



Public Notice

**US ARMY CORPS
OF ENGINEERS**
St. Louis District
Gateway to Excellence

Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-R
1222 Spruce Street
St. Louis, Missouri 63103-2833

Permission No.
OD-R 23-020
Public Notice Date
September 10, 2024

Expiration Date
October 9, 2024

Postmaster, Please Post Conspicuously Until:

REQUEST FOR PERMISSION TO MODIFY A U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

Interested parties are hereby notified that an application has been received for a Department of the Army Section 408 permission for certain work near federally constructed flood protection projects 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 Public Notice 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
Readiness Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Jeffrey Wells, P.E.
or Jeffrey.M.Wells@usace.army.mil

REQUESTER: Stock & Associates Consulting Engineers, Inc. Attention: Mr. Jacob Buening, P.E.

LOCATION: The site is located along and perpendicular to the Monarch-Chesterfield Levee System. The work is located at the approximate coordinates 38°40'1.84"N 90°40'31.22"W in Chesterfield, MO. (St Louis County, Missouri).

PROPOSED ACTION: The applicant is requesting to make alterations to the Monarch-Chesterfield Levee seepage berm. The proposed alteration includes the construction of a sportsplex along Eatherton Road. Specifically, this Section 408 application details the parking lot that overlaps the seepage berm in the northwest corner of the project that is located within the levee right of way. A review of the proposed storm water system is being completed to ensure there are no adverse impacts the function of the levee project, but this area falls outside the jurisdiction of the Section 408 alteration request.

LOCATION MAPS AND DRAWINGS: See Attachment

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jeffrey Wells, P.E., St. Louis District 408 Coordinator, U.S. Army Corps of Engineers, at (314) 331-8568. Your inquiries may also be sent by e-mail to Jeffrey.M.Wells@usace.army.mil.

REGULATORY AUTHORITY: The St. Louis District Regulatory Division has conducted a preliminary review of the proposed project. Based upon review of the project activity description, as well as the location of the work, the Regulatory Division determined that this activity does not trigger the need for a Department of the Army Permit under Section 404 of the Clean Water Act. If additional infrastructure plans are developed that include impacts to Waters of the U.S., then a permit application would need to be submitted to the Regulatory Division. It should be noted that although this proposal does not need a Section 404 permit based on submitted plans, any revisions to the applicant's proposal may be subject to permitting.

EVALUATION: The decision whether to grant the requested permission for project modification under Section 408 will be based on several factors. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a U.S. Army Corps of Engineers technical review team considering the following factors:

1. Impair the Usefulness of the Project Determination. The review team will determine if the proposed alteration would limit the ability of the project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs. The decision whether to approve a request for modification would be based on a determination of no impairments.
2. Injurious to the Public Interest Determination. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Evaluation of the probable impacts that the proposed alteration to the U.S. Army Corps of Engineers project may have on the public interest requires a careful weighing of all those factors that are relevant in each case. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.
3. Environmental Compliance. A decision on a Section 408 request is a federal action and is therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While ensuring compliance is the responsibility of USACE, the requester is providing all information that the St. Louis District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and ordinances. NEPA and other analysis completed to comply with the other environmental statutes (e.g. Endangered Species Act) should be commensurate with the scale and potential effects of the activity that would alter the US Army Corps of Engineers project. The scope of analysis for the NEPA and

environmental compliance evaluations for the Section 408 review is limited to the area of alteration and those adjacent areas that are directly or indirectly affected by the alteration.

In compliance with Section 7(c) of the Endangered Species Act of 1973, as amended, lists of species and critical habitat were acquired from the USFWS Information for Planning and Conservation (IPaC) website on 10 September 2024 (Project Code: 2024-0141801) for the Proposed Action Area. The IPaC list included four bat species: the gray bat, Indiana bat, northern long-eared bat, and tricolored bat; two insects: monarch butterfly and western regal fritillary and a plant: decurrent false aster. A “No Effect” determination was made for gray bat, Indiana bat, northern long-eared bat, tricolored bat, and decurrent false aster and a “not likely to jeopardize the continued existence of” determination for the monarch butterfly and western regal fritillary. The Service will be invited to consult on these effects determinations during the Public Notice period and any comments will be resolved before the permit is issued.

