



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 23-043
Public Notice Date
January 18, 2024

Expiration Date
February 17, 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°40'28.15"N 90°36'52.70"W in Chesterfield, MO. (St Louis County, Missouri).

PROPOSED ACTION: The applicant is requesting to make alterations to the Monarch-Chesterfield Levee embankment. The proposed alteration includes the construction of an archery range. Specifically, this Section 408 application details improvements to the roadway that crosses the levee embankment, the gate structure that will be constructed on the landside access ramp entrance, and the fill that is placed within the levee right of way on the riverside of the embankment. A review of the concrete work on the range and the backstop berm are 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.

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 Branch 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 Branch 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 Branch. 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 13 December 2023 (Project Code: 2024-0026415) for the Proposed Action Area. The IPaC list included four bat species: the gray bat, Indiana bat, northern long-eared bat, and tricolored bat; a fish: pallid sturgeon; an insect: monarch butterfly, and a plant: decurrent false aster. A “may affect, not likely to adversely affect” determination was made for gray bat, Indiana bat, northern long-eared bat, tricolored bat, pallid sturgeon, and decurrent false aster and a “not likely to jeopardize the continued existence of” determination for the monarch butterfly. 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 13 December 2023. 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. The nearest known active bald eagle nest is along the left descending bank of the Missouri River just upstream of the Daniel Boone bridge. This nest is further than 660 feet from any work area, 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 shall be implemented.

St. Louis District Archaeologists conducted a Historic Property Preliminary Review on 27 November 2023. This review determined that there are no known archeological sites within the project area. The project area is disturbed by previous construction and proposed excavations are limited. For these reasons, the USACE – St. Louis has made a “No Potential to Affect Historic Properties” 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 Illinois 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 **February 17, 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

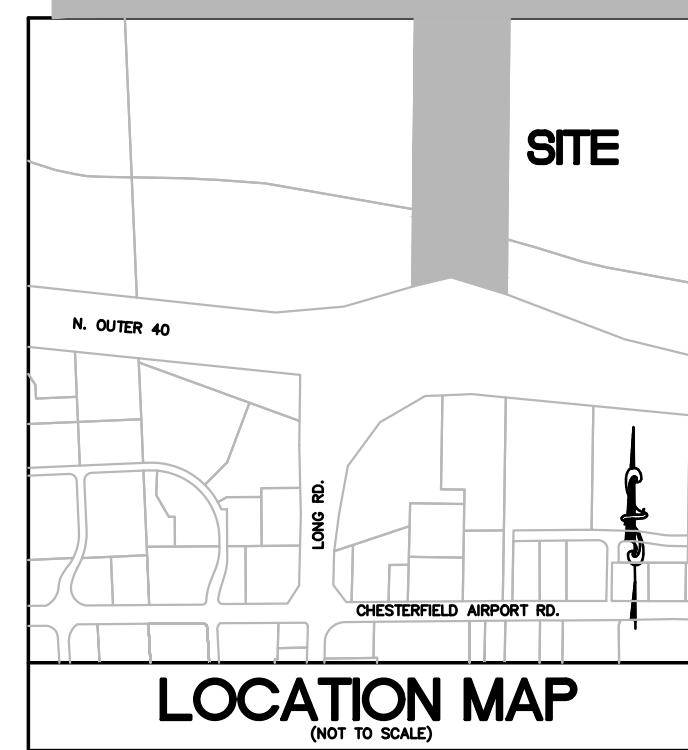
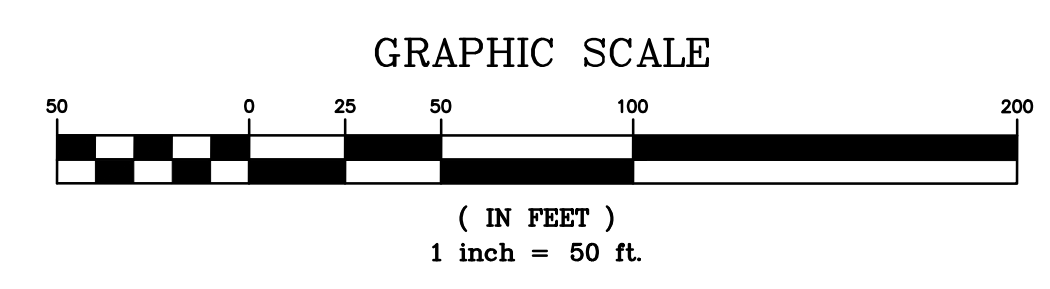
NOTICE TO POSTMASTERS:

