



**US Army Corps
of Engineers**®

St. Louis District

PUBLIC NOTICE

FILE NUMBER: MVS-2025-31

PUBLIC NOTICE DATE: Dec. 01, 2025

EXPIRATION DATE: Dec. 22, 2025

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. The purpose of the public notice is to inform you of a proposal for work in which you may be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

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 or may be submitted electronically at <https://rrs.usace.army.mil/rrs/public-notice>.

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103

JOINT PUBLIC NOTICE: 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, a Department of the Army Section 404 permit for certain work in waters of the United States, and a Department of the Army Section 10 permit for structures or work in or affecting navigable waters of the United States.

This public notice is also issued jointly with the Missouri Department of Natural Resources, Water Protection Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources by email at wpsc401cert@dnr.mo.gov or by mail at P.O. Box 176, Jefferson City, Missouri 65102.

APPLICANT: Missouri American Water Company
Attn: Mr. Todd Embrey
727 Craig Road
Creve Coeur, Missouri 63141

PROJECT LOCATION: The activity site is located off of Hog Hollow Road in Chesterfield, St. Louis County, Missouri. The project is in Section 36, Township 46 North, Range 04 East, at latitude 38.682227 and longitude -90.525607. The outfall structure portion of the project is located at approximate river mile 36 of the Missouri River (right descending bank).

AUTHORITY: Section 408 (33 USC 408), Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 401 and 404 of the Clean Water Act (33 USC 1344).

ACTIVITY: Missouri American Water Company (MAWC)'s Phase 2 of the Central Water Treatment Plant Upgrade project's objective includes install of approximately 1,800 feet of new 48-inch, gravity outfall conveyance from the new water treatment plant to the Missouri River. Open trenching will occur from the water treatment plant to the Missouri River. Within the Missouri River, the outfall conveyance will be placed on the downstream side of an existing wing dike and covered with material of the same gradation as that of the existing dike structures, growing the footprint of the dike but not altering the dike elevations. Rock placed on

top of the pipe will match contours of the existing dike structure and provide at least three feet of rock cover on the new pipe.

WETLANDS/AQUATIC HABITAT: The new outfall portion of the activity project permanently impacts approximately 80 linear feet of river bottom, and 0.638 acres of forested wetland adjacent to the Missouri River. In addition to permanent impacts, the proposal temporarily impacts 1.472 acres of forested wetlands and 0.4511 acres of emergent wetlands.

SECTION 408: This public notice is issued jointly with the Kansas City District Engineering Division, Section 408 Office. Section 408 authorization is required for work to alter a Corps civil works project. An alteration is defined as any action that builds upon, alters, improves, moves, occupies or otherwise affects the usefulness, or the structural or ecological integrity of a Corps federally authorized project. The proposed project may alter the Missouri River Bank Stabilization and Navigation Project (BNSP) between St. Charles and St. Louis Counties in Eastern Missouri. This project will be evaluated in accordance with Engineer Circular 1165-2-220. The Corps is soliciting public input as a part of the decision-making process for the Section 408 request.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: The outfall alignment and filter plant siting were selected to best accomplish the project's goals and objectives, while minimizing potential impacts to the environment and socioeconomic community. The proposed outfall location workspace has reduced impacts to wetlands by locating staging areas outside the construction workspace and limiting tree clearing to the greatest extent possible while still meeting safety factors for excavation. Approximately 80 linear feet of river bottom will be permanently impacted and restabilized and 0.6380-acre PFO wetland will be permanently impacted by the new outfall portion of Phase 2. To provide compensatory mitigation for permanent impacts to PFO wetlands, MAWC will make a credit withdrawal at a 3:1 ratio for wetland impacts, and a 1.5:1 ratio for temporary impacts. All remaining temporary impacts to PFO and PEM wetlands will be restored to preconstruction conditions following completion of the Project.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Alan Edmondson, St. Louis District Regulatory Division, 1222 Spruce Street, St. Louis, Missouri, 63103. All comments to this public notice should be sent to alan.r.edmondson@usace.army.mil

CULTURAL RESOURCES: The St. Louis District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. However, we will evaluate input by the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted. The applicant conducted a Phase I cultural resources survey was performed on January 2, 2025 in accordance with Section 106 of the National Historic Preservation Act of 1966 and Osage Nation survey guidelines. The objectives of the Phase 2 Central Water Plant Project and Phase I cultural resource inventory were met and established there is little potential for significant undiscovered subsurface archaeological deposits in the immediate Project Area. This investigation concludes that the Project Area does not contain significant cultural materials or historic features. Regarding this Project, there are no known historic properties located within the direct or indirect APE; thus, the proposed Project will not cause cumulative effects to historic properties. The St. Louis District Archeologist has made a preliminary determination of "no effect to historic properties".

ENDANGERED SPECIES: The proposed project is within the range of the federally endangered Indiana bat (*Myotis sodalis*), Gray Bat (*Myotis grisescens*), proposed endangered Tricolored Bat (*Perimyotis subflavus*), endangered pallid sturgeon (*Scaphirhynchus albus*), Decurrent False Aster (*Boltonia decurrens*), and Monarch butterfly (*Danaus plexippus*). In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. The Corps has coordinated with the U.S. Fish and Wildlife Service and the applicant is taking measures to minimize potential effects of the project during construction. While the USFWS

concurred with a determination that the proposed work is “not likely to adversely affect federally listed species”, written comments are solicited by this public notice from other interested agencies and individuals.

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Water Certification Improvement Rule (Certification Rule, 40 CFR 121), effective November 27, 2023, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope for CWA Section 401 certification by the certifying authority shall evaluate whether the activity will comply with applicable water quality requirements. The certifying authority’s evaluation is limited to the water quality-related impacts from the activity subject to the Federal license or permit, including the activity’s construction and operation. The applicant is solely responsible for requesting certification and providing required information to the certifying agency. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator’s determination of effects on neighboring jurisdictions.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The 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 this proposed activity. Any comments received will be considered by the 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 the other public interest factors listed above. Comments are used in 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.

COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Tribes; and other interested parties 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.

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PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

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.



