



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-2402](#)
Public Notice Date
[February 10, 2004](#)
Expiration Date
[March 1, 2004](#)

Postmaster Please Post Conspicuously Until:

File Number: [2003-08920](#)

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: Triad Development, 1401 Triad Center Drive, St. Peters, Missouri, 63376. ph. (636) 477-6600.

AGENT: Mr. John Mital, Terra Technologies, 907 Fee Fee Road, Maryland Heights, Missouri, 63043. ph. (314) 335-4655.

LOCATION: The project area is adjacent to the Cuivre River, southeast of Moscow Mills, off of Highway MM, in portions of Sections 10, 11, and 15, Township 48 North, Range 1 East, in Monroe Township, Lincoln County, Missouri. The project area contains the confluence of Crooked Creek and the Cuivre River.

PROJECT DESCRIPTION: The applicant seeks authorization to develop an approximate 400-acre tract into a 1061 lot single-family home residential subdivision, to be completed in two phases. The site is adjacent to the Cuivre River, and contains Crooked Creek, Butcher Creek, and 12 unnamed stream channels which are jurisdictional. The site also contains 11 wetlands, 9 of which are jurisdictional, and labeled on the attached maps as wetlands 3,4,5,6,7,8,9,10 & 11.

There are no impacts proposed to the Cuivre River as part of this development. The applicant is proposing to impact 50 feet of Crooked Creek for a single span bridge, which would replace an

existing crossing, and 550 lineal feet of Butcher Creek for the construction of a stocked fishing pond and road crossing. Additionally, the applicant is proposing to pipe approximately 3945 lineal feet of unnamed tributaries to support lots and road crossings as follows: 805 lineal feet of Channel 1, 510 lineal feet of Channel 2, 325 lineal feet of Channel 3, 25 lineal feet of Channel 4, 35 lineal feet of Channel 5, 100 lineal feet of Channel 6, 110 lineal feet of Channel 7, 300 lineal feet of Channel 8, 320 lineal feet of channel 9, 592 lineal feet Channel 10, 621 lineal feet of Channel 11, and 202 lineal feet of Channel 12. Wetland impacts for the project consist of 4.5 acres of Wetland 3, and all of Wetlands 2 (0.08 acres), 7 (0.7 acres), and 9 (0.5 acres). **Total creek/stream impacts for the project are 4545 lineal feet. Total wetland impacts for the project are 5.78 acres.**

The applicant has proposed on-site compensatory mitigation for all stream and wetland impacts. The proposed wetland mitigation is to create wetlands through expanding and enhancing an existing wetland in the Cuivre River floodplain (Wetland #8). The proposed stream mitigation consists of restoration of a forested riparian corridor along the south bank of the Cuivre River in the project area. All proposed mitigation would be deed restricted in perpetuity. The mitigation plan for this project is available for review in the St. Louis District Office, Regulatory Branch.

LOCATION MAPS AND DRAWINGS: See attached.

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 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.

