

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Charlie Mattern
Kevin Groth
Corby Valentine
Steve Smith
Tony Miller

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Stephen R. Wigginton

November 17, 2008

NOTICE

MEETING OF THE PUBLIC PROPERTY COMMITTEE (Streets/Municipal Center/Pool/Parks & Recreation) (Miller/Baker/Valentine)

A Public Property Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, on **Wednesday, November 19, 2008 at 6:30 p.m.**

PUBLIC PROPERTY COMMITTEE MEETING AGENDA

SWIMMING POOL:

- A. Old Business
 - 1. Pool feasibility study
- B. New Business

- A. Old Business
 - 1. Approval of October 15, 2008 minutes
 - 2. Streetscape - N. Main Street
 - 3. Swipe Card Access
 - 4. Culvert on Cemetery Road and also West Street
 - 5. Rogers home
 - 6. Drainage problem by Chad Rhutasel
 - 7. Harbor Pointe at Westview Lake
- B. New Business
 - 1. Father Mark's request for cemetery work
- C. General Concerns
- D. Public Participation
- E. Adjourn

At said Public Property Committee Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss potential litigation [5 ILCS, 120/2 - (c)(11)]; the selection of a person to fill a public office [5 ILCS, 120/2 - (c) (3)]; personnel [5 ILCS, 120/2 - (c) (1) a.]; or real estate transactions [5 ILCS, 120/2-(c)(5)].

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Public Property Committee Meeting
Streets/Municipal Center/Pool/Parks & Recreation
(Miller/Baker/Valentine)
Wednesday, November 19, 2008 at 6:30 p.m.

The meeting of the Public Property Committee was called to order at 6:40 p.m. on Wednesday, November 19, 2008, in the Municipal Center. Those in attendance were Trustee Tony Miller, Trustee Rita Baker, Trustee Corby Valentine, Mayor Ray Danford, Public Works Director Ron Dintelmann and Assistant Public Works Director John Tolan.

POOL:

A. OLD BUSINESS:

1. Pool feasibility study: The committee held a brief discussion on what the next steps are for the future of the pool. Ron is to bring back information on what it will cost to get the pool ready to use for next year. The committee would like to see some kind of temporary shade, i.e. tents, umbrellas, put up.

B. NEW BUSINESS: None.

STREET:

A. OLD BUSINESS:

1. Approval of October 15, 2008 minutes: Trustee Corby Valentine motioned to approve the October 15, 2008 minutes and Trustee Rita Baker seconded the motion. All voting aye, the motion carried.

2. Streetscape – N. Main Street: Nothing new. The safe route to school topic was briefly discussed.

3. Swipe Card Access: Nothing new.

4. Culvert on Cemetery Road and also West Street: The bid Army Corp. of Engineers approved the permits for the culverts and IDOT has scheduled the bid letting on December 18, 2008 at 2:00 p.m.

5. Rogers home: Mayor Danford is working on this.

6. Drainage problem by Chad Rhutasel: Item can be taken off the agenda.

7. Harbor Pointe at Westview Lake: Nothing new.

Street Committee Meeting Minutes
Wednesday, November 15, 2008
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B. NEW BUSINESS:

1. Father Mark's request for cemetery work: the committee was not interested in having the Village get into the grave-digging business. They were concerned about liability as well as the additional workload.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 7:20 p.m. and Trustee Corby Valentine seconded the motion. All voting aye, the motion carried.*



Transcribed from verbal notes by
Julie Polson, Office Manager

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Public Property Committee Meeting
Streets/Municipal Center/Pool/Parks & Recreation
(Miller/Baker/Valentine)
Wednesday, October 15, 2008 at 6:30 p.m.

The meeting of the Public Property Committee was called to order at 7:00 p.m. on Wednesday, October 15, 2008, in the Municipal Center. Those in attendance were Trustee Tony Miller, Trustee Rita Baker, Trustee Corby Valentine, Trustee Kevin Groth, Trustee Charlie Mattern, Mayor Ray Danford, Village Administrator Dennis Herzing, Public Works Director Ron Dintelmann, Assistant Public Works Director John Tolan and Office Manager Julie Polson. Guests present: Gale Hake, Tim Pruett, John Meise and several residents.

