



**US Army Corps
of Engineers®**

St. Louis District

PUBLIC NOTICE

FILE NUMBER: [MVS-2022-172](#)

PUBLIC NOTICE DATE: [January 14, 2025](#)

EXPIRATION DATE: [February 4, 2025](#)

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. The purpose of the public notice is to inform you of a proposal for work in which you may be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

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 or may be submitted electronically at <https://rrs.usace.army.mil/rrs/public-notices>.

U.S. Army Corps of Engineers
Regulatory Division
1222 Spruce Street
St. Louis, Missouri 63103

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources, Water Protection Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources by email at wpsc401cert@dnr.mo.gov or by mail at P.O. Box 176, Jefferson City, Missouri 65102.

APPLICANT: St. Charles County, c/o Mr. Chris Bostic, 301 North Third Street, St. Charles, Missouri 63301 and the City of O'Fallon, c/o Mr. Thomas Kelley, 100 North Main Street, O'Fallon, Missouri 63366.

PROJECT LOCATION: (As shown on the attached drawings): The activity is located north of the intersection of Missouri Highway DD and Diehr Road and continues north to connect with Lake St. Louis Boulevard at Paul Renaud Boulevard, within the City of O'Fallon and unincorporated St. Charles County. The project is generally located within USGS Southwest 1/4 of Section 9 and the North 1/2 of Section 16, Township 46 North, Range 2 East of the Defiance Quadrangle. Approximate geographic coordinates are: 38.742729°, -90.799977°.

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344)

ACTIVITY: (As shown on the attached drawings): The constructing of an extension of Lake St. Louis Boulevard, from Paul Renaud Blvd to Route DD. The purpose of the project is to provide a north-south transportation corridor in an area of St. Charles County that has experienced and is continuing to experience an increase in population. The proposed roadway would connect the existing Lake St. Louis Blvd, to the north, to Highway DD at the southern project terminus to provide a north-south connector route within a predominately residential area. This proposed roadway extension is the final piece of a long-range plan (20+ years). The roadway footprint is 2-12' lanes, curb and gutter, and a 10' shared use path within an existing easement in the northern portion and a new easement in the southern portion. The roadway extension will require a total of three separate crossings of the

unnamed tributary to Dardenne Creek and 2 wetland impact areas: two culvert pipe stream crossings in the upper portion of stream length, an emergent wetland fill area for the road embankment near Preston Woods Trail connection, and floodplain wetland fills and clearing at the downstream-most bridge stream crossing. Retaining walls will be used as necessary to minimize tree clearing and avoid environmentally sensitive areas where feasible.

WETLANDS/AQUATIC HABITAT: The stream channel proposed to be impacted is a USGS mapped perennial channel that is an unnamed tributary to Dardenne Creek, a primary tributary to the navigable Mississippi River. Two pipe culverts will be placed within STR-2 and STR-3. A three span bridge will be constructed within WTL-1, which will require the placement of piers to span STR-1. STR-2 and STR-3 are segments of the same waterbody. Approximately 131 LF of this stream will be impacted by the pipe/culvert placement and roadway construction. Approximately 1.41 acres of Wetland 1, which is forested, and 0.33-acre of Wetland 2, which is emergent, will be impacted by the roadway construction and associated infrastructure.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY

MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: Best management practices (BMP) will be installed within the construction area to prevent sediment pollution. These practices will also be placed around sensitive areas such as wetlands. The BMPs will include silt fences, straw wattles, stream checks, and vegetation cover. Retaining walls have been included in the design to avoid environmentally sensitive areas where feasible. Tree clearing is being minimized within the limits of construction in order to protect existing bat habitat in the area.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Samantha Hollenberg, U.S. Army Corps of Engineers St. Louis District – Regulatory Division, 1222 Spruce Street, St. Louis, Missouri 63103, (314) 331-8575. All comments to this public notice should be sent to: MVS-Regulatory@usace.army.mil

CULTURAL RESOURCES: The St. Louis District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. Cultural resource investigations have been completed and an eligible historic property has been identified, Site 23SC2266 consisting of features that represent ruins of a 19th century log cabin of the Hopewell African-American Community. The site is eligible for the National Register of Historic Places (NRHP) under Criterion A, related to Ethnic Heritage (U.S. Department of the Interior 1997) and under Criterion D, may be likely to yield information important in history. The applicant, St. Charles County, is investigating avoidance, minimization and mitigation measures as the current design proposed to adversely affect the historic property by partial permanent destruction of the historic property. Our office is completing outreach specific to this proposed effect, in addition to this general Public Notice. The St. Louis District will coordinate with the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative), Advisory Council on Historic Preservation, interested parties, and the public in response to this public notice, and throughout any Memorandum of Agreement process.

