



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-2458
Public Notice Date
January 28, 2005

Expiration Date
February 18, 2005

Postmaster Please Post Conspicuously Until:

File Number: 200409160

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: Mr. Paul Koch, 222 South Central, Suite 300, Clayton, Missouri 63105

AGENT: Shannon & Wilson, Inc. Attn: Mr. James Dutt, 2043 Westport Center Drive, St. Louis, Missouri 63146

LOCATION: The project area is located east of the intersection of Highway B and C near Morse Mill, Missouri, and is situated approximately ½ mile upstream of the Big River. More specifically, the site lies within the Northeast ¼ of Section 24, Township 41 North, Range 3 East in Jefferson County, Missouri (see attached location map).

PROJECT DESCRIPTION: Applicant seeks authorization to construct an approximate 50-foot high, 600 foot long earthen dam to construct a recreational lake on his property. The dam would be constructed on an unnamed tributary to the Big River, which is a primary tributary to the Meramec River. The proposed lake would impound an area of approximately 28-acres during a normal pool elevation of 525 feet above mean sea level. The dam crest height will be at elevation 532. Approximately 82,900 cubic yards of clay, sand, and rock will be used to construct the dam. This material would be excavated from within the lake basin but adjacent to the tributary channel. A borrow area is also proposed from a farm field located on the property. The dam would have principle and emergency spillways to discharge water downstream. The tributary drains an area of

approximately 257 acres and its flow regime is considered intermittent. The tributary lacks any fish populations within areas proposed for direct and indirect impacts. The tributary will be filled for approximately 280 linear feet to accomplish dam construction. Approximately 4,400 linear feet of jurisdictional tributary channels would be inundated with water.

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 Protection 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 Protection 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.

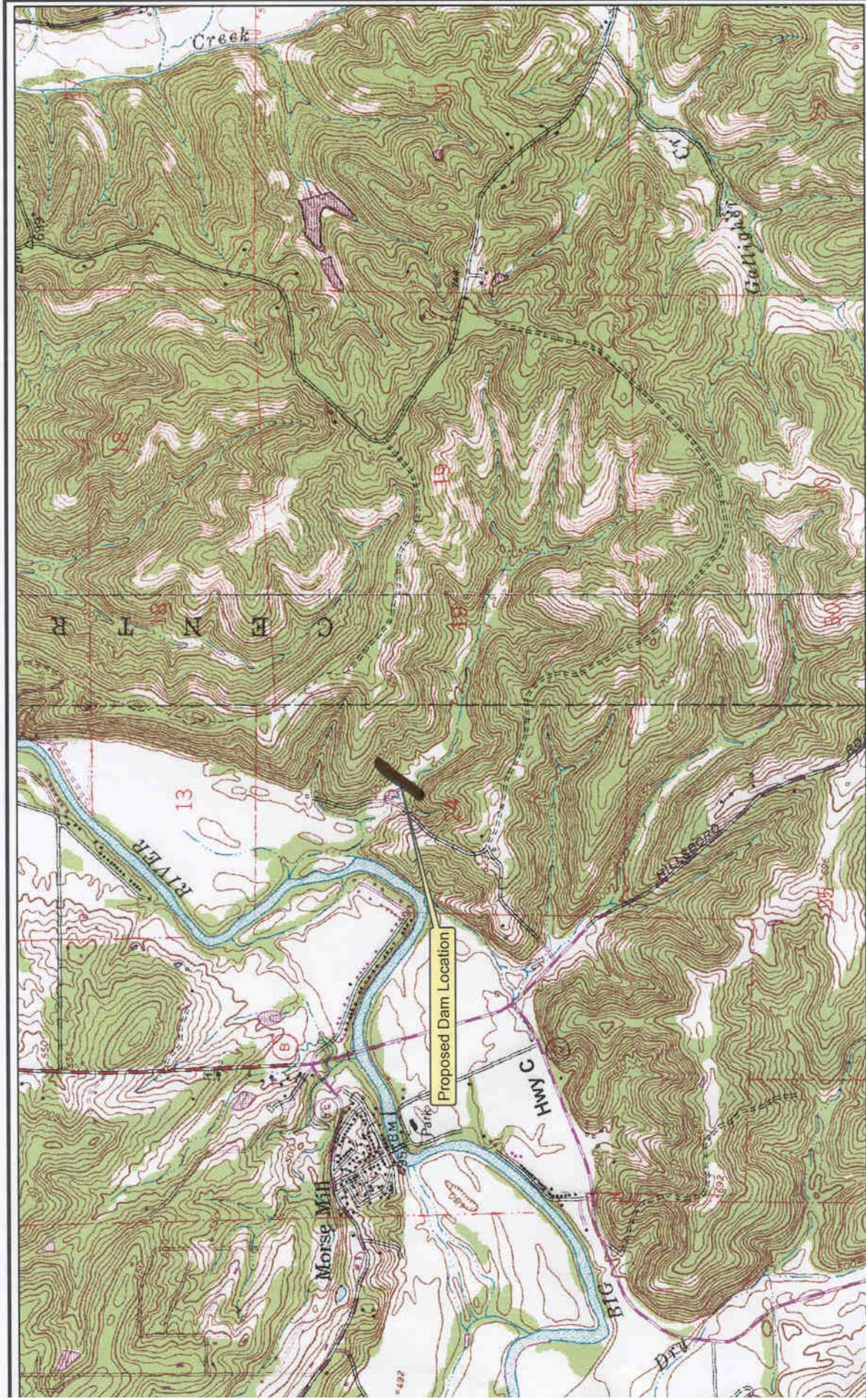
Solicitation of Comments From The Public: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received 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.



