



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-2772
Public Notice Date
September 13, 2010**

**Expiration Date
October 4, 2010**

Postmaster Please Post Conspicuously Until:

File Number: 2010-516

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: Jennifer L. Brown

APPLICANT: Metropolitan St. Louis Sewer District, Attention: Jeffrey M. Smith, 2350 Market St., St. Louis, Missouri 63103.

LOCATION: The project area is located in the City of Ladue within Black Creek. The project is located to the east of I-170 and is split into two portions (north and south), separated by Ladue Road. The project is located in Section 9, Township 45 North, Range 6 East, St. Louis County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling operations in waters of the United States to stabilize eroding stream banks in a residential neighborhood. The failing streambanks are impacting an existing sewer line, contributing to increased sediment loads within the watershed, and are a public safety concern.

The proposed creek to be impacted is Black Creek. Black Creek is located within an urbanized section of St. Louis County, MO. The applicant depicts the project as divided into two separate sections, the northern and the southern section. The northern section of the project is located north of Ladue Road and is known as the Normton Drive Bank Stabilization Project (MSD project # 2007075). The southern section of the project is located south of Ladue Road and is known as the

Wenneker-Treebrook Lane Storm Channel Project (MSD project # 2007135). Both projects are located within the same stretch of Black Creek.

The Normton Project includes the installation of plantable segmented retaining wall along several sections of the creek that will total approximately 980 linear feet. Approximately 785 linear feet of wall will be new and approximately 194 linear feet of wall will be a replacement to already disturbed sections of the tributary. The retaining walls consist of interlocking blocks with live staking and other plantings. In addition to the walls, six cross vanes are proposed in the southern section of the Normton project to prevent a headcut from progressing upstream.

The Wenneker Project includes the installation of approximately 451 linear feet of plantable segmented retaining wall. Approximately 121 linear feet of wall will be new and approximately 330 linear feet of wall will be a replacement to already disturbed sections of the tributary. In addition, there will be three sections within the Wenneker project where a new channel bottom will be installed and/or replaced to provide stabilization.

Black Creek is approximately 15-20 feet wide at this location and has banks that range from 4 to 8 feet high. The original substrate of Black Creek is mostly composed of muck and cobble. The existing section of Black Creek where this project is proposed has a history of channelization and is already heavily impacted due to surrounding development. Many previous structures including walls and gabions were installed approximately 25 years ago along this stretch of Black Creek and are currently deteriorating.

The Metropolitan St. Louis Sewer District has researched alternatives and has attempted to minimize impacts to Black Creek. However, the applicant stated that the impacts are unavoidable due to design constraints related to public safety. The applicant is exploring mitigation options within approved stream mitigation banks as well as opportunities through the Heritage Foundation's Stream Stewardship Trust Fund.

LOCATION 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/ConOps/permits/pn.htm>

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jennifer L. Brown, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8579. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Jennifer.L.Brown@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.


DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

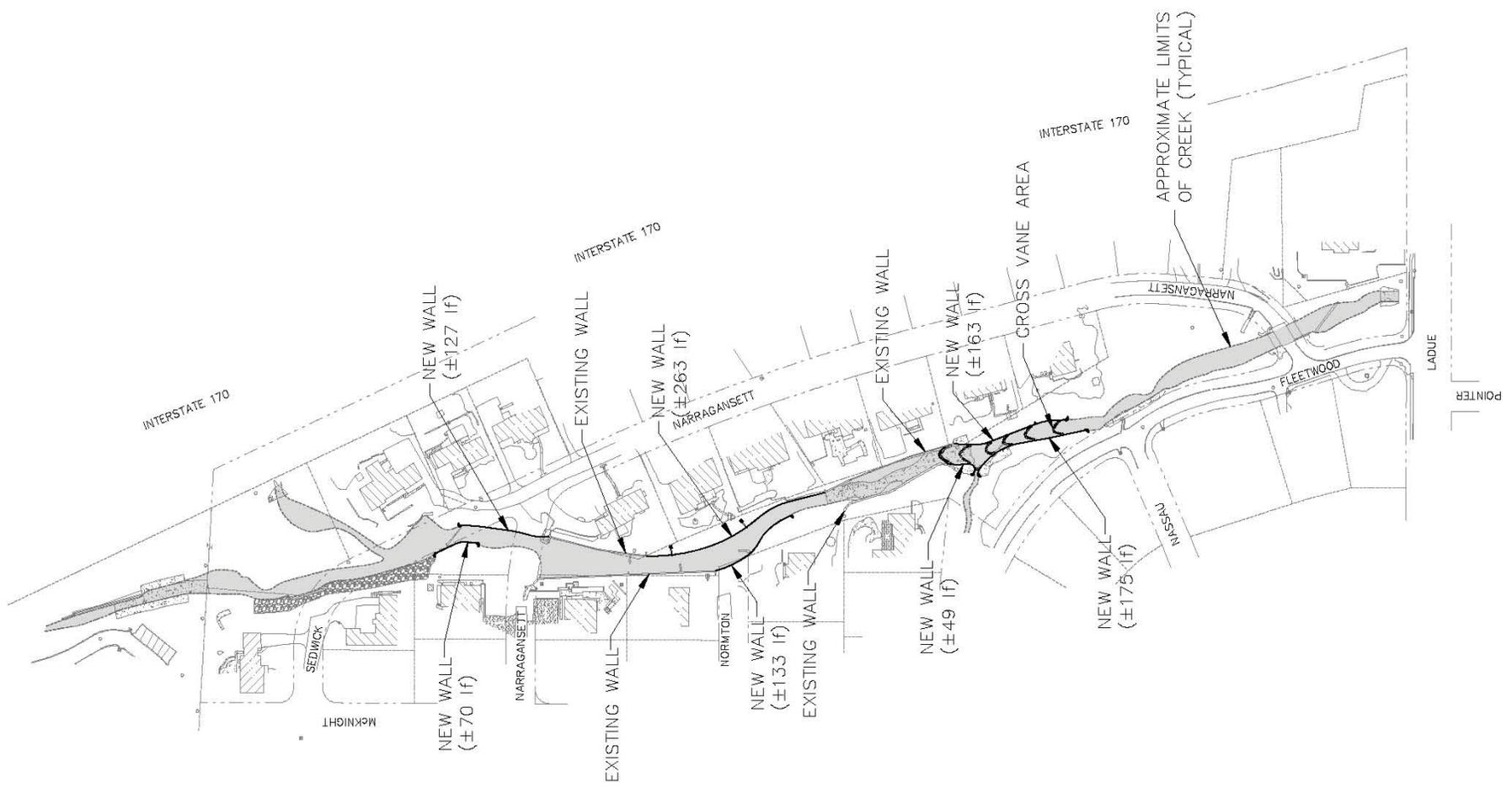
It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

