

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-2618
Public Notice Date
March 23, 2007

Expiration Date
April 13, 2007

Postmaster Please Post Conspicuously Until:

File Number: 2007-25

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: Shawn Sullivan

APPLICANT: City of Dardenne Prairie, Attn: Mayor Pamela Fogarty, 2032 Hanley Drive, Dardenne Prairie, Missouri 63368. (636) 561-1718

AGENT: Mr. Chad Fairbanks, George Butler Associates, Inc., 225 South Main Street – Suite 200, O’Fallon, Missouri 63366. (636) 240-2444

LOCATION: The project corridor is located south of Highway N and Bates Road intersection and north of Redhawk Parkway and Bates Road intersection. More specifically, the project area is located in U.S. Survey 1669, Township 46 North, Range 03 East, City of Dardenne Prairie, St. Charles County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to reconstruct the north-south leg of Bates Road from its intersection with Red Hawk Parkway to Highway N. The purpose of the project is to address flooding issues, improve traffic flow, and improve vehicular and pedestrian safety along Bates Road. The applicant contends that the existing roadway is unsafe due to numerous and extreme hills, which deny motorists safe sight distance. The proposed project involves improving Bates Road from a current 2-lane roadway to a roadway with three 12-foot wide, concrete traffic lanes, with the center lane being a continuous turn lane. The proposed roadway will also have 6-inch curbs and gutters, an underground stormwater drainage system, and a 4-foot wide sidewalk along one side. The applicant and agent contend that the proposed improvements will eliminate sight

distance problems and the addition of sidewalks will improve safety for pedestrians. They also indicate that the wider lanes will make the roadway safer for vehicular traffic and allow the roadway to accommodate the increasing traffic volume, at the present speed limits. The addition of curbs and an enhanced stormwater drainage system will keep stormwater off of the traveled surface of the roadway and address the current flooding issues along Bates Road. The project is proposed along the current alignment, with some additional right-of-way acquisition required for an ultimate 60-foot right-of-way. Two unnamed intermittent tributaries are located within the project corridor and these waters of the United States are delineated and labeled on the attached map.

The applicant proposes to remove an existing pipe which supports a Bates Road crossing over an unnamed intermittent tributary identified as (C1). The pipe is approximately 60 feet in length and will be replaced with a new 100 foot long box culvert and an associated rock blanket that extends approximately 45 downstream of the culvert. A second unnamed intermittent tributary identified as (C2) lies within the project corridor and will be filled to support a wider roadway surface. The tributary would be filled for approximately 725 linear feet, and the filled portion of channel would be relocated into a new open channel that would flow through property owned by MC Wing Golf, L.L.C. The relocated channel segment would contain a trapezoidal configuration with an 8-foot wide bottom and a slope inclination of 3 horizontal to 1 vertical. An additional 50 linear feet of tributary (C2) will be filled with riprap near each connection point with the relocated channel. The upstream and downstream channel relocations are proposed to encroach into a segment of tributary and its associated riparian corridor that serves as an existing compensatory mitigation area. The compensatory mitigation area assisted in offsetting impacts associated with the overall Winghaven Development and was authorized by Department of the Army Permit dated November 6, 1998. These segments of tributary and riparian corridor were preserved and protected by a deed restriction that was filed and recorded with the St. Charles County Recorder of Deeds Office on February 4, 1999. The project proposes to impact approximately 0.10 acres of existing mitigation area. The tributaries flow into Dardenne Creek which is a primary tributary to the Mississippi River.

Project alternatives have been documented and provided to our office. A formal compensatory mitigation plan has not been submitted at this time, but the applicant is proposing to fulfill their compensatory stream mitigation requirements by participating in the Missouri Conservation Heritage Foundation's – Stream Stewardship Trust Fund.

LOCATION MAPS AND DRAWINGS: See Attached

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 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 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: 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.



LEGEND

— Project Corridor

Source: USGS 7.5 Minute Quadrangles – O' Fallon and Weldon Springs, MO.

Corridor Location: Land-Grant Section 1669

Sheet 1 of 4
P-2618
File #2007-25



GEORGE BUTLER ASSOCIATES, INC.

