



**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

Public Notice

Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, MO 63103-2833

Public Notice No.
P-2704
Public Notice Date
February 11, 2009

Expiration Date
February 23, 2009

Postmaster Please Post Conspicuously Until:

File Number: MVS-2006-775

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 map.

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
ATTN: CEMVS-OD-F (Alan Edmondson)
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANTS: Union Pacific Railroad Company, Attn: Deb Schafer, 1400 Douglas Street, Stop 0810, Omaha, Nebraska 68179

LOCATION: The project is proposed to occur on the left descending bank of the Mississippi River at approximate river mile 178.5, in Section 23, Township 2 North, Range 10 West. Specifically, the work can be found on the west side of the tracks between latitude 38:36:42.7959 and Longitude -90:10:26.8800 and Latitude 38:36:10.9386 and Longitude -90:10:42.4069, respectively. (See Attached Map)

PROJECT DESCRIPTION: The applicant has submitted an after the fact application requesting authorization to allow the placement of fill material in wetlands at the above location. This application was submitted after St. Louis District Regulatory Branch personnel observed an alleged unauthorized discharge of fill material into known "Waters of the United States", on land adjacent to railroad tracks near the Metro East Sanitary District Levee in Sauget, St. Clair County, Illinois. The fill was used to widen an existing access road adjacent to a railway located adjacent to wetlands.

Construction of the roadway caused a fill in uplands of 1.98 acres and a discharge of fill in of wetlands approximately 0.69 acres in size. The applicant has identified a mitigation bank and is awaiting an outcome of the permit process to secure mitigation credits.

DRAWINGS: See Attached

ADDITIONAL INFORMATION: Additional information may be obtained by telephoning Mr. Alan Edmondson, Project Manager, U.S. Army Corps of Engineers at (314) 331-8811 or at electronic mail address: Alan.R.Edmondson@usace.army.mil

AUTHORITY: This permit will be processed under the provisions of 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-notice/. 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.

The applicant has also applied for an Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR) permit pursuant to the Rivers, Lakes and Streams Act, 615 ILCS 5 (Illinois Compiled Statutes). Comments concerning the IDNR/OWR permit should be addressed to the Illinois Department of Natural Resources, Office of Water Resources, One Natural Resources Way, Springfield, Illinois 62702-1271. Mr. Wes Rust, IDNR/OWR (217/782-3863), may be contacted for additional information.

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 this application. Request for public hearings shall state, with particularity, the reasons for holding the public hearing.

ENDANGERED SPECIES: The proposed project is within the range of the endangered Indiana bat (*Myotis sodalis*), Gray bat (*Myotis grisescens*), and the threatened Bald eagle (*Haliaeetus leucocephalus*). A preliminary determination, in compliance with the Endangered Species Act as amended, has been made that this proposed activity is not likely to affect species designated as threatened or endangered, or adversely affect critical habitat. In order to complete our evaluation, comments are solicited by this public notice from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

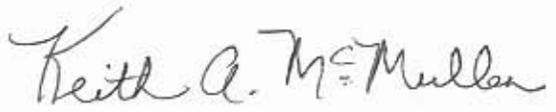
CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

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, which 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 described activity will be considered including the cumulative effects thereof; among those 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.

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 these proposed activities. 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.


for 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.

