



PUBLIC NOTICE

US Army
Corps of Engineers
Rock Island District

Applicant: Ozinga Materials LLC Date: November 12, 2020
CEMVR-OD-P-2019-1372 Expires: December 11, 2020
Section 404

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

1. **Applicant:** Ozinga Materials LLC, 19001 Old LaGrange Rd., Mokena, IL 60448.
2. **Project Location:** Section 25, Township 30 North, Range 3 West.
Marshall County, Illinois.
Datum NAD-83.
UTM Zone 16.
Latitude: 41.032708, Longitude: -89.408477.
3. **Project Description and Purpose.** The applicant is proposing a to construct a Clean Construction and Demolition Debris (CCDD) Facility within a former quarry along the Illinois River. CCDD facilities accept materials that are not harmful to human health, human safety, or the environment. The proposed facility will accept certified and tested uncontaminated concrete, brick, rock, stone, and dirt. The proposed project will impact 0.71 acres of existing wetland with clean fill material to construct perimeter berms of the South CCDD facility.
4. **Avoidance and Minimization Statement.** The project has been revised to avoid 27.64 acres of open water connected to the Illinois River. Additionally, the proposed North CCDD facility avoids any discharges of fill into Waters of the United States. Lastly, compensatory wetland mitigation has been proposed through the purchase of 1.42 credits from the Northern Illinois Wetland Bank, a ratio of 2:1.
5. **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>.

6. Historical/Archaeological. The District Archaeologist consulted with the Illinois geographic information systems archeological site and survey databases online. In addition, the District consulted “An Investigation of Submerged Historic Properties in the Upper Mississippi River and Illinois Waterway” (October 1997) prepared by American Resources Group, Ltd., for the Corps (Contract No. DACW25-93-D-0012, Delivery Order No. 37). There are no shipwrecks indicated within the vicinity of the quarry location. The mitigation area has been surveyed previously. A report entitled “An Archaeological Perspective of Early Town Formation and Abandonment in Marshall County, Illinois: Phase II Archaeological Investigations at the Webster Townsite” dated 1997 by authored by Mansberger and Stratton was reviewed. In March 1997 IL SHPO determined there no sites eligible for listing on the National Register of Historic Places in the current project area. Therefore, 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).

7. Endangered Species.

a. 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 as occurring in Marshall County, Illinois:
(<http://www.fws.gov/midwest/endangered/lists/illinois-cty.html>)

- **Indiana bat.** The endangered Indiana bat (*Myotis sodalis*) is considered to potentially occur in any area with forested habitat in any county in Illinois. Indiana bats migrate seasonally between winter hibernacula and summer roosting habitats. Winter hibernacula include caves and abandoned mines. Females form nursery colonies under the loose bark of trees (dead or alive) and/or cavities, where each female gives birth to a single young in June or early July. A single maternity colony may utilize a number of trees during the summer, typically a primary roost tree and several alternates. The species or size of tree does not appear to influence whether Indiana bats use a tree for roosting provided the appropriate bark structure is present.
 - Species and critical habitat may be present; however, the project location is outside of the habitat area, therefore a **No Effect** determination has been made.

- Eastern Prairie Fringed Orchid. The threatened eastern prairie fringed orchid (*Platanthera leucophaea*) may potentially be found in any Illinois county. It occupies wet prairie remnant habitat. There is no critical habitat designated for this species.
 - Since there is no wet prairie remnant habitat to be affected by the project, there should be **No Effect** on the eastern prairie fringed orchid.
- Northern long-eared bat. The northern long-eared bat (*Myotis septentrionalis*) is listed as *threatened*. It hibernates in caves and mines and swarms in surrounding wooded areas in autumn. It roosts and forages in upland forests and woods.
 - Species and critical habitat may be present; however, the project location is outside of the habitat area, therefore a **No Effect** determination has been made.
- Decurrent false aster. The Decurrent false aster (*Boltonia decurrens*) is listed as threatened. It occupies moist, sandy floodplains and prairie wetlands along the Illinois River and in disturbed alluvial soils along the Illinois River floodplain.
 - Species and critical habitat may be present; however, the project location is outside of the habitat area, therefore a **No Effect** determination has been made.

b. The proposed project is being coordinated with the United States Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered species or their critical habitat will be considered in the final assessment of the proposed project. Accordingly, our preliminary determination is subject to change should further information become available.

8. 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.

9. 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.

10. 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.

11. 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 (Samantha Chavez), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information contact Mrs. Samantha Chavez at 309-794-5104 or email: samantha.j.chavez@usace.army.mil.

