



# 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-2504**  
Public Notice Date  
November 21, 2005  
Expiration Date  
December 12, 2005

**Postmaster Please Post Conspicuously Until:**

December 12, 2005

File Number: 2005-44985

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in a water 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:** Pointe Prairie, L.L.C. Attn: Mr. James Meyer, 1274 Jungermann Road, St. Peters, Missouri 63376. (314) 578-5259

**AGENT:** On-Site Soils, Inc. Attn: Mr. Matthew Roth, P.O. Box 6, Wentzville, Missouri 63385. (314) 724-6518

**LOCATION:** The proposed stream mitigation bank and adjoining residential development is located approximately 0.6 miles south of Highway N. The mitigation bank would be located on the eastern and western side of Pointe Prairie Road. The residential development is located on the western side of Pointe Prairie Road and would be located north of the proposed mitigation bank. More specifically, the project area is located within parts of Section 3, 9, and 10, Township 46 North, Range 01 East, St. Charles County, Missouri.

**PROJECT DESCRIPTION:** Applicant seeks approval from the Mitigation Bank Review Team (MBRT) composed of representatives from the Corps, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, Missouri Department of Natural Resources (MDNR), and Missouri Department of Conservation to establish a stream mitigation bank along a 4,750 foot long reach of Little Dardenne Creek. The main objective of the proposed Little Dardenne Creek Mitigation Bank (LDCMB) is to restore, enhance, and preserve the creek channel and its degraded riparian corridor. The mitigation

bank sponsor is developing the LDCMB with the intent to sell credits commercially to recipients of Section 404 Permits who are required to mitigate for unavoidable and adverse environmental impacts to waters of the United States, specifically creeks and tributaries of ephemeral, intermittent, and perennial classifications.

If approved by the MBRT, the LDCMB would assist in improving the chemical, physical, and biological integrity of the Dardenne Creek watershed. Dardenne Creek has been listed on the section 303(d) list by the MDNR. Dardenne Creek is a primary tributary to the Mississippi River. The mitigation bank will contain a total of 33.79 acres of enhanced creek channel and restored riparian corridor that will provide an additional source of compensation for impacts to tributaries within the geographic service area of the bank. The mitigation bank prospectus proposes a geographic service area on the basis of Ecological Drainage Units (EDU). EDU's are combined watersheds containing aquatic assemblages that are relatively similar and were established by research done and incorporated into a Geographic Information System by the Missouri Resource Assessment Partnership. The MBRT has generally accepted EDU's as the basis for hierarchal service areas within the state of Missouri, but the corresponding EDU identified on sheet 4 has been limited to the boundaries of the St. Louis District, Regulatory Branch. However, the Corps may deem impact areas outside the EDU to be appropriately mitigated at the proposed bank, on a case-by-case basis. This mitigation bank proposal does not preclude any applicant from complying with CWA Section 404(b)(1) Guidelines when applying for a Section 404 Permit and considering on-site mitigation opportunities when impacts to waters of the United States cannot be practicably avoided or further minimized.

**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:** Section 404 of the Clean Water Act (33 U.S.C. 1344).

**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.

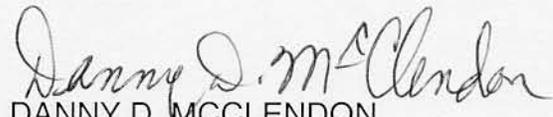
**ENDANGERED SPECIES:** A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request 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 authorize Pointe Prairie, L.L.C. to enter into an agreement with the Corps and MBRT 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.



Map created with TOPO!® ©2003 National Geographic (www.nationalgeographic.com/topo)

