



Public Notice

**US Army Corps
of Engineers**

Public Notice No.
LRL-2018-602-sjk

Open Date:
26 Nov 2018

Closing Date:
10 Jan 2018

Louisville District ®

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Louisville District

ATTN: Sarah Keller

8902 Otis Avenue, Suite S106B

Indianapolis, IN 46216

Phone: (317) 543-9424

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act:

APPLICANT: Dynegy Midwest Generation, LLC
1500 Eastpoint Plaza Drive
Collinsville, IL 62234

LOCATION: Middle Fork Vermilion River, Oakwood, IL

Latitude: 40.1832°
Longitude: -87.7442
7.5 Minute Quad: Danville NW

PURPOSE: Construction of streambank stabilization.

DESCRIPTION OF WORK: The applicant proposes to discharge fill material below the ordinary high water mark of 2,000 linear feet of the right descending bank of the Middle Fork Vermilion River utilizing a combination of 11,500 cubic yards (cys) of void-filled riprap and stone toe protection, 2,000 cys of clean soil, and live branch layering. Approximately 9,000 cys of existing bed and bank material (including existing gabion baskets) below the ordinary high water mark would be excavated and removed offsite.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant has considered multiple alternatives to further minimize proposed impacts to waters of the United States, some of which would result in an increase in erosion and sediment loading and a greater impact to aesthetic appearance of the banks in comparison to the preferred alternative. Additionally, the applicant has prepared a storm water pollution prevention plan that would include best management practices to be utilized during the construction activity. Compensatory mitigation has not been proposed.

SPECIAL PROVISIONS: This portion of the Middle Fork Vermilion River has been designated as a component of a State and/or Federal Wild and Scenic River System. A DA permit cannot be issued until it has been determined that the proposed project will not have a direct and adverse effect on the values for which the stream was established as a wild and scenic river.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied. A DA permit, if otherwise warranted, will not be issued until a State of Illinois Section 401 Water Quality Certification or waiver is on file at this office. The applicant has submitted an application for State certification from the Illinois Environmental Protection Agency (ILEPA).

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. The Endangered Species Act (ESA, 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7(a) 2 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered, or any designated critical habitat. A copy of this notice is being furnished to the USFWS for their review. Per this notification, we request comments from the USFWS concerning potential impact to threatened and/or endangered species. After receipt of comments, the USACE will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat and initiate consultation with USFWS, if required.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistoric, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 – Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits 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; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency, under authority of Section 404(b) of the CWA.

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. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. 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.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory/Public-Notices/>. All comments regarding this proposal should be addressed to Ms. Sarah Keller at the address noted above and should refer to the Public Notice Number LRL-2018-602-sjk.

