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# Public Notice

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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.  
MVS-2022-511

Public Notice Date:  
March 30, 2023

Expiration Date:  
April 21, 2023

Postmaster: Please Post Conspicuously Until:

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**File Number: MVS-2022-511**

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: Chad LaMontagne

**APPLICANT:** Residential One LLC, a Missouri Limited Liability Company, Attention: Mark Branstetter, 525 Hickory Lane, St. Louis, Missouri 63131.

**LOCATION:** The project area is located south of Creve Coeur Mill Road, north of Creve Coeur Lake, and west of Creve Coeur Creek. The project site addresses are 12000 Creve Coeur Mill Road and 1 Gulfport Drive. The project is in Section 18, Township 46 North, Range 5 East, St. Louis County.

**PROJECT DESCRIPTION:** The applicant seeks authorization to conduct grading and filling operations in waters of the United States to construct a mixed use, multi-family residential and service retail development comprising a total of approximately 800 garden-style units with a central club house and maintenance buildings. Future retail development is planned for the northern parcels facing the Expressway. There will be paved access and parking lots, with associated landscaping and infrastructure.

12.96 acres of wetlands have been identified on site. The project proposes to impact 3.32-acres of emergent wetland for the expansion. 9.64-acres have been avoided. The wetland is located downstream of Creve Coeur Lake, and adjacent to the left descending bank of Creve Coeur Creek. Wetland resources on site contain hydric soils, hydric vegetation, and a connection to the navigable in-fact Missouri River via directly abutting Creve Coeur Creek. Residential One LLC has researched alternatives and has attempted to minimize impacts to the wetland. However, the applicant stated that the impacts are unavoidable due to the desire to utilize and develop the site. The applicant is exploring mitigation options within approved wetland mitigation banks and/or In-Lieu Fee providers.

**HISTORY:** The site includes an abandoned recreation golf facility and agricultural fields

**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/Missions/Regulatory/PublicNotices/OpenNotices.aspx>

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Chad LaMontagne, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8044. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to [Chad.M.LaMontagne@usace.army.mil](mailto:Chad.M.LaMontagne@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 Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not yet submitted a certification request to the MDNR (certifying authority). In accordance with Certification Rule part 121.6, once the applicant submits a certification request the Corps will determine the reasonable period for the certifying agency to act upon the certification and provide written notification. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

**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:** The proposed project is within the range of the federally endangered Gray Bat (*Myotis grisescens*) and Indiana bat (*Myotis sodalis*) as well as the federally threatened northern long-eared bat (*Myotis septentrionalis*). Additionally, it is within the range of the Tricolored Bat (*Perimyotis subflavus*) that currently a candidate for endangered status. A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that this activity may affect, but is not likely to adversely affect, the habitat of these listed species due to clearing approximately 1.62-acres of trees within the winter months. Also listed for this area are the Decurrent False Aster (*Boltonia decurrens*) and the candidate for listing Monarch Butterfly (*Danaus plexippus*). Neither species nor habitat for were identified during a survey of the site, therefore a preliminary determination of no affect will be made for those species.

**CULTURAL RESOURCES:** The St. Louis District is reviewing a Phase 1 Cultural Survey submitted by the applicant and will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice. The Corps will continue to coordinate with SHPO and Native American Tribes as appropriate.

**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. Many of the concerns listed above including Air Quality are reviewed, evaluated, and permitted by the Missouri Department of Natural Resources through the State Land Reclamation Permitting Process.

