



DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

REPLY TO
ATTENTION OF:

June 21, 2019

Regulatory Branch
File Number: MVS-2009-00305

Mr. Calvin Merklin
3700 Mueller Road
St. Charles, Missouri 63301

Dear Mr. Merklin:

The U.S. Army Corps of Engineers, St. Louis District (the Corps) has reviewed your proposal to construct a commercial development adjacent to an unnamed tributary to Peruque Creek. The project site occurs within Section 22, Township 47 North, Range 2 East, in St. Charles County, Missouri. The geographic coordinates for the approximate center of the site are 38.8112°, -90.7762°.

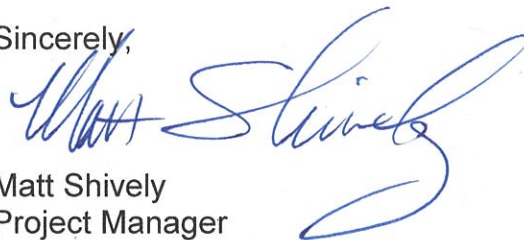
Section 404 of the Clean Water Act assigns responsibility to the Secretary of the Army to administer a permit program to regulate the placement of dredged or fill material into waters of the United States. The placement of any dredged or fill material into waters of the United States below ordinary high water elevation, or in wetlands adjacent to these waters, must be authorized by a Department of the Army, Section 404 permit. The Corps has previously determined the unnamed tributary east of Guthrie Road to be a jurisdictional stream (USACE File No. MVS-2003-6000).

We met with you at the project site on June 20, 2019 to review the site for potential jurisdictional wetlands. The National Wetlands Inventory Map illustrates a large portion of the site as forested wetlands. During our site visit, we observed that the site does contain wetland vegetation, but lacks wetland soils and hydrology. Therefore, the Corps does not have jurisdiction over the terrestrial portion of the site. However, we observed that the tributary to Peruque Creek possesses a defined bed and bank, ordinary high water mark, and other features of a jurisdictional stream.

Per your description of the project, construction of the development will not impact the tributary. The project will only require the placement of fill to elevate the area between the tributary and the residential area to the south. If constructed as described, the project will not involve the discharge of fill into wetlands or other waters of the United States, and therefore does not require Section 404 authorization. You are reminded that any change in plans resulting in impacts to the unnamed tributary will require Section 404 authorization. This determination is applicable only to the permit program administered by the Corps of Engineers. It does not eliminate the need to obtain other Federal, state or local approvals before beginning work.

If you have any questions please contact this office at (314) 331-8575. **Please refer to file number MVS-2019-00305.** The St. Louis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to go to our Customer Service Survey found on our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Shively", with a large, stylized flourish at the end.

Matt Shively
Project Manager
Regulatory Branch