ENDANGERED SPECIES: The St. Louis District will comply with Section 7 of the Endangered Species Act. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service (Service) and other interested agencies and individuals. The St. Louis District is engaged in formal consultation with the Service regarding the proposed removal of 8.5 acres of forested areas that are suitable summer habitat for two endangered bat species, Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*), and the proposed endangered,

tri-colored bat (*Perimyotis subflavus*).

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. A portion of the southern half of the project area contains Federal Emergency Management Agency regulatory floodway and floodplain. The applicant has proposed a long span bridge that is to allow flow passage in the stream and the regulatory floodway. Some fills in the flood zones are proposed and the appropriate local floodplain authorizations are being pursued. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Water Certification Improvement Rule (Certification Rule, 40 CFR 121), effective November 27, 2023, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope for CWA Section 401 certification by the certifying authority shall evaluate whether the activity will comply with applicable water quality requirements. The certifying authority's evaluation is limited to the water quality-related impacts from the activity subject to the Federal license or permit, including the activity's construction and operation. The applicant is solely responsible for requesting certification and providing required information to the certifying agency. 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.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The 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 this proposed activity. Any comments received will be considered by the 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 the other public interest factors listed above. Comments are used in 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.

ENVIRONMENTAL JUSTICE: In accordance with E.O. 12898, E.O. 14008, and E.O. 14096, the Corps of Engineers will specifically consider the effects of the proposed action on communities with environmental justice concerns, including economically disadvantaged communities, communities of color, and other socioeconomic groups that could be disproportionately affected by environmental and other effects. Following our initial screening of the project, our preliminary determination is that the project will have no effect upon communities having environmental justice concerns. As part of our environmental justice review, the Corps of Engineers seeks additional information from the public, community leaders, local officials and others regarding issues of environmental justice as related to the proposed action.

COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; 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. Additional information may be obtained by contacting Samantha Hollenberg, Project Manager, U.S. Army Corps of Engineers, via e-mail at Samantha.I.Hollenberg@usace.army.mil.

To join our public notice mailing list and receive all of our Public Notices electronically, please email your request to: MVS-Regulatory@usace.army.mil and include your name, email, and phone number with your statement of request to be added to the Public Notice mailing list.

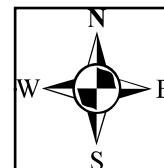
PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

Tyson Zobrist
Acting Chief, Regulatory Division

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.



Impacts

Stream Impacts (LF)

STR-2 52 ft

STR-3 79 ft

Tree Clearing (Acres)

City 4.81 acres

County 3.65 acres

Wetland Impacts (Acres)

