



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 18-006
Public Notice Date
June 23, 2023
Expiration Date
July 8, 2023

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: Jeffrey Wells, P.E.
or Jeffrey.M.Wells@usace.army.mil

REQUESTER: Missouri Department of Transportation Attention: Mr. Brian Okenfuss, P.E.

LOCATION: The site is located along and perpendicular to the Bois Brule Levee and will cross the Mississippi River Navigation channel. The work is located at the approximate coordinates 37°53'41.61"N 89°50'34.67"W in Perryville, MO. (Bois Brule Levee and Drainage District, Perry County, Missouri) and will cross the Mississippi River near the City of Chester, Illinois.

PROPOSED ACTION: The applicant is requesting to make alterations to the Bois Brule Levee and Mississippi River Navigation Channel. The proposed alterations include the construction of a new US Highway 51 bridge that crosses the Bois Brule Levee and the Mississippi river. Specifically, this Section 408 application details the portion of the project where the highway embankment crosses the Bois Brule Levee embankment and the bridge piers and revetment work that is occurring within banks of the Mississippi River.

The new two-lane bridge and roadway is approximately 150 feet upstream of the existing bridge. The new Mississippi River bridge design is a four-span cable-stay bridge with two precast concrete girder span approaches on the Missouri side and one precast concrete girder span on the Illinois side. The new bridge includes two piers in the Mississippi River and one pier on the Missouri overbank land area. The river piers are supported on drilled shaft foundations constructed within cofferdams. In addition, the project includes a span of the Horse Island Chute with a four-span precast concrete girder supported on driven pipe piles. Construction of the new bridge and roadway embankment and removal of the old bridge will result in temporary and permanent impacts to the Mississippi River and the Bois Brule Levee.

LOCATION MAPS AND DRAWINGS: See Attachment

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jeffrey 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: The St. Louis District Regulatory Branch is reviewing the project activity under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act and posted a Public Notice on May 19, 2023 (file number MVS-2017-561) that can be viewed at <http://www.mvs.usace.army.mil/Missions/Regulatory/PublicNotices/OpenNotices.aspx>. The Regulatory Branch has shared comments received from the public notice with the Section 408 Coordinator for their public interest review. Additional information regarding the project, wetland impacts, and environmental reviews may be found at <https://www.modot.org/chesterbridge>.

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 actions would not significantly impact the physical environment (e.g., landscape setting; land cover / land use; water quality; air quality; prime and unique farmland; traffic; greenhouse gases, or climate change); the socioeconomic environment (e.g., recreation, aesthetics, noise, or demographics); or biological resources (e.g., wetlands, forests, or fish and wildlife resources). No significant impacts to parks, national and historic monuments, national seashores, wild and scenic rivers, wilderness areas, or research sites are anticipated. Furthermore, the proposed actions are not expected to result in disproportionately high and adverse human health or environmental impacts on minority populations or low-income populations (environmental justice). The USFWS has reviewed the project under the Fish and Wildlife Coordination Act; the Endangered Species Act of 1973, as amended; the Migratory Bird Treaty Act, and the National Environmental Policy Act. The proposed project will not impact any known caves, and removal of suitable roost habitat shall occur during the 1 November 1 to 31 March period to avoid the summer active season for listed and proposed bat species. In a letter dated 16 June 2022 the Service concurred with MoDOT that the proposed project may affect but is not likely to adversely affect the gray bat, Indiana bat, northern long-eared bat, or pallid sturgeon. Additionally, conferencing for the candidate monarch butterfly is not required, thus MoDOT did not make an effects determination for this species. No designated critical habitat is present in the project area. Further, the Service is unaware of any bald eagle nests in the immediate vicinity of the proposed project. MoDOT will continue coordination with the USFWS during project design-build, including any required consultation regarding the proposed endangered listing for Tricolored bats. Based on coordination between MoDOT and MDC, no impacts to state-listed species are expected.