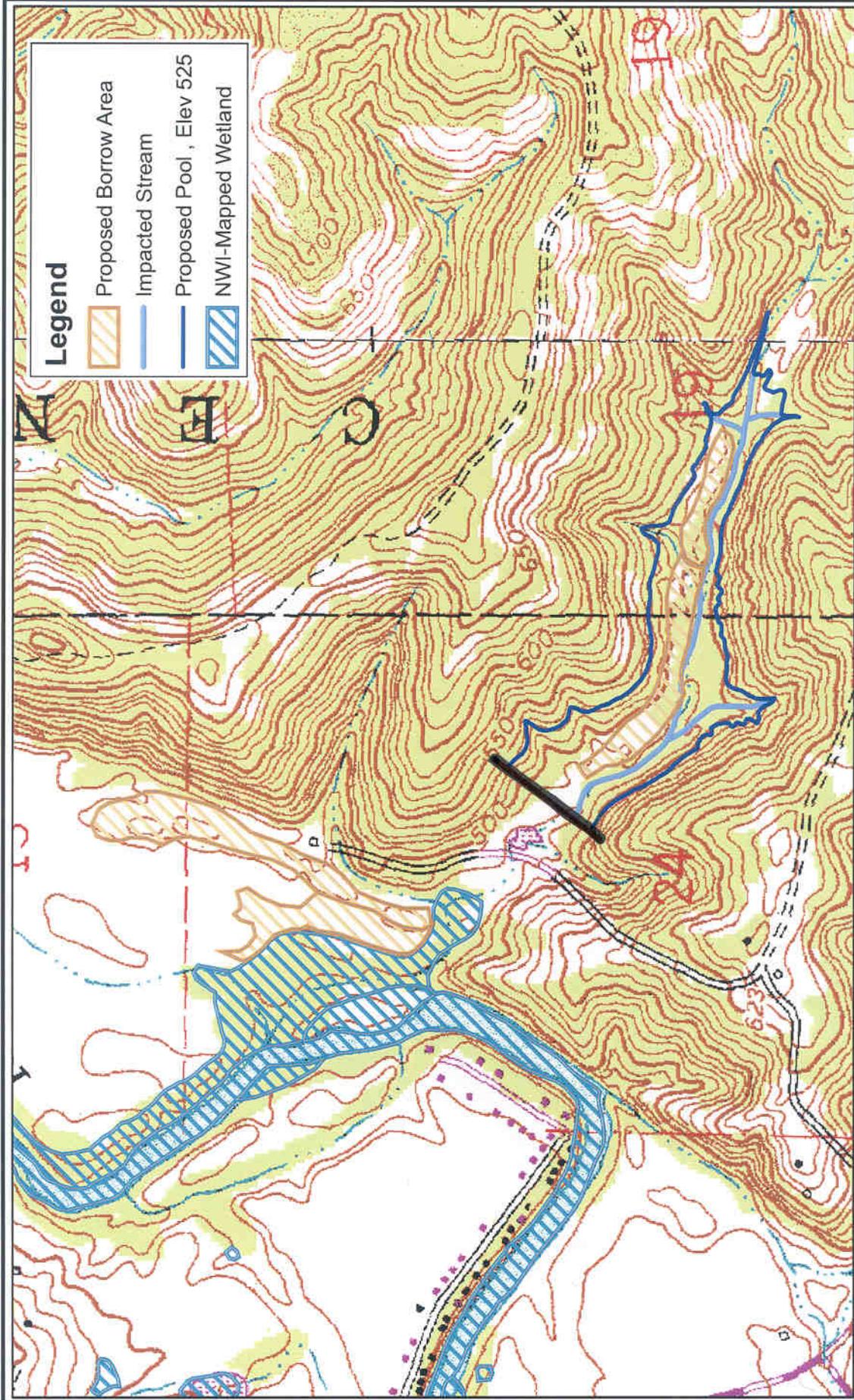
Vicinity Map
 Morse Mill Dam
 Unnamed Tributary of Big River
 Jefferson Co., Missouri
 Applicant: Paul Koch