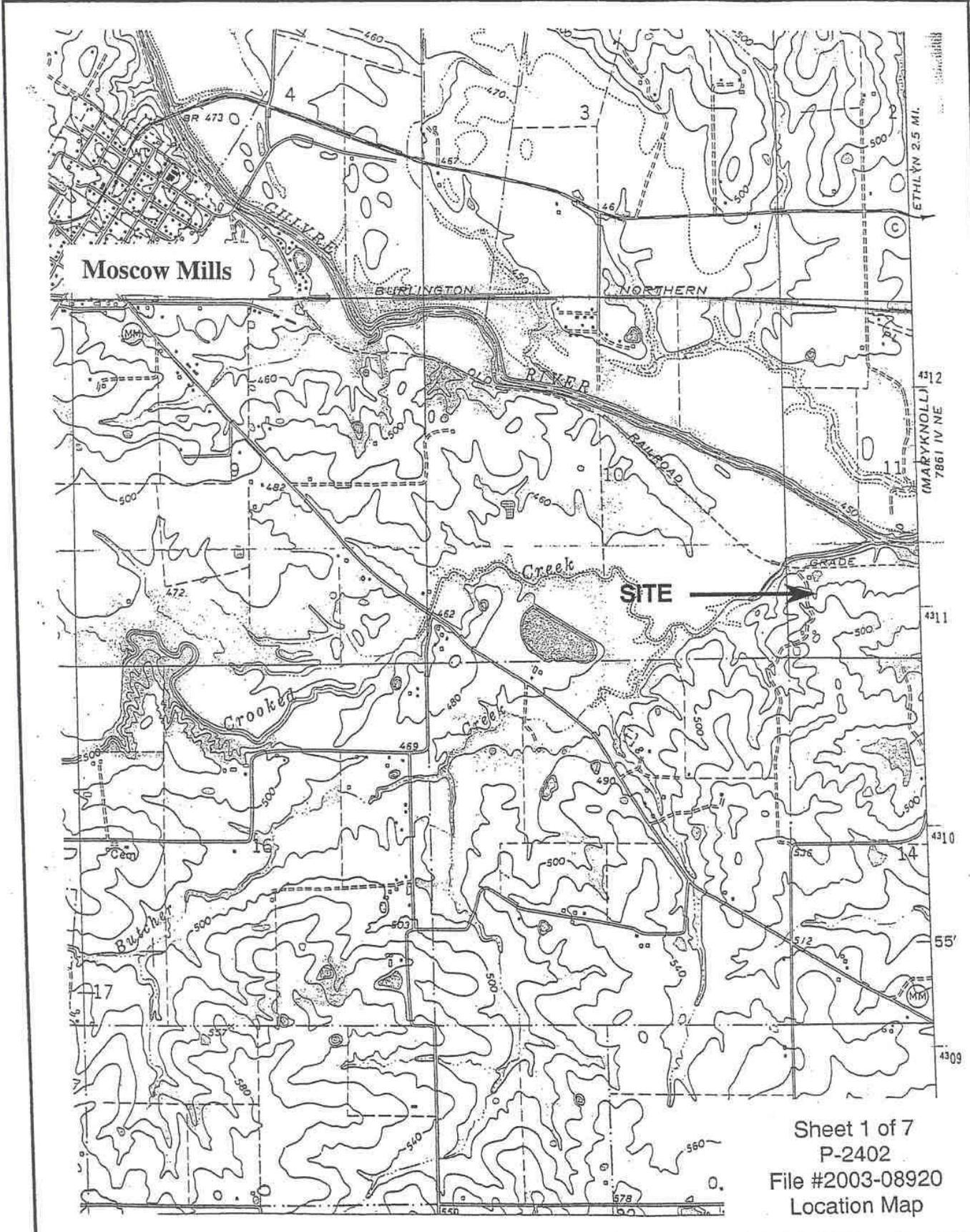
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered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



