



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-2563
Public Notice Date
July 3, 2006
Expiration Date
July 24, 2006

Postmaster Please Post Conspicuously Until:

File Number: 2004-1740

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: Midwest Motorcycle Supply, Attn: Mr. Kevin Hirth, 2100 Highway Z, Pevely, Missouri 63070.

AGENT: Geotechnology, Inc., Attn: Mr. Sean McGary, 2258 Grissom Drive, St. Louis, MO 63146. Phone (314) 997-7440.

LOCATION: The project site is located to the southeast of the intersection of State Route Z and Cherry Lane near Pevely, Missouri (see attached map). More specifically, the site is situated in U.S. Survey 421, Township 41 North, Range 05 East, in Jefferson County, Missouri.

PROJECT DESCRIPTION: Applicant seeks authorization to develop three commercial outlots, a roadway, and associated utility infrastructure. The project is proposed to occur adjacent to the existing Midwest Motorcycle Supply Headquarters which was constructed in calendar year 2005. The jurisdictional waters labeled on the attached map consist of approximately 1,150 linear feet of unnamed intermittent tributary and 0.3 acres of forested wetland.

The applicant proposes to impact the entire 1,150 linear feet of intermittent tributary which traverses the site by enclosing the channel in a pipe. The channel enclosure would facilitate construction of two outlots (Outlot 2B and 2C) and a detention basin. Outlot 2B will serve as a warehouse for Midwest

Motorcycle Supply, while Outlot 2C would be occupied by MAS Industries, which is a supplier to Midwest Motorcycle Supply. The 0.3-acre wetland is also proposed to be cleared and filled to facilitate construction of a detention basin. Total proposed impacts to waters of the United States are 0.35 acres. The unnamed intermittent tributary flows into Joachim Creek, which is a primary tributary to the Meramec River.

A detailed alternatives analysis is required of the applicant to demonstrate that the proposal is the least environmentally damaging practicable alternative taking into consideration other project sites to avoid impacts to the aquatic resources as well as alternative layouts to minimize impacts to the aquatic resources. The applicant's agent has also been informed that compensatory mitigation will be required for any unavoidable impacts to the above referenced aquatic resources. At this time the applicant's agent proposes to offset impacts to the tributary by contributing funds to the Stream Stewardship Trust Fund and compensating for proposed wetland impacts at an approved wetland mitigation bank.

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.