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



CHESTERFIELD SHOOTING RANGE

A TRACT OF LAND BEING PART OF LOT 5 OF THE JOHN L. LONG ESTATE,
LOCATED IN U.S. SURVEY 126, TOWNSHIP 45 NORTH, RANGE 4 EAST
OF THE 5TH PRINCIPAL MERIDIAN
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



EARTHWORK NOTES

TOTAL QUANTITIES
BULK CUT: 4,800 c.y. ±
BULK FILL: 4,800 c.y. ±

THE ENGINEER HAS MADE THE FOLLOWING ASSUMPTIONS IN THE ABOVE STATED QUANTITIES:

EARTHWORK ASSUMPTIONS:
ALL CONTOURS ARE TO FINAL GRADE. GRADING CONTRACTOR TO GRADE TO SUBGRADE
12" GRAVEL SUBGRADE (AVERAGE DEPTH)
12" BUILDING SUBGRADE
15% SHRINKAGE APPLIED TO FILL MATERIAL
NO TOPSOIL REMOVAL
NO SPOILS FOR REMOVAL OF UTILITIES/FOUNDATIONS/PAIDS/ETC. INCLUDED.

THE ENGINEER HAS CALCULATED THE ABOVE QUANTITIES OF EARTHWORK TO BE REGARDED AS AN ESTIMATE OF THE BULK MOVEMENT OR REDISTRIBUTION OF SOILS ON THIS PROJECT. AS AN ESTIMATE, THESE QUANTITIES ARE INTENDED FOR GENERAL USE, AND THE ENGINEER ASSUMES NO LIABILITY FOR COST OVERRUNS DUE TO EXCESS EXCAVATED MATERIALS OR SHORTAGES OF FILL.

THE QUANTITIES ESTIMATED FOR EACH OF THE IMPROVEMENT ITEMS LISTED ABOVE ARE BASED UPON THE HORIZONTAL AND VERTICAL LOCATION OF THE IMPROVEMENTS AS PROPOSED ON THE SITE ENGINEERING PLANS PREPARED BY STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.

THE ENGINEER'S EARTHWORK ESTIMATE DOES NOT INCLUDE ANY OF THE FOLLOWING ITEMS REQUIRING EARTHWORK THAT MAY BE NECESSARY FOR COMPLETION OF THE PROJECT: MISCELLANEOUS UNDERGROUND CONDUITS, INCLUDING SEWER LINES AND WATER MAINS, STANDARD MANHOLES, PROCESS OR TRANSFER PIPING, ELECTRICAL OR TELEPHONE CONDUITS OR DUCT BANKS; BASES FOR LIGHT STANDARDS; BUILDING FOOTINGS AND FOUNDATIONS, POSSIBLE PIERS OR CAISSONS AND/OR RETAINING WALL BACKFILL, ETC.

THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACTUAL SIZE OF THE FIELD EXCAVATIONS MADE FOR THE REMOVAL OF UNDERGROUND STRUCTURES, AND AS SUCH, THE ACTUAL QUANTITIES OF EARTHWORK FROM SUCH ITEMS MAY VARY FROM THE ESTIMATE SHOWN ABOVE.

THE ENGINEER ASSUMES NO RESPONSIBILITY FOR COSTS INCURRED DUE TO REMOVAL OF UNSUITABLE MATERIAL FROM THE SITE.

IT IS THE RESPONSIBILITY OF THE GRADING CONTRACTOR TO PERFORM AN INDEPENDENT EARTHWORK ANALYSIS PRIOR TO SUBMISSION OF BID. IN THE EVENT A DISCREPANCY EXISTS THE GRADING CONTRACTOR SHALL NOTIFY ENGINEER OF DISCREPANCY PRIOR TO SUBMISSION OF BID.

