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# 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-2912

Public Notice Date:  
December 10, 2014

Expiration Date:  
December 30, 2014

Postmaster Please Post Conspicuously Until:

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File Number: MVS-2013-133

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: Jennifer L. Brown

**APPLICANT:** Great Rivers Greenway, Attention: Mark Vogl, 6174A Delmar Blvd, St. Louis, Missouri 63112.

**LOCATION:** The project is located in the City of Maryland Heights, south of Creve Coeur Mill Road and east of Maryland Heights Expressway. The trail starts at Marine Avenue and proceeds east over FeeFee Creek. The project is located in Section 17, Township 46 North, Range 5 East, St. Louis County, Missouri.

**PROJECT DESCRIPTION:** The applicant seeks authorization to conduct grading and filling operations within waters of the United States for Phase II of the McKelvey Woods Greenway Trail Project. The project consists of an approximate 2-mile long paved trail. The finished design width for the multipurpose trail is 10 feet, but grading limits range from 10 feet to over 150 feet wide, depending on the terrain and property access.

Construction of the trail may impact five wetlands and includes three stream crossings. The impacts include the grading and filling of 0.35-acres of emergent wetland; 0.39-acres of scrub shrub wetland; 0.92-acres of forested wetland; 102 linear feet of ephemeral drainage; and 50 linear feet of intermittent drainage.

The purpose of the project is to provide a safe bike trail that connects the existing McKelvey Woods Trail (Phase I) to Creve Coeur Park. Although the applicant has researched alternatives, reduced the size of the

footprint and minimized proposed impacts to the waters, they believe that completion of the project requires unavoidable impacts to waters of the U.S. The applicant is currently researching mitigation options for stream and wetland impacts.

**LOCATION MAPS AND DRAWINGS:** See attached. In addition, the project plans may be viewed by visiting the Public Notice section of our website at <http://www.mvs.usace.army.mil/ConOps/permits/pn.htm>

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Jennifer L. Brown, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8579. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to [Jennifer.L.Brown@usace.army.mil](mailto:Jennifer.L.Brown@usace.army.mil).

**AUTHORITY:** This request will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

**WATER QUALITY CERTIFICATION:** Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. The project plans will be submitted to the Missouri Department of Natural Resources, Water Protection Program (the Agency) in accordance with Section 401. While the Corps of Engineers may provide all relevant information to DNR and request Section 401 review on behalf of the applicant, the applicant assumes final responsibility to ensure that both agencies receive all information required to complete their independent review. If issued, Certification 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, P.O. 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:** The proposed project is within the range of the endangered Indiana bat (*Myotis sodalis*) and the northern long-eared bat (*Myotis septentrionalis*) that is a proposed candidate for endangered status. A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that this activity may affect the habitat of these listed and candidate species. The applicant is coordinating with the U.S. Fish and Wildlife Service. In order to further complete our evaluation, written comments are solicited by this public notice from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

**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 conduct, or require a reconnaissance survey of 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.

