



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-3120

Public Notice Date:
December 26, 2018

Expiration Date:
January 15, 2018

Postmaster Please Post Conspicuously Until:

File Number: MVS-2017-581

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. Skiles

APPLICANT: Signature Properties; c/o Ms. Tammy Fadler, 209 East Main, Festus, MO. 63028.

LOCATION: The project area is located at 822 and 824 American Legion Drive in the City of Festus. The project site is located on the west side of S. Truman Blvd. The project is located in Section 7, Township 40 North, Range 6 East, Jefferson County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling operations in waters of the United States to develop a 23-acre site for a commercial development including medical offices, surgery center, office space and retail outlots. The development includes access, parking, stormwater control features and other infrastructure elements.

The property was previously composed of several residential and wooded parcels along with an approximate 1.3-acre lake. An unknown party breached the small lake dam sometime between late 2013 and late 2015. In the summer of 2017 and prior to the acquisition of permits, the applicant's contractor cleared the site of vegetation and performed minor ground disturbance primarily for sediment and erosion compliance to prepare for mass grading and to market the property. After this initial clearing, the site remained fallow and currently contains heavy wood mulch and a weedy herbaceous cover. The site slopes to the east, towards

American Legion Blvd with a 95-foot topographic relief.

Within the western portion of the site, a drainage channel emerges from a groundwater seep and flows west into an open water/emergent wetland habitat that formed after the dam breach. The wetland area is approximately 1.11-acres and there is an additional small channel flowing downstream of the wetland area. The drainage flows offsite and under South Truman Blvd where the drainage confluences with Platin Creek. Proposed project impacts include filling the 1.11-acres of open water/emergent wetland and filling approximately 159 linear feet of stream channel (see attached plan sheet).

Signature Properties has researched alternatives and has attempted to minimize impacts to the onsite waters. However, the applicant stated that the impacts are unavoidable due to the desire to utilize and develop the site. The applicant is exploring mitigation options within approved mitigation banks and in-lieu fee programs.

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/Missions/Regulatory/PublicNotices/OpenNotices.aspx>

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jennifer L. Skiles, 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.Skiles@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: 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 federally endangered Indiana bat (**Myotis sodalis**) and the northern long-eared bat (**Myotis septentrionalis**) that currently is a threatened species and is a proposed candidate for endangered status. Due to the previous site clearing, the proposed project should not have impacts on either of these species. 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: Preliminary review of the site indicates that the area is disturbed and there are no historic properties or cultural sites on the property, but the St. Louis District will evaluate information provided by the State Historic Preservation Officer, Native American Tribes, and the public in response to this public notice and we may conduct, or require a reconnaissance survey of the project area. The Corps will continue to coordinate with SHPO and Native American Tribes as appropriate.

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. Many of the concerns listed above including Air Quality are reviewed, evaluated, and permitted by the Missouri Department of Natural Resources through the State Land Reclamation Permitting Process.

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.

PRELIMINARY SITE PLAN 2.3

PARKING RATIO			
	BUILDING SQ. FT.	PROVIDED SPACES	PROVIDED RATIO
MEDICAL	30,000	187	6.2/1,000 S.F.
OFFICE	30,000	173	5.8/1,000 S.F.
RETAIL 1	20,000	108	5.4/1,000 S.F.
STRIP RETAIL	20,000	107	5.4/1,000 S.F.
TOTAL	100,000	575	500 SPACES REQUIRED

