



# 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 24-035**  
**Public Notice Date**  
**March 12, 2025**  
**Expiration Date**  
**April 11, 2025**

**Postmaster, Please Post Conspicuously Until:**

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## **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:** Horner & Shifrin, on behalf of Ameren Illinois

**LOCATION:** The site is located on and near the Village of New Athens Levee District. The proposed work is on the riverside of the levee and follows the alignment near the approximate coordinates 38°19'49.19"N, 89°52'26.77"W in the Village of New Athens, Illinois (St. Clair County, Illinois).

**PROPOSED ACTION:** The applicant is requesting to replace gas pipeline that will cross the New Athens Levee District.

**LOCATION MAPS AND DRAWINGS:** See Attachment

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Chad Olney, 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 [chad.a.olney@usace.army.mil](mailto:chad.a.olney@usace.army.mil).

**REGULATORY AUTHORITY:** The St. Louis District Regulatory Division has conducted a review of the proposed project and, based upon review of the proposed activities and impacts to waters of the United States, the project will require the need for a Department of the Army Permit under Section 404 of the Clean Water Act. Currently, the project appears to meet the terms and conditions of Nationwide Permit #3 (Maintenance). A Section 404 permit will be issued in concurrence with the Section 408 approval.

**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.

In compliance with Section 7(c) of the Endangered Species Act of 1973, as amended, an updated list of species and critical habitat were acquired from the USFWS Information for Planning and Conservation (IPaC) website on 28 February 2025 (Project Code: 2025-0062) for

the Proposed Action Area. The IPaC list included three bat species: the Northern long-eared bat, Indiana bat, and tricolored bat; one bird: the whooping crane; one insect: the monarch butterfly; and one plant: decurrent false aster. A “*may affect, not likely to adversely affect*” (NLAA) determination was made for the bat species, a “*no effect*” determination for the whooping crane and decurrent false aster, and a “*not likely to jeopardize the continued existence*” determination for the monarch butterfly. The USFWS concurred with these determinations via email on 03 March 2025.

The Migratory Bird Treaty Act (MBTA) of 1918 provides protection for bird species native to North America. The project area is in the Mississippi Flyway, a bird migration route which follows the Mississippi River, the Missouri River, and the Lower Ohio River in the United States. A variety of migratory birds might occur in the project areas, some as migrants and some as breeders, depending on the time of year. Year-round residents would also be present. The construction disturbance could cause temporary minor adverse impacts.

Although the bald eagle (*Haliaeetus leucocephalus*) was removed from the federal list of threatened and endangered species in 2007, it continues to be protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act (BGEPA). The BGEPA prohibits unregulated take of bald eagles, including disturbance. The USFWS developed the National Bald Eagle Management Guidelines to provide landowners, land managers, and others with information and recommendations regarding how to minimize potential project impacts to bald eagles, particularly where such impacts may constitute disturbance. The USFWS is not aware of a bald eagle nest in the vicinity of the proposed project area. However, if a nest is located then USFWS will be contacted and the guidelines implemented.

A cultural resource survey was previously conducted within the project area. The project has a low likelihood of encountering cultural materials as the pipe will be placed within the original pipeline corridor. For this reason, The St. Louis District Archaeologist found “No Historic Properties Affected” for the project.

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 Illinois 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 **April 11th, 2025**. 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.

