



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-2462
Public Notice Date
Feb22, 2005

Expiration Date

Postmaster Please Post Conspicuously Until: March 15, 2005

File Number: 200408390

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. Rob Gramke

APPLICANT: Bryan Properties, L.L.C. Attn: Mr. Steve Groeper, 248 Camelot Drive, St. Charles, Missouri 63304.

AGENT: SCI Engineering, Inc., Attn: Mr. Scott Harding, 9701 Green Park Industrial Drive, St. Louis, Missouri 63123.

LOCATION: The project site is located on the northern side of Highway 94 and south of McClay Road on a site formerly known as the St. Charles Speedway. More specifically, the site is located in Section 9, Township 46 North, Range 4 East, City of St. Peters, St. Charles County, Missouri.

PROJECT DESCRIPTION: Applicant seeks authorization to conduct site grading in conjunction with the development of a 65-acre site for a residential development. The proposed development, currently known as the St. Charles Speedway Site, will include single family housing and multi-family residential units with associated parking lots, roadways, utility infrastructure, and on-site detention basins. The jurisdictional waters of the U.S., located on the site, are labeled on the attached map and consist of 3 unnamed tributaries to Spencer Creek (denoted as Tributary A, B, C/D), and a 2.23-acre pond which overflows to Tributary C.

In order to avoid and minimize impacts the applicant has looked at several alternatives for the site.

The applicant's preferred alternative proposes to pipe approximately 602 lineal feet of Tributary A and to pipe approximately 380 linear feet of Tributary B. In addition, approximately 256 linear feet of Tributary C will be modified for the construction of a detention area and the pond will be filled to support lot development. The lower sections of Tributary A and Tributary C/D will be avoided by the preferred alternative. Total permanent impacts to waters of the United States are 1,313 lineal feet of unnamed tributaries and 2.23-acres of open water. Mitigation for the impacts to waters of the U.S. will be required for the project, but we have not received a mitigation plan or proposal at this time. This parcel is surrounded by both residential and commercial development that exists or is proposed.

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Rob Gramke, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8187. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to robert.gramke@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.



