



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/File No.
MVS-2018-351

Public Notice Date:
October 4, 2023

Expiration Date:
October 25, 2023

Postmaster Please Post Conspicuously Until:

File Number: MVS-2018-351

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

APPLICANT: Mr. Scott Plocher, Plocher Construction, 2808 Thole-Plocher Road, Highland, Illinois 62249.

LOCATION: The project is in Section 20, Township 4 North, Range 7 West, 3rd Principal Meridian, Madison County, Illinois. Latitude: 38.793496, Longitude: -89.899679.

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344)

PROJECT DESCRIPTION: Applicant seeks to modify impacts previously authorized in January of 2020. The proposed project includes the construction of a 94-acre development near the intersection of Interstate 55 and Illinois Highway 143 in Edwardsville, Illinois. The project will include the construction of a retail/commercial development, along with associated roadways and infrastructure. The original authorization was for a 24-acre development – while the current proposal seeks to develop the entire parcel to support the adjacent sports park.

Of the identified aquatic resources on site: Pond A (7.12-ac) will be excluded from regulation as a settling pond excavated in uplands; Pond B (0.86-ac) will not be impacted; Wetland A (0.66-ac) is not adjacent or indistinguishable to a relatively permanent water; Wetland B (1.57-ac) is adjacent and indistinguishable to the relatively permanent Little Mooney Creek; Tributary A (935 linear feet) is a non-relatively permanent water;

and Wetland D is not adjacent or indistinguishable to a relatively permanent water.

Total Wetland Impact: 1.57-acres

Total Stream Impact: 450 linear feet/0.04-acres

Little Mooney Creek flows into Cahokia Creek, a tributary to the Mississippi River.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR

UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: The applicant has researched alternatives and has attempted to minimize impacts to the waters. However, the applicant has stated that the impact areas are unavoidable due the desired open space need for the proposed development. The applicant proposes to compensate for unavoidable wetland impacts through the purchase of credits from an approved mitigation bank.

LOCATION MAPS AND DRAWINGS: See attached. In addition, the project plans may be viewed in more detail by visiting the Public Notice section of our website at:

<http://www.mvs.usace.army.mil/Missions/Regulatory/PublicNotices/OpenNotices.aspx>

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not yet submitted a certification request to the IEPA (certifying authority). In accordance with Certification Rule part 121.6, once the applicant submits a certification request the Corps will determine the reasonable period for the certifying agency to act upon the certification and provide written notification. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

ENDANGERED SPECIES: The United States Fish & Wildlife Service (USFWS) IPaC website was consulted (Project code: 2023-0120897 – dated 08/24/2023) to determine if federally listed species were present within the project area. That review discovered that the project is within the range of the federally endangered Indiana Bat (*Myotis sodalis*) & Northern Long-eared Bat (*Myotis septentrionalis*), the federally threatened Eastern Massasauga (*Sistrurus catenatus*), Decurrent False Aster (*Boltonia decurrens*), and Eastern Prairie Fringed Orchid (*Platanthera leucophaea*) as well as the proposed endangered Tricolored Bat (*Perimyotis subflavus*) and the candidate Monarch Butterfly (*Danaus plexippus*). A bat habitat survey was conducted in May of 2017, coordinated with USFWS, and found approximately 8.3-acres of suitable bat habitat within the project boundaries. A No Affect Determination is proposed for the Eastern Massasauga, Decurrent False Aster, & Eastern Prairie Fringed Orchid due to lack of habitat or no species present on site. A May Affect, Not Likely to Adversely Affect Determination is proposed for the bat species as any tree clearing will occur between October 1st and March 31st. The Corps will coordinate with the USFWS via Section 7 of the Endangered Species Act, as amended, for effect determinations on listed species. The Illinois Department of Natural Resources (IDNR) EcoCAT website was consulted (project number: 2403632 – dated 08/24/2023) to determine if state listed

species were present within the project area. The Illinois Natural Heritage Database contained no record of state-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

CULTURAL RESOURCES: A Phase One Cultural Resource Survey (CRS) was conducted on the site in May 2017. Six archaeological sites were identified within the project boundaries, none of which were eligible for listing in the NRHP. The St. Louis District found “No Historic Properties or Structures Affected.” The Illinois Historic Preservation Agency concurred with the District’s determination and provided project clearance (IHPA Log # = 002052517). The Tribes were consulted during the previous authorization’s Public Comment period and all comments were addressed. The St. Louis District will evaluate further information provided by the Tribes and the public in response to this public notice.

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. 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. 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.

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.

SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Tribes; and other interested parties 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. Additional information may be obtained by contacting Chad LaMontagne, Project Manager, U.S. Army Corps of Engineers, via e-mail at Chad.M.LaMontagne@usace.army.mil.

To join our public notice mailing list and receive all of our Public Notices electronically, please email your request to: MVS-Regulatory@usace.army.mil and include your name, email, and phone number with your statement of request to be added to the Public Notice mailing list.