The St. Louis District will evaluate input by the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice. The bridge replacement is a federal action and MoDOT, using FHWA funds and in partnership with IDOT, is the lead agency for Section 106 compliance. MoDOT conducted consultation and contracted cultural resource surveys for the project. The Chester Bridge and Horse Island Chute Bridge are NRHP-eligible historic properties. Four archaeological sites in Illinois are considered potentially eligible for listing in the NRHP. A Memorandum of Agreement was fully executed December 17, 2019. MoDOT and IDOT will ensure all stipulations will be fulfilled within 10 years of execution. However, the selected alternative, U2, will avoid all archaeological sites in Illinois. Alternative U2 did require additional archaeological surveys performed in Missouri, but no cultural resources were found. The MOSHPO found “No Historic Properties Affected” on the addendum report for the additional survey. The Advisory Council on Historic Preservation had no comments on the addendum survey, if the project adheres to the

MOA. The District concurs with these findings.

All actions taken were in accordance with the National Historic Preservation Act of 1966, as amended (NHPA). In the unlikely event that, earthmoving activities associated with the proposed work did impact potentially significant archeological/historic remains, all construction activities and earthmoving actions in the immediate vicinity of the remains would be held in abeyance until the potential significance of the remains could be determined. The precise nature of such investigations would be developed by the Saint Louis District in concert with the professional staff of the Missouri SHPO.

4. Environmental Impact Statement. A preliminary determination has been made that an environmental impact statement is not required for the proposed work.
5. 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 is being conducted to determine any potential adverse impacts to the US Army Corps of Engineers flood protection system.

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 **July 8, 2023**. 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.