Union Pacific Railway Expansion

MVS-2006-775



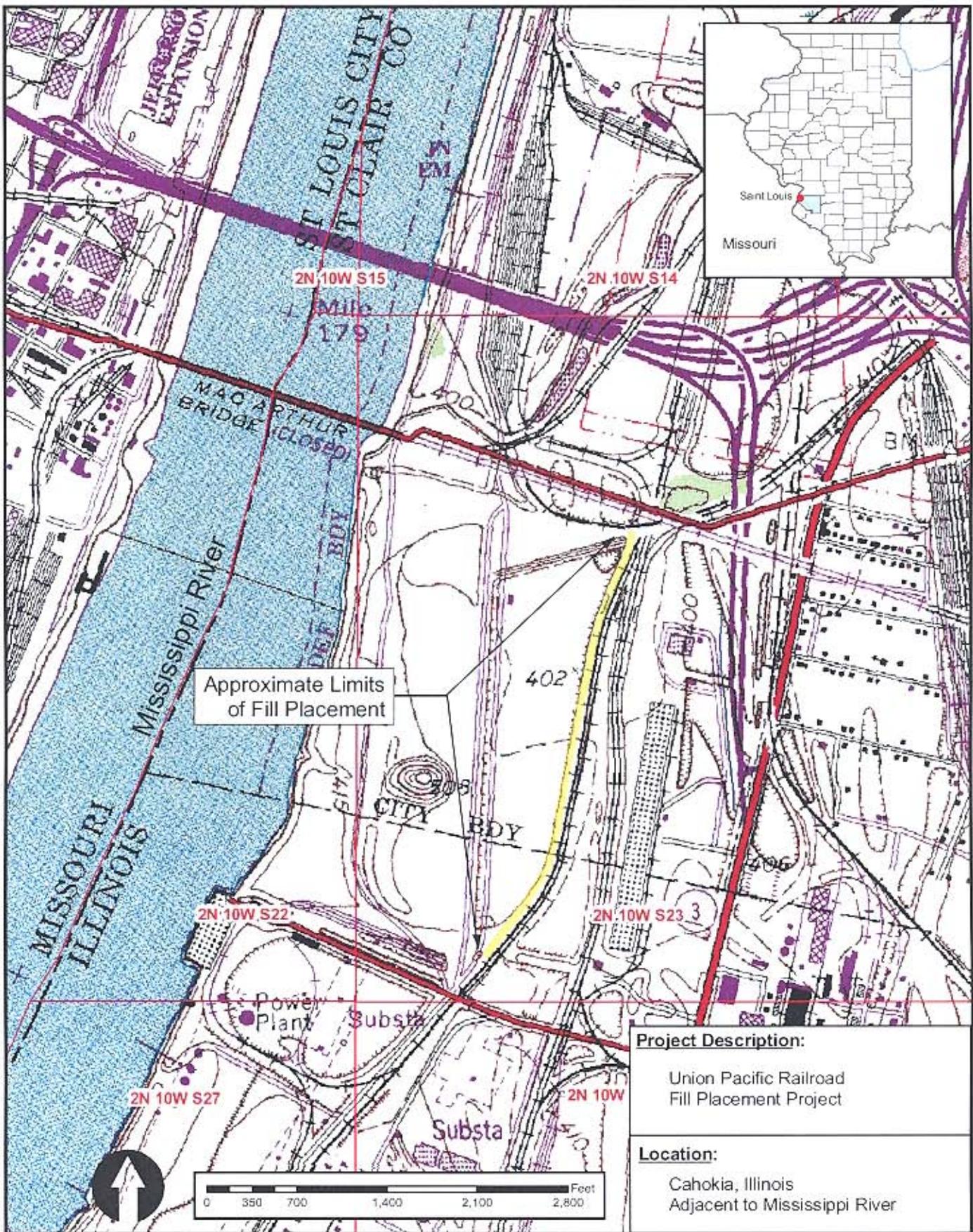
Apr 11, 2007
Made By: AE



State: Illinois
County: St Clair
Nearest City: Sauget
Latitude: 38:36:10.9386
(38.60303849)
Longitude: -90:10:42.4069
(-90.17844637)
UTM X: 0745711.026

UTM Y: 4276296.233
UTM Zone: 15
USGS Quad: Cahokia
HUC 8 Name: Cahokia-joachim
HUC 8 Number: 07140101
Section:
Township: 2 N
Range: 10 W

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Approximate Limits
of Fill Placement