PUBLIC PARTICIPATION: Chairman Miller said several residents were present to discuss their concerns about the proposed Harbor Pointe at Westview Lake plat and the effect it will have on the traffic on Kessler and Westview. Administrator Herzing advised when this first came to the Plan Commission, a discussion was held about following the Plan Commissions' recommendations for a through street that would go from Apple Street, through this development, the one directly to the north to Wolf Road and north of that to connect up by Parrish's to tie back into the highway. The Plan Commission asked Mr. Meise to make Sterling View Lane a 60' right-of-way and carry it to the north property line. Dennis then met with Gale Hake and the people that own the property to the north and they agreed to make a 60' right-of-way up to Wolf Road. This will create a north/south route through here to eventually limit the traffic on Westview. Dennis and Ron met with Tim Pruett to discuss improving the traffic in the short term. We asked them to consider some improvements at the curve where the traffic is going to come out of the proposed subdivision so there is a good, safe curve to tie in with Kessler Road. Kessler Road has been improved with curb and gutter up to just about the curve. Trustee Valentine said this area has been a concern of his. When that property was sold, he expressed his interest to the Village for them to work with the developer to improve the safety of that area when this property was developed. Dennis said this has been discussed in several Plan Commission meetings when they have worked on updating the comprehensive plan. The proposed plat as well as the proposed comprehensive plan map was provided for everyone's review.

Gale Hake advised Bozeman Lane could have been extended to Westview Drive but that was not done because of the gas line that runs through that area. They put the entrance on Kessler as close to the good part of Kessler that was possible. Tony said the concern was from Kessler Road going into Watersview Way. Dennis said maybe some improvement there could help the short-term problem. Tony advised everyone present Dennis and Ron are working on that with Rhutasel and John Meise. Al Hicks said he doesn't want the entrance to the subdivision coming out right at his driveway. A resident said maybe the entrance could be

Street Committee Meeting Minutes
Wednesday, October 15, 2008
Page 1 of 3

moved more to the south. Gale said it used to be a 90 degree turn in that road. A three-way stop was suggested. John Meise asked about the \$1,500 impact fee collected from every lot. He asked if the impact fees could be used for the roads and improvements. Dennis advised it is primarily designed for the water and sewer infrastructure. Kevin Groth advised the Village has been talking about this problem area for years. Gale Hake pointed out Silverthorne was to be the north/south collector street from Freeburg-Douglas Road. Gale further said whenever the north/south collector street becomes available, Westview could actually be shut down. John Harryman asked if this is the time for the government to step up and continue the collector road north to Wolf Road. John also asked for a safe route from Lone Oak/Timberwolf to be considered for residents that live in that area to get into town. Tony thanked everyone who came out to the meeting and advised it is a work in progress and if any resident had any questions or suggestions to give Administrator Herzing a call. He further stated no recommendations will be made at Monday night's board meeting.

STREET:

A. OLD BUSINESS:

Further discussion was held with Gale, Tim and John. Ron said he and Dennis will continue to meet with Gale, Tim and John and see what they can work out with regard to a possible realignment of the road and 3-way stop.

1. Approval of September 17, 2008 minutes: *Trustee Rita Baker motioned to approve the September 17, 2008 minutes and Trustee Corby Valentine seconded the motion. All voting aye, the motion carried.*

2. Streetscape - N. Main Street: Nothing new.

3. Swipe Card Access: Nothing new.

4. Culvert on Cemetery Road and also West Street: Rhutasel finished the plans and submitted them to IDOT. Dennis said we don't have that much money in the budget for this project. It is estimated at \$111,679.00. We budgeted approximately \$50,000. Ron advised we could take it out of MFT reserve. The work probably won't be done until next year. Ron advised we would need to do the Cemetery Road culvert first. Dennis said we need to see how the actual bids come in, take some money out of reserves (approximately \$200,000) or through appropriation. We might want to push the Cemetery Road off until next year's budget.

5. Rogers home: The proposed contract will be presented at Monday night's board meeting in executive session. Ron confirmed this is a good fit for a shed.

