



# Public Notice

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

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

**Public Notice No.  
P-2628  
Public Notice Date  
November 30, 2018  
Expiration Date  
December 21, 2018**

**Postmaster Please Post Conspicuously Until:**

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File Number: MVS-2006-310

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: Jaynie Doerr

**APPLICANT:** Consort Homes, Attention: Roger Cox, 17887 Chesterfield Airport Road, Chesterfield, Missouri, 63005.

**AGENT:** On-Site Soils, Inc., 4077 N. St. Peters Parkway, Suite 110, St. Peters, Missouri 63004.

**LOCATION:** The project area is located southeast of Swantner Road and Point Prairie Road in Wentzville, in Section 3, Township 47 North, Range 1 East, St. Charles County, Missouri (see attached map).

**SITE DESCRIPTION:** The approximate 136-acre site consists of three residential buildings with associated outbuildings, fallow fields and just over 70-acres of forested land. A named perennial stream, McCoy Creek, flows through the site as well as three unnamed tributaries (named A, B and C). Although the National Wetland Inventory map indicates wetlands may be present within the site, a field investigation determined no wetlands exist within the project area.

**PROJECT DESCRIPTION:** This project originally was placed on public notice in May 2007 and a Department of the Army Section 404 permit issued in February 2008. However, due to the economic recession, the project was never constructed. The applicant now wishes to proceed with the same single-family residential development and the previously proposed impacts remain unchanged. The

applicant seeks authorization to fill approximately 939 lineal feet of two unnamed tributaries (Tributary A and B) to facilitate grading for roadway and lot development associated with the construction of a residential subdivision known as Brookstone (previously named Swantner Tract). Tributary A will be impacted for approximately 150 linear feet for a road crossing and Tributary B piped in its entirety (approximately 789 linear feet) for roadway and lot development. McCoy Creek and Tributary C will not be impacted for the proposed development. The unnamed tributaries flow into McCoy Creek, a tributary to the Cuivre River, which flows to the Mississippi River.

The applicant proposes to mitigate for unavoidable impacts to the tributaries through the purchase of in-lieu fee stream credits from The Land Learning Foundation or the Missouri Conservation Heritage Foundation.

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Jaynie Doerr, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8581. You may also send inquiries by e-mail to Jaynie.g.doerr@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 bat habitat assessment survey conducted by the agent revealed that the forested area contains suitable summer roosting habitat for the endangered Indiana bat (*Myotis sodalis*) and the Northern long-eared bat (*Myotis septentrionalis*). In order to complete our evaluation, The St. Louis District hereby solicits comments from the U.S. 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 cultural resource surveys within 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.

