



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-2950
Public Notice Date
May 13, 2016

Expiration Date
June 3, 2016**

Postmaster Please Post Conspicuously Until:

File Number: MVS-2015-903

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: Jeremy Roth, McBride & Son Homes, 16091 Swingley Ridge Road, Suite 300, Chesterfield, Missouri 63017.

AGENT: Rick Gundlach, SCI Engineering, Inc., 130 Point West Boulevard, St. Charles, Missouri 63301.

LOCATION: The approximate 104-acre project area is located within the City of Lake St. Louis, Missouri, directly east of the intersection of Duello Road and Daily Lane in St. Charles County. More specifically, it is located in Section 6, Township 46 North, Range 2 East, (see attached location map).

SITE DESCRIPTION: The site is a mixture of steep wooded terrain and agricultural fields. Mature trees such as several oak and hickory species and eastern red cedar exist within the project footprint. The site contains four jurisdictional tributaries and one scrub-shrub wetland. Tributary A is an intermittent tributary to Tributary B in the northwestern portion of the site. It originates from a culvert under Duello Road and drains east toward Tributary B for approximately 2,100 LF. The tributary is approximately 10-15 feet wide and bank heights of 2-3 feet high. Tributary A has a riparian corridor greater than 300 feet in width extending from either bank. Dominant vegetation within the riparian corridor includes cottonwood, sycamore, bush honeysuckle and multiflora rose. Tributary B is a perennial tributary which bisects the center of the site for approximately 2,245 LF, draining north off

the site to its confluence with Peruque Creek. The tributary is about 15-25 feet in width and banks of 3-5 feet in height. Tributary B has a riparian corridor of approximately 400 feet in width on average extending from either bank. Dominant vegetation include cottonwood, sycamore, bush honeysuckle and multiflora rose. Tributary C is an intermittent tributary to Tributary B which originates from an off-site culvert on the eastern property boundary. It drains west for approximately 1,080 LF to its confluence with Tributary B. It is approximately 4-6 feet in width with bank heights of 1.5-3.5 feet. A riparian corridor greater than 200 feet in width extends from either bank. Dominant vegetation within the riparian include hackberry, red oak, white oak, cottonwood, sycamore, and bush honeysuckle. Tributary D is an ephemeral tributary to Tributary B, which exists in the northeast corner of the site for approximately 145 LF. It is approximately 4-6 feet in width with banks 4-6 feet high. Dominant vegetation within the corridor is similar to that of Tributary C. One pond constructed in uplands is located within the site and considered non-jurisdictional.

PROJECT DESCRIPTION: The applicant seeks authorization to develop the above tract of land into a residential subdivision. 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. Due to the shape of the site, topography, and zoning for single-family lots, the applicant proposes to impact approximately 1,580 lineal feet of three tributaries and 0.07-acres of wetland to construct the residential development. The applicant sought to eliminate and minimize impacts to only those that are necessary for the construction of road, utility crossings and stormwater outfalls as well as the streambank stabilization efforts that have been required through the City permitting process. Approximately 95 linear feet (LF) of Tributary A, 150 LF of Tributary B, and 60 LF of Tributary C will be placed into culverts to allow for the development of multiple road crossings throughout the site. Approximately 635 LF of Tributary C will be piped to allow for the construction of lots, a road crossing and detention basin. Stormwater outfalls from the basins will impact approximately 20 LF of Tributary A, 60 LF of Tributary B and a sewer line crossing will temporarily impact (open trench cut) 20 LF of Tributary D. In addition, approximately 290 LF of Tributary B will be impacted for the proposed streambank stabilization work and approximately 0.07-acres of wetland by proposed lot and roadway grading. Due to the topographic constraints of the site and the presence of eroding streambanks along Tributary B, the City of Lake St. Louis is requiring that McBride provide streambank stabilization measures as well as place a portion of Tributary C into a pipe, such that it connects to an off-site outfall associated with the adjacent residential development. As such, approximately 290 LF of Tributary B will be hard armored with stone toe protection and approximately 635 LF of Tributary C will be piped to meet City requirements. While researching sites for future development, three other site alternatives were considered, but all were found not feasible with issues such as limited access to sanitary sewers, fragmentation of site development, limitation of ingress and egress points, additional impacts to jurisdictional waters of the U.S. and planning and zoning requirements. A future multi-use trail is proposed within the development running parallel to Tributary B, connecting to the existing development to the north of the site. This trail is currently a conceptual plan proposed by the City and not included with this development. Additionally, a future alignment of Duello Road proposed and constructed by the County is shown on the plans but not included in this development. Although the applicant has researched alternatives, reduced the size of the footprint and minimized proposed impacts to the unnamed tributaries to Peruque Creek within the preferred alternative, impacts to jurisdictional waters are unavoidable. The applicant is evaluating the mitigation necessary if the proposed impacts to waters of the U.S. are authorized. If a permit is issued, they propose a combination of purchasing mitigation from in lieu fee/banks and on-site preservation or enhancement to compensate for the loss of jurisdictional waters.

