

PUBLIC NOTICE



**US Army Corps
of Engineers
Kansas City District**

**Permit No. NWK-2008-1675
Issue Date: September 29, 2015
Expiration Date: October 20, 2015**

21-Day Notice

This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102.

APPLICANT: St. Charles Road Development, LLC
2504 St. Regis Court
Columbia, MO 65203

PROJECT LOCATION (As shown on the attached drawings): Located in an unnamed tributary of the North Fork of Grindstone Creek, west of Battle Avenue in Section 2, Township 48 North, Range 12 West, Boone County, Missouri.

[USGS QUAD: Millersburg]
Latitude: 38.970392 – Longitude: -92.229534

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY (As shown on the attached drawings): **Proposed:** St. Charles Road Development proposes to grade and fill approximately 878 linear feet of ephemeral stream, for the purpose of creating a 2.6 acre lake within the proposed Somerset Village Residential Subdivision. The lake will require the construction of an earthen dam, approximately 20 feet tall and 90 feet wide at the top.

WETLANDS/AQUATIC HABITAT: There are no known wetlands located within the project site.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: Avoidance and minimization is partially intended to be provided by avoiding approximately 260 feet of Other Waters of the US, downstream of the proposed work on the applicant's property, remaining undisturbed, except for the potential proposed improvements described below. In addition, approximately 17,645 square feet of riparian corridor along the channel downstream of the proposed work is proposed to be preserved. The applicant also proposes to incorporate some combination of compensatory mitigation action, including the removal of an overhead electric line and gravel driveway within the riparian corridor and re-establishing the corridor by planting native species and hardwoods in their place; removal

of a low water crossing within the jurisdictional channel; granting of a permanent conservation easement of a portion of the riparian corridor; and the purchase of mitigation credits from an approved mitigation provider for the remaining credits required.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting James Reenan, Missouri State Regulatory Office, 515 East High Street, Suite 102, Jefferson City, MO 65101, telephone number: (816) 389-3832 or email at james.s.reenan@usace.army.mil. All comments to this public notice should be directed to the above address. Please reference Permit No. NWK-2008-1675 in all comments and/or inquires relating to this project.

CULTURAL RESOURCES: Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and the Federal Register and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work may affect, but not likely adversely affect species designated as threatened or endangered. There is no identified critical habitat on or near the project area. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals. Additionally, an informal consultation letter and supporting documentation will be sent to the Columbia, Missouri office.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

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. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include

application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The 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 this proposed activity. Any comments received will be considered by the 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 the other public interest factors listed above. Comments are used in 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.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