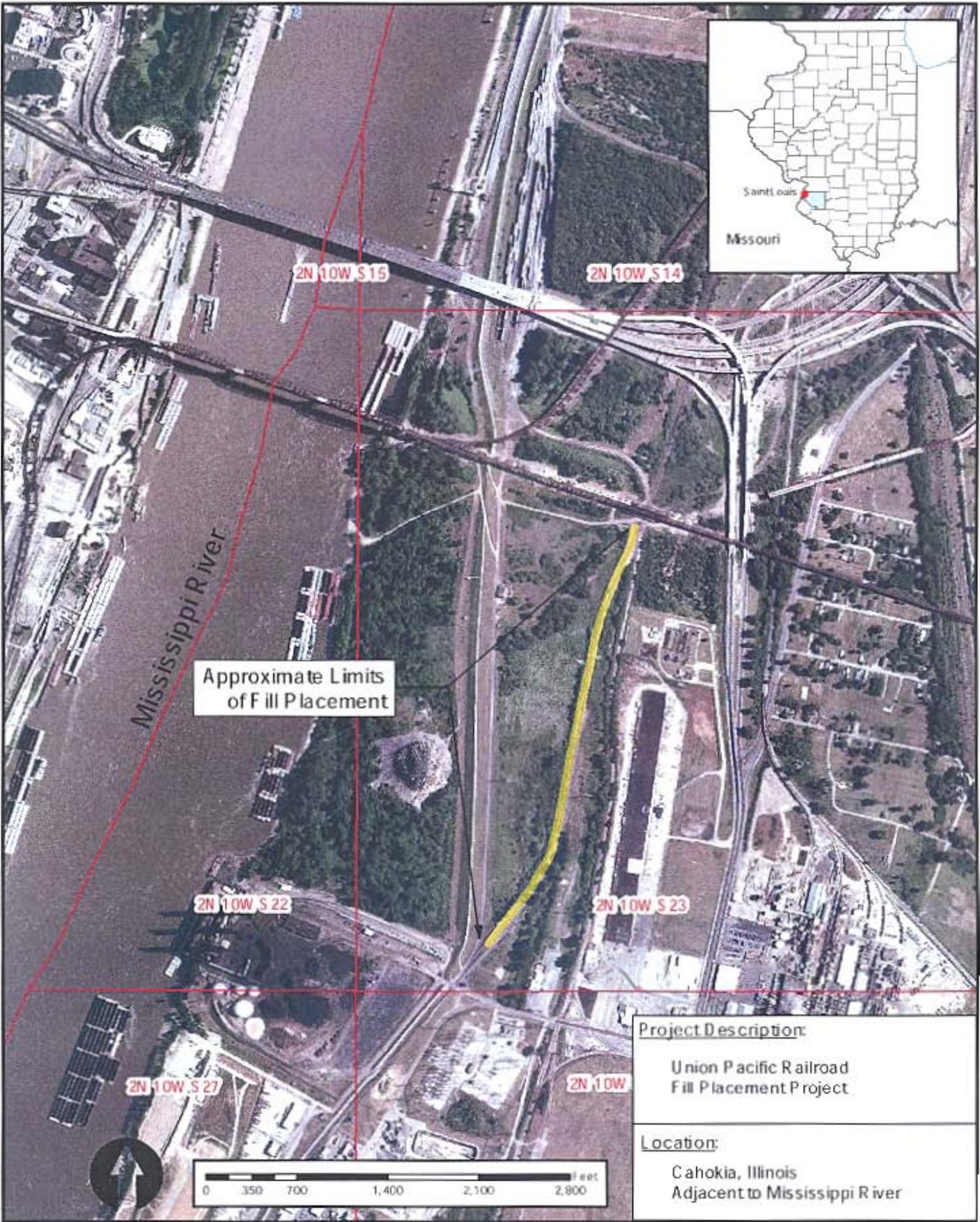
Project Description:

Union Pacific Railroad
Fill Placement Project

Location:

Cahokia, Illinois
Adjacent to Mississippi River

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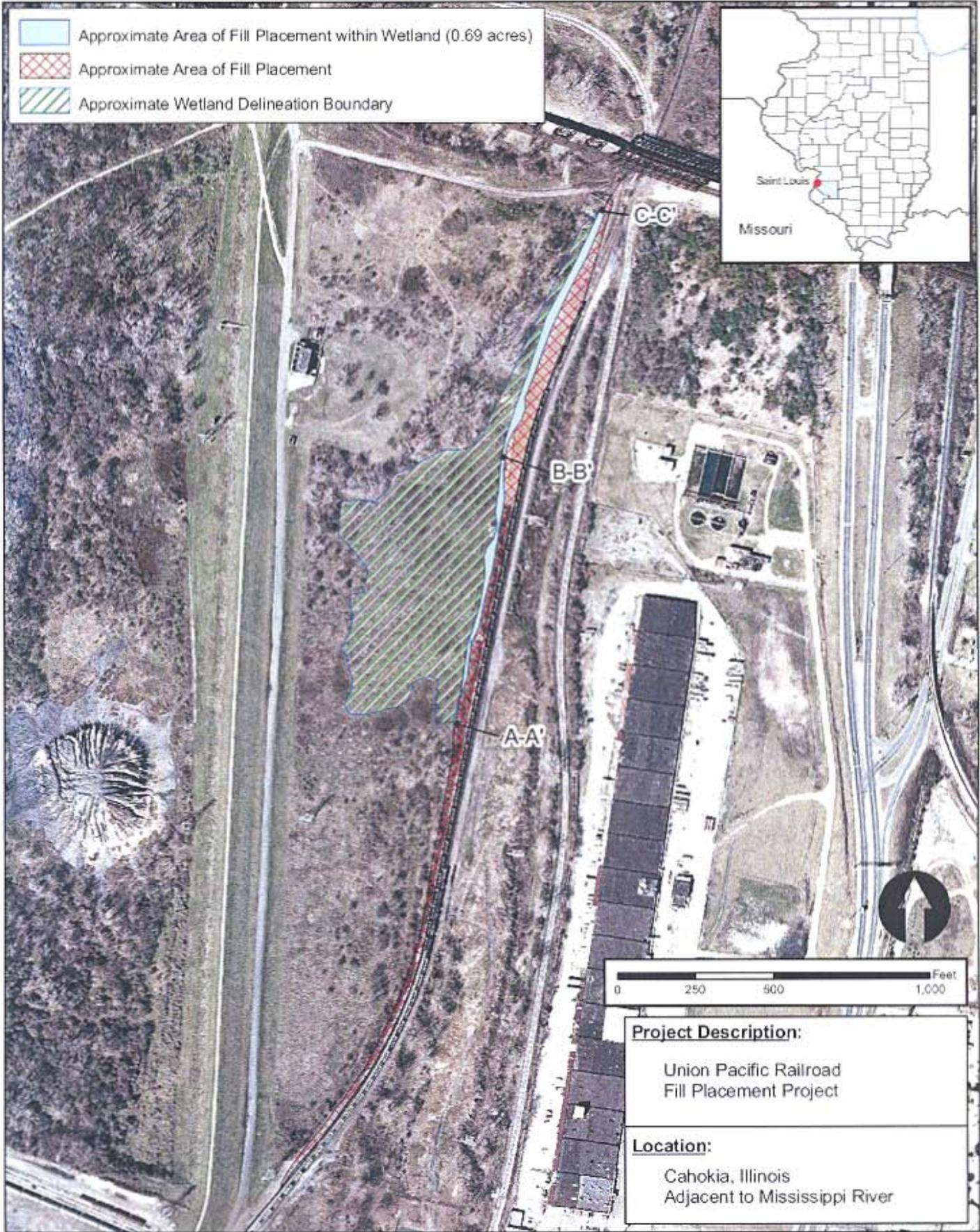