**Little Dardenne Creek Stream  
Mitigation Bank  
St. Charles County, Missouri**

F Sheet 1 of 4  
P-2504  
USGS Map File #2005-44985  
Foristell Quadrangle



**ON-SITE SOILS, INC.**

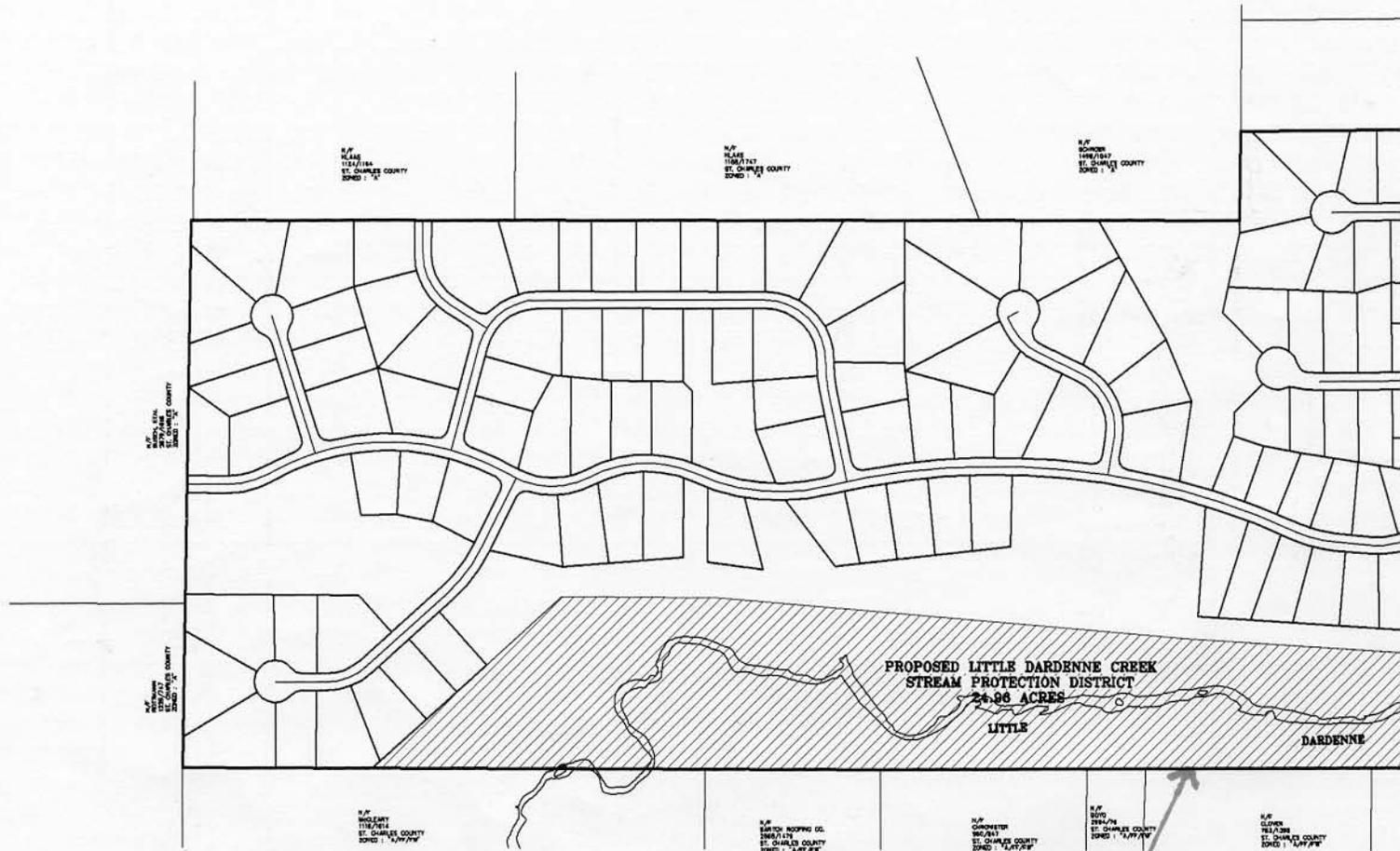
Source: USGS – Topo!