Engineers • Architects
Kansas • Missouri • Illinois

PROJECT NUMBER
9770.00

DATE
09-20-06

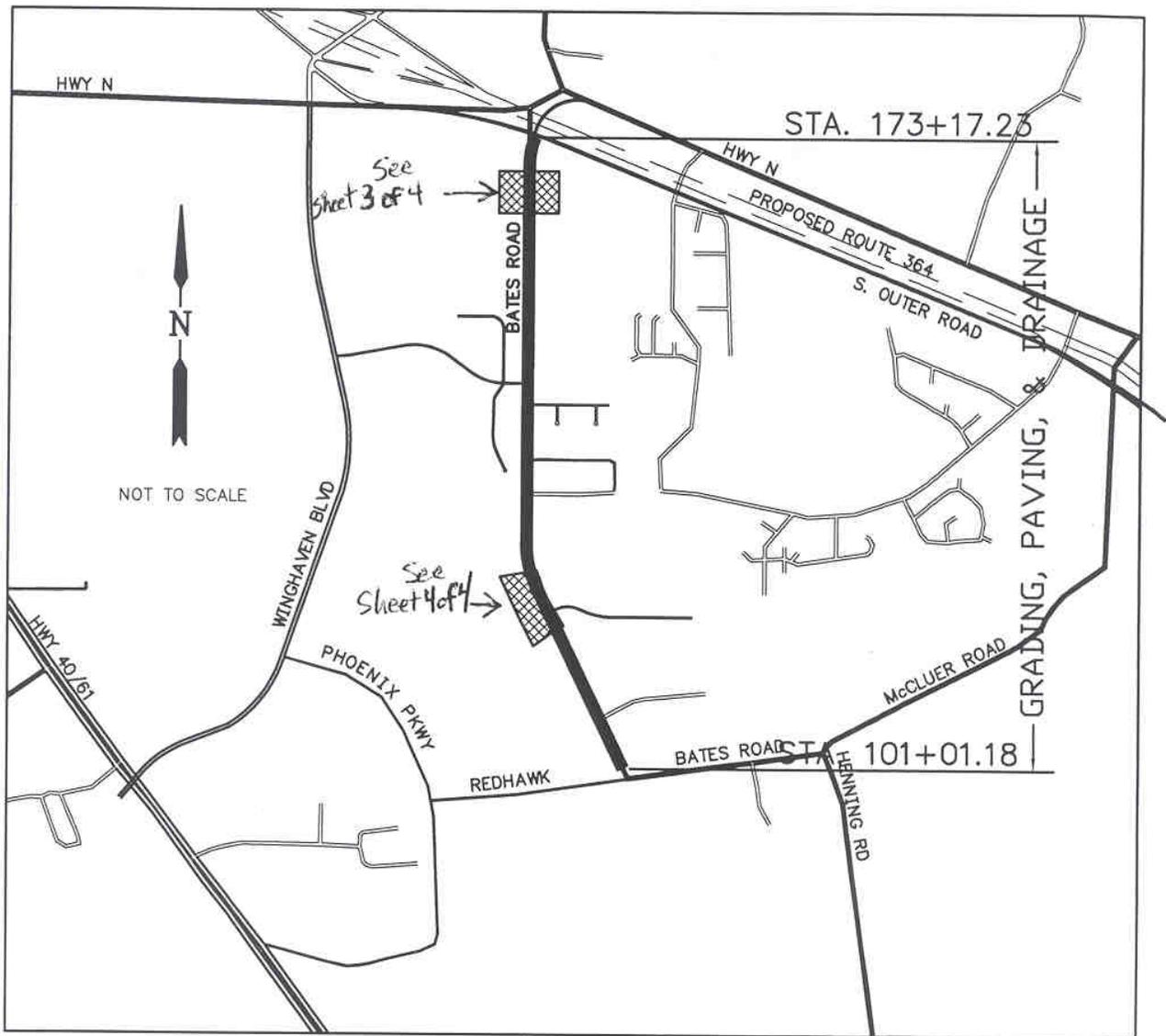
TOPOGRAPHIC MAP

Clean Water Act Section 404 Individual Permit
Bates Road Phase II Improvements
Dardenne Prairie, St. Charles County, Missouri

