



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-2396](#)

Public Notice Date

[December 31, 2003](#)

Expiration Date

[January 29, 2004](#)

Postmaster Please Post Conspicuously Until:

File Number: [2003-07820](#)

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: [City of St. Peters, c/o Mr. William P. Charnisky, City Administrator, P.O. Box 9, One St. Peters Centre Blvd., St. Peters, Missouri, 63376, \(636\) 477-6600.](#)

AGENT: [Mr. Thomas Juen, Jacobs Civil, Inc., One Financial Plaza, 501 N. Broadway, St. Louis, Missouri, 63102, \(314\) 335-4655.](#)

LOCATION: [The project area is located in the Mississippi River Floodplain, near the interchange of Missouri Route 370 and Spencer Road, in St. Charles County, Missouri. The project area is bounded on the west by Spencer Creek, on the north by Dardenne Creek, on the south by the Norfolk Southern Railroad, and the city limits of St. Peters to the east, which is close to Cave Springs Road.](#)

PROJECT DESCRIPTION: [The applicant seeks authorization to construct a new levee to provide flood protection to a proposed development area known as Lakeside Business Park. The levee would provide protection from a 500-year flood, to a 1400 acre area, and would be constructed by excavating soil from a proposed borrow area located on city property between the proposed levee and Dardenne Creek. The project also includes construction of two stormwater pumping stations, improvements to Cave Springs Road, and construction of an access road over the levee to a future park.](#)

The project area, known as Lakeside Business Park is proposed for the creation of a new mixed-use development area that would include office/warehouse, manufacturing, office, dining/entertainment, hotel/conference, cultural and recreational uses. The area between the levee and Dardenne Creek, approximately 460 acres, is proposed to be a recreational park. A portion of the levee, north of Highway 370, extends into the floodway of the Mississippi River.

Public hearings were held for this project before the establishment of a T.I.F. District in December 1999, and the St. Peters citizens voted in April 2000 to authorize bonds for design and construction of the levee and the required property acquisitions.

The proposed project will require direct impacts to 2.6 acres of forested wetlands, 0.1 acres of scrub-shrub wetland, 0.8 acres of emergent wetland, and 0.1 acres of Missouri Department of Transportation (MODOT) linear wetland mitigation. The MODOT mitigation is required compensatory wetland mitigation resulting from wetland impacts from the construction of Route 370. Total wetland impacts for the project are approximately 3.6 acres. Other waters of the United States that are proposed to be filled include 40.2 acres of open water in an existing borrow area that was created during the construction of Route 370, and 4.2 acres of jurisdictional tributaries. Total direct impacts to waters of the United States are approximately 48 acres.

Additionally there are approximately 106.4 acres of wetlands contained within the area proposed to be protected by the levee. These areas will be assessed for indirect impacts, including their being cutoff from flood events, changes in hydrology, and impacts from future development pressure.

During the processing of this permit application, a moratorium will be placed on the processing of any Individual "Standard" Section 404 permits within the project area.

LOCATION MAPS AND DRAWINGS: See attached.

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.

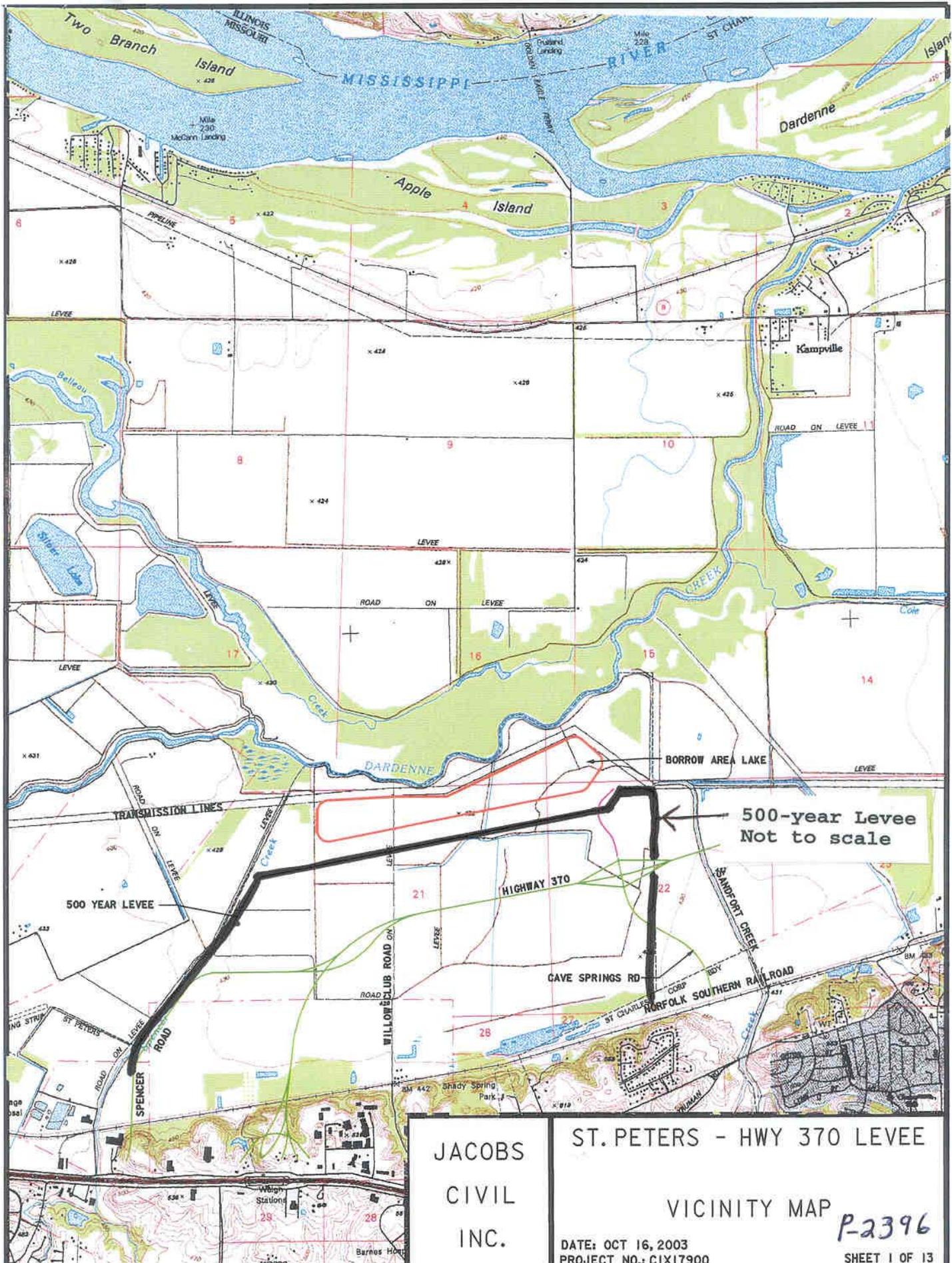
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered 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 30 days from the date of this issuance of this notice.