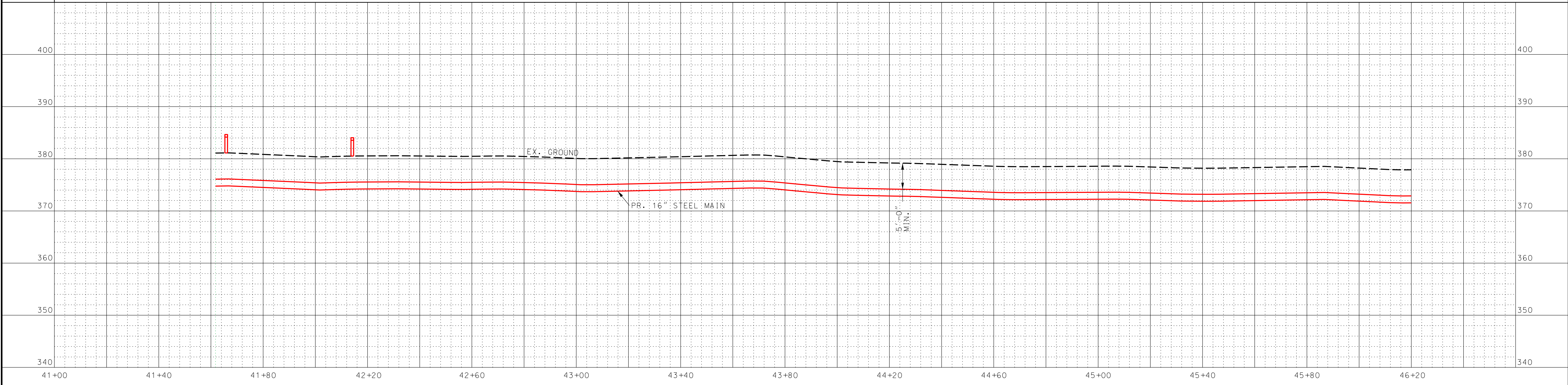
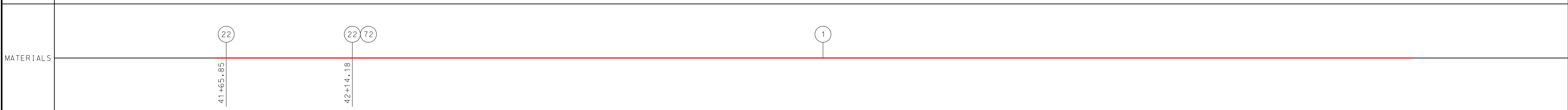
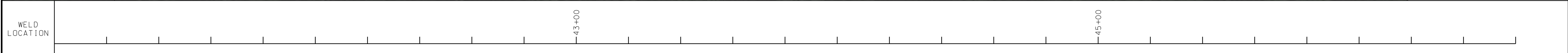
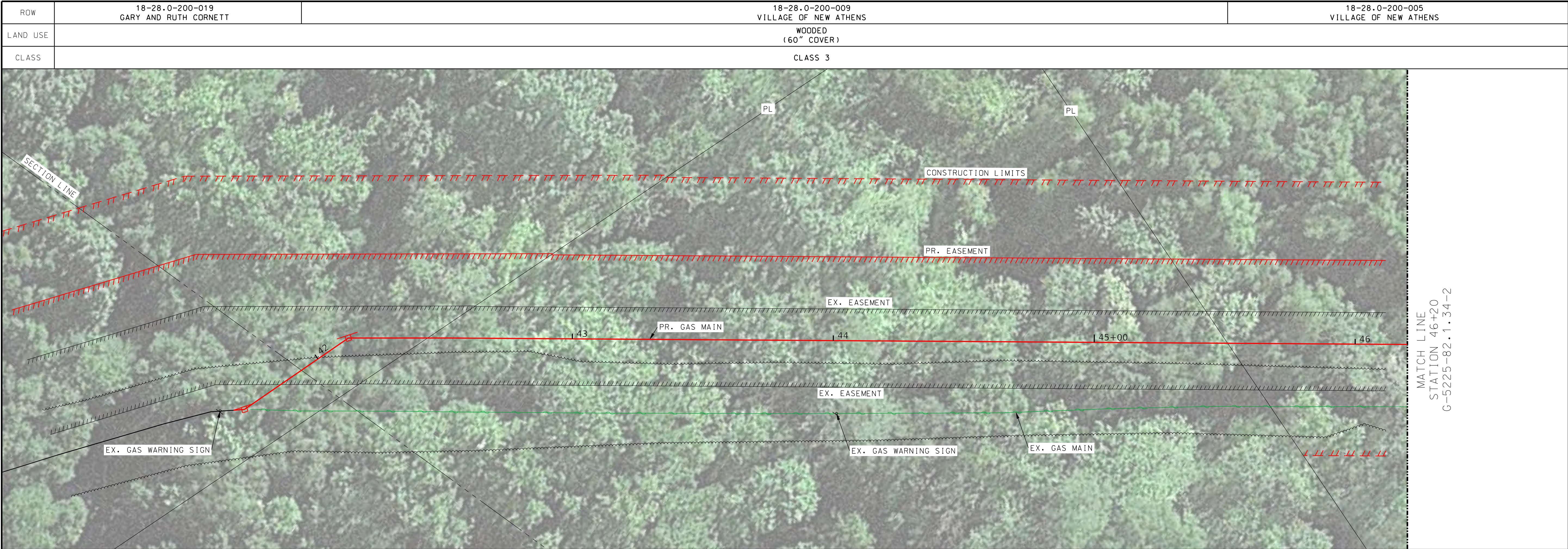
John L. Osterhage  
Chief, Readiness Branch