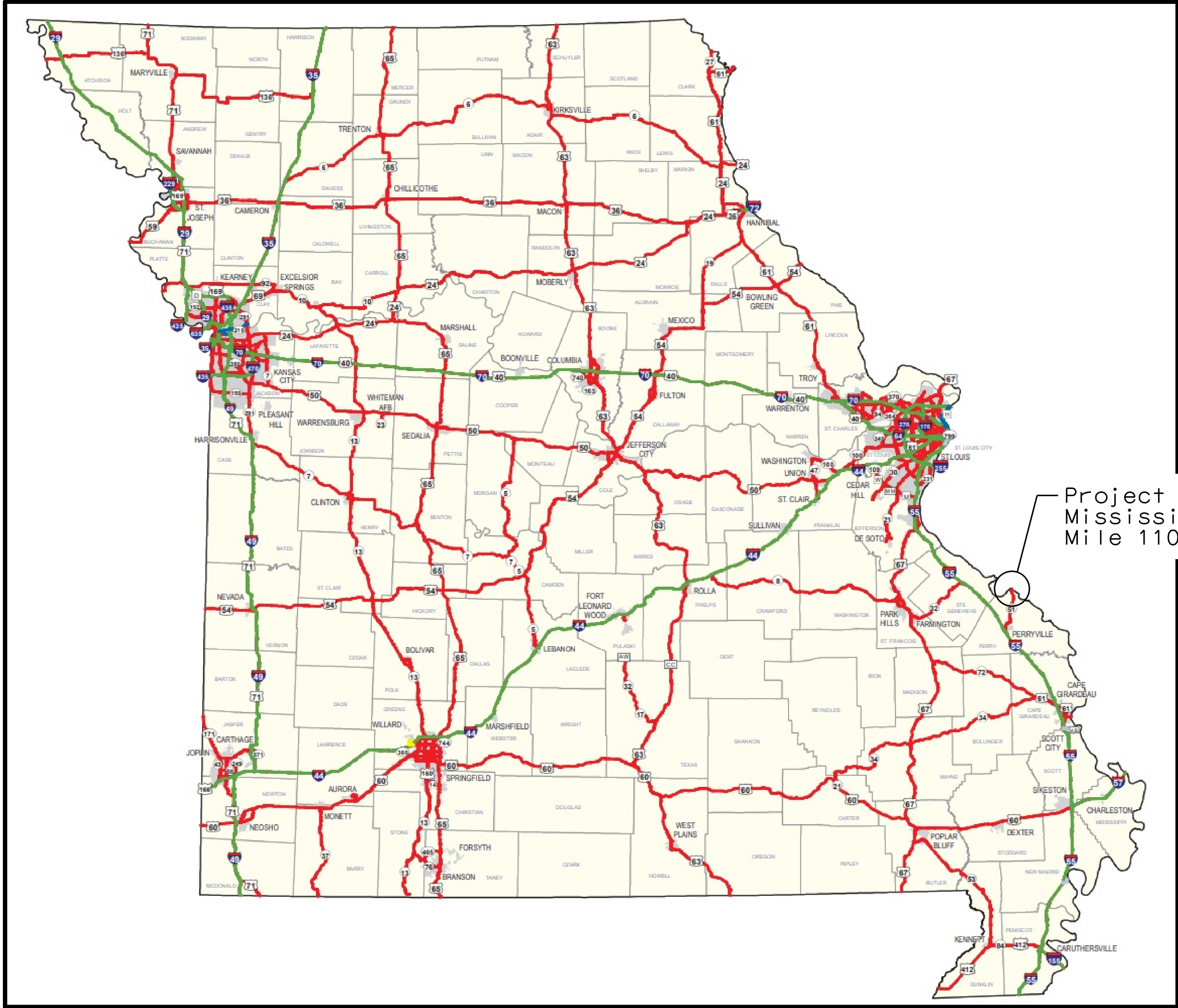
ORIGINAL SIGNED

John L. Osterhage
Chief, Readiness Branch

Attachment

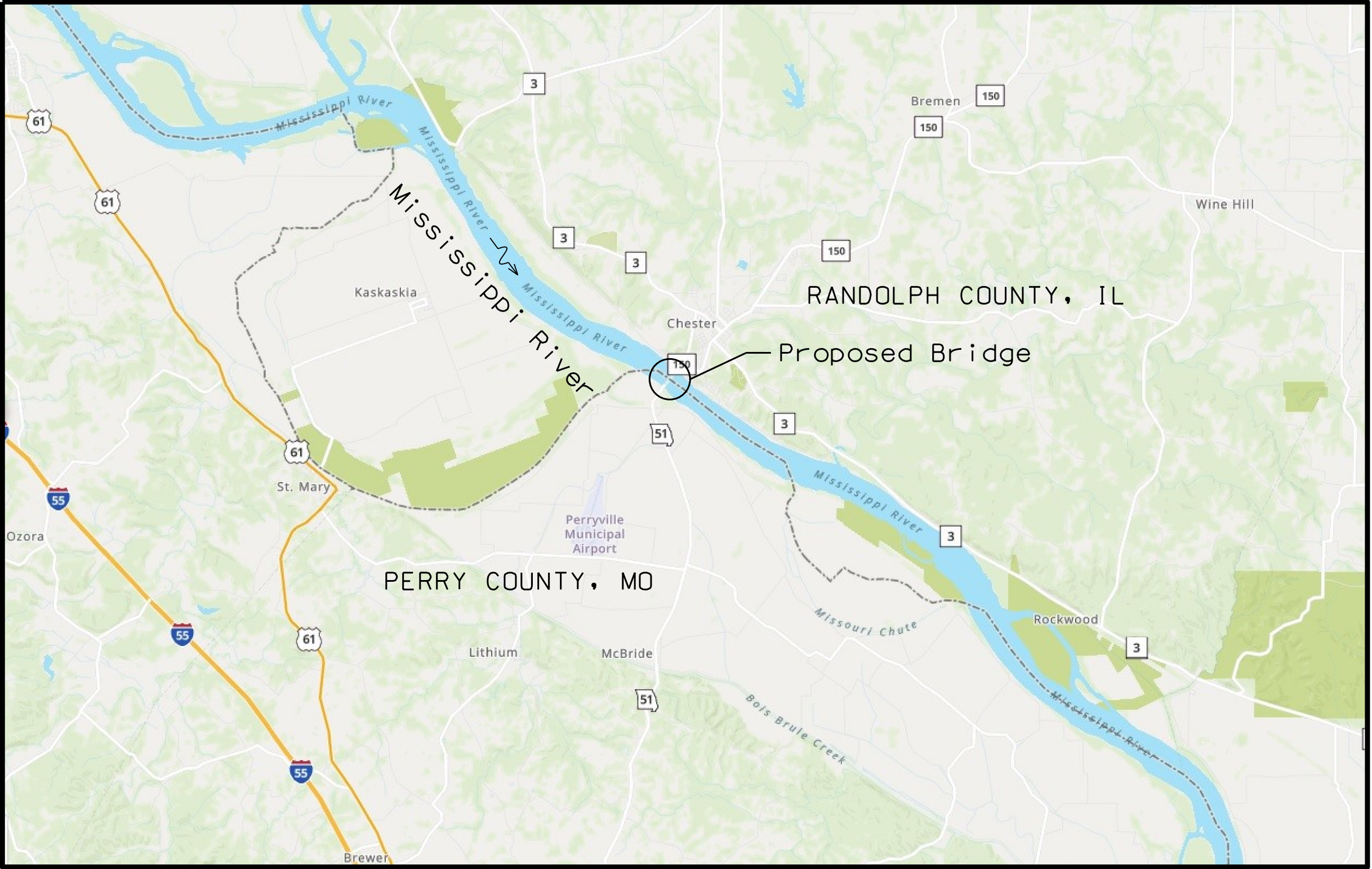
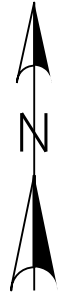
NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 15 days from the date of this issuance of this notice.

