



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

Public Notice

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

Public Notice No.
P-2431
Public Notice Date
December 10, 2004

Expiration Date
January 1, 2004

Postmaster Please Post Conspicuously Until:

Regulatory Branch
Mississippi River (P-2431)
File Number: 200401650

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-CO-F (Linda Campbell)
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: Mr. Dale Brown, 1463 PCR 930, St. Mary, Illinois 63673. (573) 543-2523.

LOCATION: The project is located on Farm 3347, Tract number 9288 on Kaskaskia Island, Randolph County, Illinois. The project location is on the eastern side of the road, approximately 2300 feet Northwest of School #124 and approximately 4000 feet Southeast of the town of Kaskaskia. (See Attached Location Maps).

PROJECT DESCRIPTION: Mr. Dale Brown proposes to raise the elevation of approximately 1.5 acres by placing 2 to 3 feet of fill material that will be excavated from the adjacent area. The area being raised is currently farmed, but is a little lower than the majority of the property, and has not been successfully farmed. Enhancement and restoration activities will be performed in the borrow area to offset the impacts of the conversion of the farmed wetland. The 1.5 acres borrow area bottom elevation will be excavated to create slight undulations, with approximately 3 or 4 higher areas. This will allow for greater wetland habitat diversity. No trees will be removed.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Linda Campbell, Rivers Project Manager, U.S. Army Corps of Engineers at (314) 331-8632 or at electronic mail address: Linda.Campbell@mvs02.usace.army.mil.

AUTHORITY: This permit will be processed under the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and 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 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 will not affect species designated as threatened or endangered, or adversely affect critical habitat. In order to complete our evaluation, written comments are hereby solicited from the U.S. Fish and Wildlife Service and other interested agencies to ascertain any potential impacts upon a listed species or their critical habitat.

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 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 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 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.

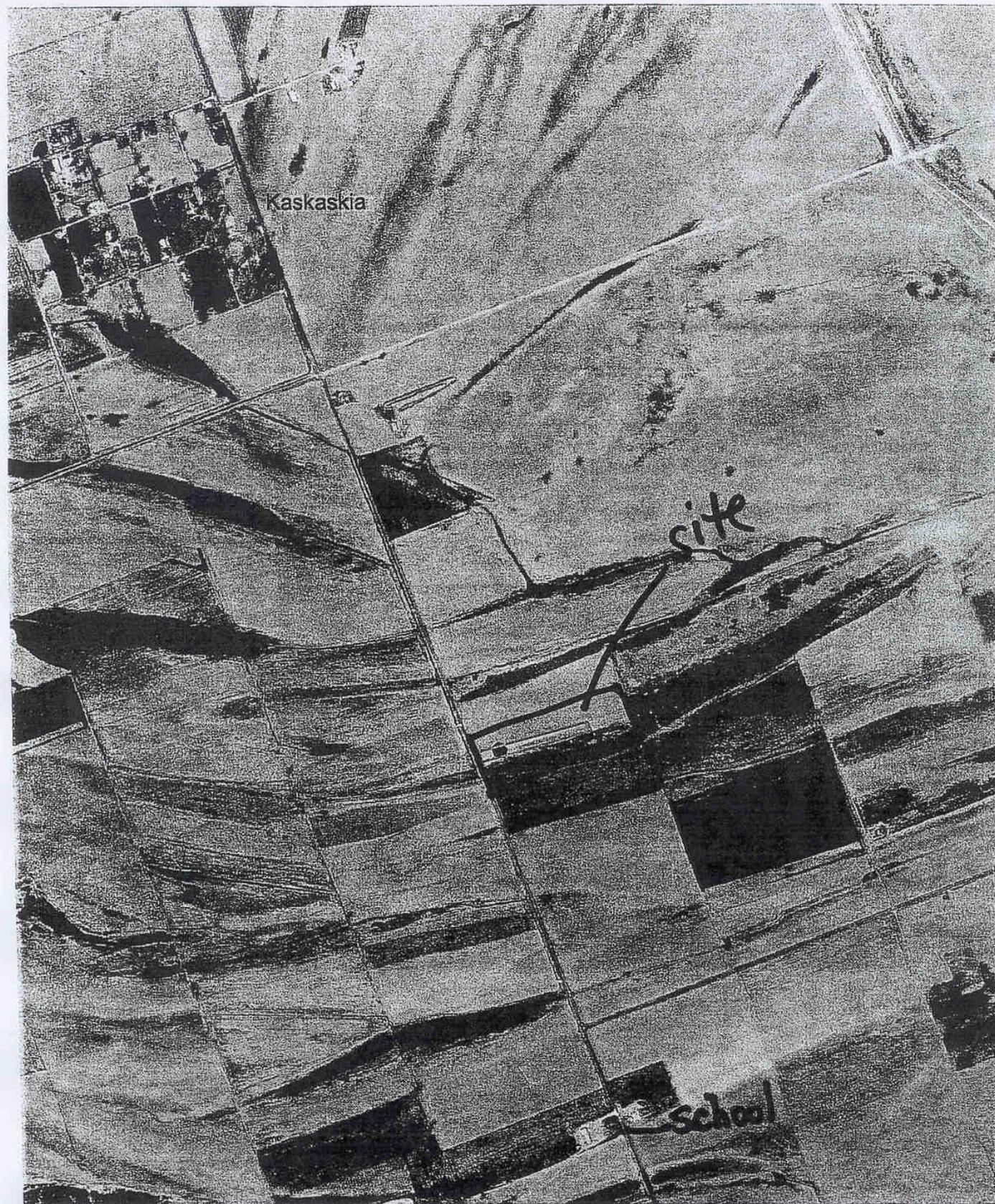
The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of these proposed activities. Any comments received will be considered by the U.S. Army 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
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