Sheet 1 of 7
 P-2402
 File #2003-08920
 Location Map

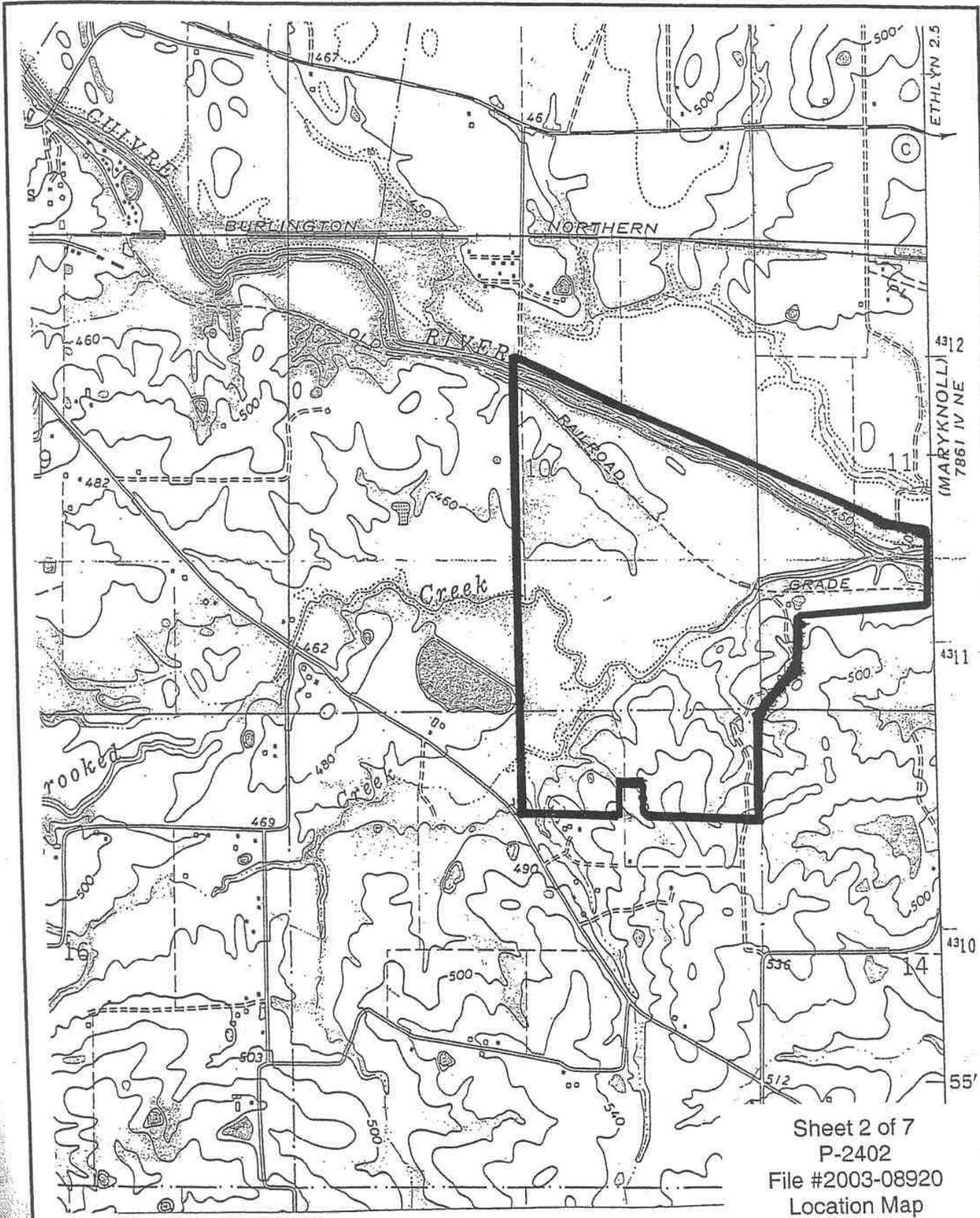
Revisions		
No.	Description	Date

Terra Technologies
 1002 Hi Pointe Place St. Louis, Missouri 63117