NWK-2008-01675

38.970392, -92.229534

Number 153 R

Fishing Lake

Shaw

Missouri

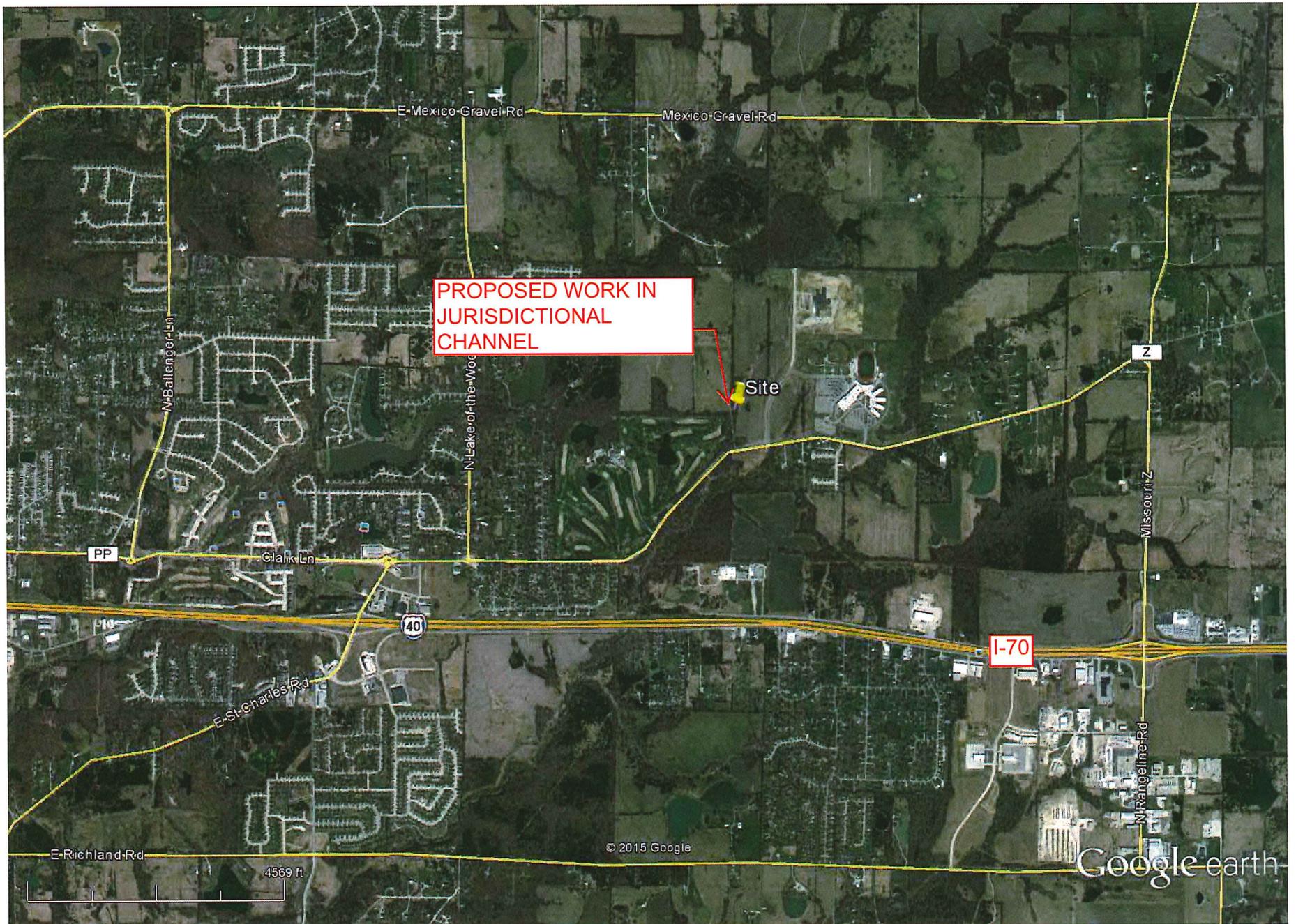
N Rangeine Rd

E Richland Rd

E O L U M B I A



APPLICATION NO. NWK-2008-1675
 ST. CHARLES ROAD DEVELOPMENT, LLC
 GRADING AND FILLING
 UNNAMED TRIBUTARY OF NORTH FORK GRINDSTONE CREEK
 BOONE COUNTY, MISSOURI
 SHEET 1 OF 6
 DATED 29 SEPTEMBER 2015



LOCATION MAP
SEPTEMBER 9, 2015

APPLICATION NO. NWK-2008-1675
ST. CHARLES ROAD DEVELOPMENT, LLC
GRADING AND FILLING
UNNAMED TRIBUTARY OF NORTH FORK GRINDSTONE CREEK
BOONE COUNTY, MISSOURI
SHEET 2 OF 6
DATED 29 SEPTEMBER 2015