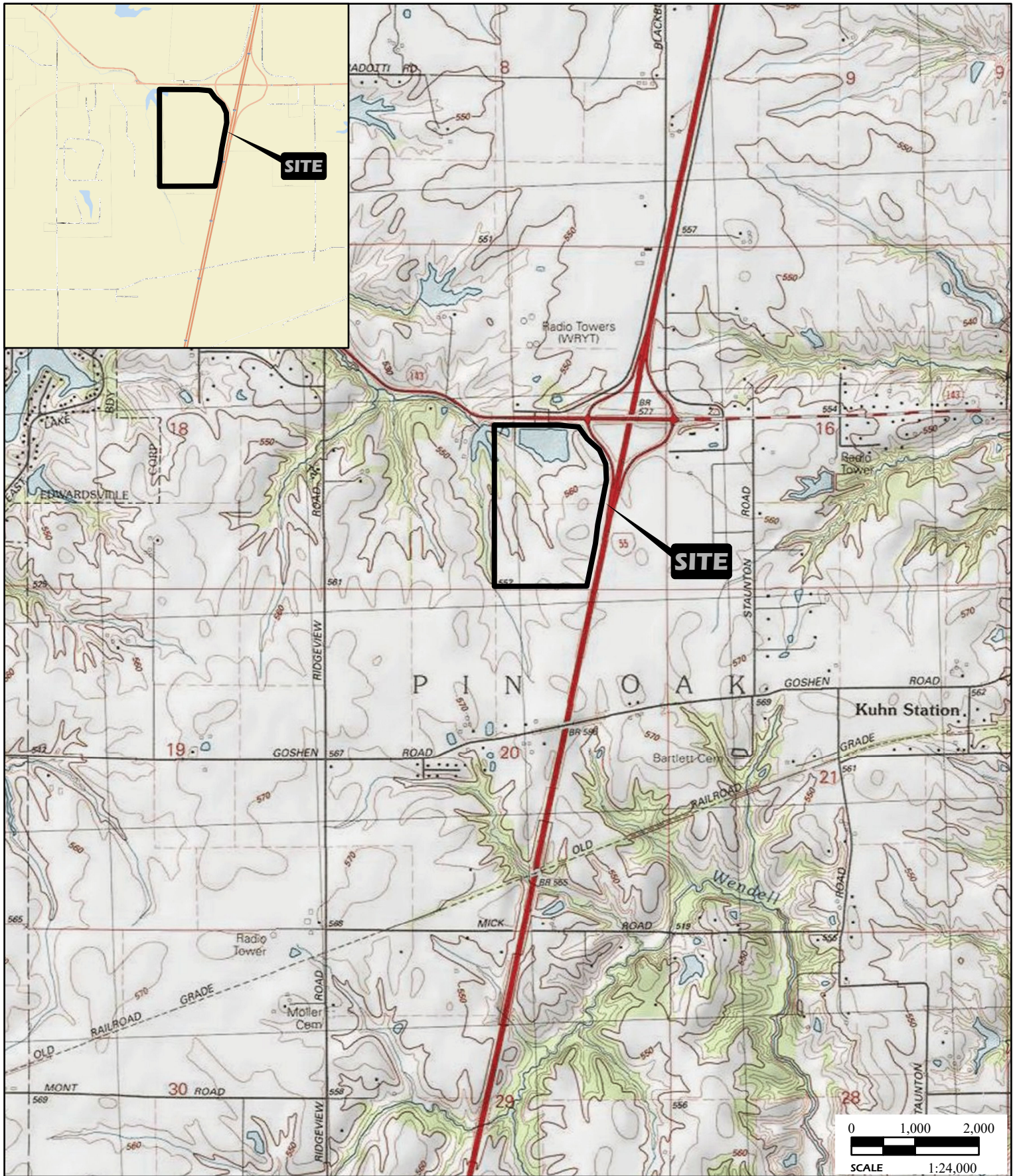
Robert S. Gramke



Robert S. Gramke
Chief, Regulatory Branch

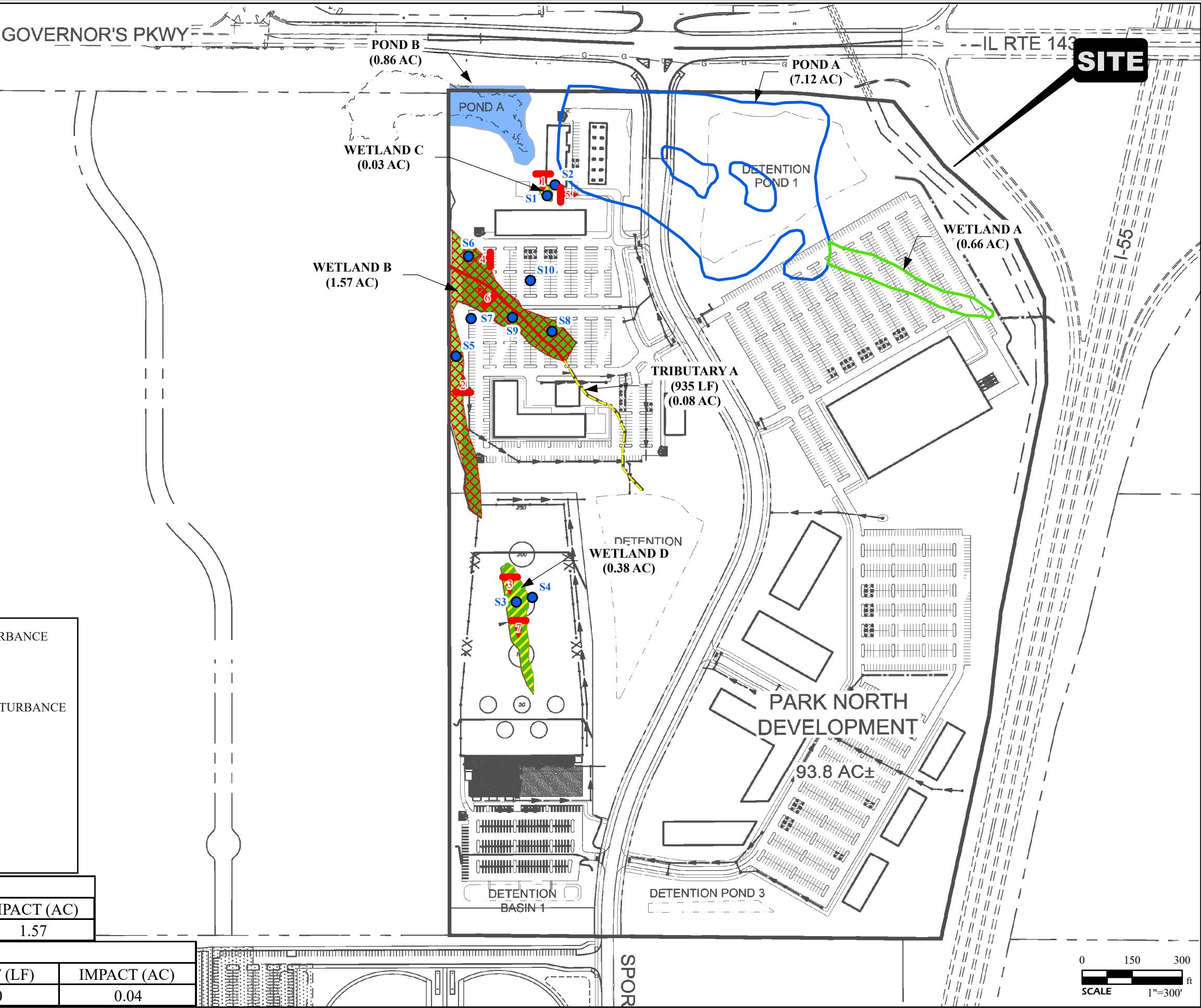
Attachments

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.




	<div>PROJECT NAME</div> <div>PARK NORTH DEVELOPMENT (FKA PIN OAK PLAZA) EDWARDSVILLE, ILLINOIS</div>			<div>GENERAL NOTES/LEGEND</div> <div>USGS TOPOGRAPHIC MAP EDWARDSVILLE, ILLINOIS QUADRANGLE DATED 1991 10' CONTOURS</div>		
	VICINITY AND TOPOGRAPHIC MAP			<div>STREET MAP</div> <div>http://goto.arcgisonline.com/maps/World_Street_Map</div>		
	<div>DRAWN BY</div> <div>CHECKED BY</div>	<div>ACV</div> <div>SEB</div>	<div>DATE</div> <div>09/2023</div>			<div>JOB NUMBER</div> <div>2017-3073.32</div>



- POTENTIAL WOTUS WETLANDS, NO DISTURBANCE
- NON-WOTUS WETLANDS, DISTURBANCE
- WOTUS WETLANDS, IMPACT