Majestic Lakes
 Moscow Mills, MO
 Lincoln County, MO

SITE LOCATION MAP
 USGS Topo

DRAWING DATE
 FIG 1 Sept. 2003



Sheet 2 of 7
 P-2402
 File #2003-08920
 Location Map

Revisions		
No.	Description	Date

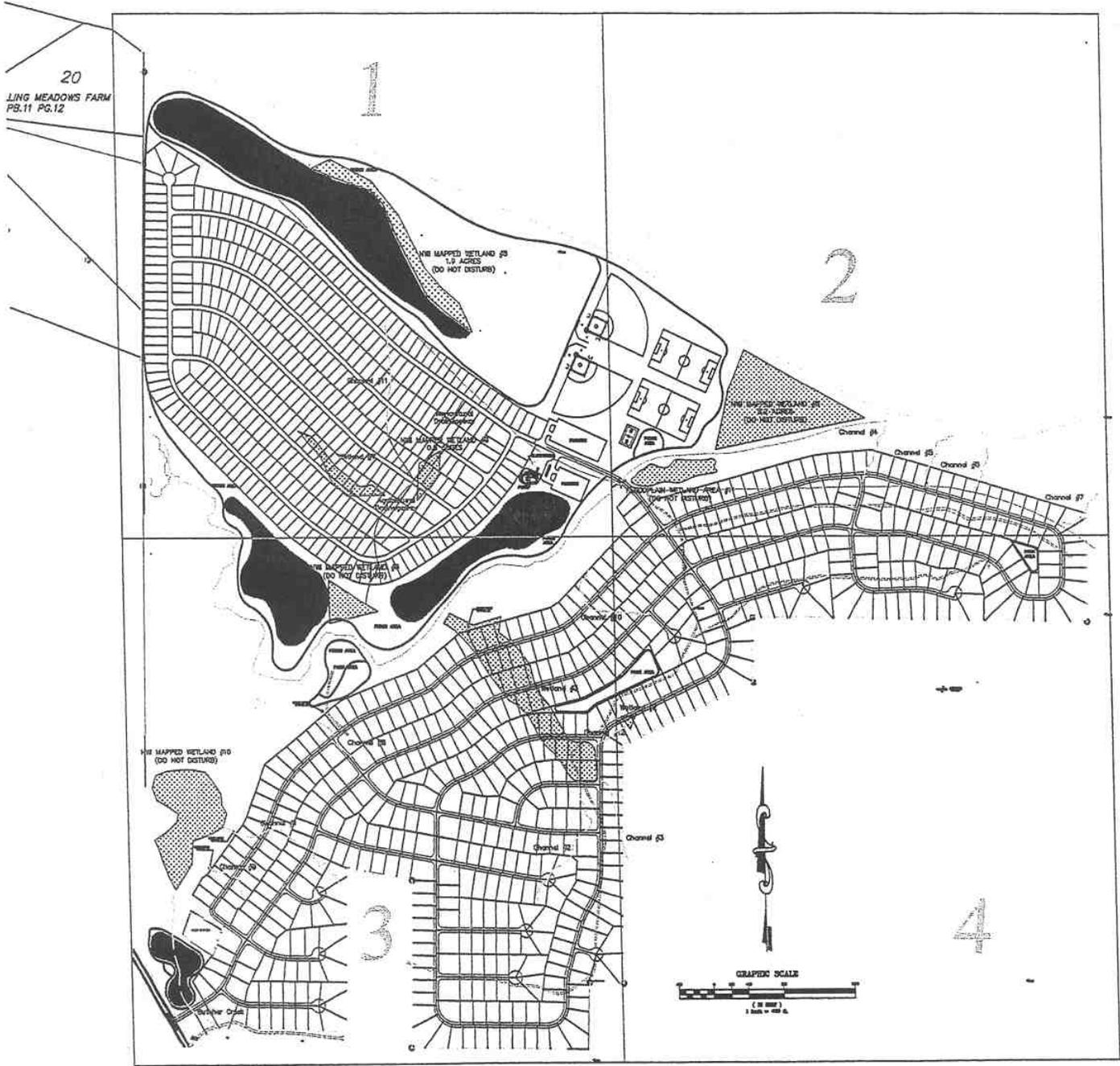


**Terra
Technologies**
 1002 Hi Pointe Place St. Louis, Missouri 63117

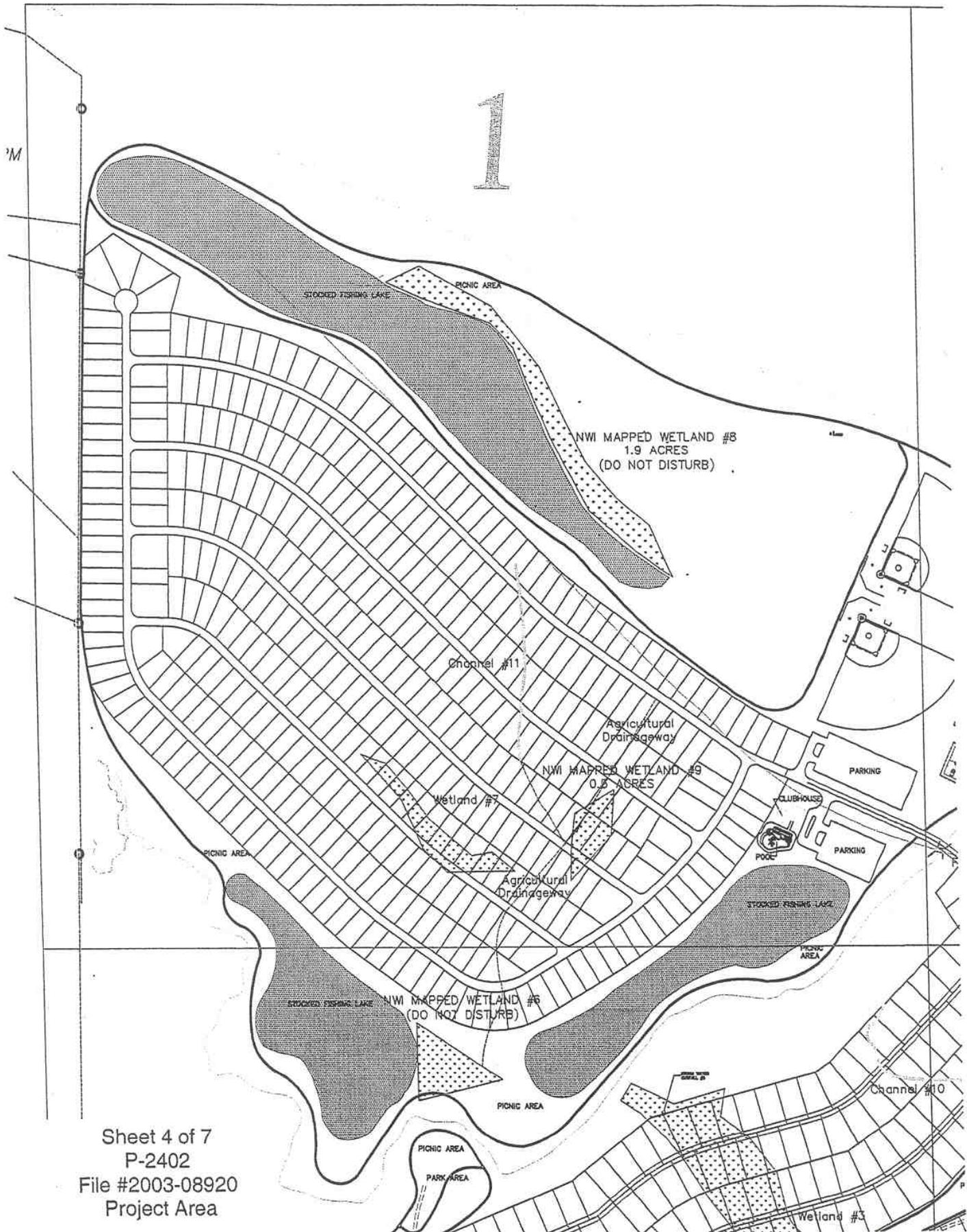
Majestic Lakes
 Moscow Mills, MO
 Lincoln County, MO

