



Public Notice

**US ARMY CORPS
OF ENGINEERS**
St. Louis District
Gateway to Excellence

Reply To:
U.S. Army Corps of Engineers
Attn: Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833

Public Notice No.
P-2601
Public Notice Date
January 11, 2008
Expiration Date
February 1, 2008

Postmaster Please Post Conspicuously Until:

File Number: 2006-501

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: All comments and/or requests for public hearing must reach this office no later than the 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: Ms. Laurie Farmer

APPLICANT: Mr. William F. Holekamp, 5 Barclay Woods, St. Louis, Missouri 63124.

AGENT: Terra Technologies, Inc. Attn: Mr. Shane Staten, 907 Fee Fee Road, Maryland Heights, Missouri 63043. (314) 434-1550.

LOCATION: The project area is located southwest of Defiance, Missouri on private property. The 437-acre project site exists north of Duke Road in unincorporated St. Charles County. More specifically, the site lies within Sections 31 and 32, Township 45 North, Range 02 East in St. Charles County, Missouri (see attached location map).

PROJECT DESCRIPTION: The applicant seeks authorization to construct an approximate 90.26-acre recreational lake on unnamed tributaries to Femme Osage Creek. Femme Osage Creek is a primary tributary to the Missouri River. The proposed project includes the construction of an earthen dam that is approximately 60-foot high, 950 feet long, and contains a foundation embankment of up to 400 feet wide. Both principal and emergency spillways are proposed as part of the engineering plans. The applicant has retained the services of a professional engineer registered in Missouri to prepare a construction permit application for the construction of the dam in accordance with the provisions of Chapter 236.400 to 236.500 of the Revised Statutes of Missouri and the Rules and regulations of the Missouri Dam and Reservoir Safety Council. The waters that will be impacted include a

perennial/intermittent tributary (Perennial/Intermittent #1), an intermittent tributary (Intermittent #2), six ephemeral tributaries (Ephemerals #1, 2, 5, 10, 11, and 12), and a small emergent wetland (Wetland #1). Classifications for all on-site stream channels were done through field inspections by the applicant's agent and the U.S. Army Corps of Engineers, Regulatory Staff. Once constructed, the lake will have two main stems, inundating the two largest on-site tributaries, Perennial/Intermittent #1 and Intermittent #2. Both of these tributaries receive hydrology from two sources, which include both groundwater, and runoff following precipitation events. However, portions of both streams usually dry during summer months, with the exception of pools found sporadically in the channels. A fisheries resource report was prepared by the applicant's agent for both Perennial/Intermittent #1 and Intermittent #2 streams. Stream sampling was conducted within six sample sites over both tributaries. The perennial portion of Perennial/Intermittent #1 was identified as containing a sustainable fish population with creek chubs, orange-spotted sunfish, darters, stonerollers, and southern redbelly dace. However, the creek chubs, orange-spotted sunfish, and the southern redbelly dace were not identified in intermittent sections further upstream. The proposed construction of the lake will roughly fill approximately 450 linear feet of the perennial portion of Perennial/Intermittent #1. The proposed lake will inundate approximately 1,652 linear feet of perennial flow waters (Perennial #1), approximately 4,735 linear feet of intermittent streams (Intermittent #1 and 2), and approximately 2,870 linear feet of ephemeral streams (Ephemerals #1, 2, 5, 10, 11, and 12). A portion of the lake's proposed pool extends on to adjacent property. The U.S. Army Corps of Engineers has been informed that the adjacent landowner is aware of the proposed lake, and has agreed to a portion of the lake extending on to their property. The principal spillway will maintain flows below the dam by overflowing back into the tributary when the lake is higher than one foot below full pool. In addition, flows from the principal spillway should provide an occasional bank full flushing of the creek below the dam. Compensatory mitigation alternatives are being explored with options consisting of the following: on-site mitigation, mitigation within Matson Hill County Park, and/or In-Lieu fee mitigation through the Heritage Foundation's Stream Stewardship Trust Fund.

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Laurie Farmer, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8810. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Laurie.M.Farmer@ usace.army.mil.

AUTHORITY: This permit will be issued or denied under the following: 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: The applicant has submitted information to the State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act. A Phase I Cultural Resource Survey was conducted for the project area and the SHPO has reviewed the report and concurs with the investigator's recommendation that there will be no historic properties affected. By letter correspondence dated March 16, 2006, the SHPO expressed no objection to the initiation of project activities.

