



Public Notice

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

**Reply To:
U.S. Army Corps of Engineers
Attn: Regulatory Branch (OD-F)
1222 Spruce Street
St. Louis, Missouri 63103-2833**

Public Notice No.
MVS-2005-45135

Public Notice Date
March 30, 2015

Expiration Date
April 30, 2015

Postmaster Please Post Conspicuously Until:

File Number: MVS-2005-45135

Prospectus Submittal - Proposed Peruque Creek Stream Mitigation Bank

Pursuant to the Final Rule for the Compensatory Mitigation for Losses of Aquatic Resources, referred to as the Mitigation Rule (33 CFR Parts 325 and 332, and 40 CFR Part 230), dated April 10, 2008; this notice announces the submittal of a prospectus for the proposed Peruque Creek Stream Mitigation Bank (PCSMB), for consideration by the U.S. Army Corps of Engineers, St. Louis District (the Corps); in coordination with the mitigation Interagency Review Team.

COMMENTS AND ADDITIONAL INFORMATION: All comments and/or requests for public hearing pursuant to the proposed PCSMB 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. Matt Shively

BANK SPONSOR: Mid Rivers Investment Group, Attn: Mr. Jeff Kolb; 5731 Westwood, St. Charles, MO 63304.

LOCATION: (As shown on the attached drawing): The proposed Peruque Creek Stream Mitigation Bank site is located east of Wilmer Road, in the city of Wentzville, Missouri. More specifically, the site is located in the northwestern quarter-section of Section 36, Township 47 North, Range 1 East; Fifth Principal Meridian, St. Charles County, Missouri. The site contains two reaches of Peruque Creek. The approximate geographic coordinates of the midpoint of the western reach (identified in the Prospectus as the Western Segment) are 38.7910° north, -90.8656° west. The approximate geographic coordinates of the midpoint of the eastern reach (identified in the Prospectus as the Eastern Segment) are 38.7918° north, -90.8607° west.

PURPOSE AND PROPOSED DESCRIPTION: Under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act, the Corps may require Department of the Army permit

applicants to provide compensatory mitigation for adverse impacts to waters of the United States. Mitigation banks are one of a number of practicable options available to applicants to obtain compensatory mitigation. The accompanying prospectus outlines the circumstances and manner in which the proposed PCSMB will provide a compensatory mitigation option to permit applicants under the Corps' Regulatory permit program. The Corps has the final authority to issue permits under Section 404 and Section 10; and to determine whether a Department of the Army applicant may use a mitigation bank to compensate for unavoidable impacts to aquatic resources. If the PCSMB is approved, the approval of the bank in no way guarantees the authorization of any permits whose applicants propose to satisfy compensatory mitigation requirements through the PCSMB.

The approximate 42-acre tract is associated with an uncompleted residential development. The sponsor's agent, Brookside Environmental Services, first submitted a prospectus for the site in 2007, for a previous owner/sponsor. However, the prospectus was voluntarily withdrawn by the previous sponsor. The current sponsor, Mid Rivers Investment Group, recently acquired the site and has re-proposed it for mitigation banking. Mid Rivers Investment Group has worked with Brookside Environmental Services to update the prospectus in accordance with the guidance in the Mitigation Rule.

In general, the mitigation practices proposed for the PCSMB include restoration and enhancement of 34 acres of forested riparian corridor; removal of two detrimental low-water crossings (previously accomplished); removal of concrete rubble and debris from the stream channel; reconnection of Peruque Creek to adjacent floodway/floodplain by breaching or removing approximately 2,600 feet of levee; bank stabilization; and removal of undesirable vegetation. These practices would occur within an approximate one-mile reach of Peruque Creek, divided into two segments. The West Segment abuts and is contiguous with an existing 10.2-acre mitigation site, which occurs along approximately 1,900 linear feet of a tributary to Peruque Creek. The proposed mitigation practices are anticipated to generate approximately 20,000 to 26,000 stream mitigation credits, as determined using the Missouri Stream Mitigation Method. The sponsor has proposed the Central Plains/Cuivre/Salt Ecological Drainage Unit as the service area in which it will operate. The sponsor will record a conservation easement for the entire mitigation site, which shall protect the two reaches of Peruque Creek and its restored/enhanced riparian corridor, in perpetuity.

Oversight of this mitigation banking program will be conducted by the Corps of Engineers, St. Louis District; as well as the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service; the Missouri Department of Natural Resources; and the Missouri Department of Conservation. This oversight group is defined as the Interagency Review Team (IRT) and is chaired by the Corps of Engineers. The Corps and IRT have been provided an opportunity to review the site and the prospectus. At this time the Corps has determined that it sufficiently meets the requirements for a complete prospectus and issuance of a public notice. The Corps has assigned Regulatory File Number MVS-2005-45135 to this project. The public notice for the PCSMB and the complete prospectus are posted on the St. Louis District's Regulatory web pages at: <http://www.mvs.usace.army.mil/Missions/Regulatory/PublicNotices/tabid/9126/Year/2015/Default.aspx>

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Matt Shively, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8632. Your inquiries may also be sent by e-mail to matt.s.shively@usace.army.mil.

AUTHORITY: Section 404 of the Clean Water Act (33 U.S.C. 1344).