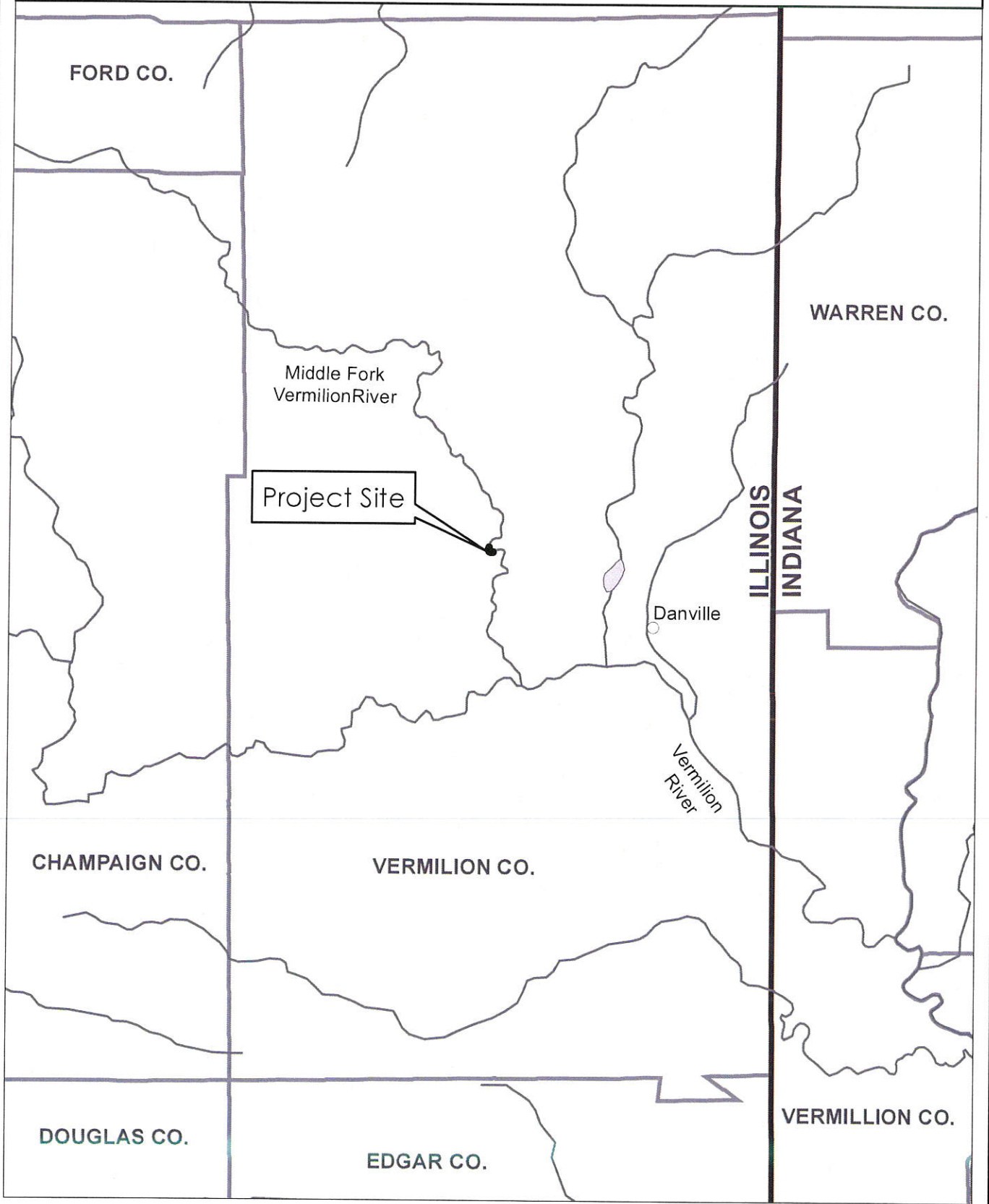
If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2018-602-sjk
Example:

