



**US Army Corps
of Engineers**®
Rock Island District

PUBLIC NOTICE

Applicant: ADM Grain Company

Date: March 11, 2021

CEMVR-RD-2020-1555

Expires: April 04, 2021
Section 10

Public Notice US Army Corps of Engineers

1. **Applicant.** ADM Grain Company, 4666 Faries Parkway, Decatur, Illinois 62526.

2. **Project Location.**

- IL – Morris USGS quad sheet
- Section 9, Township 33 North, Range 7 East
- Grundy County, Illinois
- Illinois River mile approximately 263.0
- Datum NAD-83. UTM Zone 16
- Northing: 4 578 981, Easting: 380 256
- Latitude: 41.3534 Longitude: -88.4314

3. **Project Description.**

a. Previous Authorization. CEMVR-OD-P-2011-1198.

b. Current Request. The applicant proposes to renew their Department of the Army permit number CEMVR-OD-P-2011-1198 to perform maintenance dredging activities. The purpose of the project is to provide adequate depths for barge loading access at the facility at 280 S. Calhoun St., Morris, IL. An area 500 feet long by 30 feet wide will be mechanically dredged to a depth of 12 to 15 feet. The excavated material (approximately 556 cubic yards for each dredging occurrence) will be loaded onto a barge to allow to dewater and dry. There will be no return water from this activity. The spoil material will then be loaded onto trucks by “River Docks Inc.” out of Peru, IL and transported to be placed in an upland area. Maintenance dredging will occur on an as needed basis. The material will be disposed of as stated above.

c. Permit Area. The permit area consists of 500 feet long by 30 feet wide area of the Illinois River at mile 263.0 and the dredge disposal area. (No permit will be issued until the exact dredge disposal location is evaluated by the Corps.)

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. 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). The area has been subjected to previous maintenance dredging efforts in the past and the current project will only be removing recently accumulated sediments. Based on this information it is the opinion of the District there is low to no potential for intact historic properties to be affected at the dredging location and there will be no historic properties affected in that area. The exact location of the dredge disposal location remains unknown and will be fully evaluated prior to permit issuance.

6. 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 Tazewell 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.
 - As no trees will be removed associated with this dredging project, there will be **no effect** to Indiana bats.
- 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.
 - As no trees will be removed associated with this dredging project, there will be **no effect** to northern long-eared bats.
- Scaleshell Mussel. The Scaleshell Mussel (*Leptodea leptodon*) is listed as endangered. An inhabitant of large rivers, it can be found in deep water with moderate currents.
 - The project area has historically experienced periodic maintenance dredging and silts in during high flows, there will be **no effect** to Scaleshell mussels.
- 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.

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.

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 reviewed 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-RE (Samantha Chavez), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information you may contact **Samantha Chavez (309/794-5104)** or email samantha.j.chavez@usace.army.mil.

Attach
Plan

Mr. Trevor Popkin
Chief, Eastern Branch
Regulatory Division

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