**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 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.

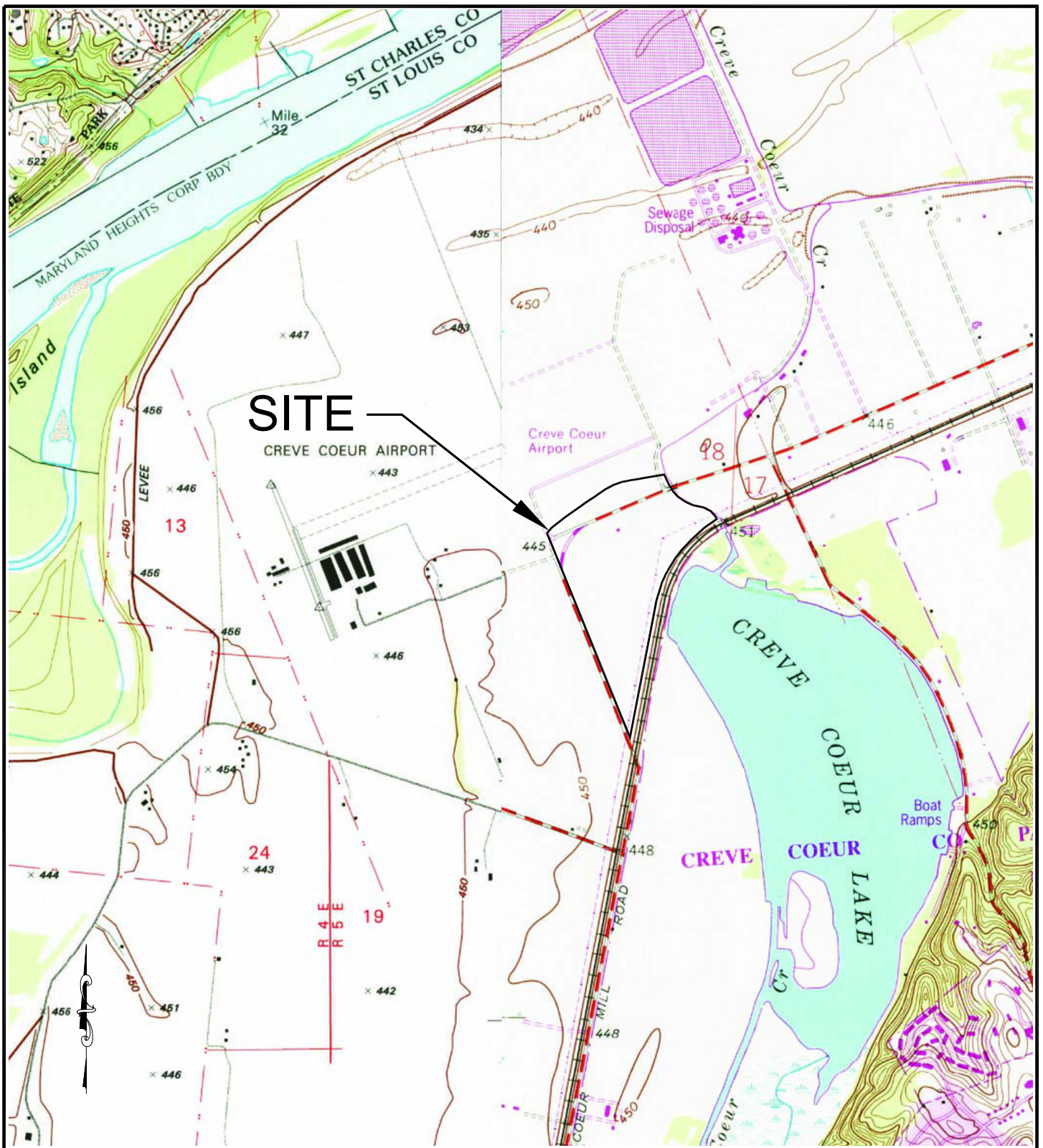
*Robert S. Gramke*

Robert S. Gramke  
Chief, Regulatory Branch

Attachments

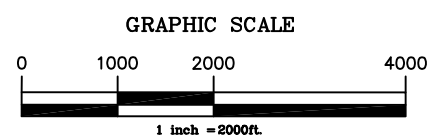
**NOTICE TO POSTMASTERS:**

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



1954 (Revised 1993 Creve Coeur and  
1994 Chesterfield, Missouri  
7.5-Minute USGS Quadrangle

