



REPLY TO
ATTENTION OF:

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

November 19, 2020

City of St. Charles
c/o Daniel Mann
200 North 2nd Street
St. Charles, Missouri 63301

Dear Mr. Mann:

This letter is in regard to an approved jurisdictional determination for the project known as the Riverpointe Public Infrastructure Project. The project proposes to construct a multi-phase development along the Missouri Riverfront. The project is located in Section 17, Township 46 North, Range 5 East, in St. Charles County, Missouri. Approximate geographic coordinates for the site are 38.7587°, -90.4953°.

The Navigable Waters Protection Rule published April 21, 2020 (33 CFR 328) identifies Tributaries – Paragraph (a)(2) & Wetlands – Paragraph (a)(4) as “waters of the United States”; and Artificial Lakes and Ponds - Paragraph (b)(8) as being excluded from the definitions of “waters of the United States”. The review area contains both aquatic features subject to Corps of Engineers (Corps) jurisdiction (Stream 1, Stream 2, Stream 3, & the Forested Wetland Complex), as well as those features that are not (Stream 4, Pond 1, Pond 2, Pond 3, & Pond 4); therefore, the proposed project will require a Section 404 permit for impacts to jurisdictional waters. If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the boundary in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination are still accurate.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food

Regulatory Branch (File No. MVS-2019-606)

Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

This review 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 and any modification that includes impacts to potential waters may require subsequent review and authorization from this office.

If you have any questions, please contact me in our office at (314) 331-8044 or chad.m.lamontagne@usace.army.mil. In any correspondence or inquiries, please refer to the File Number **MVS-2019-606**. 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,



Chad LaMontagne
Project Manager
Regulatory Branch

Enclosures