



**US Army Corps
of Engineers** ®
Memphis District

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PUBLIC NOTICE

**U.S. Army Corps of Engineers
Memphis District**

U.S.C. Chapter 33, Section 408 Permission Evaluation

TITLE: Section 408 Permission Evaluation for the decommission of an intake pipeline from the Ohio River to the Cairo Illinois American Water Plant in Alexander County, Illinois.

INTRODUCTION: The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers (USACE) federally authorized civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408. The City of Cairo, Illinois has requested permission to decommission a water intake pipeline from the Ohio River by grouting the pipeline and abandoning it in place (Figure 1).



Figure 1. Location of proposed pipe closure in Alexander County, IL.

PROJECT DESCRIPTION: Section 408 authorizes USACE to grant permission for the alteration or occupation or use of the project if USACE determines that the activity will not be

injurious to the public interest and will not impair the usefulness of the project. The federally authorized project being proposed for alteration with this project is the Cairo Floodwall within Levee System 1, Mississippi and Ohio River Levee System at Cairo and Vicinity. This project provides for the construction, enlargement and strengthening of the levees on the main stem of the Mississippi River from Cape Girardeau, MO, to Head of Passes, LA, to protect lands lying back of the levees from floodwaters of the Mississippi River. The authorized work also provides for construction of berms for control of seepage, and for gravel roads on the levees.

ENVIRONMENTAL COMPLIANCE: A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. The scope of analysis for the NEPA and environmental compliance evaluations for the Section 408 review should be limited to the area of alteration and those adjacent areas that are directly or indirectly affected by the alteration. TDOT has requested a Section 408 evaluation on the proposed action from the Memphis District, and the environmental compliance branch is currently conducting a preliminary determination by reviewing the footprint of the proposed work and potential affects to USACE interests.

A list of potential threatened or endangered species possibly in the project area was created on 15 September 2025 utilizing the Information for Planning and Consulting (IPaC) tool provided by the United States Fish and Wildlife Service. The proposed Section 408 alteration was determined to have the following effects on threatened or endangered species or their critical habitats in the project area, pursuant to the Endangered Species Act:

Common Name	Binomial	Status	Effect Determination
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	No effect
Gray Bat	<i>Myotis grisescens</i>	Endangered	No effect
Indiana Bat	<i>Myotis sodalis</i>	Endangered	No effect
Whooping Crane	<i>Grus americana</i>	Experimental Population	No effect
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Proposed Threatened	No effect
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Endangered	No effect
Fat Pocketbook Mussel	<i>Potamilus capax</i>	Endangered	No effect
Clubshell	<i>Pleurobema clava</i>	Endangered	No effect
Fanshell	<i>Cyprogenia stegaria</i>	Endangered	No effect
Longsolid	<i>Fusconaia subrotunda</i>	Threatened	No effect
Orange Pimpleback	<i>Plethobasus cooperianus</i>	Endangered	No effect
Pink Mucket	<i>Lampsilis abrupta</i>	Endangered	No effect
Rabbitsfoot	<i>Quadrula cylindrica cylindrica</i>	Threatened	No effect
Ring Pink	<i>Obovaria retusa</i>	Endangered	No effect
Rough Pigtoe	<i>Pleurobeme plenum</i>	Endangered	No effect
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened	No effect

The USACE Memphis District Archaeologist has determined that the proposed activities have no potential to cause effect to historic properties, pursuant to Section 106 of the National Historic Preservation Act. There are no known properties within the project area or surrounding areas and the existing project site has previously been disturbed by prior construction.

The decision on this Section 408 request is being analyzed in accordance with NEPA and is

limited to the Section 408 boundaries described herein.

PUBLIC INTEREST REVIEW: The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties. Comments received within 15 days of this publication would be used in the evaluation of potential impacts of the proposed action on important resources. All comments would be considered in preparing environmental documentation pursuant to NEPA. USACE has jurisdiction under 33 USC 408, only over the specific activities that have the potential to alter existing USACE projects. Please limit comments to the area of the alteration and those adjacent areas that are directly or indirectly affected by the alteration to the federally authorized civil works project described herein. **Comments may be submitted to robert.w.prebeck@usace.army.mil and should be received by 20 February 2026.**

Sincerely,

Mark R. Smith

Chief, Environmental Compliance Branch
Regional Planning and Environmental Division
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