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

LOCATION MAPS AND DRAWINGS: See Sheets 1 and 2, 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 proposed work **MAY** affect potential summer habitat for the endangered Indiana bat (*Myotis sodalis*) and the Northern Long-eared bat (*Myotis septentrionalis*). A summer bat survey complete with mist-netting and acoustic recordings is planned this month. 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: A cultural resource investigation, Phase I survey, was conducted in February 2016 which resulted in a finding of no significant cultural resources. However, 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.

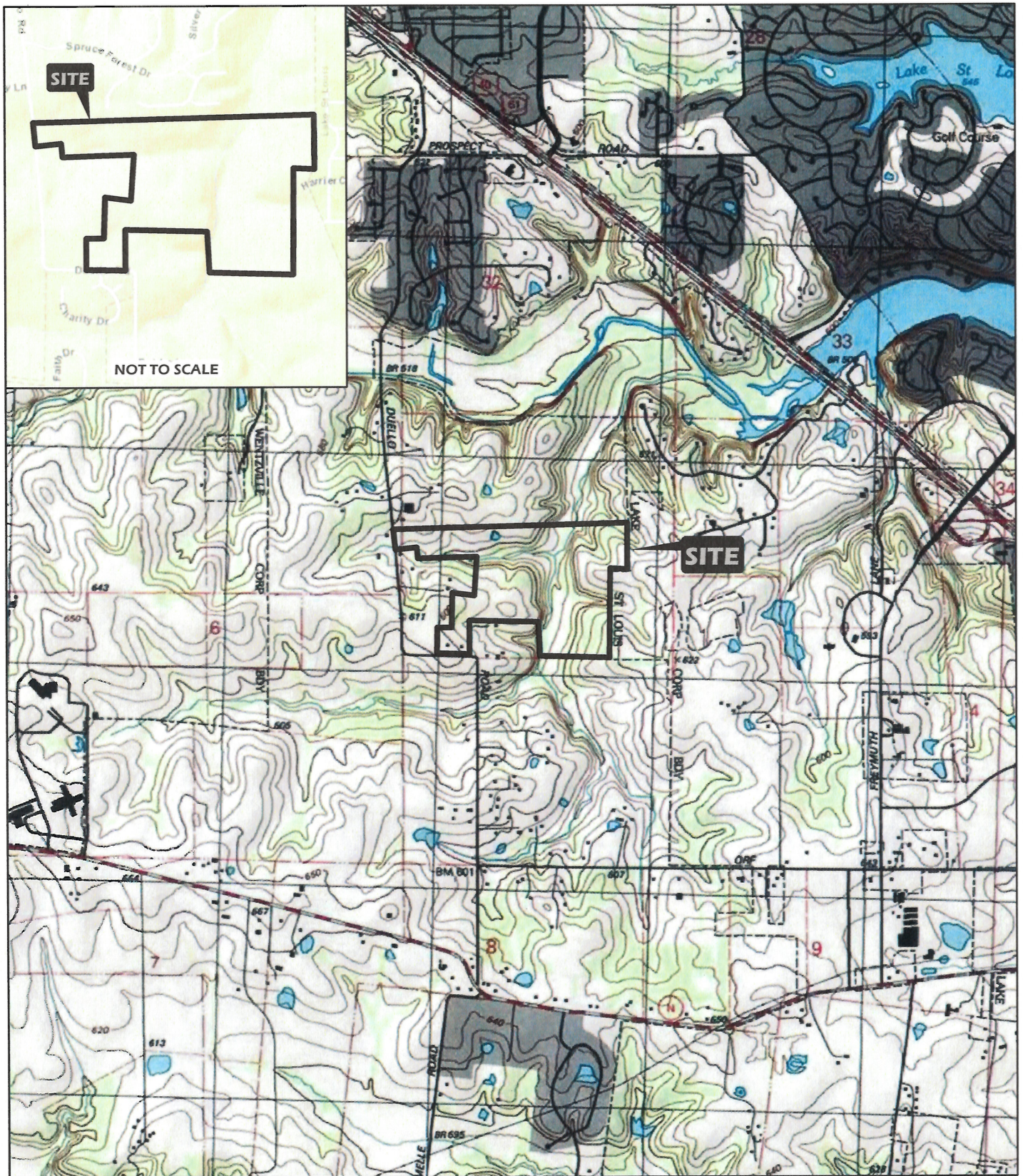
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered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



PROJECT NAME
 DUELLO 102
 ST. CHARLES, MISSOURI

VICINITY AND TOPOGRAPHIC MAP

DRAWN BY	RCV	DATE	JOB NUMBER
CHECKED BY	RJG	04/2016	2015-0139.32

GENERAL NOTES/LEGEND
 USGS TOPOGRAPHIC MAP
 WENTZVILLE, MISSOURI QUADRANGLE
 DATED 2000
 10' CONTOURS



SCALE 1" = 2,000'
FIGURE 1

TRIBUTARY	TOTAL ON SITE (LF)	IMPACT (LF)	FLOW REGIME	OHMM
A	2100	215	INTERMITTENT	10-15
B	2245	500	PERENNIAL	15-25
C	1080	345	INTERMITTENT	4-8
D	145	20	EPHEMERAL	4-8
TOTAL	5570	1580		

