

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 23-004
Public Notice Date
April 15, 2024

Postmaster, Please Post Conspicuously Until:

Expiration Date
May 14, 2024

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: Spire Energy, Attention: Mr. Russ English

LOCATION: The site is located along and perpendicular to the Metro East Sanitary District Levee. The work location is approximately one mile south-southwest of Locks 27 in Granite City, IL (MESD / Chain of Rocks East Levee System, Chain of Rocks Canal, Madison County, Illinois).

PROPOSED ACTION: The applicant is requesting to make alterations to the MESD / Chain of Rocks East Levee System, the Chain of Rocks Canal, and the Chain of Rocks West guide levee. The project is located between Granite City and Chouteau Island in Madison County, Illinois. The project consists of removing a portion of existing 10-inch steel propane pipeline underneath the Chain of Rocks Canal (Canal) and installing a new portion of 10-inch steel pipeline through horizontal directional drill (HDD) underneath the Canal at a greater depth and modified alignment to accommodate maintenance

dredging within the Canal. The new portion of the pipeline will connect to the existing propane transmission line on the west side of the Canal.

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 has conducted a preliminary review of the proposed project. Based upon review of the project activity description, the location of the work, and previous site visits, the Regulatory Branch determined that this activity would require a Department of the Army Permit under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. The project appears to qualify for Nationwide Permit 03 (Maintenance Activities) and/or Nationwide Permit 12 (Oil or Natural Gas Pipeline Activities).

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. Any substantial project design changes not covered in prior NEPA documents would need to be addressed in a supplemental document that will include potential impacts limited to the levee system, prior to implementation. The proposed action is not expected to involve significant adverse impacts to endangered species, important fish and wildlife resources, water quality, floodplains, or other natural and cultural resources. The adverse environmental effects of this project would be temporary and minor.

In compliance with Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended, lists of species and critical habitat were acquired from the USFWS Information for Planning and Conservation (IPaC) website on February 15, 2024 (Project Code: 2024-0049899) for the Proposed Action Area. The listed species included Indiana Bat, Northern Long-eared Bat, Tricolored Bat, Eastern Massasauga, Pallid Sturgeon, Monarch Butterfly, Decurrent False Aster, and Eastern Prairie Fringed Orchid.

Only minor tree clearing is anticipated. The construction disturbance may cause temporary minor impacts in the form of noise and vibration during the day, which could disturb bats roosting nearby. The existing conditions in the action area do not favor the establishment of decurrent false aster, eastern prairie fringed orchid, or host milkweed plants. The levee is routinely mowed and maintained to be free of woody vegetation. Furthermore, much of the action area is behind a functioning levee, greatly limiting the flooding disturbance events that generally precede a population of decurrent false aster from becoming established. There is suitable habitat for Pallid Sturgeon within the project footprint in the Chain of Rocks Canal. However, no permanent effects to this species are anticipated as the Proposed Action would avoid direct impacts to the Canal through HDD underneath the canal for line installation. Furthermore, Spire has developed and implement its Drilling Fluid Monitoring and Inadvertent Drilling Fluid Return Contingency Plan which discusses the protocols to be followed should an inadvertent return occur. Only temporary minor impacts to Pallid Sturgeon may occur during removal of the existing pipeline and use of the barge and would primarily be related to sedimentation.

The USACE St. Louis District is requesting consultation with the USFWS under Section 7 of the ESA for the following effects determinations. A “may affect, not likely to adversely affect” determination was made for Indiana Bat, Northern Long-eared Bat, Tricolored Bat, and Pallid Sturgeon. A “no effect” determination was made for Eastern Massasauga, Decurrent False Aster, and Eastern Prairie Fringed Orchid. A “not likely to jeopardize the continued existence of” determination was made for Monarch Butterfly.

An automated Illinois Department of Natural Resources EcoCAT Report was generated on 15 February 2023 (IDNR Project Number 2310259). On 22 February 2023 IDNR responded to say that adverse effects are unlikely and terminated consultation. On 15 April 2024, IDNR responded again to say that adverse effects are unlikely, recommended a tree clearing restriction window of 1 Oct to 31 Mar, and terminated consultation.

