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, MO 63103-2833

Public Notice No.
P-2581
Public Notice Date
February 22, 2008

Expiration Date
Postmaster Please Post Conspicuously Until: March 14, 2008

File Number: 2006-897

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 (Keith A. McMullen)
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: Mr. Bill Laskowsky, Shiloh Retail Trust # 125, 1001 Boardwalk Springs Place, O'Fallon, Missouri 63366

AGENT: Mr. Michael R. Hartoin, SCI Engineering, Incorporated, 650 Pierce Boulevard, O'Fallon, Illinois 62269.

LOCATION: The project is located near several unnamed tributaries to Richland Creek, at the southeast intersection of Green Mount Road and Frank Scott Parkway East in Shiloh, St. Clair County, Illinois. The unnamed tributaries to Richland Creek are secondary tributaries to the Kaskaskia River.

PROJECT DESCRIPTION: The applicant proposes a combined commercial and residential development to be called *Three Springs at Shiloh* on an approximate 334-acre site. A total of 5 intermittent tributaries to Richland Creek will be impacted as a result of site development that includes grading and piping for the construction of commercial lots and site access. These include the following: Approximately **4660** linear feet of Tributary A; **445** linear feet of Tributary B; **385** linear feet of Tributary C; **285** linear feet of Tributary D and **905** linear feet of Tributary E for a total of **6680** linear feet of impact. In addition, five wetland areas are to be impacted: **1.99 acres** of Wetland A; **0.18 acres** of Wetland B; **0.90 acres** of Wetland C; **0.20 acres** of Wetland D and **0.28 acres** of Wetland E for a total of **3.55 acres** of wetland impacts. In addition, two ponds located within the proposal will be impacted as follows: Approximately **3.75 acres** of Pond A and **0.27 acres** of Pond B for a total of **4.02 acres** of impact to open water ponds. Therefore, the total impacts to jurisdictional waters of the United States are **7.57 acres** and **6680** linear feet of impacts to jurisdictional tributaries. The applicant proposes to construct an approximate **13-acre** lake near the confluence of Tributaries A, B and C to serve as open water mitigation for the proposed impacts to Pond A and B. Preliminary plans also include the incorporation of wetland fringe areas as a component of the constructed lake that will help mitigate for the proposed wetland impacts.

DRAWINGS: See Attached

ADDITIONAL INFORMATION: Additional information may be obtained by telephoning Mr. Keith A. McMullen, Assistant Chief/Supervisory Lead Project Manager, U.S. Army Corps of Engineers at (314) 331-8582 or at electronic mail address: Keith.A.Mcmullen@usace.army.mil

AUTHORITY: This permit will be issued or denied under the following: Section 404 of the Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

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

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that these proposed activities 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 by this public notice from the Fish and Wildlife Service and other interested agencies and individuals.

CULTURAL RESOURCES: TA Phase I cultural survey has been completed and is being reviewed by the State Historic Preservation Officer (SHPO). The St. Louis District will evaluate information provided by the SHPO and the public in response to this public notice and we may conduct, or 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.

