



# Public Notice

**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-2882**  
Public Notice Date  
**July 8, 2014**  
Expiration Date  
**July 29, 2014**

**Postmaster Please Post Conspicuously Until:**

File Number: MVS-2011-31

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:** Roy Yust, Pinewoods Development, Inc., 2500 S. Old Highway 94, Suite 200, St. Charles, Missouri 63303.

**AGENT:** Matt Roth, On-Site Soils, 4077 N. St. Peters Pkwy, Suite 110, St. Peters, Missouri 63004.

**LOCATION:** The approximate 29.5-acre project area is located within the City of Wentzville, Missouri, directly south off Interstate Drive. More specifically, it is located in Section 26, Township 47 North, Range 1 East, St. Charles County, Missouri (see attached location map).

**SITE DESCRIPTION:** The site was formally a campground which has been closed for several years. Most of the infrastructure has been removed except for a few degraded camper pads and wooden docks. The site is wooded with a relatively steep topography. Mature trees such as several oak species and eastern red cedar exist within the project footprint. The invasive bush honeysuckle is present throughout the site as well. An approximate 4-acre pond is located on the site with an intermittent stream entering from the north and exiting the southern end. Three other open water bodies are located on site with no jurisdictional connection to waters of the U.S. Three jurisdictional streams are located within the project area. The substrate of these tributaries is comprised of gravel and sand and range in width from 2-4 feet by 1-2 feet deep at the location of the ordinary high water mark. The jurisdictional channels and pond flow to Peruque Creek, a primary tributary to the

Mississippi River.

**PROJECT DESCRIPTION:** The applicant seeks authorization to develop the above tract of land into a residential subdivision. This proposed development comprises phases 2, 3 and 4 of the current Pinewoods Subdivision that is located immediately adjacent and to the south of the project area. In order to facilitate the development of the area into residential housing, grading and filling operations must take place to construct roads, lots and other associated infrastructure. Specifically, approximately 3 acres of the on-site jurisdictional pond will be filled for lot development, 140 linear feet of Tributary A for road and utility structures and 100 linear feet of Tributary C for lot development. Although the applicant has researched alternatives, reduced the size of the footprint and minimized proposed impacts to the unnamed tributaries to Peruque Creek, they believe that the remaining impacts are unavoidable. The applicant is proposing to participate in an approved in-lieu fee mitigation program for stream impacts determined to be unavoidable. The applicant has also proposed to mitigate for the unavoidable impacts to the pond by purchasing credits at the Rosedale Wetland Mitigation Bank.

The unnamed tributaries flow to Peruque Creek, a primary tributary to the Mississippi River.

**LOCATION MAPS AND DRAWINGS:** See Sheets 1 - 3, attached.

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Jaynie Doerr, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8581. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or 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 preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed **MAY** affect potential habitat for the endangered Indiana bat (*Myotis sodalis*) and the Northern Long-eared bat (*Myotis septentrionalis*). However, 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 State Historic Preservation Officer and the public in response to this public notice.

**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.

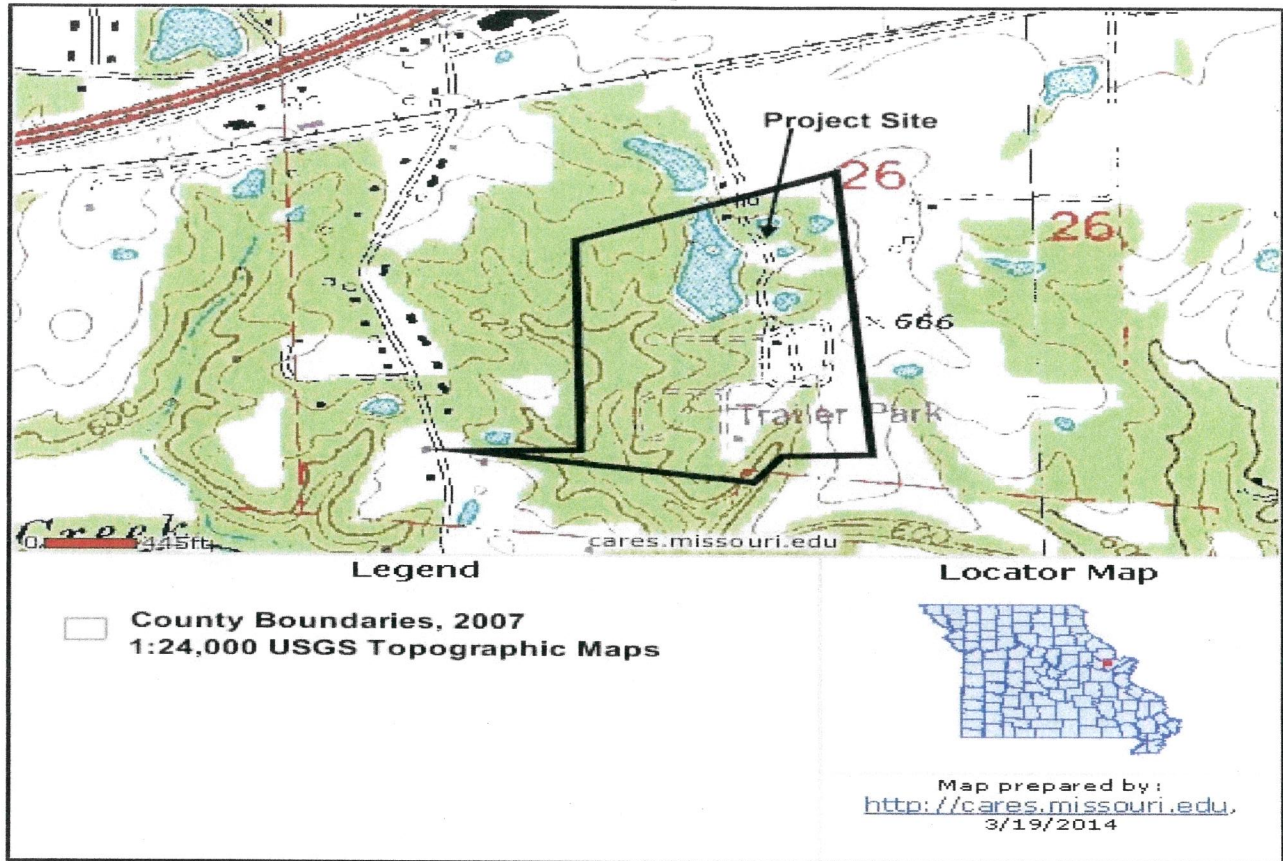
  
DANNY D. MCCLENDON  
Chief, Regulatory Branch

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.

# Map



**Pinewoods – Phase 2,3&4**

**Wentzville, Missouri**

**Figure 1**

**USGS MAP**



**On-Site Soils, Inc.**

**Source: USGS**

**Scale:  
NOT TO SCALE**







