



PUBLIC NOTICE

US Army
Corps of Engineers
Rock Island District

Applicant: Doug Strom
CEMVR-OD-P-2020-927

Date: August 18, 2020
Expires: September 16, 2020
Section 404

Joint Public Notice
US Army Corps of Engineers
Illinois Department of Natural Resources

1. **Applicant:** Doug Strom, 2006 Knox Road 1550 N, Dahinda, IL 61428
Agent: Thompson McCoy Earthmoving, Johnathan Wolf, 8626 W. Grange Hall Road, Edwards, IL 61528.
2. **Project Location:** The proposed pond is located on an unnamed tributary to the Spoon River at 2006 Knox Road 1550 N, Dahinda, Illinois. The project is approximately 2.6 miles northwest of Williamsfield, Illinois. Section 16, Township 11 North, Range 4 East. Knox County, Illinois. Datum NAD-83. UTM Zone 15. Latitude: 40.9405, Longitude: -90.0569.
3. **Project Description and Purpose.**
 - a. The applicant is proposing to impound 652 feet of intermittent stream. This will be done by moving the dam of a previously established pond which has silted in due to sedimentation. The dam will be moved 444 feet northward, therefore extending the size of the impounded area. The proposed project area will submerge 652 feet of intermittent stream, creating an approximate 5-acre pond. The primary purpose of the project is to provide non-motorized recreational activities, largely fishing, on private land, though other purposes include water access for grazing beef cattle and enhanced habitat for aquatic and upland wildlife.
 - b. Avoidance and Minimization Statement. Over the course of several years, the applicant has considered multiple alternatives for fishing access in a private pond setting without success. The nearest ponds to the property are privately owned by other landowners. Also, years of attempts by applicant family members to attain membership in the nearest conservation club for private, member-only fishing have been unsuccessful. To minimize the project's impact, the applicant proposes installation of land and water management structures and stream mitigation measures as necessary to improve water quality in the area and create a more diverse habitat for aquatic and upland wildlife.
4. **Agency Review.**
 - a. Department of the Army, Corps of Engineers. The Department of the Army application is being processed under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

b. State of Illinois.

(1) The project plans have been submitted to the Illinois Environmental Protection Agency (IEPA) for review.

(2) The Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR) is a participant in the joint application process and requires that IDNR/OWR permits be obtained for construction within floodways; construction and other activities within public bodies of water; and construction, operation and maintenance of dams pursuant to the State of Illinois Rivers, Lakes, and Streams Act (615 ILCS 5).

(3) Inquiries concerning IDNR/OWR jurisdiction and/or review of the activity should be directed to the Office of Water Resources at dnr.dworm@illinois.gov or 217/782-3863. Information on the IDNR/OWR regulatory and other programs can be found at <http://dnr.state.il.us/owr>.

5. **Historical/Archaeological.** The District Archaeologist consulted with the Illinois geographic information systems archeological site and survey databases online. The project area has not been previously surveyed. Overall, the project area has very low probability to contain historic properties based on the location of the project within the active meander area of a small tributary stream located in a narrow valley. It is the opinion of the District Archaeologist there is low to no potential for intact historic properties to be affected by the proposed action. As such there will be **no historic properties affected** by the issuance of the permit because “the nature, scope, and magnitude of the work, and/or structures to be permitted are such that there is little likelihood that a historic property exists or may be affected” (33 CFR Part 325, Appendix C.3.b).

6. **Endangered Species.** District staff have performed a preliminary review of this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. The following threatened or endangered species are listed by the United States Fish and Wildlife Service (FWS) on the IPaC website as occurring in Knox County, Illinois: Indiana bat (*Myotis sodalis*); Northern long-eared bat (*Myotis septentrionalis*), Eastern Massasauga (*Sistrurus catenatus*) and Eastern prairie fringed orchid (*Platanthera leucophaea*). The proposed project is being coordinated with the FWS through this public notice. Any comments concerning Federally-listed threatened or endangered species or their critical habitat will be considered in the final assessment of the proposed project. The Corps has made the initial determination of **no effect** for the above-mentioned species.

7. **Public Interest Review.** The decision whether to issue the Corps permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. 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. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, 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 production and, in general, the needs and welfare of the people.

8. **Who Should Reply.** The 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 this proposed activity. Any comments received will be considered by the 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 the 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. These statements should be submitted on or before the expiration date specified at the top of page 1. These statements should bear upon the adequacy of plans and suitability of locations and should, if appropriate, suggest any changes considered desirable.

9. Public Hearing Requests. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided.

10. Reply to the Corps of Engineers. Comments concerning the Corps permit should be addressed to the District Engineer, U. S. Army Corps of Engineers, Rock Island District, ATTN: OD-PE (Wendy Frohlich), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information contact Mrs. Wendy Frohlich at 309-794-5674 or email: wendy.m.frohlich@usace.army.mil.

Attach

Mr. Trevor E. Popkin,
Chief, Illinois/Missouri Section
Regulatory Branch





