



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-2400
Public Notice Date
January 28, 2004
Expiration Date
February 18, 2004

Postmaster Please Post Conspicuously Until:

File Number: 2003-02600

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: Jaynie G. Doerr

APPLICANT: Shenandoah Industrial Development, LLC, 828 O'Fallon Road, St. Charles, MO 63304, 636-441-6221

AGENT: John Mital, Terra Technologies Inc., 907 Fee Fee Road, Maryland Heights, MO 63043, 314-434-1550

LOCATION: The project area is located in the Section 17, Township 48 North, Range 1 East, in Moscow Mills, Lincoln County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to develop a residential subdivision to be known as Shenandoah Estates near Moscow Mills, Missouri. The U.S. Army Corps of Engineers (USACE) determined in May 2003 that the site contains eight emergent wetlands that are considered jurisdictional wetlands of the United States. These wetlands are located adjacent to Crooked Creek, which flows into the Cuivre River. The applicant proposes to fill approximately 1.75 acres of the jurisdictional emergent wetlands to facilitate the development of the Shenandoah Estates.

The applicant proposes to create 1.8 acres of wetland within the limits of Shenandoah Estates in order to provide onsite compensatory mitigation for the proposed wetland impacts of 1.75 acres. Specifically, this mitigated area will serve as a storm water treatment wetland to accept water conveyed through open channel flow and storm water sewers planned to serve portions of Phase I

development. This area chosen for wetland mitigation lies within the floodplain of Crooked Creek. The applicant will place a deed restriction on property to provide permanent protection to the mitigation sites.

LOCATION MAPS AND DRAWINGS: See Sheets 1-5, attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jaynie Doerr, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8581. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Jaynie.g.doerr@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

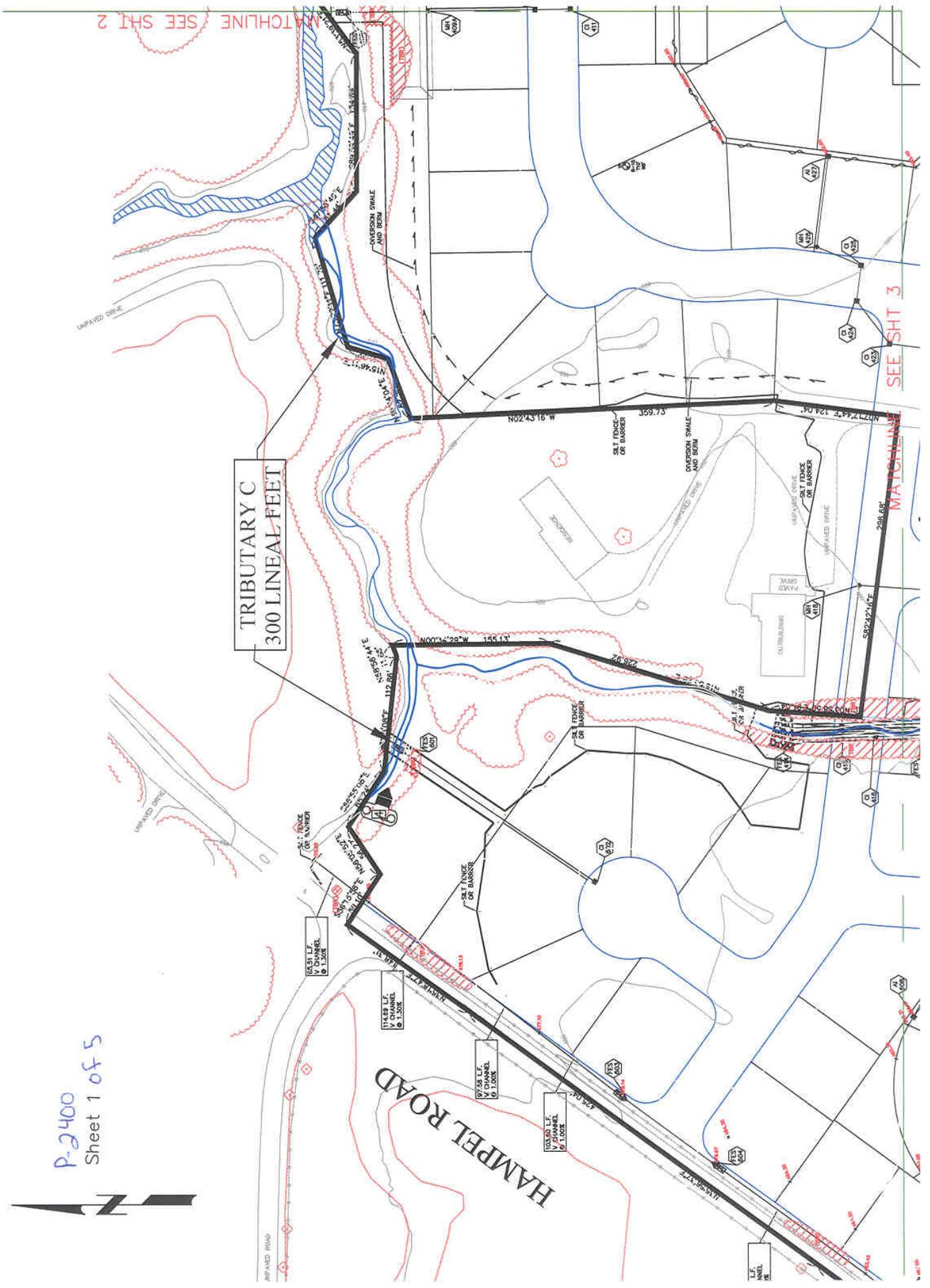
NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