6. St. Joe's Curb/Gutter: Dennis thinks this issue will go away. We did receive a request from St. Joe's for one hour limited parking, Monday - Friday from 8:00 a.m. - 4:00 p.m. on along the north side of White Street from the highway to Alton because the main entrance to the parish center will be on White Street. The

committee had no problem with the request. Dennis will review it with Mel and prepare the ordinance at the first meeting in November.

7. Drainage problem by Chad Rhutasel: Tony was by there and said the worst of the water was by the alley by Kevin's. Ron advised they shot the grade and the curb in front of Chad's and around the building is basically flat. Ron said they will go to the alley and take the curb and gutter out and get rid of the culvert. They will also clean the ditch.

8. Industrial Park - Safe access onto Route 13 request: IDOT states they don't see a problem. Dennis has forwarded their response onto Dennis Kaiser.

B. NEW BUSINESS:

1. Electric and water meter bids: Ron advised this was put in the packet for informational purposes.

2. Women's Club Halloween Parade request: *Trustee Rita Baker motioned to recommend to the full Board the Women's Club request for the Halloween Parade by granted and Trustee Corby Valentine seconded the motion. All voting aye, the motion carried.*

C. GENERAL CONCERNS: Dennis advised the Post Office has requested the Village to mow or mulch the leaves that blow over from the Village Park into the Post Office. The committee agreed to have the lawn service stay on a couple more weeks to take care of this request.

Corby appreciated the time given to the residents that came to the meeting tonight. He felt it was good for Gale, Tim and John to be present to hear the residents' concerns.

D. PUBLIC PARTICIPATION: See above.

SWIMMING POOL: A. OLD BUSINESS:

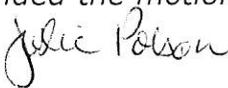
1. Pool feasibility study: The committee asked for the pool attendance for the last 5 years as well as passes sold.

B. NEW BUSINESS: None.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 8:25 p.m. and Trustee Corby Valentine seconded the motion. All voting aye, the motion carried.*


Julie Polson
Office Manager



DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833
October 17, 2008

Regulatory Branch
File Number: MVS-2008-710

RECEIVED

OCT 20 2008

Mr. Dennis Herzing
Village of Freeburg
14 Southgate Center
Freeburg, Illinois 62234

Dear Mr. Herzing:

We have reviewed your application dated July 10, 2008, submitted on your behalf by Mr. Anthony Schenk, Rhutasel and Associates, Inc., reference the culvert replacement carrying Cemetery Road over an unnamed tributary of Jacks Run Creek, Freeburg, St. Clair County, Illinois. **This letter authorizes the replacement of the culvert structure carrying Cemetery Road over an unnamed tributary of Jacks Run Creek, Freeburg, St. Clair County, Illinois.** The unnamed tributary of Jacks Run Creek is a tributary to the Kaskaskia River. More specifically, the project is located in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 20, Township 01 South, and Range 07 West of the 3rd Principal Meridian.

Based upon a review of the U.S. Geological Survey 7.5-minute topographical map, National Wetlands Inventory map, and submitted information, we determined that the unnamed tributary of Jacks Run Creek would possess an ordinary high water mark at this location and would be considered jurisdictional waters of the United States. Therefore, the placement of fill material below the ordinary high water elevation requires a permit from this office.

The Corps of Engineers has determined that this activity will have no affect on endangered species, and is authorized under Section 404 of the Clean Water Act by an existing Department of the Army nationwide permit for linear transportation projects, as described in the March 12, 2007, Federal Register, Reissuance of Nationwide Permits; Notice (72 FR 11183), Appendix A (B)(14). **This permit verification is valid until March 18, 2012.** Enclosed is a copy of the nationwide permit and conditions and management practices with which you must comply.

In accordance with General Condition number 26 of the Nationwide Permit, a compliance certification (Attachment A of this package) must be completed within 30 days of project completion or the permit issuance may be revoked and considered null and void.

