



# PUBLIC NOTICE

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US Army Corps  
of Engineers  
Rock Island District

Applicant: City of Beardstown

Date: February 18, 2021

CEMVR-RD-2021-0027

Expires: March 10, 2021

Section 10

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## US Army Corps of Engineers

1. **Applicant.** City of Beardstown, 105 West Third Street, Beardstown, Illinois 62618.
2. **Project Location** IL- Beardstown USGS quad sheet. Sections 10 and 11, Township 18 North, Range 12 West; Beardstown, Cass County, Illinois; approximate Illinois River mile 88.9. HUC: 07130003. Datum NAD-83. UTM Zone 15, Northing: 4433524.61, Easting: 719254.39, Latitude: 40.023468, Longitude: -90.430677.
3. **Project Description.**
  - a. Previous Authorizations.
    - (1) In 1998, Department of the Army authorization (CEMVR-RD-352330-1), was granted to Beardstown Marina to perform maintenance dredging around the marina peninsula. The dredged material was to be placed in 500 feet long by 300 feet wide area in the upper end of the marina. This authorization expired December 31, 2007.
    - (2) In 2000, Department of the Army authorization (CEMVR-OD-P-395470), was granted to Bill Robertson to perform maintenance dredging downstream of the railroad bridge. The dredged material placement site included with this authorization was the area at the entrance of the marina. The placement was approximately 100 feet long by 70 feet wide. An 8 feet high berm was to be constructed to contain the dredged material. This authorization expired December 31, 2009.
    - (3) In 2003, the City of Beardstown applied for a Department of the Army authorization (CEMVR-OD-P-433960), to perform maintenance dredging along the existing marina. The plans also included the placement of dredged material in the upper end of the marina, placement of riprap along the approximately 2,750 feet of the marina peninsula, install docks, install a boat ramp, and developing the dredged material placement site for marina use. The area to be dredged measured approximately 1,050 feet long by 200 feet wide inside the marina and 1,650 feet long by 150 feet wide outside the marina. The dredged material placement site was 600 feet long by 450 feet wide area in the upper end of the marina and on top of the peninsula. Water quality certification from the Illinois Protection Agency was held in abeyance pending receipt and review of information requested from the City of Beardstown. This application was withdrawn.

(4) In 2004, the Corps of Engineers (CEMVR-OD-P-436230), proposed to excavate an experimental sediment trap at the mouth of the Sangamon River. The small boat channel will be re-excavated to create a pilot channel for workboat and pipeline access between the sediment trap and the placement site in Beardstown marina. The dredged material from the sediment trap and the access channel were to be placed in the upper end of Beardstown marina. The placement site was to be 600 feet long by 300 feet wide. The water quality certification from the Illinois Protection Agency authorized the mechanical dredging of the pilot channel with the excavated material to be placed in the containment area and the construction of a sand berm to create a containment basin. The water quality certification from the Illinois Protection Agency for the placement of hydraulically dredged material was authorized in 2005.

(5) In 2005, Department of the Army authorization (CEMVR-OD-P-2004-550), was granted to the City of Beardstown to perform maintenance dredging in the following areas: Sediment trap area, Access channel (area between the sediment trap and the marina access channel), Marina entrance channel (area between the access channel and the marina) Marina (area along the marina peninsula). The dredge placement sites consisted of the Peninsula (top of the existing peninsula within the marina), along the levee (between the levee and the marina), Marina (upper bermed end of the marina). The authorization also included riprap placement along the exterior and interior side of the marina peninsula and the end of the marina peninsula. The authorization also included the installation of docks along the interior, exterior and the end of the marina peninsula. A 4-lane boat ramp was proposed to be installed inside the marina in the area that was filled with dredged material. Various other improvements such as parking and other structures were proposed within the dredged material placement area.

