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-2766
Public Notice Date
July 19, 2010
Expiration Date
August 9, 2010

Postmaster Please Post Conspicuously Until:

File Number: 2010-485

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 (Kathrine Kelley)
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: Mr. Joseph Kulessa, St. Louis County Highways and Traffic, 121 South Meramec Avenue, Clayton, Missouri 63105

AGENT: Mr. Paul H. Reitz, Reitz and Jens, Inc., 1055 Corporate Square Drive, St. Louis, Missouri 63132

LOCATION: The project area is located in Township 43 North, Range 06 East, Section 14, in Oakville, St. Louis County, Missouri. St. Louis County Department of Highway and Traffic has proposed to improve safety and traffic flow through a section of Baumgartner Road, by realigning Baumgartner, Old Baumgartner and Milburn Roads. These road realignments would impact an unnamed tributary to Mattese Creek, a primary tributary to the Meramec River.

PROJECT DESCRIPTION: The applicant seeks authorization to improve the safety of those travelling on Baumgartner Road by realigning an approximate ½ mile section of Baumgartner Road from Blackforest Drive to north of Fireleaf Drive and reconstructing the intersections of Baumgartner/Old Baumgartner, Baumgartner/Blackforest, Baumgartner/Fireleaf and Old Baumgartner/ Milburn Road. The project would include installing dedicated turn lanes and traffic signals at critical intersections and installing sidewalks to meet Americans with Disabilities Act (ADA) requirements. The project would also include adding detention basins, open swales, and other permanent stormwater Best Management Practices (BMP) to manage sediments, debris, and other roadway contaminants to improve stormwater quality before it is discharged from the new roadway and surrounding areas.

St. Louis County Department of Highways and Traffic began this Baumgartner Road Realignment Phase I Project in 2003. At the South County Transportation Forum in 2003, many area residents expressed serious concerns about the safety of the existing intersection at Baumgartner and Old Baumgartner.
In response to these concerns, St. Louis County developed three alternatives for improving the safety of this stretch of Baumgartner and the Baumgartner/Old Baumgartner Road intersection. The three alternative plans presented to the community involved significant roadway realignment. These original concepts varied from major

stream impacts to completely enclosing the stream. The option favored by the public had the biggest impact to the stream. However, in response to value engineering and environmental concerns, the preferred alternative has been redesigned and now includes vertical retaining walls and 2:1 side slopes (County standard is 3:1) to lessen the width of road embankments and to further minimize impacts to the unnamed tributary to Mattese Creek. Where impacts are unavoidable, development plans will include methods for realignment of the creek that minimizes channel impacts, the effects of this project on existing (preserved) channel reaches, and provides environmental benefits.

This proposed project will impact two sections of an unnamed tributary to Mattese Creek which runs along the south and east side of Baumgartner Road. The natural topography along this stretch of Baumgartner is a narrow valley with steep sided hills rising from both sides of the alignment. This channel generally flows from east to west immediately adjacent to the existing roadway. Because of its proximity to the existing roadway, the proposed horizontal and vertical realignment of Baumgartner would fill 950 linear feet of the existing channel between Old Baumgartner and Fireleaf to build the embankment for the new road. In order to improve safety of the Baumgartner/Blackforest intersection, an existing 50 foot long box culvert will be removed and approximately 560 linear feet of existing channel will be filled. (A photograph of one section of this unnamed tributary to Mattese Creek and another of Blackforest Drive located within the proposed project area are attached.)

The 950 linear foot section of the channel proposed for filling would be replaced by constructing a 740 linear foot section of open channel. The new road alignment and topography in this area would require that the realigned channel be cut into the existing rock hillside to create a new channel with limestone bed and bank. The 560 linear feet of channel and 50 foot long box culvert proposed for removal in order to improve the Baumgartner/Black Forest intersection would be replaced by approximately 360 linear feet of realigned open channel and a 140 foot long box culvert. Preliminary subsurface information from this area suggests that the bottom of the box culvert and realigned channel would also need to be cut into limestone bedrock; however, it is likely that the realigned channel banks would be at least partially soil. These channel realignments would be designed to dissipate the additional energy created by the shortened, steeper sloped channel in the middle of the realignment where the rock cut is least erodible so there are no significant water velocity changes up or downstream of the realignment. Any soil overbank areas disturbed by the realignments will be bio-stabilized and revegetated with native plant species to the extent possible. If appropriate, grade controls will also be established immediately up and downstream of the two sections of realignment to stabilize the unimproved bed and banks.