USACE LOCATION VIEW

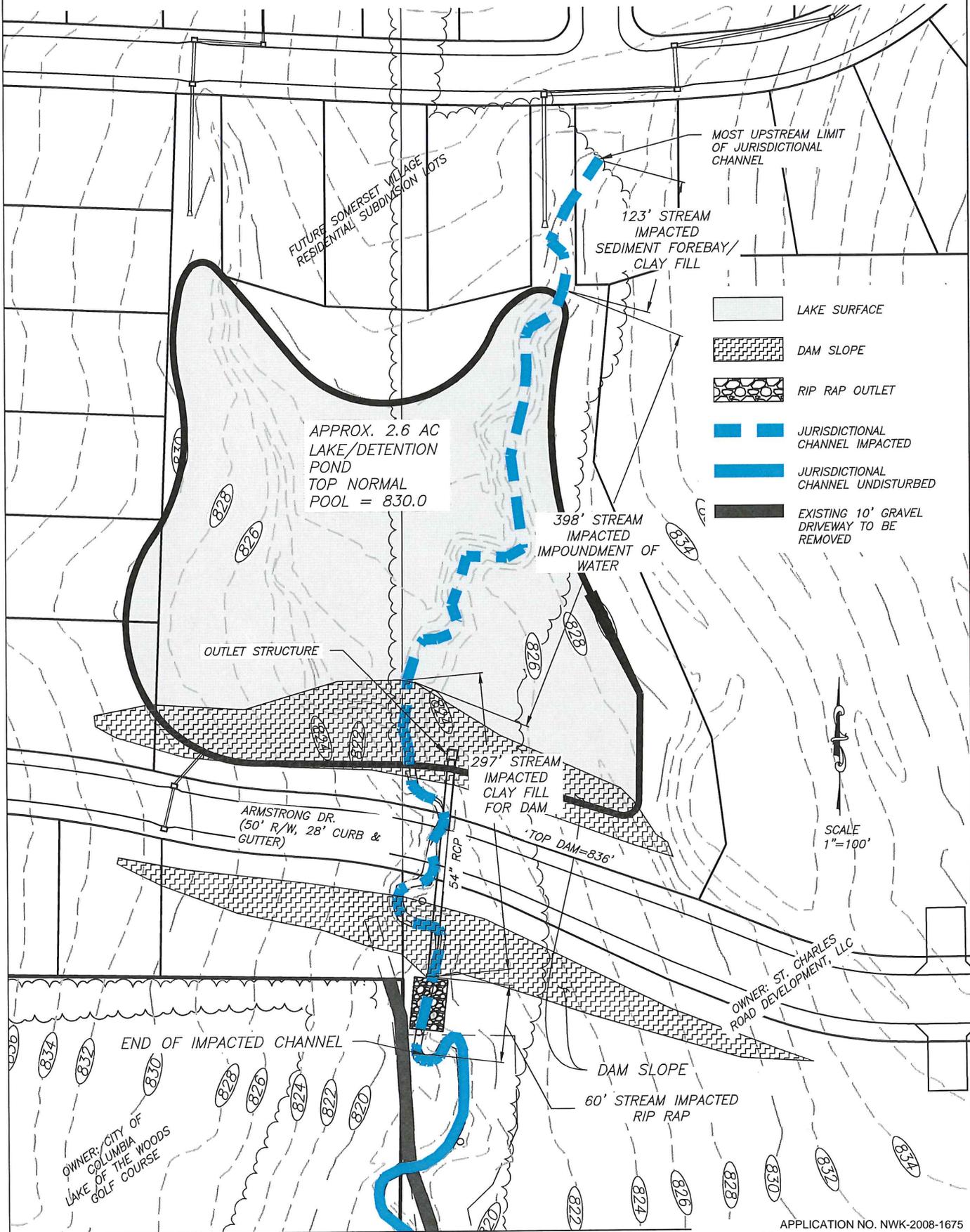
SEPTEMBER 28, 2015

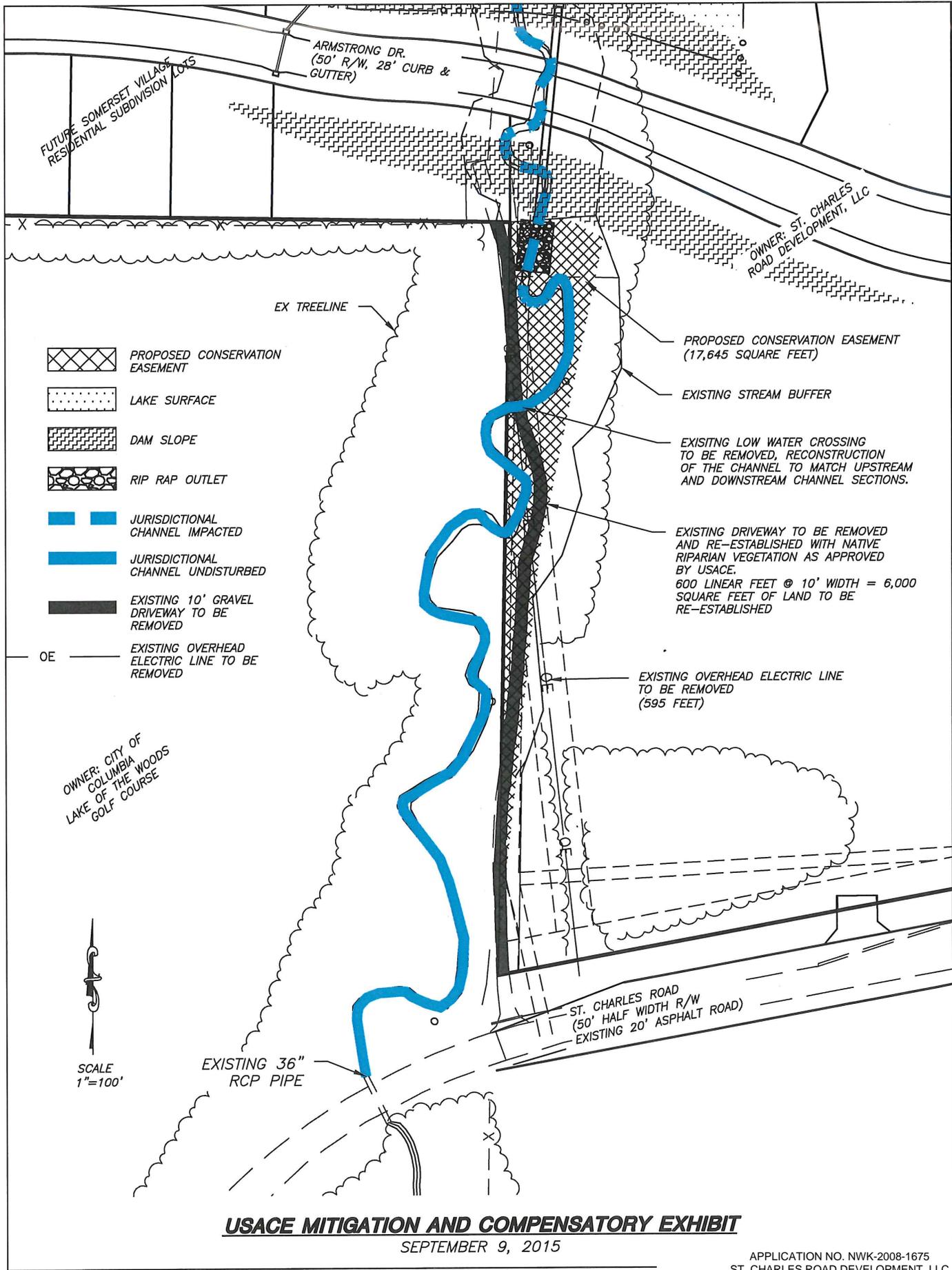


NTS

USACE PLAN VIEW

SEPTEMBER 28, 2015





-  PROPOSED CONSERVATION EASEMENT
-  LAKE SURFACE
-  DAM SLOPE
-  RIP RAP OUTLET
-  JURISDICTIONAL CHANNEL IMPACTED
-  JURISDICTIONAL CHANNEL UNDISTURBED
-  EXISTING 10' GRAVEL DRIVEWAY TO BE REMOVED
-  EXISTING OVERHEAD ELECTRIC LINE TO BE REMOVED

PROPOSED CONSERVATION EASEMENT (17,645 SQUARE FEET)