Approximate Limits of Fill Placement

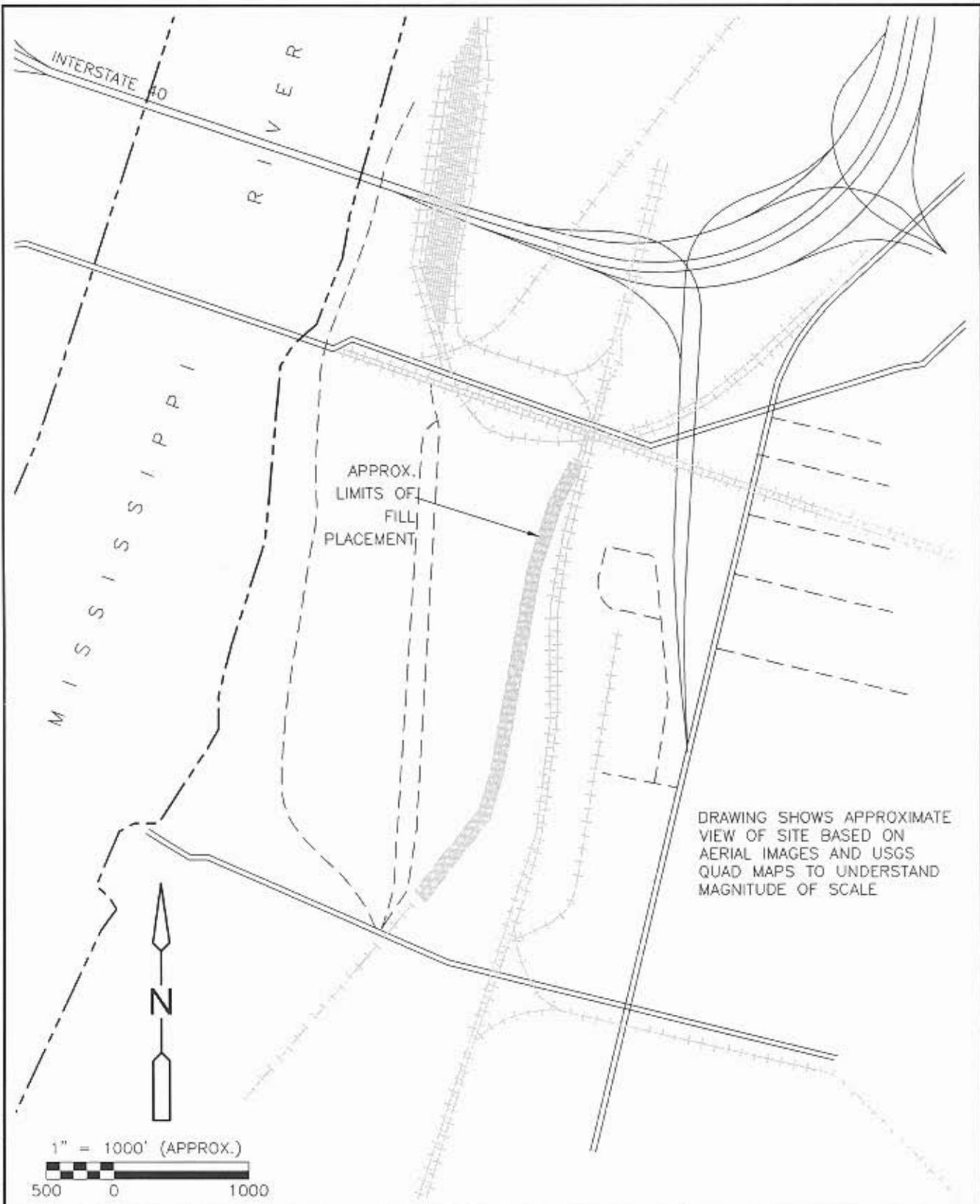
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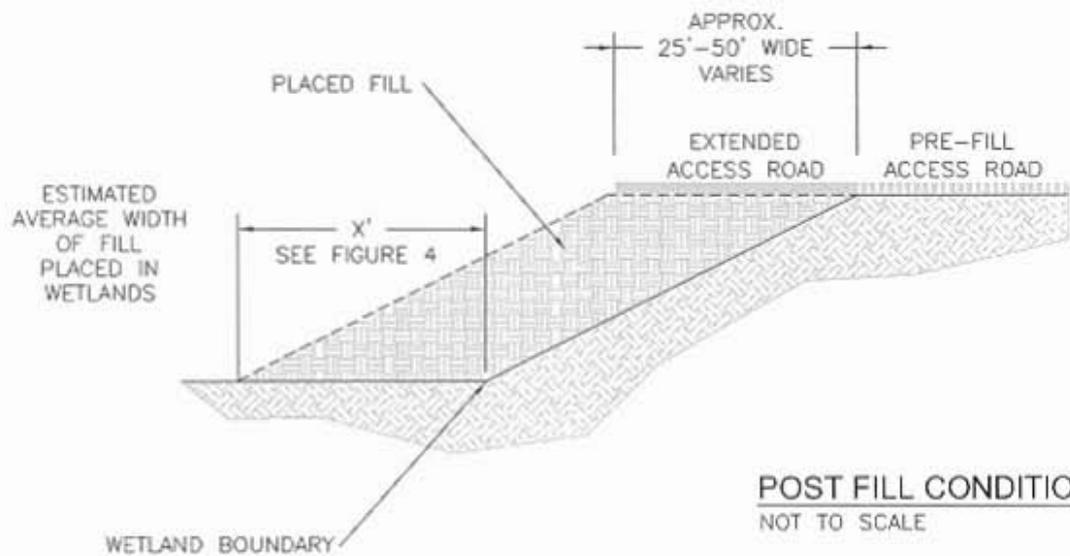
CDM