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 File #2004-09160

Twn, Rng, Sec, 1/4: 41, 3E, 24, NE
 Figure 1 of 4

Scale: 0 500 1,000 2,000 3,000 4,000 Feet

SHANNON & WILSON, INC.
 GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

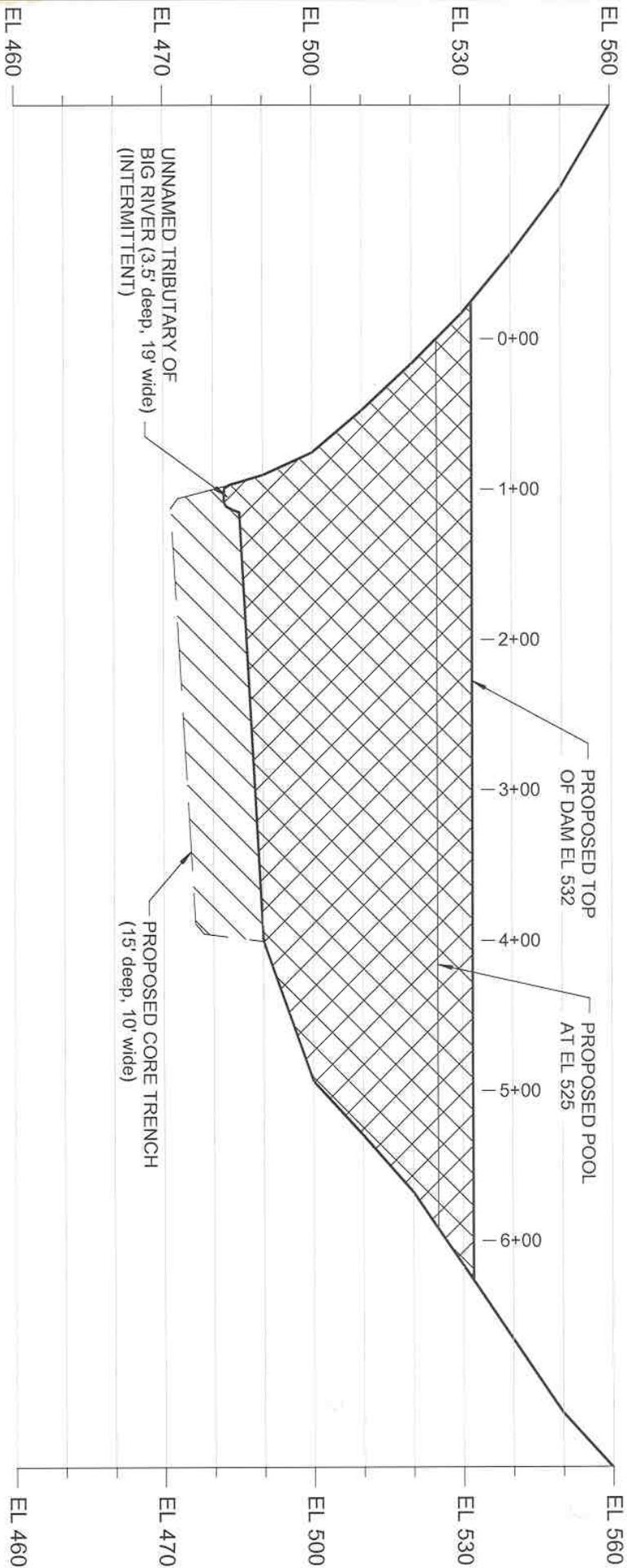


Twn, Rng, Sec, 1/4: 41, 3E, 24, NE
Figure 2 of 4

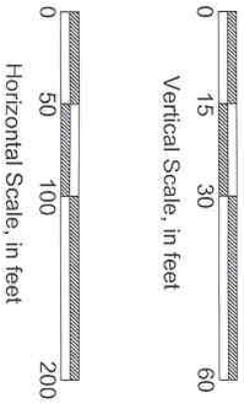
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Plan View
Morse Mill Dam
Unnamed Tributary of Big River
Jefferson Co., Missouri
Applicant: Paul Koch

