



Public Notice

**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-2681

Public Notice Date

August 20, 2008

Expiration Date

September 10, 2008

Postmaster Please Post Conspicuously Until:

File Number: MVS-2008-143

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. 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: Kale Horton

APPLICANT: Savatran, LLC, P.O. Box 1829, 8341 Express Dr., Ste. C, Marion, IL 62959
Attn: James Morris

AGENT: Wetland Technologies, LLC, 2425 Knob Hill Drive, Evansville, IN 47711
Attn: Mike Sandefur

LOCATION: Project activities involve the construction of 14.4 miles of rail line. The proposed rail corridor will begin southwest of the town of Macedonia at Akin Junction in Franklin County and terminate at the Evansville Western Railway connection located north of the town of McLeansboro in Hamilton County. The proposed rail corridor will link the existing Canadian National Railway Line to the Evansville Western Line. Specific rail spur alignment is shown in Attachment 1 of this public notice.

PROJECT DESCRIPTION: The proposed project is for the construction of a new rail connection. The proposed railway will facilitate the transportation of a variety of products including coal, grain, chemicals, construction materials, and forest materials. As proposed, the rail line will encompass a 150-foot easement through the proposed alignment.

The construction of culverts for stream crossings and fill and grading within the alignment will directly impact jurisdictional waters of the United States. As proposed, project activities will impact 843 linear feet of perennial stream, 5,893 linear feet of intermittent stream, and 1,977 linear feet of ephemeral stream. Additionally, 3.50 acres of forested wetland, 0.36 acres of scrub/shrub wetland, and 2.25 acres of emergent wetland (totaling 6.12 acres) will be impacted within the rail corridor. A total of 35 stream crossings are proposed within the railway alignment (Attachment 3).

The rail corridor lies within the Big Muddy and Skillet Fork watersheds in Illinois. Onsite streams and wetlands primarily flow to the Middle Fork Big Muddy River and to a lesser degree Skillet Fork Creek. Both are perennial streams. The primary receiving waterways, Middle Fork Big Muddy River and Skillet Fork Creek flow to the Big Muddy River and Little Wabash River respectively. The Big Muddy River and Little Wabash River are navigable waters of the United States.

The applicant has proposed a mitigation plan designed to compensate for the anticipated spatial and temporal loss of stream and wetland functions within the rail corridor. Stream impact analysis and mitigation was developed using an approved stream assessment protocol for projects in the St. Louis District. Mitigation includes channel and riparian restoration of 1,750 linear feet of Akin Creek and the creation of 15.50 acres of adjacent forested wetland (Attachment 2). Akin Creek is a perennial stream and is a direct tributary to the Middle Fork Big Muddy River. Proposed mitigation will restore a channelized reach of Akin Creek by restoring stream meanders to improve hydrology. Stream restoration includes the addition of riffle and pool complexes that will be constructed based on meander features. In-stream structures including root wads and log vanes will be constructed to stabilize the restored channel. Riparian restoration includes the establishment of a 275 foot wooded buffer adjacent to the restored channel. Additionally, 15.50 acres of forested wetland will be constructed adjacent to the restored channel. The existing condition of the wetland mitigation site is characterized as a prior converted cropland. Within the site, Akin Creek has been relocated, channelized, and the wetlands have been drained to support row crops. The mitigation site is near Akin Junction and Bobtail Road and is located in Panel 1-6 of the Sugar Camp Mine shadow area (Attachment 1).

A Phase I cultural resource survey of land parcels associated with the railroad spur has been completed.

LOCATION MAPS AND DRAWINGS: See Attachments 1 to 3.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Kale Horton, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8185. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to kale.e.horton@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: This public notice also provides documentation to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401 of the Clean Water Act. Certification or waiver indicates that IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C. The water quality standards provide for the IEPA to review individual projects by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity. The "Fact Sheet"

containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at www.epa.state.il.us/public-notices/. In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below.

Written comments specifically concerning possible impacts to water quality should be addressed to:

Illinois Environmental Protection Agency
Bureau of Water
Watershed Management Section
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

A copy of all written comments should also be provided to the Corps of Engineers. If you have any questions please contact the IEPA at (217) 782-3362.

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.

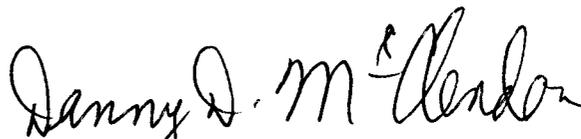
ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer, Tribal Historic Preservation Officers, and the public in response to this public notice. A Phase I cultural resource survey of land parcels associated with the railroad spur has been completed.

