



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-3066
Public Notice Date
September 29, 2017
Expiration Date
October 29, 2017**

Postmaster Please Post Conspicuously Until:

FILE NUMBER: MVS-2017-685

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: Samantha Hollenberg

APPLICANT: Flower and Fendler, Mr. Sean Flower, 200 South Elam Avenue, Suite 300, Valley Park, Missouri 63088

AGENT: On-Site Soils, Inc., Mr. Matt Roth, 4077 North St. Peters Parkway, Suite 110, St. Peters, Missouri, 63004

LOCATION: The project area is generally located 800 feet east of the intersection of Missouri Highway 141 and Carman Road, in Unincorporated St. Louis County, Missouri. More specifically, the proposed project occurs in Section 6, Township 44 North, Range 5 East, within the Kirkwood Quadrangle in St. Louis County, Missouri. The approximate geographic coordinates of the project within an unnamed tributary to Grand Glaize Creek are 38.582016° North, -90.498273° West. Grand Glaize Creek is a secondary tributary to the Mississippi River.

PROJECT DESCRIPTION: The applicant, Flower & Fendler, seeks authorization to conduct grading and filling activities in an unnamed tributary to Grand Glaize Creek for the construction of a single family home residential subdivision. Five parcels which currently each support a single family residence, will be re-developed for the construction of the eighteen lot subdivision and associated infrastructure. The work will include the piping of 490 linear feet of an ephemeral stream channel for the construction of lots, roadways, and the stormwater detention basin. This activity will also remove five private septic systems from service and new residences will be connected to the public sanitary sewer. The residential lots have varying degrees of tree cover density with approximately 6.25 acres of tree clearing necessary for the subdivision development.

The applicant submitted a detailed Analysis of Alternatives for the project describing the avoidance and minimization measures considered for the project, as well as economic, environmental, and engineering justifications for the proposed impacts. Flower and Fendler's is a home building company often operating within a niche market of developing smaller properties within older established residential areas. The west St. Louis County area was identified to have high demand for new homes but low availability of undeveloped lots and new homes. The applicant reviewed different parcels but is limited to finding an area where several contiguous property owners are willing to sell. A tributary bisects the eastern 1/3 of the relatively small site (7.40 acres) which limits the options for the subdivision layout and the incorporation of all the necessary infrastructure. Different layouts were evaluated by the applicant but the proposed plans were the smallest impact to the tributary that would also be financially feasible as a re-development investment. The applicant has proposed to purchase 1862 stream credits from an in-lieu fee provider as mitigation for the unavoidable impacts to the aquatic resource. The District will consider comments submitted by interested parties regarding mitigation requirements.

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 Samantha Hollenberg, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8186 or by e-mail to Samantha.L.Hollenberg@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 MAY affect potential summer habitat for the endangered Indiana bat (*Myotis sodalis*) and the Northern Long-eared bat (*Myotis septentrionalis*). The Corps has initiated informal consultation with the United States Department of Interior, Fish and Wildlife Service, providing site habitat assessment and documentation for their concurrence. 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 (SHPO) and the public in response to this public notice. From initial correspondence with the Missouri SHPO and internal St. Louis District archaeologist review, the District has requested the applicant to provide a reconnaissance survey of the project area. Further evaluation of the information provided from the applicant will determine if additional cultural resources preservation measures are necessary to assure compliance with Section 106 of the National Historic Preservation Act.