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INC.

ST. PETERS - HWY 370 LEVEE

VICINITY MAP

P-2396

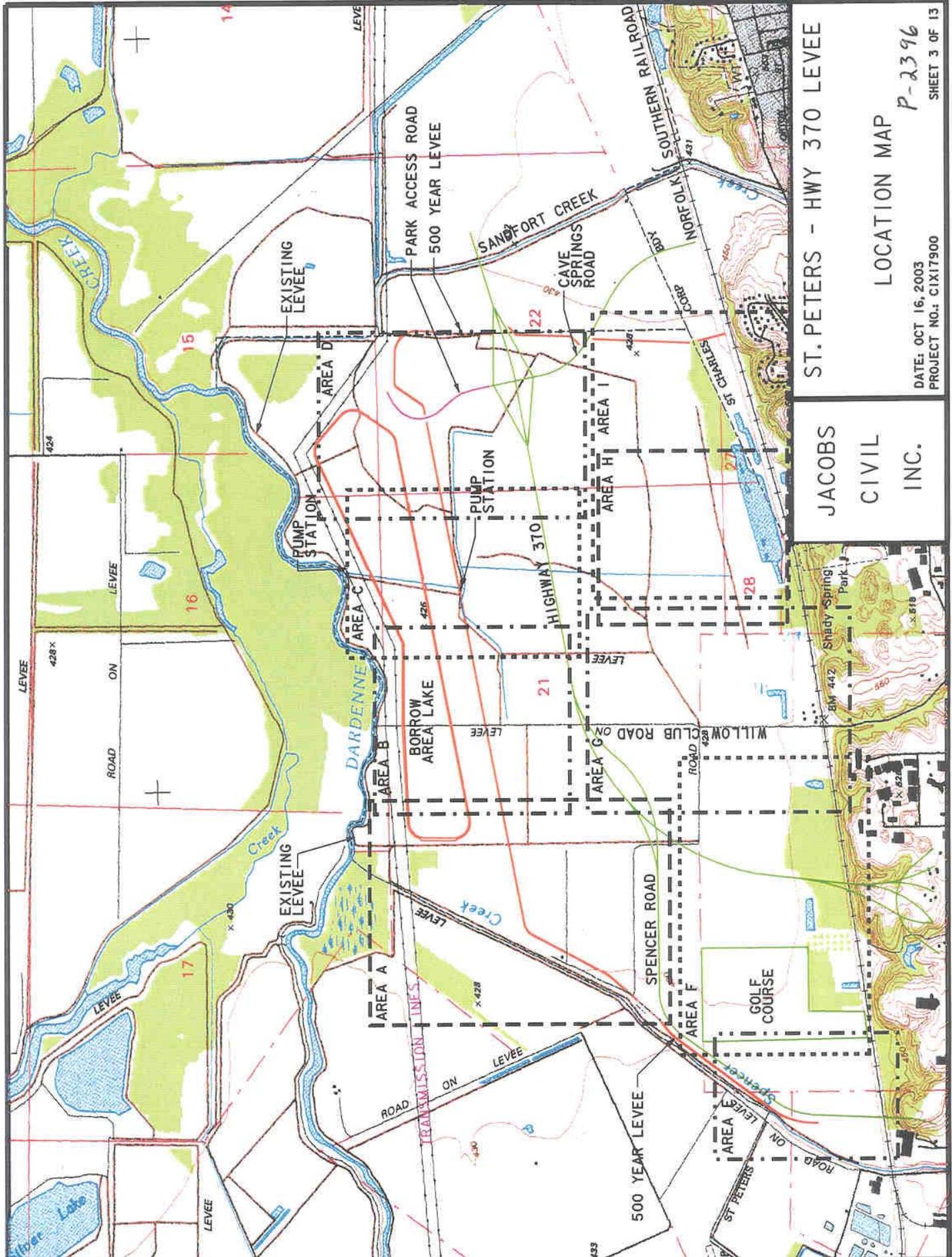
DATE: OCT 16, 2003
PROJECT NO.: CIX17900