(6) On March 15, 2016, Department of the Army authorization (CEMVR-OD-P-2014-821), was granted to the City of Beardstown to perform maintenance dredging of an entrance channel from the east side of the Illinois River at river mile 88.9 through the access channel and the entrance channel to the Beardstown Marina. The dredging will be done mechanically. The dredge area is approximately 4,500 feet in length and varies in width from 50 feet to 200 feet. Approximately 30,000 cubic yards of sediment will be removed. The water depth to be attained from dredging will be approximately 7 feet at normal pool. The dredging locations have been previously dredged. The materials from the mechanical dredging will be placed in the approved disposal area in the bermed upper end of the marina or on top of the existing peninsula. There is an existing return structure to allow the water from the dredge material to return to the waters of the marina. The dredging portion of the project is a continuation for annual maintenance dredging in areas that have been previously permitted. **Maintenance dredging has been performed by the applicant since this permit was issued.**

(7) The permit authorization also includes construction of a rock riprap dike on both sides of the access channel in order to minimize silting of the access channel at and below flood stage as an erosion control measure, and to prevent scour from the dredged channel sides from wave action caused by boat traffic. A riprap dike along the downstream side of the access channel will also provide access for maintenance equipment from the adjacent levee. The rock dike along the northern side of the access channel is to have a top width of 10 feet and a top elevation of 435 feet which is equivalent to a stage reading of 15.1 feet at the Beardstown gage. The length of the rock dike along the northern side of the access channel is approximately 400 feet. The rock dike/road along the southern side of the access channel will be 20 feet wide and have a top elevation of 435 feet. Where the rock dike/road crosses the river side channel, the rock dike/road is to be about 5 feet above the channel bed elevation. A 24-inch diameter pipe culvert with an invert elevation of 431 feet is to be installed through the dike at the side channel.

The length of the rock dike along the southern side of the access channel and river side channel is approximately 590 feet. The rock riprap dike portion of the project is new construction. **The rock riprap dike project has not been constructed since this permit was issued.**

(8) Department of the Army authorization (CEMVR-OD-P-2014-821), includes the following impacts to waters of the U.S.: the filling of approximately 0.50 acres of PEM (palustrine emergent) wetland and 0.10 acres of open water in the side channel from the rock dike construction along the north and south sides of the access channel as well as through the open water side channel access to the marina. The access channel constructed for the sediment trap project from 2004 would then become the main access to/from the marina. Disturbance of 0.50 acres of existing wetland is required to accomplish this project and therefore onsite wetland mitigation is proposed.

b. Mitigation. This permit authorization includes the following required mitigation: to mitigate for the 0.5 acres of PEM wetland impacts, a 2.0-acre low quality wetland will be restored. The mitigation site is an existing 2.0-acre impaired, low quality wetland which is dominated by invasive plant species. The site lends itself to development of a high-quality wetland due to the proximity of similar wetlands adjacent to it. The site is directly adjacent to the 540-acre Illinois Natural Areas Inventory Site (INAI), Beardstown Marsh, and the mitigation project presents the opportunity to restore additional acreage adjacent to the high quality INAI wetland site. **The wetland mitigation restoration site work has not completed since the rock riprap dike project has been put on hold. If the rock riprap dike project is ever completed, this mitigation would be required.**

c. Current Request.

(1) The current request is a modification of Department of the Army authorization (CEMVR-OD-P-2014-821). The Beardstown Marina currently does not have access to the main channel of the Illinois River at normal pool due to sedimentation from the Sangamon River. Maintenance dredging is necessary to make this facility functional. Maintenance dredging of the original entrance channel from the east side of the Illinois River Navigation Channel at approximate Illinois River Mile 88.8 northerly under the Burlington Northern Santa Fe (BNSF) Bridge to the limits of the Beardstown Marina Harbor entrance. Dredging will be completed by mechanical dredging. The proposed dredge area is shown on the attached sketch. The proposed channel will be approximately 50 feet bottom width, the side slopes will be 4:1, the depth will be 3 feet and the total volume of sediment removed shall be approximately 10,000 cu yd. The length of the channel to be dredged and maintained is approximately 1,250 feet and the channel width is 50 feet. A barge will bring the material back to the marina where a truck transfer will take the material and place into the previously approved disposal area within the marina as identified in USACE permit CEMVR-OD-P-2014-821, IDNR permit DS2016007, and IEPA permit C-0244-14, and is located at the Beardstown Marina, Marina Levee Road, Beardstown, IL. The material will dewater within the spoil containment disposal area where sufficient volume is available. The disposal area site shall include proper erosion control and seeding. The materials from the mechanical dredging will not be placed in the waters of the U.S. and no discharge of water will enter any body of water.

d. Permit Area: The dredged channel permit area is approximately 1,250 feet long and 50 feet wide and is shown on the attached map. The permit area also includes the dredge spoil containment area, which is located at the Beardstown Marina, Marina Levee Road, Beardstown, IL., and is shown on the attached map.

