

Public Notice

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

**Reply To:
U.S. Army Corps of Engineers
Attn: Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833**

Public Notice No.
P-2763
Public Notice Date
July 7, 2010

Expiration Date
August 6, 2010

Postmaster Please Post Conspicuously Until:

File Number: 2008-541

Interested parties are hereby notified that a Mitigation Bank Prospectus has been received pursuant to 33 CFR 332 and 40 CFR 230 Compensatory Mitigation for Losses of Aquatic Resource; Final Rule (Federal Register / Vol. 73, No. 70 Pages 19594-19642, April 10, 2008).

COMMENTS AND ADDITIONAL INFORMATION: All comments and/or requests for public hearing must reach this office no later than the 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: Mr. Shawn Sullivan

APPLICANT: H&R Development, L.L.C., Attn: Mr. Lee Hardy, 5706 Bridle Wood Court, Columbia, Missouri 65203.

AGENT: On-Site Soils, Inc., Attn: Mr. Matt Roth, 27 Centre Pt. Suite A, St. Peters, Missouri 63304.

LOCATION: The proposed Meramec Bluffs Mitigation Bank (Bank) is located adjacent to the Meramec River and on the western side of Hunters Ford Road in St. Louis County, Missouri. More specifically, the Bank is located in U.S. Survey 1897, Township 43 North, and Range 3 East (Longitude -90.6607018, Latitude 38.4699615 measured in decimal degrees).

PROJECT DESCRIPTION: Applicant seeks approval from the Interagency Review Team (IRT) which is composed of representatives from the U.S. Army Corps of Engineers (Corps), U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, Missouri Department of Natural Resources, and Missouri Department of Conservation to establish a wetland mitigation bank along the lower Meramec River. The Meramec River is a primary tributary to the Mississippi River. The primary objective of the Bank is to establish (create) approximately 18.59 acres of emergent wetland, 7.90 acres of warm season grass buffer and 6.92 acres of forested buffer. These resources are being established with the intent to sell mitigation credits to Section 404 Permit recipients who need compensatory mitigation as a means to fulfill Department of the Army permit conditions and conditions of their associated

Section 401 Water Quality Certification issued by the Missouri Department of Natural Resources. All aquatic and terrestrial resources established on the site will be protected in perpetuity by a site protection instrument approved by this office.

The agent has cited the Missouri Department of Conservation's Watershed Inventory and Assessment (WIA) prepared for the Meramec River. The WIA reveals that the lower Meramec watershed from Eureka to Fenton is an urbanized zone that has several point and non-point pollution sources that pose threats to water quality within the river. Sediment and pollution laden runoff enter this referenced river reach rapidly because of impervious surfaces from development and the former channelization of tributaries. The mitigation bank is located immediately upstream of this referenced river segment and will function to increase surface water storage capacity, which reduces downstream sedimentation and increases nutrient retention benefits, as well as provides a more stable groundwater recharge to assist in maintaining the health of this watershed. The establishment of this Bank will also benefit wildlife populations by providing nesting, rearing, and foraging habitat.

This mitigation bank proposal does not preclude any Section 404 permit applicant who intends or is required to use the mitigation bank from complying with Clean Water Act Section 404(b)(1) Guidelines, the National Environmental Policy Act, and our evaluation of probable impacts on public interest. If approved by the Corps, the Bank when fully completed will contain a total of 38.86 acres of established aquatic and terrestrial resources adjacent to the Meramec River. The geographic service area, is the geographic area within which 404 and 401 permitted impacts can be compensated for at the Bank, is proposed to consist of the Meramec 8-digit hydrologic unit code (HUC-8). Mitigation credits generated by the project will be debited on an incremental basis as long as the Bank is meeting its anticipated success criteria set forth in the final banking document. Upon request, a copy of the Mitigation Banking Prospectus is available for review in our office.

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Shawn Sullivan, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8580. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Shawn.F.Sullivan@usace.army.mil.

AUTHORITY: Section 404 of the Clean Water Act (33 U.S.C. 1344).

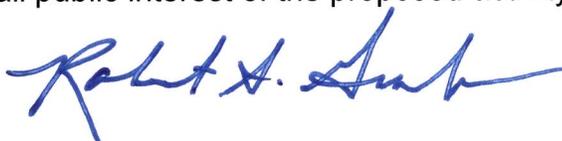
PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would 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 OF PROBABLE IMPACTS: The decision whether to authorize H&R Development, L.L.C. agreement with the Corps and IRT 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 FROM THE PUBLIC: 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.



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.