SHEET 1 OF 13



JACOBS
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ST. PETERS - HWY 370 LEVEE
JURISDICTIONAL TRIBUTARIES
AND WETLAND IMPACT AREAS
DATE: OCT 16, 2003
PROJECT NO.: C1X17900
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SHEET 2 OF 11



ST. PETERS - HWY 370 LEVEE

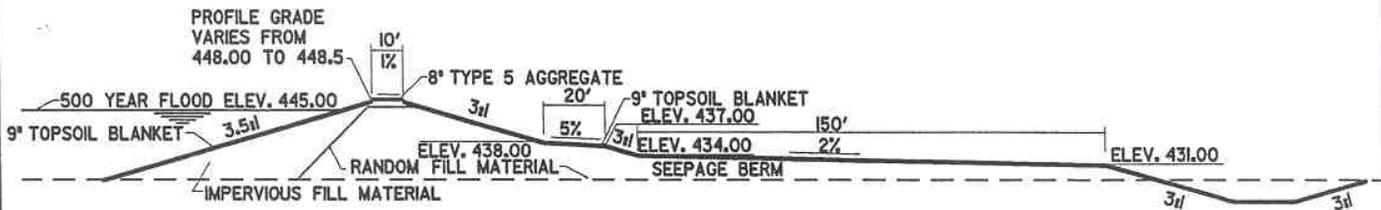
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LOCATION MAP

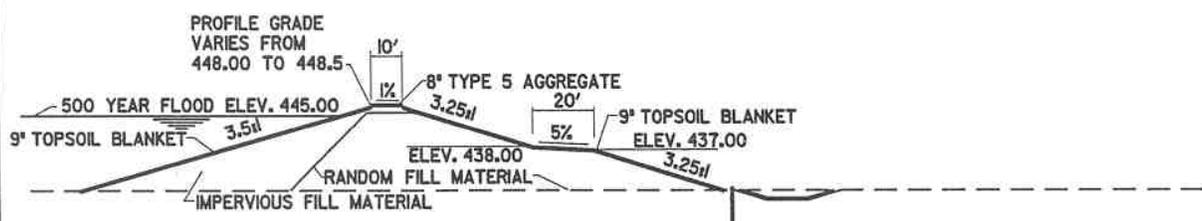
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DATE: OCT 16, 2003
PROJECT NO.: C1X17900

