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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-3126

Public Notice Date:  
June 25, 2019

Expiration Date:  
July 16, 2019

Postmaster Please Post Conspicuously Until:

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File Number: MVS-2019-276

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. Please mail comments 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:** True Femme Osage LLC (Attention: Mr. Jerome Thomasson, 7700 Forsyth Blvd, Clayton, Missouri 63105).

**LOCATION:** The project area is approximately 100-acres located south of Highway D and east of Highway T. The project is located in Section 4, Township 45 North, Range 1 East, St. Charles County, Missouri (Latitude: 38.6819, Longitude: -90.9138).

**PROJECT DESCRIPTION:** The applicant seeks authorization to conduct grading and filling operations in waters of the United States for the project known as Eagle Lake Expansion. The project will consist of the expansion of two existing ponds to create an approximately 45-acre lake. An access road that encompasses the lake is also proposed. Construction of the lake will require construction of a 55-foot high dam. The project is within the Callaway Fork watershed. Located within the project site are two ponds and six tributaries:

- Pond A: Is approximately 11.48-acres and surrounded by fallow fields. The entire 11.48-acres of Pond A will be impacted by the lake expansion.
- Pond B: Is approximately 2.51-acres and surrounded by forested habitat. Four Tributaries (A-D)

flow into Pond B. The entire 2.51-acres of Pond B will be impacted by the lake expansion.

- Tributary A: Is an intermittent tributary that drains into Pond B. The channels flows for approximately 715 linear feet within the project site. The entire 715 linear feet of Tributary A is proposed to be impacted by the lake expansion.
- Tributary B: An ephemeral tributary that originates within the forested area upslope of Pond B. The channel flows for approximately 575 linear feet within the project site. The entire 575 linear feet of Tributary B is proposed to be impacted by the lake expansion.
- Tributary C: An ephemeral tributary that originates within the forested area upslope of Pond B. The channel flows for approximately 135 linear feet within the project site. The entire 135 linear feet of Tributary C is proposed to be impacted by the lake expansion.
- Tributary D: An ephemeral tributary that originates within the forested area upslope of Pond B. The channel flows for approximately 220 linear feet within the project site. The entire 220 linear feet of Tributary D is proposed to be impacted by the lake expansion.
- Tributaries E & F: These two tributaries are located at the northern extent of the project area and outside of the lake footprint. No impacts are proposed to Tributaries E & F.

Based on the proposed site plans, the applicant's project impacts approximately 1,645 linear feet of Tributaries for expansion of the lake.

Although the applicant is in the process of researching alternatives, reducing the size of the footprint and minimizing proposed impacts to the unnamed tributaries, they believe that the remaining impacts are unavoidable. The applicant is currently researching options for potential mitigation, to include on-site mitigation and approved 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/ConOps/permits/pn.htm>

**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](mailto: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 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 Corps is coordinating with the U.S. Fish and Wildlife Service, taking measures to minimize potential effects of the project during construction, and providing habitat enhancement for bats. 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 (SHPO) and the public in response to this public notice. 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.

