



Public Notice

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

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

Permission No.
OD-R 19-012
Public Notice Date
July 14, 2022
Expiration Date
August 13, 2022

Postmaster Please Post Conspicuously Until:

REQUEST FOR PERMISSION TO MODIFY A U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

Interested parties are hereby notified that an application has been received for a Department of the Army Section 408 permission for certain work near federally constructed flood protection projects 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 Public Notice 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
Readiness Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Jeff Wells, P.E.
or Jeffrey.M.Wells@usace.army.mil

REQUESTER: Prairie Power, INC. (PPI), Attention: Jeremy Johnson
Linderlake Cooperation, Attention: Mark Poncer

LOCATION: The construction of an above ground electrical transmission line has been proposed to extend from Eldred to Hardin, Illinois. The route is 13 miles in length. Beginning near Hardin on the west descending bank of the Illinois River, the route will cross the channel, then travel north-east towards Eldred, Illinois. The route primarily parallels road right of ways northward to Eldred, and portions run along existing distribution lines. The site passes through Greene, Jersey, and Calhoun counties. In respect to USACE St. Louis District levee systems, the proposed site will intersect with the Nutwood Drainage and Levee District levee embankment. Specifically, the transmission line will cross the mainline embankment between Sta. 300+00 and Sta. 310+00, and the northern flank embankment between Sta. 10+00 and Sta. 20+00. (Nutwood Drainage and Levee District, Jersey and Greene Counties, Illinois)

PROPOSED ACTION: The purpose of the proposed project is to build an above-ground 69kV transmission pole route in order to provide electricity and redundancy in the case of power outages to the Hardin to Eldred, Illinois communities.

The applicant is requesting easements for a 100-foot-wide strip of land, 50-feet on either side of the pole line, for the transmission poles intersecting the Nutwood levee embankment. The majority of poles utilized in construction will be wood, approximately 60-90 feet tall, and framed in a horizontal post configuration. Poles which cross obstacles, i.e. the river or other transmission lines, may utilize alternative configurations such as a single pole with cross arms or multi-pole structures.

Below ground impacts vary at each pole installation and guy wire placement sites. More details on embedment parameters, drilled pier dimensions, drainage impacts, overhead clearances, etc. can be found in the attachments.

LOCATION MAPS AND DRAWINGS: The attached map shows the approximate location of the proposed project in relation to the flood risk reduction project and its associated features. See Attachment.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jeff Wells, P.E., St. Louis District 408 Coordinator, U.S. Army Corps of Engineers, at (314)-331-8568. Your inquiries may also be sent by e-mail to Jeffrey.M.Wells@usace.army.mil.

REGULATORY AUTHORITY: This request will be reviewed according to 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 by existing Department of the Army nationwide permits for Electric Utility Line and Telecommunications Activities, as described in the March 15, 2021, Federal Register, Reissuance of Nationwide Permits; Notice (86 FR, 2865), Appendix A (B) (57). There will be both permanent and temporary impacts to waters of the U.S., including wetlands, associated with the project. Compensatory mitigation will not be required because the loss of waters associated with the activity is less than 1/10-acre.

EVALUATION: The decision whether to grant the requested permission for project modification under Section 408 will be based on several factors. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a U.S. Army Corps of Engineers technical review team considering the following factors:

1. **Impair the Usefulness of the Project Determination.** The review team will determine if the proposed alteration would limit the ability of the project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs. The decision whether to approve a request for modification would be based on a determination of no impairments.
2. **Injurious to the Public Interest Determination.** Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Evaluation of the probable impacts that the proposed alteration to the U.S. Army Corps of Engineers project may have on the public interest requires a careful weighing of all those factors that are relevant in each case. Factors that may be relevant to the public interest depend upon the type of USACE

