

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-3152

**Public Notice** 

Public Notice Date: July 27, 2021

Expiration Date: August 16, 2021

Postmaster Please Post Conspicuously Until:

## File Number: MVS-2016-222

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.

**<u>COMMENTS AND ADDITIONAL INFORMATION</u>**: 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: White Flag Church, Attention: Brian Gardner, 7531 Telegraph Road, St. Louis, MO. 63129

**LOCATION:** The White Flag Church resides on a 30-acre site in Flamm City, within the 100-year floodplain of the Meramec River. The project site is located at 7531 Telegraph Road, just south of the existing church, east of Telegraph Road and west of the Meramec River. The project is located in Section 27, Township 1 South, Range 6 East, St. Louis County.

**<u>SITE FEATURES</u>**: There are three wetlands that have been identified within the project site, as well as one stream channel and one open water feature (see attached plans).

Wetland 1 is a scrub/shrub wetland complex that is located to the southwest of the existing church. Wetland 1 may no longer be considered jurisdictional due to current regulations. No impacts are proposed to Wetland 1.

Wetland 2 is located to the south of the existing church. Wetland 2 is a scrub/shrub and forested feature that is still considered jurisdictional under current regulations. No impacts are proposed to Wetland 2.

Wetland 3 is an emergent wetland that is located to the south of the existing church. Wetland 3 is still considered jurisdictional under current regulations. The entirety of Wetland 3 is planned to be impacted by the current project proposal.

The unnamed tributary is located to the north of Wetlands 2 and 3 and it flows from east to west through the project site. The unnamed tributary continues to flow offsite to the southwest, where it confluences with the Meramec River. The channel is 9 feet wide and 3 feet deep and appears to have been channelized and manipulated as a result of previous projects. No impacts are proposed to the unnamed tributary.

There is one open water feature located on the western portion of the project site. The open water feature was a source of soil borrow for a previous Metropolitan St. Louis Sewer District project. No impacts are proposed to the open water feature per this project.

Portions of the project site reside within the 100-year floodplain of the Meramec River. Any and all floodway/floodplain impacts are to be reviewed and regulated by the St. Louis County Floodplain Manager.

**PROJECT DESCRIPTION**: The applicant seeks authorization to conduct grading and filling operations in waters of the United States to expand the current church grounds. The plans would include the placement of fill to raise the southern portion of the site up to a usable level for athletic fields. The proposed athletic fields would be completed to support summertime camps, events and group activities. In order to raise the site, clean commercial fill is to be brought in from offsite locations yet to be determined by the applicant. Approximately 140,000 cubic yards of material is planned to be deposited on the project site and it will impact a total of 2.77 acres of emergent wetland (wetland 3 on the attached plans). The emergent wetland is located adjacent to an unnamed tributary to the Meramec River. For all unavoidable impacts to Wetland 3, the applicant is planning to purchase the specified number of credits from the Land Learning Foundation, an approved in-lieu fee program.

<u>LOCATION MAPS AND DRAWINGS</u>: 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: <u>http://www.mvs.usace.army.mil/Missions/Regulatory/PublicNotices/OpenNotices.aspx</u>

**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:** The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the MDNR (certifying authority). In accordance with Certification Rule part 121.6, once the

applicant submits a certification request the Corps will determine the reasonable period of time for the certifying agency to act upon the certification and provide written notification. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

**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 a threatened species and 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 will likely have no effect on the habitat of these listed and candidate species, as there are no mature trees within the project scope. 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.

<u>CULTURAL RESOURCES</u>: The applicant has conducted a Cultural Resource Survey of the entire White Flag Church tract. The applicant independently coordinated the survey with SHPO and they have concurred with the report, indicating that there will be no historic properties affected within the site. The Corps is reviewing the findings and 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

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.





Bureau of La Digital Chbee, Aerogrid, IGN	nd Management and U.S. Forest Service, Source: Esit, GeoEye, Heubed, USDA, USGS, AEX, Getmapping, N, IGP, swisstopo, and the GIS User Community
Legend	0 400 800 Feet White Flag Christian Church 30 Acre Property Flamm City, MO Site Plan - Aerial
Site Limits	April 2016 41-1-37707-001





## SITE PLAN WHITE FLAG CHRISTIAN CHURCH

A TRACT OF LAND BEING CONSOLIDATED LOT A OF 7531, 7533, 7545, AND 7603 TELEGRAPH ROAD LOT CONSOLIDATION PLAT, P.B. 367, PG. 46-47, TOWNSHIP 43 NORTH, RANGE 6 EAST OF THE 5TH PRINCIPAL MERIDIAN UNINCORPORATED ST. LOUIS COUNTY, MISSOURI

ZONING: R-1 (ONE-ACRE RESIDENTIAL DISTRICT), FPR-1 (FLOODPLAIN ONE-ACRE RESIDENTIAL DISTRICT)

OWNER	

ADDRESS LOCATOR #

AREA OF SITE

BUILDING USE

ZONING

- = 7531/7603 TELEGRAPH ROAD
  - 35K630179
  - = R-1, FPR-1 = 60 ACRES
  - WORSHIP CENTER A-3 ASSEMBLY
- BUILDING CONSTRUCTION TYPE IB
- GROSS FLOOR AREA FLOOD MAP PANEL
- 44,690 SF (330' x 170') = 29189C0440K - EFFECTIVE DATE OF 02/04/2015