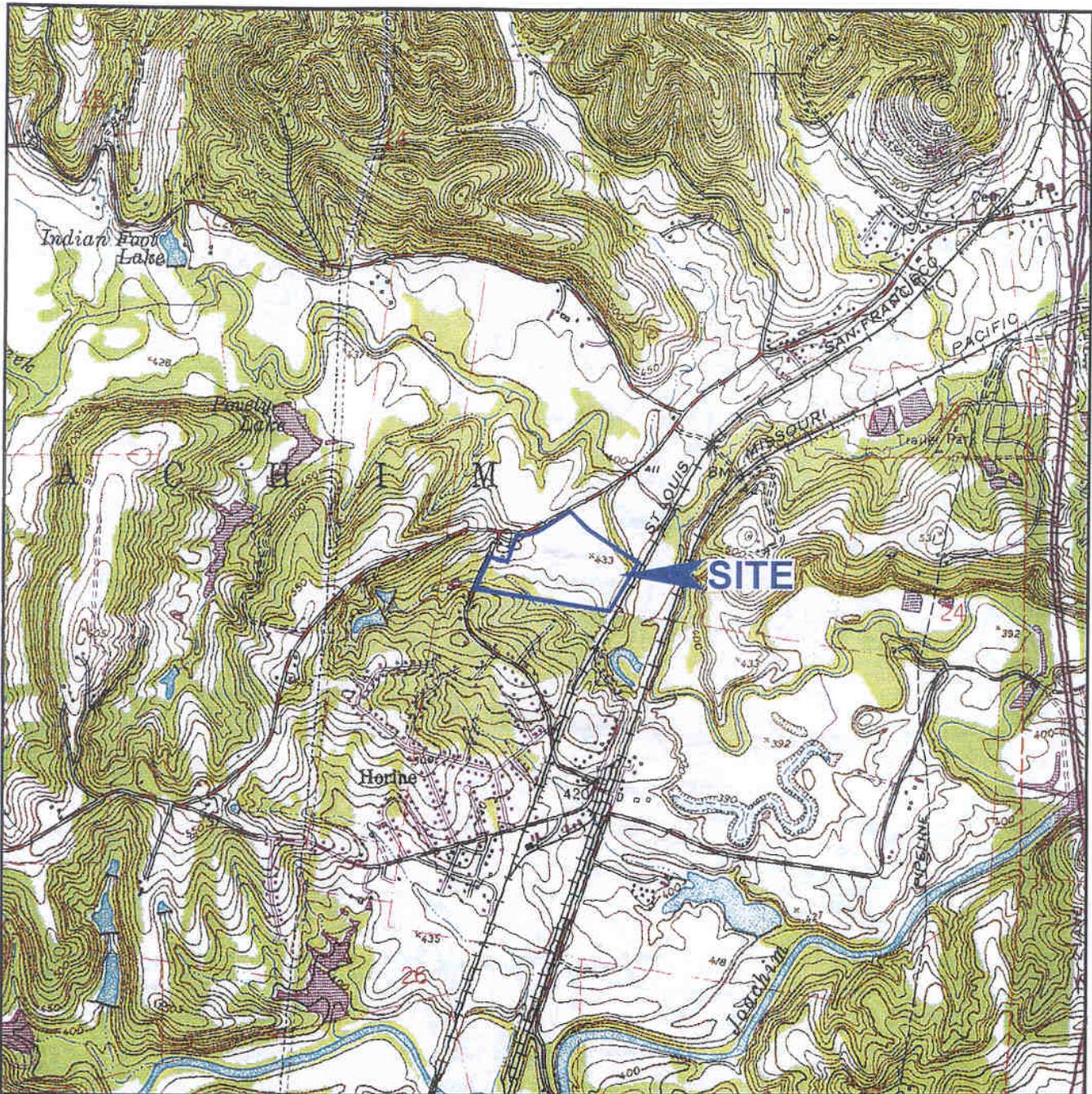
Solicitation of Comments From The Public: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received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

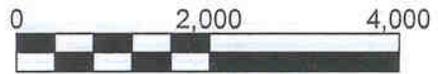
NOTICE TO POSTMASTERS:

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



NOTE

Plan adapted from a 7.5 minute U.S.G.S. map for Herculaneum, Missouri Quadrangle, last revised in 1979.