SHEET 3 OF 13

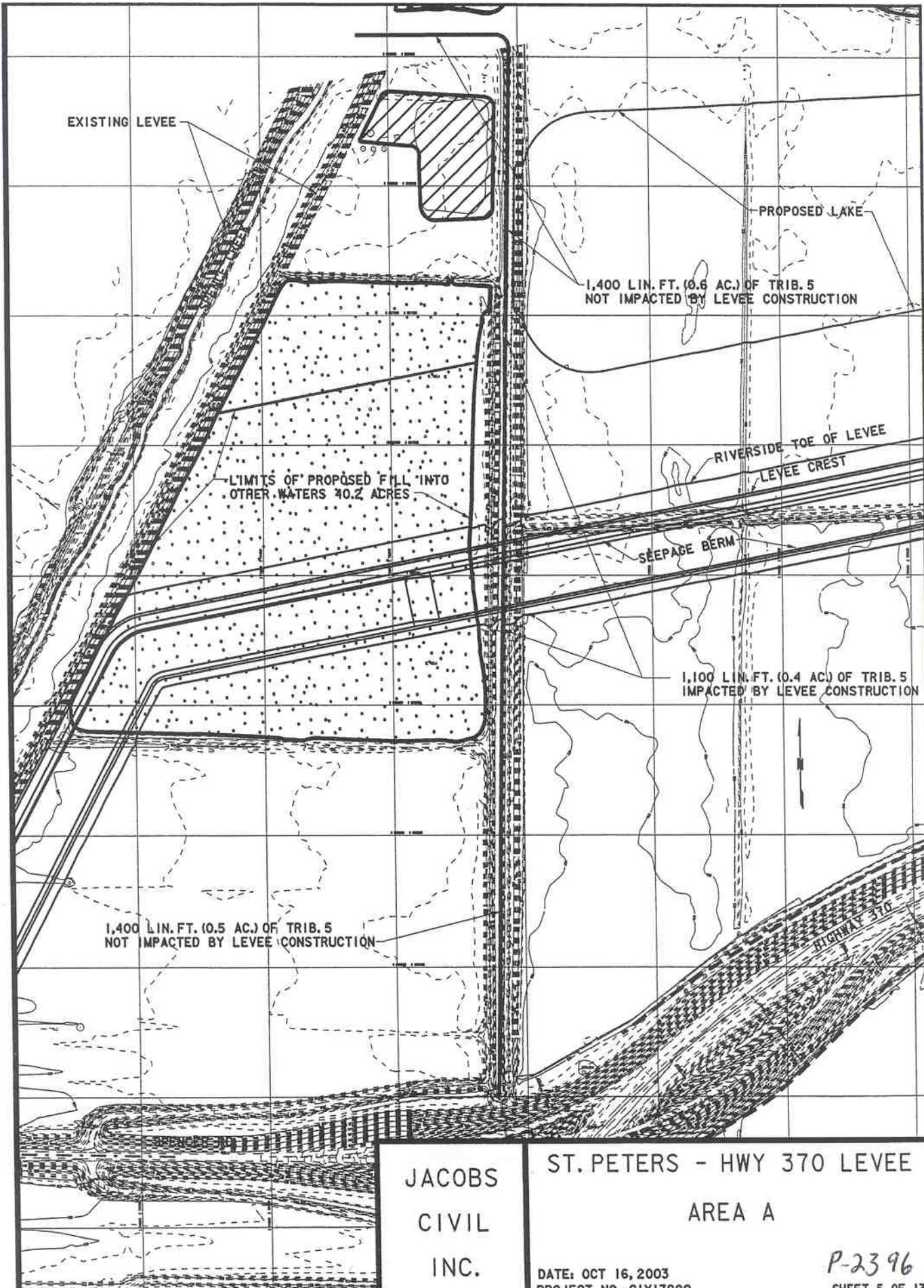


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LEVEE WITH RELIEF WELLS

JACOBS CIVIL INC.	ST. PETERS - HWY 370 LEVEE
	LEVEE TYPICAL SECTIONS
	P-2396 SHEET 4 OF 13
DATE: OCT 16, 2003 PROJECT NO.: C1X17900	

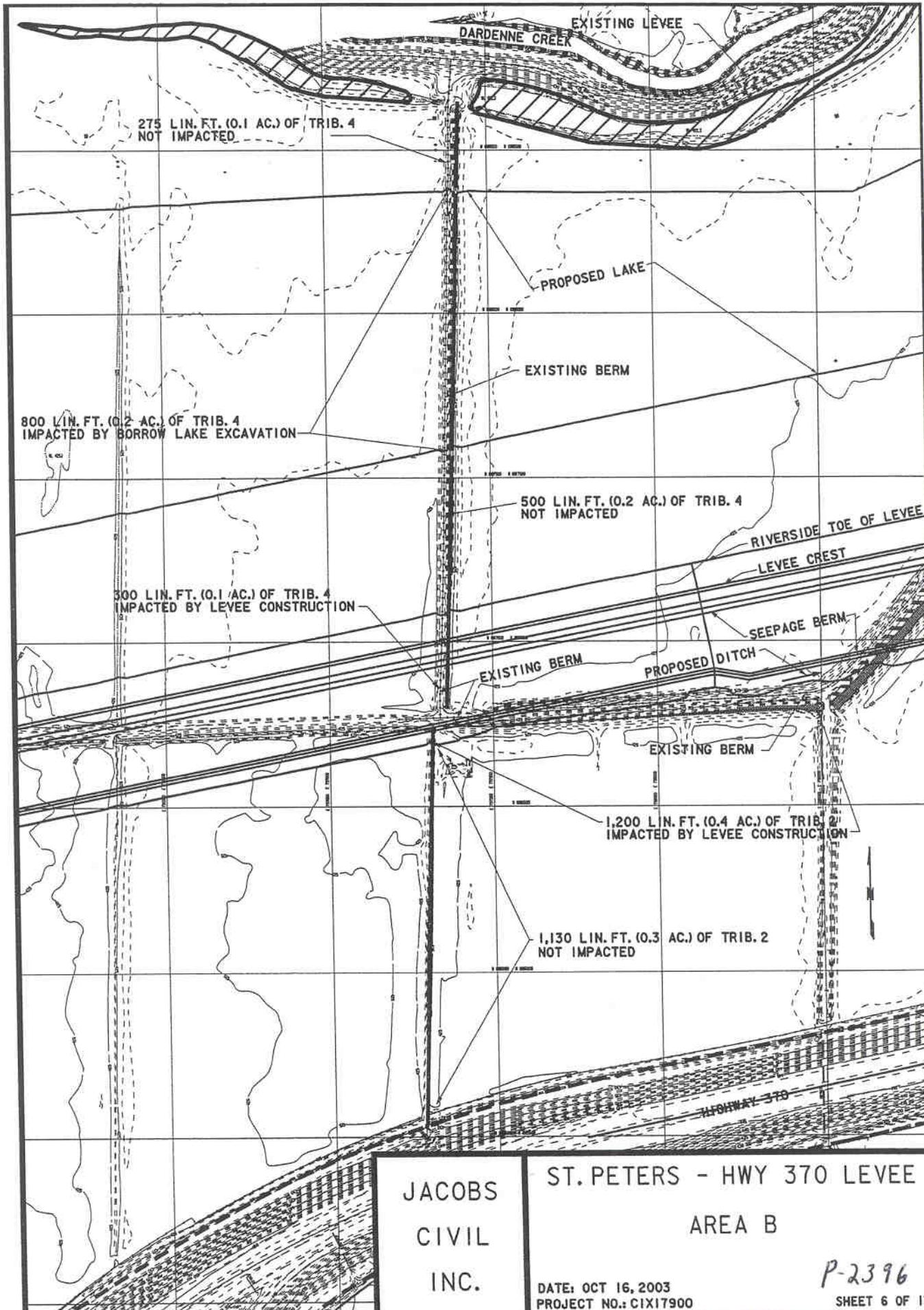


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ST. PETERS - HWY 370 LEVEE
AREA A