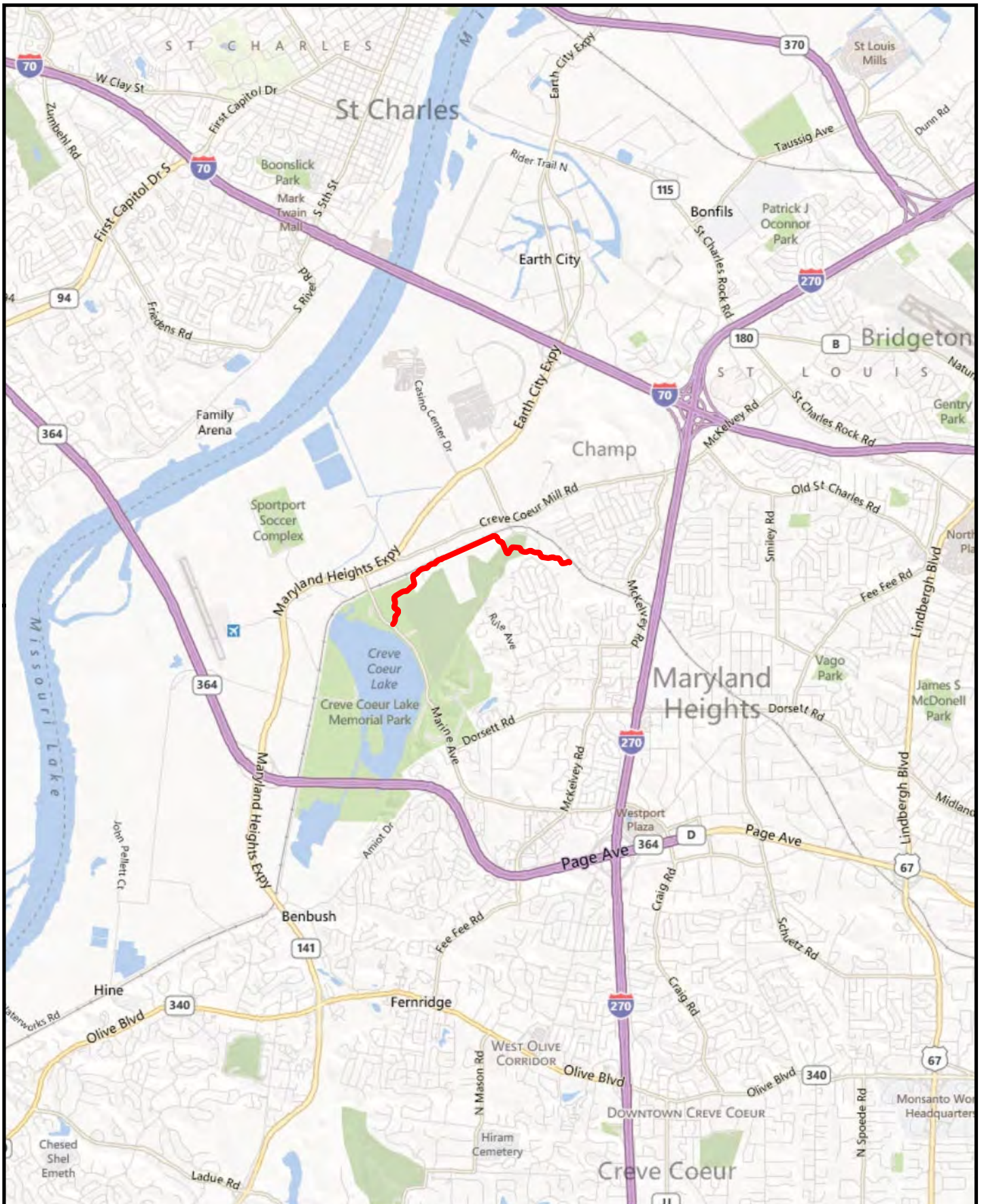
**SOLICITATION OF COMMENTS:** The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered 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.

  
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.