**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*

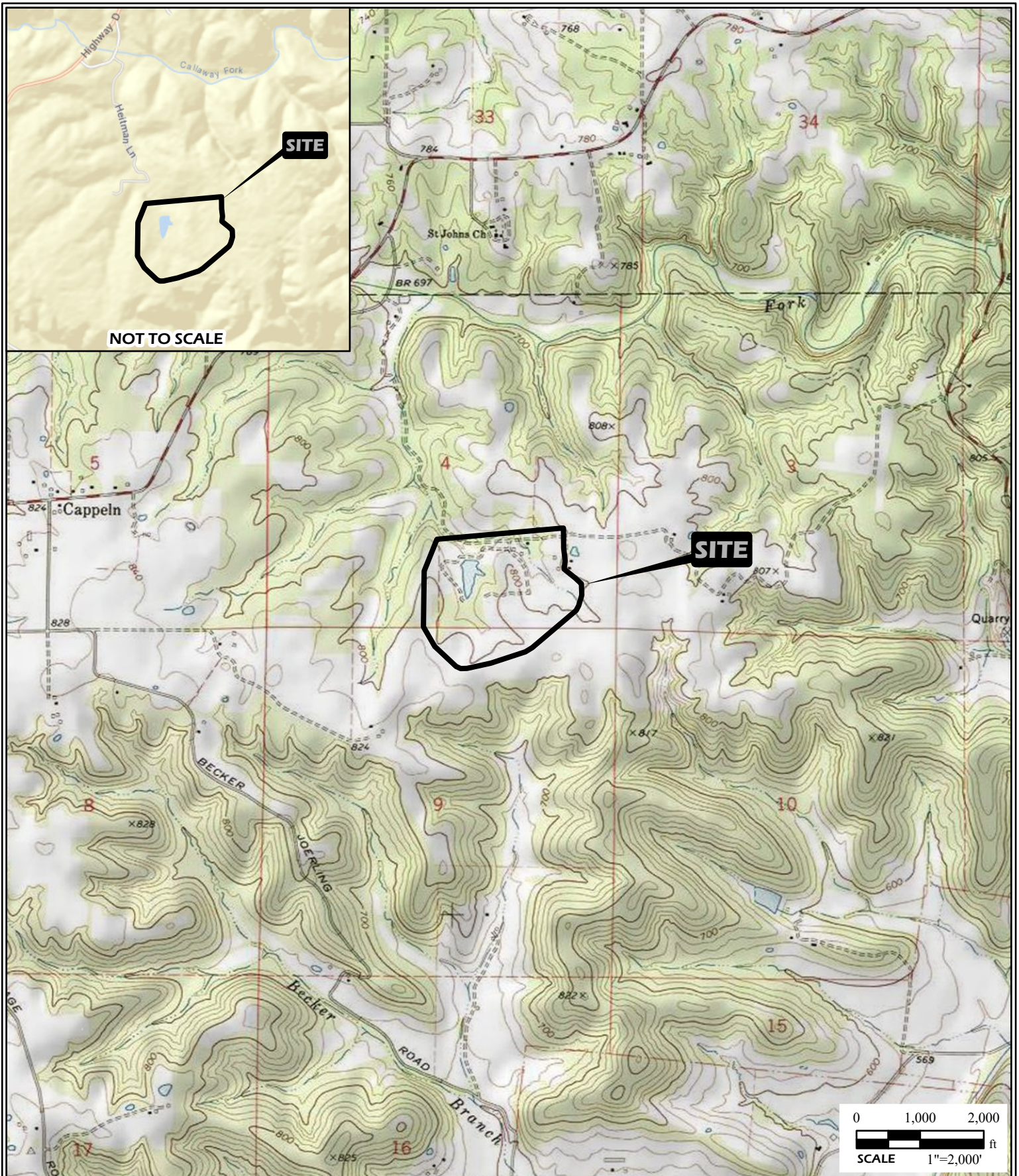
ROBERT S. GRAMKE  
Chief, Regulatory Branch