Attachment: Plan and Profile Sheets

**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.





REV	DATE	DRF	DESCRIPTION	ENG	RVW	APPD
0	06-03-24	DSG/TWM	ISSUED FOR BID PER GTSE002106/W.O.J0Z9D	LJB	LJB	MLC
1	XX-XX-XX	DSG/TWM	INITIAL ISSUE PER GTSE002106/W.O.J0Z9D	LJB	LJB	XXX

REFERENCES
G-5225-04.1.34-1 PIPE DETAILS-TIE IN-#1
G-5225-15.1.34 G-5225-82.1.34-2
EROSION CONTROL SHEET 1 OF 7 PLAN AND PROFILE SHEET 2 OF 12

REFERENCES

NOTES
1. CALL J.U.L.I.E. PRIOR TO CONSTRUCTION
2. UTILITY LOCATIONS & DEPTHS SHOWN ARE APPROXIMATE.
3. POTHOLE ALL UTILITIES WITHIN 18" OF BORE PATH.
4. REFER TO PRINT FOR NEW PIPE INSTALLATION DEPTHS.
5. HAUL AWAY AND LEGALLY DISPOSE OF RETIRED/REMOVED MAIN.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY EROSION AND TRAFFIC CONTROL.
7. TURN OFF RECTIFIER PRIOR TO TIE-IN WORK.
8. SOAP TEST TIE-WELDS AT OPERATING PRESSURE.

NOTICE OF LIMITED RESPONSIBILITY
THE RESPONSIBILITY OF THE UNDERSIGNED ENGINEER IS LIMITED TO THE DESIGN WORK SHOWN ON PROJECT DRAWINGS AND DOCUMENTS BEARING HIS/HER SEAL, SIGNATURE OR INITIALS. HE/SHE DOES NOT HAVE AUTHORITY OVER THE PROJECT AS A WHOLE. THE UNDERSIGNED DISCLAIMS ANY RESPONSIBILITY FOR WORK DONE UNDER SUBSEQUENT REVISIONS AND ANY OTHER DOCUMENTS ASSOCIATED WITH THE PROJECT WHICH DO NOT BEAR HIS/HER SEAL, SIGNATURE OR INITIALS.
ACCT AIC-2-ZA-367-0G5-0G5-0-J0Z9D-02-QITF-BX-GTSE002106
DRF DSG/TWM START DATE: 02-14-24   UPDATED: XX-XX-XX SCALE: 1" = 20'-0"
ENG LJB DRAWING NUMBER
RVW LJB
APPD XXX

PLAN AND PROFILE SHEET 1 OF 12 GTSE REPLACEMENTS NEW ATHENS, MARISSA, IL
G-5225-82.1.34-1 X
REV 1

ITEM	DESCRIPTION	STOCK#	QTY.
1	PIPE, STEEL, 16" X .375" WT, X-52, FBE, HFW, API 5L PSL2	3223253	520'
22	ELBOW, PIPE, 16-IN, 45-DEG, O.375" WALL, SEGMENTABLE, PEB, ASME B16.49, API 5L	1933674	2
72	POST, PIPELINE MARKER, 3' DIA, WHITE W/ YELLOW TOP, 6", FINKLET	1602628	1

