



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**

**Public Notice No.
P-3079
Public Notice Date
September 12, 2018
Expiration Date
October 3, 2018**

Postmaster Please Post Conspicuously Until:

File Number: 2017-753

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: Amy Henke

APPLICANT: Jan Orf, Ferguson 370 Crossing, LLC, 22528 Shelton Rd, Warrenton, MO 63383

AGENT: Matt Roth, On-Site Soils, Inc., 4077 N. St. Peters Pkwy Suite 110, St. Peters, MO 63004

LOCATION: The parcel of land is located at 13860 Ferguson Ln, South of Hwy 370 and West of Ferguson Lane in Bridgeton, St. Louis County, Missouri. Specifically, in Section 10, Township 46 North, and Range 5 East, of the Fifth Principal Meridian.

PROJECT DESCRIPTION: The proposed project is a 102.72 acre site consisting of mostly tillable farm land within the floodplain of the Missouri River. The applicant proposes an 18 part phased commercial development on the site, to be completed over a 20 year period, which will require the site elevation to be raised. The site is currently farmed and the wetlands located in the project footprint are disturbed on an annual basis by this activity. The plan will impact 9.44 acres of wetlands and the applicant proposes to compensate for the impacts through the purchase of credits from an In-Lieu Fee program. Due to the extended length of time for the impacts taking place, the applicant proposes purchasing credits from an In-Lieu Fee provider for each phase, before the impacts for that phase take place.

LOCATION MAPS AND DRAWINGS: See attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Amy Henke, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8649. Your inquiries may also be sent by e-mail to amy.c.henke@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: A Phase 1 Cultural Resource Report has been completed for the project area and submitted to our office and the State Historic Preservation Office for review. There are no National Register of Historic Places within the project boundaries and no prehistoric or historic sites were identified. 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 additional reconnaissance surveys 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.

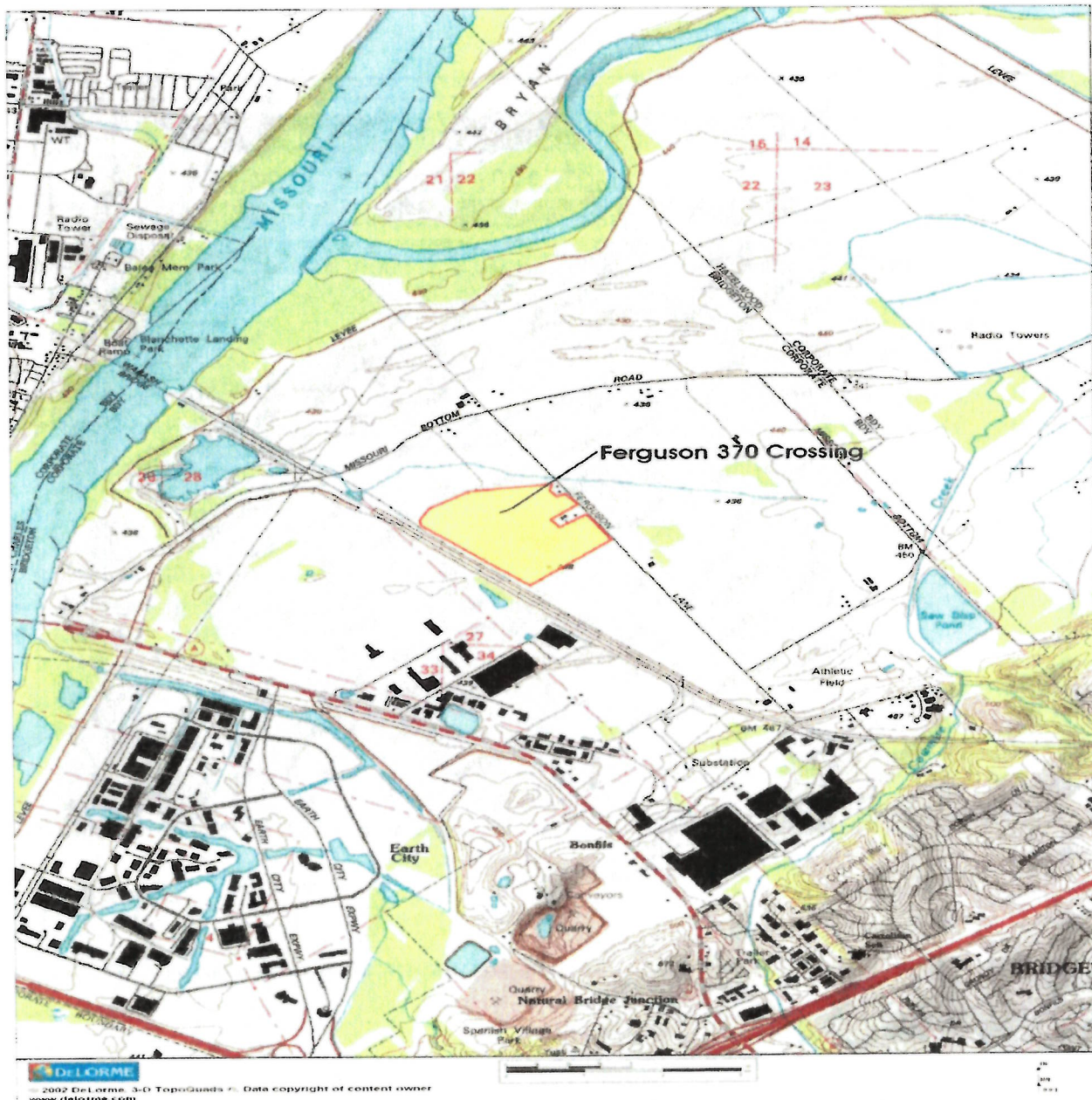
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered 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.

For 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.



Ferguson 370 Crossing

St. Louis County, Missouri

Figure 1

USGS MAP

P-3079 Sheet 1 of 3



On-Site Soils, Inc.

Source: USGS

**Scale:
NOT TO SCALE**



Ferguson 370 Crossing

St. Louis County, Missouri

Figure 2

Wetland Map

P-3079 Sheet 2 of 3

Figure 3

Development Plan

P-3079 Sheet 3 of 3