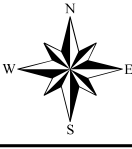
Attachments

**NOTICE TO POSTMASTERS:**

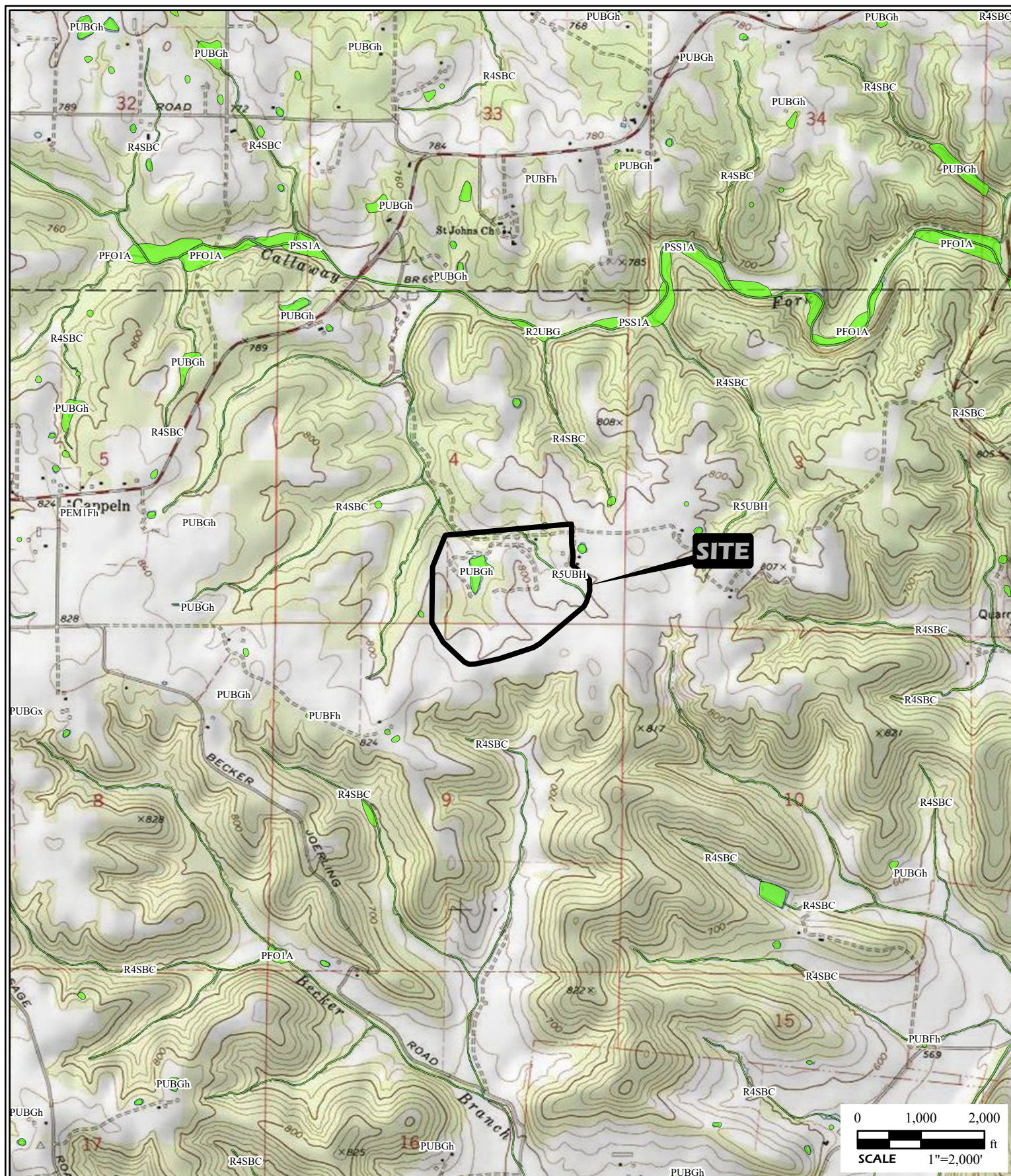
It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.





	<b>PROJECT NAME</b>			<u><b>GENERAL NOTES/LEGEND</b></u> USGS TOPOGRAPHIC MAP NEW MELLE, MISSOURI QUADRANGLE DATED 1972 20" CONTOURS	 <b>FIGURE</b> <b>1</b>
	EAGLE LAKE EXPANSION ST. CHARLES COUNTY, MISSOURI				
	VICINITY AND TOPOGRAPHIC MAP			STREET MAP HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD_STREET_MAP	
	<b>DRAWN BY</b> RCV	<b>DATE</b> 05/2019	<b>JOB NUMBER</b> 2010-0506.32		
<b>CHECKED BY</b> KAM					





PROJECT NAME  
EAGLE LAKE EXPANSION  
ST. CHARLES COUNTY, MISSOURI

# NATIONAL WETLANDS INVENTORY MAP

DRAWN BY RCV  
CHECKED BY KAM

DATE  
05/2019

JOB NUMBER  
2010-0506.32

## GENERAL NOTES/LEGEND

 NWI WETLANDS OBTAINED FROM <https://www.fws.gov/wetlands/data/Data-Download.html>