St. Louis District Archaeologists conducted a Historic Property Preliminary Review on 13 November 2023. This review determined that the project area was previously surveyed and one known archeological site is within the project area. Site 11MS2553 was previously determined to be not eligible for listing in the National Register of Historic Places. For these reasons, the

USACE – St. Louis has made a “No Historic Properties Affected” determination for the project.

The St. Louis District consults with 23 federally recognized Indian tribes that have an interest within this area. Tribal consultation for Section 106 of NHPA was not pursued due to the limited scope of the project and the determination of No Historic Properties Affected. However, relevant Tribes are invited to comment under NEPA during the Public Notice period.

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 **May 14, 2024**. 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

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.

Path: C:\Users\cmking2\OneDrive - Burns & McDonnell\Documents\ArcGIS\Projects\153819_Spire_ChainofRocks\BML154252_Chain of Rocks_09112023.aprx cmking2 3/21/2024
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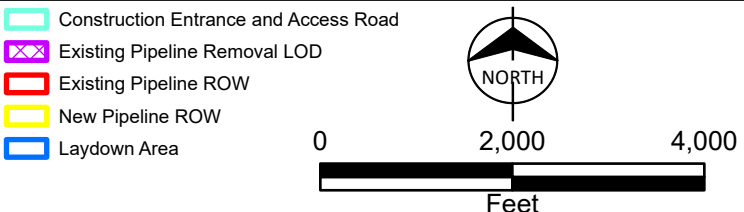
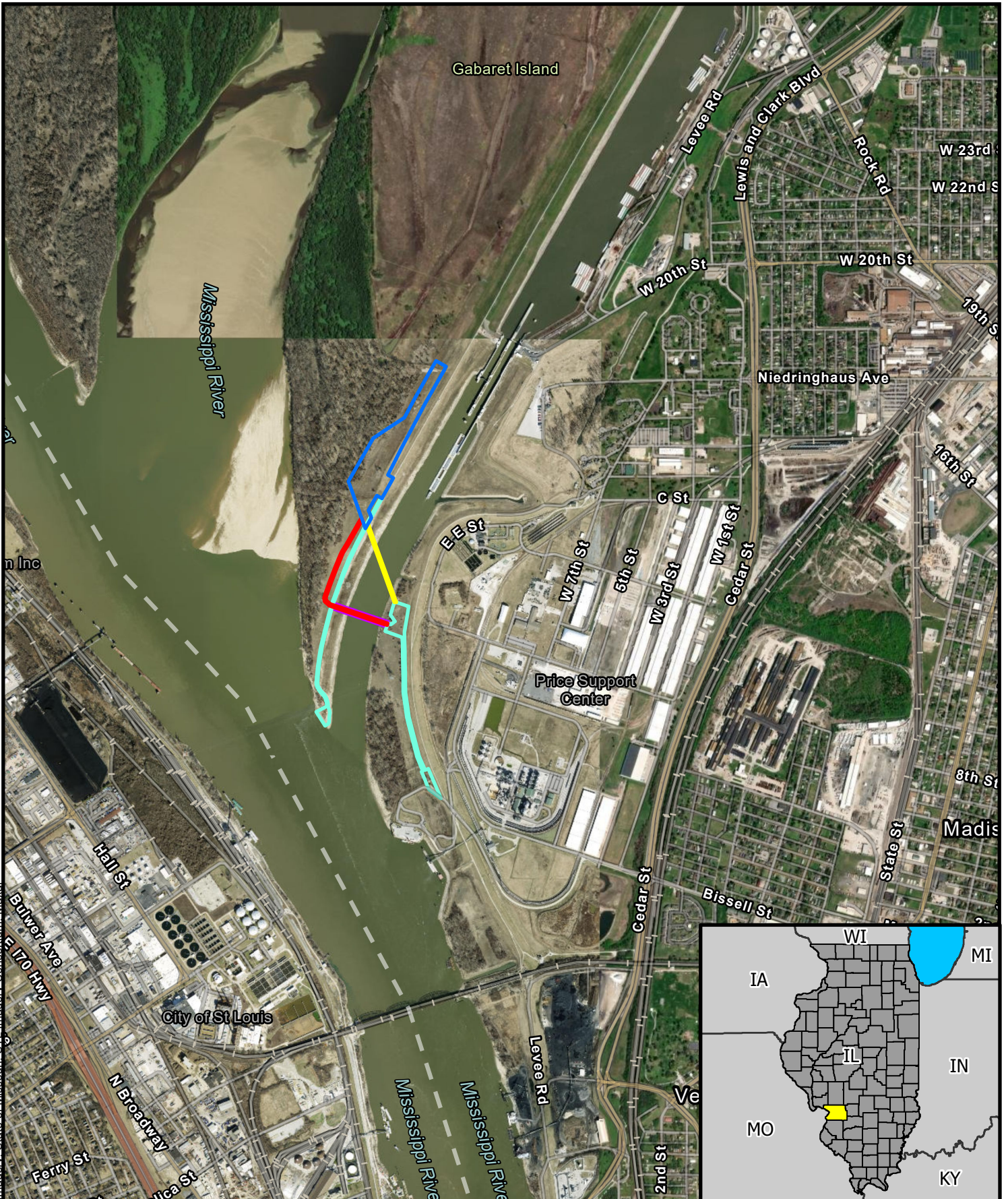
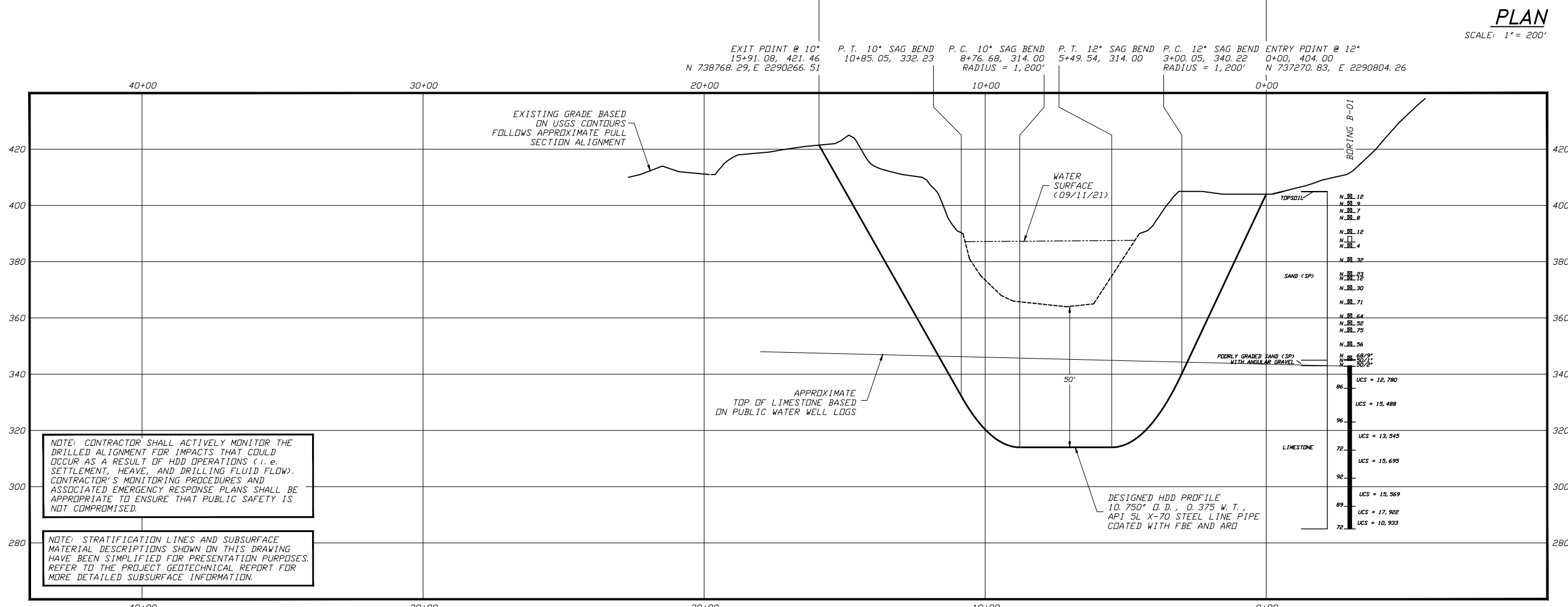
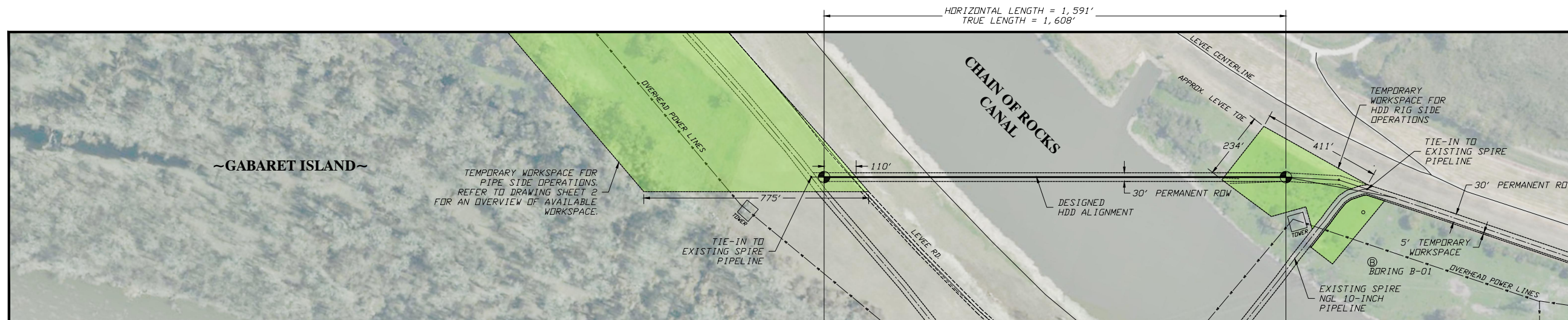


