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# Public Notice

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**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-2406**  
Public Notice Date  
March 26, 2004  
Expiration Date  
April 16, 2004

**Postmaster Please Post Conspicuously Until:**

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File Number: 200400640

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 and/or requests for public hearing must reach this office no later than the 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. Shawn Sullivan

**APPLICANT:** Simon Homes, Inc., Attn: Mr. Barry Simon, 632 Trade Center Boulevard, Suite A, Chesterfield, Missouri 63005. Phone: (636) 537-8700.

**AGENT:** SCI Engineering, Inc., Attn: Ms. Laurie Farmer, 1602 Jeffco Boulevard, Arnold, Missouri 63010. Phone: (636) 296-6111.

**LOCATION:** The project area is located adjacent to Meadowbrook Farm Plat 10, Meadowbrook Farm Plat 11, Meadowbrook Country Club Estates, Twin Estates at Meadowbrook, and Sycamore Place II residential developments. Likewise, the Meadowbrook Country Club borders the eastern and southern sides of the project area. The site is located northeast of the Clayton Road and Kehrs Mill Road intersection and lies within U.S. Survey 1890, Township 45 North, Range 4 East, City of Ballwin, St. Louis County, Missouri.

**PROJECT DESCRIPTION:** Applicant seeks authorization to conduct grading in conjunction with the development of a 26-acre parcel of land. The proposed development will be known as The Villas at Meadowbrook and will contain 68 villa homes. The jurisdictional waters on the site, labeled on the attached map, consist of an interconnected system of tributary, wetland, and pond. The site contains 1,015 lineal feet of open intermittent tributary channel, a 0.54-acre pond, and a 0.61-acre emergent wetland that is hydraulically connected to the pond and tributary.

The applicant is proposing to pipe the upper (above the pond and wetland) 250 lineal feet of unnamed tributary channel to support the construction of a roadway that provides access into and throughout the site as well as to support residential building lots. The piped section of channel will outfall into a retention pond that will serve as a stormwater collection basin and amenity for the development. Grading activities are also required within the wetland and existing pond to create the retention pond and support lots adjacent to the pond. An approximate 390 foot long portion of unnamed tributary immediately below the pond will be piped to facilitate grading for the construction of a roadway and residential building lots. The lower piped portion of tributary channel will outfall into a second proposed retention pond. The construction of the second retention pond will impact 375 lineal feet of the unnamed tributary.

Total permanent tributary impacts for the project are 1,015 lineal feet. Total wetland and pond impacts for the project are 1.15 acres.

**LOCATION MAPS AND DRAWINGS:** See attached maps.

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Shawn Sullivan, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8580. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Shawn.F.Sullivan@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 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.





1" = 300'

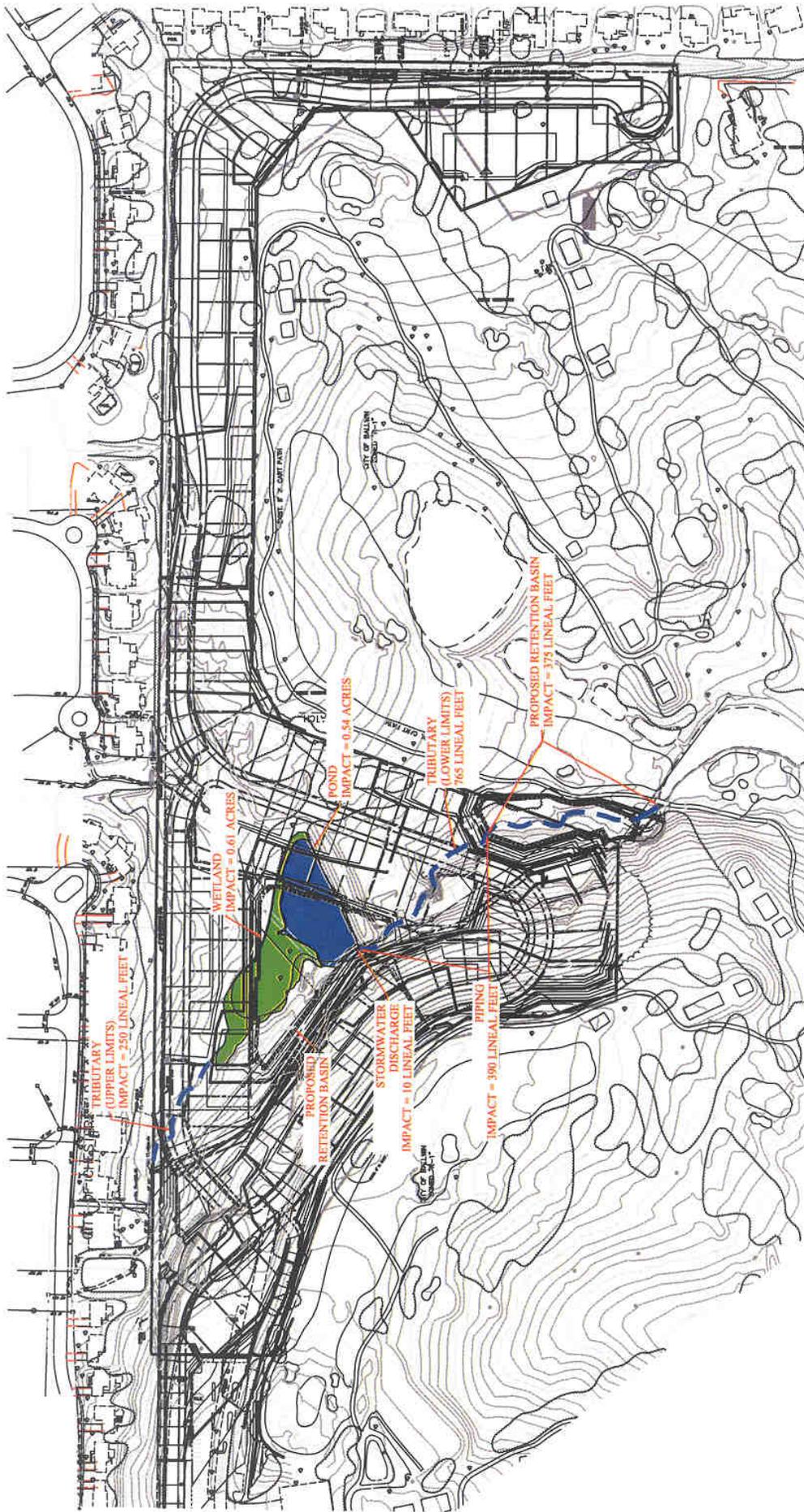


FIGURE 3



**SCI ENGINEERING, INC.**  
www.sciengineering.com  
THE VILLAS AT MEADOWBROOK  
BALLWIN, MISSOURI  
WETLAND DELINEATION AND  
DRAINAGE STUDY

BASED ON UNDATED PLAN PROVIDED ELECTRONICALLY ON MARCH 10, 2004 FROM THE STERLING COMPANY. DIMENSIONS AND LOCATIONS ARE APPROXIMATE. ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS PREPARED.