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.

In accordance with 33 CFR 325.3, it is presumed that all interested parties and agencies will wish to respond to public notices; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project.

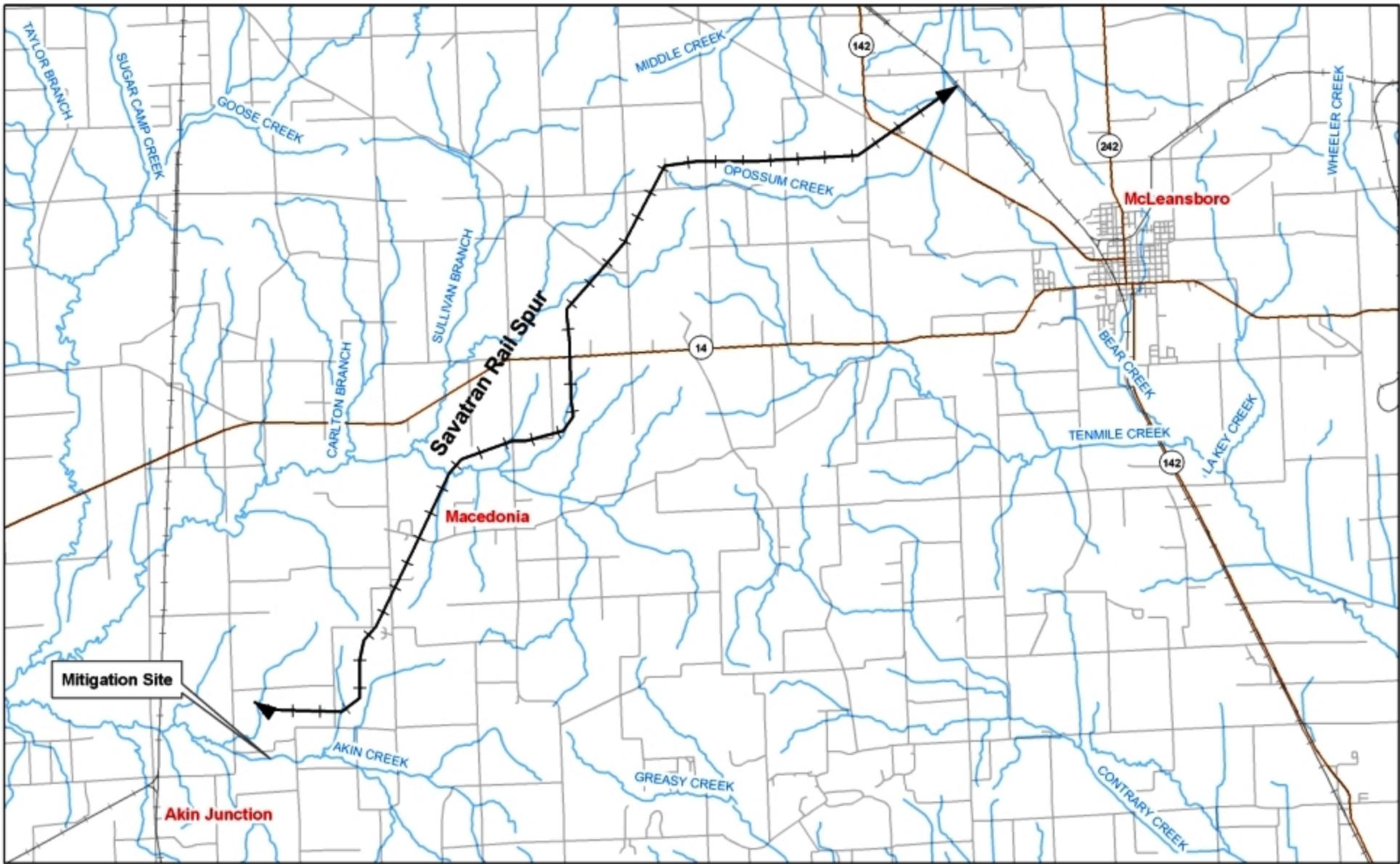


DANNY D. MCCLENDON
Chief, Regulatory Branch

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.

