



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-2466
Public Notice Date
April 1, 2005

Expiration Date
April 22, 2005

Postmaster Please Post Conspicuously Until:

File Number: 200501150

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: Mr. Shawn Sullivan

APPLICANT: Triad Development, Inc. Attn: Mr. John Stetzel, 1410 Triad Center Drive, St. Peters, Missouri, 63376.

AGENT: Fribis Engineering, Inc. Attn: Mr. Josiah Cox, 3520 Jeffco Boulevard, Suite 100, Arnold, Missouri, 63010.

LOCATION: The project area is located east of Scott Road, south of Patton Road, and north of Big Creek. More specifically, the site is located within the Southwest ¼ of Section 25, Township 48 North, Range 01 East, Lincoln County, Missouri.

PROJECT DESCRIPTION: Applicant seeks authorization to conduct grading in conjunction with the development of a residential subdivision to be known as Anna Meadows. A total of 166 single-family homes are proposed on the site. The jurisdictional waters on the site, labeled on the attached map, consist of an interconnected system of tributaries, ponds, and wetland. The site contains 858 linear feet of an unnamed tributary (designated Stream A), 1,124 linear feet of a second unnamed tributary (designated Stream B), a 1.46-acre pond (Pond A) constructed in Stream A, and a 0.61-acre emergent wetland that is hydraulically connected to Stream B. The wetland likely formed from sediment accretion in a remnant pond basin. Big Creek is located along the southwestern boundary of the site as well as a forested wetland within the southern portion of the site.

Dam's that impounded water in Pond A and the emergent wetland have both been breached. Upon the applicant receiving notification from their agent that draining of Waters of the United States, including wetlands would be an activity regulated by the Department of the Army, the applicant ceased all work. The agent on behalf of the applicant has submitted a Section 404 Permit application, Wetland Delineation, development plan, and impact assessment. Development plans indicate Pond A and the wetland will be filled to facilitate construction of building lots and roadways. Approximately 858 linear feet of Stream A and 577 linear feet of Stream B will be impacted by enclosing the channels in stormwater pipes and conveying flows to a detention basin. Stormwater will overflow the detention basin and outfall into Stream A before converging with Big Creek. The piped reaches of Stream A and B will create a dry surface to develop building lots and roadways.

Total permanent stream impacts for the project are 1,435 linear feet or 0.11 acre. Total proposed wetland impact is 0.61 acre and open-water (Pond A) impacts are 1.46 acres.

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Shawn Sullivan, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8580. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Shawn.F.Sullivan@mvs02.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 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 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.

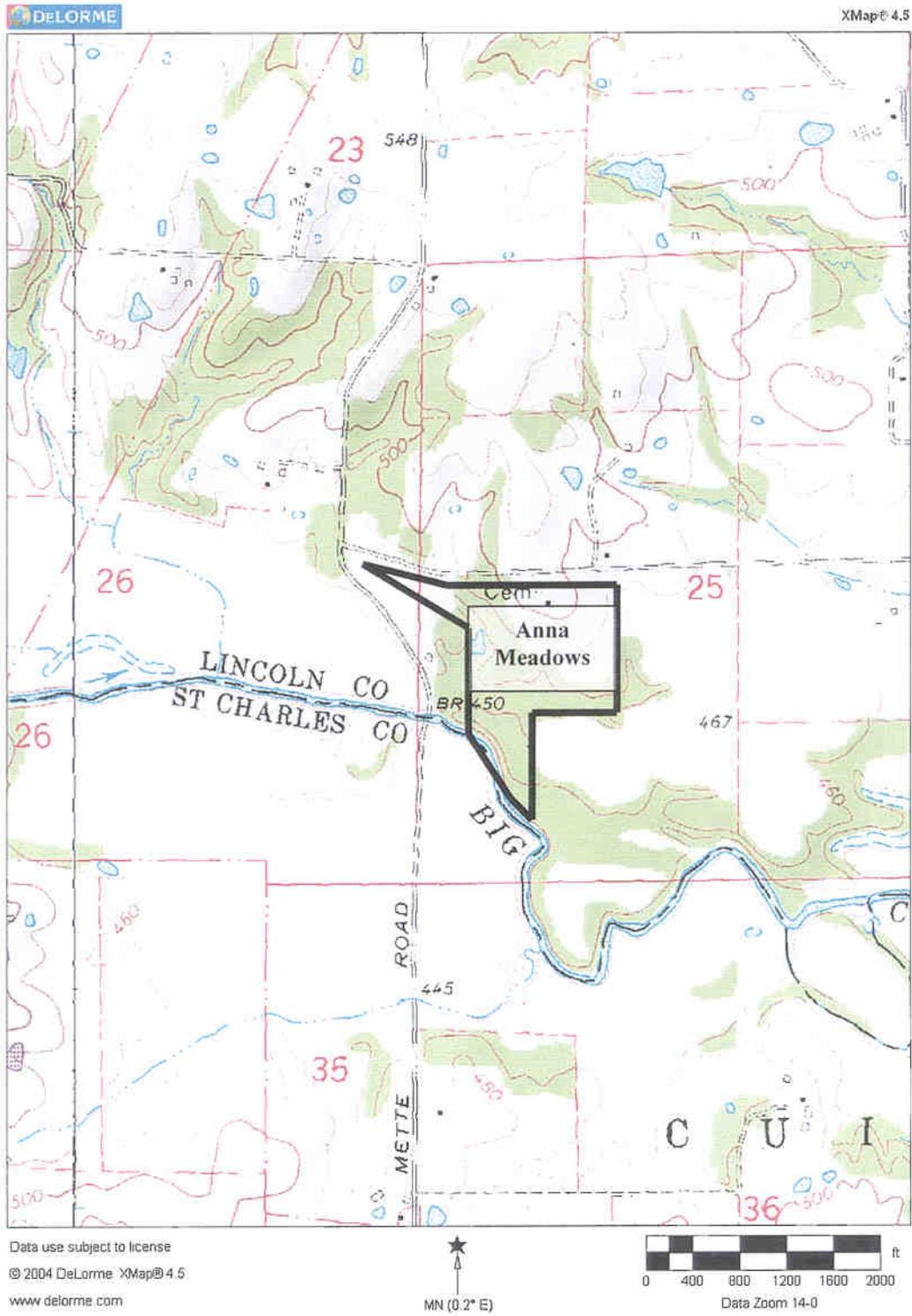
DANNY D. MCCLENDON
Chief, Regulatory Branch

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.

Exhibit 1. Anna Meadows Location Map



SHEET 1 OF 3
P-2466
200501150



SHEET 3 OF 3
 P-2466
 200501150

 <small>FRS ENGINEERING & ARCHITECTURE, INC. 1410 TRHAD CENTER DRIVE ST. PETERS, MO. 63378</small>	<small>PROJECT:</small> ANNA MEADOWS SITE DEVELOPMENT PLAN LINCOLN COUNTY, MISSOURI	<small>PREPARED FOR:</small> TRHAD DEVELOPMENT, INC. 1410 TRHAD CENTER DRIVE ST. PETERS, MO. 63378
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