The proposed unavoidable filling of 1,510 linear feet of existing tributary and enclosing another 140 linear feet of the tributary in a box culvert at Black Forest Drive requires mitigation. St. Louis County intends to mitigate for these impacts by either purchasing credits from an approved Stream Mitigation Bank or through the Missouri Conservation Heritage Foundation In-Lieu Fee Program. The method and final quantity of mitigation credits required would be finalized prior to issuance of a Department of Army Permit. Mitigation for the tributary impacts will be calculated using the Missouri Stream Mitigation Method.

MAPS AND DRAWINGS: See attached. In addition, the project plans may be viewed in color and in more detail by visiting the Public Notice section of our website at http://www.mvs.usace.army.mil/permits/.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Kathrine Kelley, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8813. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Kathrine.Kelley@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.

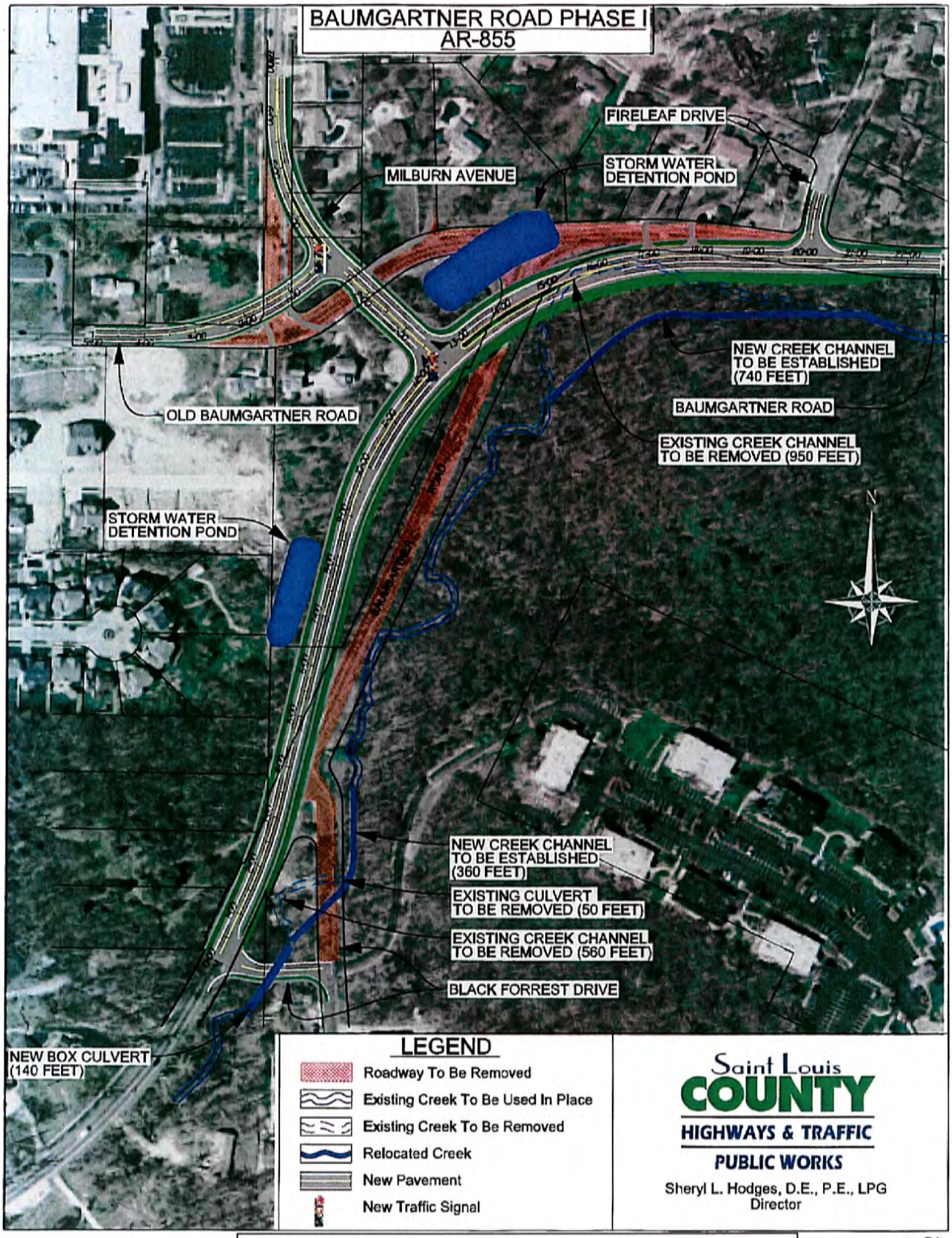
In accordance with 33 CFR 325.3, it is presumed that all interested parties and agencies will wish to respond to public notices; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project.