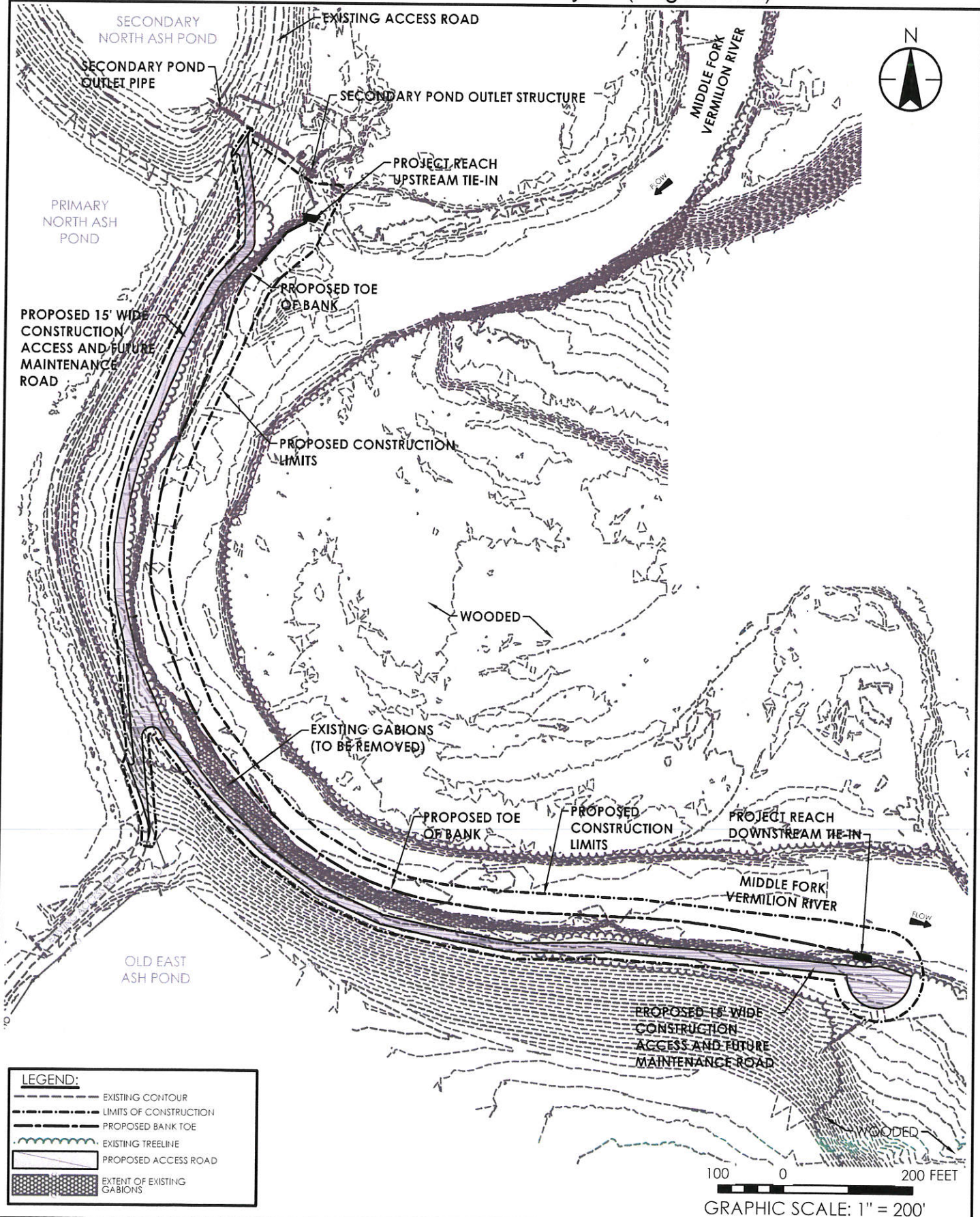
Subject: LRL-2018-602-sjk

- b) Provide your physical mailing address and telephone number.
- c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil
- d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

Middle Fork Vermilion River Erosion Mitigation and Streambank Stabilization
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MFV Bank Stabilization Location Map (Page 1 of 5)



Middle Fork Vermilion River Erosion Mitigation and Streambank Stabilization
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 MFV Bank Stabilization Site Layout (Page 2 of 5)



LEGEND:

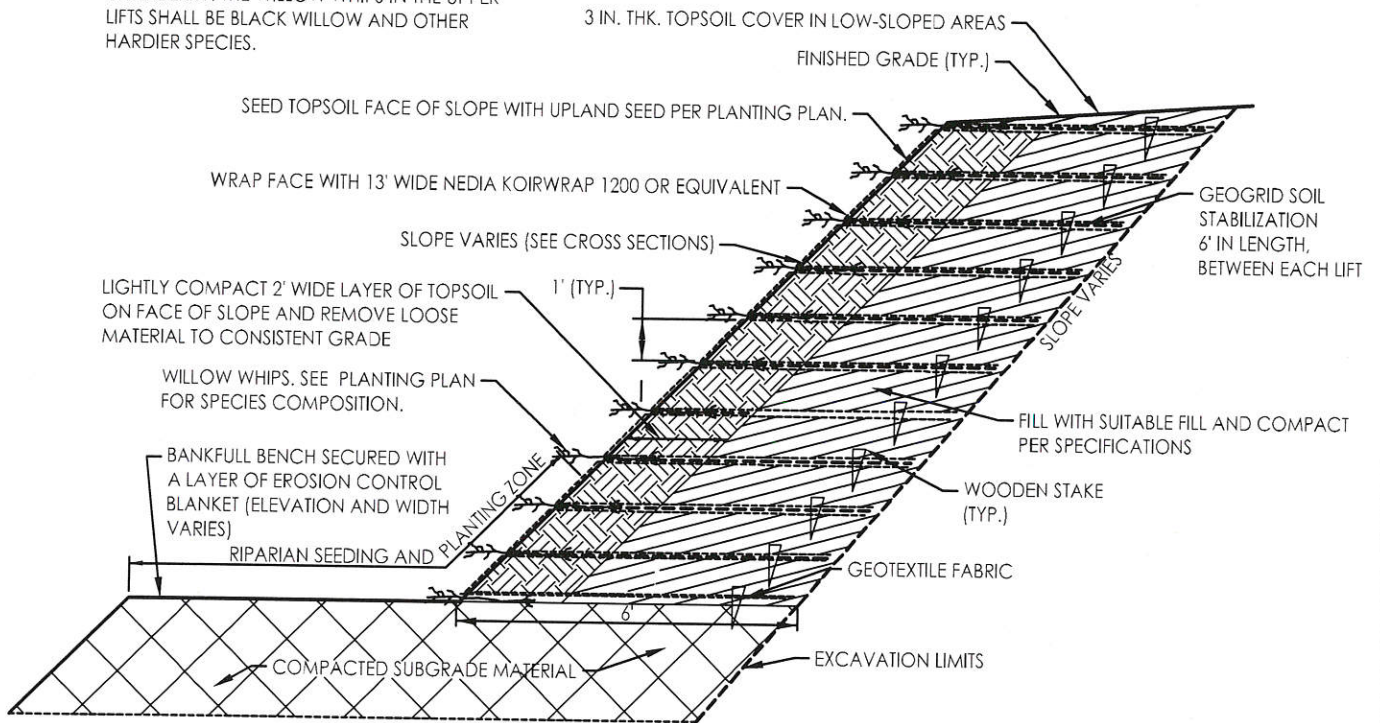
	EXISTING CONTOUR
	LIMITS OF CONSTRUCTION
	PROPOSED BANK TOE
	EXISTING TREELINE
	PROPOSED ACCESS ROAD
	EXTENT OF EXISTING GABIONS



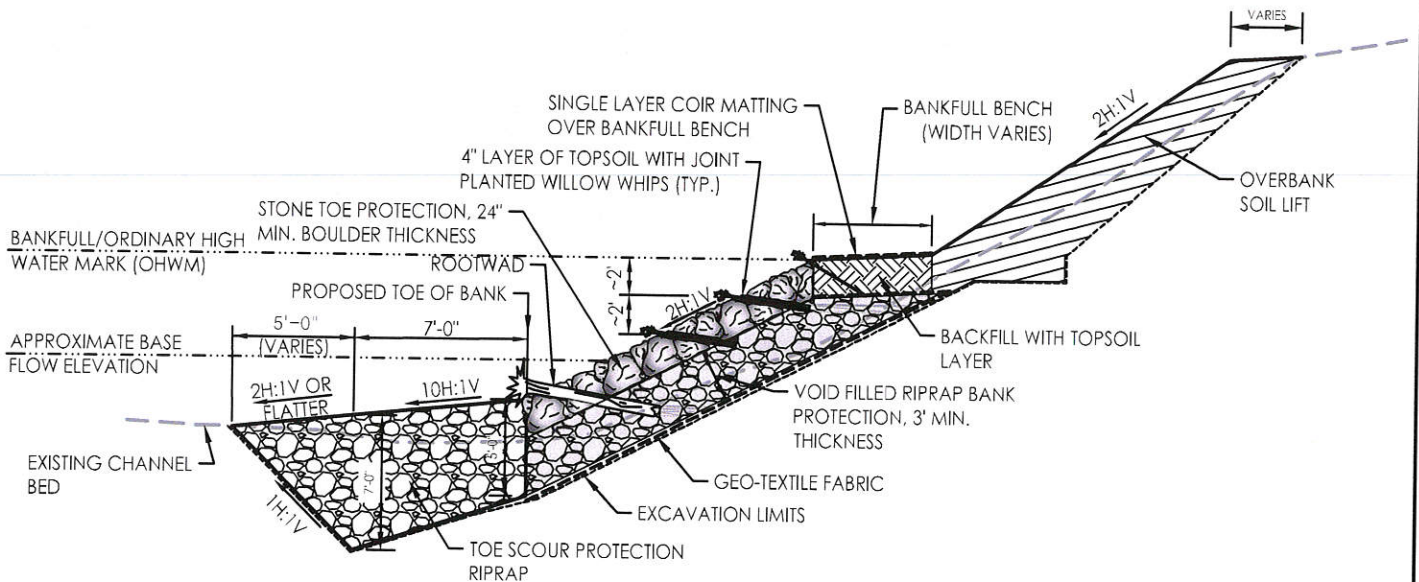
Middle Fork Vermilion River Erosion Mitigation and Streambank Stabilization LRL-2018-602-sjk MFV Bank Stabilization Typical Sections (Page 3 of 5)