SCALE
 1" = 300'
 JOB NUMBER
 2004-0265.30
 DATE
 1/2005
 DRAWN BY
 LAY
 CHECKED BY
 JAV
 FIGURE
 1

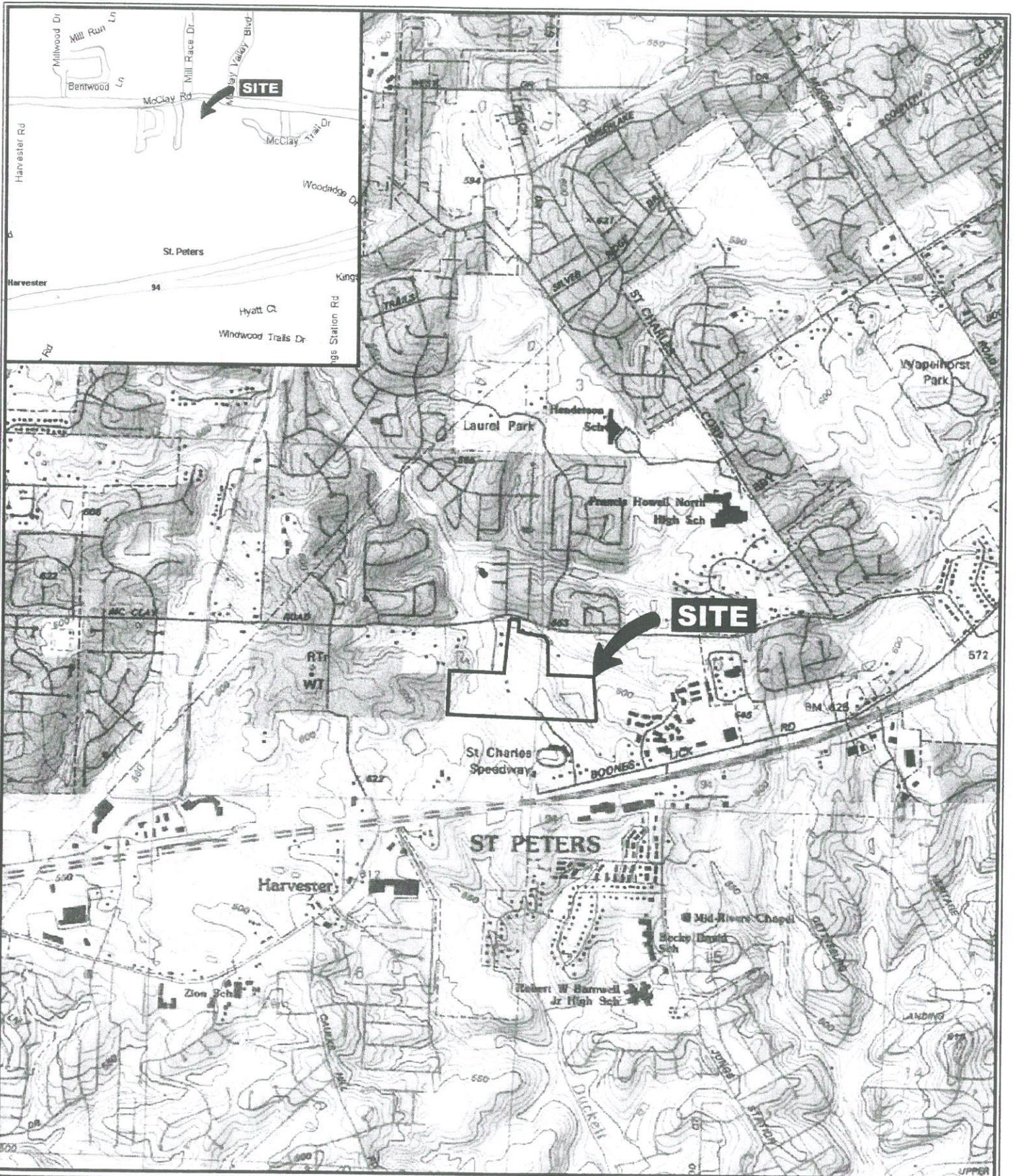
PROJECT NAME
 ST. CHARLES SPEEDWAY
 ST. CHARLES, MISSOURI

PUBLIC NOTICE

General Notes/Legend

 DIMENSIONS AND LOCATIONS ARE APPROXIMATE. ACTUAL MAY VARY.
 DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT
 WAS GENERATED.