**Figure 1**  
Location Map  
Maryland Heights Apartments  
MVS-2022-511  
Maryland Heights, Missouri

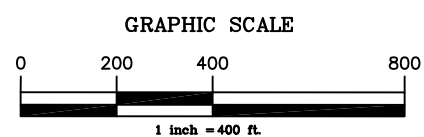


MT Job No. 15204

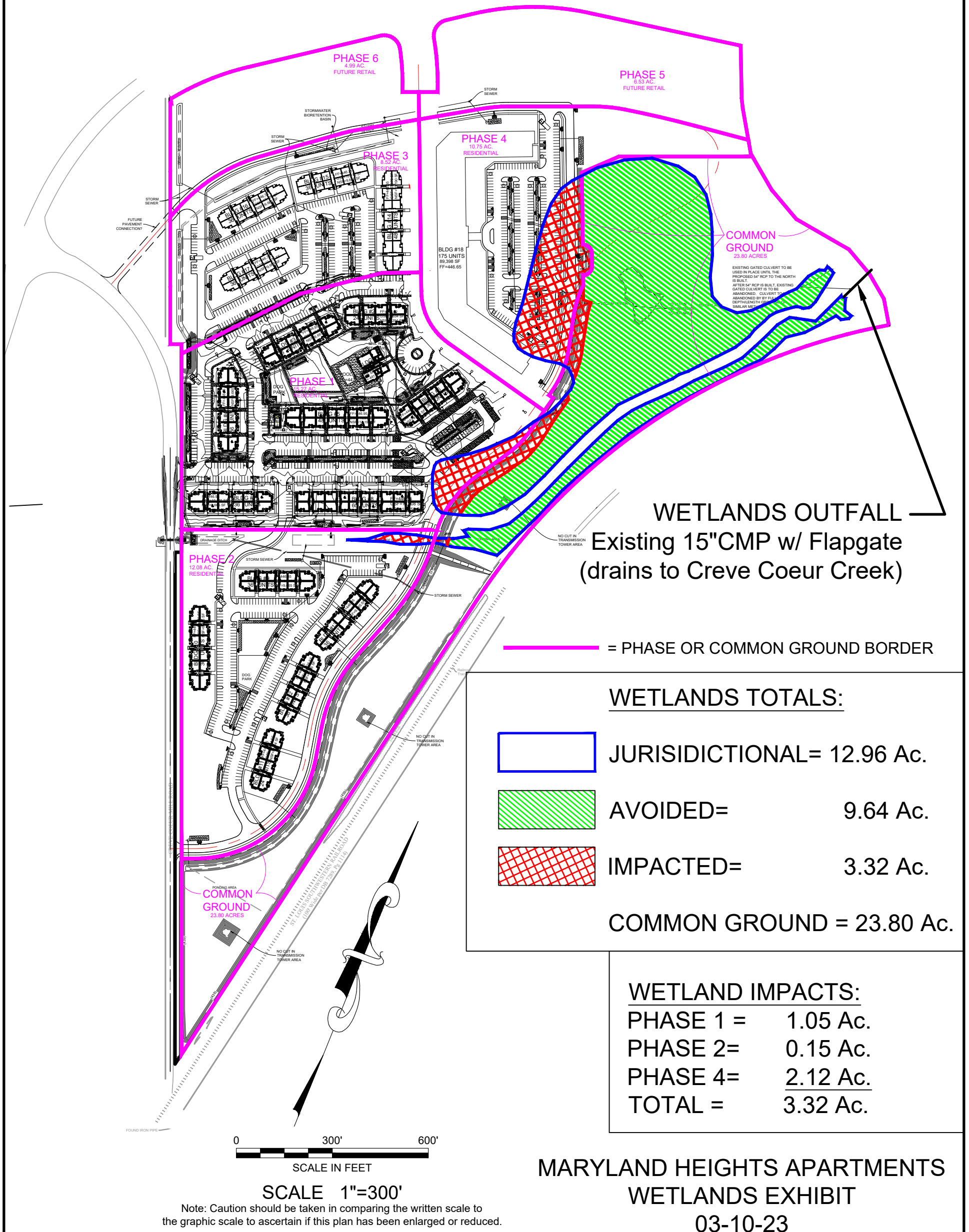




Figure 2  
 2021 Aerial Photograph  
 Maryland Heights Apartments  
 MVS-2022-511  
 Maryland Heights, Missouri



MT Job No. 15204



### Figure 3: Development Plan

Preliminary, not for  
construction, recording  
purposes or  
implementation.

This document was digitally signed by  
?Name?  
on ?Date?.



the  
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*MO Cert. of Authority - Prof. Engineering #000067  
& Prof. Surveying #000014  
IL Dept. Financial & Prof. Reg. Prof. Design  
& Engineering Corp. #184.000879*

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|---|------------------|
| <b>Project Number:</b> 21081  | <b>Drawn:</b>    |
| <b>PLOTTED:</b> 3/10/2023 9:48 AM   | <b>Sheet:</b> of |
| <b>FILE:</b> G:\21xxx\21081-1 PHASE I\Plans\Siteplan01-MHA Ph1 Improvement Plan BWERING & STATION.dwg |                  |