project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

3. Environmental Compliance. A decision on a Section 408 request is a federal action and is therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While ensuring compliance is the responsibility of USACE, the requester is providing all information that the St. Louis District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and ordinances. NEPA and other analysis completed to comply with the other environmental statutes (e.g. Endangered Species Act) should be commensurate with the scale and potential effects of the activity that would alter the US Army Corps of Engineers project. The scope of analysis for the NEPA and environmental compliance evaluations for the Section 408 review is limited to the area of alteration and those adjacent areas that are directly or indirectly affected by the alteration. The proposed borings for the pole placements are not expected to involve significant impacts to endangered species, important fish and wildlife resources, water quality, floodplains, or other natural and cultural resources. The environmental effects of this project are minor. In compliance with Section 7(c) of the Endangered Species Act of 1973, as amended, lists of species and critical habitat were acquired from the USFWS Information for Planning and Conservation (IPaC) website on 15 November 2021 (Marion, IL office Consultation Code: 03E18100-2019-SLI-0460; Event Code: 03E18100-2022-E-00239) for the Proposed Action Area. The St. Louis District has made a “may affect but not likely to adversely affect” (NLAA) determination for the Indiana bat, Northern long-eared bat, Decurrent False Aster, and Monarch Butterfly. The USFWS provided concurrence for these species determinations on 26 January 2022. In a letter dated 24 November 2021, the Illinois DNR indicated that adverse impacts are unlikely and terminated consultation.
4. Cultural. A review by USACE – St. Louis archaeologists determined that two surveys and one archeological site overlap the project area. Archeological site 11C19 is on the bank of the Illinois River where the power line would cross over the river. This site (11C19) was determined to be not eligible for listing in the National Register of Historic Places (NRHP). No further work is needed for site 11C19. Two proposed tower locations, structures 127 and 128, at the Macoupin Creek crossing have never been surveyed for cultural resources and numerous archaeological sites are found in the vicinity. USACE District Archaeologists requested a Phase 1 Survey for the two tower locations at the Macoupin Creek Crossing.

The applicant hired Prairie Archaeology & Research, LTD to perform a Phase 1 Survey of the two tower locations. A pedestrian survey and was performed and eight battery-powered spiral augers were excavated (four in each tower location). No cultural resources were found and Prairie Archaeology & Research, LTD recommended no additional cultural resource work.

The District concurs with Prairie Archaeology & Research, LTD recommendations and has found “No Historic Properties Affected” for the Prairie Power Inc, Hardin to Eldred Transmission Line project. No further work is needed for the project.

5. Environmental Impact Statement. A preliminary determination has been made that an environmental impact statement is not required for the proposed work.
6. Technical Analysis. The St. Louis District is working closely with the requestor to ensure that all technical plans, maps, drawings, specifications are provided and complete. A District-led Technical Review has been conducted to determine any potential adverse impacts to the US Army Corps of Engineers flood protection system and no impacts were found.

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 permission 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 taken into consideration 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.

SUMMARY: It should be noted that materials submitted as part of the Section 408 request become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the St. Louis District Corps of Engineers, Office of Counsel.

Interested parties wishing to comment on the proposed activity must do so in writing no later than **August 13, 2022**. It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

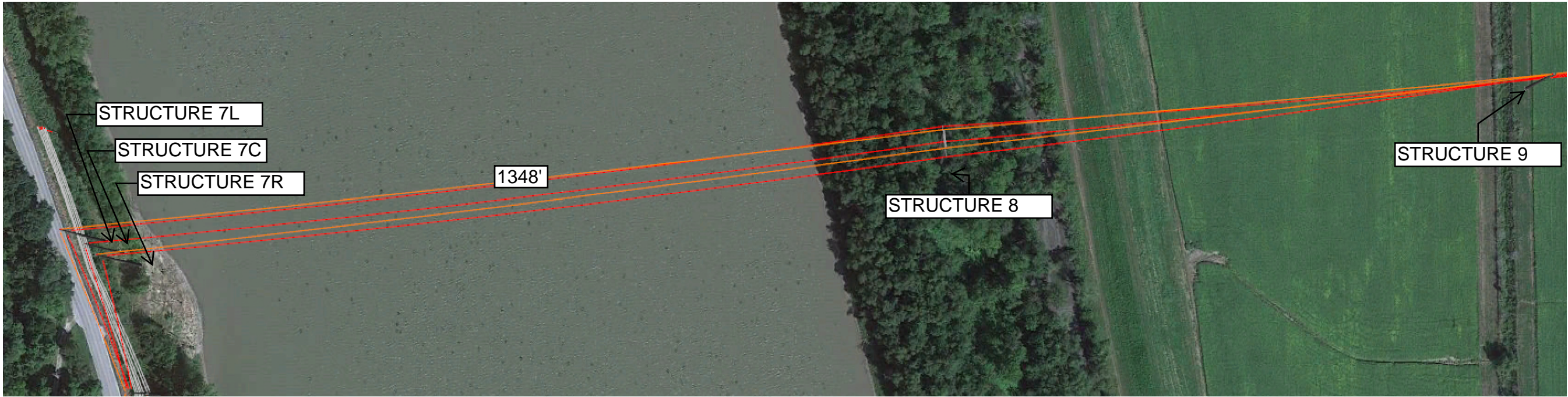
ORIGINAL SIGNED

John Osterhage, P.E.
Chief, Readiness Branch

Attachment

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.