Figure 1-1
 Project Overview Map
 Chain of Rocks Pipeline Replacement Project
 Spire
 Madison County, Illinois



- GENERAL LEGEND**
- DRILLED PATH ENTRY/EXIT POINT
- GEOTECHNICAL LEGEND**
- ⊙ BORING LOCATION
 - SPILT SPOON SAMPLE
 - 53.1.23 PENETRATION RESISTANCE IN BLOWS PER FOOT FOR A 140 POUND HAMMER FALLING 30 INCHES PERCENTAGE OF GRAVEL BY WEIGHT FOR SAMPLES CONTAINING GRAVEL
 - THIN WALL SAMPLE
 - 53.1.5 — COMPRESSIVE STRENGTH (TSF)
 - CORE BARREL SAMPLE
 - UCS 6,250 — UNCONFINED COMPRESSIVE STRENGTH (PSI)
 - 53.1.6 — MOHS HARDNESS
 - ROCK QUALITY DESIGNATION (PERCENT)

- GEOTECHNICAL NOTES**
1. GEOTECHNICAL DATA PROVIDED BY INTERTEK PSI, ST. LOUIS, MISSOURI. REFER TO THE PROJECT GEOTECHNICAL REPORT FOR MORE DETAILED SUBSURFACE INFORMATION.
 2. THE LETTER "N" TO THE LEFT OF A SPLIT SPOON SAMPLE INDICATES THAT NO GRAVEL WAS OBSERVED IN THE SAMPLE. THE LETTERS "NT" INDICATE THAT GRAVEL WAS OBSERVED BUT NO GRADATION TEST WAS PERFORMED.
 3. THE GEOTECHNICAL DATA IS ONLY DESCRIPTIVE OF THE LOCATIONS ACTUALLY SAMPLED. EXTENSION OF THIS DATA OUTSIDE OF THE ORIGINAL BORINGS MAY BE DONE TO CHARACTERIZE THE SOIL CONDITIONS, HOWEVER, COMPANY DOES NOT GUARANTEE THESE CHARACTERIZATIONS TO BE ACCURATE. CONTRACTOR MUST USE HIS OWN EXPERIENCE AND JUDGMENT IN INTERPRETING THIS DATA.