#### 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 OWR at [dnr.dwrn@illinois.gov](mailto:dnr.dwrn@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 multiple surveys in the area, but the permit area has not been surveyed and no previously identified historic properties in the vicinity of the permit area, which consists of the Illinois River near mile 88.8 and the adjacent previously used dredge disposal site. In addition, the Corps 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 in the vicinity of the current permit. Therefore, it is the opinion of the District there are 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 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” (36 CFR Part 800 and 33 CFR Part 325, Appendix C.3.b).

#### 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 Cass County, Illinois:

(<https://ecos.fws.gov/ecp/report/species-listings-by-current-range-county?fips=171251>)

- 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. During warm months the bat utilizes small stream corridors with well-developed riparian woods and upland forests as foraging habitat. 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 along the bank of the placement of the bank protection, there will be no effect to the Indiana bat. For this reason, the District has determined that the proposed actions will have no effect on the Indiana bat.

- Bald eagle. Although the Bald eagle is no longer listed as a federally threatened or endangered species in Cass County, Illinois, the bald eagle remains protected under the Bald and Golden Eagle Protection Act. Since no trees will be removed along the bank of the placement of the bank protection, there will be no impacts to bald eagles. No potential roost trees were located in the project area.

- Northern long-eared bat. The northern long-eared bat (*Myotis septentrionalis*) is proposed as endangered. It utilizes mines and caves as winter hibernacula, and riparian and upland forests as summer roosting and foraging habitat. No winter hibernacula are present in the vicinity of the project area, or potential mitigation area. Since no trees will be removed along the bank of the placement of the bank protection, there will be no impacts to the Northern long eared bat. For this reason, the District has determined that the proposed actions will have no effect on the Northern long eared bat.

- Prairie Bush Clover. The prairie bush clover (*Lespedeza leptostachya*) is considered to potentially occur statewide based on historical habitat and could potentially be found in any Illinois county. It occupies dry to mesic prairies with gravelly soil. There is no critical habitat designated for this species. Suitable habitat for the prairie bush clover is not present in the construction, borrow or mitigation areas and for this reason the District has determined that the proposed action will have no effect on the prairie bush clover.

- Eastern Prairie Fringed Orchid. The eastern prairie fringed orchid (*Platanthera leucophaea*) may potentially be found in any Illinois county. It occupies mesic to wet prairie remnant habitat. There is no critical habitat designated for this species. Suitable habitat for the eastern prairie fringed orchid is not present in the construction, borrow or mitigation areas and for this reason the District has determined that the proposed action will have no effect on the eastern prairie fringed orchid.

- Decurrent False Aster. The decurrent false aster (*Boltonia decurrens*) is listed as threatened and known to occur in Cass County, Illinois (Illinois River floodplain). This early successional plant species is found in floodplain habitats of the mainstem Illinois River. It is considered to potentially occur in any county bordering the Illinois River. It occupies disturbed alluvial soils in the floodplains of these rivers. The wetland delineation for this project did not identify any decurrent false aster within the proposed mitigation area. Several recent photographs of the access channel area to be covered with the rip rap dike did not reveal the presence of the decurrent false aster. For this reason, the District has determined that the proposed action will have no effect on the decurrent false aster.

b. Based upon the information provided and available at this time, our preliminary determination is that the proposed activity would have **no effect** on federally listed:

- Indiana bat,
- Northern long-eared bat,
- Eastern prairie fringed orchid
- Decurrent false aster
- Prairie Bush Clover

c. While informal consultation has not been initiated with the United States Fish and Wildlife Service (FWS) at this time, we are coordinating this application with the FWS and the respective resource agencies through this public notice. Any comments they 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.