SCALE IN FEET



Sheet 1 of 5
P-2563
File #2004-1740

Drawn By: WAH	Ck'd By: JCV	App'vd By: DWL
Date: 3-2-04	Date: 3-2-04	Date: 3-2-04

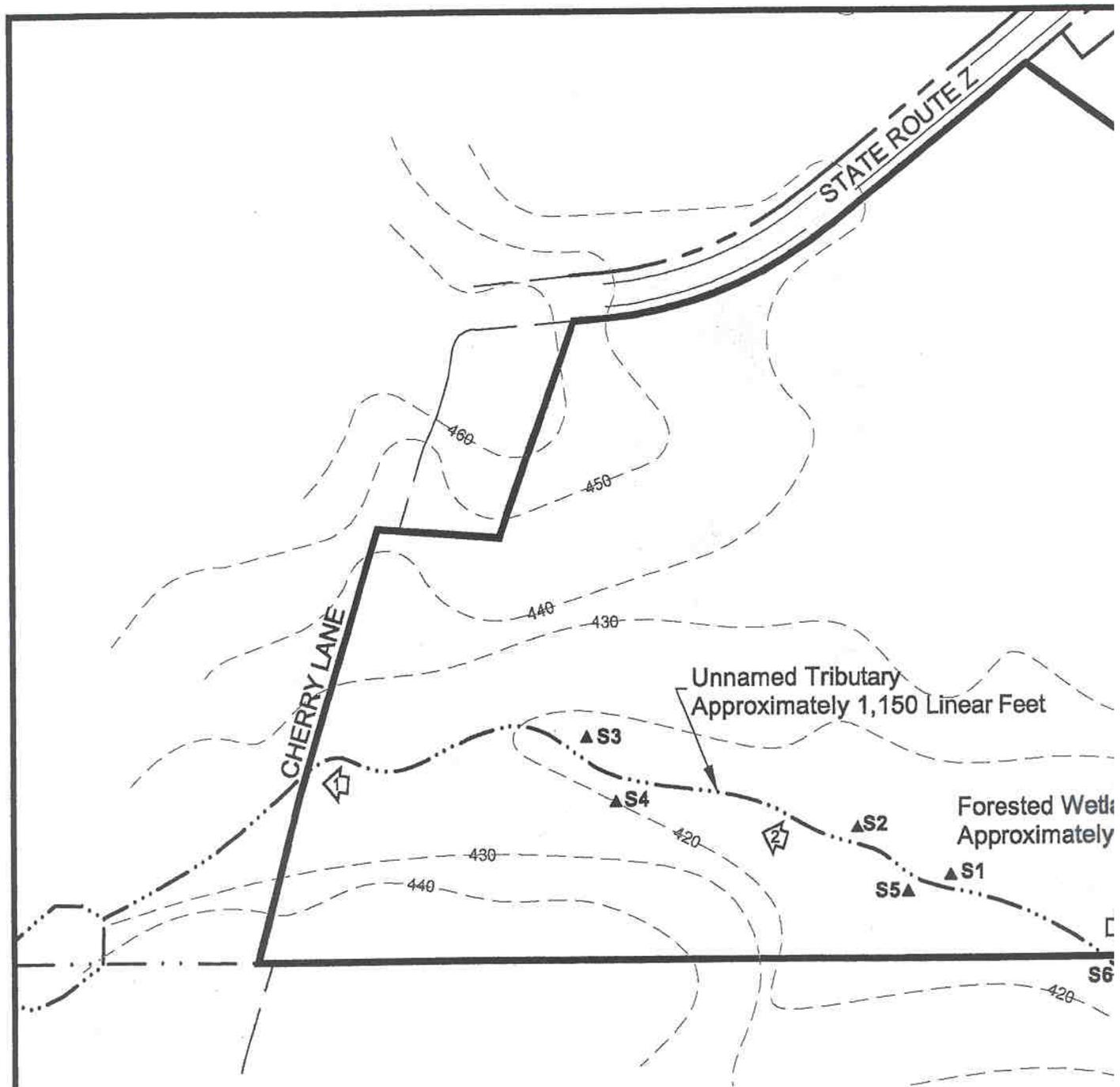
GEOTECHNOLOGY INC.
ENGINEERING AND ENVIRONMENTAL SERVICES
ST. LOUIS • COLLINSVILLE • KANSAS CITY

