



**US Army Corps
of Engineers®**
St. Louis District

PUBLIC NOTICE

FILE NUMBER: [MVS-2024-196](#)

PUBLIC NOTICE DATE: [August 1, 2024](#)

EXPIRATION DATE: [August 22, 2024](#)

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.

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: Daniel Borgmeyer
City of St. Charles
200 N. 2nd St.
St. Charles, MO 63301

PROJECT LOCATION: (As shown on the attached drawings): Boone's Lick Road in St. Charles, MO 63301 with approximate coordinates 38.774274, -90.496758 (Saint Charles Quadrangle).

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

ACTIVITY: (As shown on the attached drawings): Blanchette Creek is an open channel that runs through Boone's Lick Park between Rose Brae Drive and Boone's Lick Road. A detention basin is being proposed to collect water from the culvert beneath Rose Brae Road and also from an unnamed tributary from the north to alleviate flooding. The purpose of the project is to lessen the flow in the undersized downstream box culvert to lower the 100-year base flood elevation, instead of increasing the culvert size through difficult to construct areas. The downstream box culvert is 9' wide x 6' high. The proposed activity would result in impacts to 836 linear feet or 0.23-acre of Blanchette Creek and 0.41-acre of forested wetland for a total of 0.64-acre of regulated impacts. There is a parking lot over the upstream end of the box culvert that continues downstream. A trail will be relocated to provide access around the basin to reconnect access from the baseball fields on the east and the city's community gardens on the west. There are parking lots on the east and west ends that will both be impacted and reconstructed. Blanchette Creek in this area is wooded and all of the trees surrounding the open channel will be cleared for this project during the tree clearing period of November – March.

WETLANDS/AQUATIC HABITAT: Blanchette Creek, an adjacent forested wetland to Blanchette Creek, and an unnamed tributary draining from the north into Blanchette Creek are located in the project area. The project is located in a residential area and Blanchette Creek is an open channel within the project area and piped upstream and downstream of the site. The forested wetland consists primarily of box elder, silver maple, and sycamore trees in the canopy.

JURISDICTIONAL DETERMINATION: An approved jurisdictional determination (AJD) for the unnamed tributary to the north is in progress in association with this proposed project.

LOCATION MAPS AND DRAWINGS: The project plans are attached but may also be viewed by visiting our website at: <https://www.mvs.usace.army.mil/Missions/Regulatory/Public-Notices/>.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES:

Blanchette Creek is piped both up and downstream of the project area. The unnamed tributary that drains into Blanchette Creek is piped upstream. To alleviate flooding of the area, additional piping would likely be inadequate to contain/control stormwater; therefore, a detention basin is proposed. Compensatory mitigation will be required and will likely be satisfied by purchasing wetland and stream credits from an approved In-Lieu Fee Program in the Moreau/Loutre Rivers ecological drainage unit (EDU) in accordance with the Missouri Stream Mitigation Method and Missouri Wetland Assessment Method, with the purchase of on the ground credits taking precedence followed by the purchase of advance credits if necessary. Proof of purchase prior to any impacts to waters of the U.S. associated with this project will be required.

CULTURAL RESOURCES: St., Louis District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. However, we will evaluate input by the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted. A Phase I cultural resource survey is currently in progress and the results will be provided to the USACE upon completion.

ENDANGERED SPECIES: The proposed project is within the range of the federally endangered Indiana bat (*Myotis sodalis*), the northern long-eared bat (*Myotis septentrionalis*), and the gray bat (*Myotis grisecens*). The applicant proposes to clear the trees surrounding the open channel of Blanchette Creek during the winter months which is the inactive season for the federally protected bat species. In compliance with the Endangered Species Act, a preliminary determination has been made that the described work may affect but is not likely to adversely affect species designated as threatened or endangered or adversely affect critical habitat. In order to further complete our evaluation, written comments are solicited by this public notice from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

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. 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.