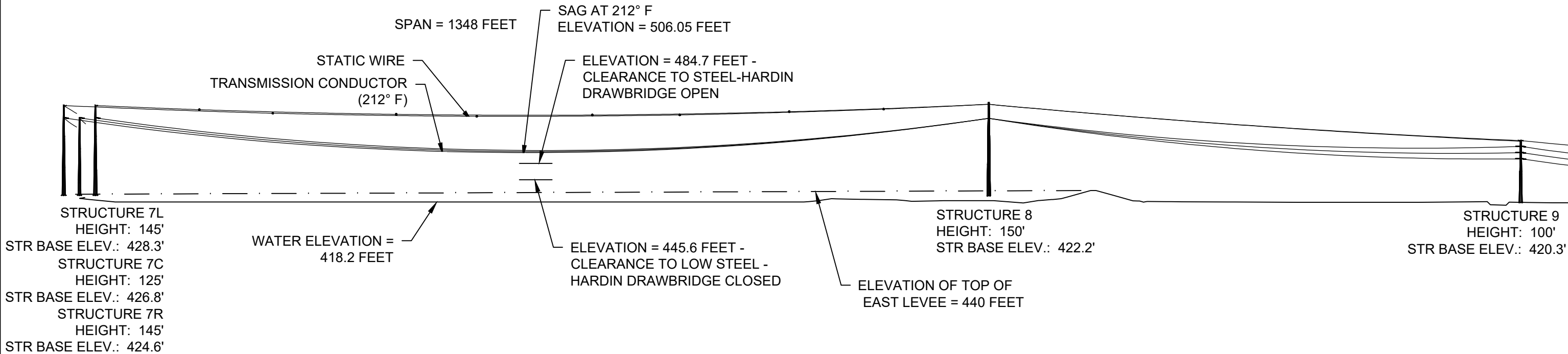


BASIS OF BEARING
ILLINOIS STATE PLANE
NAD 83 WEST ZONE

0 100 200

NOTE: DRAWING REPRODUCTION
AND SCALING MAY CHANGE THE
INDICATED GRAPHIC SCALES
H. SCALE: 1" = 200'

FLAT POOL: 418.2'
FLOOD STAGE: 425'
MODERATE FLOOD STAGE: 431'
MAJOR FLOOD STAGE: 432'



ELEVATION LOOKING NORTH
SCALE: NONE

795 26/7 ACSR (DRAKE)
LOADING = 14,000 LBS. NESC HEAVY

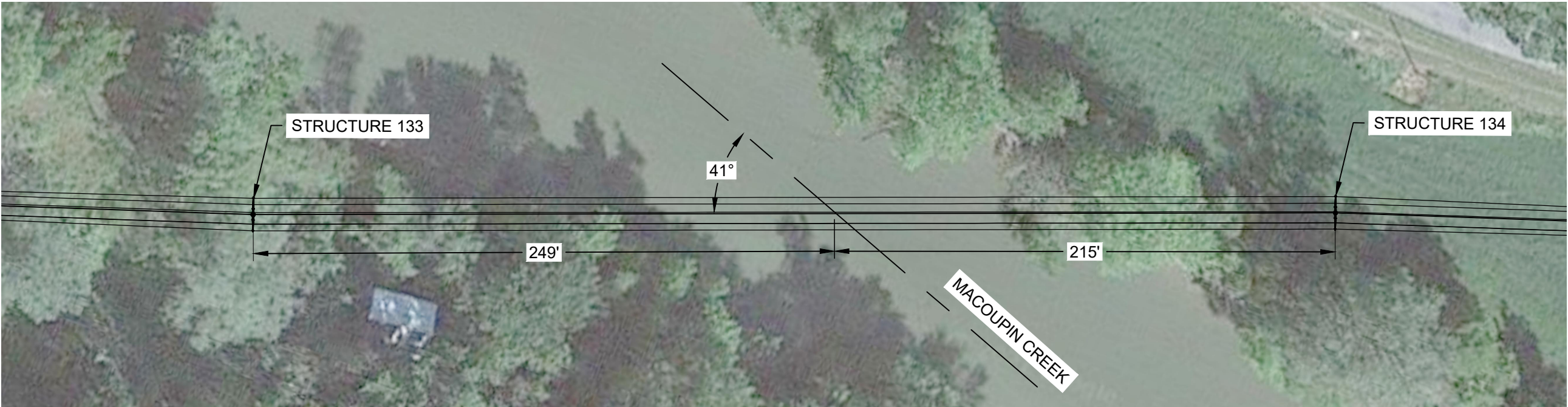
DATE	REVISION	#
11/01/19	ISSUED FOR REFERENCE	0
05/17/21	REVISED FOR REFERENCE	1
08/27/21	REVISED FOR REFERENCE	2
03/22/22	REVISED FOR REFERENCE	3
04/07/22	REVISED FOR REFERENCE	4

