# 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-2813
Public Notice Date
November 18, 2011
Expiration Date
December 9, 2011

**Postmaster Please Post Conspicuously Until:**

File Number: MVS 2011-688

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: Chuck Crocker

**APPLICANT:** City of Highland, Attention Joe Gillespie, P.O. Box 218, 1113 Broadway, Highland, Illinois 62249

**AGENT:** Oates Associates, Inc., Attention Steven Keil, 100 Lanter Court, Suite 1, Collinsville, Illinois 62234

**LOCATION:** The project area is located northeast of the intersection of Trestle Road and Iberg Road, City of Highland, Madison County, Illinois. More specifically, the project is located in the Southeast ¼ of the Northeast ¼ of Section 33, Township 04 North, Range 05 West, Third Principal Meridian.

**PROJECT DESCRIPTION:** The applicant seeks authorization to construct an approximate 3.3 acre retention pond and an approximate 0.5 acre sedimentation pond as part of a new park development. The new park will include a multi-use path, wetland interpretive education area, botanical gardens, a fountain centrally located in the pond, restrooms and parking area. The purposes of the park and facilities are to reduce flooding downstream, capture sediment and filter pollutants to benefit drainage into Sugar Creek, a 303(d)-listed stream, and provide recreational opportunities. The 0.5 acre sedimentation pond is designed to collect runoff from approximately 103 acres of agriculture area and railroad drainage ditch area. Overflow of the sedimentation pond will be collected in the 3.3 acre

retention pond. The retention pond will include an approximate 0.5 acre shallow water wetland, to hold 6-12" of water. Overflow of the retention pond will be discharged into the unnamed tributary of Sugar Creek, a tributary of the Kaskaskia River.

The project will impact approximately 440 ft. of ephemeral stream and 0.55 acres of tree removal. In addition to the environmental designs of the ponds and park area, the proposed Mitigation Plan includes tree plantings in two locations at a rate of 109 trees per acre.

**LOCATION MAPS AND DRAWINGS:** See Attachments 1 and 2.

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Chuck Crocker, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8584. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Robert.C.Crocker@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 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 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.

Keith A. McMullen

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.

# Iberg Road Park

## MVS 2011-688

## City of Highland, Madison County, Illinois

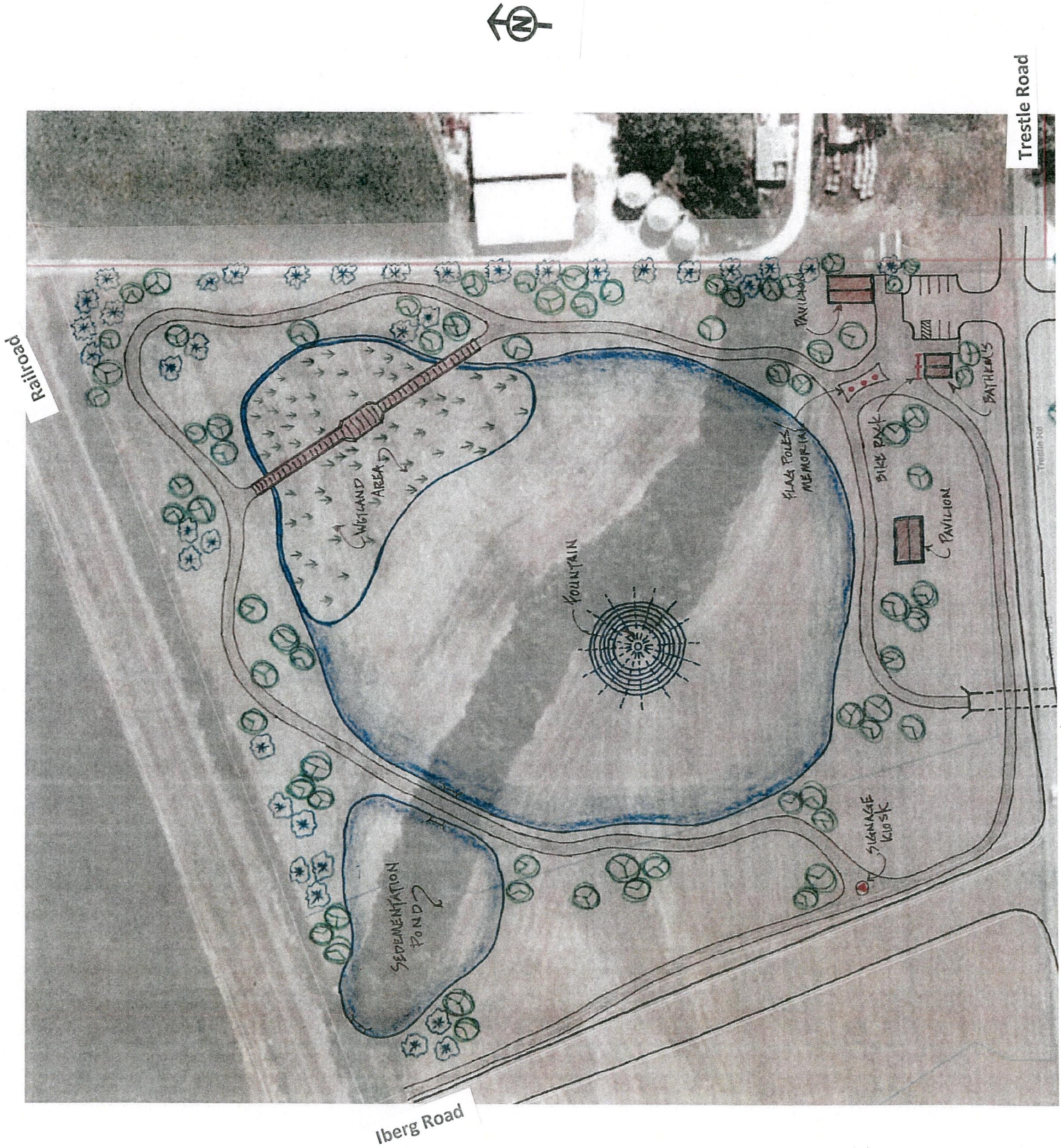
-89.654 / 38.751

N

0 900 1,800 3,600 Feet

US Army Corps of Engineers ®
St Louis District

Attachment 1: General Location




Attachment 2: Park Design

**OUR PUBLIC NOTICES ARE NOW AVAILABLE ON THE WORLD WIDE WEB AT OUR ST. LOUIS DISTRICT HOME PAGE (http://www.mvs.usace.army.mil/ConOps/permits/pn.htm ).** If you have any trouble, please call Danny McClendon at (314) 331-8574 or by e-mail to: Danny.D.McClendon@usace.army.mil

**WE ARE ATTEMPTING TO REDUCE OUR PUBLIC NOTICE MAILING COSTS; CHECK OUR WEB PAGE THEN CONTACT US TO HAVE YOUR NAMED REMOVED FROM OUR MAILING LIST**, please call Jaynie Doerr at (314) 331-8581, or by email to: Jaynie.G.Doerr@usace.army.mil, or mail this cover-sheet to the St. Louis District, OD-F, 1222 Spruce Street, St. Louis, MO 63103-2833, ATTN: Regulatory Branch, indicating that your name or company named be removed. Changes to our mailing list may take a few weeks to take effect.

US ARMY ENGINEER DISTRICT, ST. LOUIS
ATTN: CEMVS-OD-F
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833