- NON-RELATIVELY PERMANENT WATER DISTURBANCE
- RELATIVELY PERMANENT WATER IMPACT
- APPROXIMATE PHOTO LOCATIONS
- POND, NO DISTURBANCE
- PREVIOUSLY PERMITTED POND
- PREVIOUSLY PERMITTED WETLAND
- APPROXIMATE SOIL SAMPLE LOCATIONS

WETLANDS			
ID	TYPE	IMPACT TYPE	IMPACT (AC)
B	FOREST	FILL	1.57

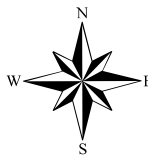
TRIBUTARIES				
ID	TYPE	IMPACT TYPE	IMPACT (LF)	IMPACT (AC)
A	INT	FILL	450	0.04



GENERAL NOTES/LEGEND

PROJECT NAME
PARK NORTH DEVELOPMENT
(FKA PIN OAK PLAZA)
EDWARDSVILLE, ILLINOIS

IMPACT ASSESSMENT &
PRELIMINARY SITE PLAN



JOB NUMBER
2017-3073.32

DATE
08/2023

DRAWN BY
JTM

CHECKED BY
LAV

FIGURE
1

AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY.
PLAN DATED 03/27/2023 BY PLOCHER CONSTRUCTION.
DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL
NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.