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
St. Louis, Missouri 63103-2833

Public Notice No.
P-2512
Public Notice Date
December 16, 2005
Expiration Date
January 6, 2006

Postmaster Please Post Conspicuously Until:

File Number: 2005-03310

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: Mr. Ward Lenz

APPLICANT: Mr. Roy Holley, H & H Development, Inc., P.O. Box 550, Imperial, Missouri, 63052.

AGENT: Josiah Cox, Fribis Engineering, Inc., 3610 Jeffco Boulevard, Suite 100, Arnold, Missouri, 63010. Ph. 636-464-3610

LOCATION: The project area is a 19.61-acre site, located south of Fenton, off of Old Highway 141, approximately one mile south of the intersection of Highway 30 and Highway 141. The project area is located in U.S. Survey 3011, Township 43 North, Range 5 East, Jefferson County, Missouri. The project location is identified on the attached map.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling operations in waters of the United States in conjunction with the development of a 19.61-acre tract of land into a 61-unit single-family residential development known as San Marino. Jurisdictional waters on the site consist of 1,065 lineal feet of an unnamed tributary which bisects the site. Approximately 783 lineal feet of the unnamed tributary are proposed to be impacted by piping to support the development. Proposed impacts are depicted on attached site plan.

LOCATION MAPS AND DRAWINGS: See attached. Maps are also available for viewing on our online version of this Public Notice at the St. Louis District Regulatory Branch website, at the following link: http://www.mvs.usace.army.mil/permits/pn.htm

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. Ward Lenz, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8186. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to gary.w.lenz@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.

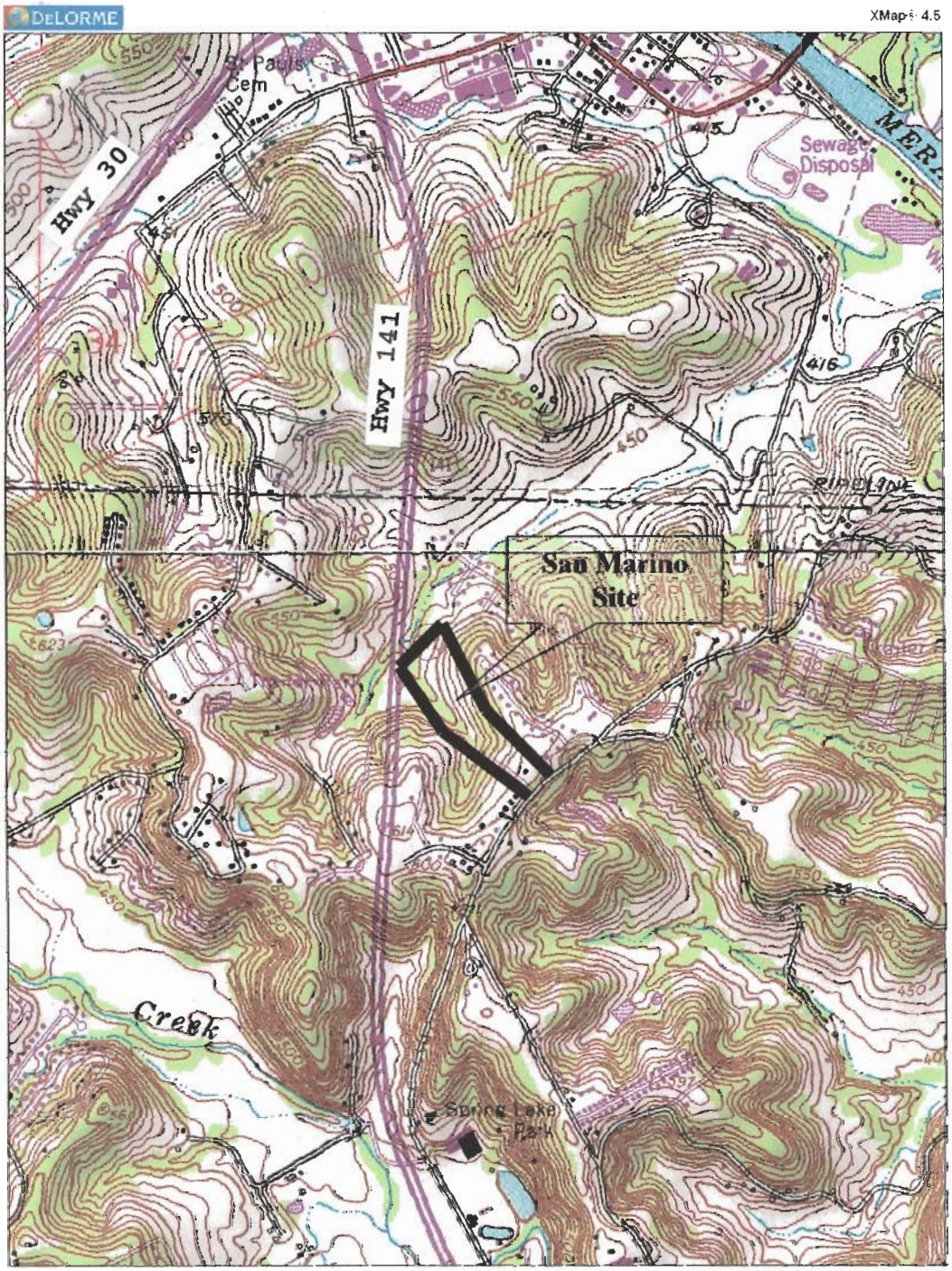
DANNY D. MCCLENDON
Chief, Regulatory Branch

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.