NOTE:

THE WILLOW WHIPS IN THE LOWER 3 LIFTS SHALL CONSIST OF BUTTON BUSH AND ELDERBERRY. THE WILLOW WHIPS IN THE UPPER LIFTS SHALL BE BLACK WILLOW AND OTHER HARDIER SPECIES.

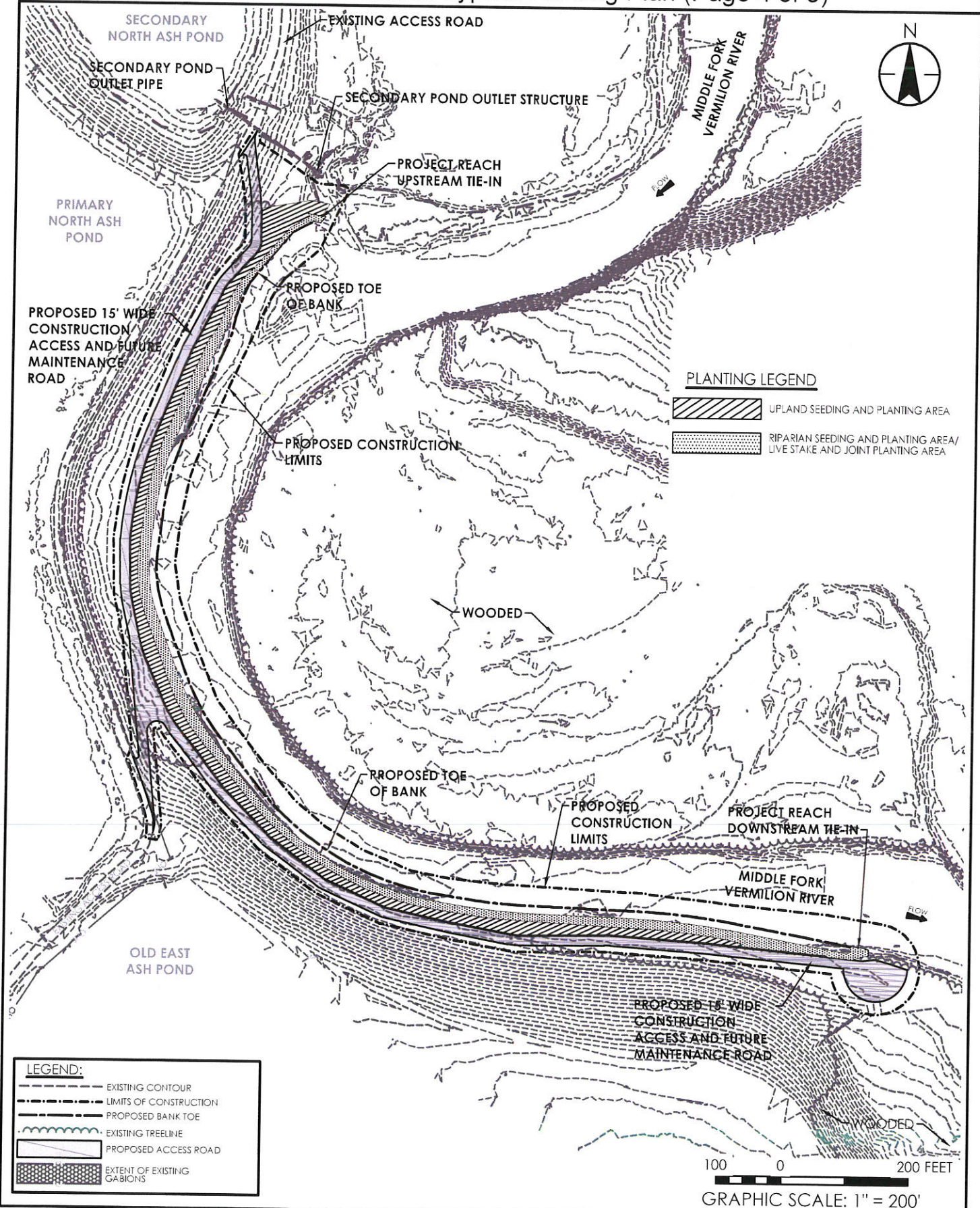


TYPICAL SECTION - OVERBANK SOIL LIFT
NOT TO SCALE



TYPICAL SECTION - STONE TOE PROTECTION (STP)
NOT TO SCALE

Middle Fork Vermilion River Erosion Mitigation and Streambank Stabilization
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 MFV Bank Stabilization Typical Planting Plan (Page 4 of 5)



**Middle Fork Vermilion River Erosion Mitigation and Streambank Stabilization
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MFV Bank Stabilization Planting Tables (Page 5 of 5)

COVER CROP: ALL PLANTING ZONES		
COMMON NAME	PHYSIOGNOMY	LBS./ACRE
CEREAL RYE	ANNUAL GRASS	13.33
COMMON OATS	ANNUAL GRASS	13.33
COMMON WHEAT	ANNUAL GRASS	13.33
TOTAL		40.0

PRIMARY SEED MIXTURE: RIPARIAN PLANTING ZONE		
COMMON NAME	PHYSIOGNOMY	LBS./ACRE
FOX SEDGE	SEDGE	0.40
SHALLOW SEDGE	SEDGE	0.40
BIG BLUESTEM	GRASS	3.00
INDIAN GRASS	GRASS	4.00
LITTLE BLUESTEM	GRASS	3.00
SWITCHGRASS	GRASS	6.00
VIRGINIA WILD RYE	GRASS	4.00
WILD RIVER OATS	GRASS	2.00
