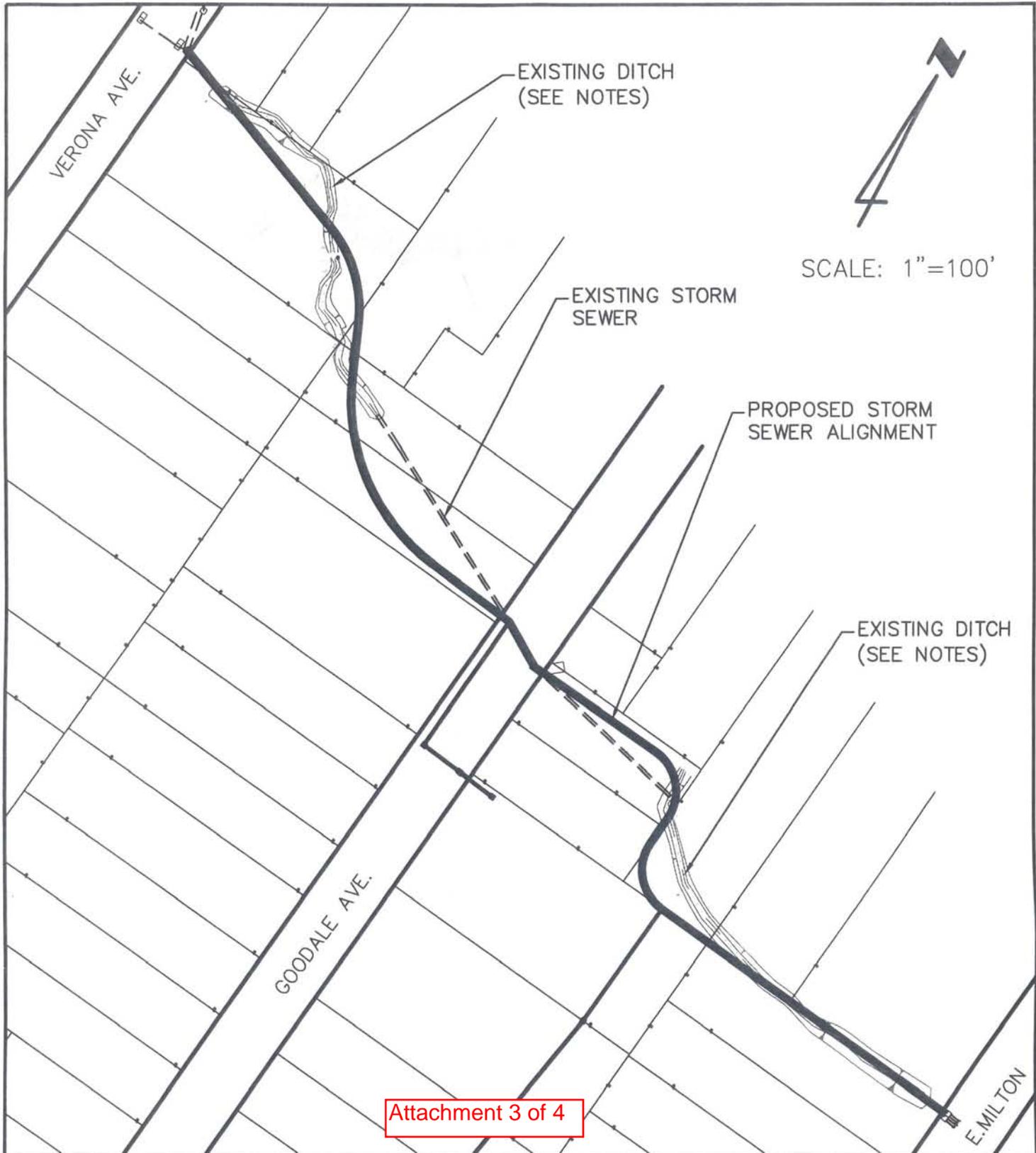
- Street
- State Hwy
- US Hwy
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- Stream

Goodale & Verona Stormwater Improvements
Project Details - MVS-2008-811
Overland, St. Louis County, Missouri

Attachment 2 of 4



US Army Corps of Engineers
 St Louis District



Attachment 3 of 4

NOTES:

1. UNNAMED DITCH IS A TRIBUTARY TO A STORM SEWER SYSTEM WHICH IS A TRIBUTARY TO COLDWATER CREEK.
2. DITCH CURRENTLY EXISTS BETWEEN STORM SEWER SYSTEMS.



MSD PROJECT#: 2006140
ISSUE DATE: 09/08/08

USACE – "PLAN VIEW"
EXHIBIT 2



Attachment 4 - Representative Photographs
Taken February 12, 2009



1- Start of open channel facing upstream to East Milton Avenue.



2- Typical channel condition between Gooddale Avenue and East Milton Avenue,
facing upstream.



3- Typical conditions between Goodale Avenue and East Milton Avenue, facing downstream.



4- Facing downstream to middle piped section, behind rear lot line of homes along eastern side of Goodale Avenue.



5- Facing downstream from start of open channel between Goodale Avenue and Verona Avenue.



6- Typical channel conditions between Goodale Avenue and Verona Avenue, facing downstream.