Exhibit 1. San Marino Location Map



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www.delorme.com

MN (0.2° W)

0 400 800 1200 1600 2000 ft
Data Zoom 14-0

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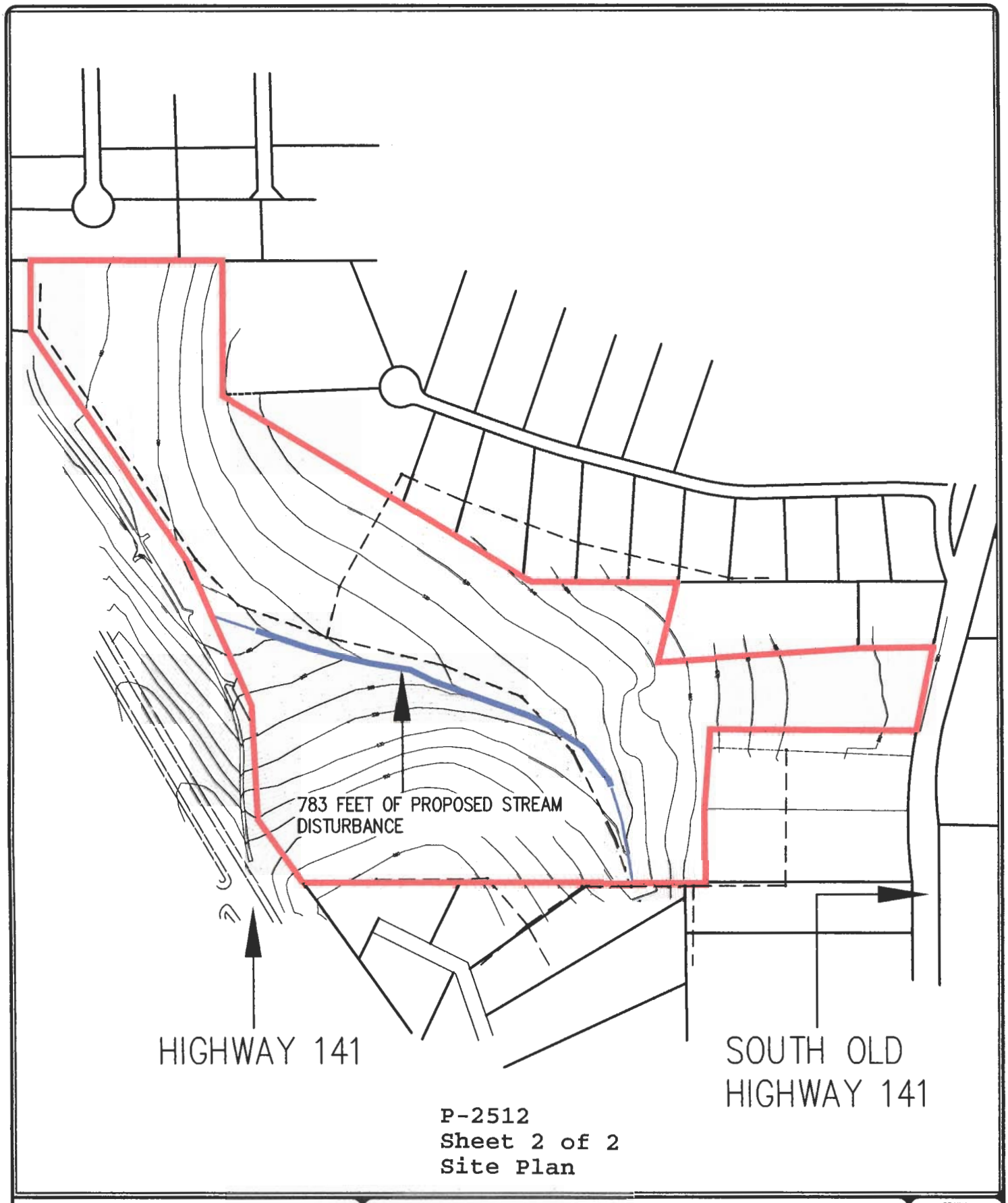
Sheet 1 of 2
Location Map



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Sheet 2 of 2
Site Plan

FRIBIS ENGINEERING
3520 JEFFCO BLVD. STE. 100
ARNOLD, MO 63010
(636) 464-3610
(636) 464-2059 FAX
CIVIL ENGINEERING • SURVEYING • LAND PLANNING

SAN MARINO
SITE PLAN & PROPOSED DISTURBANCE
JEFFERSON COUNTY, MISSOURI

DRAWN	JMC
CHECKED	JMC
DATE	9/26/05
SCALE	N/A
JOB NO.	05038
SHEET	1
	1 OF 1 SHEETS