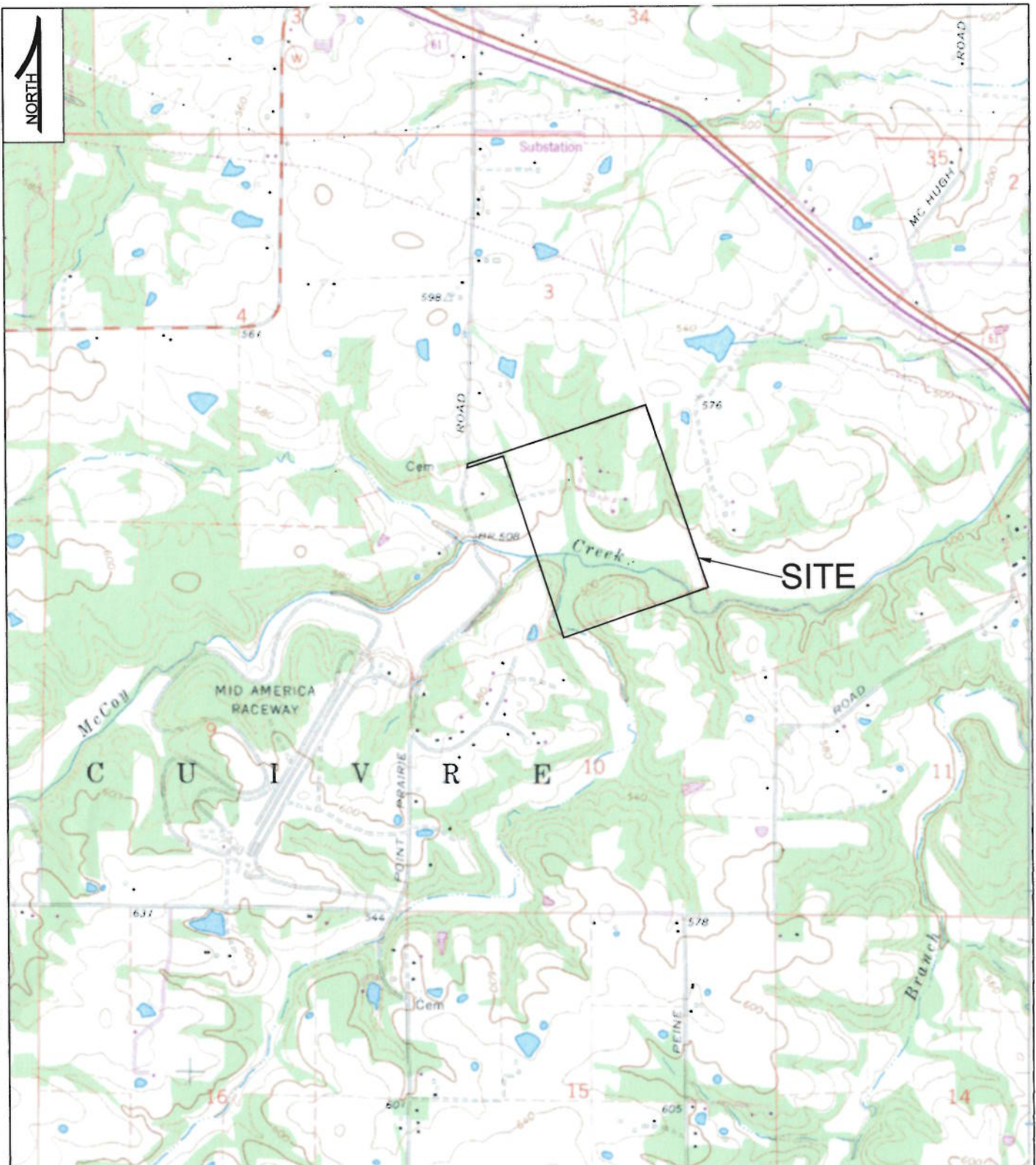
Robert S. Gramke  
Chief, Regulatory Branch

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.

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**Note:**  
 USGS Topographical Map: Foristell Quadrangle, Dated 1982.

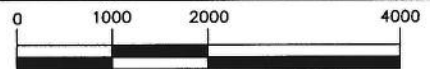
**PICKETT RAY & SILVER**

Civil Engineers Land Surveyors Natural Resources

Address: 333 Mid Rivers Mall Drive  
 St. Peters, Missouri 63376  
 Phone: (636) 397-1211  
 Fax: (636) 397-1104  
 Website: www.prs3.com

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Swantner Tract  
 USGS Location Map  
 Plate 1



GRAPHIC SCALE  
 1 inch = 2000 ft.

PRS Job Number: 04020.CHVD.01E  
 Drawn By: RLR Date: 2-12-07  
 Checked By: JCV Date: 2-12-07



SHEET  
 101

PROJECT  
 PLAN

DATE

BY

CHECKED

DATE

PROJECT

NO.	DATE	REVISIONS

**BROOKSTONE**  
 OVERALL PLAN

**PICKETT, RAY & SILVER INC.**  
 CIVIL ENGINEERING, LAND SURVEYING.