



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-3111

Public Notice Date

October 17, 2018

Expiration Date

November 7, 2018

Postmaster Please Post Conspicuously Until:

File Number: MVS-2018-636

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: David Meyer

APPLICANT: McKelvey Homes, Inc., Attention: Mr. Jim Brennan, 218 Chesterfield Towne Center, Chesterfield, Missouri 63005.

LOCATION: The proposed project site is on a 106.46-acre tract comprised of undeveloped property, which contains five tributaries, multiple drainageways, an emergent wetland, and a small stock pond. The site is located west of Bryan Road and North of Feise Road in Dardenne Prairie, Missouri. More specifically, at coordinates 38.7809, -90.7443, in Section 36/1, Township 46N/47N, Range 2East, St. Charles County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling operations within waters of the United States, for the purpose of a residential development. The proposal indicates the development of 280 single-family lots of varying sizes and associated infrastructure including utilities, interior roadways, stormwater management systems, and amenity features.

The proposed project is known as the *Bopp Tract (Inverness)* and is planned to impact five unnamed tributaries (A, B, C, D, & E) of Belleau, Peruque and Dardenne Creeks, primary tributaries of the Mississippi River.

Tributary A is an intermittent tributary, observed extending from the neighboring residential development downslope to a culvert inlet along the westernmost boundary of the project site. The tributary is depicted as a blue line feature on the USGS topographic map and was delineated in the field based on an Ordinary High Water Mark (OHWM) identified by the waterline, a natural line impressed in the bank, the destruction of terrestrial vegetation, sediment deposits, and sediment sorting as well as a bed and bank. The OHWM width ranged from approximately 2 feet to 8 feet wide with water depths varying between 2 to 6 inches. Although water was present throughout the length of the channel, limited flow was observed during the site evaluation.

Tributary B begins at the convergence of two discontinuous agricultural field drainage features within the northwestern forested corner of the project site, where sheet flow from the surrounding forested areas and agricultural fields gathers enough velocity and volume to scour the soil surface. The ephemeral tributary continues downslope before ultimately exiting the project site at its northern boundary. Shortly after exiting the project site, Tributary B enters a culvert inlet and goes underneath Yard Drive. The tributary was observed with an OHWM and bed and bank. The tributary's OHWM is approximately 1 to 6 feet in width while the banks are 1 to 3 feet in height. The channel substrate composition is largely gravel and fine sediments including sand, silt, and clay.

Tributaries C, D, and E are ephemeral tributaries, observed initiating along the edge of forested vegetation communities, downslope of discontinuous agricultural drainages. These tributaries lie in areas which are identified as "U" shaped contours by the USGS topographic map. Each tributary was delineated by an OHWM with bed and bank, but with average OHWM's ranging from 1 to 5 feet wide and being incised 1 to 6 feet into the landscape. The channels substrate is comprised of fine sediments such as silt and clay and limited gravel and cobble. Water was present throughout the length of the channels; however limited flow was observed during the site evaluation.

The site primarily exists as an undeveloped tract of land, dominated by agricultural land use. The site is bound by single-family residential developments to the north, west, and south and agricultural land to the east. The project site has been altered to varying degrees through routine agricultural practices since 1941; however, three forested areas within the northern half of the project site have remained consistent through the years. The dominant species identified within the forested areas included hackberry (*Celtis occidentalis*), amur honeysuckle (*Lonicera maackii*), American elm (*Ulmus americana*), poison-ivy (*Toxicodendron radicans*), shagbark hickory (*Carya ovata*), sugar maple (*Acer saccharum*), pawpaw (*Asimina triloba*), box-elder (*Acer negundo*), eastern cottonwood (*Populus deltoids*), and white oak (*Quercus alba*). The agricultural fields were fallow at the time of the field evaluation; however, herbicide had recently been applied to the fields in preparation of cultivation and planting efforts.

Project impacts include the grading and fill activities associated with the construction of residential lots and multiple detention facilities, which will result in a total of approximately 1,830 LF of tributary impacts. Proposed impacts are summarized below:

Waterbody	Flow Regime	OHWM Width (Feet)	LF On-Site	Impact Amount (LF)
Tributary A	Intermittent	2 to 6	815	360 LF - Stormwater detention 410 LF - Site grading (fill)
Tributary B	Ephemeral	1 to 8	395	60 LF - Stormwater detention 175 LF - Site grading (fill)
Tributary C	Ephemeral	1 to 5	440	120 LF - Stormwater detention 320 LF - Site grading (fill)
Tributary D	Ephemeral	1 to 5	100	25 LF - Stormwater detention 75 LF - Site grading (fill)
Tributary E	Ephemeral	1 to 5	285	75 LF - Stormwater detention 210 LF - Site grading (fill)
			Total Impact:	1,830 LF (640 LF - stormwater detention 1,190 LF - site grading/fill)

The applicant's agent, SCI Engineering, Inc. has researched alternatives and has attempted to minimize impacts to the unnamed tributary. However, the agent has stated that the proposed impacts are necessary, ultimately choosing the alternative which has the appropriate balance of minimal impacts and economic feasibility due to the site's shape and topography. The applicant proposes to compensate for the impacts, through the purchase of stream credits through an In-Lieu Fee provider.

LOCATION MAPS AND DRAWINGS: See attached. In addition, the project plans may be viewed in color and in more detail 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 David P. Meyer, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8810. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to David.P.Meyer@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.

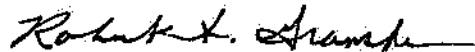
ENDANGERED SPECIES: The proposed project is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened Northern long-eared Bat (*Myotis septentrionalis*). A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that the proposed activities are not likely to adversely affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. 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 and we may 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.



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.