The Illinois Environmental Protection Agency (IEPA) has issued Section 401 water quality certification for these permits subject to the following conditions:

a. The affected area of the stream channel shall not exceed 100 linear feet, as measured along the stream corridor.

b. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, as determined by the Illinois EPA.

c. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

d. The applicant shall not cause: (1) violation of applicable provisions of the Illinois Environmental Protection Act; (2) water pollution defined and prohibited by the Illinois Environmental Protection Act; (3) violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; (4) or interference with water use practices near public recreation areas or water supply intakes.

e. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of staked straw bales, sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

f. The applicant shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2002).

g. Temporary work pads, cofferdams, access roads and other temporary fills shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities.

h. The applicant for Nationwide Permit 14 that uses temporary work pads, cofferdams, access roads and other temporary fills in order to perform work in creeks, streams, or rivers shall maintain flow in these waters by utilizing dam and pumping, fluming, culverts or other such techniques.

i. Case specific water quality certification from the Illinois EPA will be required for projects that involve dredge and fill activities in bogs, fens or forested wetlands defined as follows:

1. A bog is a low nutrient peatland, usually in a glacial depression, that is acidic in the surface stratum and often dominated at least in part by the genus *Sphagnum*. P.
2. A fen is a peatland, herbaceous (including calcareous floating mats) or wooded, with calcareous groundwater flow.
3. A forested wetland is a wetland dominated by native woody vegetation with at least one of the following species or genera present: *Carya* spp., *Cephalanthus occidentalis*, *Cornus alternifolia*, *Fraxinus nigra*, *Juglans cinerea*, *Nyssa sylvatica*, *Quercus* spp., *Thuja occidentalis*, *Betula nigra*, *Betula alleghaniensis*, *Betula papyrifera* and *Fagus grandifolia*.

Furthermore, to ensure projects authorized by this Nationwide Permit will result in minimal adverse effects to the aquatic environment, the following Regional Conditions were developed for projects proposed within the state of Illinois:

1. Bank stabilization projects involving armoring of the streambank with riprap or the construction of retaining walls within High Value Subwatersheds exceeding 250 feet will require a PCN to the Corps of Engineers in accordance with General Condition No. 27.

2. A proposed activity to be authorized under Nationwide Permits 12 or 14 within the Cache River Wetlands Areas (Alexander and Pulaski Counties), Kaskaskia River (Clinton, St. Clair, and Washington Counties), or Wabash River (Gallatin and White Counties) will require a PCN to the Corps of Engineers in accordance with General Condition No. 27.

3. Stormwater management facilities shall not be located within an intermittent stream, except of NWPs 21,49 or 50.

4. For newly constructed channels through areas that are unvegetated, native grass filter strips, or a riparian buffer with native trees or shrubs a minimum of 25 feet wide from the top of bank must be planted along both sides of the new channel.

This determination is applicable only to the permit program administered by the Corps of Engineers. It does not eliminate the need to obtain other federal, state or local approvals before beginning work.

You are reminded that the **permit** is based on submitted plans. Variations from these plans shall constitute a violation of Federal law and may result in the revocation of the permit. If this nationwide permit is modified, reissued, or revoked during this period, the provisions described at 33 CFR 330.6(b) will apply.

The **jurisdictional determination** for this project is considered a **Preliminary** jurisdictional determination in accordance with Corps regulations at 33 CFR Part 331. A preliminary jurisdictional determination is not appealable. If you wish, you may request an Approved Jurisdictional Determination (which may be appealed) by contacting our office for further instruction.

The St. Louis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the enclosed postage paid card or go to our Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>.

If you have any questions please contact Chuck Crocker at (314) 331-8584. Please refer to file number MVS-2008-710.

Sincerely,



Keith A. McMullen
Illinois Section Chief
Regulatory Branch
Illinois Permits Region

Enclosures

Copy Furnished: (w/o enclosures)

Paul Mauer, IDNR
James Allison, IEPA

Mr. Tony Schenk
Rhutasel and Associates, Inc.
4 Industrial Drive
Freeburg, Illinois 62243

ATTACHMENT A

COMPLETED WORK CERTIFICATION

Date of Issuance: October 17, 2008

File Number: MVS-2008-710

Name of Permittee: Dennis Herzing, Village of Freeburg

River Basin/County/State: Kaskaskia/St.Clair/Illinois

Project Manager: Chuck Crocker

Upon completion of this activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

**U.S. Army Corps of Engineers
Attn: Regulatory Branch (OD-F)
1222 Spruce Street
St. Louis, Missouri 63103-2833**

(Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification or revocation.)