USGS TOPOGRAPHIC MAP  
NEW MELLE, MISSOURI QUADRANGLE  
DATED 1972

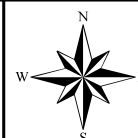
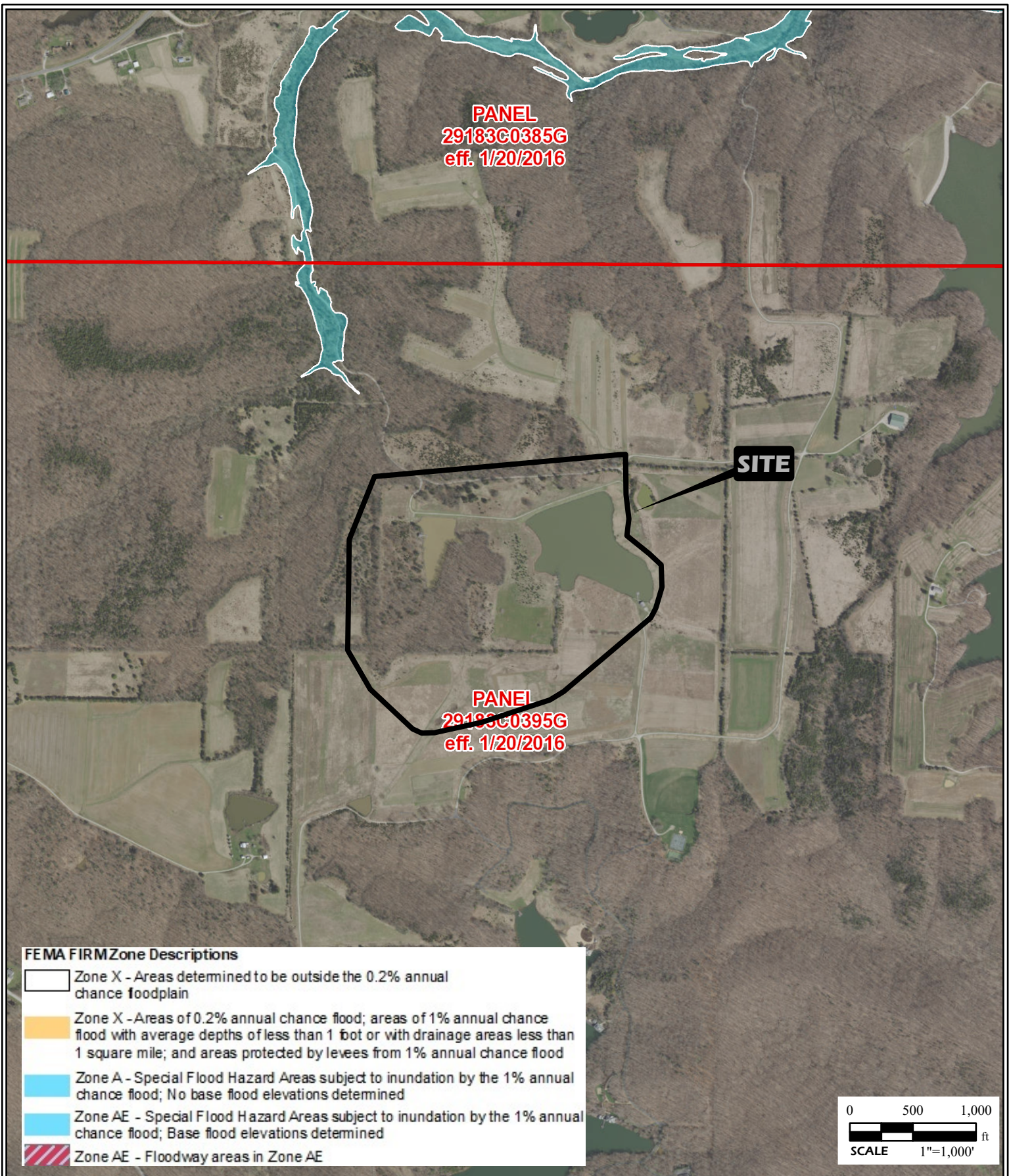

