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# Public Notice

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

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

**Public Notice No.  
P-3062b  
Public Notice Date  
October 27, 2017**

**Expiration Date  
November 10, 2017**

**Postmaster Please Post Conspicuously Until:**

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File Number: MVS-2017-103

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 maps. **The project was originally placed on Public Notice on August 17, 2017 as a proposed residential development. The applicant is proposing a change in use for the project and it is now considered a Commercial Development. There will be no change in impacts to Waters of the U.S from the original proposal.**

**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  
Regulatory Branch  
1222 Spruce Street  
St. Louis, Missouri 63103-2833  
ATTN: Tyson Zobrist

**APPLICANT:** Contegra Construction Company, LLC, Attention: Mr. Jim Mundy, 22 Gateway Commerce Center Drive, Suite 10, Edwardsville, Illinois 62025, (618)-219-4860.

**LOCATION:** The proposed commercial development (Theatre View) will be located north of the intersection of Center Grove Road and South Plum Street within the City of Edwardsville, Illinois. More specifically, the proposed project is located within Northwest ¼ of Section 23, Township 04 North, Range 08 West of the 3<sup>rd</sup> Principle Meridian, Madison County, IL.

**PROJECT DESCRIPTION:** The applicant seeks authorization to construct a commercial development with four commercial buildings, associated parking, access roads, and a detention pond. The work will include site filling and grading, tree clearing, piping of a stream channel, construction of a detention pond and the construction of the buildings. Tree clearing has been completed on upland sites prior to the submittal of the project application to this office.

The proposed work will impact 0.02-acres of low quality emergent wetland, a 0.66-acre scrub/shrub wetland, a 0.39-acre pond and 490-linear feet of an intermittent stream. Compensatory mitigation will be required for the project. The applicant has requested to purchase stream and wetland credit from mitigation banks. The project location is not within the service area of an active mitigation bank.

Therefore, the required wetland credit will be purchased from the Eberhardt Wetland Mitigation Bank (EWMB) in Madison County, IL. The credit associated with the stream impacts will be purchased from the Little Muddy Stream and Wetland Mitigation Bank (LMSWMB) in Franklin and Perry Counties, Illinois as well as the EWMB.

Since the applicant will be utilizing mitigation banks outside of the projects service area, an increased credit purchase will be required. The applicant will purchase 1.94-wetland credits from the EWMB for impacts to the 0.02-acre emergent wetland, the 0.66-acre of scrub/shrub wetland and the 0.39-acre pond. The stream impacts generated 1493.03-credits utilizing the adverse impact worksheet within the Illinois Stream Mitigation Method. 1163.5 stream credits will be purchased from LMSWMB, which is the remaining stream credit at the bank. This will leave a deficit of approximately 330 stream credits necessary to offset the stream impacts as a result of the project. The applicant proposes to purchase wetland credit to offset the deficit of stream credit. The remaining 330 stream credits, when converted to wetland credit, is approximately 0.33 acres/credits. Since the project is not within the service area of the EWMB additional credit will be required. The total amount of wetland credit required for purchase at the EWMB to offset the remaining balance of stream credit is 0.5. To summarize, a total of 2.44 wetland credits would be purchased from the EWMB and 1163.5 stream credits would be purchased from the LMSWMB.

**LOCATION MAPS AND DRAWINGS:** See Attachments 1 and 2.

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Tyson Zobrist, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8578. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to [Tyson.J.Zobrist@usace.army.mil](mailto:Tyson.J.Zobrist@usace.army.mil).

**AUTHORITY:** This permit will be processed under 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/](http://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.

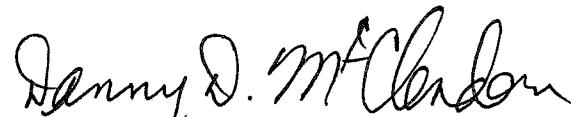
**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

**ENDANGERED SPECIES:** The proposed project is within the range of the endangered Indiana bat (*Myotis sodalis*) and the threatened northern long-eared bat (*Myotis septentrionalis*). In order to further complete our evaluation, written comments are solicited by this public notice from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

**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 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 activity described, will be considered including the cumulative effects. Among factors considered 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.