FIGURE

1

BATES ROAD PHASE II IMPROVEMENTS
FOR THE
CITY OF DARDENNE PRAIRIE, MISSOURI
PROJECT LOCATION MAP



LENGTH OF PROJECT
BATES ROAD: 7216 FEET
T46N R3E SEC 7,18

Sheet 2 of 4
P-2618
File #2007-25

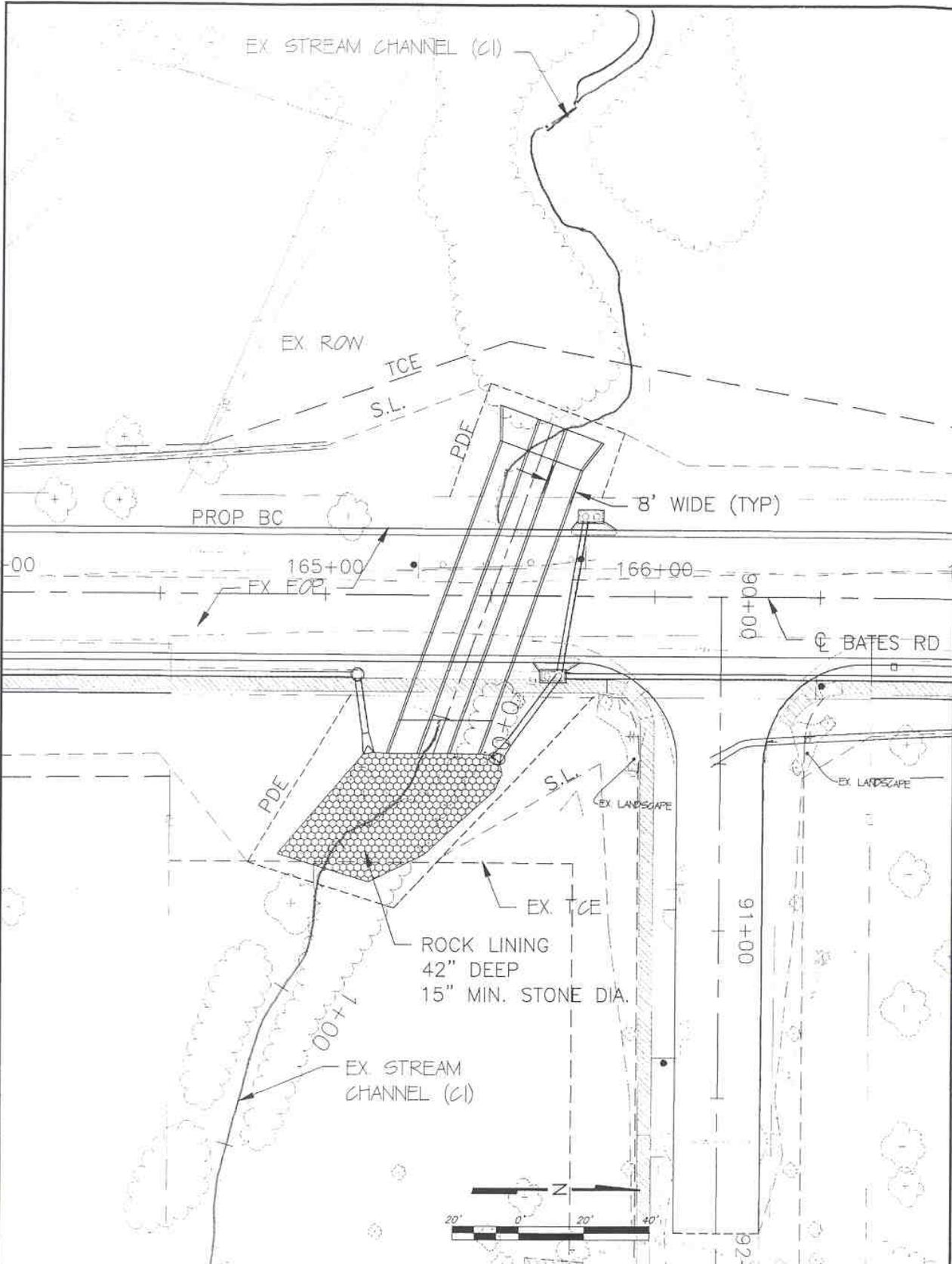


EXHIBIT	
DATE	10-05-06
DRAWN	ME

PLAN VIEW OF CULVERT REPLACEMENT
AT EXISTING STREAM CHANNEL (C1)

INITIALS:	
PROJECT	9770