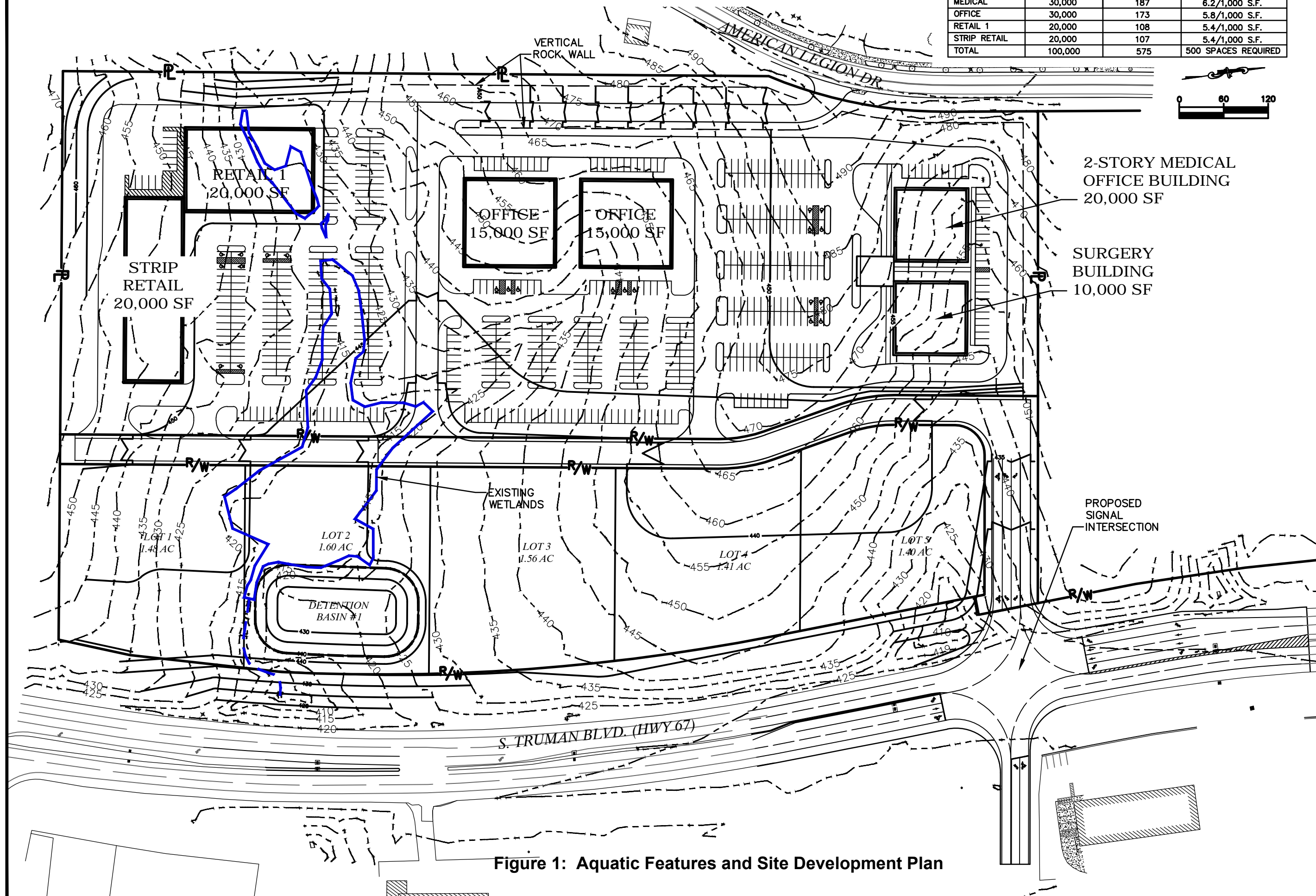


Figure 1: Aquatic Features and Site Development Plan

COCHRAN

530A E. Independence Dr.
Union, Missouri 63084
mail@cochrans.com
636-584-0540 (tel.)
636-584-0512 (fax)

Missouri State Certificate
Authority Numbers:
Surveying : 000380
Engineering : 001655
Architecture : 2002014240

At the start of any excavation
on this site, contractor shall
call 1-800-DIG-RITE for utility
location information.

All OSHA rules & regulations
established for the type of
excavation shall be followed.
Plans shall be strictly followed
(e.g. Trenching, Blasting, etc.)

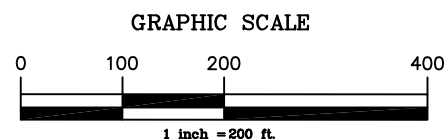
SITE IMPROVEMENT PLANS
FESTUS COMMONS
FESTUS, MISSOURI

MINVAKI SILE FLAIN 2.0		RETURNING:		OWN. BY:		APPD. BY:	
DATE:							
OWN. BY:		TES		APPD. BY:		JDF	
DATE:		OCT. 26, 2018					
SCALE:		1"=120'					
PRISM NOS:		18-7253					