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date



DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

October 17, 2008

RECEIVED

OCT 20 2008

Regulatory Branch
File Number: MVS-2008-709

Mr. Dennis Herzing
Village of Freeburg
14 Southgate Center
Freeburg, Illinois 62234

Dear Mr. Herzing:

We have reviewed your application dated July 10, 2008, submitted on your behalf by Mr. Anthony Schenk, Rhutasel and Associates, Inc., reference the replacement of the existing elliptical corrugated metal pipe (cmp) with a precast box culvert carrying Cedar Lane and West Street over Kinney Branch, Freeburg, St. Clair County, Illinois. **This letter authorizes the replacement of the culvert structure carrying Cedar Lane and West Street over Kinney Branch, Freeburg, St. Clair County, Illinois.** Kinney Branch is a tributary to the Kaskaskia River. More specifically, the project is located in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 19, Township 01 South, and Range 07 West of the 3rd Principal Meridian.

Based upon a review of the U.S. Geological Survey 7.5-minute topographical map, National Wetlands Inventory map, and submitted information, we determined that Kinney Branch would possess an ordinary high water mark at this location and would be considered jurisdictional waters of the United States. Therefore, the placement of fill material below the ordinary high water elevation requires a permit from this office.

The Corps of Engineers has determined that this activity will have no affect on endangered species, and is authorized under Section 404 of the Clean Water Act by an existing Department of the Army nationwide permit for linear transportation projects, as described in the March 12, 2007, Federal Register, Reissuance of Nationwide Permits; Notice (72 FR 11183), Appendix A (B)(14). **This permit verification is valid until March 18, 2012.** Enclosed is a copy of the nationwide permit and conditions and management practices with which you must comply.

In accordance with General Condition number 26 of the Nationwide Permit, a compliance certification (Attachment A of this package) must be completed within 30 days of project completion or the permit issuance may be revoked and considered null and void.

The Illinois Environmental Protection Agency (IEPA) has issued Section 401 water quality certification for these permits subject to the following conditions:

a. The affected area of the stream channel shall not exceed 100 linear feet, as measured along the stream corridor.

b. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, as determined by the Illinois EPA.

c. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

d. The applicant shall not cause: (1) violation of applicable provisions of the Illinois Environmental Protection Act; (2) water pollution defined and prohibited by the Illinois Environmental Protection Act; (3) violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; (4) or interference with water use practices near public recreation areas or water supply intakes.

e. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of staked straw bales, sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

f. The applicant shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2002).

g. Temporary work pads, cofferdams, access roads and other temporary fills shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities.

h. The applicant for Nationwide Permit 14 that uses temporary work pads, cofferdams, access roads and other temporary fills in order to perform work in creeks, streams, or rivers shall maintain flow in these waters by utilizing dam and pumping, fluming, culverts or other such techniques.

i. Case specific water quality certification from the Illinois EPA will be required for projects that involve dredge and fill activities in bogs, fens or forested wetlands defined as follows:

1. A bog is a low nutrient peatland, usually in a glacial depression, that is acidic in the surface stratum and often dominated at least in part by the genus *Sphagnum*. P.
2. A fen is a peatland, herbaceous (including calcareous floating mats) or wooded, with calcareous groundwater flow.
3. A forested wetland is a wetland dominated by native woody vegetation with at least one of the following species or genera present: *Carya* spp., *Cephalanthus occidentalis*, *Cornus alternifolia*, *Fraxinus nigra*, *Juglans cinerea*, *Nyssa sylvatica*, *Quercus* spp., *Thuja occidentalis*, *Betula nigra*, *Betula alleghaniensis*, *Betula papyrifera* and *Fagus grandifolia*.