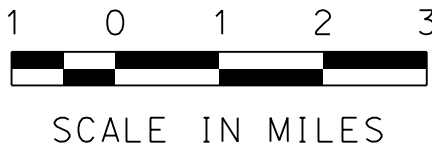


VICINITY MAP

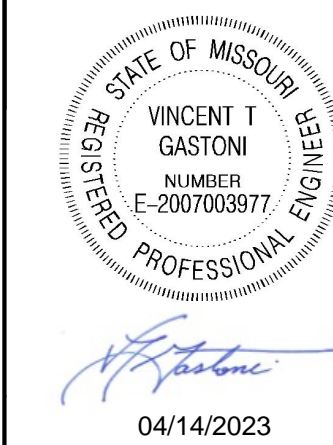
Project Location
Mississippi River
Mile 110±



LOCATION MAP



PROPOSED HIGHWAY BRIDGE
MAIN AND AUXILIARY NAVIGATION SPANS
MISSOURI ROUTE 51
BRIDGE OVER MISSISSIPPI RIVER, MILE 110±
AT CHESTER, ILLINOIS
BETWEEN PERRY COUNTY, MISSOURI AND
RANDOLPH COUNTY, ILLINOIS
APPLICATION BY
MISSOURI DEPARTMENT OF TRANSPORTATION
SHEET 1 OF 3
04/14/2023



