

IEPA Log No.: **C-0629-07**
CoE appl. #: **2007607**

Public Notice Beginning Date: **March 30, 2011**
Public Notice Ending Date: **April 29, 2011**

Section 401 of the Federal Water Pollution Control Act
Amendments of 1972

Section 401 Water Quality Certification to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Village of Bluffs – 119 South Bluffs Street, Bluffs, IL 62621

Discharge Location: Near Bluffs in Sections 9,15,16 of Township 15 north, Range 13 West of the 3rd P.M. in Scott County.

Name of Receiving Water: Wolf Run Creek

Project Description: Proposed flood control project involving channel clearing and other improvements to Wolf Run Creek.

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the certification application, the IEPA may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing. If a Section 401 water quality certification is issued, response to relevant comments will be provided at the time of the certification. For further information, please call Darren Gove at 217/782-3362.

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Fact Sheet for Antidegradation Assessment
For Village of Bluffs
IEPA Log No. C-0629-07
COE Log No. 2007607
Contact: Mark Books; 217/785-6937
Public Notice Start Date: March 30, 2011

The Village of Bluffs (“Applicant”) has applied for Section 401 water quality certification for impacts of approximately 8,000 linear feet of Wolf Run Creek located in Sections 9, 15 & 16, Township 15 North, Range 13 West, within and Northwest of the village. The Illinois Department of Natural Resources (“IDNR”) is the authorized agent for the Applicant on this project. IDNR was extensively involved in the project planning and have agreed to pay for \$100,000 of the estimated \$153,000 cost of this project. The project includes the clearing of trees, woody brush and debris in and along Wolf Run Creek channel between Illinois Route 100 and Naples Lane. The left bank, looking downstream, from Rockwood Avenue to Naples Lane will not be cleared due to bank stability concerns in this reach. All disturbed areas in the project limits will be seeded with native grasses. All large trees (24” and greater diameter) that are non-invasive, healthy, within the area bounded by the top of bank and the proposed permanent easement and not compromising construction or future maintenance access will remain (approximately 69 total). The project does not include any earth work or geometric changes to the channel shape beyond repairing the bank to its pre-clearing configuration. No work shall be performed in flowing water. Normal low flows will be maintained during the project by placing applicable and appropriate water rerouting methods, at the option of the contractor, to divert flow away from the work zone.

Identification and Characterization of the Affected Water Body.

Wolf Run Creek has a zero 7Q10 flow and is a General Use water. Wolf Run Creek, Waterbody Segment IL-DZDA has not been evaluated by the Illinois EPA Surface Water Monitoring Unit. The creek is not an enhanced waterbody pursuant to the dissolved oxygen water quality standard. Using the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, the creek is not listed as a biologically significant stream nor has it received an integrity rating. The creek watershed has a drainage area of approximately 10 square miles at the project site. The creek is likely to be completely dry during the summer/early fall low rainfall periods. Portions of the creek are currently lined with concrete rubble and auto bodies which will not be removed. All other debris (tires, appliances, furniture, etc) will be removed and properly disposed of.

According to the IDNR WIRT system the Illinois Chorus Frog was identified as a state threatened or endangered species possibly residing within the project area.

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

The pollutant load increases that would occur from this project include some possible increases in suspended solids during the construction of the project.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. Erosion control measures will be utilized to minimize any increase in suspended solids and prevent further impact to the stream. To minimize any impact on aquatic life uses, work should be conducted during low flow periods.

Applicant has stated that temporary sediment and erosion control measures will be followed including an Erosion and Sediment Control Plan. All vegetative and sediment control practices will be constructed according to minimum standards and specifications in the Illinois Urban Manual (IEPA/USDA, NRCS; 2010) and the January 2007 IDOT Standard Specifications. Completed slopes will be seeded and mulched as the excavation proceeds rather than waiting until the entire project is completed to re-seed.

Purpose and Social & Economic Benefits of the Proposed Activity.

Applicant's authorized agent has stated,

“that within the Village of Bluffs, the Wolf Run Creek channel is deeply incised. Wolf Run is actively undercutting trees that have been allowed to grow within the channel due to lack of channel maintenance. Each undercut tree fall creates mass wasting erosion of the channel bank and leaves the bank exposed to further erosion and degradation. Each fallen tree also captures more urban waste and debris in the channel...Residential and commercial structures occupy most of the Wolf Run floodplain in the Village. Wolf Run is prone to flash flooding characterized by high peaks, high velocities, and relatively small runoff volumes during high intensity, short duration storms...Flooding from Wolf Run currently causes \$52,898 of total average annual flood damages to 70 structures based on updated individual structure surveys and 2005 property value determinations in the watershed,” (February 16, 2011 IDNR letter).

Applicant's authorized agent further states that,

“to improve the conveyance capacity of Wolf Run and lower flood elevations in Bluffs, this alternative would clear out trees, woody brush and debris in the creek channel from Illinois Route 100 downstream to Naples Lane...Implementing this alternative would potentially remove eight structures from the 100-year floodplain and would produce an average annual public flood damage reduction benefit of \$11,487.00,” (March 6, 2009 IDNR letter).

Applicant's authorized agent has stated that the existing Flood Insurance Study shows that, “the existing floodplain area in the Village of Bluffs has hindered the Village's ability for new development and redevelopment in the southern portion of its village limits. Efforts to minimize the existing floodplain extents are vital to the future economic development in this community,” (February 16, 2011 IDNR letter).

Applicant has stated that the goals of this project include:

- To improve Wolf Run Creek channel conveyance through the village and lower the creek's flood elevations in the village in order to reduce existing flood damages;
- To clean the creek channel of snags, debris and urban refuse;
- To reduce existing creek channel bank erosion and mass wasting;
- To establish a healthy stand of grasses on the channel banks; and
- To provide the village of reach of channel within their community that can be more actively maintained;

In addition to the flood control benefits of this project removing tires, appliances, furniture and other trash from the creek will improve the aesthetic of the creek and assist in Asian Tiger mosquito control.

Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.

The construction of the proposed project will follow condition set forth by the Agency and USACE. The Applicant looked at sixteen flood damage alternative reduction measures to benefit the Village of Bluffs that include;

- Additional flood water storage in the watershed to reduce flood flows entering the flood damage areas in the village;
- Levees and floodwalls to protect the flood prone areas in the village;
- Combinations of additional flood storage, structural levees, and/or floodwalls; (The Applicant considered 13 separate flood storage, structural levees, and/or floodwalls alternatives.)
- Channel conveyance improvement through the village.

The Applicant has stated that the flood damage reduction benefits for the selected option (clearing out Wolf Run Creek's channel) exceed costs to benefit ratio of the other alternatives.

Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities

A Comprehensive Environmental Review Process ("CERP") letter from Rich Lewis, IDNR, dated December 27, 2006, states that the Department has evaluated the pertinent information and concluded that adverse effects are unlikely. In an E-Mail, dated December 23, 2010, Mr. Lewis states that the CERP review of 2006 has been extended for two years because there have been no changes to the project scope. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

Agency Conclusion.

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time this antidegradation review summary was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving waters will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will benefit the community at large by reducing the flood potential in the village. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.