



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-3072
Public Notice Date
December 29, 2018
Expiration Date
January 19, 2018

Postmaster Please Post Conspicuously Until:

File Number: MVS-2004-9260

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: William Allen, Payne Family Homes, 10407 Baur Boulevard, Suite B, St. Louis, Missouri 63132

AGENT: SCI Engineering, Inc., 130 Point West Boulevard, St. Charles, Missouri 63303

LOCATION: The approximate 184-acre project area is located north and south of Highway DD and east of Highway 40 in O'Fallon, Missouri (see attached location map). Specifically, in Sections 11 and 14, Township 46 North, and Range 2 East, St. Charles County.

SITE DESCRIPTION: The area is approximately 184 acres and contains five jurisdictional tributaries and seven old stock ponds determined to be non-jurisdictional. The property primarily exists as forest but bound by residential properties to the north, Interstate 40/64 to the east and rural residential property and O'Day Park to the west and August A. Busch Memorial Conservation Area to the south. The tributaries are intermittent and ephemeral in nature and flow to O-Day Creek, a tributary to Dardenne Creek, which is a primary tributary to the Mississippi River. The approximate 82-acre retail frontage area located at the northwest corner of Highway DD and Interstate 40 (labeled as NPR Request Area) does not require a section 404/401 permit since there are no impacts to waters. This area is not being reviewed under this application as it is independent of this development.

PROJECT DESCRIPTION: The property will be divided into commercial, office and both multi and single family residential developments. Grading impacts to the on-site tributaries total approximately 6,980 linear feet to allow for the development of the mixed-use areas and infrastructure on site. The development will consist of eight areas of residential sites with various styles, including townhomes, wide lots and neotraditional townhomes. The residential areas account for approximately 2,890 linear feet of grading to jurisdictional tributaries. Additionally, three commercial property areas of various end use are proposed to impact approximately 2,547 linear feet of jurisdictional tributaries. Finally, the construction of the stormwater retention ponds account for 1,543 linear feet of jurisdictional tributary grading impact.

The applicant is exploring various mitigation options such as stream enhancement or preservation at the adjacent O'Day park property and the purchase of credits from an approved mitigation bank or an in lieu fee fund.

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 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.

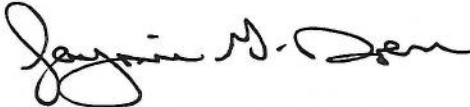
PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would 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*). 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 Phase II Cultural resource Report has been completed for the project area and submitted to our office and the State Historic Preservation Office for review. 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 additional 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.

