



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

Public Notice

Reply To:
U.S. Army Corps of Engineers
Attn: OD-F (Charles Frerker)
1222 Spruce Street
St. Louis, MO 63103-2833

Public Notice No.

P-2880

Public Notice Date

May 29, 2014

Expiration Date

June 18, 2014

Postmaster Please Post Conspicuously Until:

ORM Number: 2001-330

Comments on the activity described below 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
ATTN: CEMVS-OD-F ([Charles Frerker](#))
1222 Spruce Street
St. Louis, Missouri 63103-2833

1. Argosy Casino Alton, c/o: Mr. Denny Crank, #1 Piasa Street, Alton, Illinois 62002 (618-474-7804), has applied to the U.S. Army Corps of Engineers Regulatory Branch for an After-the-Fact Section 10 Rivers and Harbors Act permit to allow a deflection barge, with a two story building constructed on it, to remain in place adjacent and immediately upstream of the Argosy Casino. The casino, originally known as the Alton Belle, received previous authorizations under Department of the Army Permits P-1796 and P-2174. The original permits included authorization to permanently moor standard deck barges against a tripod mooring structure to deflect ice, debris and serve as protection against possible breakaway to protect the casino. The casino moored two deflection barges at the facility for many years. The barges were determined to be in such poor condition that the Argosy Casino sold them for scrap and replaced them with a single barge that has a two-story tall building constructed on it. The current deflection barge measures 54-feet by 240-feet. The two-story building constructed on the deflection barge is used by the casino for storage and office space. The Argosy Casino did not apply for or receive a Section 10 Rivers and Harbors Act permit to replace the previously permitted deflection barges with a vessel containing a two-story tall building. A new permit is required when a different size or configured vessel(s) is placed in navigable waters of the United States to ensure the modified features result in no navigation safety and impedance. The unauthorized modification of replacing standard flat deck barges with a vessel containing a two story building also requires a new permit review to ensure the changed view shed does not result in a visibility issue for passing navigation and also for aesthetics considerations that may affect landside property. The unauthorized changes are being coordinated under this After-the-Fact permit review to determine if the vessel with the two-story building can remain if there is no navigation safety, impedance or visual issues. The activity site is located near #1 Piasa Street, along the left descending bank of the Mississippi River at approximate river mile 203.1, in Alton, Madison County, Illinois. (See Attached Figures)

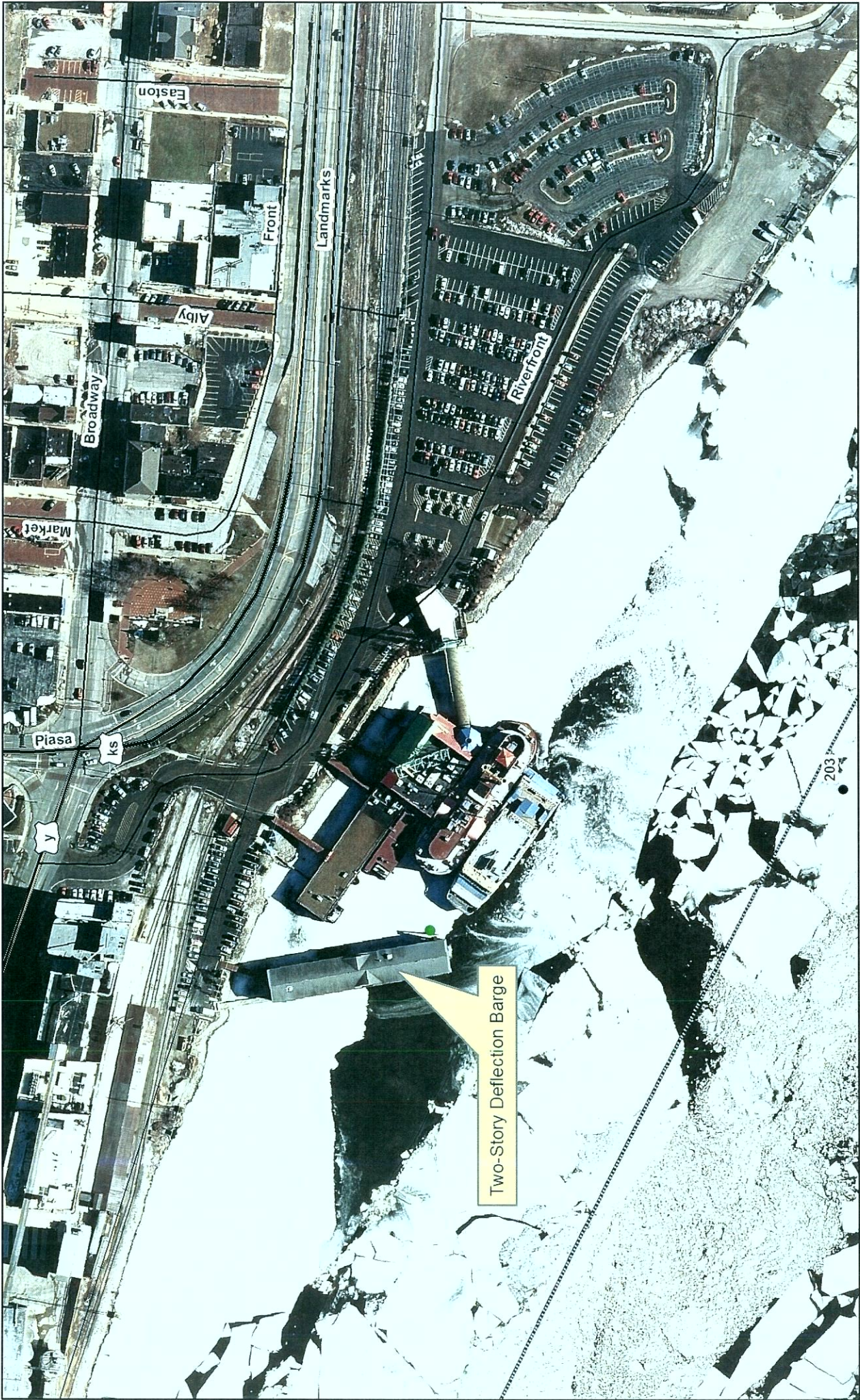
2. Based on our initial processing of the applicants' proposal, the action is not expected to result in any significant adverse effects on the quality of the human environment. However, a final determination of the need for an environmental impact statement will not be made until the St. Louis District has completed its full review of this application. The review will include our evaluation of any written responses received as a result of this public notice.