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

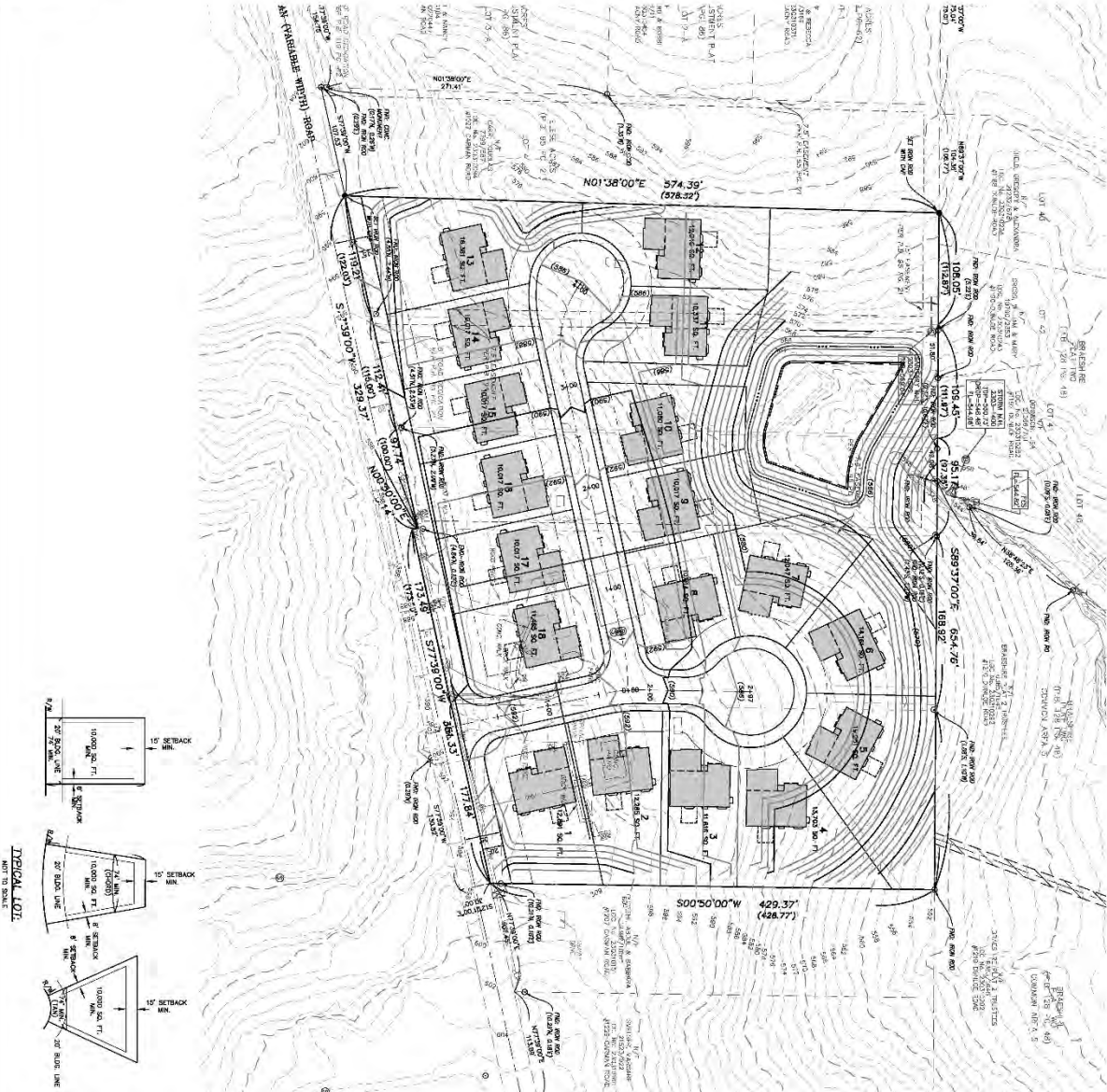
Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.

Attachment 2: Site Development Plans

THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY WORKING AND TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF ANY PARTS THEREOF. THESE PROVISIONS SHALL IN NO WAY ASSUAGE ANY PARTY FROM CARRYING WITH IN THE FACILITY SAFETY AND DAMAGE PREVENTION MTL CHAPTER 310, PS&M.

[illegible]

NOT APPROVED
FOR CONSTRUCTION

DATE
MICHAEL C. KEEFE
JULIAN M. FORD
CITY ENGINEER

DATE
16-09-260
JOB NUMBER

DESIGNED BY	STATION
Aug. 16, 2017	1.1
DRAWN BY	DATE
PRG	

Carman Road

St. Louis County, Missouri
PRELIMINARY PLAN

THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63128
Ph 314-487-0440 Fax 314-487-8644
www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

Flower and Fendler, Inc.
200 SOUTH ELAM, SUITE 300
VALLEY PARK, MISSOURI 63088

ISSUE 21: MARCH 2011