Proposed Midwest Motorcycles Facility
Pevely, Missouri

**SITE LOCATION
AND TOPOGRAPHY**

Project Number
0740302.51DW

PLATE 1

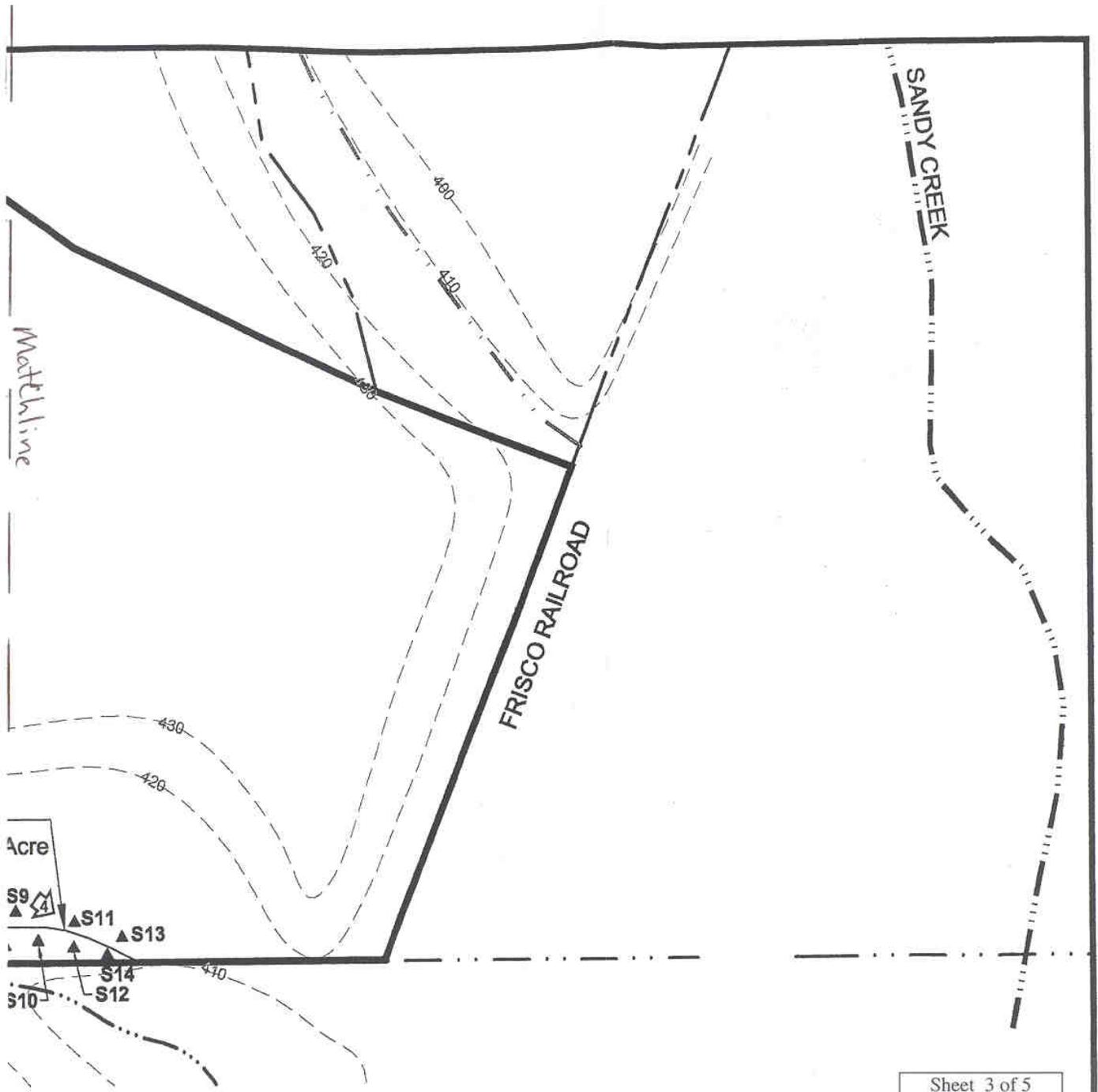


NOTES

1. Plan adapted from a drawing dated January 14, 2003, titled "Preliminary Site Plan - Option A", prepared by J.R. Grimes Consulting Engineers, Inc.
2. Photographs were located in the field with reference to existing site features and are shown approximate only.
3. Surface contours adapted from a 7.5 minute U.S.G.S. map for Herculaneum, Missouri. Contours are circa 1967.

LEGEND

-  Approximate Photo Location
-  S1 Approximate Sampling Location



Sheet 3 of 5
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 File #2004-1740

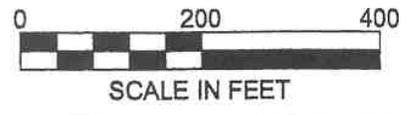
Drawn By: WAH	Ck'd By: JCV	App'vd By: DWL
Date: 3-17-04	Date: 3-17-04	Date: 3-17-04