20 0 20 40  
1" = 20'-0"

LEGEND

- RIGHT OF WAY MARKER
- IRON PIPE/PIN FOUND
- FIRE HYDRANT
- TELEPHONE SPLICE BOX
- LIGHT POLE
- UTILITY POLE
- GUY WIRE
- MANHOLE
- FLARED END SECTION
- SIGN
- MAILBOX
- DECIDUOUS TREE
- CONTOUR INDEX
- CONTOUR INTERMEDIATE
- WATERLINE
- OVERHEAD AERIAL LINES
- UNDERGROUND CABLE TV
- STORM SEWER
- PIPE CULVERT
- RAILROAD TRACKS
- SANITARY SEWER
- UNDERGROUND ELECTRIC
- FIBER OPTIC
- TELEPHONE
- EXISTING RIGHT OF WAY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPERTY LINE
- PROPERTY LINE
- SECTION LINE
- EXISTING
- PROPOSED
- REMOVE/RETIRE
- FUTURE/TEMPORARY
- HIDDEN
- PIPELINE MARKER
- WOODS OR BRUSH LINE
- VEGETATION LINE
- FENCE LINE

ISSUED  
FOR CONSTRUCTION

ENGINEER LJB XX-XX-XX  
INITIAL DATE

SUPERVISOR XXX XX-XX-XX  
INITIAL DATE

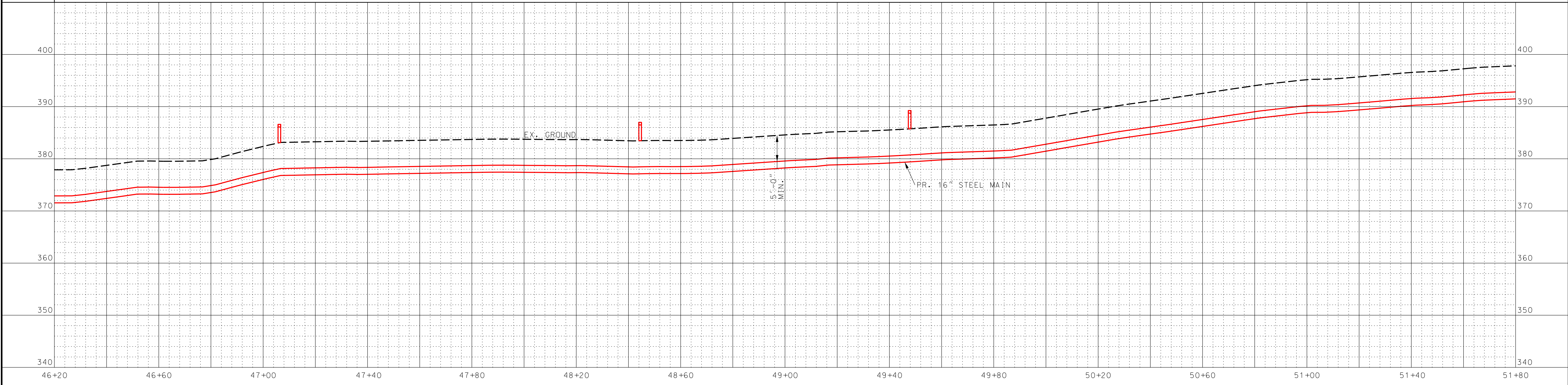
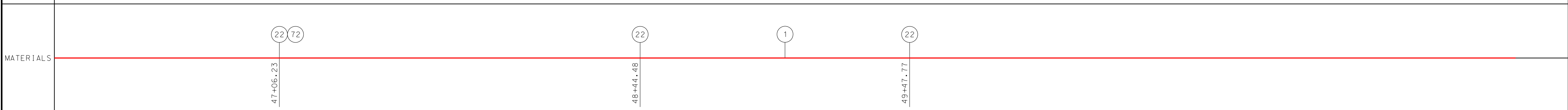
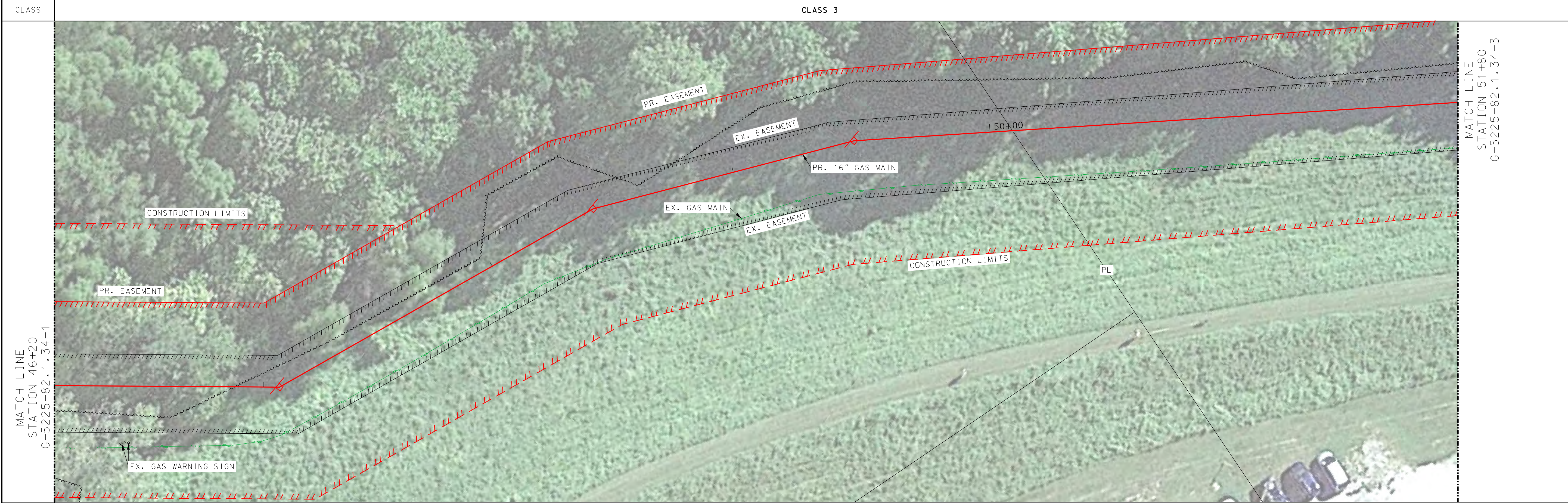
AS-BUILT MARK-UPS  
COMPLETED

SIGNATURE

EMPLOYEE ID DATE



ROW	18-28.0-200-005 VILLAGE OF NEW ATHENS		18-28.0-200-009 VILLAGE OF NEW ATHENS
LAND USE	WOODED (60" COVER)	UNCULTIVATED (60" COVER)	
CLASS	CLASS 3		



REV	DATE	DRF	DESCRIPTION	ENG	RVW	APPD
0	06-03-24	DSG/TWM	ISSUED FOR BID PER GTSE002106/W.O.J0Z9D	LJB	LJB	MLC
1	XX-XX-XX	DSG/TWM	INITIAL ISSUE PER GTSE002106/W.O.J0Z9D	LJB	LJB	XXX

REFERENCES	REFERENCES
G-5225-04.1.34-2 G-5225-82.1.34-1 G-5225-82.1.34-3	EROSION CONTROL MEASURE SHEET 2 OF 7 PLAN AND PROFILE SHEET 1 OF 12 PLAN AND PROFILE SHEET 3 OF 12

