



PUBLIC NOTICE

US Army Corps
of Engineers
Rock Island District

Applicant: Koch Fertilizer

Date: July 9, 2020

CEMVR-OD-P-2020-0764

Expires: August 7, 2020

Section 10

**Joint Public Notice
US Army Corps of Engineers
Illinois Environmental Protection Agency**

1. **Applicant.** Koch Fertilizer, LLC, c/o Grant Richardson, 1559 County Road 1400 North, Henry, Illinois 61537.

2. **Project Location.** IL- USGS quad sheet, Section 10, Township 13 North, Range 10 East, Henry, Marshall County, Illinois; Illinois River, Datum NAD-83. UTM Zone 16, Northing: 4555271, Easting: 303997, Latitude: 41.1251 Longitude: -89.33488.

3. **Project Description.**

a. Previous Authorization. CEMVR-OD-P-448490.

b. Current Request. The applicant proposes to maintenance dredge the existing Koch Fertilizer barge dock in Henry, Illinois:

(1) Material will be mechanically dredged from an approximately 600 foot by 100 foot area at the existing dock. Purpose of the project is to maintain adequate water depth for commercial vessels. The area will be dredged to maintain an eleven (11) foot depth for barge traffic.

(2) The mechanically dredged spoils will be transferred to box barges and transported to the River Docks, LLC facility in Peru, Illinois. There will be no return water from the discharged material. Excess water will be pumped into a mixer tank and then processed through the sanitary system for the City of Peru, Illinois. Dredged material will also be processed through the River Dock, LLC facility for beneficial use.

c. Permit Area. The permit area consists of the existing dock area.

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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

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). 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 consulted with the Illinois geographic information systems archeological site and survey databases online and determined there are no previously identified historic properties in the vicinity of the permit area. The proposed action under the permit includes maintenance dredging to remove only recently accumulated sediments. Therefore, it is the opinion of the District there low to no potential for intact historic properties to be affected by the proposed action and there will be **no historic properties affected** by the issuance of the permit.

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 as occurring in Hancock 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.
 - Since no trees will be removed associated with this dredging project, there will be NO EFFECT to Indiana bats.
- 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.
 - Since no trees will be removed associated with this dredging project, there will be NO EFFECT to northern long-eared bats.
- Decurrent False Aster. Decurrent False Aster (*Boltonia decurrens*) is found on moist, sandy, floodplains and prairie wetlands along the Illinois River. It relies on periodic flooding to scour away other plants that compete for the same habitat.
 - As this is a maintenance dredging project on the Illinois River, there will be no impacts to Decurrent False Aster.

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.

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.