**Legend**

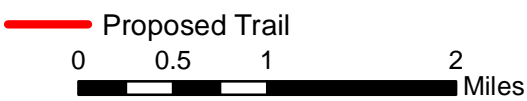


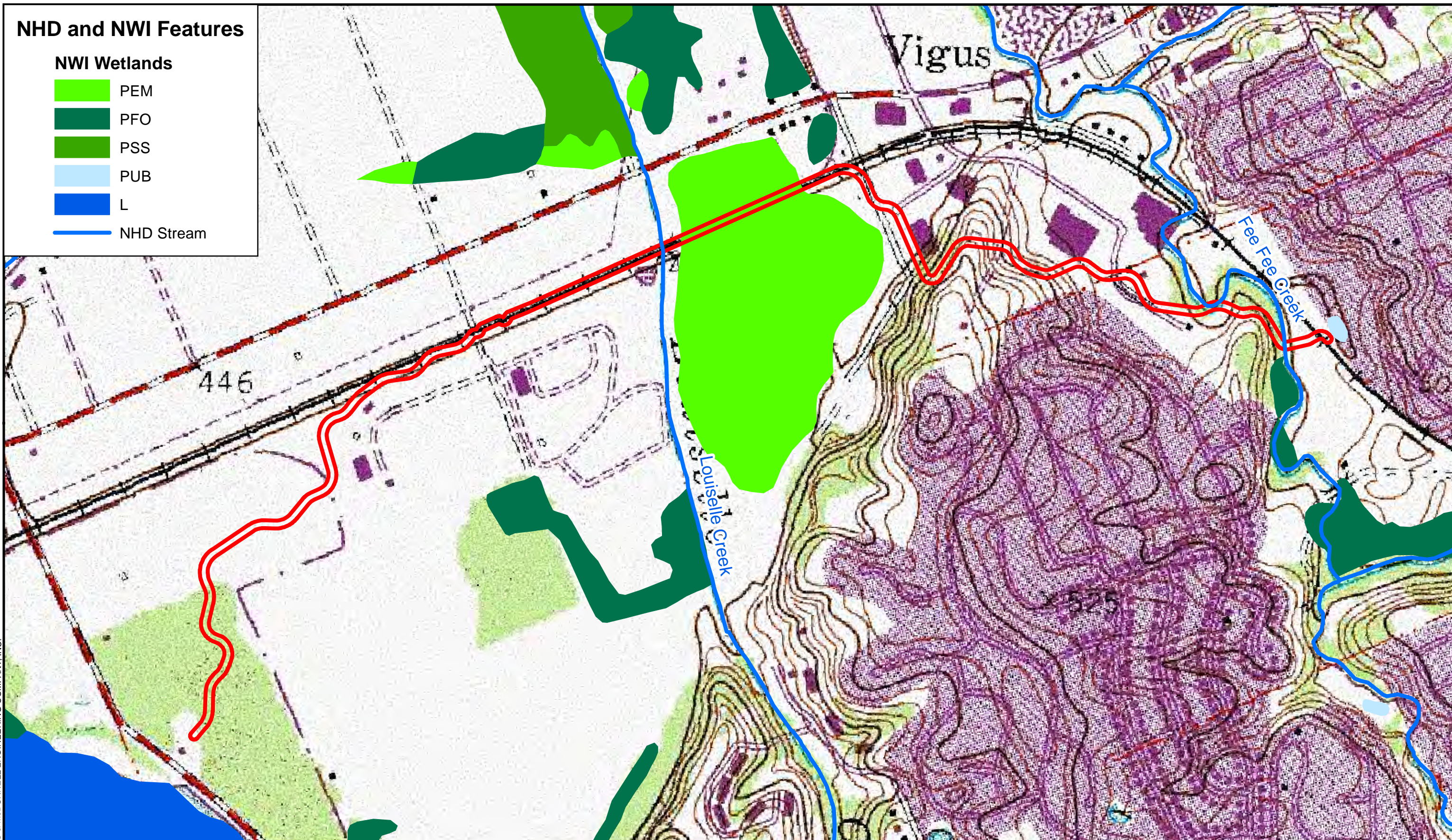
Figure 1  
 Location Map  
 McKelvey Woods Trail Project  
 City of Maryland Heights  
 St. Louis County, Missouri