REFERENCES	NOTES
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DRF	DSG/TWM
ENG	LJB
RVW	LJB
APPD	XXX

PLAN AND PROFILE SHEET 2 OF 12 GTSE REPLACEMENTS NEW ATHENS, MARISSA, IL	
DRAWING NUMBER G-5225-82.1.34-2 X	
REV	1

ITEM	DESCRIPTION	STOCK#	QTY.
1	PIPE, STEEL, 16" X .375" WT, X-52, FBE, HFW, API 5L PSL2	3223253	560'
22	ELBOW, PIPE, 16-IN, 45-DEG, 0.375" WALL, SEAMENTABLE, PEB, ASME B16.49, API 5L	1933624	3
72	POST, PIPELINE MARKER, 3" DIA, WHITE W/ YELLOW TOP, 6'	1602628	1

LEGEND

- RIGHT OF WAY MARKER
- IRON PIPE/PIN FOUND
- FIRE HYDRANT
- TELEPHONE SPLICE BOX
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- GUY WIRE
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- FENCE LINE

ISSUED  
FOR CONSTRUCTION

ENGINEER  
LJB XX-XX-XX  
INITIAL DATE

SUPERVISOR  
XXX XX-XX-XX  
INITIAL DATE

AS-BUILT MARK-UPS  
COMPLETED

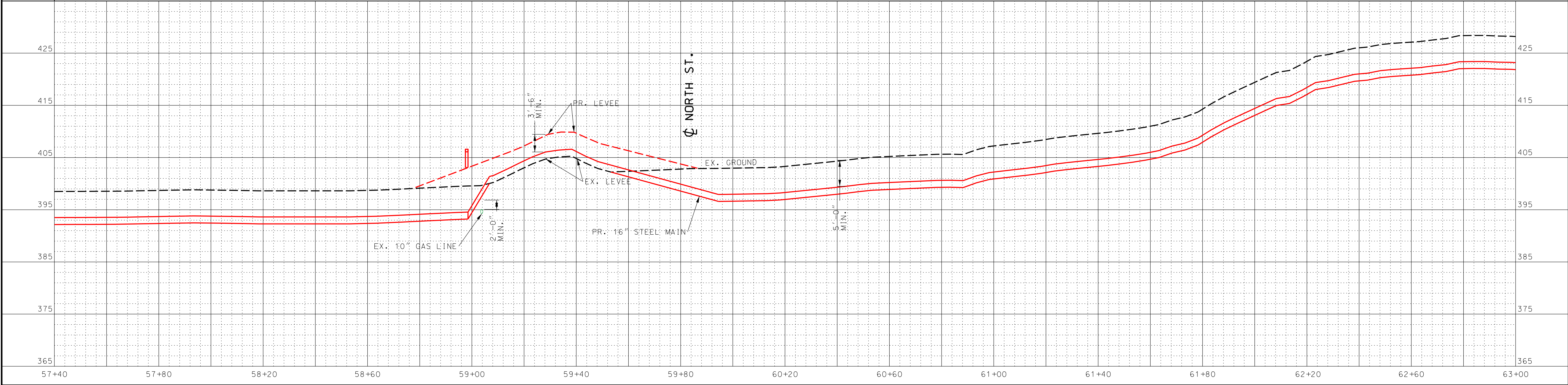
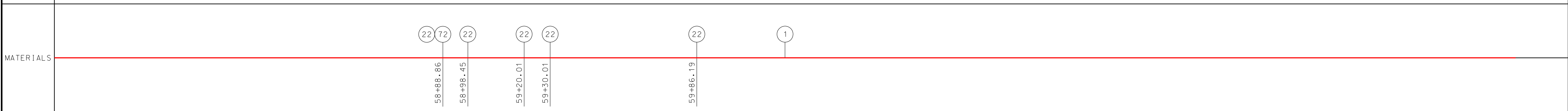
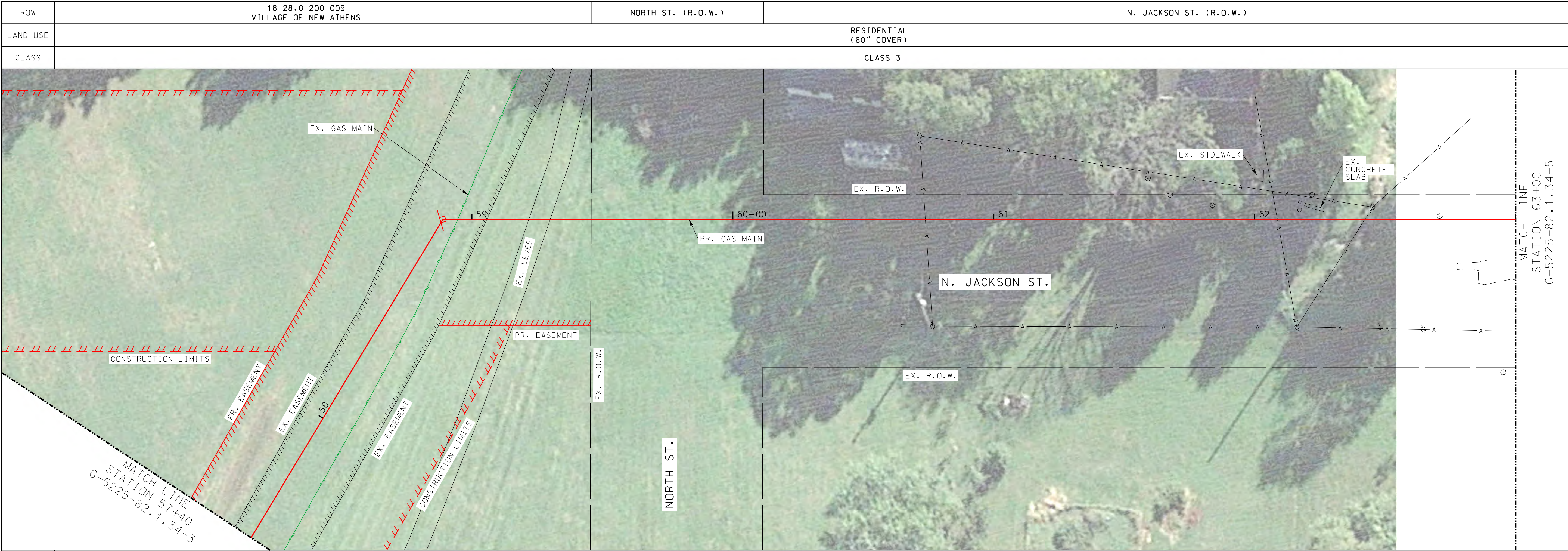
SIGNATURE