PROJECT NAME
 ST. CHARLES SPEEDWAY
 ST. CHARLES, MISSOURI

VICINITY AND TOPOGRAPHIC MAP

DRAWN BY	LAP	DATE	1/2005	JOB NUMBER	2004-0265.30
CHECKED BY	JAF				

General Notes/Legend

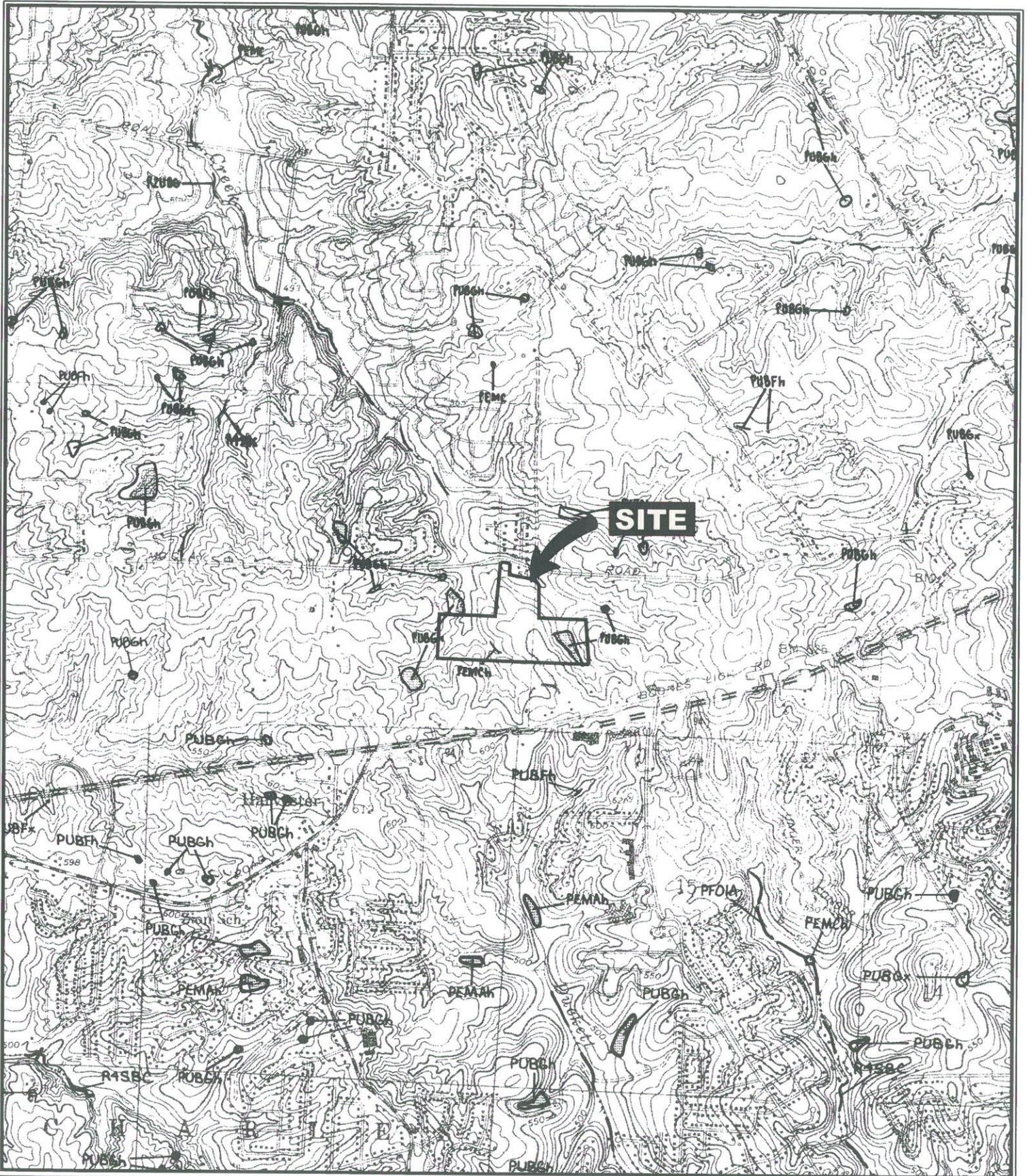
USGS TOPOGRAPHIC MAP
 CHESTERFIELD, MISSOURI QUADRANGLE
 KAMPVILLE, MISSOURI QUADRANGLE
 DATED 1993
 PHOTO REVISED 1994
 10' CONTOURS

MICROSOFT STREETS AND TRIPS 2005



SCALE 1" = 2000'

FIGURE 1



PROJECT NAME
 ST. CHARLES SPEEDWAY
 ST. CHARLES, MISSOURI

**NATIONAL WETLANDS
 INVENTORY MAP**

DRAWN BY	LAP	DATE	JOB NUMBER
CHECKED BY	JAF	1/2005	2004-0265.30

General Notes/Legend

NATIONAL WETLANDS INVENTORY MAP
 CHESTERFIELD, MISSOURI QUADRANGLE
 KAMPVILLE, MISSOURI QUADRANGLE
 DATED 1993
 10' CONTOURS



SCALE 1" = 2000'

FIGURE
 2