AFTER CONTRACTOR RECEIVES AWARD AND NOTICE TO PROCEED (NTP), CONTRACTOR SHALL FIELD VERIFY EXISTING TOPOGRAPHY AND PERFORM EARTHWORK ANALYSIS PRIOR TO COMMENCING GRADING TO RE-CONFIRM BID QUANTITIES.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO REMOVE AND/OR EXPORT AND IMPORT ALL MATERIALS NEEDED TO COMPLETE THE FINISHED GRADES AND ELEVATIONS AS SHOWN ON THE "SITE GRADING PLAN".

IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN "ALL" GEOTECHNICAL INVESTIGATIONS FROM THE "OWNER". CONTRACTOR SHALL REVIEW AND FAMILIARIZE THEMSELVES WITH RECOMMENDATIONS AS OUTLINED BY THE PROJECT GEOTECHNICAL ENGINEER AND INCORPORATE IT IN THEIR PROPOSED SCOPE OF WORK.

RE-USE OF EXISTING STOCKPILE MATERIALS AND EXCAVATION SPOILS ON-SITE SHALL BE VERIFIED AND COORDINATED WITH THE PROJECT GEOTECHNICAL ENGINEER.

CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ANY ROCK ENCOUNTERED. CONTRACTOR SHOULD FAMILIARIZE THEMSELVES WITH ALL THE GEOTECHNICAL REPORTS AVAILABLE AND REVIEW THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.

ST. LOUIS COUNTY BENCHMARK

BENCHMARK# 12357 NAVD88 Elev = 461.00
Standard DNR aluminum disk stamped SL-38A situated in grassy area south of Chesterfield Airport Road and east of Chesterfield Industrial Boulevard, north of a bank addressed as #100 Chesterfield Industrial Boulevard, roughly 49 feet south of the centerline of Chesterfield Airport road, 78 feet east of the centerline of Chesterfield Industrial Boulevard, and 40.6 feet northeast of the northwest corner of the subdivision entrance monument for Chesterfield Industrial Park.

DISCLAIMER:

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. AND THE UNDERSIGNED ENGINEER HAVE NO RESPONSIBILITY FOR SERVICES PROVIDED BY OTHERS TO IMPLEMENT THE IMPROVEMENTS SHOWN ON THIS PLAN AND ALL OTHER DRAWINGS WHERE THE UNDERSIGNED ENGINEER'S SEAL APPEARS. THE CONSTRUCTION MEANS AND METHODS ARE THE SOLE RESPONSIBILITY OF THE OWNER AND CONTRACTOR. STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. HAS NO RESPONSIBILITY TO VERIFY FINAL IMPROVEMENTS AS SHOWN ON THIS PLAN UNLESS SPECIFICALLY ENGAGED AND AUTHORIZED TO DO SO BY THE OWNER OR CONTRACTOR.

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, NONEXISTENCE, 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 RSMo.



MoDOT LOCATE (314) 340-4100

PREPARED BY:
STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63005 PH: (636) 590-9000 FAX: (636) 590-9001
e-mail: gsm@stockassoc.com Web: www.stockassoc.com

CHESTERFIELD SHOOTING RANGE

SITE AND GRADING PLAN FOR:

17581 N. OUTER 40 ROAD
CHESTERFIELD, MO 63005



GEORGE M. STOCK E-29116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

REVISIONS:	
1	2023-12-21 - REVISED PER MSD COMMENTS
2	2024-01-08 - MSD SUBMITTAL
3	2024-01-11 - REVISED PER CORPS COMMENTS

DRAWN BY: T.S. J.M.B.	CHECKED BY: G.M.S.
DATE: 11/03/2023	JOB NO. 204-3473.1
W.S.D. # 23MSD-00464	BASE MAP 16-U
M.D.N.R. #	HAT S.U.P. #

SHEET TITLE:
CUT - FILL AREAS

SHEET NO.:
C3.1