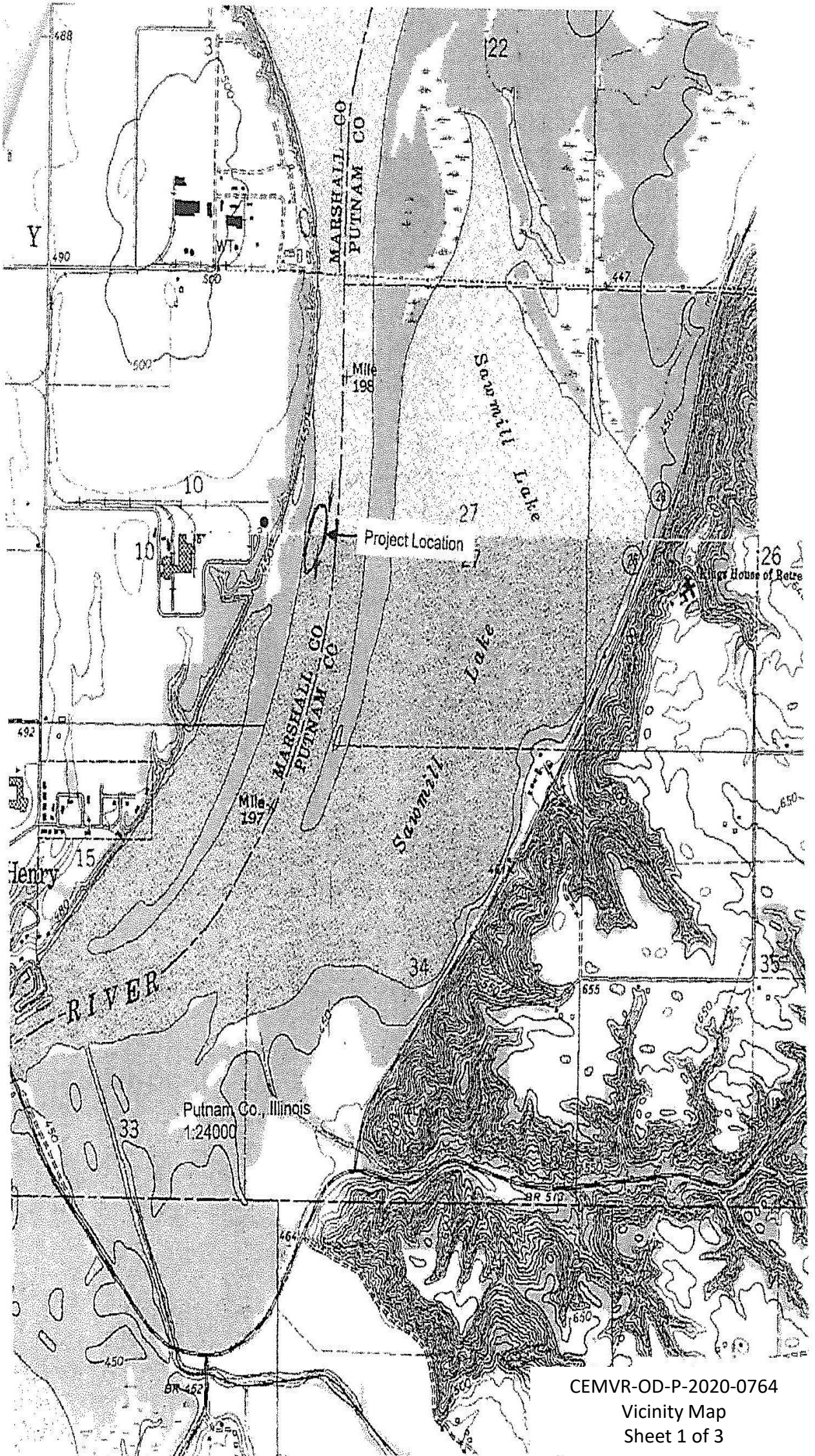
10. Reply to the Corps of Engineers. Comments concerning the Corps permit should be addressed to the District Engineer, U. S. Army Corps of Engineers, Rock Island District, ATTN: OD-PE (Brant Vollman), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. **Mr. Brant Vollman (309/794-5380) brant.j.vollman@usace.army.mil** may be contacted for additional information.