1550 E. REPUBLIC ROAD
SPRINGFIELD, MO 65804
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www.tothassociates.com
CERTIFICATE OF AUTHORITY:
IL# 184004776
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DWN. BY: DAW	PROJECT: HARDIN TO ELDRED 69KV LINE
CKD. BY: LHS	LOCATION: LA: 39.13679°, LN: -90.61778° TO LA: 39.22499°, LN: -90.48456°, CALHOUN/JERSEY/GREENE CO, IL
APPD. BY: LHS	CLIENT: PRAIRIE POWER, INC. SPRINGFIELD, ILLINOIS ILLINOIS-53-MACON
DATE: 03/19/19	TITLE: ILLINOIS RIVER CROSSING
	SHT NO.: CU-750

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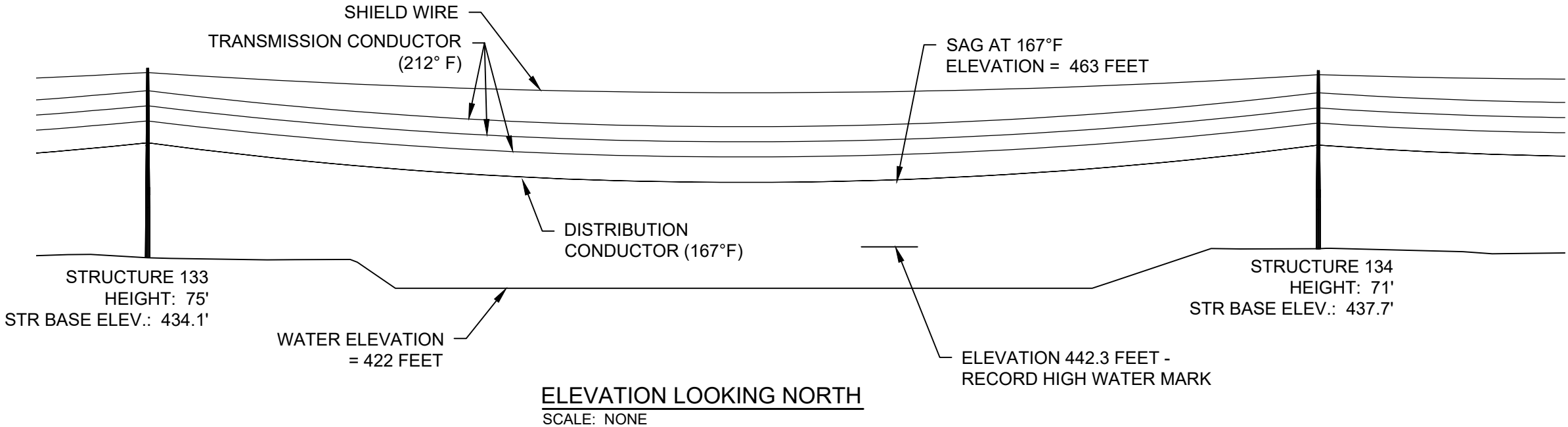
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BASIS OF BEARING
ILLINOIS STATE PLANE
NAD 83 WEST ZONE



NOTE: DRAWING REPRODUCTION
AND SCALING MAY CHANGE THE
INDICATED GRAPHIC SCALES
H. SCALE: 1" = 50'



DATE	REVISION	#
06/28/19	ISSUED FOR REFERENCE	0
09/01/21	REVISED FOR PERMITTING	1
03/22/22	REVISED FOR PERMITTING	2

TOTH
ASSOCIATES

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CERTIFICATE OF AUTHORITY:
AR# 1008
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CKD. BY: LHS	LOCATION: LA: 39.13679°, LN: -90.61778° TO LA: 39.22499°, LN: -90.48456°, CALHOUN/JERSEY/GREENE CO, IL
APPD. BY: LHS	CLIENT: PRAIRIE POWER, INC. SPRINGFIELD, ILLINOIS ILLINOIS-53-MACON
DATE: 06/27/19	TITLE: MACOUPIN CREEK CROSSING
	SHT NO.: CU-751