- TOPOGRAPHIC SURVEY NOTES**
1. TOPOGRAPHIC SURVEY DATA OBTAINED FROM PUBLICLY AVAILABLE SOURCES (USGS AND NAVIONICS), AS WELL AS SITE-SPECIFIC SURVEY POINTS PERFORMED BY J. D. HAIR & ASSOCIATES, INC.
 2. NORTHINGS AND EASTINGS ARE IN U.S. SURVEY FEET REFERENCED TO ILLINOIS STATE PLANE COORDINATES, WEST ZONE, NAD83.
 3. ELEVATIONS ARE IN FEET REFERENCED TO NAVD88, UNLESS OTHERWISE NOTED.
- DRILLED PATH NOTES**
1. DRILLED PATH STATIONING IS IN FEET BY HORIZONTAL MEASUREMENT AND IS REFERENCED TO CONTROL ESTABLISHED FOR THE DRILLED SEGMENT.
 2. DRILLED PATH COORDINATES REFER TO CENTERLINE OF PILOT HOLE AS OPPOSED TO TOP OF INSTALLED PIPE.

- PILOT HOLE TOLERANCES**
- THE PILOT HOLE SHALL BE DRILLED TO THE TOLERANCES LISTED BELOW. HOWEVER, IN ALL CASES, RIGHT-OF-WAY RESTRICTIONS AND CONCERN FOR ADJACENT FACILITIES SHALL TAKE PRECEDENCE OVER THESE TOLERANCES.
1. ENTRY POINT: UP TO 3 FEET FORWARD OR BACK FROM THE DESIGNED ENTRY POINT; UP TO 3 FEET RIGHT OR LEFT OF THE DESIGNED ALIGNMENT
 2. EXIT POINT: UP TO 5 FEET SHORT OR 10 FEET LONG RELATIVE TO THE DESIGNED EXIT POINT; UP TO 3 FEET RIGHT OR LEFT OF THE DESIGNED ALIGNMENT
 3. ELEVATION: UP TO 3 FEET ABOVE AND 15 FEET BELOW THE DESIGNED PROFILE
 4. ALIGNMENT: UP TO 10 FEET RIGHT OR LEFT OF THE DESIGNED ALIGNMENT
 5. CURVE RADIUS: NO LESS THAN 600 FEET BASED ON A 3-JOINT AVERAGE

- PROTECTION OF EXISTING FACILITIES**
- CONTRACTOR SHALL UNDERTAKE THE FOLLOWING STEPS PRIOR TO COMMENCING DRILLING OPERATIONS:
1. CONTACT THE UTILITY LOCATION/NOTIFICATION SERVICE FOR THE CONSTRUCTION AREA.
 2. POSITIVELY LOCATE AND STAKE ALL EXISTING UNDERGROUND FACILITIES. ANY FACILITIES LOCATED WITHIN 10 FEET OF THE DESIGNED DRILLED PATH SHALL BE EXPOSED.
 3. MODIFY DRILLING PRACTICES AND DOWNHOLE ASSEMBLIES AS NECESSARY TO PREVENT DAMAGE TO EXISTING FACILITIES.

NOT FOR CONSTRUCTION - DRAFT DATED 1/24/24

PLAN AND PROFILE
10-INCH PIPELINE CROSSING OF CHAIN OF ROCKS CANAL
BY HORIZONTAL DIRECTIONAL DRILLING

LOCATION: ST. CLAIR COUNTY, ILLINOIS

DRAWN	DATE	CHECKED	APPROVED	SCALE	SHOWN FOR	DRAWING LABEL	REVISION
ACM	09/02/23	DMP	JMS	D-SIZED PLOT	SPIRE - CORC		P2

NO.	DATE	BY	REVISION DESCRIPTION	CHKD APP.
1	01/23/2024		REVISED DRILL PATH	

J.D. Hair & Associates, Inc.
Consulting Engineers

6100 S Yale
Suite 816
Tulsa, Oklahoma 74136

PROJECT NO.
SPIRE2246

SHEET NO.
1