



Public Notice

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

**Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-CO-F
1222 Spruce Street
St. Louis, Missouri 63103-2833**

**Public Notice No.
P-2423
Public Notice Date
June 18, 2004**

**Expiration Date
July 9, 2004**

Postmaster Please Post Conspicuously Until:

File Number: 2003-00000

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: Rob Gramke

APPLICANT: Mr. Marvin King, C.L. Investment Company, 11906 Manchester Road, Suite 211, St. Louis, Missouri 63131.

AGENT: Mike Hartoin, SCI Engineering, Inc. 15 Executive Drive, Suite 4, Fairview Heights, Illinois 62208.

LOCATION: The project area is located near Lindbergh and Scheutz Road in the NE ¼ of Section 36, Township 46 North, Range 05 East, in Creve Coeur, St. Louis County, Missouri. The proposed project impacts unnamed tributaries to Fee Fee Creek.

PROJECT DESCRIPTION: The proposed project is for site grading in connection with the development of a 12-acre tract of land, into a residential retirement community. The applicant received a Nationwide Permit Authorization and Water Quality Certification for the proposed project in the Spring of 2003. However, due to safety concerns, Missouri Department of Transportation Requirements, and Metropolitan St. Louis Sewer District Requirements the original project design has changed and now includes additional impacts to Waters of the U.S. These additional impacts have exceeded the impacts authorized by the Nationwide Permits; therefore, an Individual Permit is required. Some of the work on the site has already been completed based on the original permit authorization. The new proposed project includes 365 linear feet to Tributary A, 390 linear feet to Tributary B, and 0.05-acres of emergent wetland impacts. All of the impacts are due to building lots

and infrastructure needs for the development. The applicant has mitigated for the impacts that were previously authorized by the Nationwide Permits and has proposed to mitigate for the additional impacts by purchasing credits from a mitigation bank. Tributary B flows into Tributary A, an unnamed tributary to Fee Fee Creek that flows into the Missouri River.

LOCATION MAPS AND DRAWINGS: See attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting [Rob Gramke](#), Project Manager, U.S. Army Corps of Engineers, at (314) 331-8187. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to robert.gramke@mvs02.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 Pollution Control 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 Pollution Control 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 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 a reconnaissance survey 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.

DANNY D. MCCLENDON
Chief, Regulatory Branch

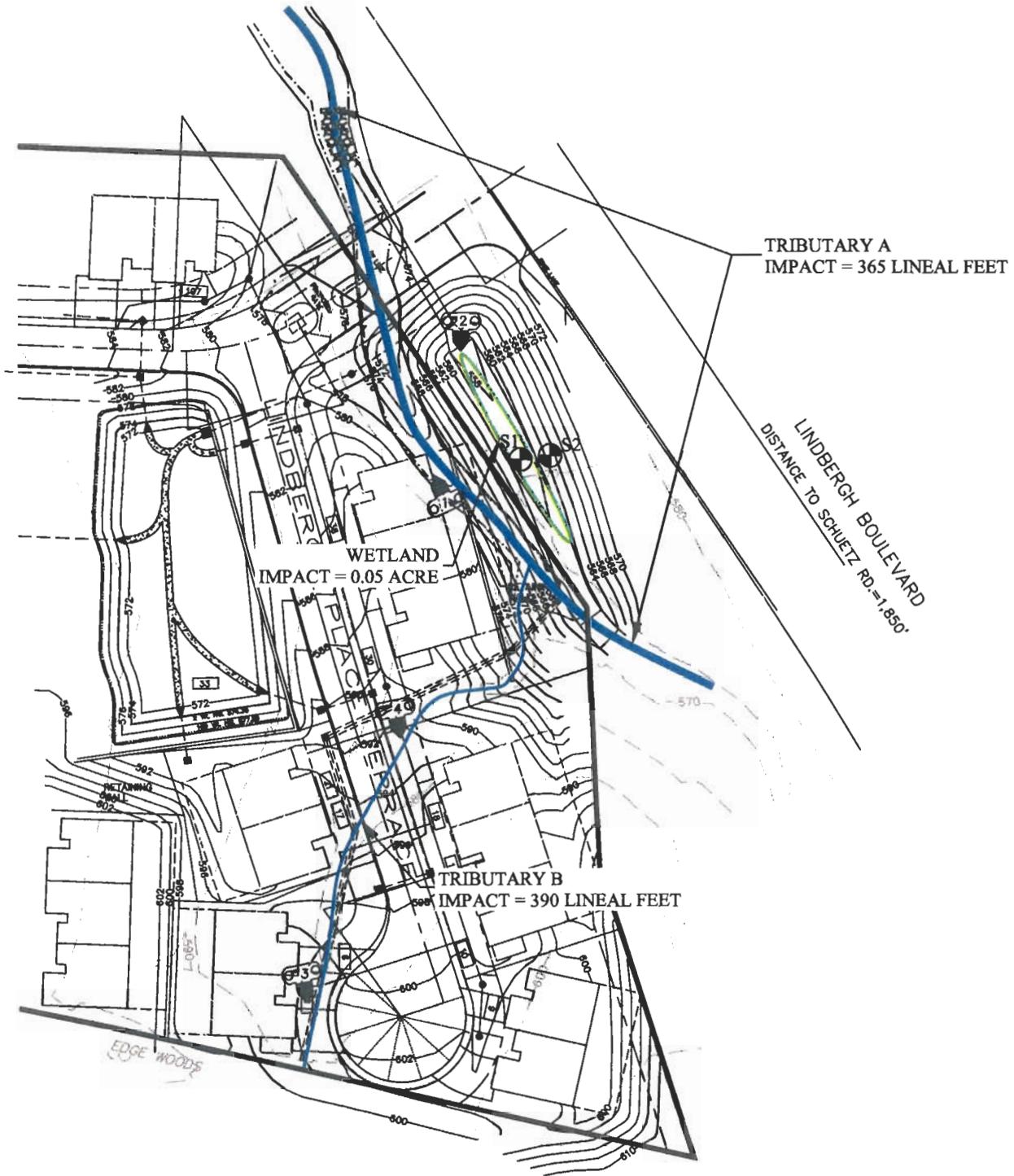
Attachments

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.



1" = 100'



LEGEND

-  INDICATES APPROXIMATE SOIL BORING LOCATIONS
-  INDICATES PHOTOGRAPH LOCATION, DIRECTION AND DESIGNATION.

BASED ON UNDATED PLAN PROVIDED ELECTRONICALLY ON JANUARY 9, 2004 FROM PICKETT RAY & SILVER. DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.

FIGURE I



SCI ENGINEERING, INC.

www.sciengineering.com

LINDBERGH AND SCHEUTZ
ST. LOUIS COUNTY, MISSOURI

**WETLAND DELINEATION AND
REVISED SITE PLAN**

MARCH 2004

SCI NO. 2002-2259.31



1" = 2000'



Sheet 2 of 2
 P-2423
 File #2003-00000

FIGURE 1

REFERENCE
 USGS TOPOGRAPHIC MAP
 CREVE COUER, MISSOURI QUADRANGLE
 DATED 1993
 10' CONTOURS



SCI ENGINEERING, INC.
 www.sciengineering.com

LINDBERG AND SCHUETZ ROAD
 ST. LOUIS COUNTY, MISSOURI

VICINITY MAP

DECEMBER 2002

SCI NO. 2002-2259.31