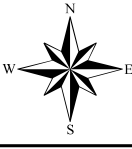


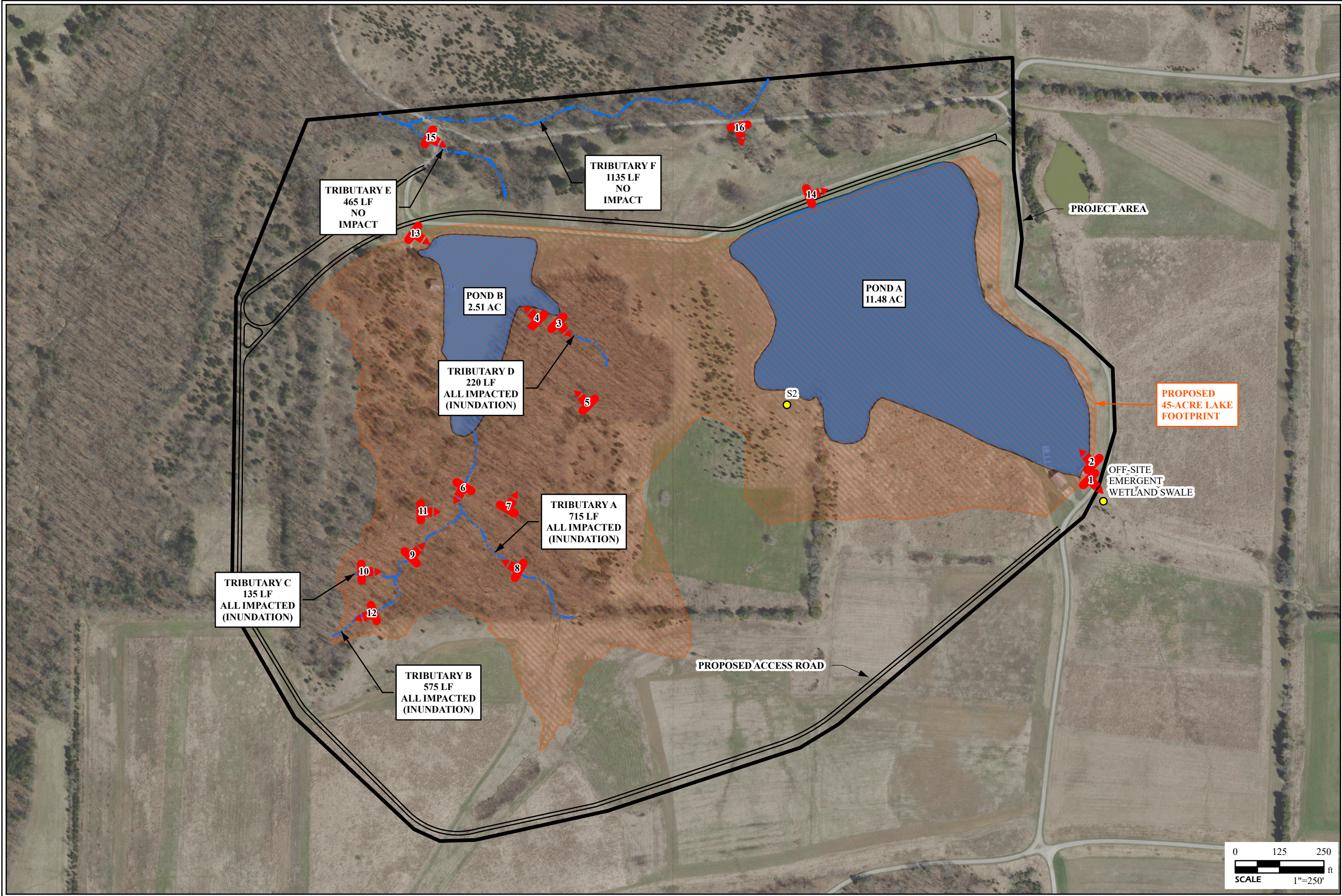
FIGURE  
2





	PROJECT NAME			<u>GENERAL NOTES/LEGEND</u>		 <b>FIGURE</b> <b>3</b>
	EAGLE LAKE EXPANSION ST. CHARLES COUNTY, MISSOURI					
	FEMA FLOOD MAP			AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY.		
				FEMA FLOOD DATA OBTAINED FROM HAZARDS.FEMA.GOV.		
	DRAWN BY RCV		DATE	JOB NUMBER	DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.	
CHECKED BY KAM		05/2019	2010-0506.32			





GENERAL NOTES/LEGEND

AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY.  
DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.

PROJECT NAME

EAGLE LAKE EXPANSION  
ST. CHARLES COUNTY, MISSOURI

PRELIMINARY WETLAND DELINEATION &  
AERIAL PHOTOGRAPH

JOB NUMBER

2010-0506.32

DATE

05/2019

DRAWN BY

BDG

CHECKED BY

KAM

FIGURE

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