EMPLOYEE ID DATE



ROW	18-28.0-200-009 VILLAGE OF NEW ATHENS			18-28.0-200-011 STATE OF ILLINOIS	18-28.0-200-009 VILLAGE OF NEW ATHENS		N. MARKET ST.	18-28.0-200-009 VILLAGE OF NEW ATHENS																																																																																
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APPD	XXX																																																																																							
PLAN AND PROFILE SHEET 3 OF 12 GTSE REPLACEMENT NEW ATHENS, MARISSA, IL																																																																																								
START DATE: 02-14-24	UPDATED: XX-XX-XX SCALE: 1" = 20'-0"																																																																																							
DRAWING NUMBER G-5225-82.1.34-3 X																																																																																								
REV	1																																																																																							





REV	DATE	DRF	DESCRIPTION	ENG	RVW	APPD
0	06-03-24	DSG/TWM	ISSUED FOR BID PER GTSE002106/W.O.J029D	LJB	LJB	MLC
1	XX-XX-XX	DSG/TWM	INITIAL ISSUE PER GTSE002106/W.O.J029D	LJB	LJB	XXX

REFERENCES
G-5225-04.134-3 G-5225-82.134-3 G-5225-82.134-5
EROSION CONTROL SHEET 3 OF 7 PLAN AND PROFILE SHEET 3 OF 12 PLAN AND PROFILE SHEET 5 OF 12

REFERENCES

NOTES
1. CALL J.U.L.I.E. PRIOR TO CONSTRUCTION
2. UTILITY LOCATIONS & DEPTHS SHOWN ARE APPROXIMATE.
3. POTHOLE ALL UTILITIES WITHIN 18" OF BORE PATH.
4. REFER TO PRINT FOR NEW PIPE INSTALLATION DEPTHS.
5. HAUL AWAY AND LEGALLY DISPOSE OF RETIRED/REMOVED MAIN.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY EROSION AND TRAFFIC CONTROL.
7. TURN OFF RECTIFIER PRIOR TO TIE-IN WORK.
8. SOAP TEST TIE-WELDS AT OPERATING PRESSURE.