EXISTING STREAM BUFFER

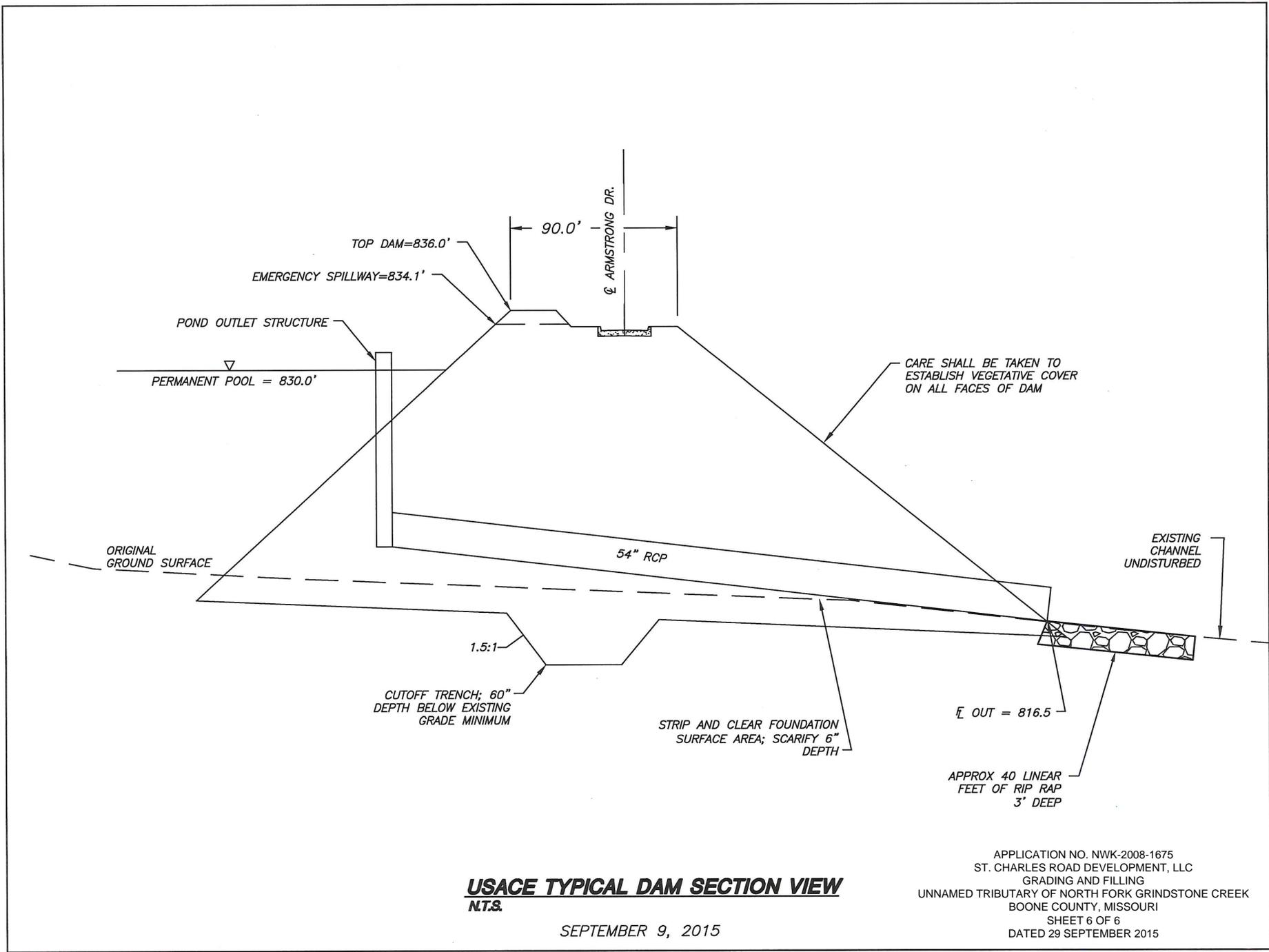
EXISTING LOW WATER CROSSING TO BE REMOVED, RECONSTRUCTION OF THE CHANNEL TO MATCH UPSTREAM AND DOWNSTREAM CHANNEL SECTIONS.

EXISTING DRIVEWAY TO BE REMOVED AND RE-ESTABLISHED WITH NATIVE RIPARIAN VEGETATION AS APPROVED BY USACE.
600 LINEAR FEET @ 10' WIDTH = 6,000 SQUARE FEET OF LAND TO BE RE-ESTABLISHED

OWNER: CITY OF COLUMBIA LAKE OF THE WOODS GOLF COURSE

SCALE 1"=100'

USACE MITIGATION AND COMPENSATORY EXHIBIT
SEPTEMBER 9, 2015



USACE TYPICAL DAM SECTION VIEW
 N.T.S.

SEPTEMBER 9, 2015

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 ST. CHARLES ROAD DEVELOPMENT, LLC
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 UNNAMED TRIBUTARY OF NORTH FORK GRINDSTONE CREEK
 BOONE COUNTY, MISSOURI
 SHEET 6 OF 6
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