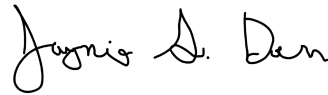
PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

SOLICITATION OF 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. Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must be received or be post marked 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 submitted electronically to MVS-Regulatory@usace.army.mil:

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

REQUEST FOR ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Brett Burkart, Regulatory Specialist, USACE – St. Louis District at 314-320-8129 or by email to brett.j.burkart@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.

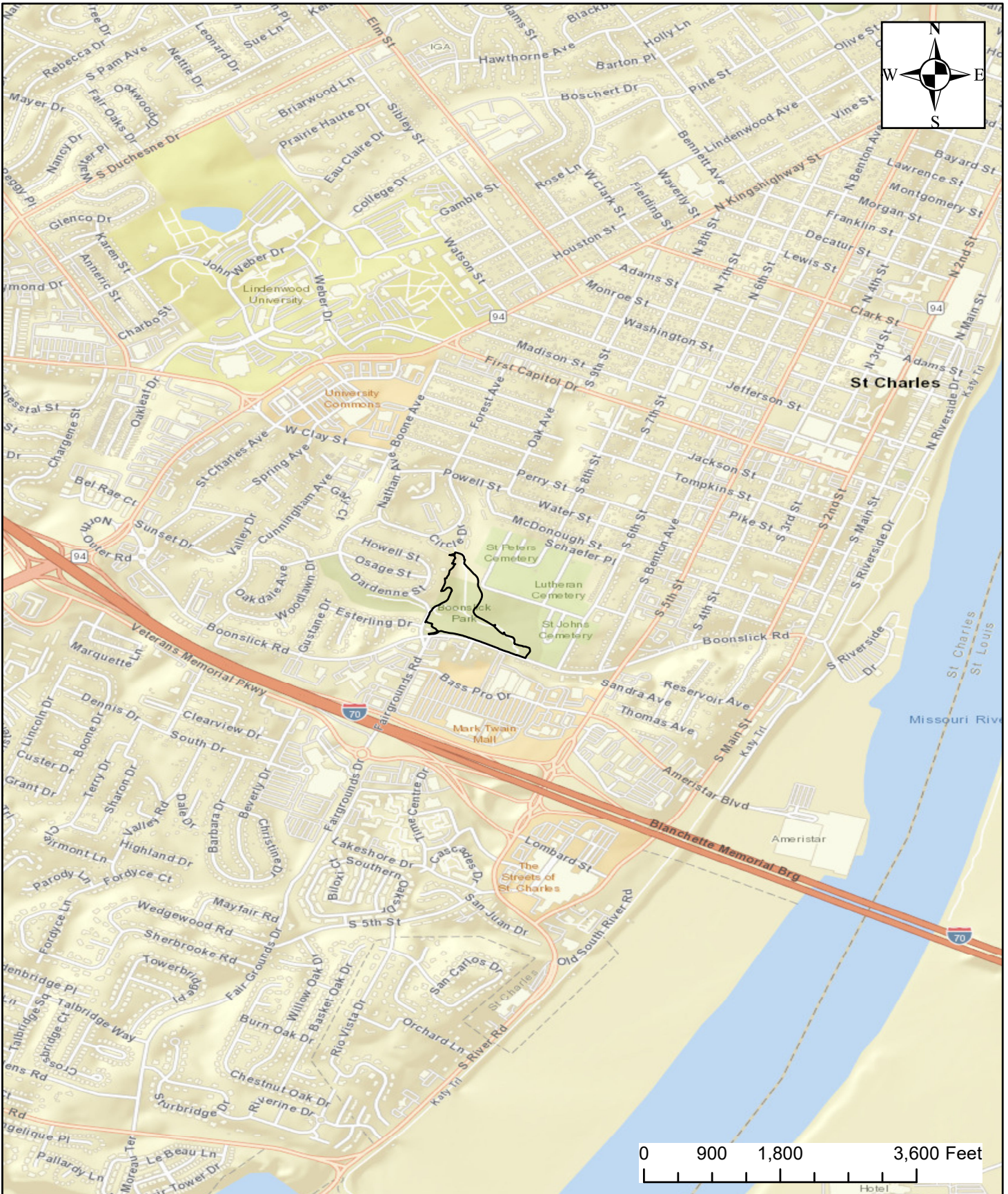
A handwritten signature in black ink, appearing to read "Jaynie G. Doerr". The signature is fluid and cursive, with the first name "Jaynie" being the most prominent part.