**NHD and NWI Features**

**NWI Wetlands**

- PEM
- PFO
- PSS
- PUB
- L
- NHD Stream



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**Legend**

- Survey Area



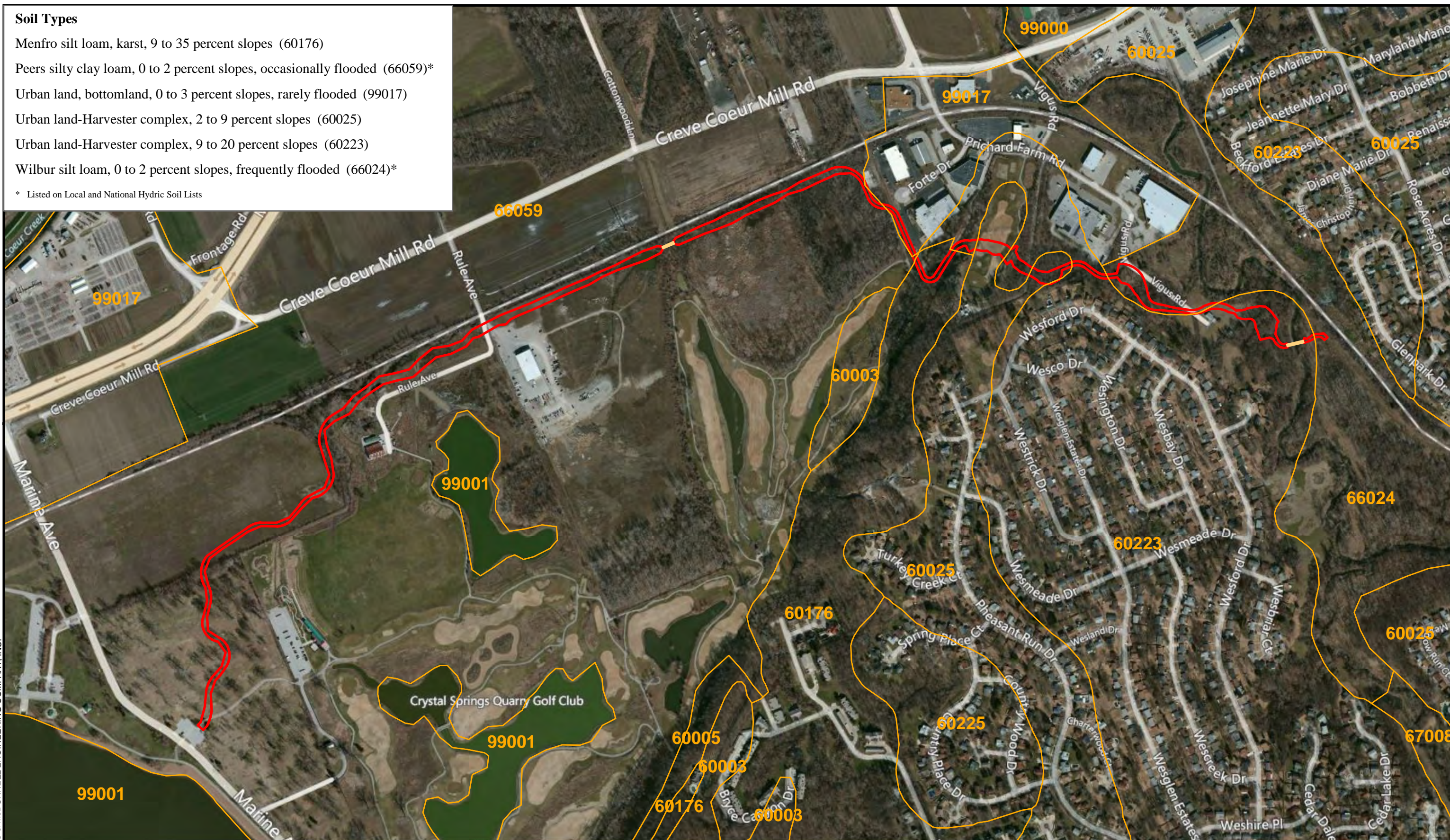
Figure 2  
Topographic, NHD, and NWI Maps  
McKelvey Woods Trail Project  
City of Maryland Heights  
St. Louis County, Missouri



**Soil Types**

- Menfro silt loam, karst, 9 to 35 percent slopes (60176)
- Peers silty clay loam, 0 to 2 percent slopes, occasionally flooded (66059)\*
- Urban land, bottomland, 0 to 3 percent slopes, rarely flooded (99017)
- Urban land-Harvester complex, 2 to 9 percent slopes (60025)
- Urban land-Harvester complex, 9 to 20 percent slopes (60223)
- Wilbur silt loam, 0 to 2 percent slopes, frequently flooded (66024)\*

\* Listed on Local and National Hydric Soil Lists



**Legend**

- Trail Grading Limits
- SSURGO Soils
- Bridge

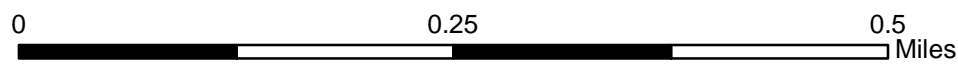


Figure 3  
 SSURGO Soils  
 McKelvey Woods Trail Project  
 City of Maryland Heights  
 St. Louis County, Missouri

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# Waters of the U.S.