- Attachment: Sheet No. 1 - Site Layout Plan (North)
- Attachment: Sheet No. 2 – Site Layout Plan (North-east)
- Attachment: Sheet No. 3 – Site Layout Plan (South)
- Attachment: Sheet No. 4 – Site Layout Plan (South-east)
- Attachment: Sheet No. 5 – Location Map



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Sheet 1 of 5



MATCHLINE SEE SHT 1

CROOKED CREEK
400 LINEAL FEET
ON SITE

SET FENCE
OR BARRIER

DIVERSION SWALE
AND EDEM

SET FENCE
OR BARRIER
DIVERSION SWALE
AND EDEM

SET FENCE
OR BARRIER

365.17'

365.17'

30017.50'±

750.42'

WETLAND C
0.04 ACRE

WETLAND D
0.08 ACRE

WETLAND B
0.09 ACRE

WETLAND A
1.06 ACRE

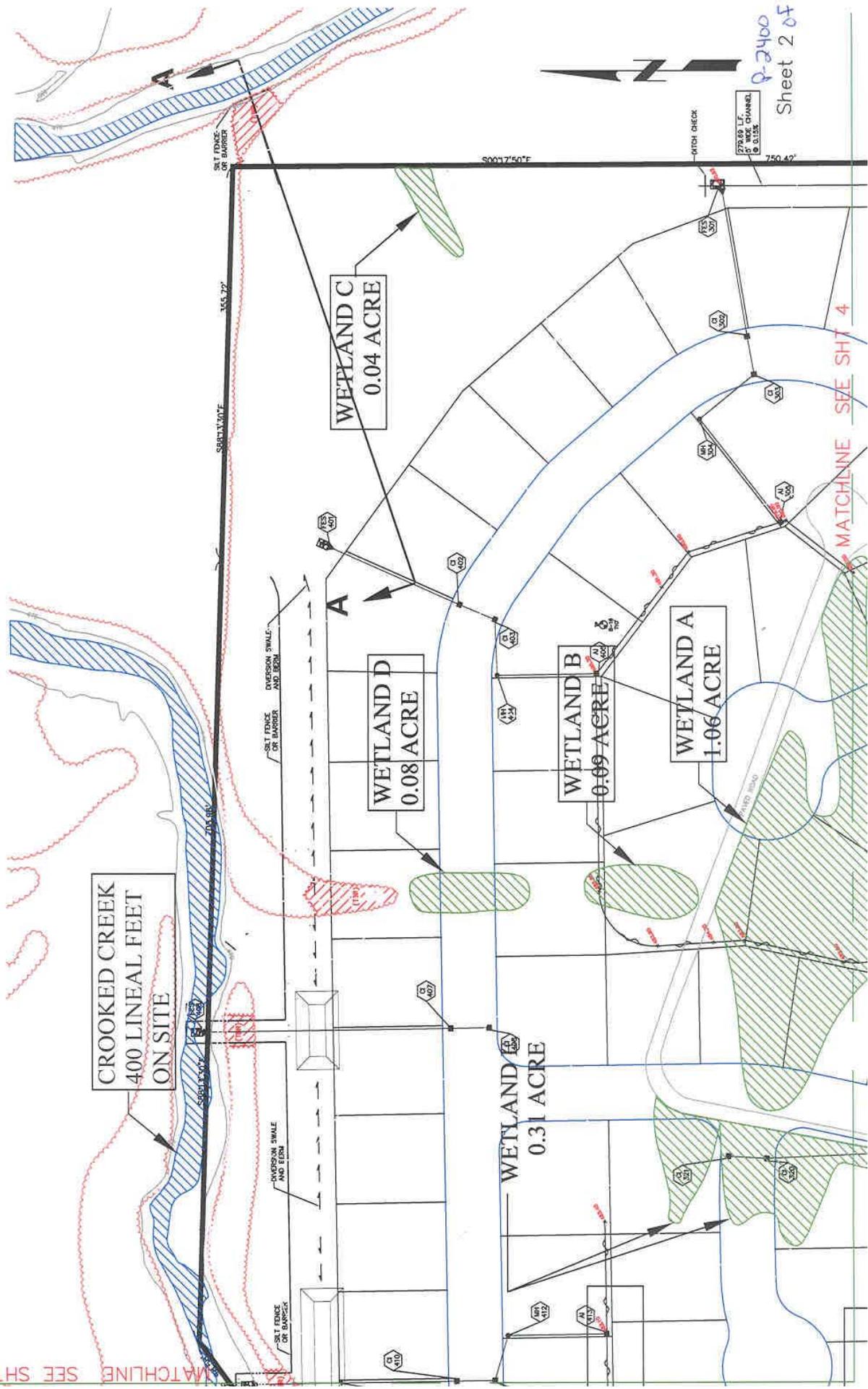
WETLAND
0.31 ACRE



276.88 L.F. CHANNEL
TO BULK HEAD

Sheet 2 of 4

MATCHLINE SEE SHT 4