Jaynie G. Doerr
Chief, Regulatory Branch, *Acting*

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.



<p>Legend</p> <p> Grading Limits</p>	<p>St. Charles Boones Lick Storm Sewers</p>	<p>1 inch = 1,800 feet</p>
	<p>June 2024</p>	<p>Location Map</p>
	<p>HORNER SHIFRIN An Employee-Owned Company</p>	<p>Figure 1</p>



Impacts

Blanchette Creek: 836LF / 0.23 acres

Unnamed Tributary: 867 LF

Forested Wetland: 0.41 acres

Legend

- Sampling Point
- Grading Limits
- Proposed Basin
- Forested Wetland

St. Charles Boones Lick Storm Sewers

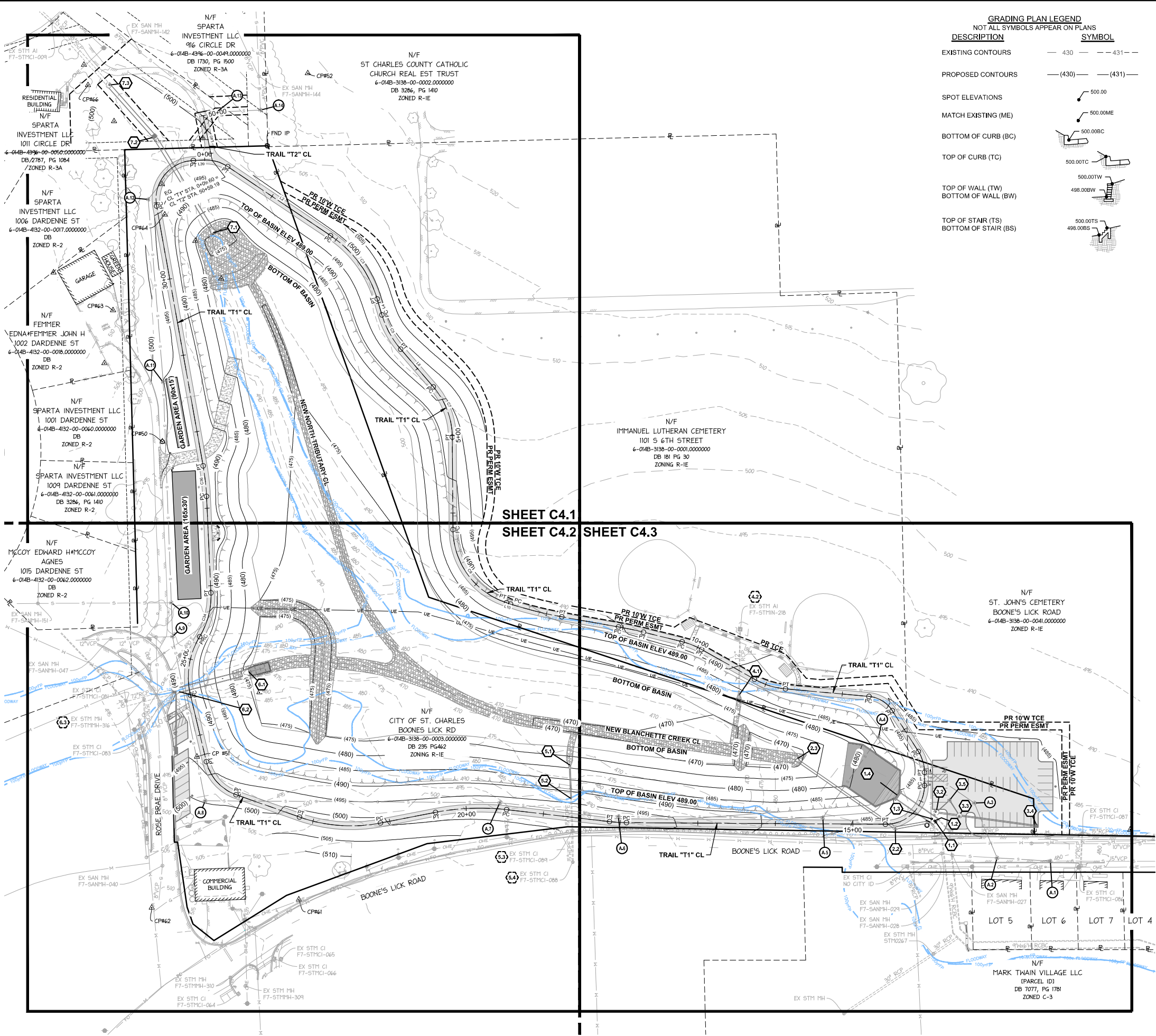
1 inch = 250 feet

June 2024

Impact Assessment

HORNER  SHIFRIN

Figure 4



GRADING PLAN LEGEND	
NOT ALL SYMBOLS APPEAR ON PLANS	
DESCRIPTION	SYMBOL
EXISTING CONTOURS	--- 430 --- 431 ---
PROPOSED CONTOURS	--- (430) --- (431) ---
SPOT ELEVATIONS	500.00
MATCH EXISTING (ME)	500.00ME
BOTTOM OF CURB (BC)	500.00BC
TOP OF CURB (TC)	500.00TC
TOP OF WALL (TW)	500.00TW
BOTTOM OF WALL (BW)	498.00BW
TOP OF STAIR (TS)	500.00TS