DATE: OCT 16, 2003
PROJECT NO. CIV17900

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SHEET 5 OF 13



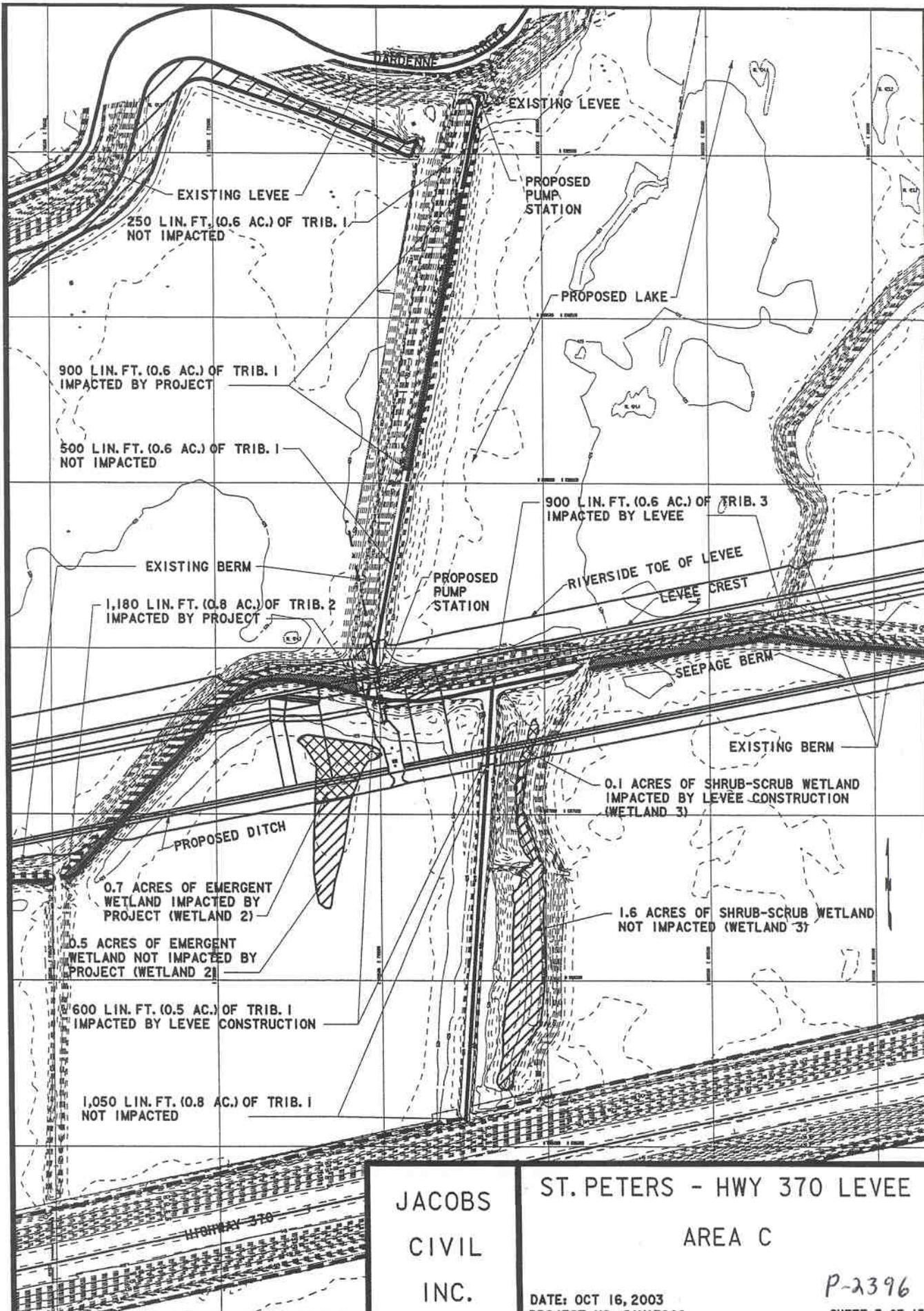
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ST. PETERS - HWY 370 LEVEE
AREA B