## Wetland Type

- PEM
- PSS
- PFO

## Stream Type

- Ephemeral
- Perennial



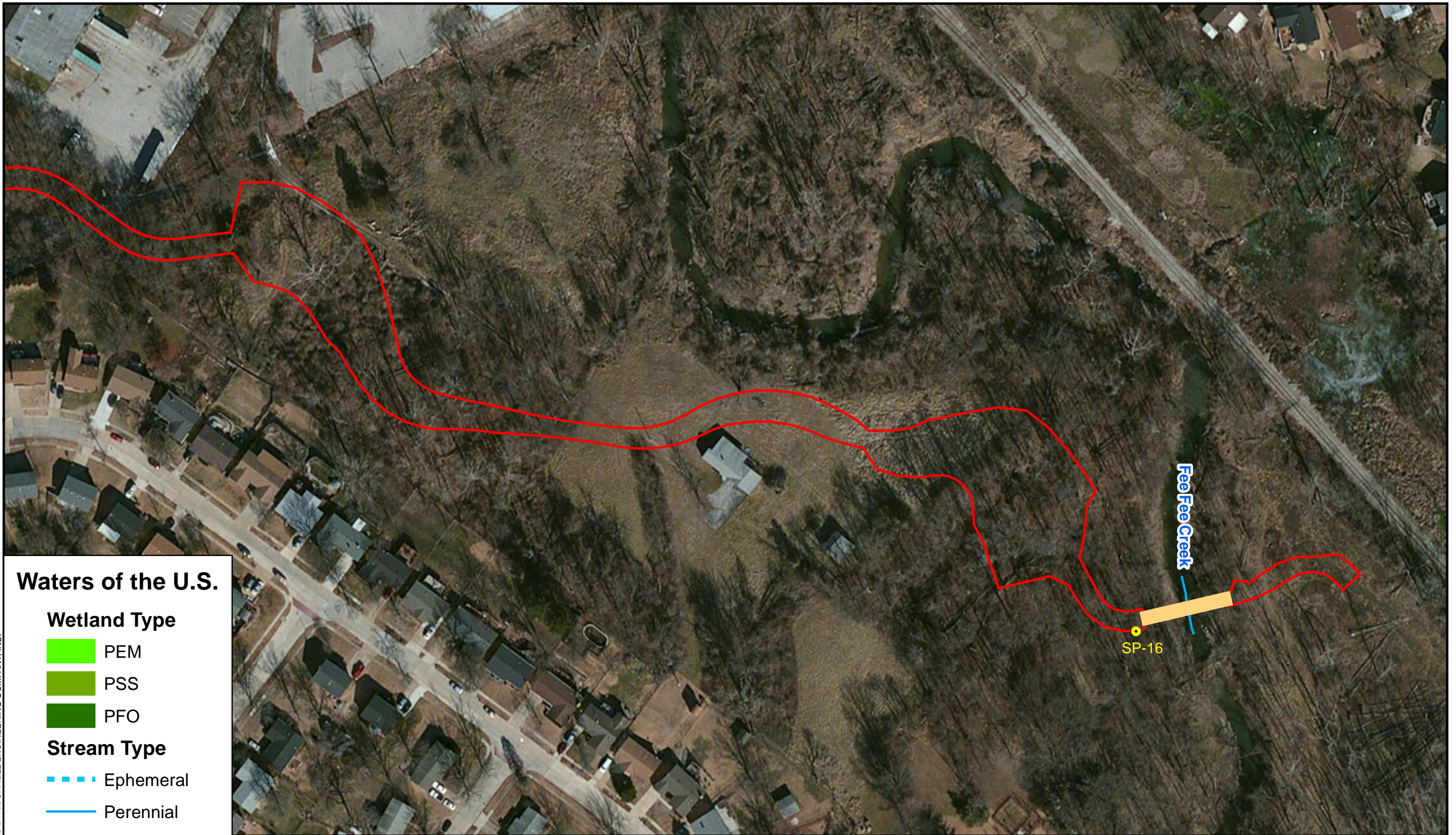
**Figure 4**  
**Waters of the U.S.**  
**McKelvey Woods Trail Project**  
**City of Maryland Heights**  
**St. Louis County, Missouri**

## Legend

- Trail Grading Limits
- Bridge
- Sample Plots






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### Waters of the U.S.