BLUE VERVAIN	FORB	0.40
BONESET	FORB	0.40
BROWNEYED SUSAN	FORB	0.40
FOXGLOVE BEARDTONGUE	FORB	0.40
GIANT SUNFLOWER	FORB	0.40
GOLDEN ALEXANDER	FORB	0.40
NEW ENGLAND ASTER	FORB	0.40
PRAIRIE ROSINWEED	FORB	0.40
PRAIRIE CONEFLOWER	FORB	0.40
PRAIRIE MIMOSA	FORB	0.40
PURPLESTEM ASTER	FORB	0.40
QUEEN-OF-THE-PRAIRIE	FORB	0.40
RIDELL'S GOLDENROD	FORB	0.40
SNEEZEWEED	FORB	0.40
SPOTTED JOE-PYE WEED	FORB	0.40
SWAMP MILKWEED	FORB	0.40
TALL TICKSEED	FORB	0.40
VIRGINIA MOUNTAIN-MINT	FORB	0.40
TOTAL		30.00

PRIMARY SEED MIXTURE: UPLAND PLANTING ZONE		
COMMON NAME	PHYSIOGNOMY	LBS./ACRE
BIG BLUESTEM	GRASS	3.00
CANADA WILD RYE	GRASS	3.00
INDIAN GRASS	GRASS	3.00
LITTLE BLUESTEM	GRASS	3.00
SWITCHGRASS	GRASS	6.00
VIRGINIA WILD RYE	GRASS	4.00
BLUE FALSE INDIGO	FORB	0.50
BROWNEYED SUSAN	FORB	0.50
COMMON MILKWEED	FORB	0.50
GOLDEN ALEXANDER	FORB	0.50
HOARY VERVAIN	FORB	0.50
NEW ENGLAND ASTER	FORB	0.50
OHIO SPIDERWORT	FORB	0.50
OSWEGO-TEA	FORB	0.50
PARTRIDGE PEA	FORB	0.50
PRAIRIE CONEFLOWER	FORB	0.50
PRAIRIE MIMOSA	FORB	0.50
PURPLE CONEFLOWER	FORB	0.50
SHOWY TICK-TREFOIL	FORB	0.50
SMOOTH OXEYE	FORB	0.50
TALL IRONWEED	FORB	0.50
TALL TICKSEED	FORB	0.50
TOTAL		30.00