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PROJECT NO.: CIX17900

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SHEET 6 OF 11



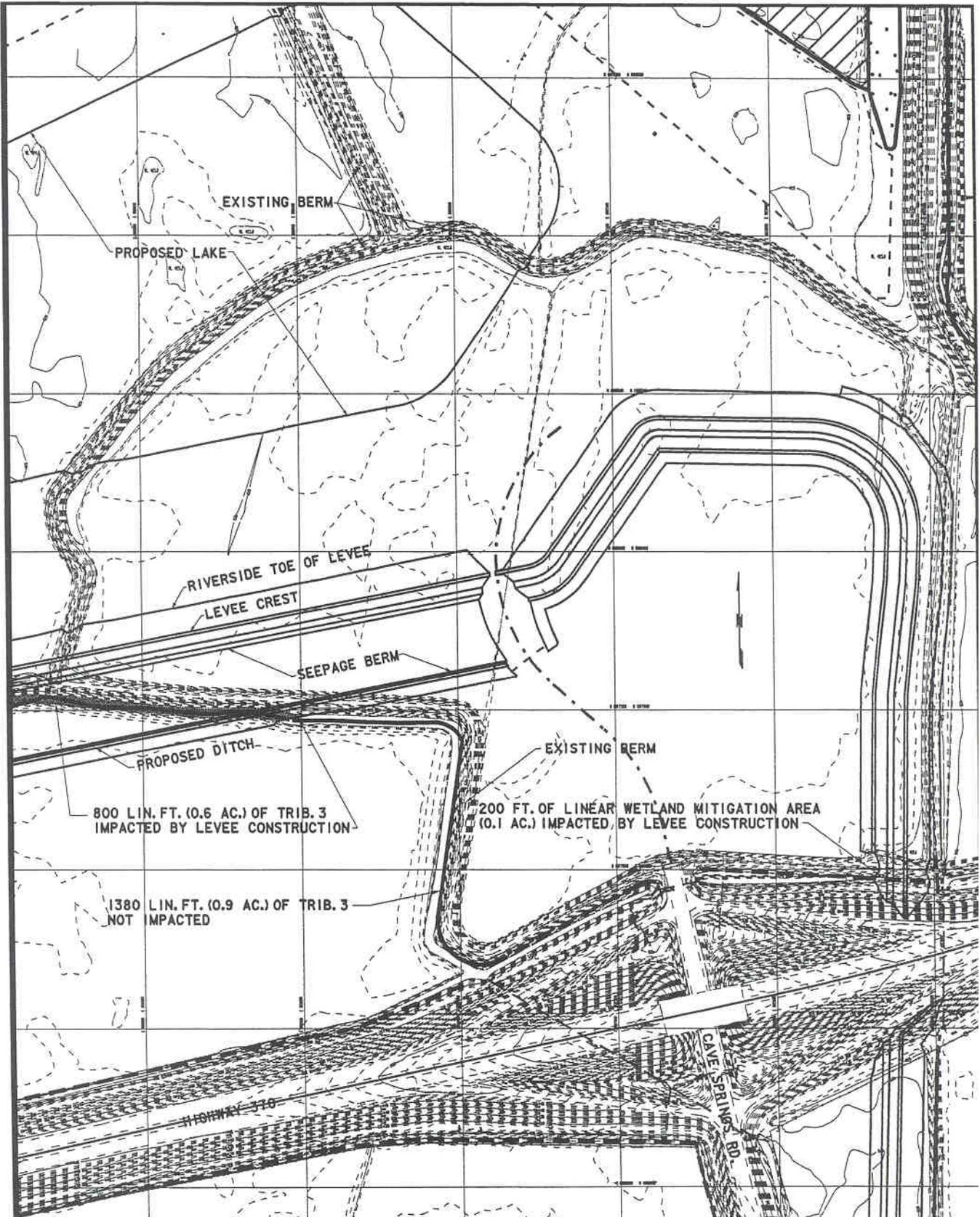
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ST. PETERS - HWY 370 LEVEE
AREA C