#### Wetland Type

-  PEM
-  PSS
-  PFO

#### Stream Type

-  Ephemeral
-  Perennial

### Legend

-  Trail Grading Limits
-  Bridge
-  Sample Plots

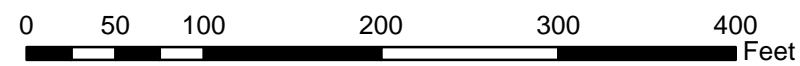
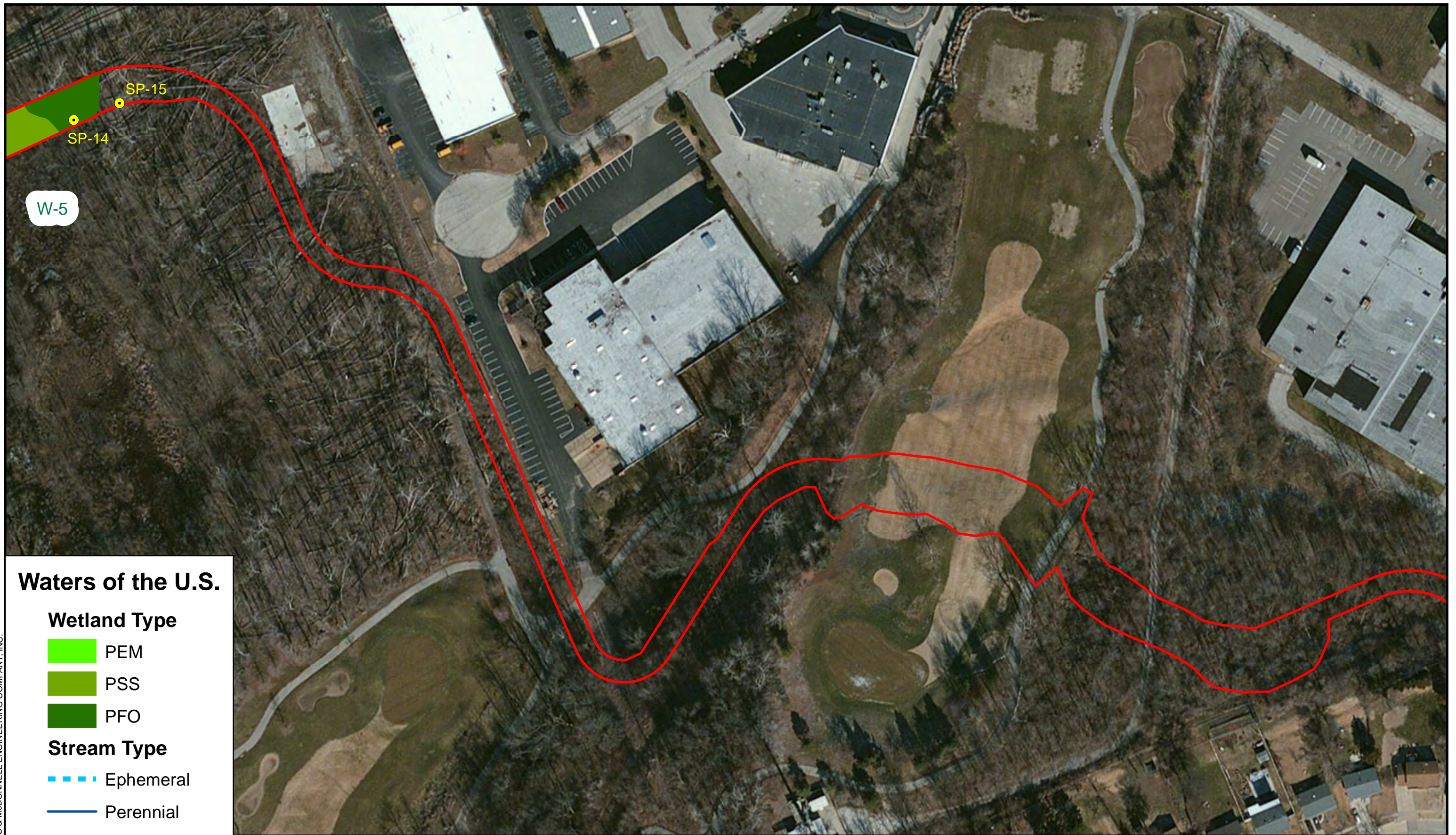