Furthermore, to ensure projects authorized by this Nationwide Permit will result in minimal adverse effects to the aquatic environment, the following Regional Conditions were developed for projects proposed within the state of Illinois:

1. Bank stabilization projects involving armoring of the streambank with riprap or the construction of retaining walls within High Value Subwatersheds exceeding 250 feet

will require a PCN to the Corps of Engineers in accordance with General Condition No. 27.

2. A proposed activity to be authorized under Nationwide Permits 12 or 14 within the Cache River Wetlands Areas (Alexander and Pulaski Counties), Kaskaskia River (Clinton, St. Clair, and Washington Counties), or Wabash River (Gallatin and White Counties) will require a PCN to the Corps of Engineers in accordance with General Condition No. 27.

3. Stormwater management facilities shall not be located within an intermittent stream, except of NWPs 21,49 or 50.

4. For newly constructed channels through areas that are unvegetated, native grass filter strips, or a riparian buffer with native trees or shrubs a minimum of 25 feet wide from the top of bank must be planted along both sides of the new channel.

This determination is applicable only to the permit program administered by the Corps of Engineers. It does not eliminate the need to obtain other federal, state or local approvals before beginning work.

You are reminded that the **permit** is based on submitted plans. Variations from these plans shall constitute a violation of Federal law and may result in the revocation of the permit. If this nationwide permit is modified, reissued, or revoked during this period, the provisions described at 33 CFR 330.6(b) will apply.

The **jurisdictional determination** for this project is considered a **Preliminary** jurisdictional determination in accordance with Corps regulations at 33 CFR Part 331. A preliminary jurisdictional determination is not appealable. If you wish, you may request an Approved Jurisdictional Determination (which may be appealed) by contacting our office for further instruction.

The St. Louis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the enclosed postage paid card or go to our Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>.

If you have any questions please contact Chuck Crocker at
(314) 331-8584. Please refer to file number MVS-2008-709.

Sincerely,

A handwritten signature in cursive script that reads "Keith A. McMullen".

Keith A. McMullen
Illinois Section Chief
Regulatory Branch

Enclosures

Copy Furnished: (w/o enclosures)

Paul Mauer, IDNR
James Allison, IEPA

Mr. Anthony Schenk
Rhutasel and Associates, Inc.
4 Industrial Drive
Freeburg, Illinois 62243

ATTACHMENT A

COMPLETED WORK CERTIFICATION

Date of Issuance: October 17, 2008

File Number: MVS-2008-709

Name of Permittee: Dennis Herzing, Village of Freeburg

River Basin/County/State: Kaskaskia/St. Clair/Illinois

Project Manager: Chuck Crocker

Upon completion of this activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

**U.S. Army Corps of Engineers
Attn: Regulatory Branch (OD-F)
1222 Spruce Street
St. Louis, Missouri 63103-2833**

(Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification or revocation.)

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date



Illinois Department of Transportation

Division of Highways / District 8
1102 Eastport Plaza Drive / Collinsville, Illinois / 62234-6198

November 17, 2008

MUNICIPAL MFT
Village of Freeburg
Section 08-00022-00-DR
West Street & Cemetery Road Culvert Replacement

RECEIVED

NOV 18 2008

Ms. Jerry Lynn Menard
Village Clerk
14 Southgate Center
Freeburg, IL 62243

Dear Ms. Menard:

The plans, specifications and estimate of cost have been approved for the above project by this office today.

A letting has been scheduled at City Hall on December 18, 2008 at 2:00 pm.

One copy of the approved papers is being returned to you and one copy to your consultant, Rhutasel and Associates, Inc.

If you have any questions or require any further assistance, please contact Mr. Jon Schaller at 618/346-3334.

Sincerely,

Mary C. Lamie, P.E.
Deputy Director of Highways,
Region Five Engineer

A handwritten signature in black ink, appearing to read 'R. Mauch', written over a horizontal line.

Richard C. Mauch, P.E.
Acting District Engineer of
Local Roads and Streets

TDF:mc:111708
Enclosure

cc: Anthony Schenk, Rhutasel and Associates, Inc.
Dennis Herzing, City Manager (letter only)
Ron Dintelmann, Public Works Director (letter only)