

IEPA Log No.: **C-0004-11**
CoE appl. #: **LRC-2009-00133**

Public Notice Beginning Date: **September 14, 2011**
Public Notice Ending Date: **October 14, 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: Cary Park District – 255 Briargate Road, Cary, IL 60013

Discharge Location: Near Cary in NE 1/4 of Section 13 of Township 43N, Range 8E of the 3rd P.M. in McHenry County.

Name of Receiving Water: Cary Veteran's Pond

Project Description: Proposed dredging of Cary Veteran's Pond

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 Cary Park District
IEPA Log No. C-0004-11
COE Log No. LRC-2009-00133
Contact: Mark Books; 217/785-6937
Public Notice Start Date: September 14, 2011

Cary Park District (“applicant”) has applied for Section 401 water quality certification for impacts associated with dredging their Cary Veteran’s Park Pond. Specifically the site is located in Section 13, Township 43 North, Range 8 East, in the Village of Cary at the intersection of Highway 14 and Main Street. The Veteran’s Park Pond (“Pond”) is used for storm water retention. The Pond receives runoff waters from Cary Creek and the surrounding watershed area. The Applicant has stated that that sediment carried by storm water events has settled out in the Pond reducing its efficiency. The Pond has also become a haven for ducks and geese creating a nutrient rich environment which in addition to the sediment loading has resulted in periodic algal blooms and other aesthetic issues. The Pond will be dredged using the vacuum method. Approximately 1,800 cubic feet of sediment will be vacuumed from the pond, transported to an upland location in the Park and placed into two muck bags for dewatering. The muck bags will be placed side by side and each one will be 100 feet long by 28 feet wide. The bags will be placed on an impermeable framed water collection system such that the water that percolates through the bags will be captured for treatment prior to discharge back to the Pond. The filtrate water will flow over jute mats coated with a flocculent chemical to promote the sediment to settle out. Water samples will be collected to verify that the discharged water will have suspended solids levels within acceptable permit limits. The muck bags will be allowed to dry out and the sediment remaining will be reused for beneficial purposes within the Park, after confirmation sediment sampling is completed on the dried sediment.

Identification and Characterization of the Affected Water Body.

The Cary Veteran’s Park pond has a zero 7Q10 flow and is a General Use water. The Pond - Waterbody Segment VTZO has not been evaluated by the Illinois EPA Surface Water Monitoring Unit. The Pond 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 Pond is not listed as a biologically significant stream nor has it received an integrity rating. The Pond has a drainage area of approximately 1,200 acres.

The IDNR WIRT System list Black Tern and Least Bittern as 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. Additionally, any discharge from the dredge containment site will need to be permitted and meet the effluent standards of 35 Ill. Adm. Code. Part 304.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. The actual dredging operation is expected to take about one week and it is anticipated that muck bags will take about 6 months to dry.

Purpose and Social & Economic Benefits of the Proposed Activity.

Applicant has stated that they need to remove silt to improve the efficiency of the retention pond and to improve the aesthetics of the Pond, which will help enhance potential area redevelopment.

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

The dredging of the Pond will follow conditions set forth by the Agency and USACE. The least intrusive alternative would be to not dredge the Pond. This is not an acceptable alternative given the current poor condition of the Pond. The Applicant also considered mechanical dredging of the Pond but determined that this option would be too damaging to the Park and would require more land for drying beds than the selected option.

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

In a letter from Tracy Evans dated July 14, 2011 the IDNR indicated that an initial report generated through their EcoCAT website indicated the presence of protected resources in the vicinity of the project location. Further review by the IDNR staff concludes that adverse impacts to the protected resources are unlikely; therefore, consultation 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 improve the efficiency of the Pond and improve its appearance. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.