Figure 4  
Waters of the U.S.  
McKelvey Woods Trail Project  
City of Maryland Heights  
St. Louis County, Missouri  
Page 1 of 7







### Waters of the U.S.

#### Wetland Type

-  PEM
-  PSS
-  PFO

#### Stream Type

-  Ephemeral
-  Perennial

### Legend

-  Trail Grading Limits
-  Bridge
-  Sample Plots

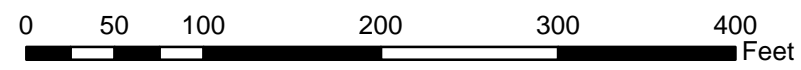


Figure 4  
Waters of the U.S.  
McKelvey Woods Trail Project  
City of Maryland Heights  
St. Louis County, Missouri  
Page 2 of 7

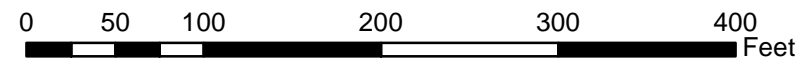


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### Legend

- Trail Grading Limits
- Sample Plots
- Culvert



### Waters of the U.S.

#### Wetland Type

- PEM
- PSS
- PFO

#### Stream Type

- Ephemeral
- Intermittent
- Perennial

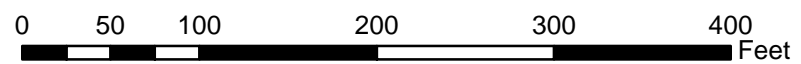
Figure 4  
Waters of the U.S.  
McKelvey Woods Trail Project  
City of Maryland Heights  
St. Louis County, Missouri  
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### Legend