An automated Heritage Report was obtained from MDC on 10 September 2024. The report identified resources that may be in the vicinity of the project location including the bald eagle, gray bat, pallid sturgeon, and karst features. Karst features like caves, springs, and sinkholes would not be impacted by the proposed actions. MDC will be invited to comment on the project during the Public Notice period and any comments will be considered prior to the permit being issued.

The Migratory Bird Treaty Act (MBTA) of 1918 provides protection for bird species native to North America. The project area is in the Mississippi Flyway, a bird migration route which follows the Mississippi River, the Missouri River, and the Lower Ohio River in the United States. A variety of migratory birds might occur in the project areas, some as migrants and some as breeders, depending on the time of year. Year-round residents would also be present. The construction disturbance could cause temporary minor adverse impacts.

Although the Bald Eagle (*Haliaeetus leucocephalus*) was removed from the federal list of threatened and endangered species in 2007, it continues to be protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act (BGEPA). The BGEPA prohibits unregulated take of Bald Eagles, including disturbance. The U.S. Fish and Wildlife Service developed the National Bald Eagle Management Guidelines to provide landowners, land managers, and others with information and recommendations regarding how to minimize potential project impacts to Bald Eagles, particularly where such impacts may constitute disturbance. There is a single Bald Eagle nest approximately 1.3 miles north of the project area on the northern bank of the Missouri River. This nest is greater than 660 feet from any work areas so a disturbance permit is not required. If a Bald Eagle nest is found in the project area, or in the vicinity of the project area, then the USFWS should be contacted and the National Bald Eagle Guidelines implemented.

St. Louis District Archaeologists conducted a Historic Property Preliminary Review on 25 January 2024. This review determined that the project area has been previously surveyed and no artifacts or evidence of an archaeological site was found. Ground disturbance is limited; the area will be filled with off-site borrow. For these reasons, the USACE – St. Louis has made a “No Historic Properties Affected” determination.

All actions taken were in accordance with the National Historic Preservation Act of 1966, as amended (NHPA). In the unlikely event that, earthmoving activities associated with the proposed work did impact potentially significant archeological/historic remains, all construction

activities and earthmoving actions in the immediate vicinity of the remains would be held in abeyance until the potential significance of the remains could be determined. The precise nature of such investigations would be developed by the Saint Louis District in concert with the professional staff of the Missouri SHPO.

4. Environmental Impact Statement. A preliminary determination has been made that an environmental impact statement is not required for the proposed work.
5. Technical Analysis. The St. Louis District is working closely with the requestor to ensure that all technical plans, maps, drawings, specifications are provided and complete. A District-led Technical Review is being conducted to determine any potential adverse impacts to the US Army Corps of Engineers flood protection system.

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 permission 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 taken into consideration 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.

SUMMARY: It should be noted that materials submitted as part of the Section 408 request become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the St. Louis District Corps of Engineers, Office of Counsel.

Interested parties wishing to comment on the proposed activity must do so in writing no later than **October 9, 2024**. It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

ORIGINAL SIGNED

John L. Osterhage
Chief, Readiness Branch

Attachment

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.

SITE DEVELOPMENT PLAN

A TRACT OF LAND BEING PART OF LOT 2 OF E. KROENUNG ESTATE, SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 11 AND A TRACT OF LAND AS CONVEYED TO SPORTSMO LLC, BY DOCUMENT NO. 2024052800503 ALL OF THE ST. LOUIS COUNTY RECORDS, LOCATED IN U.S. SURVEY 362, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI ORDINANCE #3290