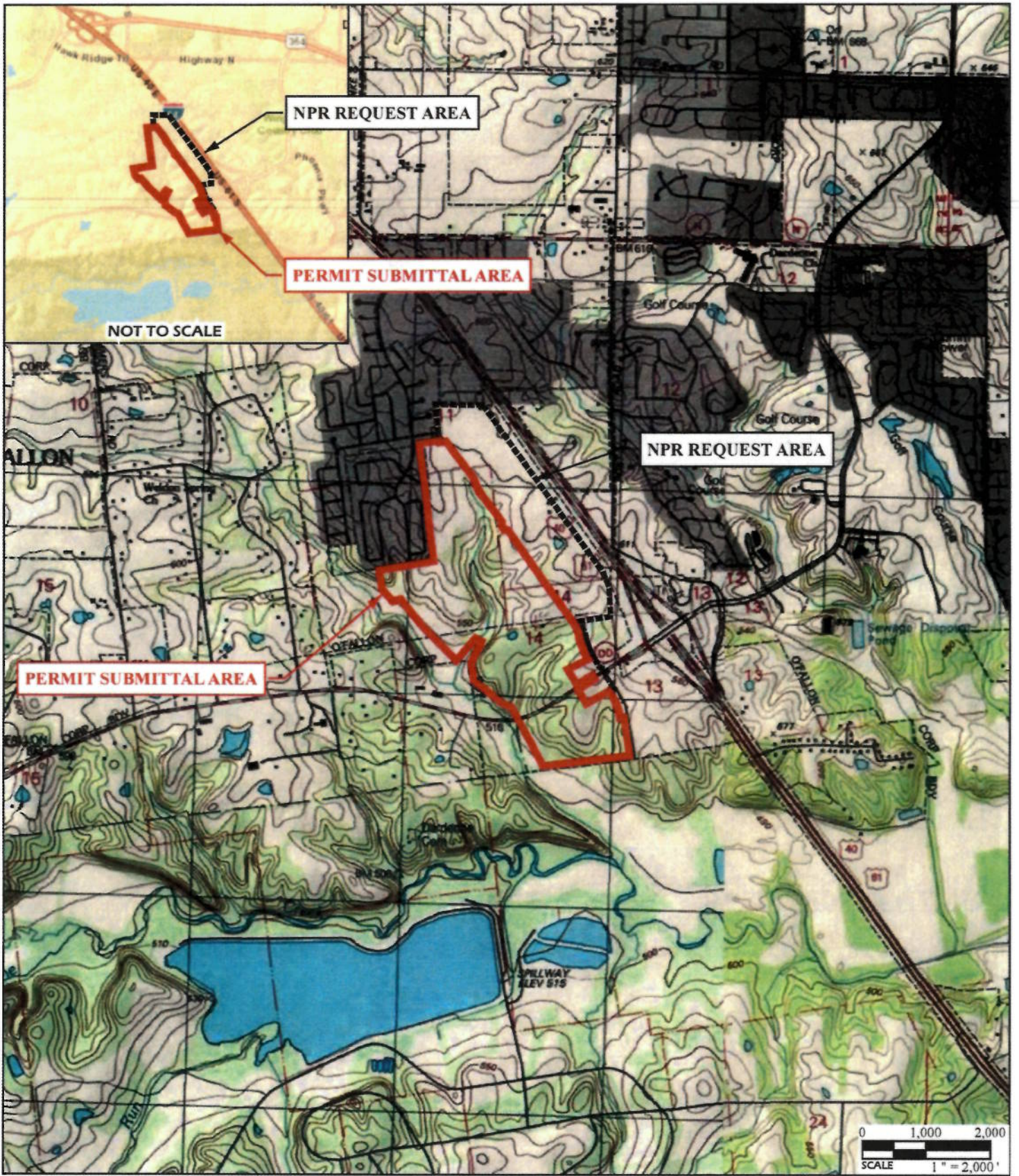
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered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