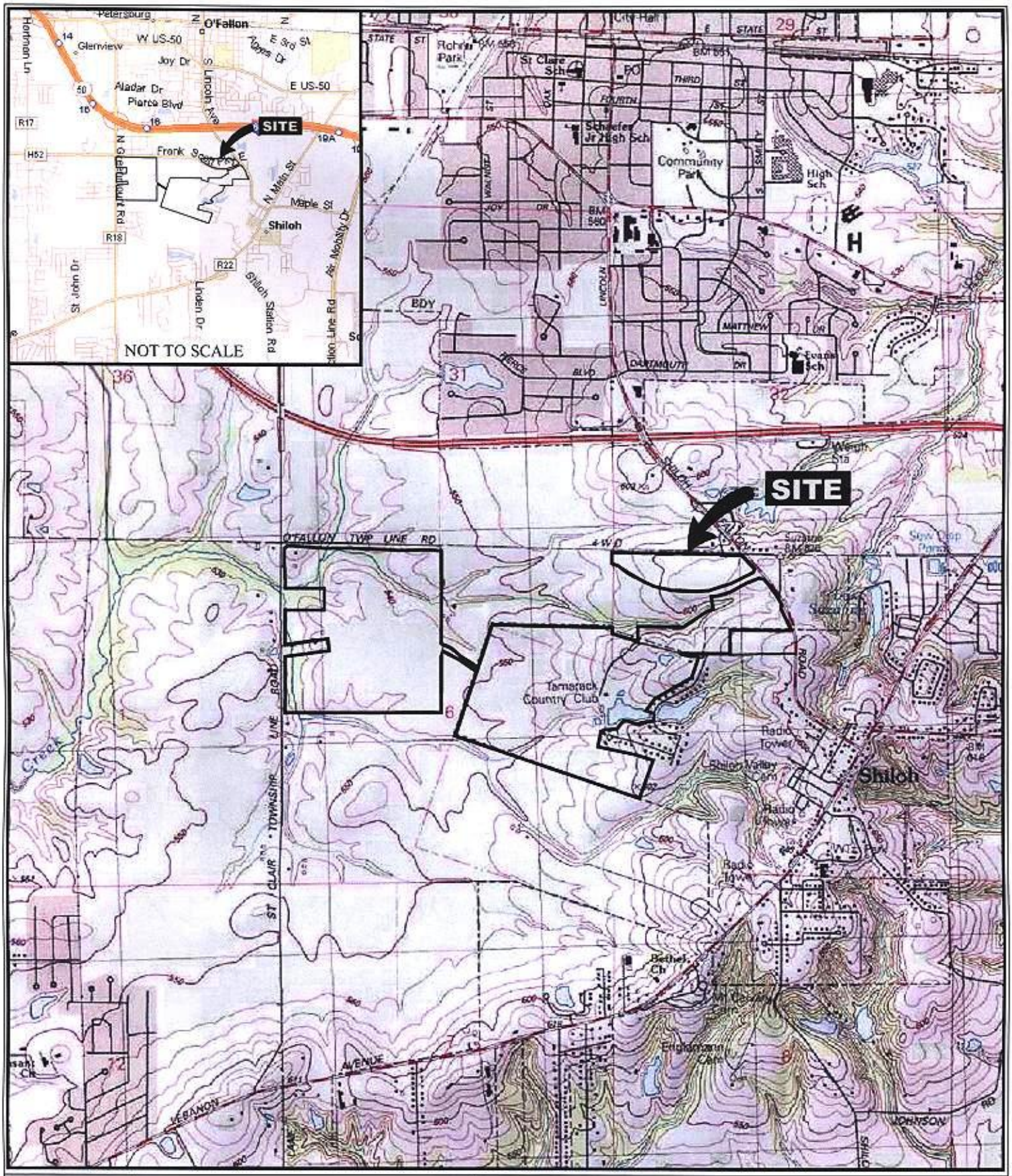
Danny D. McClendon

DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachment

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.



PROJECT NAME THREE SPRINGS AT SHILOH SHILOH, ILLINOIS			
VICINITY AND TOPOGRAPHIC MAP			
DRAWN BY CAB	DATE	JOB NUMBER	
CHECKED BY SEB	01/2008	2007-3028.30	