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

ABBREVIATIONS

ATG	ADJUST TO GRADE
B.C.	BACK OF CURB
C.O.	CLEANOUT
D.B.	DEED BOOK
E.	ELECTRIC
ELEV.	ELEVATION
EX.	EXISTING
F.C.	FACE OF CURB
FL.	FLOWLINE
FT.	FEET
FND.	FOUND
G.	GAS
H.W.	HIGH WATER
LFB.	LOW FLOW BLOCKED
M.W.	MANHOLE
N/F	NOW OR FORMERLY
P.B.	PLAY BOOK
P.C.	PAGE
PR.	PROPOSED
P.V.C.	POLYVINYL CHLORIDE PIPE
R.C.P.	REINFORCED CONCRETE PIPE
R/W	RIGHT-OF-WAY
SQ.	SQUARE
T.	TELEPHONE CABLE
T.B.A.	TO BE ABANDONED
T.B.R.	TO BE REMOVED
T.B.R.&R.	TO BE REMOVED AND REPLACED
TYP.	TYPICALLY
U.L.P.	USE IN PLACE
U.O.N.	UNLESS OTHERWISE NOTED
V.C.P.	VITRIFIED CLAY PIPE
W.	WATER
(80 W)	RIGHT-OF-WAY WIDTH

LEGEND

EXISTING SANITARY SEWER	
EXISTING STORM SEWER	
EXISTING TREE	
EXISTING BUILDING	
EXISTING CONTOUR	
SPOT ELEVATION	
EXISTING UTILITIES	
FOUND 1/2" IRON PIPE	
SET IRON PIPE	
FOUND CROSS	
FOUND STONE	
FIRE HYDRANT	
LIGHT STANDARD	
BUSH	
SIGN	
NOTES PARKING SPACES	
GUY WIRE	
POWER POLE	
WATER VALVE	
DENOTES RECORD INFORMATION	
ACCESSIBLE PARKING	
PROPOSED SPOT	
PROPOSED STORM	
PROPOSED SANITARY	

LEGEND

	EATHERTON ROAD WIDENING
	5'w CONCRETE SIDEWALK

BACKFILL SPECIFICATION

LEVEE AND SEEPAGE BERM. NO PERMANENT EXCAVATIONS SHALL BE MADE WITHIN THE LEVEE EASEMENT NOR WITHIN 15 FEET OF THE SOUTHERN EDGE OF THE LEVEE TOE, WHICHEVER GOVERNS, PENETRATIONS BELOW THE SEEPAGE BERM SURFACE SHALL REQUIRE THE USE OF SELF-COMPACTING FILL MATERIALS SUCH AS FLOW-FILL OR CONCRETE. PER M.C.D. (MONARCH-CHESTERFIELD LEVEE DISTRICT), PROPOSED GRADE-RAISE FILL TO BE PLACED ATOP THE SEEPAGE BERM SHALL CONSIST OF FREE-DRAINING SAND OR SILTY SAND, SIMILAR TO THE IN-PLACE MATERIALS, PLACED IN LIFTS AND MECHANICALLY COMPACTED TO AT LEAST 95 PERCENT OF THE MATERIAL'S STANDARD PROCTOR (ASTM D 698) MAXIMUM DRY DENSITY.

UTILITIES: THE PROPOSED UTILITY BACKFILL SHALL CONSIST OF A SIMILAR IMPERVIOUSNESS TO THE IN-PLACE MATERIALS, PLACED IN LIFTS AND MECHANICALLY COMPACTED TO AT LEAST 95 PERCENT OF THE MATERIAL'S STANDARD PROCTOR (ASTM D 698) MAXIMUM DRY DENSITY. THE USE OF CLEAN ROCK IS STRICTLY PROHIBITED.

UTILITY NOTE
UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS AND INFORMATION, AND, THEREFORE, DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NON-EXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE FACILITIES, STRUCTURES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS. THE UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319 RSM.

CONTRACTOR'S INSURANCE REQUIREMENTS

PRIOR TO OBTAINING A CONSTRUCTION PERMIT FROM THE METROPOLITAN ST. LOUIS SEWER DISTRICT, THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE THE DISTRICT WITH A COPY OF AN EXECUTED CERTIFICATE OF INSURANCE INDICATING THAT THE PERMITTEE HAS OBTAINED AND WILL CONTINUE TO CARRY COMMERCIAL GENERAL LIABILITY AND COMPREHENSIVE AUTO LIABILITY INSURANCE. THE REQUIREMENTS AND LIMITS SHALL BE AS STATED IN THE "RULES AND REGULATIONS AND ENGINEERING DESIGN REQUIREMENTS FOR SANITARY AND STORMWATER DRAINAGE FACILITY", SECTION 10.090 (ADDENDUM).