3. This permit will be processed under the provisions of Section 10 of the Rivers and Harbors Act.
4. 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 conduct, or require a reconnaissance survey of the project area.
5. The proposed project is within the range of the federally endangered Indiana bat (*Myotis sodalis*), pallid sturgeon (*Scaphirhynchus albus*), least tern (*Sterna antillarum*), spectaclecase mussel (*Cumberlandia monodonta*), the threatened decurrent false aster (*Boltonia decurrens*) and the eastern prairie fringed orchid (*Platanthera leucophaea*). The larger deflection barge exists in the same location as the smaller previous deflection barge and is adjacent to the already permitted gaming facility. Based on this information, a preliminary determination, in compliance with the Endangered Species Act as amended, has been made that the proposed activity is not likely to adversely affect species designated as threatened or endangered, or adversely affect critical habitat. In order to complete our evaluation, this public notice solicits comments from the U.S. Fish and Wildlife Service and other interested agencies and individuals.
6. Any interested parties, particularly navigation interests, Federal and state agencies for the protection of environmental and cultural resources, and the officials of any state, town, or local associations whose interest may be affected by this work, are invited to submit to this office written facts, arguments, or objections on or before the public notice expiration date. The decision whether to authorize the proposed work will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain 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. Project authorization will be granted only if it is found not contrary to the public interest.
7. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny authorization for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the overall public interest of the proposed activity.
8. Any person may request that a public hearing be held to consider the applicant's proposal, provided such request identifies significant issues that would warrant additional public review and comment. All replies to this public notice must be submitted in writing and sent to the U.S. Army Corps of Engineers, Attn: OD-F (Frerker), 1222 Spruce Street, St. Louis, Missouri 63103-2833, or by electronic mail to charles.f.frerker@usace.army.mil, on or before the public notice closing date.
9. In accordance with 33 CFR 325.3, it is presumed that all interested parties and agencies will wish to respond to public notices; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project.


Danny D. McClendon
Chief, Regulatory Branch

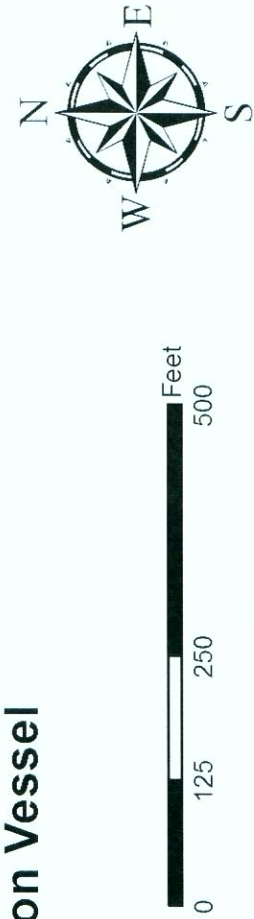
Attachments

Notice to Postmasters: It is requested that this notice be conspicuously and continually posted for 21 days.



Two-Story Deflection Barge

P2880 Argosy Casino Deflection Vessel
Mississippi River Mile 203.1 Left
Alton, Madison Co., Illinois



DEFLECTION BARGE WITH
PROFILE VIEW OF 2 STORY BUILDING