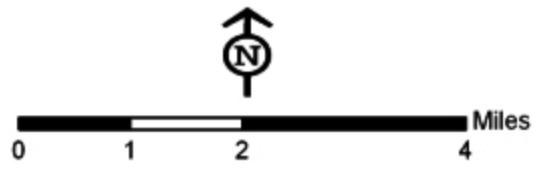


Legend

- Stream
- Street
- State Hwy
- US Hwy
- Savatran

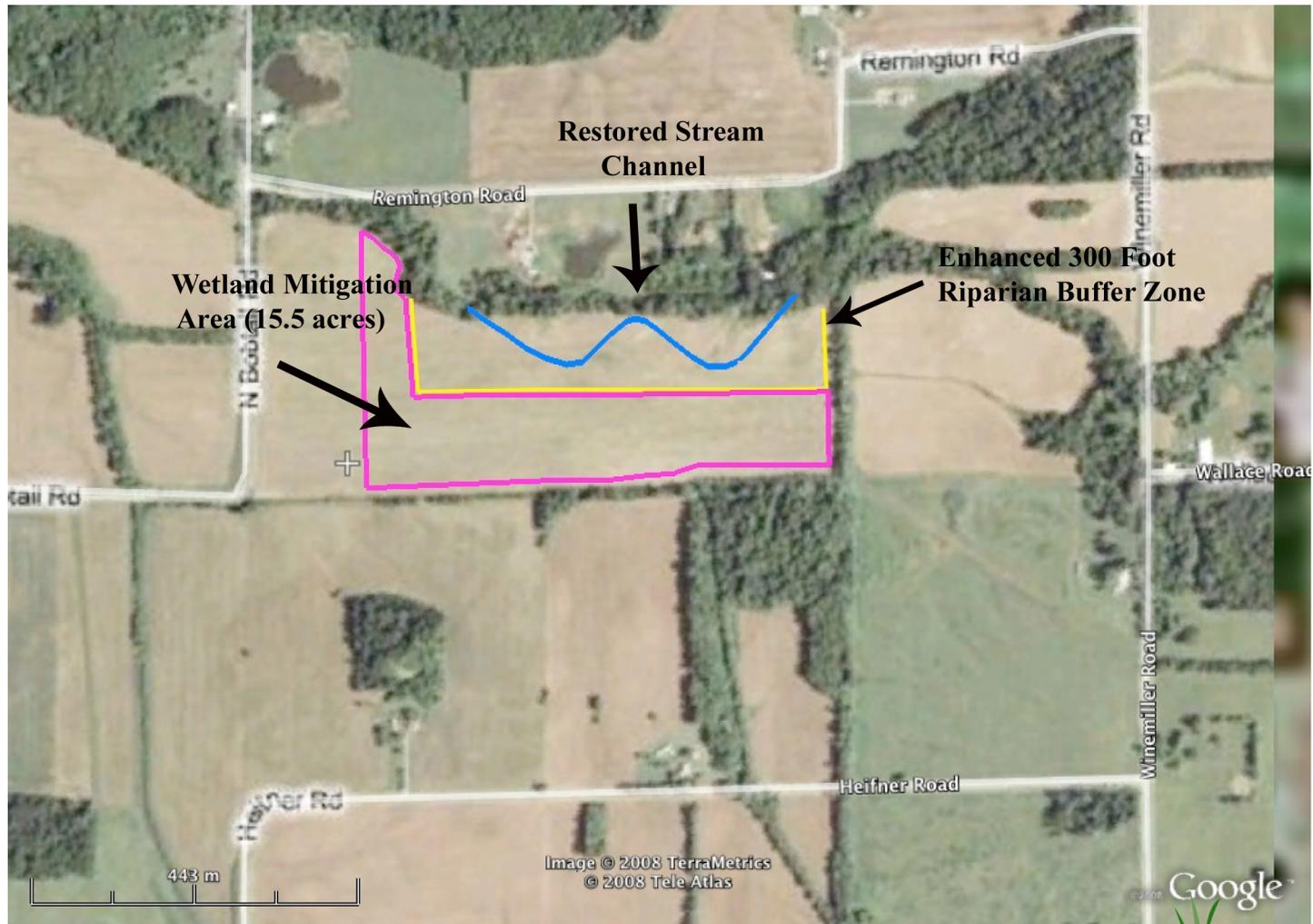
Savatran Rail Spur
Project Location Map - MVS-2008-143
Franklin and Hamilton Counties, IL