SITE LOCATION MAP
 USGS Topo

DRAWING	DATE
FIG 2	Sept. 2003

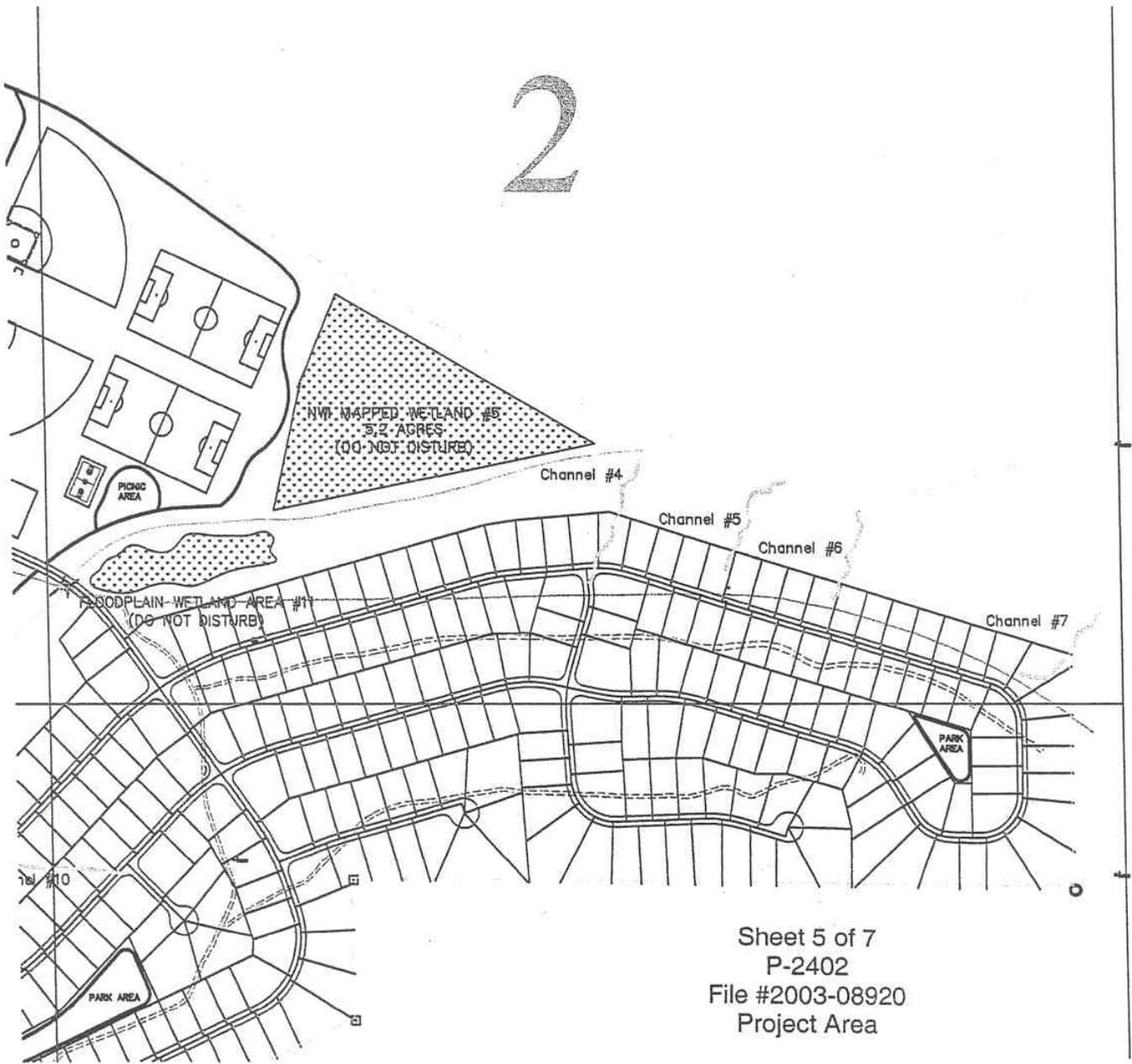


Sheet 3 of 7
 P-2402
 File #2003-08920
 General Project Area