REV	DATE	DESCRIPTION

MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION

MoDOT

105 WEST CAPITOL
JEFFERSON CITY, MO 65102
1-888-ASK-MODOT (1-888-275-6636)

CHESTER BRIDGE D-B PROJECT

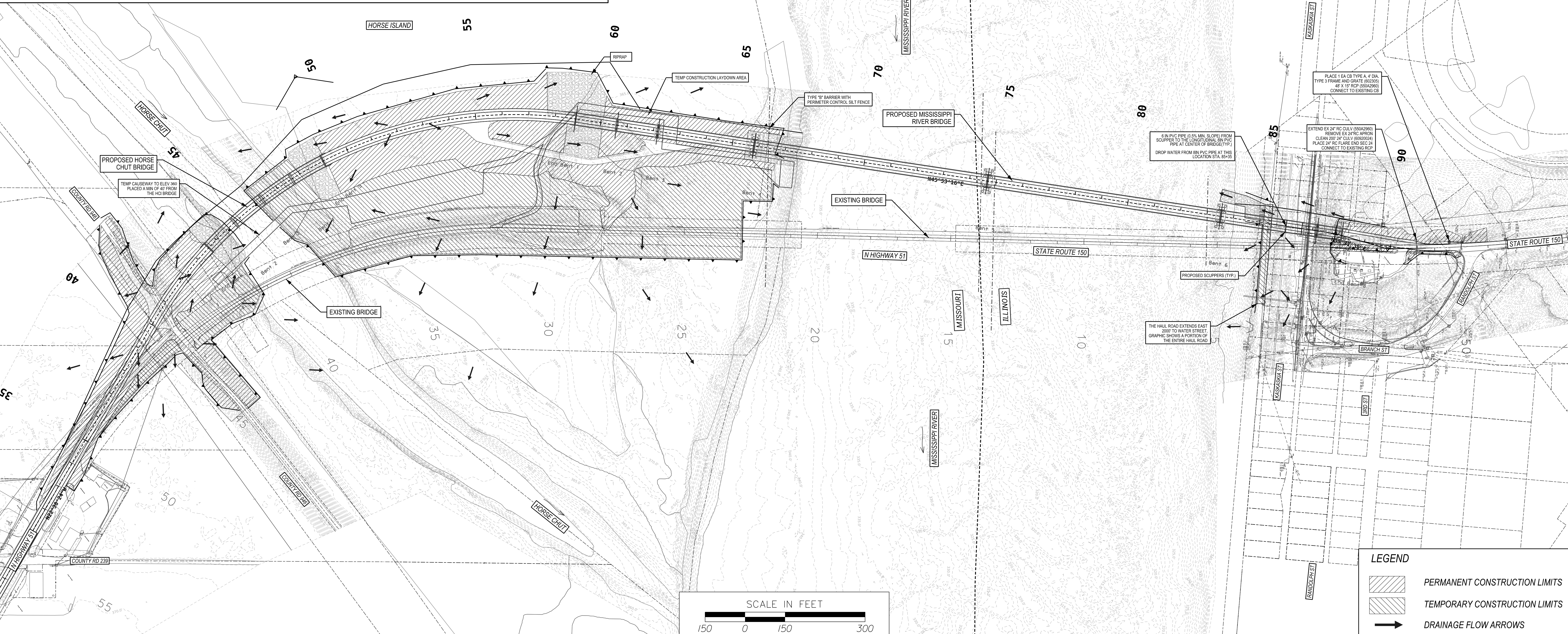
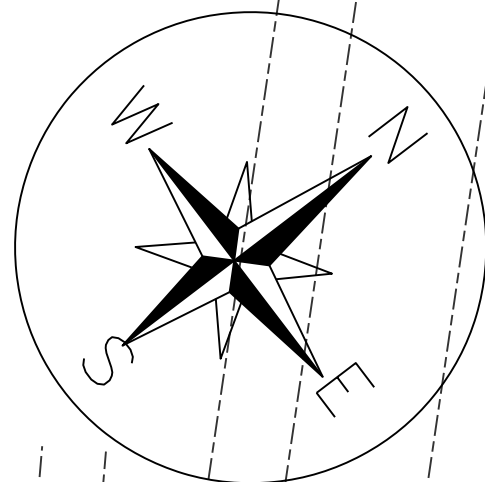
PARSONS
600 MARSHVILLE CENTRE DRIVE, SUITE 400
ST. LOUIS, MISSOURI 63141-9143/4200

Ames Construction

MO STATE CERTIFICATE OF AUTHORITY #000479 ENGINEERING

IF A SEAL IS PRESENT ON THIS SHEET IT HAS BEEN ELECTRONICALLY SEALED AND DATED.

MODOT CHESTER BRIDGE DESIGN-BUILD DRAINAGE OVERVIEW MAP



LEGEND

- PERMANENT CONSTRUCTION LIMITS
- TEMPORARY CONSTRUCTION LIMITS
- DRAINAGE FLOW ARROWS