DATE: OCT 16, 2003
PROJECT NO. CIV17000

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SHEET 7 OF 13



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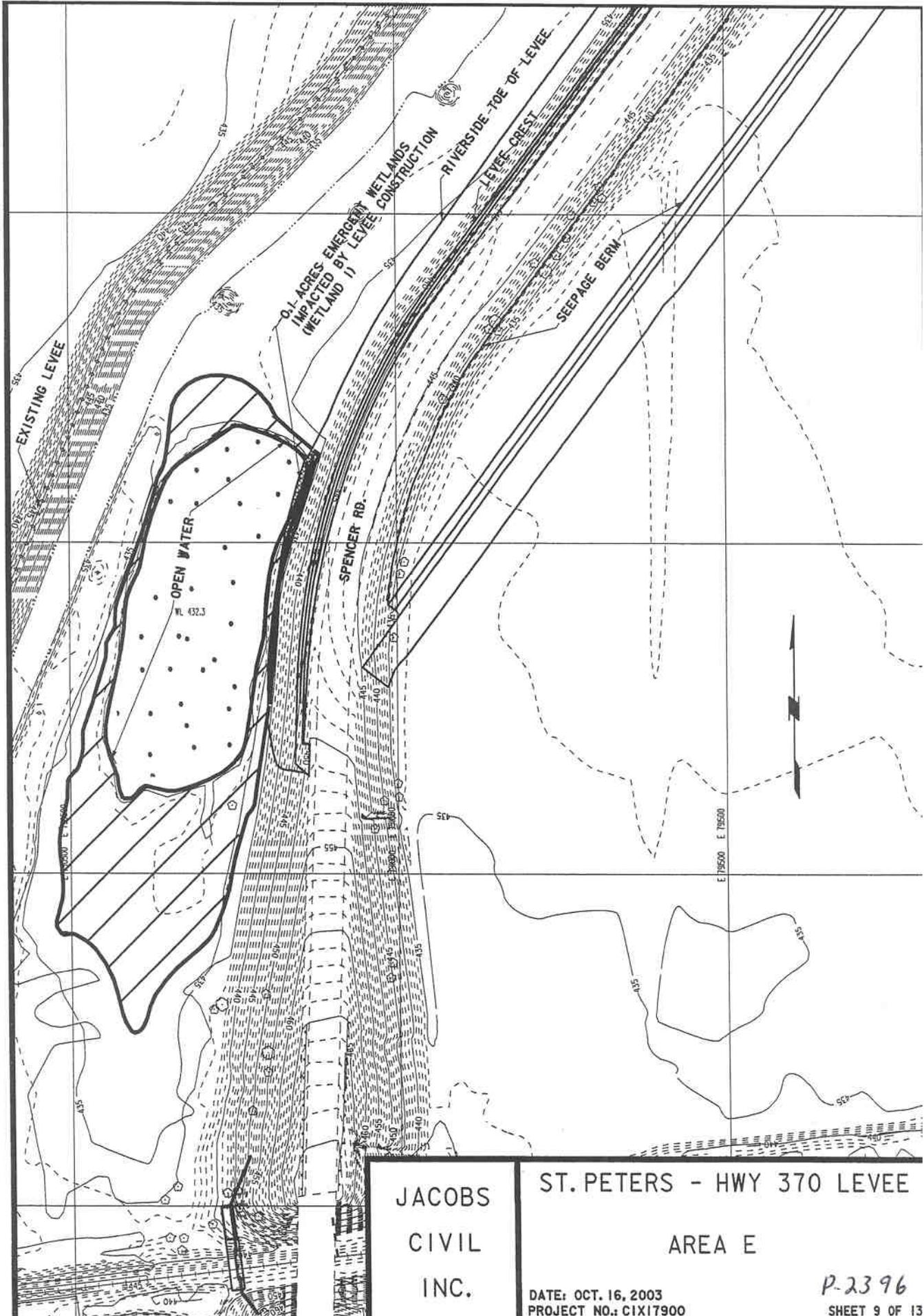
ST. PETERS - HWY 370 LEVEE

AREA D

DATE: OCT 16, 2003
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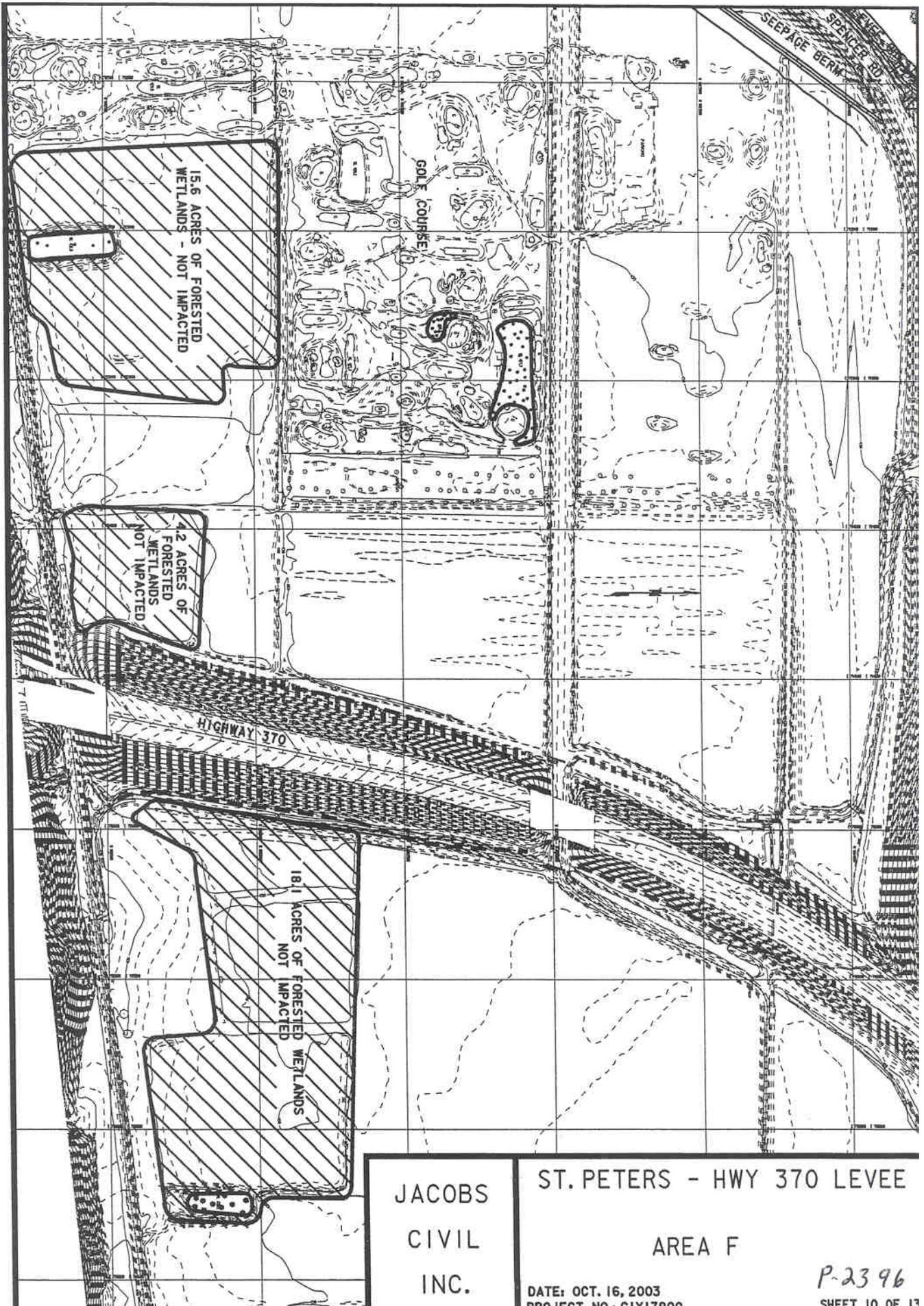
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AREA E