NOTICE OF LIMITED RESPONSIBILITY	
THE RESPONSIBILITY OF THE UNDERSIGNED ENGINEER IS LIMITED TO THE DESIGN WORK SHOWN ON PROJECT DRAWINGS AND DOCUMENTS BEARING HIS/HER SEAL, SIGNATURE OR INITIALS. HE/SHE DOES NOT HAVE AUTHORITY OVER THE PROJECT AS A WHOLE. THE UNDERSIGNED DISCLAIMS ANY RESPONSIBILITY FOR WORK DONE UNDER SUBSEQUENT REVISIONS AND ANY OTHER DOCUMENTS ASSOCIATED WITH THE PROJECT WHICH DO NOT BEAR HIS/HER SEAL, SIGNATURE OR INITIALS.	
DRF	DSG/TWM
ENG	LJB
RVW	LJB
APPD	XXX

PLAN AND PROFILE SHEET 4 OF 12 GTSE REPLACEMENT NEW ATHENS, MARISSA, IL	
ACCT	AIC-2-ZA-367-0G5-0G5-0-J029D-02-QITF-BX-GTSE002106
DRF	DSG/TWM
ENG	LJB
RVW	LJB
APPD	XXX
START DATE:	02-14-24
UPDATED:	XX-XX-XX
SCALE:	1" = 20'-0"
DRAWING NUMBER	G-5225-82.1.34-4 X
REV	1

ITEM	DESCRIPTION	STOCK#	QTY.
1	PIPE, STEEL, 16" X .375" WT, X-52, FBE, HFW, API 5L PSL2	3223253	560'
22	ELBOW, PIPE, 16-IN, 45-DEG, 0.375" WALL, SEGMENTABLE, PEB, ASME B16.49, API 5L	1933624	5
72	POST, PIPELINE MARKER, 3" DIAMETER, WHITE W/ YELLOW TOP, 7'	1602630	1

MATCH LINE  
STATION 63+00  
G-5225-82.1.34-5

CONSTRUCTION LIMITS

PR. EASEMENT

EX. EASEMENT

EX. LEVEE

PR. GAS MAIN

EX. R.O.W.

N. JACKSON ST.

EX. R.O.W.

EX. GAS MAIN

EX. SIDEWALK

EX. CONCRETE SLAB

LEGEND

- RIGHT OF WAY MARKER
- IRON PIPE/PIN FOUND
- FIRE HYDRANT
- TELEPHONE SPLICE BOX
- LIGHT POLE
- UTILITY POLE
- GUY WIRE
- MANHOLE
- FLARED END SECTION
- SIGN
- MAILBOX
- DECIDUOUS TREE
- CONTOUR INDEX
- CONTOUR INTERMEDIATE
- WATERLINE
- OVERHEAD AERIAL LINES
- UNDERGROUND CABLE TV
- STORM SEWER
- PIPE CULVERT
- RAILROAD TRACKS
- SANITARY SEWER
- UNDERGROUND ELECTRIC
- FIBER OPTIC
- TELEPHONE
- EXISTING RIGHT OF WAY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPERTY LINE
- PROPERTY LINE
- SECTION LINE
- EXISTING
- PROPOSED
- REMOVE/RETIRE
- FUTURE/TEMPORARY
- HIDDEN
- PIPELINE MARKER
- WOODS OR BRUSH LINE
- VEGETATION LINE
- FENCE LINE

ISSUED  
FOR CONSTRUCTION

ENGINEER LJB XX-XX-XX  
INITIAL DATE

SUPERVISOR XXX XX-XX-XX  
INITIAL DATE

AS-BUILT MARK-UPS  
COMPLETED

SIGNATURE

EMPLOYEE ID DATE