Attach
Plan

Mr. Trevor Popkin
Illinois/Missouri Section Chief
Regulatory Branch

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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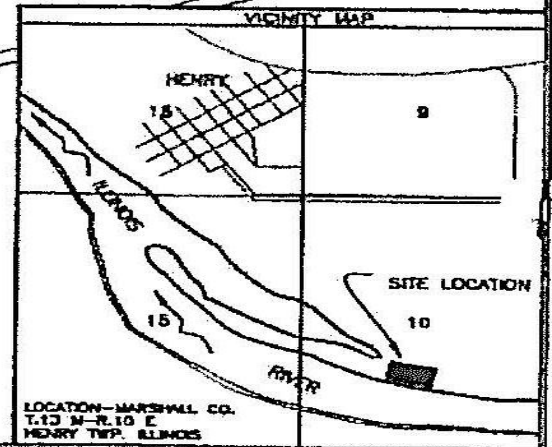
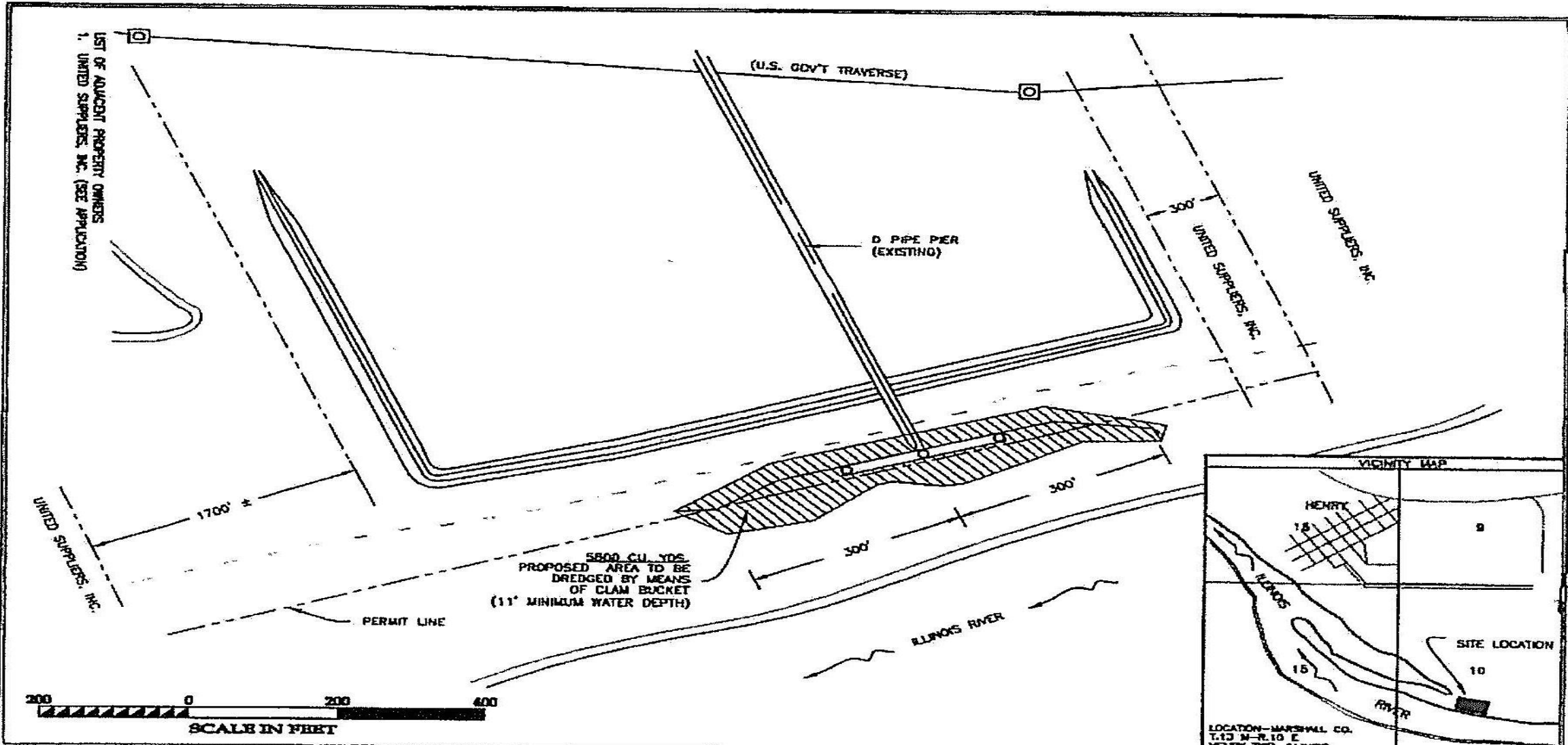



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KOCH NITROGEN COMPANY
 HENRY, ILLINOIS
PROPOSED RIVER DREDGING
ILLINOIS RIVER
MILE 197.6


ERM
 Environmental Resources
 Management
 2980 South Willow Drive
 Suite 200
 Greenwood Village, Colorado 80111-8144
 (303) 761-5000