WTL-1 1.41 acres

WTL-2 0.33 acres

Legend

Stream Impacts

Existing Stream

Bridge

Spring

Sidewalk

Roadway

Study Area

Wetland Impacts

Limits of Construction

Proposed Tree Clearing

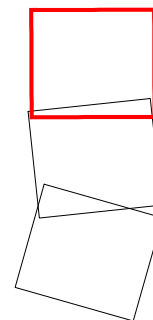
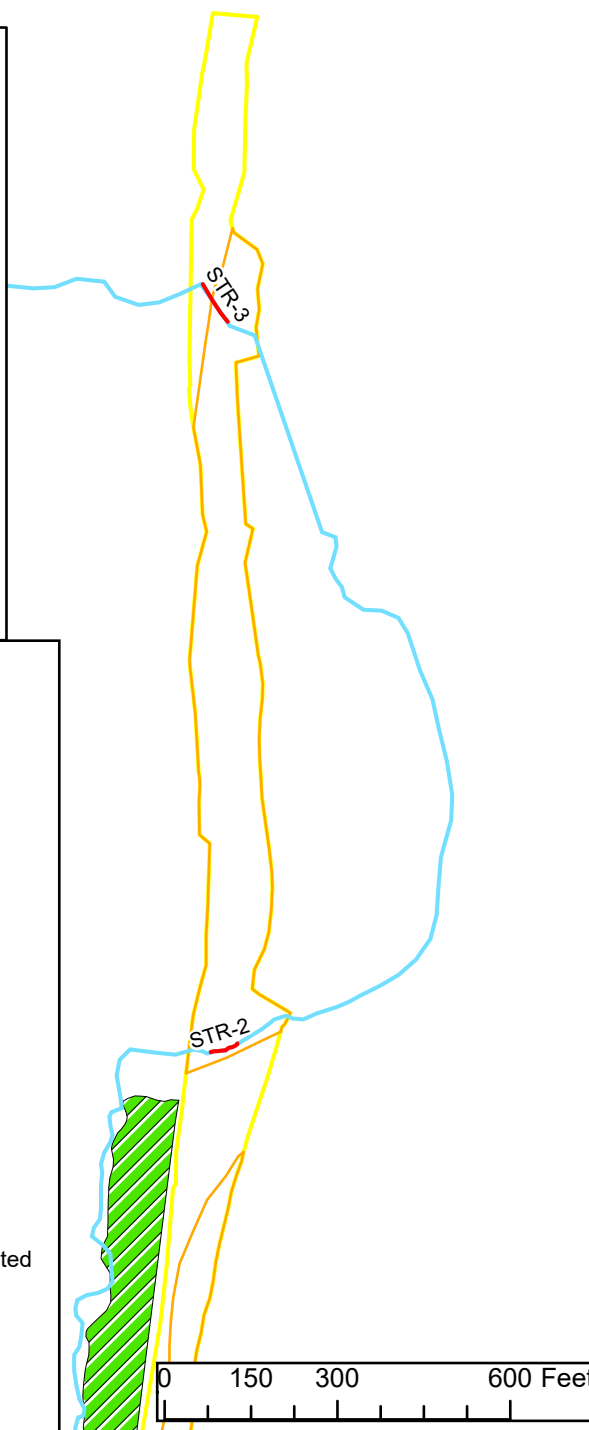
Wetlands - USACE Deed Restricted