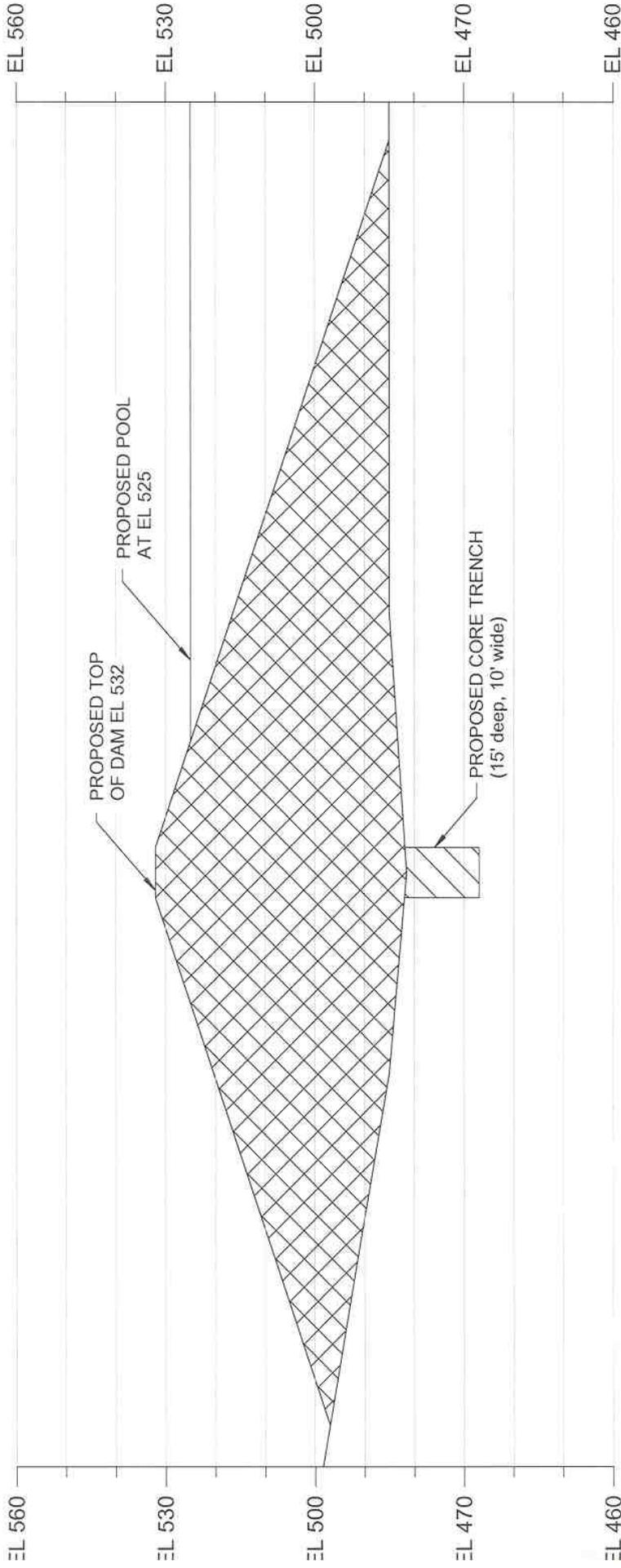


NOTE: 2.5V : 1H upstream and downstream slopes.



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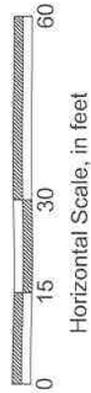
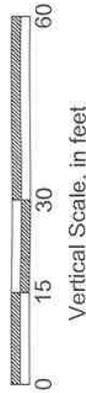
Morse Mill Dam	
VALLEY CROSS SECTION	
November 2004	41-1-36064-001
SHANNON & WILSON, INC. Geotechnical and Environmental Consultants	FIGURE 3 of 4



NOTE: 2.5V : 1H upstream and downstream slopes.

LEGEND

-  FILL
-  EXCAVATION



Morse Mill Dam

**DAM CROSS SECTION
STATION 1+00**

November 2004

41-1-36064-001

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