PREPARED FOR

CARSHIELD FC
503 PEARL DR
ST. PETERS MO 63378
ATTN: Nick Hamilton
PH: 636-795-8130
EMAIL: nick.hamilton@carshield.com

ST. LOUIS COUNTY BENCHMARK

BENCHMARK# 11109 NAY088(SLC2011) Elev = 461.10
"Standard Aluminum Disk" stamped SL-41 1990 Disk is set along the east side of Eatherton Road just north of the Shell Pipeline Marker; 19' east of the centerline of Eatherton and 60' north of the east pipeline marker. Approximately 1/2 mile south of the intersection of Olive Street Road and Eatherton Road.

SEE SHEET SDP-3 FOR CONTINUATION

PERTINENT DATA

OWNER - PARCEL 1:
COMBINED LOT AREA:
1,434,647 S.F. OR 32.935 Ac.(ORD. 3295)
EXISTING ZONING:
PLANNED INDUSTRIAL DISTRICT (ORD. 3290)
PROPOSED ZONING:
UN-DEVELOPED
EXISTING USE:
ATHLETIC FIELDS / GYMNASIUM
SITE ADDRESS:
530 & 550 NORTH EATHERTON DRIVE
CHESTERFIELD, MISSOURI 63005
LOCATOR NO:
WUNNENBERG'S
FIRE DISTRICT:
MONARCH FIRE PROTECTION DISTRICT
SCHOOL DISTRICT:
ROCKWOOD
SEWER DISTRICT:
METROPOLITAN ST. LOUIS SEWER DIST.
WATER SHED:
MISSOURI RIVER
FEMA MAP:
29189C0145K, FEB 4, 2015
ELECTRIC COMPANY:
AMEREN UE
GAS COMPANY:
SPIRE ENERGY
PHONE COMPANY:
AT&T
WATER COMPANY:
MISSOURI AMERICAN WATER COMPANY

SHEET INDEX

SDP-1 SITE DEVELOPMENT PLAN
SDP-2 SITE DEVELOPMENT PLAN
SDP-3 EATHERTON ROAD IMPROVEMENTS
SDP-4 SITE DISTANCE EXHIBIT
SDP-5&6 ORDINANCE #3290

FLOOD INFORMATION

- CHESTERFIELD VALLEY STORMWATER MASTER PLAN RESERVOIR 100-YEAR ELEVATION = 456.65.
- CHESTERFIELD VALLEY STORMWATER MASTER PLAN CHANNEL 100-YEAR ELEVATION = 456.75
- FEMA BASE FLOOD 100-YEAR ELEVATION = 463.00

GEOTECHNICAL ENGINEER'S STATEMENT

Midwest Testing, at the request of Keystone Construction has provided geotechnical services for the project proposed hereon. A geotechnical investigation titled "Geotechnical Exploration, Carshield FC Soccer Training & Playing Facility, Chesterfield, Missouri", September 27, 2023, Midwest No. 15707 and Addendum No. 1, February 29, 2024. Our findings indicate that the earth-related aspects are suitable for the development proposed pursuant to the geotechnical recommendations set forth in our Geotechnical Report.

Engineer

Date

SURVEYOR CERTIFICATE

This is to certify that Stock & Associates Consulting Engineers, Inc. has prepared this Site Development Plan from an actual survey. The information shown is a correct representation of all existing and proposed land divisions.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
LC 222-D

By: Walter J. Pfeiffer, Missouri P.L.S. No. 2008-000728

This Site Development Plan was approved by the City of Chesterfield and duly verified on the _____ day of _____, 2024, by the Chairperson of said Commission, authorizing the recording of this Site Development Section Plan pursuant to Chesterfield Ordinance Number 200, as attested to by the Director of Planning and the City Clerk.

Justin Wyse, AICP
Director of Planning
City of Chesterfield, Missouri

Vickie McGownd, City Clerk
City of Chesterfield, Missouri

SPORTSMO, LLC, the owner of the property shown on this plan for and in consideration of being granted approval of said plan to develop property under the provisions of Section 03, _____ (applicable subsection) _____ (present Zoning) _____ of City of Chesterfield Unified Development Code, do hereby agree and declare that said property from the date of recording this plan shall be developed only as shown thereon, unless said plan is amended by the City of Chesterfield, or voided or vacated by order of ordinance of the City of Chesterfield Council.

