



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-2717
Public Notice Date
June 8, 2009
Expiration Date
June 29, 2009

Postmaster Please Post Conspicuously Until:

File Number: MVS-2009-162

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: Jaynie Doerr

APPLICANT: Bax Engineering Company, Attention: Cliff Heitmann, 221 Point West Boulevard, St. Charles, Missouri 63301.

AGENT: SCI Engineering, INC. Attention: Sara Hayes, 130 Point West Boulevard, St. Charles, Missouri 63301.

LOCATION: The project area is located west of the intersection of Highway 94 and Queen Mary Drive, in Section 18, Township 47 North, Range 5 East, St. Charles County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to fill approximately 3.6-acres of scrub-shrub wetland and 70 lineal feet of an unnamed tributary for the development of a new school building, sports field, detention basin and access road. The purpose of the activity is to create a new elementary school in the Orchard Farm School District due to the rapidly developing student population. The District currently owns an 80-acre campus which includes the elementary, middle and high schools, central administrative offices, district maintenance and transportation facility. The current infrastructure does not support the addition of another elementary school as the available capacity of the system (well and treatment facility, sanitary sewers and lagoon) will be needed for future additions to existing facilities. Four potential sites were reviewed for this proposed development. Parcel size, construction costs, and availability limited and/or prohibited the

development of a new elementary school at three of the identified locations; therefore the above-mentioned site is considered the preferred site. The applicant proposes to mitigate the impacts by either purchasing credits through an existing wetland mitigation bank or acquiring currently farmed property that could be restored into wetlands. Mitigation for the tributary impacts will be calculated using the Missouri Stream Mitigation Method. Mitigation for impacts to the scrub-shrub wetlands will require at least a 2:1 replacement ratio. The wetlands and tributary are located within the 100-year floodplain of the Missouri River.

LOCATION MAPS AND DRAWINGS: See Attachments 1 and 2.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jaynie Doerr, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8581. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Jaynie.g.doerr@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.

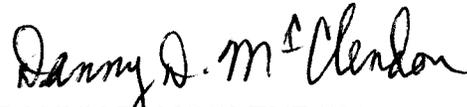
CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

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 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.

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.

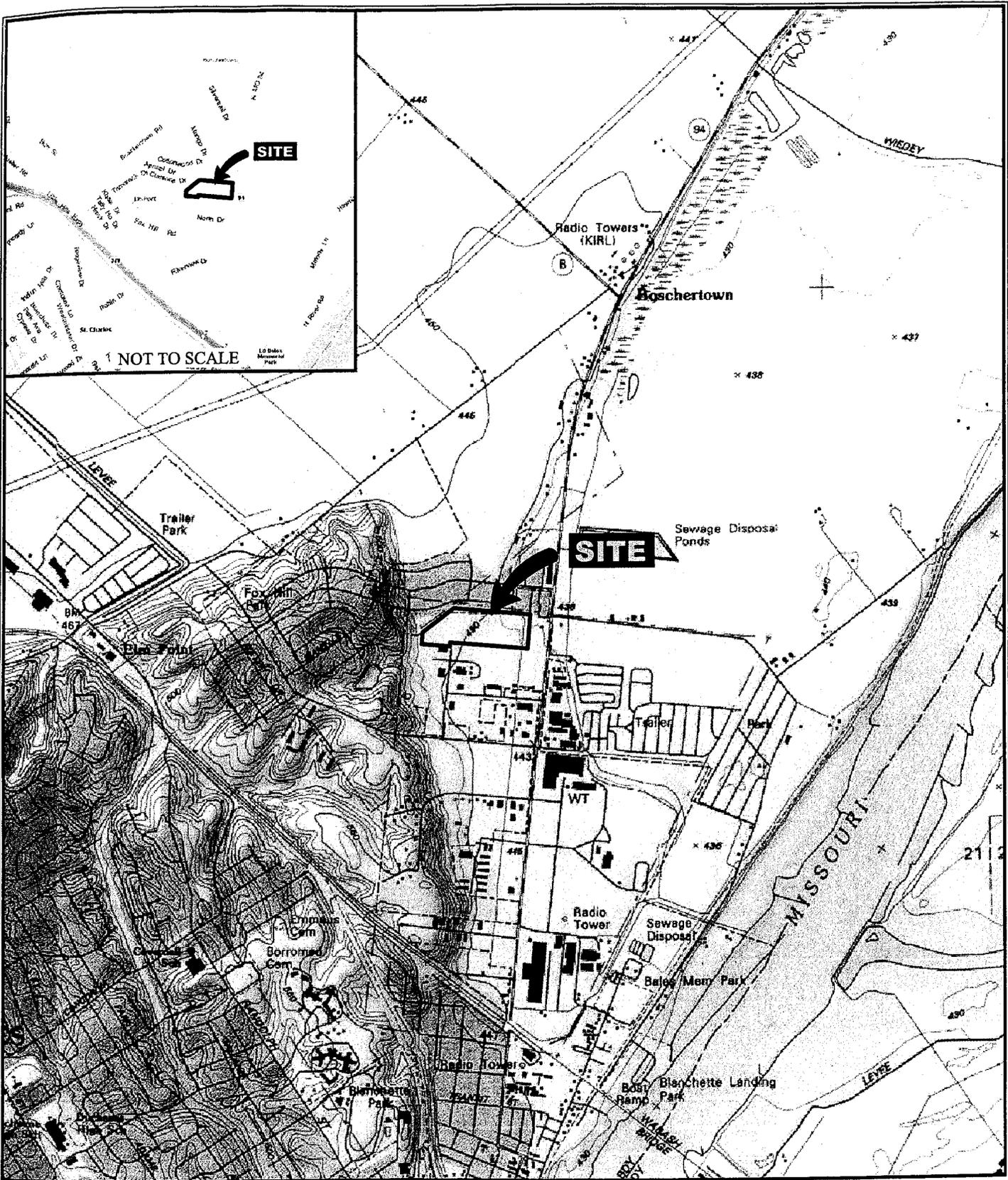


DANNY D. MCCLENDON
Chief, Regulatory Branch

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.