Attachment 1 of 3



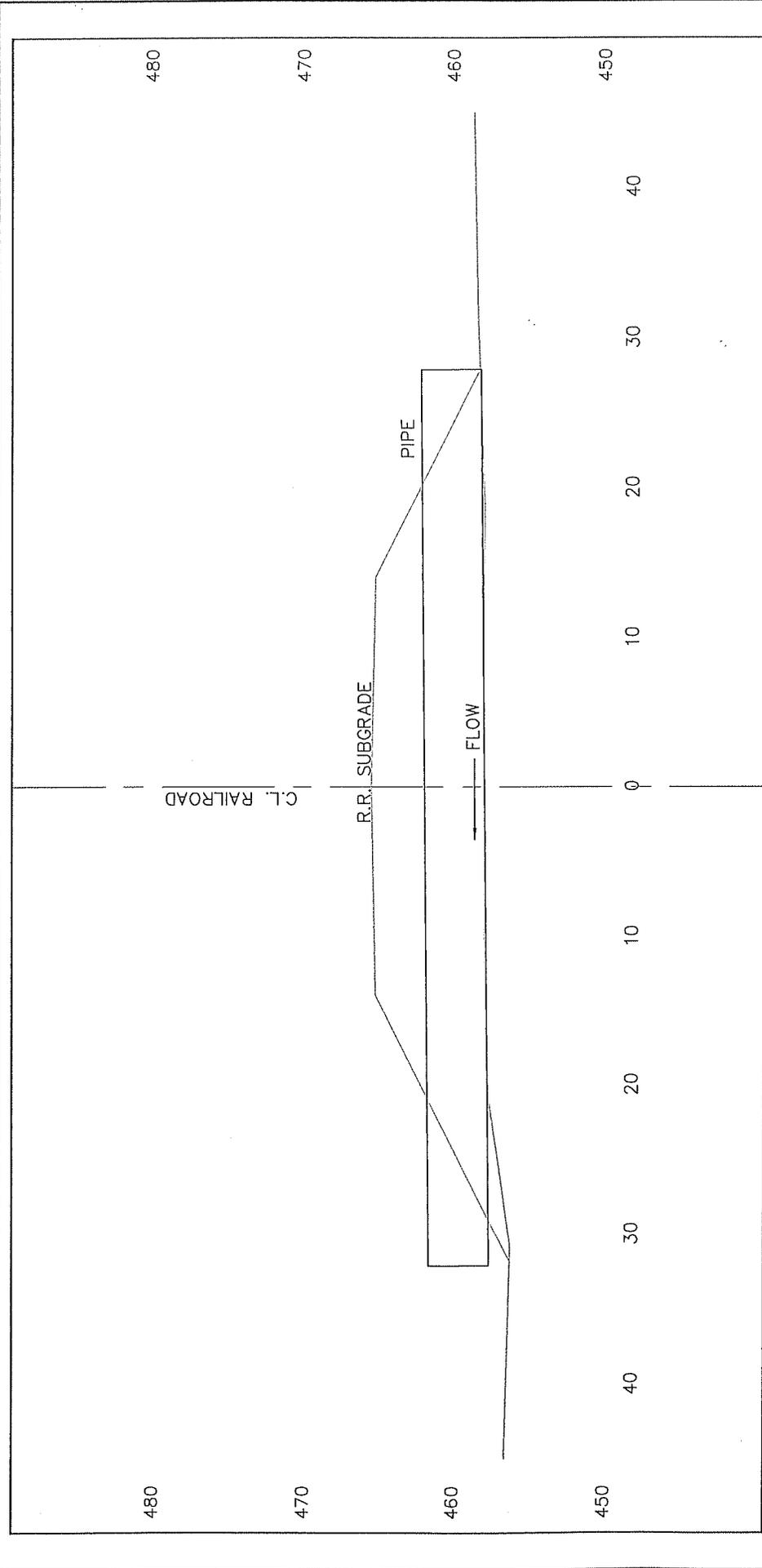
US Army Corps of Engineers
 St Louis District

Wetland and Stream Mitigation Areas



Savatran Rail Spur
MVS-2008-143
Attachment 2 of 3





SAVATRAN, LLC

TYPICAL PIPE SECTION
 FOR RAILROAD CONSTRUCTION
 FRANKLIN & HAMILTON COUNTIES, ILLINOIS

PREPARED BY
 J.D. HOFF & ASSOCIATES
 ENGINEERING CONSULTANTS
 4011 TERRACE VIEW DRIVE
 KNOXVILLE, TN. 37918
 865 687-8812

JULY 29, 2008
 SHEET 1 of 1

SCALE: 1" = 10'
 JOB #975

CAD FILE: TYPICAL_PIPE_SCTN.DWG

Savatran Rail Spur
 MVS-2008-143
 Attachment 3 of 3