Signature: _____

Name: _____

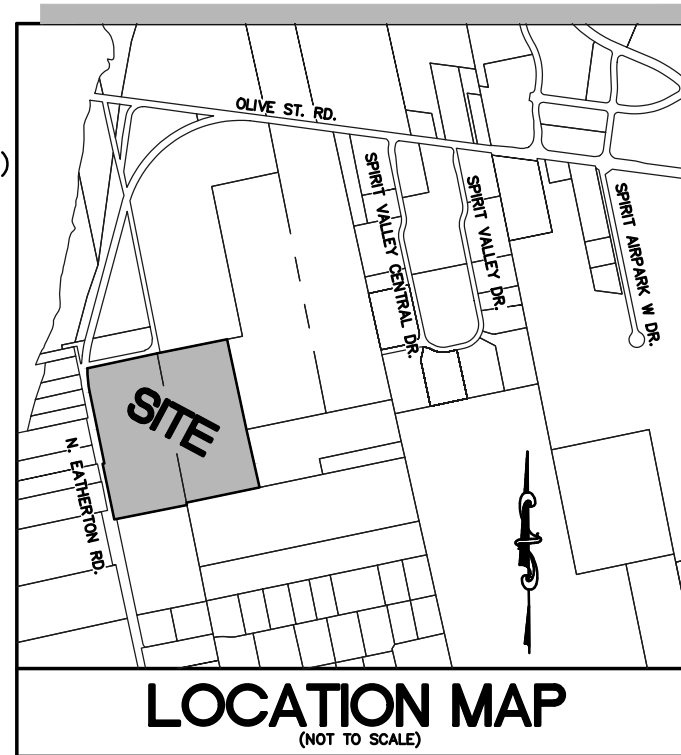
State of _____ SS.
County of _____

On this _____ day of _____, A.D., 2024, before me personally appeared _____, to me known, who, being by me sworn in, did say that he/she is the _____ of _____ a _____ (Title) _____ (Name of Corporation) _____ corporation in the State of _____, and that the seal affixed to the foregoing instruments is the corporate seal of said corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and the said _____ acknowledged said _____ (Official of Corporation) _____ instrument to be the free act and deed of said corporation.

In testimony whereof, I have hereunto set my hand and affixed my Notarial Seal at my office in _____, the _____ day and year last above written.
(County and State)

My term expires _____

Notary Public



PREPARED BY:

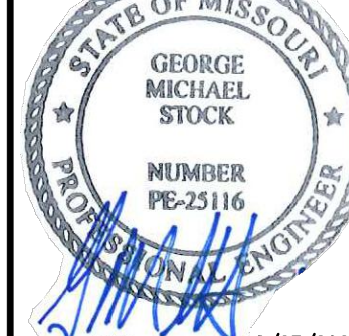
STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63005 PH: (636) 500-9000 FAX: (636) 500-9000
e-mail: general@stockassoc.com
Web: www.stockassoc.com

SITE DEVELOPMENT PLAN FOR:

CARSHIELD SPORTSPLEX

530 & 550 N. EATHERTON ROAD
CHESTERFIELD, MISSOURI 63005

DATE:



GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

REVISIONS:

NO.	DATE	REVISION
1	2024-07-24	REVISED PER CITY COMMENTS
2	2024-07-29	REVISED PER COUNTY COMMENTS
3	2024-08-06	REVISED PER AOE COMMENTS
4	2024-08-21	REVISED PER CITY COMMENTS
5	2024-08-27	REVISED PER AOE COMMENTS

DRAWN BY:	CHECKED BY:
J.M.B.	G.M.S.
DATE:	JOB NO.
6/17/2024	222-73012
KS#:	RASE MAP:
24MSD-xxxxx	17-W
S.L.C. HAT #	HAT S.U.P. #
2057	2057
MDNR #	XX-XXX-XX
MO-RA-	

SHEET TITLE
SITE DEVELOPMENT PLAN

SHEET NO.:
SDP-1