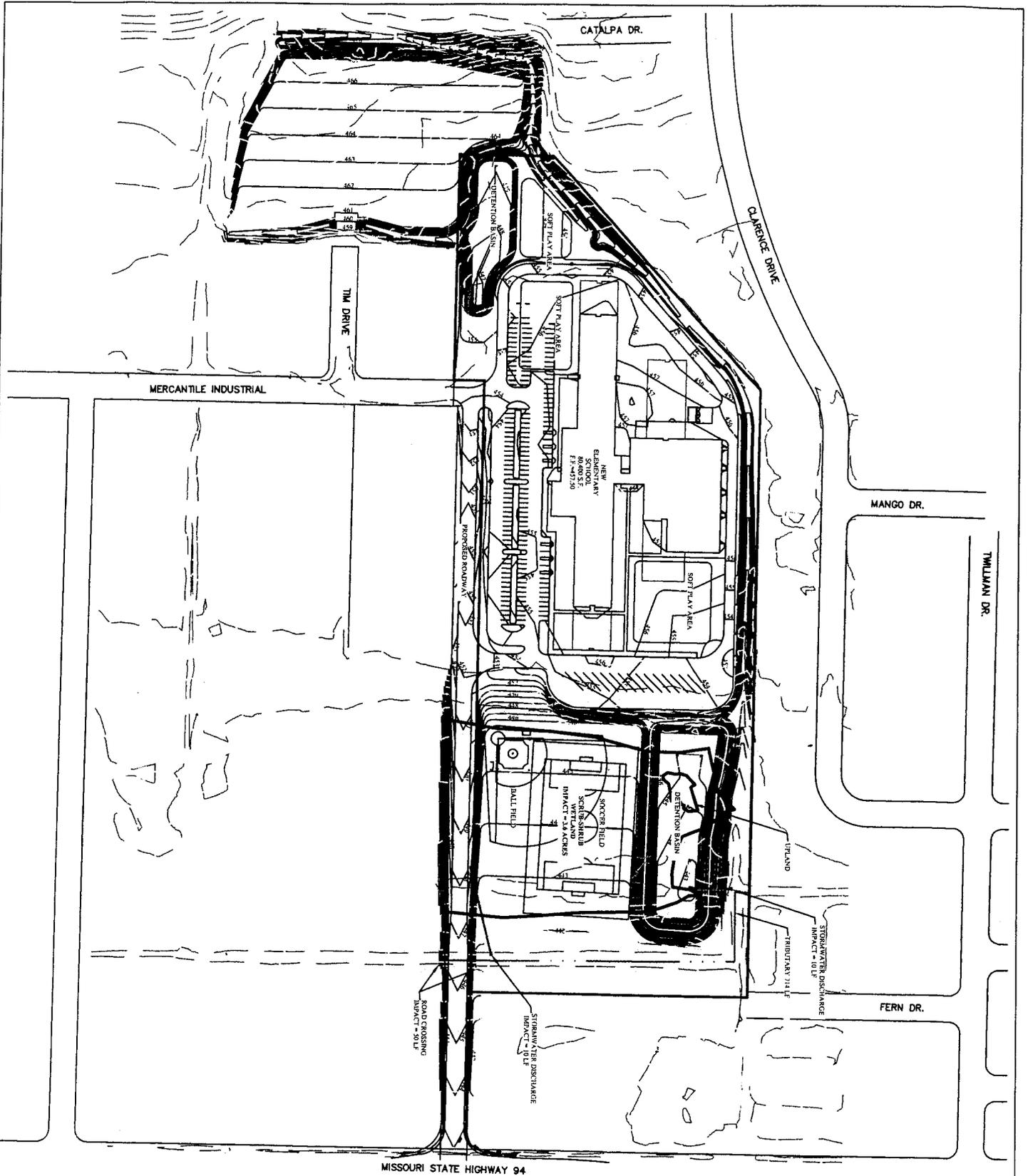
<p>PROJECT NAME HIGHWAY 94 ELEMENTARY SCHOOL ORCHARD FARM SCHOOL DISTRICT ST. CHARLES COUNTY, MISSOURI</p>		
<p>VICINITY AND TOPOGRAPHIC MAP</p>		
<p>DRAWN BY DKM</p>	<p>DATE 02/2009</p>	<p>JOB NUMBER 2007-0843.30</p>
<p>CHECKED BY LAV</p>		

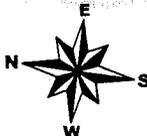
General Notes/Legend
 USGS TOPOGRAPHIC MAP
 ST. CHARLES, MISSOURI QUADRANGLE
 KAMPVILLE, MISSOURI QUADRANGLE
 DATED 1994
 10' CONTOURS

MICROSOFT STREETS AND TRIPS 2005

SCALE 1" = 2000'
FIGURE 1

Attachment 1: Project location



	PROJECT NAME HIGHWAY 94 ELEMENTARY SCHOOL ORCHARD FARM SCHOOL DISTRICT ST. CHARLES COUNTY, MISSOURI			General Notes/Legend BASED ON UNDATED PLAN PROVIDED ELECTRONICALLY ON 02/19/2009 FROM BAX ENGINEERING COMPANY, INC. DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.	 SCALE 1" = 250' FIGURE 1
	PUBLIC NOTICE				
	DRAWN BY	DKM	DATE		
CHECKED BY	LAV	04/2009	2007-0843.31		

Attachment 2: Project plans