EVALUATION OF PROBABLE IMPACTS: 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.

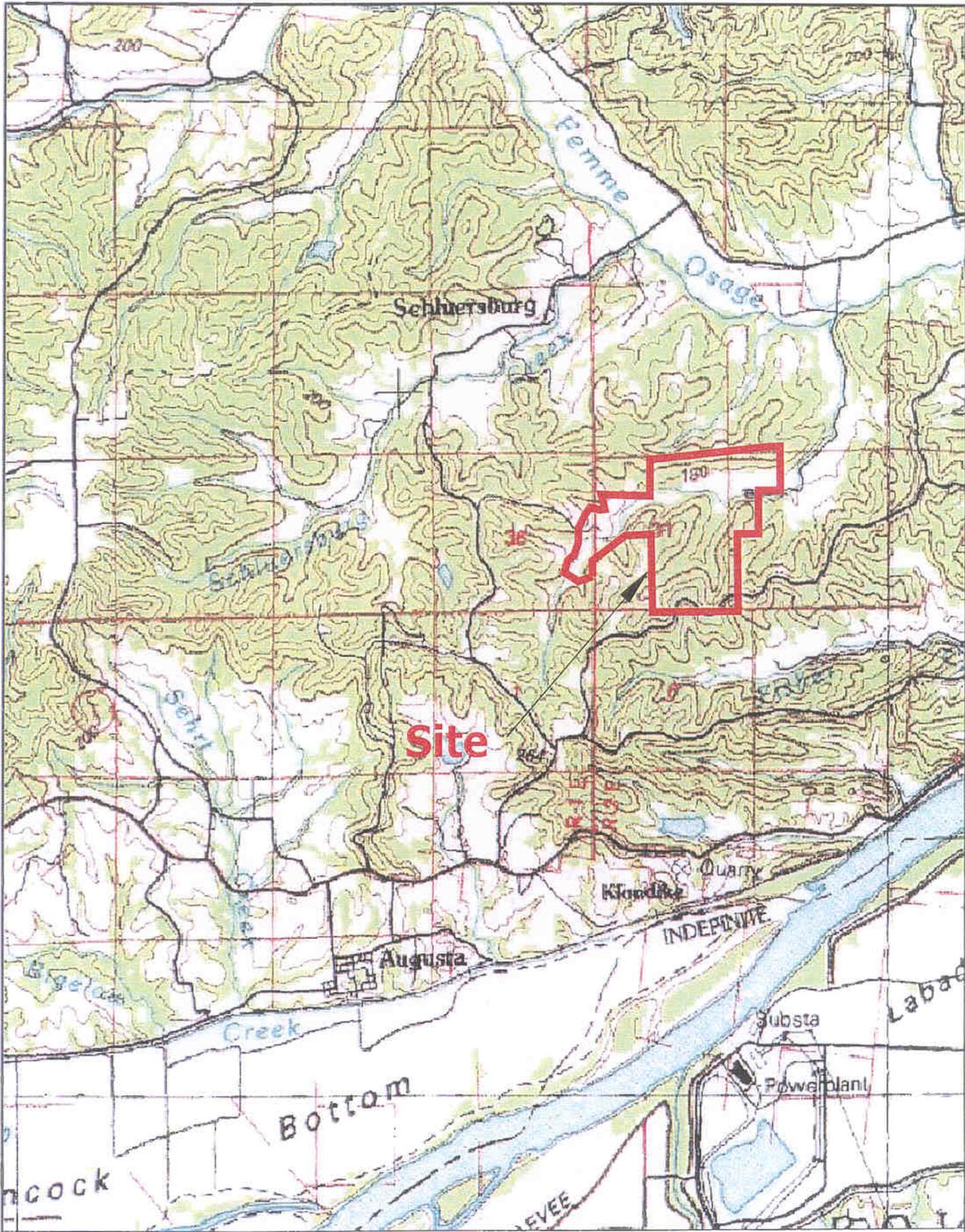
Solicitation of Comments From The Public: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received 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 21 days from the date of this issuance of this notice.