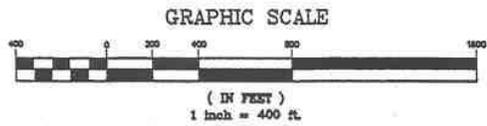
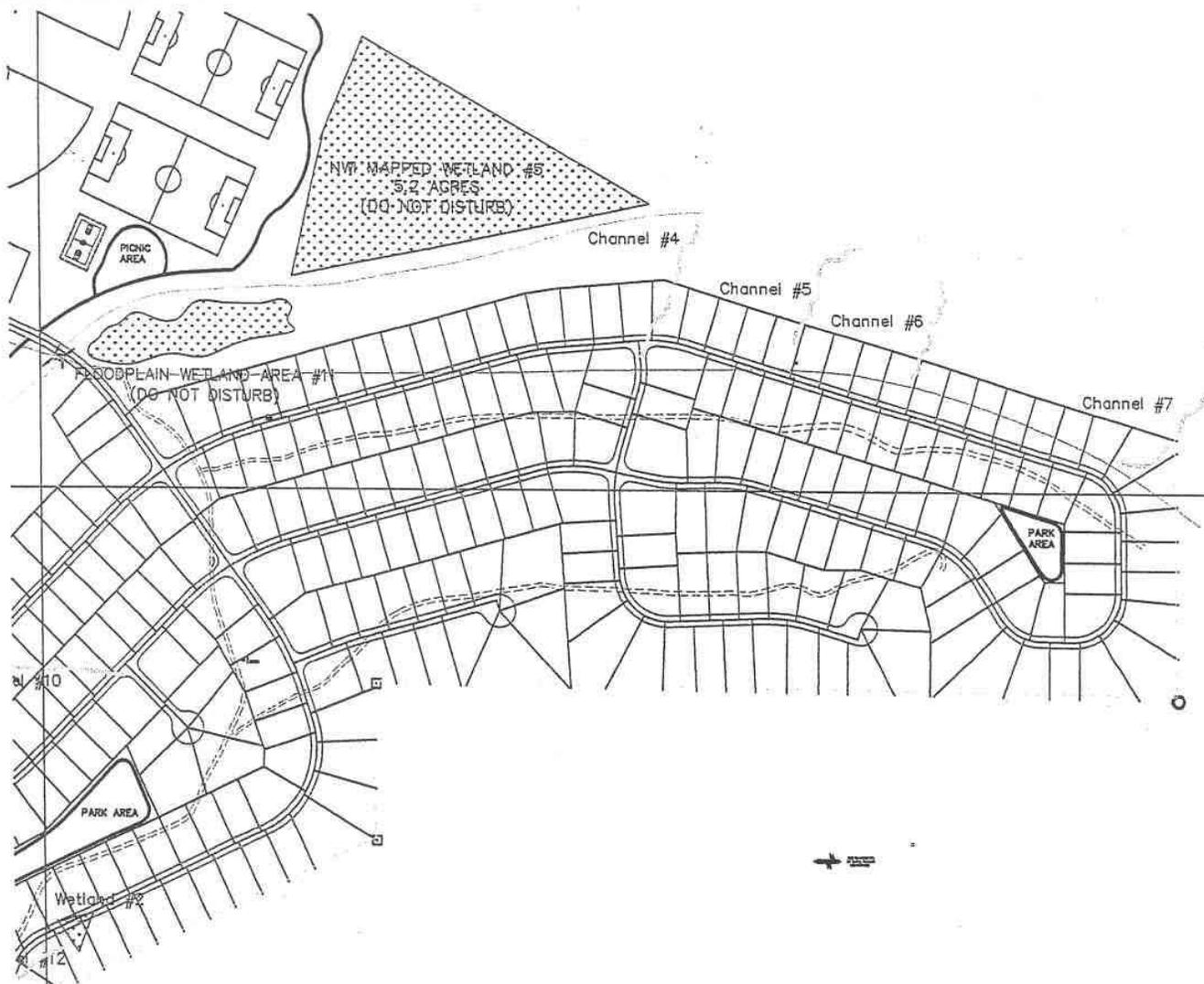


Sheet 4 of 7
 P-2402
 File #2003-08920
 Project Area

2



Sheet 5 of 7
P-2402
File #2003-08920
Project Area



4