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 Plan View
 Sheet 2 of 3

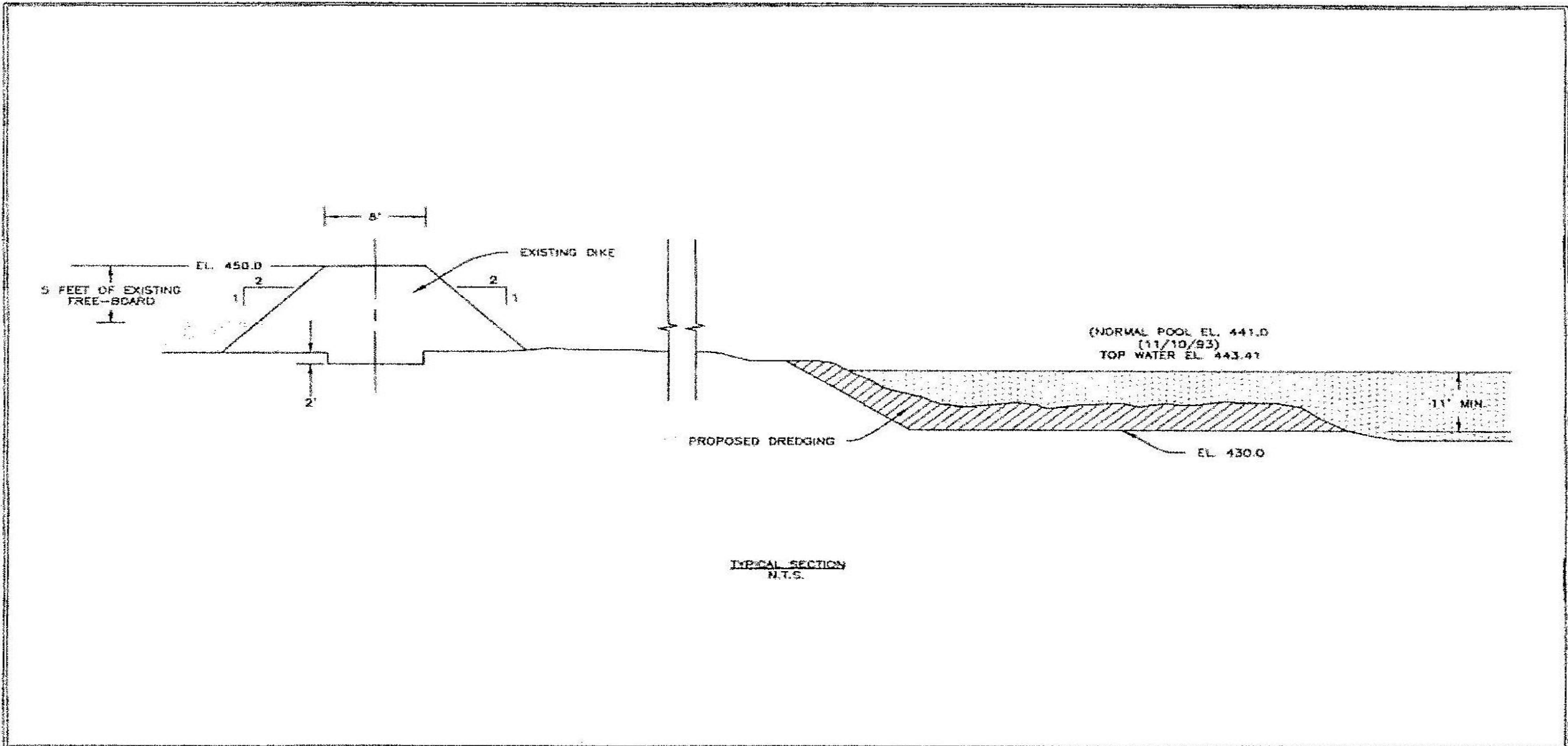



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KOCH NITROGEN COMPANY
 HENRY, ILLINOIS
PROPOSED RIVER DREDGING
ILLINOIS RIVER MILE 197.6
CROSS-SECTION


ERM
 Environmental Resources
 Management
 5950 South Willow Drive
 Suite 200
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 (303) 741-0050

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 Profile View
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