BOTTOM OF STAIR (BS)	498.00BS



NOTES:

- SEE SHEETS C0.0 AND C0.1 FOR GENERAL NOTES, LEGEND, AND ABBREVIATIONS.
- UNDERGROUND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE INFORMATION AND THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THE VERIFICATION OF THE LOCATION OF ALL UNDERGROUND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, AND SHALL BE LOCATED PRIOR TO GRADING OR CONSTRUCTION OF IMPROVEMENTS.

GRADING NOTES:

- NO GRADING OR EXCAVATION ACTIVITIES SHALL BE PERFORMED ON THE SITE UNTIL ALL NECESSARY PERMITS HAVE BEEN SECURED AND EROSION CONTROL MEASURES HAVE BEEN INSTALLED ON AND ADJACENT TO THE PROJECT SITE.
- ALL FILL SOILS SHALL BE COMPACTED TO A MINIMUM OF 95% OF STANDARD PROCTOR DENSITY (ASTM D-698) WITHIN 3% OF OPTIMUM MOISTURE CONTENT IN LIFTS NOT TO EXCEED EIGHT (8) INCHES OF COMPACTED THICKNESS.
- EVERY LIFT SHALL BE TESTED BY A GEOTECHNICAL ENGINEER AT THE FREQUENCY DETERMINED BY GEOTECHNICAL ENGINEER IN THE FIELD. TEST REPORTS SHALL BE PROVIDED TO OWNER WITHIN 7 DAYS OF TESTING.

