



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-2369
Public Notice Date
April 3, 2003
Expiration Date
April 23, 2003**

Postmaster Please Post Conspicuously Until:

File Number: 200203990

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 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: Ward Lenz

APPLICANT: St. Charles County Highway Department, Attention Mr. Benny Heddon, 201 North Second Street, Suite 429, St. Charles, Missouri, 63301. The authorized agent for this project is Horner & Shifrin, Inc., 5200 Oakland Avenue, Saint Louis, Missouri, 63110.

LOCATION: The project location is Greens Bottom Road, in the Greens Bottom area of the Missouri River floodplain, in St. Charles County, Missouri. Pitman Hill Road exists as the western project limits, and Jung Station Road exists along the eastern project limits. The Katy Trail occurs immediately north of Greens Bottom Road, and serves as the project limits to the north.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling activities in waters of the United States in order to widen and make improvements to Greens Bottom Road, which will include, in various locations, drainage, pavement, curb & gutters, sidewalks, retaining walls, culverts, and guardrails.

The project area contains Duckett Creek; four unnamed tributaries to Greens Chute, labeled as Tributaries A,B,C, & D on the attached map; and four wetlands, labeled as wetlands A, B, C, and "Existing Soil Fill Pile" on the attached map.

Approximately 160 lineal feet of Duckett Creek; 82 lineal feet of Tributary A, 54 lineal feet of Tributary C, and 215 lineal feet of Tributary D, will be impacted by culverts. Approximately 24,450 lineal feet of Tributary B will be impacted by grading, but will be maintained as an open channel. Tributary B enters the project area Caulks Hill Road and exists as a road ditch between Greens Bottom Road and the Katy Trail where it flows to the northeast for approximately 24,450 lineal feet before exiting the site through an existing culvert under Greens Bottom Road.

Four wetlands will be filled and/or impacted by the project. Wetland A is an emergent wetland, located in the central portion of the site, east of and adjacent to the Katy Trail State Park entrance. Approximately 0.06 acres of Wetland A will be filled by the project. Wetland B is a mix of wooded and emergent wetland, also located in the central portion of the site, west of and adjacent to the Katy Trail State Park entrance. Approximately 0.32 acres of Wetland B will be filled by the project. Wetland C is located to the east of Wetland A, and is a mix of farmed and wooded wetland. Approximately 0.12 acres of Wetland C (0.08 acres farmed wetland & 0.04 acres emergent wetland) will be filled by the project. The "Existing Soil Fill Pile" depicted on the attached map, is the site of approximately 7 acres of unauthorized filling of farmed wetlands which has already occurred for this project. The unauthorized filling is the result of hauling fill material to the site for stockpiling for the road project. The applicant has been made aware of this violation, and that it must be resolved regardless of the outcome of any permit action for Greens Bottom Road.

Total tributary impacts for this project, due to culverting and channelization are 24,961 lineal feet. Total wetland impacts for the project are 7.5 acres.

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting 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 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 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 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 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.