Danny D. McClendon

DANNY D. MCCLENDON
Chief, Regulatory Branch

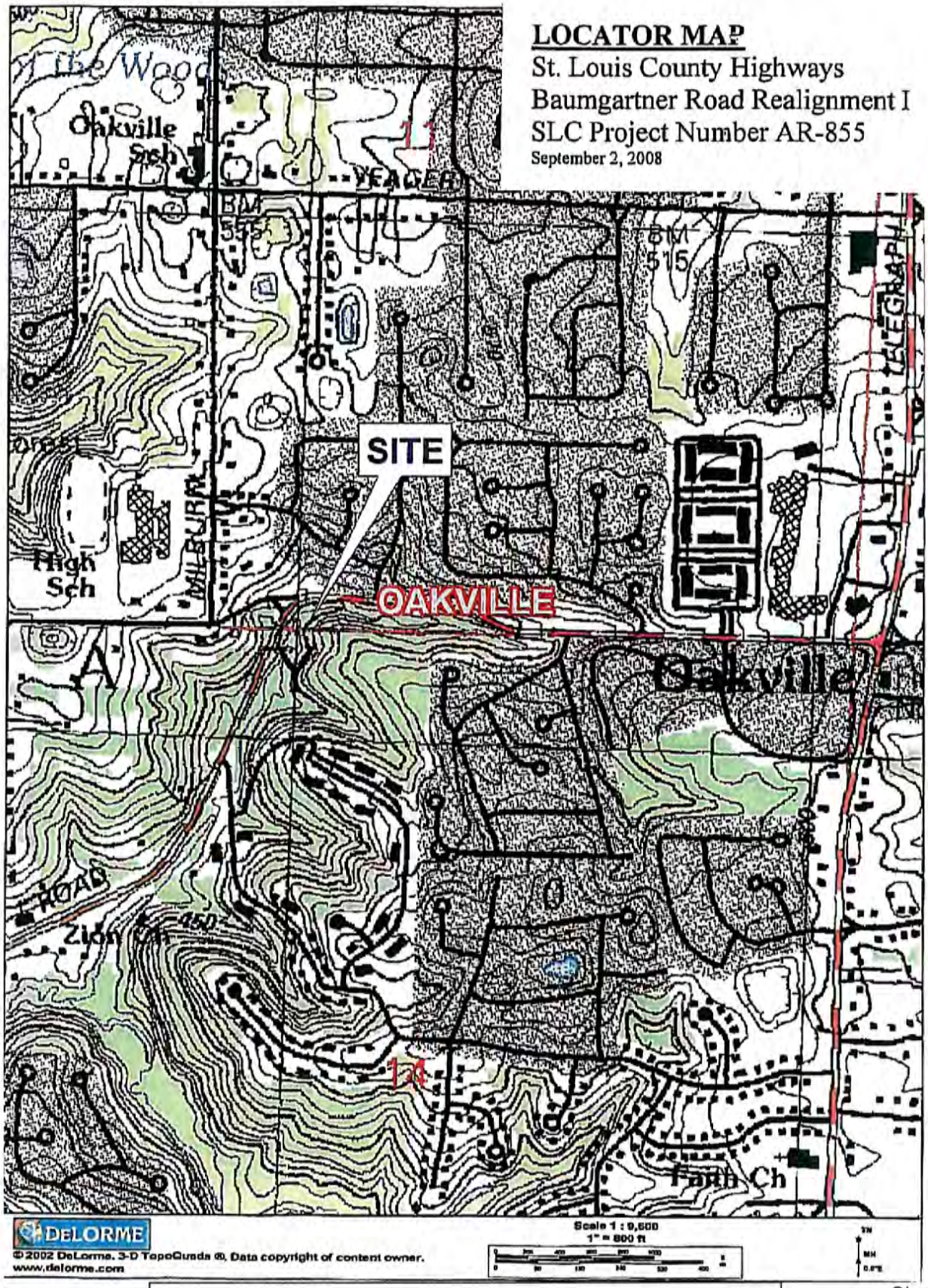
Attachments

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.



St. Louis County Department of Highways and Traffic
Realign Baumgartner Road in Oakville, St. Louis County Missouri
Unnamed Tributary to Mattese Creek

Sheet 1 of 4
P-2766
MVS- 2010-485



St. Louis County Department of Highways and Traffic
Realign Baumgartner Road in Oakville, St. Louis County Missouri
Unnamed Tributary to Mattese Creek

Sheet 2 of 4
P-2766
MVS- 2010-485

St. Louis County Department of Highways and Traffic
Realign Baumgartner Road in Oakville, St. Louis County Missouri
Unnamed Tributary to Mattese Creek

Sheet 3 of 4
P-2766
MVS- 2010-485

St. Louis County Department of Highways and Traffic
Realign Baumgartner Road in Oakville, St. Louis County Missouri

Sheet 4 of 4
P-2766
MVS- 2010-485