General Notes/Legend

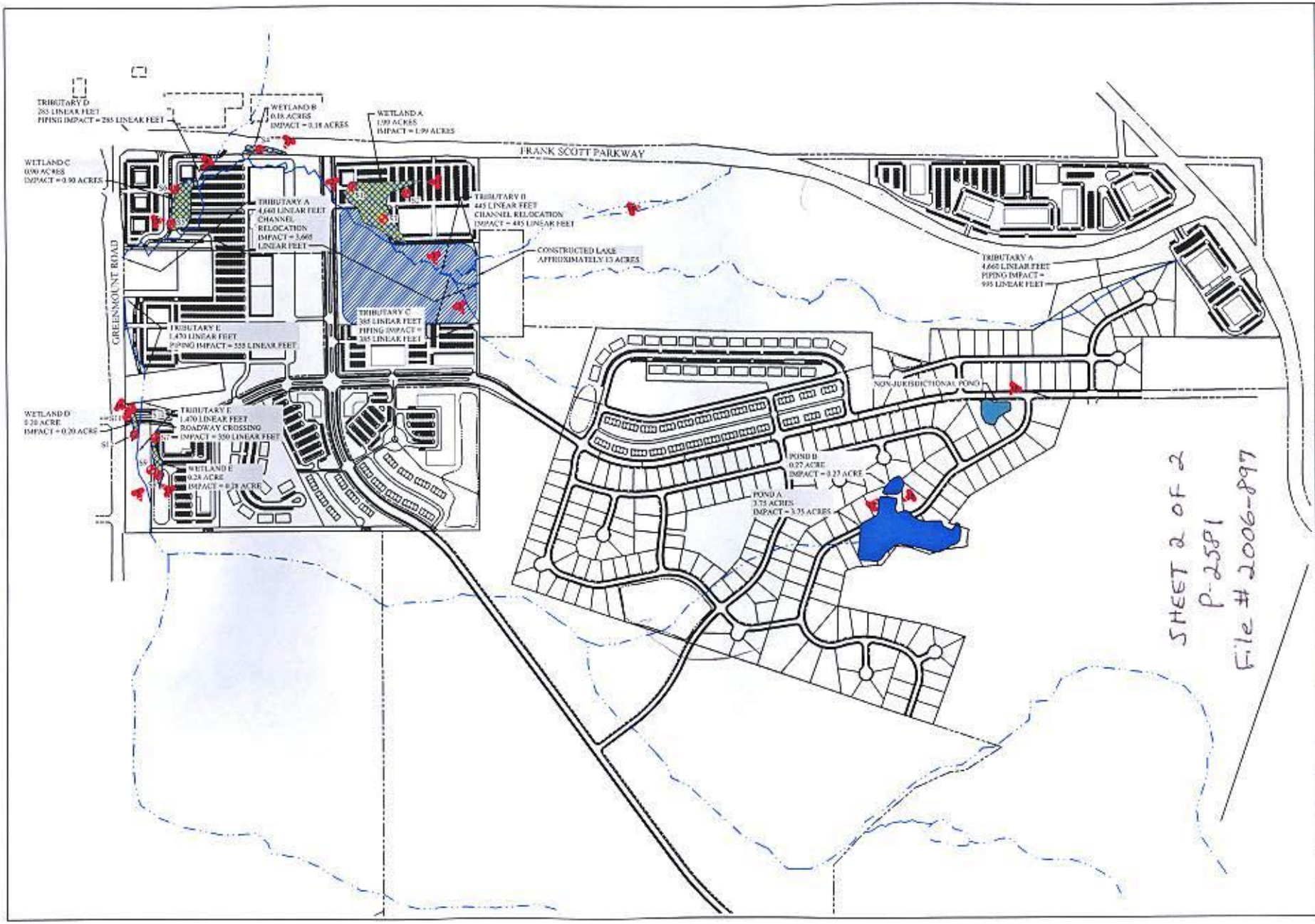
USGS TOPOGRAPHIC MAP
O'FALLON, ILLINOIS QUADRANGLE
DATED 1988
PHOTO REVISED 1991
10' CONTOURS

MICROSOFT STREETS AND TRIPS 2005

SHEET 1 OF 2
P-2581
File #2006-897

N W E S

SCALE 1" = 2000'
FIGURE 1


TRIBUTARY D
265 LINEAR FEET
PIPING IMPACT = 265 LINEAR FEET
WETLAND B
0.18 ACRES
IMPACT = 0.18 ACRES
WETLAND A
1.99 ACRES
IMPACT = 1.99 ACRES
FRANK SCOTT PARKWAY
WETLAND C
0.90 ACRES
IMPACT = 0.90 ACRES
TRIBUTARY A
4,660 LINEAR FEET
CHANNEL
RELOCATION
IMPACT = 3,660
LINEAR FEET
TRIBUTARY B
445 LINEAR FEET
CHANNEL RELOCATION
IMPACT = 445 LINEAR FEET
CONSTRUCTED LAKE
APPROXIMATELY 13 ACRES
GREENMOUNT ROAD
TRIBUTARY C
265 LINEAR FEET
PIPING IMPACT =
265 LINEAR FEET
TRIBUTARY A
4,660 LINEAR FEET
PIPING IMPACT =
935 LINEAR FEET
TRIBUTARY E
1,470 LINEAR FEET
PIPING IMPACT = 555 LINEAR FEET
NON-JURISDICTIONAL POND
WETLAND D
0.20 ACRE
IMPACT = 0.20 ACRE
TRIBUTARY F
1,470 LINEAR FEET
ROADWAY CROSSING
IMPACT = 550 LINEAR FEET
WETLAND E
0.28 ACRE
IMPACT = 0.28 ACRE
POND B
0.27 ACRE
IMPACT = 0.27 ACRE
POND A
3.75 ACRES
IMPACT = 3.75 ACRES
SHEET 2 of 2
P-2581
File # 2006-897
SCI
General Notes/Legend
PROJECT NAME
THREE SPRINGS AT SHILOH
SHILOH, ILLINOIS
WETLAND DELINEATION AND
PRELIMINARY SITE PLAN
N
W
E
S
SCALE
1" = 600'
JOB NUMBER
2007-3028.30
DATE
02/2008
DRAWN BY CAB
CHECKED BY SEH
FIGURE
3