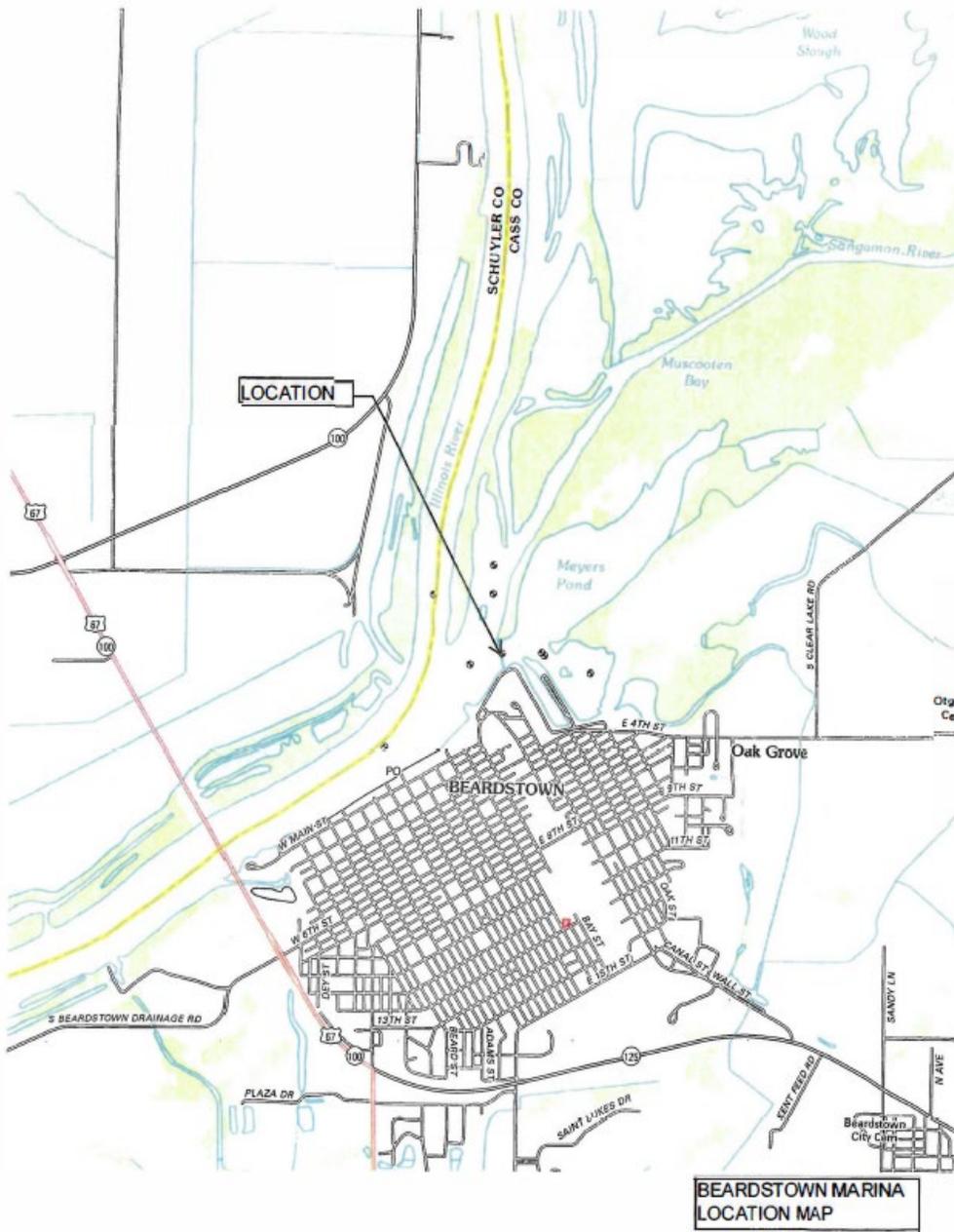
**10. Reply to the Corps of Engineers.** For additional information and comments concerning the Corps permit should be addressed to Mr. James Kelley by telephone 309-794-5373 or by e-mail: [james.c.kelley@usace.army.mil](mailto:james.c.kelley@usace.army.mil).

Attach Plan

Mr. James C. Kelley  
Project Manager, 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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CEMVR-RD-2021-0027  
PROJECT LOCATION MAP  
Encl 1 of 2



CEMVR-RD-2021-0027  
AERIAL VIEW MAP  
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