WHIPS: LIVE BRANCH LAYERING (10,650 LF); PLANTED EVERY FOOT WITHIN SOIL LIFTS (10,250 LF) INCLUDING A JOINT PLANTING AREA (4,000 LF)		
COMMON NAME	PHYSIOGNOMY	TOTAL STEMS (2 STEMS/LF)
GRAY DOGWOOD	SHRUB	3,750
PUSSY WILLOW	SHRUB	3,750
RED-OSIER DOGWOOD	SHRUB	3,750
SILKY DOGWOOD	SHRUB	3,750
BLACK WILLOW	TREE	3,750
PEACHLEAF WILLOW	TREE	3,750
TOTAL		22,500

LIVE STAKE PLANTING AREA (0.20 ACRE); STAKING ON 2 FOOT CENTERS, APPROXIMATELY 2,000 LF PER ROW		
COMMON NAME	PHYSIOGNOMY	TOTAL STEMS (2x2 SPACING)
ARROWWOOD	SHRUB	242
BEBB WILLOW	SHRUB	242
ELDERBERRY	SHRUB	242
GRAY DOGWOOD	SHRUB	242
PUSSY WILLOW	SHRUB	242
RED-OSIER DOGWOOD	SHRUB	242
SILKY DOGWOOD	SHRUB	242
BLACK WILLOW	TREE	242
PEACHLEAF WILLOW	TREE	242
TOTAL		2,178

CONTAINERIZED / BARE-ROOT SEEDLING; RIPARIAN ZONE			
COMMON NAME	PHYSIOGNOMY	CONTAINER/ BARE-ROOT	TOTAL STEMS (8x8 SPACING)
BOX ELDER	TREE	BARE ROOT	42
BUR OAK	TREE	BARE ROOT	42
HACKBERRY	TREE	BARE ROOT	42
RED MAPLE	TREE	CONTAINER	42
SILVER MAPLE	TREE	CONTAINER	42
SWAMP WHITE OAK	TREE	BARE ROOT	42
SWEETGUM	TREE	CONTAINER	42
SYCAMORE	TREE	CONTAINER	42
NANNYBERRY	SHRUB	BARE ROOT	42
NINEBARK	SHRUB	BARE ROOT	42
WILD BLACK CURRANT	SHRUB	CONTAINER	42
SHRUBBY CINQUEFOIL	SHRUB	BARE ROOT	42
SHRUBBY ST. JOHN'S-WORT	SHRUB	BARE ROOT	42
ELDERBERRY	SHRUB	CONTAINER	42
WINTERBERRY	SHRUB	CONTAINER	42
TOTAL			630

CONTAINERIZED / BARE-ROOT SEEDLING; UPLAND PLANTING ZONE			
COMMON NAME	PHYSIOGNOMY	CONTAINER/ BARE-ROOT	TOTAL STEMS (8x8 SPACING)
AMERICAN BEECH	TREE	CONTAINER	140
BLACK WALNUT	TREE	BARE ROOT	140
RED OAK	TREE	BARE ROOT	140
REDBUD	TREE	CONTAINER	140
TULIPTREE	TREE	CONTAINER	140
WHITE OAK	TREE	BARE ROOT	140
AMERICAN HAZELNUT	SHRUB	BARE ROOT	140
CLIMBING PRAIRIE ROSE	SHRUB	CONTAINER	140
SHRUBBY CINQUEFOIL	SHRUB	BARE ROOT	140
SHRUBBY ST. JOHN'S-WORT	SHRUB	BARE ROOT	140
SMOOTH SUMAC	SHRUB	CONTAINER	140
TOTAL			1,540