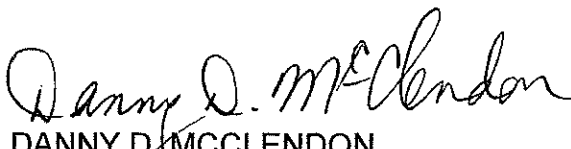
PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would 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 Missouri Department of Natural Resource's State Historic Preservation Office and the public, in response to this public notice. Based upon the cultural resources information received, the Corps may require a reconnaissance survey of the project area.

EVALUATION OF PROBABLE IMPACTS: The decision whether to authorize Mid-Rivers Investment Group to enter into an agreement with the Corps and IRT 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 aquatic 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.

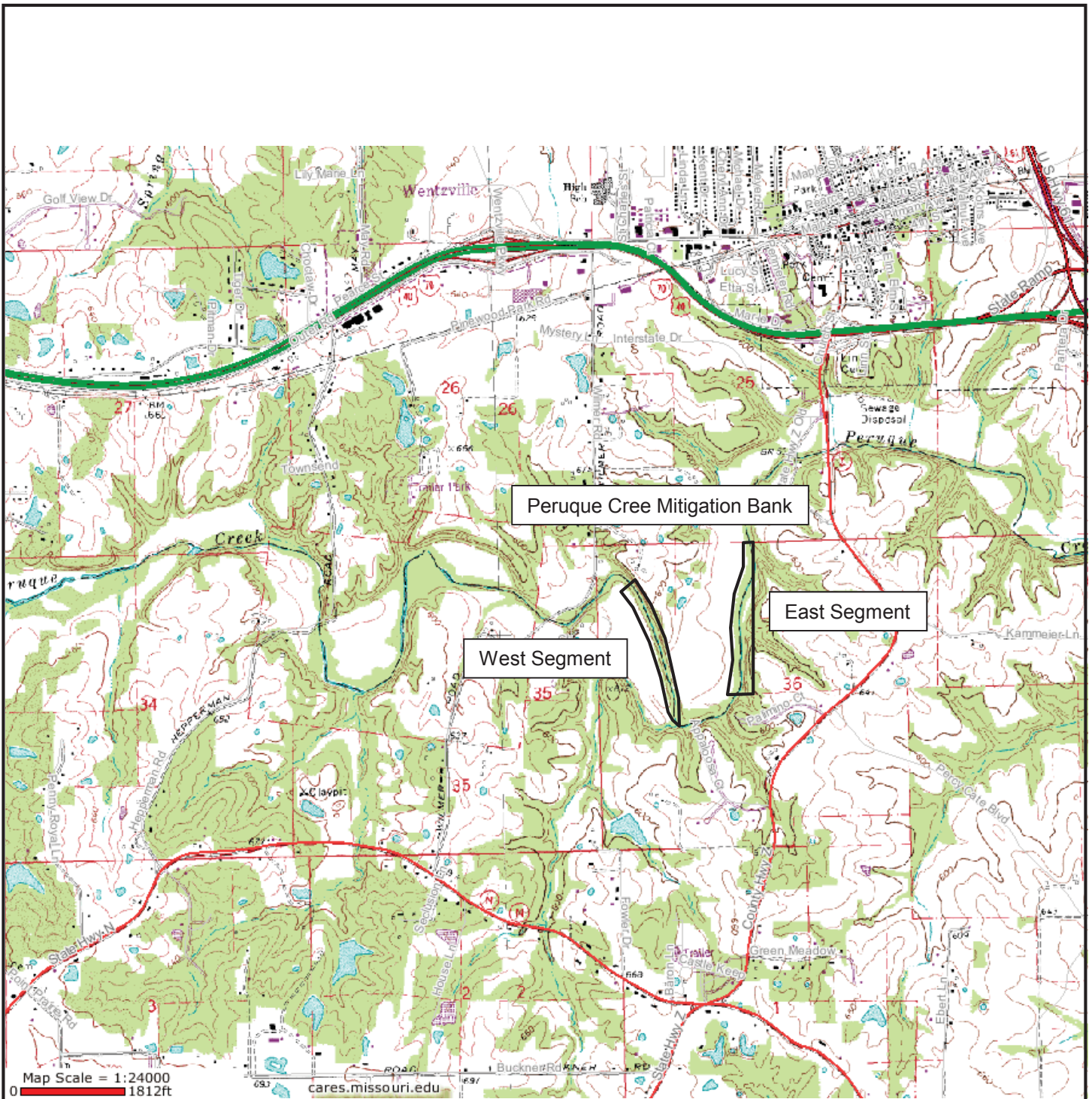
SOLICITATION OF COMMENTS FROM THE PUBLIC: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to approve, modify, or deny authorization 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 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

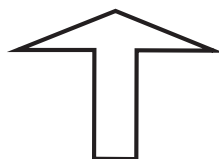
Attachments

NOTICE TO POSTMASTERS:

The Corps requests that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.



6 Brook Lane, O'Fallon, Missouri 63368
 phone: 636-614-2698



NORTH

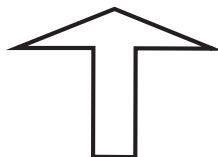
Figure 1
Location Map

Perqure Creek Mitigation Bank
St. Charles County, Missouri

Wentzville, MO 7.5-Minute USGS Topographic Map



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NORTH

Figure 2
2010 Aerial Photograph

Peruque Creek Mitigation Bank
St. Charles County, Missouri