FOR DANNY D. MCCLENDON
Chief, Regulatory Branch

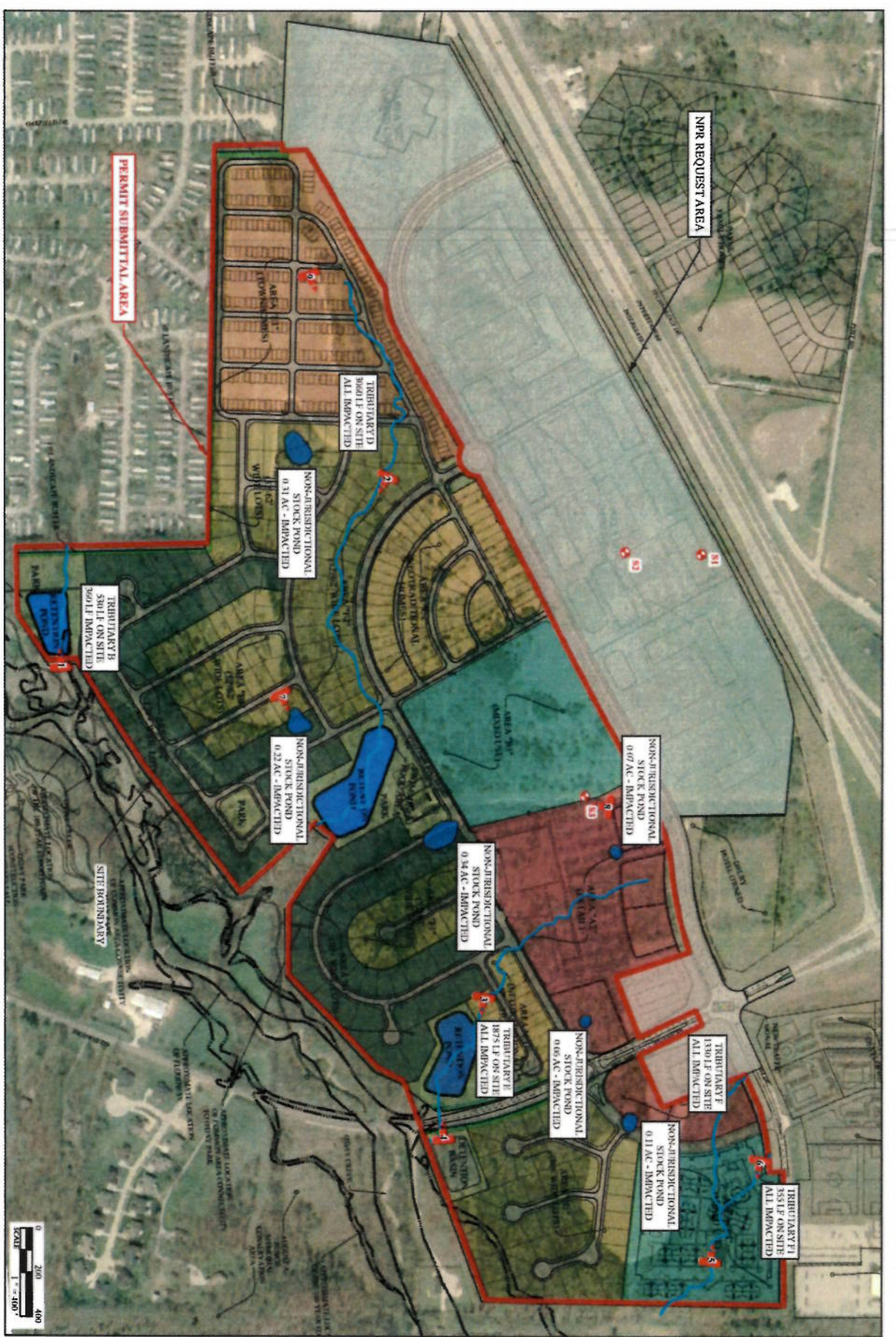
Attachments



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 THF 40-DD O'FALLON, MISSOURI		GENERAL NOTES/LEGEND USGS TOP OGR AP HIC MAP WENTZVILLE, MISSOURI QUADRANGLE DATED 2000 DEFIANCE, MISSOURI QUADRANGLE DATED 2000 O'FALLON, MISSOURI QUADRANGLE DATED 2002 WELDON SPRING, MISSOURI QUADRANGLE DATED 1994 10' CONTOURS		 FIGURE I
	VICINITY AND TOPOGRAPHIC MAP				
DRAWN BY	RCV	DATE	JOB NUMBER		
CHECKED BY	RJG	11/2017	2017-0612.30		



JOB NUMBER 2017-0612-30 DATE 11/2017 DRAWN BY RCV CHECKED BY JCM FIGURE 3		PROJECT NAME THF 40-DJ O'FALLON, MISSOURI	GENERAL NOTES/LEGEND 1 INDICATES APPROXIMATE SOIL BORING LOCATION. 2 INDICATES APPROXIMATE LOCATION AND DIRECTION OF PHOTOGRAPH PLANNED 11-06-2017 BY COCHRAN ENGINEERING DEADENUS AND LOCATIONS ARE APPROXIMATE, A THAT MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.	
		WETLAND DELINEATION AND PRELIMINARY SITE PLAN		

OUR PUBLIC NOTICES ARE NOW AVAILABLE ON THE WORLD WIDE WEB AT OUR ST. LOUIS DISTRICT HOME PAGE <http://www.mvs.usace.army.mil/Missions/Regulatory/Public-Notices/> If you have any trouble, please call Danny McClendon at (314) 331-8574 or by e-mail to: Danny.D.McClendon@usace.army.mil

WE ARE ATTEMPTING TO REDUCE OUR PUBLIC NOTICE MAILING COSTS; CHECK OUR WEB PAGE THEN CONTACT US TO HAVE YOUR NAMED REMOVED FROM OUR MAILING LIST, please call Jaynie Doerr at (314) 331-8581, or by email to: Jaynie.G.Doerr@usace.army.mil, or mail this cover-sheet to the St. Louis District, OD-F, 1222 Spruce Street, St. Louis, MO 63103-2833, ATTN: Regulatory Branch, indicating that your name or company name be removed. Changes to our mailing list may take a few weeks to take effect.

**US ARMY ENGINEER DISTRICT, ST. LOUIS
ATTN: CEMVS-OD-F
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833**