MATCHLINE SEE SHT 4

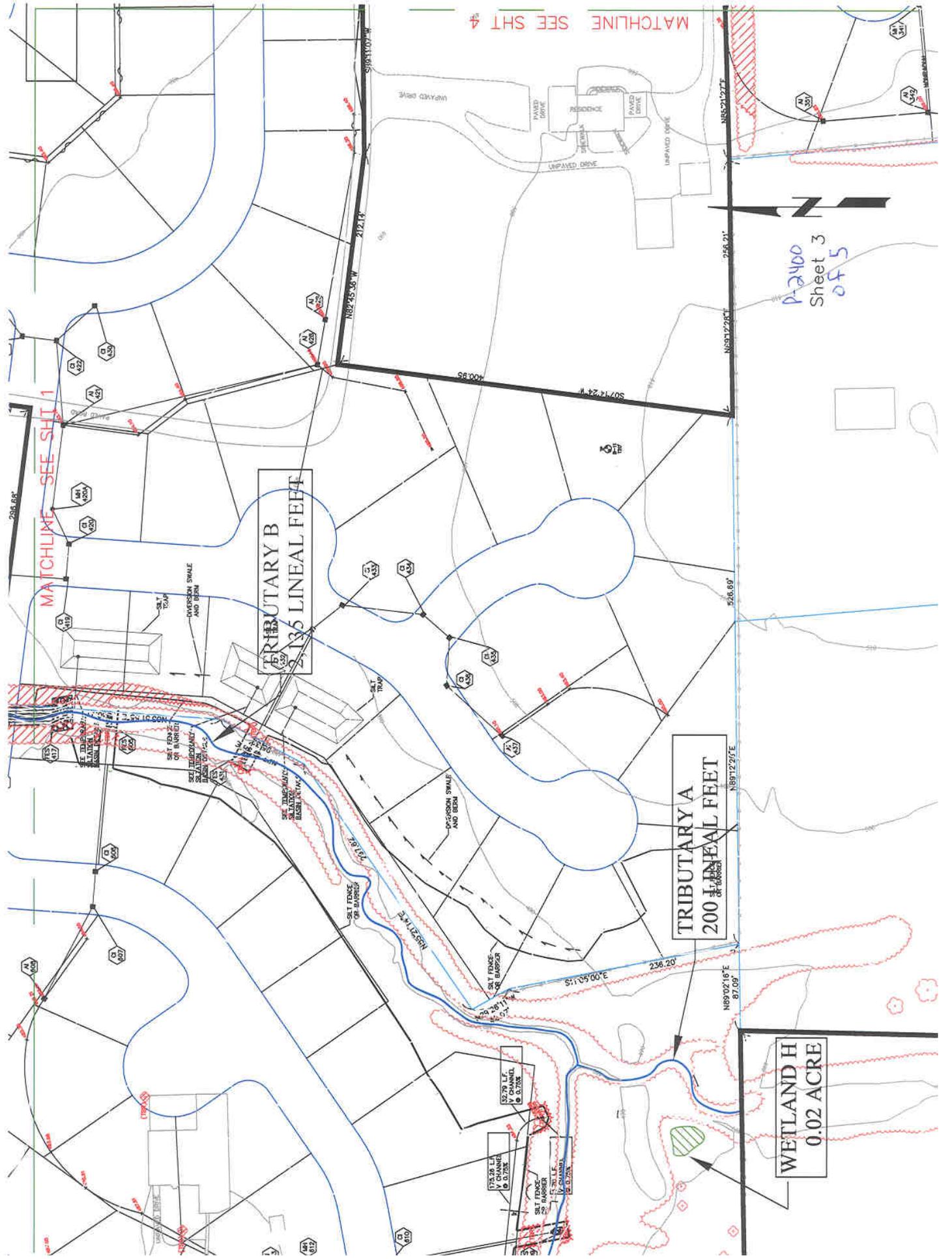
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Sheet 3
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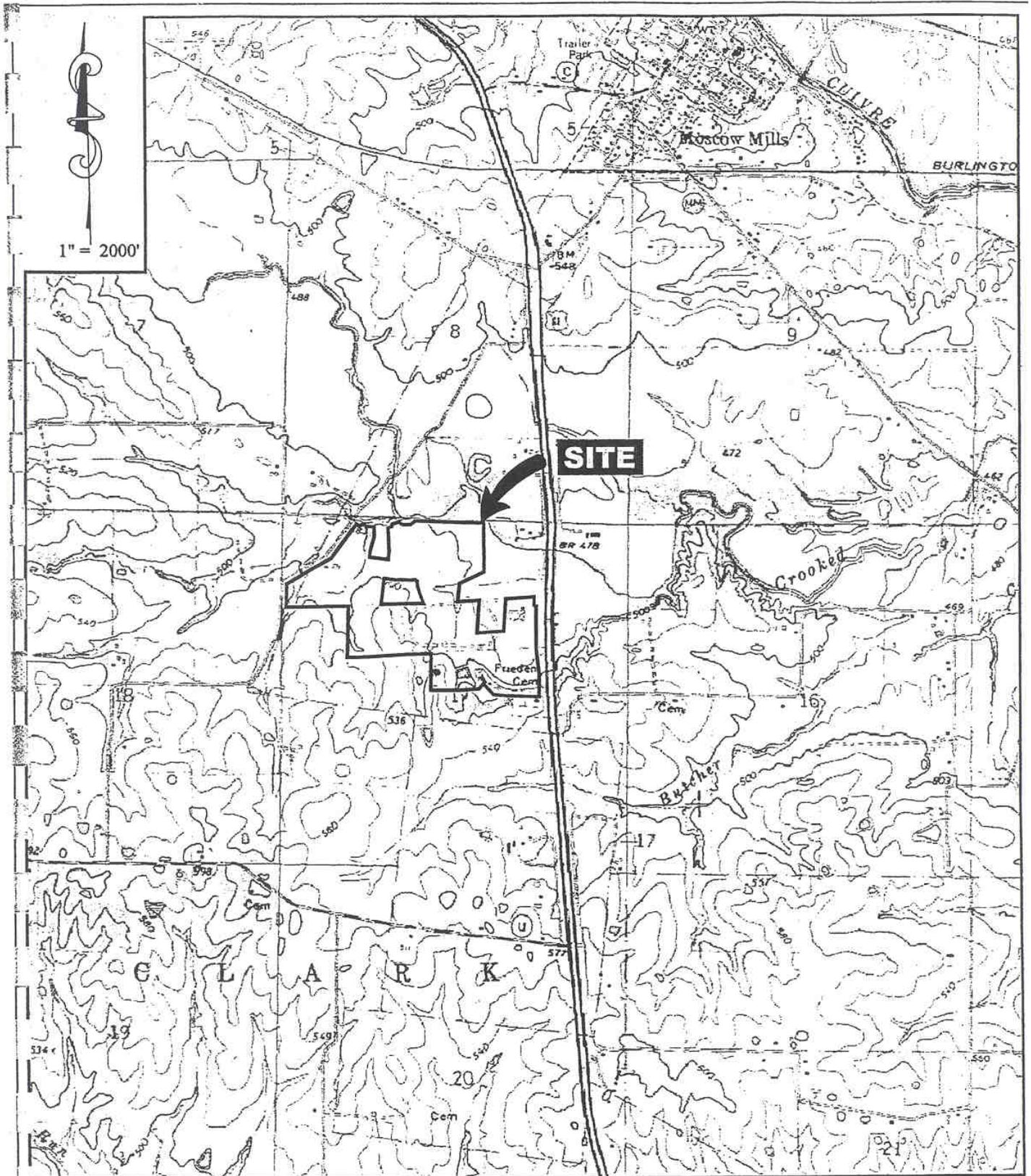
MATCHLINE SEE SHT 1

TRIBUTARY B
2,135 LINEAL FEET

TRIBUTARY A
200 LINEAL FEET

WETLAND H
0.02 ACRE





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