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SHEET 9 OF 13



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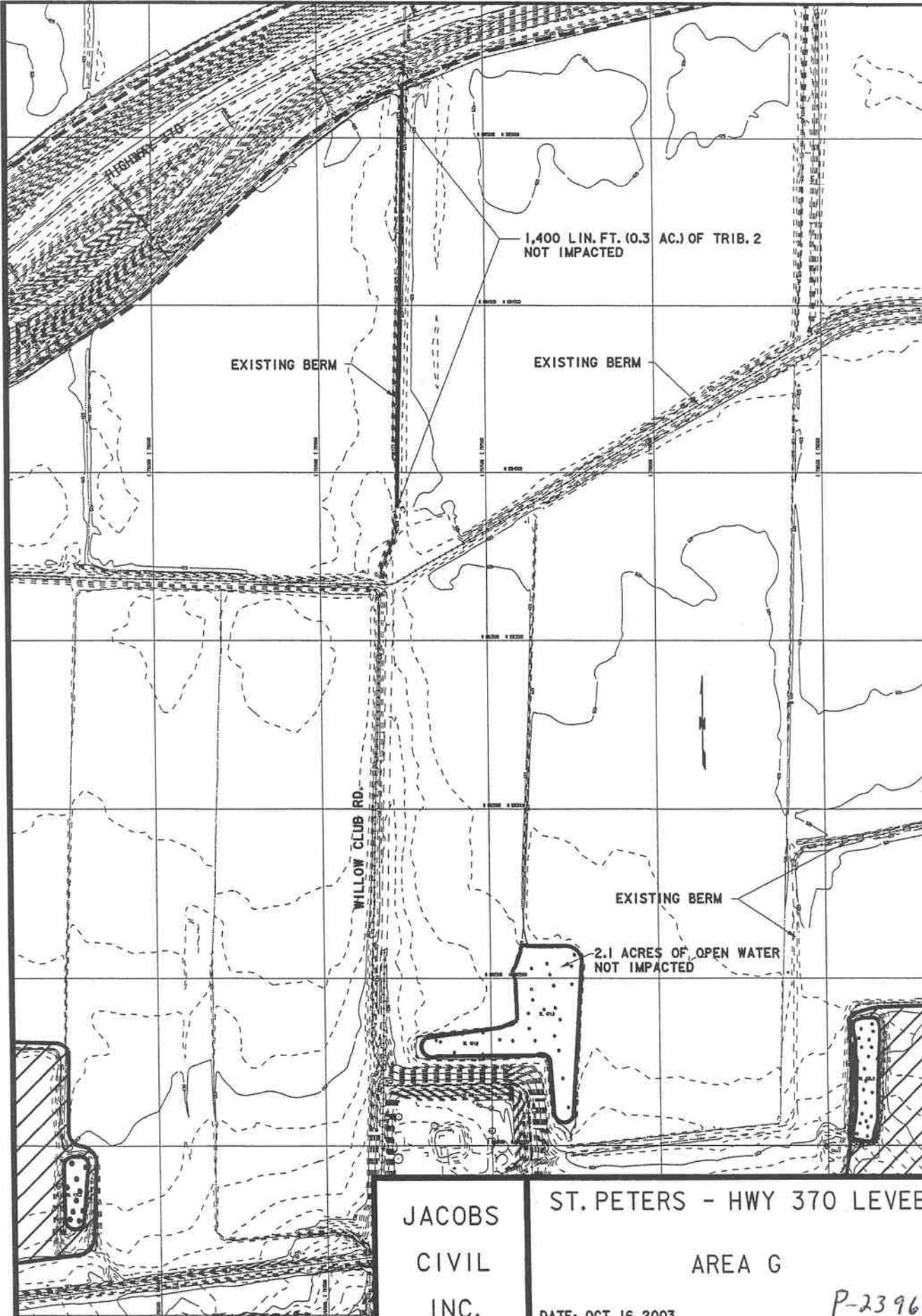
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AREA F

DATE: OCT. 16, 2003
PROJECT NO.: CIX17900

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SHEET 10 OF 13



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ST. PETERS - HWY 370 LEVEE

AREA G

DATE: OCT 16, 2003

P-2396