GEOTECHNOLOGY INC.
 ENGINEERING AND ENVIRONMENTAL SERVICES
 ST. LOUIS • COLLINSVILLE • KANSAS CITY

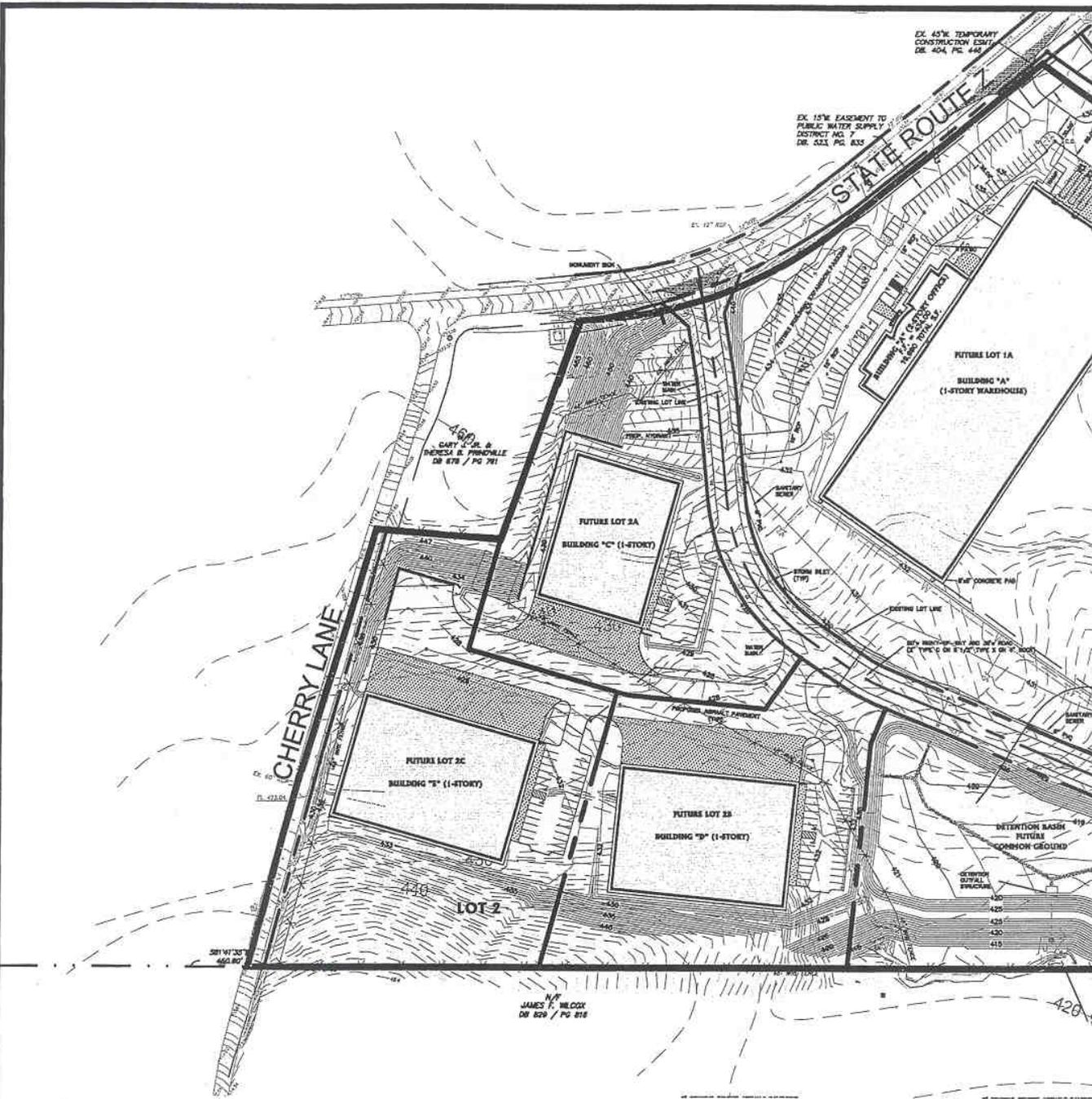
Proposed Midwest Motorcycles Facility
 Pevely, Missouri

**WATERS OF THE U.S. AND
 PHOTOGRAPH LOCATIONS**

Project Number 0740302.51DW	PLATE 4
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sh