Revisions		
No.	Description	Date



**Terra
Technologies**
907 Fee Fee Road Maryland Heights, Missouri 63043

**Proposed Lake
St. Charles County
Missouri**

Sheet 1 of 4
P-2601
File #2006-501

Jurisdictional U.S. Waters / Type	Inundation Impacts		General Fill		Protect & Preserve		Impact Total
	Length	Width	Length	Width	Length	Width	
Wetland #1	0.01 Acres		-		0.33 Acres		436 SF
Pond #1	-		-		5.36 Acres		-
Perennial #1	1,652 LF	20 FT	450 LF	20 FT	333 LF	20 FT	42,040 SF
Intermittent #1	2,741 LF	20 FT	-	-	2,457 LF	15 FT	54,820 SF
Intermittent #2	1,994 LF	11 FT	-	-	-	-	21,934 SF
Ephemeral #1	447 LF	10 FT	-	-	1,811 LF	10 FT	4,470 SF
Ephemeral #2	282 LF	6 FT	-	-	1,557 LF	6 FT	1,692 SF
Ephemeral #3	-	-	-	-	447 LF	1 FT	-
Ephemeral #4	-	-	-	-	190 LF	3 FT	-
Ephemeral #5	1,014 LF	6 FT	-	-	331 LF	6 FT	6,084 SF
Ephemeral #6	-	-	-	-	6 LF	3 FT	-
Ephemeral #7	-	-	-	-	123 LF	8 FT	-
Ephemeral #8	-	-	-	-	100 LF	3 FT	-
Ephemeral #9	-	-	-	-	438 LF	3 FT	-
Ephemeral #10	230 LF	6 FT	-	-	20 LF	6 FT	1,380 SF
Ephemeral #11	341 LF	6 FT	-	-	1,131 LF	6 FT	2,046 SF
Ephemeral #12	556 LF	2 FT	-	-	-	-	1,112 SF
					TOTAL IMPACTS:		3.12 Acres