Tree Preservation - USACE Deed Restricted

Wetlands

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland



www.hornershifrin.com

LAKE ST. LOUIS BOULEVARD
WETLAND DELINEATION
ST. CHARLES COUNTY, MISSOURI

IMPACT ASSESSMENT

DRAWN BY: XD

CHECKED BY: JF

APPROVED BY: BJ

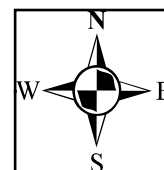
FIGURE NO: 2

DATE: November 2024

SCALE: 1 inch = 300 feet

PROJECT NO: 2113710

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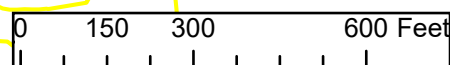
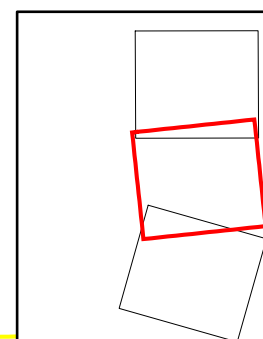
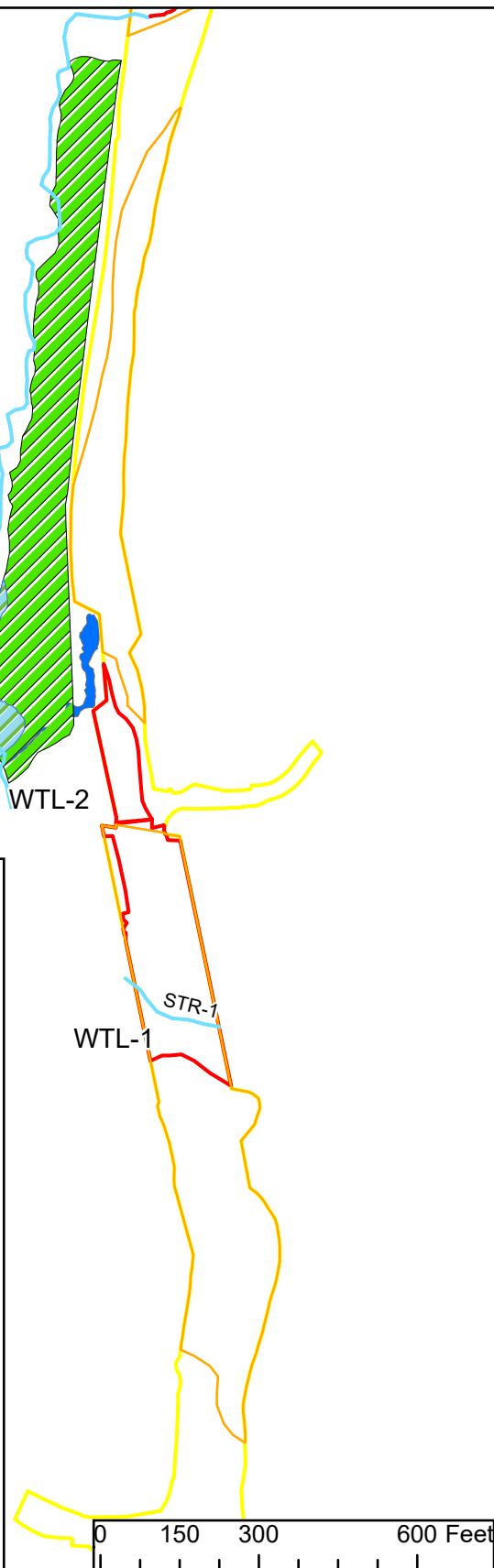
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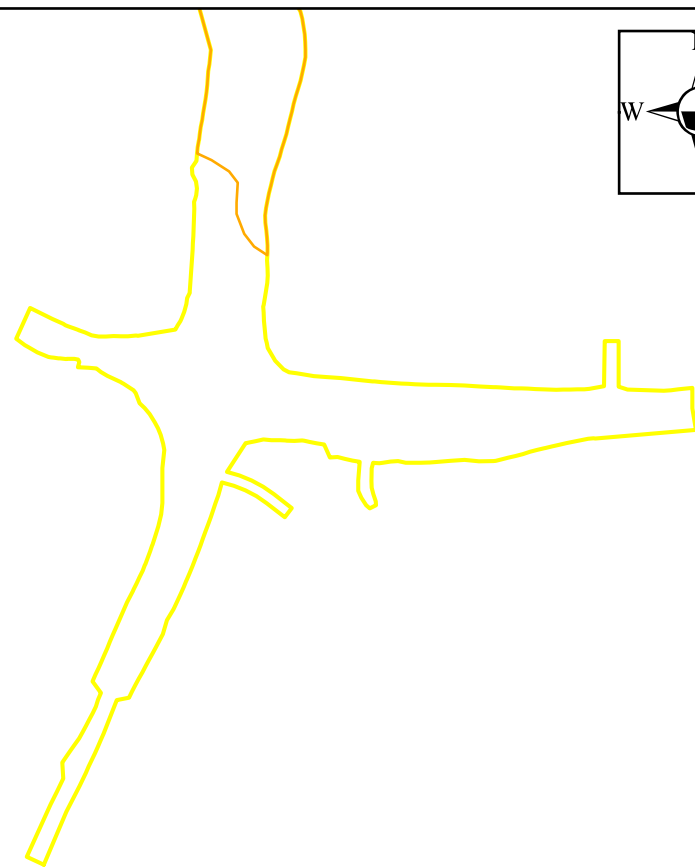
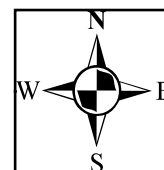
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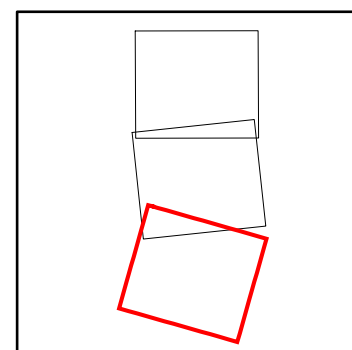
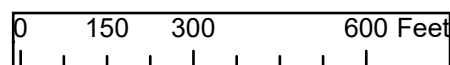
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