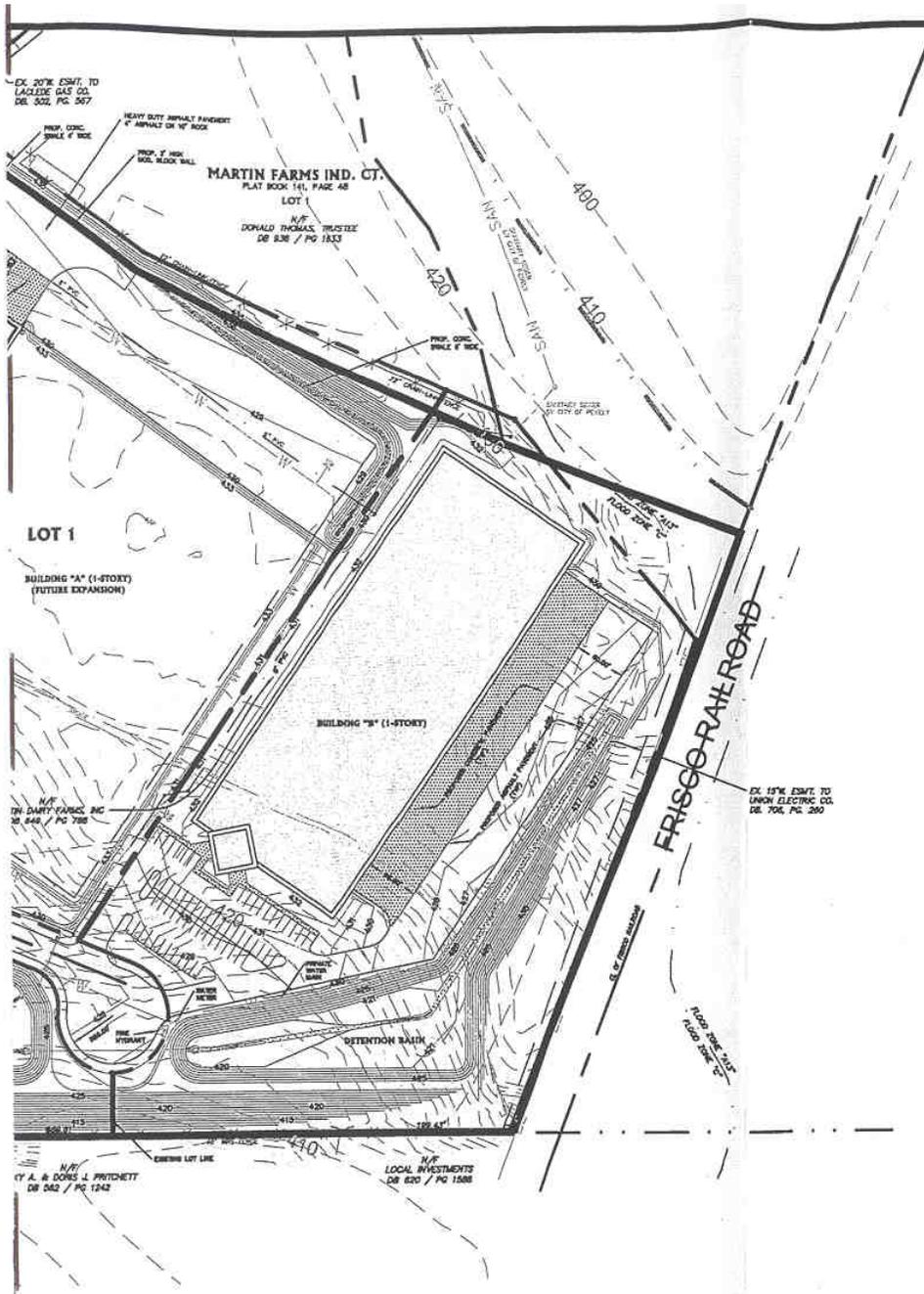
NOTES

1. Plan adapted from a drawing dated January 14, 2003, titled "Preliminary Site Plan - Option A", prepared by J.R. Grimes Consulting Engineers, Inc.
2. Photographs were located in the field with reference to existing site features and are shown approximate only.
3. Surface contours adapted from a 7.5 minute U.S.G.S. map for Herculaneum, Missouri. Contours are circa 1967.

LEGEND

- Approximate F Location
- Approximate S Location

SANDY CREEK



graph
le

Matchline



Sheet 5 of 5
P-2563
File #2004-1740

Drawn By: ARK	Cl'd By: SPM	App'vd By: SPM
Date: 12-2-05	Date: 12-2-05	Date: 12-2-05
 GEOTECHNOLOGY INC. ENGINEERING AND ENVIRONMENTAL SERVICES ST. LOUIS • COLLINSVILLE • KANSAS CITY		
Proposed Midwest Motorcycles Facility Pevely, Missouri		
DEVELOPMENT PLAN AND PLAN OF SITE		
Project Number 0740302.51DW	PLATE 5	