



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

ISSUE DATE: 13 March 2025

EXPIRATION DATE: 31 March 2025

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 demolition and construction of structures along the Ohio River Levee in Pulaski 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. Consolidated Grain and Barge Company (CGB) is requesting permission to demolish existing structures and rebuild similar structures in the same location.



Figure 1. Location of proposed construction in Pulaski 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. CGB operates a grain elevator at 201 Missouri Avenue, Mound City, Illinois. The dock at this facility is comprised of three sheet pile cells and two deck barges. Six towers support the conveyor truss as it spans from the landside elevator to the dock. These structures are over 40 years old, and some of them have reached the end of their serviceable life. CGB proposes to perform the following work: Demolish and replace only the existing center “load cell” with a like-kind sheet pile cell. The existing cell will be removed down to the mudline. A new sheet pile cell will be driven in the same location. The other two cells located upstream and downstream from the center “load cell” will remain. These cells will be repaired by wrapping them with a cell band. Demolish the existing six towers that support the conveyor truss. The towers will be removed down to the mudline on the riverside of the levee. Five new support towers will be installed to replace the old structures. Replacement of the truss, conveyors, and barge spout tower will be performed under the same scope of work. These improvements will be supported by the above-mentioned towers and cell. The Mississippi River Levee Project is the federally authorized civil works project proposed for alteration. The federal project provides for managing flood risks to lands outside of the levees from floodwaters of the Mississippi River. Federal responsibility

extends 15 feet from the landside berm and 15 feet from the riverside toe of the levee. This project is taking place on the Ohio River levee, which is part of the Mississippi River Levee system and thus covered by the Mississippi River Levee Project.

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. CGB 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 proposed work of the footprint of this project that may affect USACE interests.

A list of potential threatened or endangered species possibly in the project area was created on 28 February 2025 utilizing the Information for Planning and Consulting (IPaC) tool provided by the United States Fish and Wildlife Service (USFWS). 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
Gray Bay	<i>Myotis grisescens</i>	Endangered	No effect
Indiana Bat	<i>Myotis sodalis</i>	Endangered	No effect
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	No effect
Northern Long-eared Bat	<i>Myotis septentrionalis</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
Clubshell Mussel	<i>Pleurobema clava</i>	Endangered	No effect
Fanshell Mussel	<i>Cyprogenia stegaria</i>	Endangered	No effect
Fat Pocketbook Mussel	<i>Potamilus capax</i>	Endangered	No effect
Longsolid Mussel	<i>Fusconaia subrotunda</i>	Threatened	No effect
Orange Pimpleback Mussel	<i>Plethobasus cooperianus</i>	Endangered	No effect
Pink Mucket Mussel	<i>Lampsilis abrupta</i>	Endangered	No effect
Rabbitsfoot Mussel	<i>Quadrula cylindrica cylindrica</i>	Threatened	No effect
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened	No effect

The USACE Memphis District Archaeologist has determined that the proposed activities would cause no effects to known historic properties, pursuant to Section 106 of the National Historic Preservation Act. The area has been previously surveyed and there are no known properties within the project area or surrounding areas.

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 31 March 2025.**

Sincerely,

Mark R. Smith

Chief, Environmental Compliance Branch
Regional Planning and Environmental Division South