Attachments: 1 of 3: Project Location Map
2 of 3: Wetland Delineation Map
3 of 3: Wetland Impacts Exhibit

Mr. Trevor E. Popkin,
Chief, Eastern Branch
Regulatory Division

REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

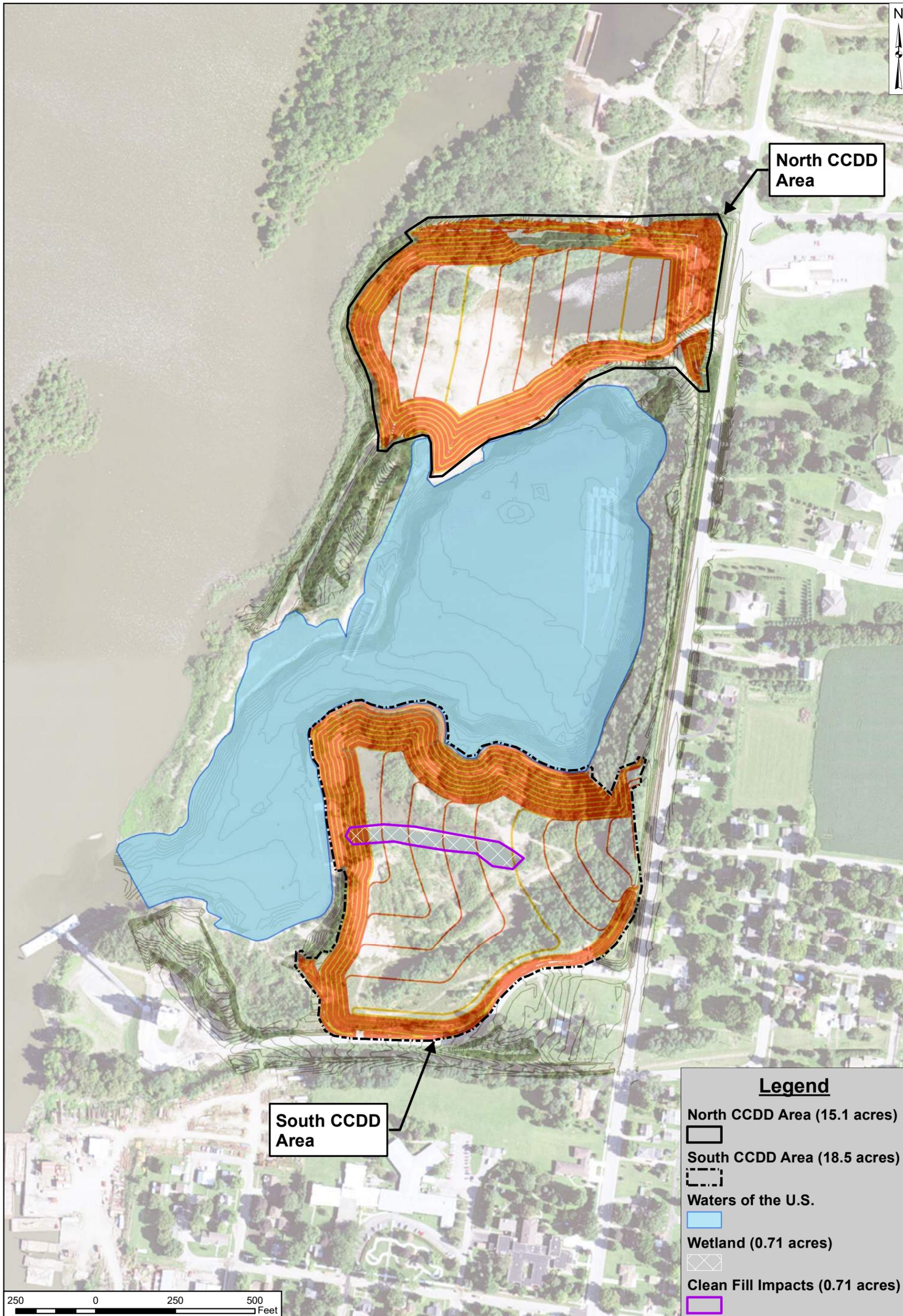
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 <p>7325 Janes Avenue Woodridge, IL 60517 630.724.9200 phone www.v3co.com</p>	<p>PROJECT NO.: 19052</p>	<p>CLIENT: Ozinga Materials & Logistics 19001 Old LaGrange Road Mokena, Illinois 60448</p>	<p>TITLE: CEMVR-RD 2019-1372 PROJECT LOCATION MAP 1 of 3</p>	
	<p>CREATED BY: AMM</p>		<p>DATE: 04/24/2020</p>	<p>SITE: OML Lacon Site Lacon, Illinois</p>
<p>Visio, Vertere, Virtute... "The Vision To Transform with Excellence"</p>	<p>SCALE: See Scale Bar</p>	<p>BASE LAYER: ESRI World Street Map</p>		



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	CREATED BY: AMM	BASE LAYER: NAIP Aerial Imagery (2015)	SITE: OML Lacon Site 933 IL Route 26 Lacon, Illinois	
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Legend	
	North CCDD Area (15.1 acres)
	South CCDD Area (18.5 acres)
	Waters of the U.S.
	Wetland (0.71 acres)
	Clean Fill Impacts (0.71 acres)

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	CREATED BY: AMM	DATE: 09/15/2020	BASE LAYER: NAIP Aerial Imagery (2015)	SITE: OML Lacon Site 933 IL Route 26 Lacon, Illinois
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