UNION PACIFIC RAILROAD
FILL PLACEMENT PROJECT
CAHOKIA, ILLINOIS
ADJACENT TO MISSISSIPPI RIVER

SITE MAP
FIGURE 2



PRE FILL CONDITION
NOT TO SCALE



POST FILL CONDITION
NOT TO SCALE

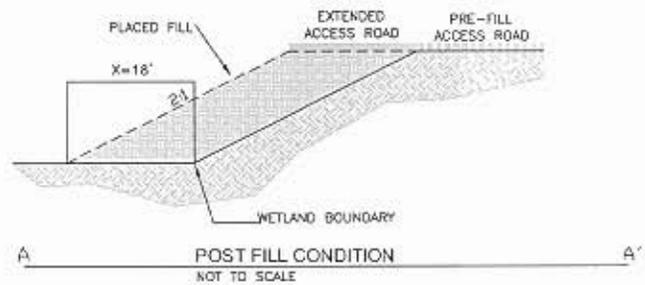
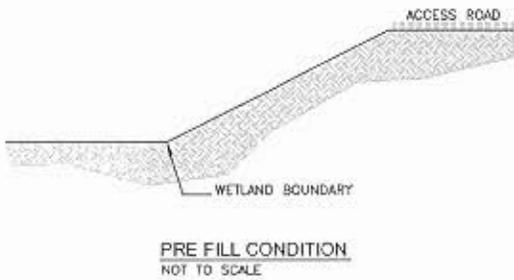
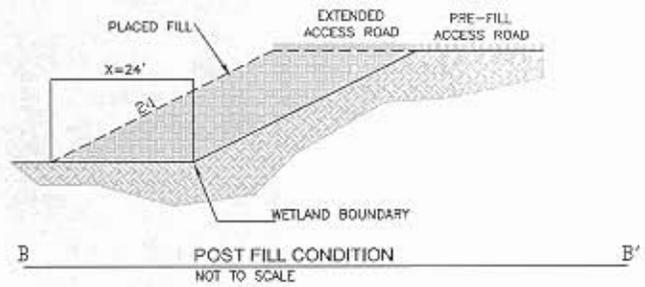
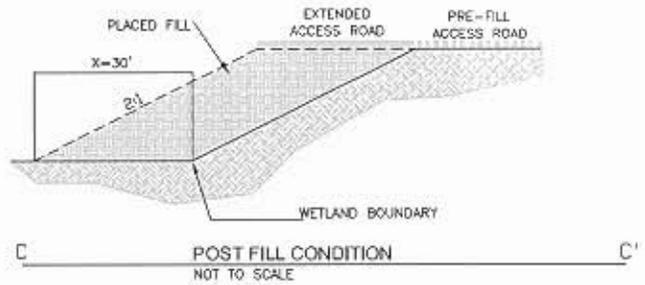
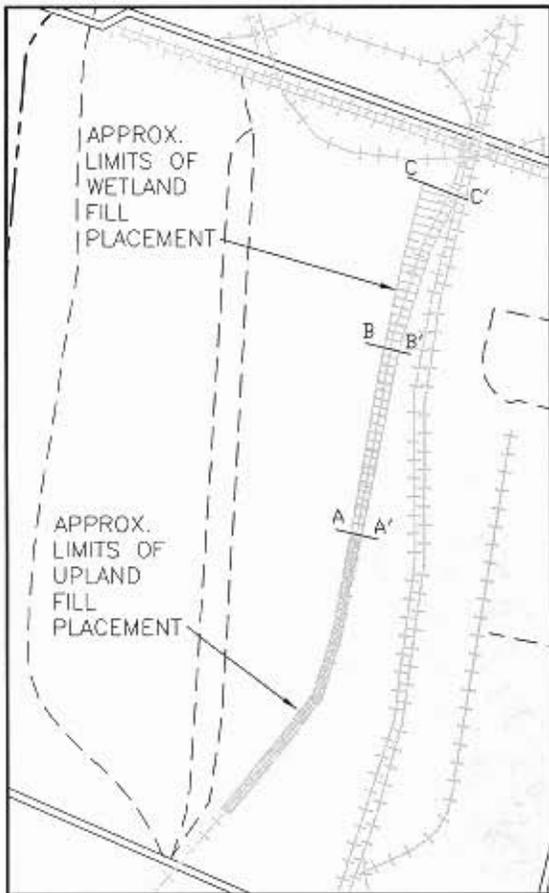
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UNION PACIFIC RAILROAD
FILL PLACEMENT PROJECT
CAHUKIA, ILLINOIS
ADJACENT TO MISSISSIPPI RIVER

TYPICAL SECTIONS
FIGURE 3

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UNION PACIFIC RAILROAD
FILL PLACEMENT PROJECT
CAHOKIA, ILLINOIS
ADJACENT TO MISSISSIPPI RIVER

NORTHERN END
TYPICAL SECTIONS
FIGURE 4