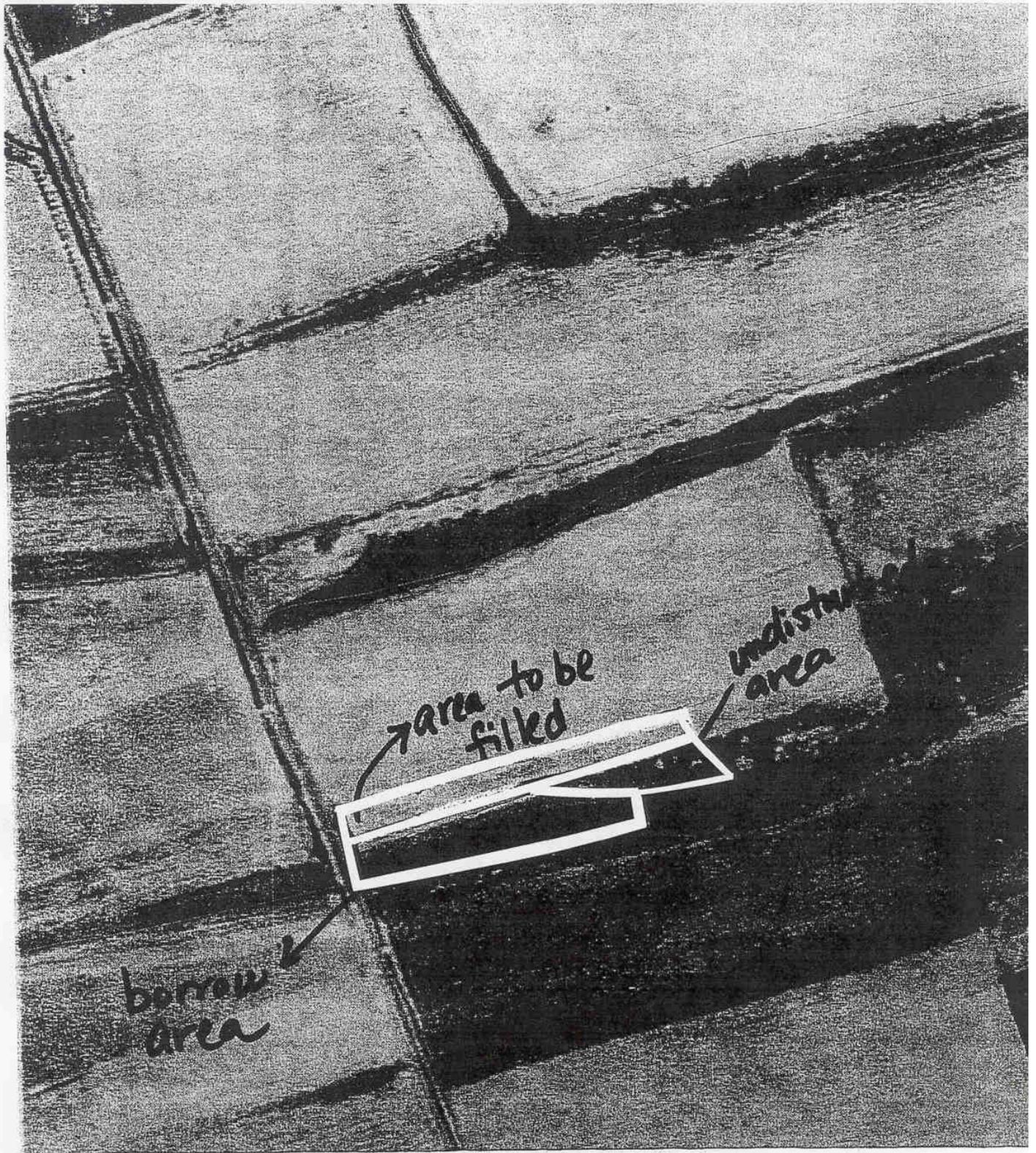
It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.



Mr. Dale Brown
1463 PCR 930
St. Mary, IL 63673

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