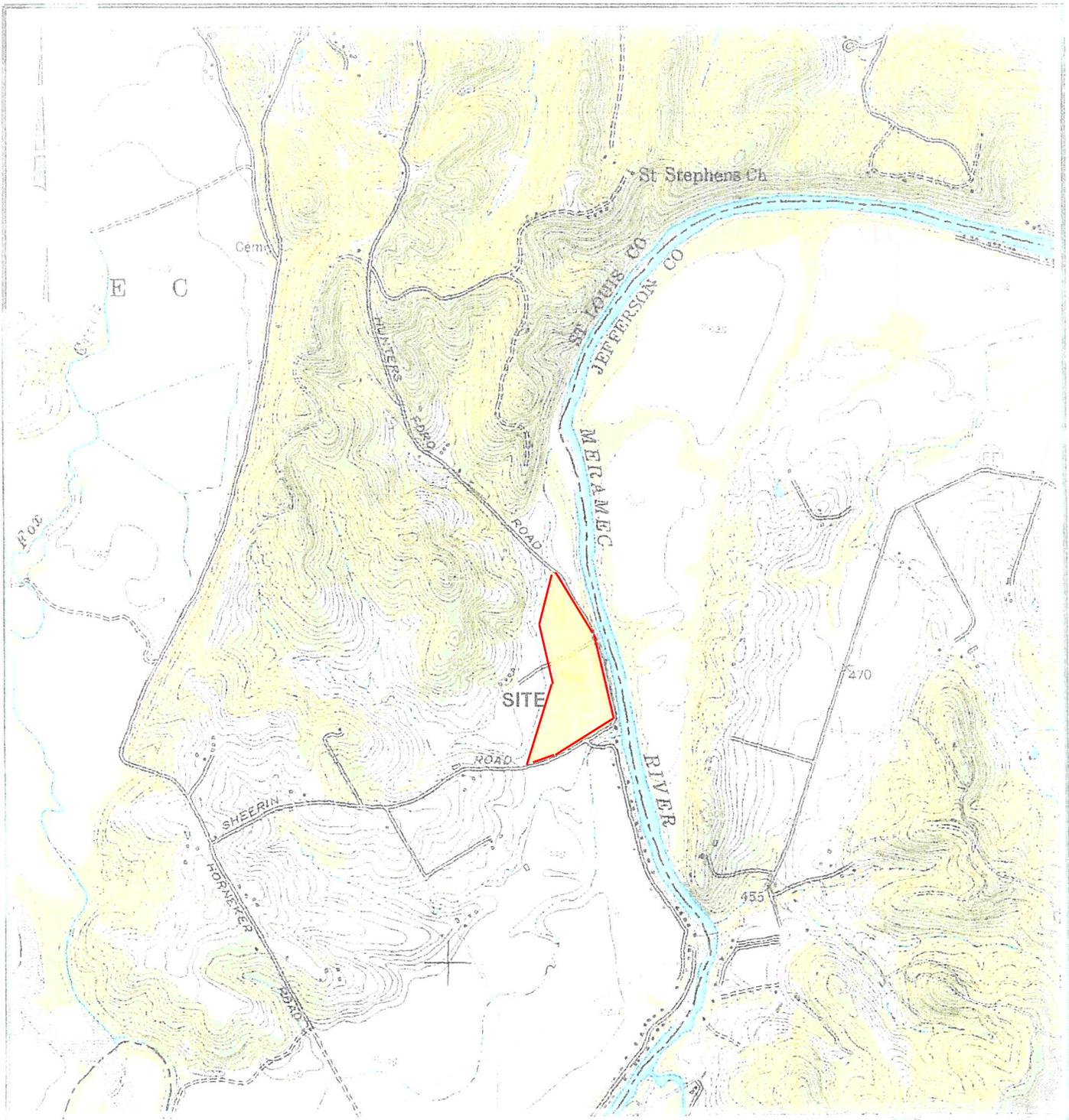


Figure 1

REFERENCE

USGS

On-Site Soils, Inc

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**Meramec Bluffs Wetland Mitigation Bank
VICINITY MAP
St. Louis County, Missouri**

DRW'N BY



**MERAMEC BLUFFS WETLAND MITIGATION
BANK
SERVICE AREA MAP
Meramec HUC-8**

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PROPOSED (30' W.) ROAD EASEMENT

AREA 1
STREAM MITIGATION
PLANTING AREA

EXISTING
RESTORATION
13.56 AC

SWITCHGRASS
4.64 AC.

HUNTERS FORD (30' W.) ROAD

DOWN
TREE
STRUCTURE
MIN. 1,200 SQ. FT.
(TYPICAL)

EMERGENT
WETLAND
13.77 AC.

FORESTED
BUFFER
6.92 AC.

ASPHALT
PAVEMENT

MERAMETEC

SHRUB PLANTING AREA

WETLAND AREA

AREA 1
STREAM MITIGATION
PLANTING AREA

FORESTED
BUFFER
1.64 AC.

SWITCHGRASS
3.26 AC.

EMERGENT
WETLAND
4.82 AC.

FORESTED
BUFFER
3.81 AC.

ASPHALT
PAVEMENT

WENTERS FORD (S.W.) ROAD

Match
Line

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