

**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-2741

Public Notice Date

October 23, 2009

Expiration Date

November 22, 2009

Postmaster Please Post Conspicuously Until:

File Number: 2009-687

Interested parties are hereby notified that an application has been received to conduct maintenance dredging within the existing Polestar Marina with associated open river disposal, as described below and shown on the attached figure.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers Public Notice Number shown above, and must reach this office no later than the above expiration date 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
ATTN: CEMVS-OD-F (Charles Frerker)
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: Mr. Pete Tully, Polestar Marina, 6171 Highway V, St. Charles, Missouri 63301.

LOCATION: The activity site is located at 6171 Highway V, along the right descending bank of the Mississippi River, at approximate river mile 221.8, in St. Charles County, Missouri. (See Attached Location Map).

PROJECT DESCRIPTION: The applicant requests authorization to perform periodic maintenance excavation of up to 5,000 cubic yards of accumulated river sediment from within the existing Polestar Marina basin. A backhoe or long reach trackhoe would be used to excavate the marina entrance, beneath marina docks, fairways and the vessel lift well. The excavated material would be placed in a barge and transported to the river for open water disposal. The marina is surrounded by mature mast producing wetland tree species and herbaceous wetland vegetation. Open river disposal is sought to minimize wetland and listed species impacts and to return the sediment back to its origin. By doing so, the sediment will return to natural bed load shifting patterns. The project purpose is to return original marina depths to allow pleasure craft to safely navigate and utilize the marina.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting the applicant, Mr. Pete Tully at 636-250-3103, or Mr. Charles Frerker, Regulatory Project Manager, U.S. Army Corps of Engineers 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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: By issuance of this public notice, the project plans are considered submitted to the Missouri Department of Natural Resources, Water Pollution Control Program for state certification of the proposed activity in accordance with Section 401 of the Clean Water Act. 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 Missouri Department of Natural Resources, Water Pollution Control Program guidelines and the Illinois Environmental Protection Agency's 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 range of the endangered Indiana bat (*Myotis sodalis*), running buffalo clover (*Trifolium stolonifereum*) and the threatened decurrent false aster (*Boltonia decurrens*). A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that the proposed dredging and open water disposal is not likely to adversely affect species designated as threatened or endangered, or adversely affect critical habitat. In order to complete our evaluation, comments are hereby solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

CULTURAL RESOURCES: The St. Louis District will evaluate any information provided by the State Historic Preservation Officer and the public in response to this public notice. In addition, issuance of this proposed action would prompt renewal of previously established requirements to avoid and protect a known cultural resource site in vicinity of the project area. Additional reconnaissance surveys of the project area may be required if warranted.

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 30 days from the date of this issuance of this notice.

POLESTAR MARINA
UMR MM 221.8
6171 HIGHWAY "A"
ST. CHARLES, MO. 63301
PETE TULLY

GENERAL LOCATION/S
OF DREDGE SOIL
PLACEMENT

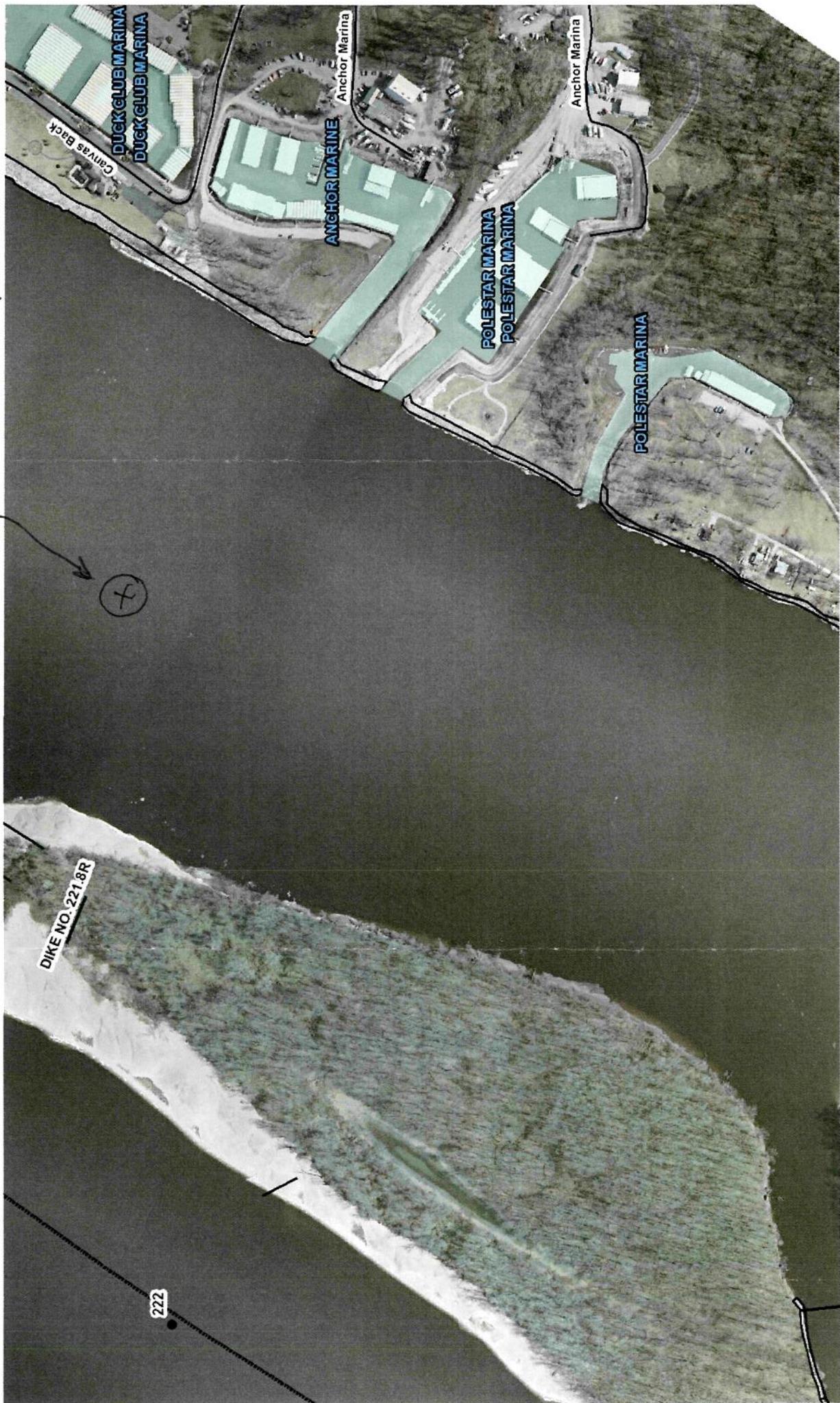


FIGURE I
VICINITY MAP

P-2741