**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 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.

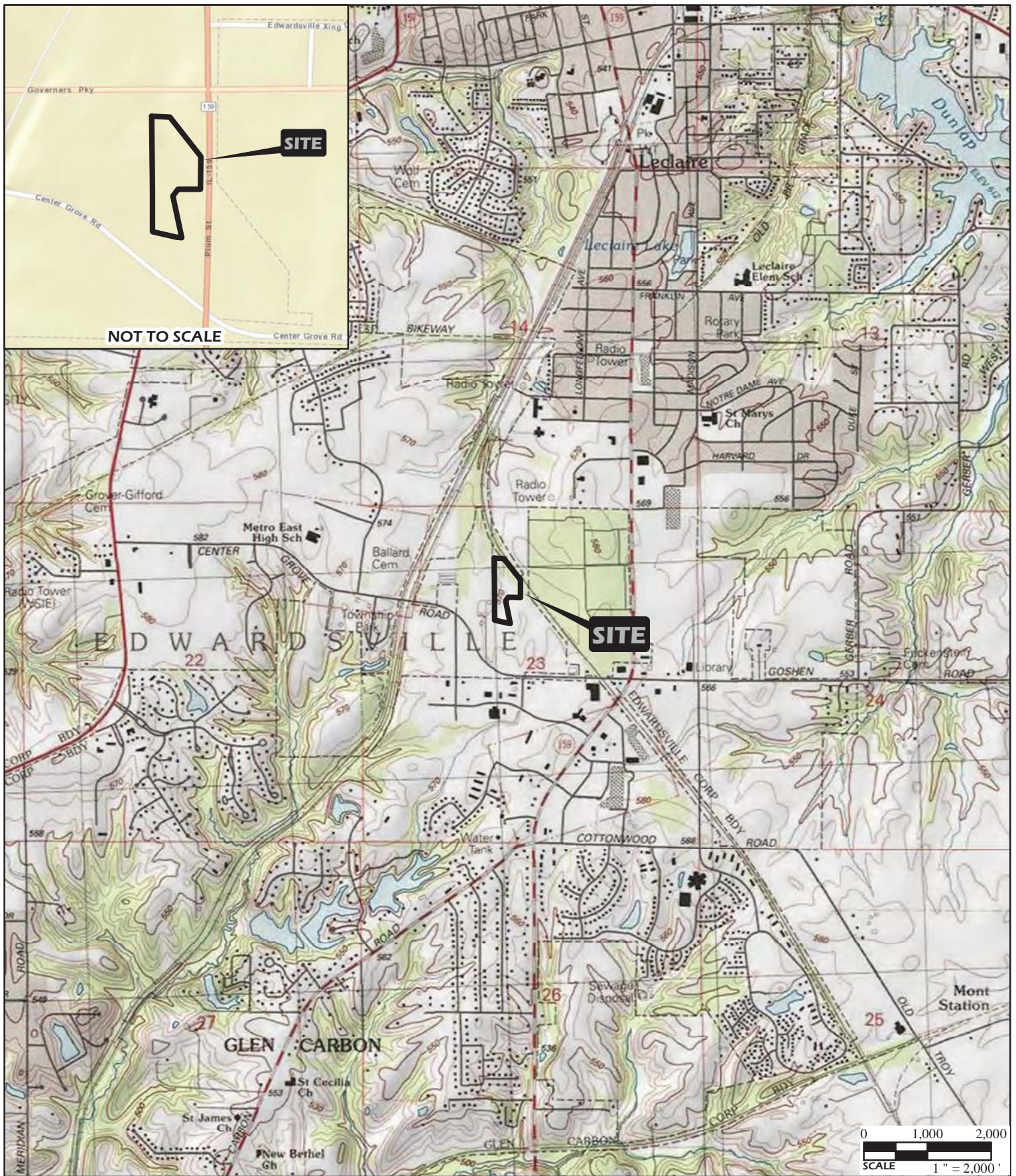


DANNY D. MCCLENDON  
Chief, Regulatory Branch

Attachments

**NOTICE TO POSTMASTERS:**

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



PROJECT NAME  
THEATRE VIEW  
EDWARDSVILLE, ILLINOIS

VICINITY AND TOPOGRAPHIC MAP

DRAWN BY	RCV	DATE	JOB NUMBER
CHECKED BY	SEB	02/2017	2016-3204.30

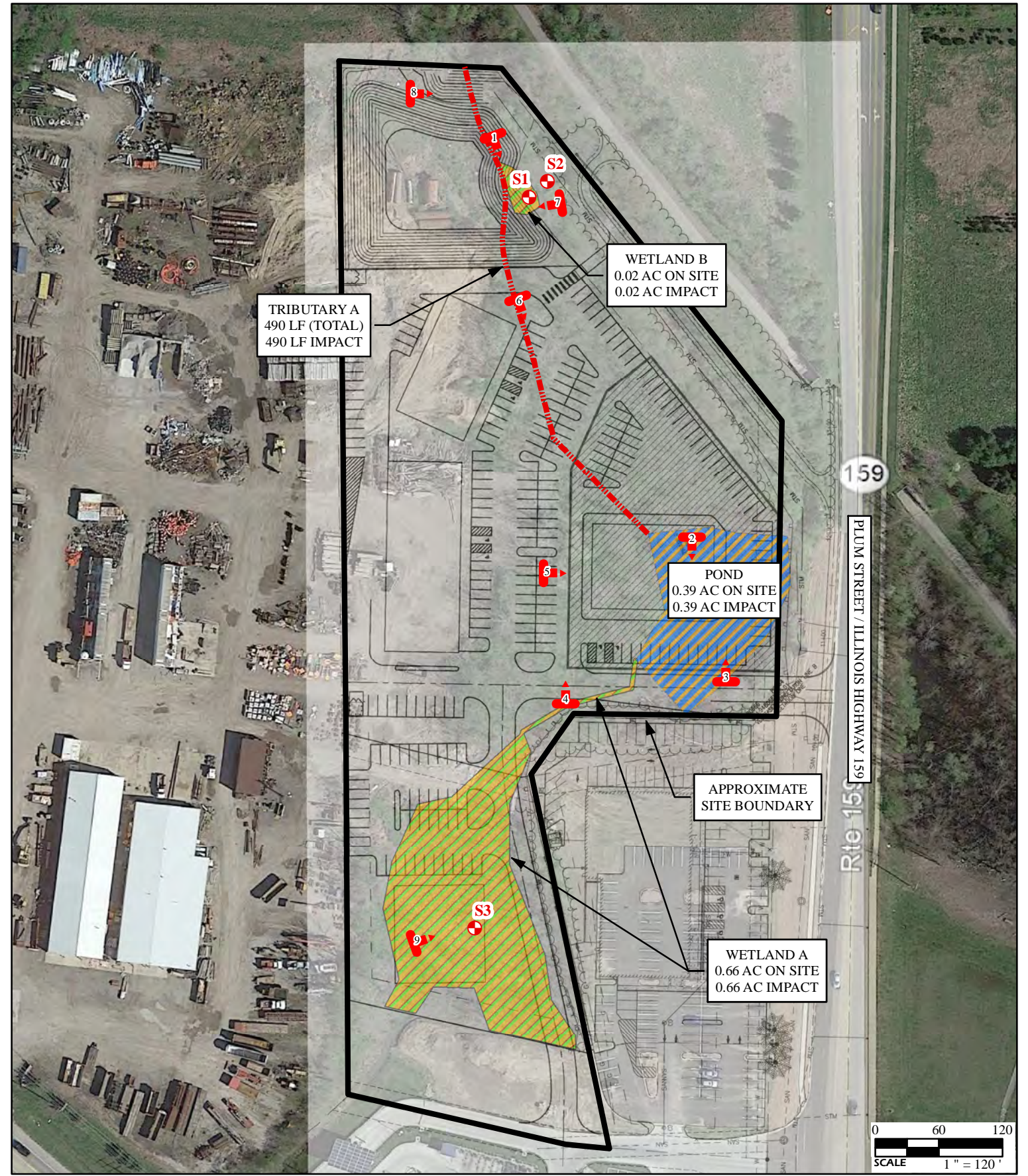
GENERAL NOTES/LEGEND

USGS TOPOGRAPHIC MAP  
EDWARDSVILLE, ILLINOIS QUADRANGLE  
DATED 1991  
10' CONTOURS

STREET MAP  
[http://goto.arcgisonline.com/maps/World\\_Street\\_Map](http://goto.arcgisonline.com/maps/World_Street_Map)



FIGURE  
1



TRIBUTARY A  
490 LF (TOTAL)  
490 LF IMPACT

WETLAND B  
0.02 AC ON SITE  
0.02 AC IMPACT

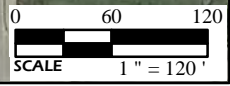
POND  
0.39 AC ON SITE  
0.39 AC IMPACT

APPROXIMATE  
SITE BOUNDARY

WETLAND A  
0.66 AC ON SITE  
0.66 AC IMPACT

159

PLUM STREET / ILLINOIS HIGHWAY 159



PROJECT NAME  
THEATRE VIEW  
EDWARDSVILLE, ILLINOIS

WETLAND DELINEATION &  
REVISED SITE PLAN

DRAWN BY	RCV	DATE	JOB NUMBER
CHECKED BY	SEB	10/2017	2016-3204.31

**GENERAL NOTES/LEGEND**



-  INDICATES APPROXIMATE SOIL BORING LOCATION
-  INDICATES APPROXIMATE LOCATION AND DIRECTION OF PHOTOGRAPH
- AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH DATED 04/2016.
- UNDATED PLAN BY TWM RECEIVED 10/04/2017.
- DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY.
- DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.



FIGURE  
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