MATERIAL TESTED	PROCTOR TYPE	MIN % DRY DENSITY
STRUCT FILL(COHESIVE)	MODIFIED (ASTM D 1557)	90
	STANDARD (ASTM D 698)	95
STRUCT FILL (GRANULAR)	MODIFIED	95
	STANDARD	98
LANDSCAPED AREAS (NON-LOAD BEARING)	MODIFIED	88
	STANDARD	90
UTILITY TRENCH BACKFILL	MODIFIED	90
	STANDARD	95

- IN ALL AREAS WHERE SEWER AND APPURTENANCES ARE TO BE CONSTRUCTED IN FILLED GROUND, THE FILL WILL BE PLACED, COMPACTED AND TESTED TO FINISH GRADE PER PROJECT REQUIREMENTS.
- ELEVATIONS AND CONTOURS SHOWN ARE TO TOP OF FINISHED GROUND OR PAVED SURFACE, UNLESS NOTED OTHERWISE.
- NO SLOPE SHALL BE GREATER THAN 3 (HORIZONTAL) TO 1 (VERTICAL).
- FINISH GRADE SHALL BE SLOPED AWAY FROM THE FOUNDATION FOR DRAINAGE. THE FINISH GRADE MUST BEGIN AT LEAST 4 INCHES BELOW THE TOP OF FOUNDATION WALL OR THE GRADE OF THE CONCRETE SLAB AT THE INTERIOR. IN THE CASE OF AN INTEGRAL SLAB AND FOUNDATION, THE MINIMUM GRADE AWAY FROM THE FOUNDATION SHALL BE TWO PERCENT (2%) IN ALL DIRECTIONS.
- ALL TRASH, DEBRIS, ORGANIC MATERIAL, REFUSE, FROZEN EARTH, ETC., SHALL BE REMOVED FROM FILL AREAS PRIOR TO THE PLACEMENT OF CONTROLLED FILL. ALL FILLS AND BACKFILLS SHALL BE MADE OF SELECTED EARTH MATERIALS, FREE FROM BROKEN MASONRY, ROCK, FROZEN EARTH, RUBBISH, ORGANIC MATERIAL AND DEBRIS.
- ALL GRADING WORK SHALL BE PERFORMED IN SUCH A MANNER THAT ADJACENT PROPERTIES ARE NOT DAMAGED OR ADVERSELY AFFECTED.
- ALL LOW PLACES, WHETHER ON-SITE OR OFF-SITE SHOULD BE GRADED TO PROVIDE POSITIVE DRAINAGE. CONTRACTOR TO PROVIDE COPIES OF TEMPORARY EASEMENT FOR WORK ON ADJACENT PROPERTIES AS REQUIRED.
- ANY DAMAGE, INCLUDING SURFACE SCARRING, TO THE EXISTING ACCESS DRIVES SHALL BE REPAIRED, REPLACED OR RE-CONSTRUCTED IN LIKENESS OR BETTER, AT THE CONTRACTOR'S EXPENSE.
- CARE SHALL BE EXERCISED IN COMPACTION OF BACKFILL MATERIALS OVER THE TOP OF STRUCTURES OR PIPES IN ORDER TO PREVENT DAMAGE TO THE WATERPROOFING MEMBRANES, JOINTS, SEALS, AND/OR THE PIPES AND STRUCTURES THEMSELVES.
- SOD SHALL BE USED IN DETENTION BASINS AND SWALES UNLESS VELOCITIES ARE EXCESSIVE (GREATER THAN 5 FPS OR WHERE VELOCITIES ARE LESS THAN 2 FPS CAUSING DEPOSITION OF SOIL PARTICLES THEN CONCRETE SWALES MAY BE USED. SOD PLACED ON SLOPES STEEPER THAN 10% SHOULD BE STAKED.



101 LAURA K DRIVE, STE. 101, OTTAWA, MO 63360-3891
636-528-5282 FAX 636-528-5210 • WWW.HORNERSHIFRIN.COM
DISPATCHING
CERTIFICATE OF AUTHORITY: 000159
EXPIRATION DATE: DECEMBER 31, 2024

OVERALL GRADING PLAN

CITY OF ST. CHARLES

BOONE'S LICK ROAD
STORM SEWER IMPROVEMENTS
(20STMT7)

SAINT CHARLES, MISSOURI 63301



DATE: 05/01/2024

DESIGNED: JMU
DRAWN: JMU
CHECKED: AMG/SMR

JOB NO. 2018600

SHEET 20 OF 56

C4.0



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