- Trail Grading Limits
- Bridge
- Sample Plots



### Waters of the U.S.

#### Wetland Type

- PEM
- PSS
- PFO

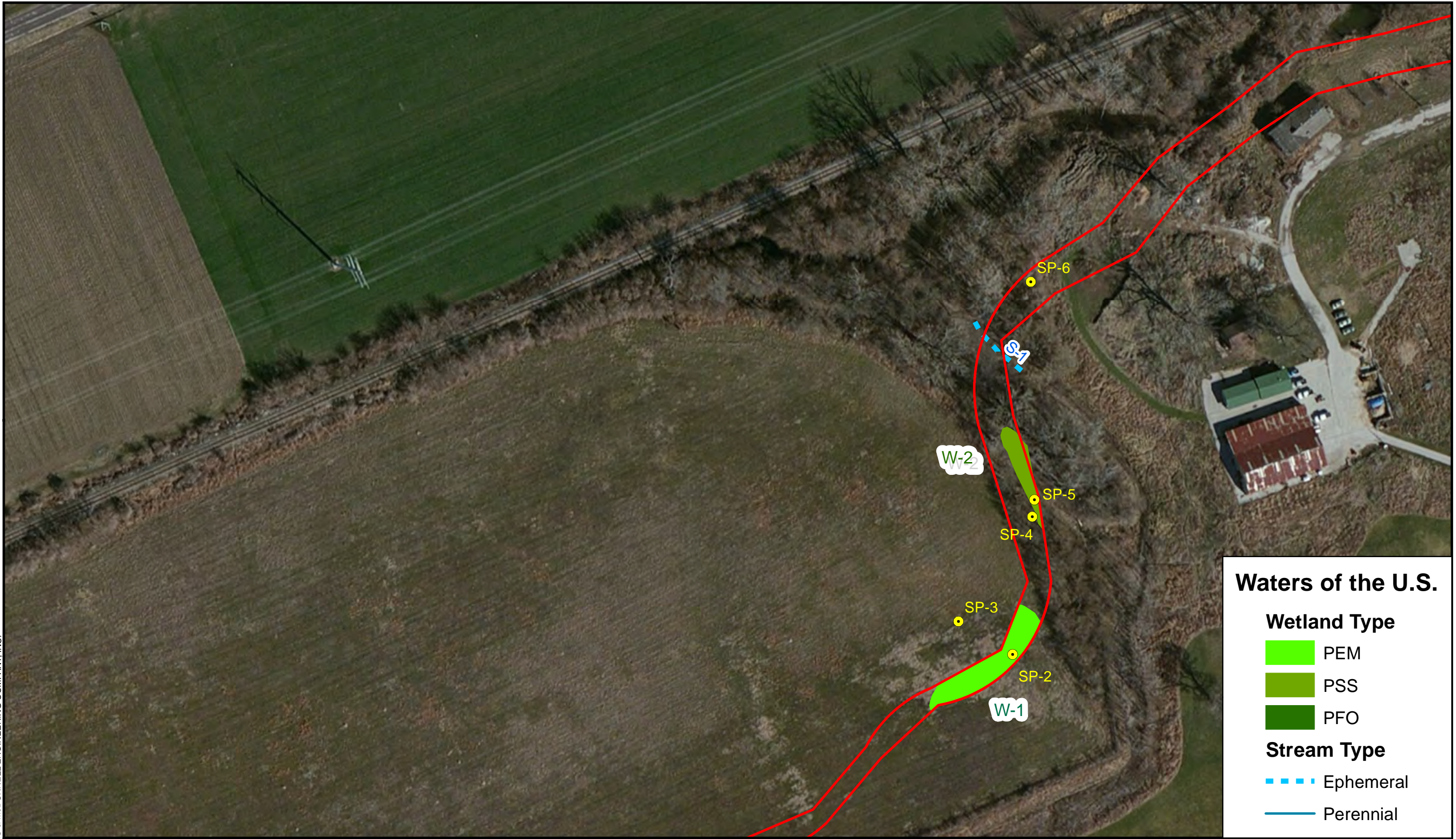
#### Stream Type

- Ephemeral
- Perennial

Figure 4  
Waters of the U.S.  
McKelvey Woods Trail Project  
City of Maryland Heights  
St. Louis County, Missouri  
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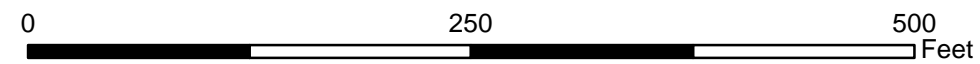


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**Legend**

- Trail Grading Limits
- Bridge
- Sample Plots



**Waters of the U.S.**

**Wetland Type**

- PEM
- PSS
- PFO

**Stream Type**

- - - Ephemeral
- Perennial

Figure 4  
 Waters of the U.S.  
 McKelvey Woods Trail Project  
 City of Maryland Heights  
 St. Louis County, Missouri  
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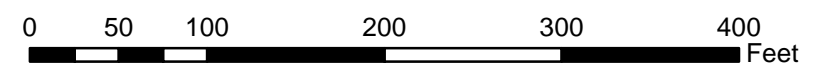


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### Legend

- Trail Grading Limits
- Bridge
- Sample Plots



### Waters of the U.S.

#### Wetland Type

- PEM
- PSS
- PFO

#### Stream Type

- Ephemeral
- Perennial

Figure 4  
Waters of the U.S.  
McKelvey Woods Trail Project  
City of Maryland Heights  
St. Louis County, Missouri  
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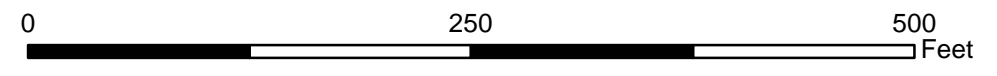


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### Legend

- Trail Grading Limits
- Bridge
- Sample Plots



### Waters of the U.S.

#### Wetland Type

- PEM
- PSS
- PFO

#### Stream Type

- Ephemeral
- Perennial

Figure 4  
Waters of the U.S.  
McKelvey Woods Trail Project  
City of Maryland Heights  
St. Louis County, Missouri  
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