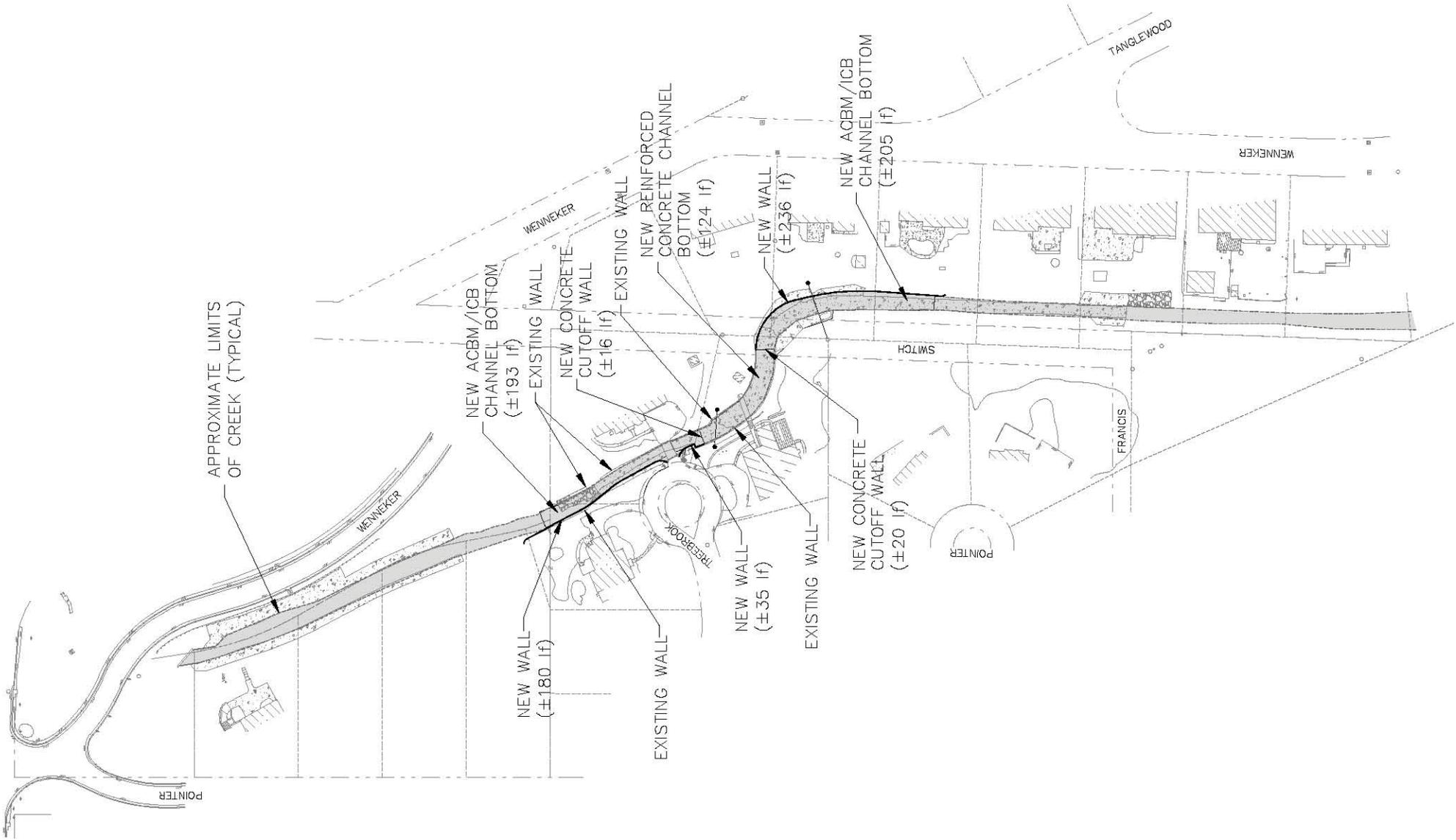
Normton Project:



Wenneker Project:







APPROXIMATE LIMITS OF CREEK (TYPICAL)



1. Normton Project. Facing upstream at concrete wall.



2. Normton Project. Facing upstream at exposed line.



3. Normton section. Facing downstream at existing concrete wall.



4. Weneker section. Facing upstream at existing gabions and fence lined channel.



5. Wenneker section. Facing downstream at existing wall and concrete section of channel.



6. Wenneker section. Facing downstream at concrete section of channel.