Figure 3
2015 Aerial Photograph
Festus Commons
Festus, Missouri



MT Job No. 14654

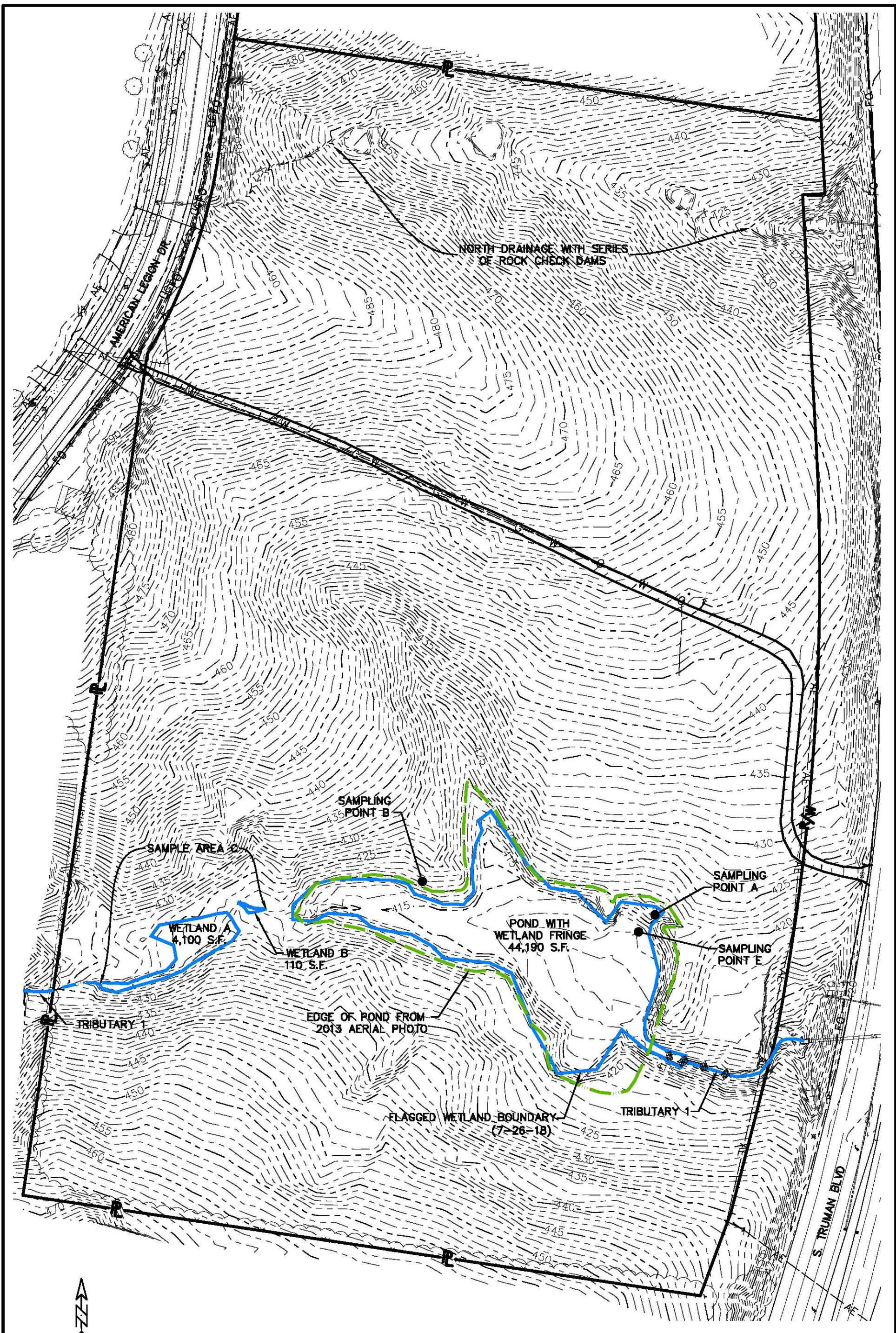


FIGURE #5
AQUATIC FEATURES DELINEATION PLAN
(WHOLE SITE)

6306-584-0540 (tel.)
6306-584-0512 (fax)
mail@cochraneeng.com

COCHRAN

- Civil Engineering
- Land Surveying
- Architecture
- Site Development
- General Consulting
- Master Planning

OWN BY: **KJL** DATE: **9/18/18** PROJ. NO.: **18-7253**