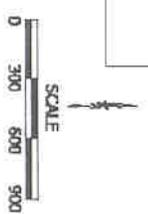
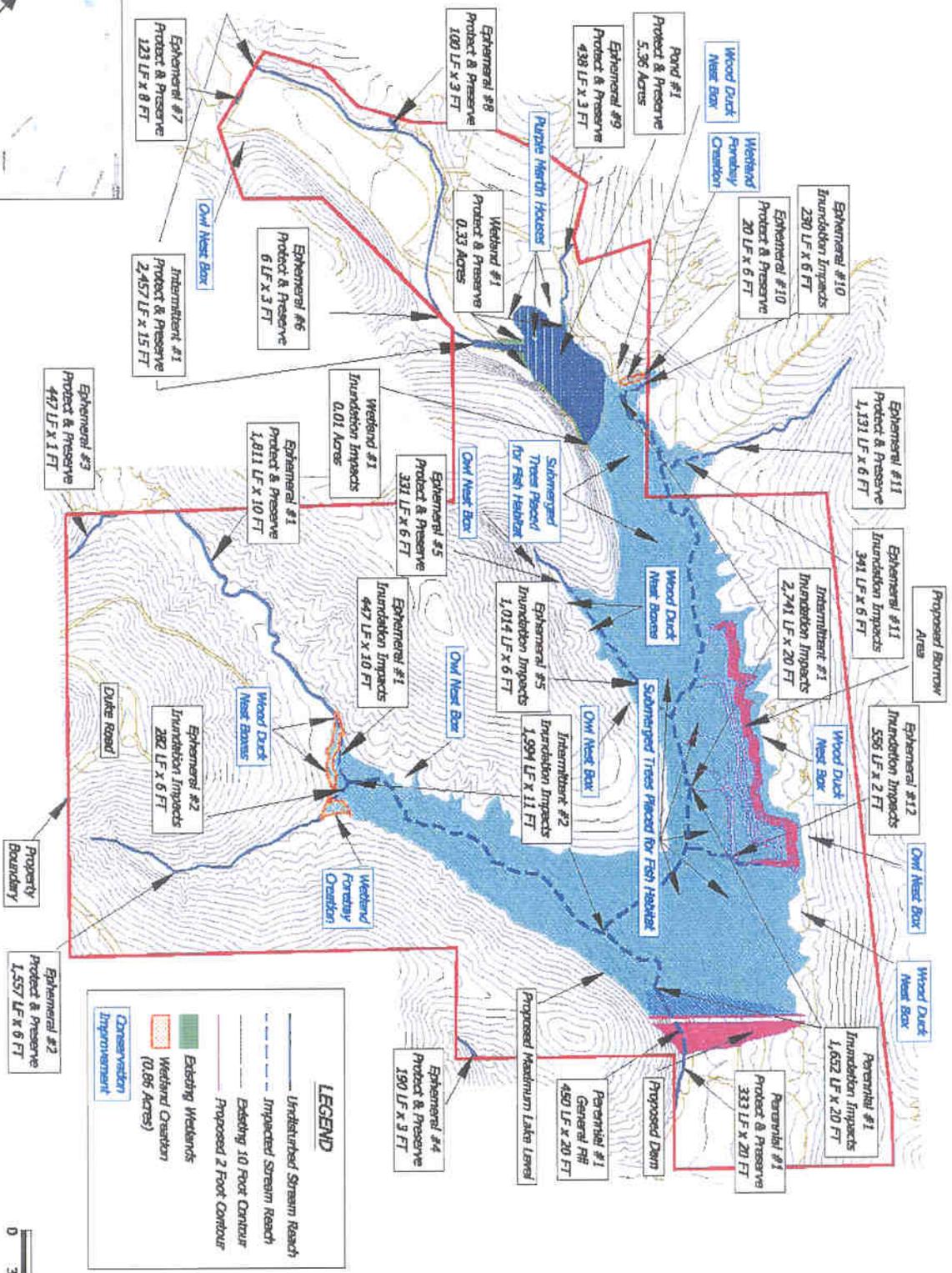
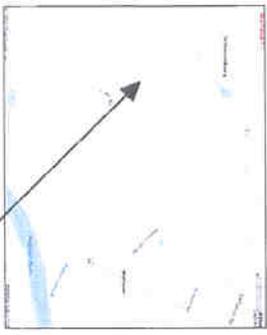
DATE	11/20/09
TIME	7:27:02
PROJECT	PROPOSED LAKE - ST CHARLES COUNTY
CLIENT	MR. WILLIAM F. HOLEKAMP
SCALE	AS SHOWN
BY	SKM
CHECKED BY	SKM
DATE	01/06/09

IMPACTS TABLE
 PROPOSED LAKE - ST CHARLES COUNTY
 MR. WILLIAM F. HOLEKAMP



Terra Technologies
 907 Fee Fee Road
 Maryland Heights, Missouri 63043
 Tel 314.434.1550
 Fax 314.434.4992

Site Location



Sections 31 & 32 Township 45N Range 2E
 Section 36 Township 45N Range 1E
 St. Charles County, Missouri

Sheet 3 of 4

P-2601

CONSERVATION PLAN / IMPACTS FIGURE
 PROPOSED LAKE - ST CHARLES COUNTY
 MR. WILLIAM F. HOLEKAMP

Terra Technologies
 907 Foo Foo Road
 Maryland Heights, Missouri 63043
 Tel 314.434.1550
 Fax 314.434.4992

OUR PUBLIC NOTICES ARE NOW AVAILABLE ON THE WORLD WIDE WEB AT OUR ST. LOUIS DISTRICT HOME PAGE (<http://mvs/usace.army.mil/permits/pn.htm>). If you have any trouble, please call Danny McClendon at (314) 331-8574 or by e-mail to: Danny.D.McClendon@usace.army.mil

WE ARE ATTEMPTING TO REDUCE OUR PUBLIC NOTICE MAILING COSTS; CHECK OUR WEB PAGE THEN CONTACT US TO HAVE YOUR NAMED REMOVED FROM OUR MAILING LIST, please call Jaynie Doerr at (314) 331-8581, or by email to: Jaynie.G.Doerr@usace.army.mil, or mail this cover-sheet to the St. Louis District, OD-F, 1222 Spruce Street, St. Louis, MO 63103-2833, ATTN: Regulatory Branch, indicating that your name or company named be removed. Changes to our mailing list may take a few weeks to take effect.

US ARMY ENGINEER DISTRICT, ST. LOUIS
ATTN: CEMVS-OD-F
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833