Scale:  
Not to Scale

Date:  
August 1, 2005

# THE LAKES AT C

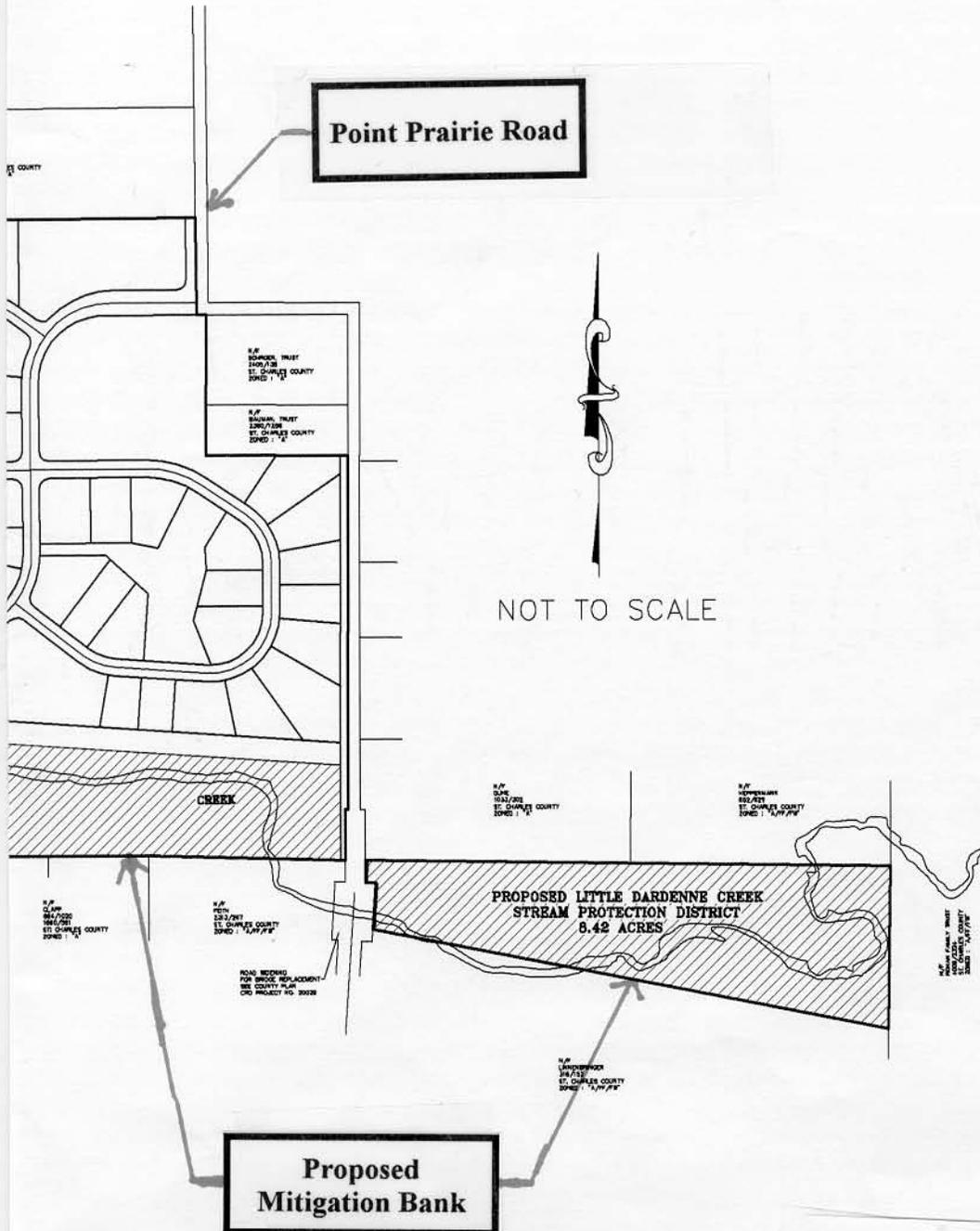
A TRACT OF LAND BEING PART OF SECTION 10,  
TOWNSHIP 46 NORTH, RANGE 11 WEST  
OF THE FIFTH PRINCIPAL MERIDIAN  
ST. CHARLES COUNTY, MISSOURI



**Proposed  
Mitigation Bank**

# CREEKSIDE

ON 3, 9, AND 10  
EAST  
DIAN  
URI



Sheet 3 of 4  
P-2504  
File #2005-44985

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 THE USE, REPRODUCTION AND SALES RIGHTS OF THIS DRAWING ARE  
 RESERVED BY LAND DEVELOPMENT CONSULTANTS, INC. (L.D.C., inc.).

SEAL
PREPARED FOR: <b>POINTE PRAIRIE, L.L.C.</b> 1274 JUNGERMANN ROAD ST. PETERS, MO. 63376 PH: (314)578-5259 FAX: (636)926-3440
LAND PLANNING • LAND SURVEYING <b>CIVIL ENGINEERING</b> THREE FLAGS CENTER SUITE 326 1360 SOUTH FIFTH STREET 63301 ST. CHARLES, MISSOURI PH: (636) 946-4059 FAX: (636) 916-5600
<b>LD C</b> INCORPORATED
<b>THE LAKES AT CREEKSIDE</b> ST. CHARLES COUNTY, MISSOURI
PROJECT REVISION DRAWN BY CHECKED BY DATE JOB NO. SCALE SHEET
JLK JPT 11-02-05 04-830 N.T.S. 1 of 1



Sheet 4 of 4  
 P-2504  
 File #2005-44985

**Little Dardenne Creek Stream  
 Mitigation Bank**

**St. Charles County, Missouri**

**Service Area Map**



**ON-SITE SOILS, INC.**

**Source: CARES**

**Scale:  
 NOT TO SCALE**

**Date:  
 October 11, 2005**