

IEPA Log No.: **c-0818-10**  
CoE appl. #: **LRC-2010-731**

Public Notice Beginning Date: **May 6, 2011**  
Public Notice Ending Date: **May 27, 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:** City of Elgin Water Department – 150 Dexter Court, Elgin, IL 60120

**Discharge Location:** Near Elgin in in the North 1/2 of section 23 and the East 1/2 of section 24 of Township 41N, Range 8E of the 3rd P.M. in Kane County.

**Name of Receiving Water:** Fox River

**Project Description:** Separate existing stormwater and sanitary sewer lines to prevent effluent from entering Fox River.

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 James Blessman at 217/782-3362.

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Fact Sheet for Antidegradation Assessment  
For City of Elgin Water Department  
IEPA Log No. c-0818-10  
COE Log No. LRC-2010-731  
Contact: Mark Books; 217/785-6937  
Public Notice Start Date: May 6, 2011

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City of Elgin-Water Department ("Applicant") has applied for Section 401 water quality certification for the installation of a stormwater outfall into the Fox River in Sections 23 & 24, Township 41 North, and Range 8 East. The project consists of separating an existing combined sewer in the Lord Street Basin. The work will entail the installation of a new storm sewer along Adams Street, Souster Street, and through Grolich Park. The sewer will increase in size from 48 inches at the west end of the project to a 96 inch pipe at the outfall. The storm sewer will have a 5' by 8' box culvert outfall installed on the edge of the river approximately 6 inches below normal water level. Approximately 176 square yards of riprap will be placed at the end of the outlet to create a lined apron and prevent erosion.

**Identification and Characterization of the Affected Water Body.**

The Fox River is a General Use Water with a 7Q10 flow of approximately 140 cfs at this location. The Fox River, Waterbody Segment IL-DT-18 is listed in the Illinois Integrated Water Quality Report and Section 303(d) List-2010 as impaired for aquatic life and fish consumption. The potential causes of impairment to aquatic life use include Sedimentation/Siltation, Hexachlorobenzene, and TSS. The potential cause for fish consumption use is PCB's and Mercury. The river at this location is not listed as biologically significant water body in the Illinois Natural History Survey publication Biologically Significant Illinois Streams. The river at this location is also not an enhanced dissolved oxygen stream. The Fox River has a drainage area of approximately 1,507 square miles at the project site.

There will be 0.003 acre of permanent impacts to an isolated wetland, which is occasionally inundated with flood water. There will also be 0.021 acre of permanent impact to the Fox River. Total permanent impact will be 0.024 acres.

The IDNR WIRT System did not list any state threatened or endangered aquatic species residing in 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. Erosion control measures will be utilized to minimize any increase in suspended solids.

**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, including use of a turbidity curtain. Aquatic life uses of this portion of the river that will be disturbed during construction may be negatively impacted, but in time, they will recover and support the same community structure as is now found in the existing channel.

**Purpose and Social & Economic Benefits of the Proposed Activity.**

Applicant has stated the following:

"The City of Elgin has a combined sewer system serving approximately 3,090 acres of the central portion of the city with 10 combined sewer overflow (CSO) points. The CSOs drain directly into the Fox River under the IEPA Permit IL 0070505. The City is required to minimize the CSO frequency and volume, and actively work to reduce water quality impacts from the CSOs...The primary purpose of the project is to separate the sewers...A secondary benefit of the proposed sewer separation is to reduce localized flooding, sewer backups, and street ponding in the Lord Street Basin".

Separating the CSO discharges, from stormwater will result in a net decrease in pollutant loading due to the elimination of the sewage discharge.

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

The construction of the proposed project will follow conditions set forth by the Agency and USACE. Erosion control measures will need to be implemented to prevent additional impacts to the stream. The Applicant looked at 6 other alternatives to this proposed project, including the No-Build Alternative.

- The No-Build Option was not chosen because of the problems with basement flooding and CSOs discharges that currently occur.
- The Applicant looked at 5 different construction alternatives for constructing a separate storm sewer system but chose the selected construction option because it is the lowest cost, has no railroad crossing to deal with and a shorter run to the river.

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

In a letter from Rick Pietruszka dated October 15, 2010 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. The letter stated that further review by the IDNR staff concludes that adverse impacts to the protected resources are unlikely; therefore, consultation with IDNR was 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 CSO discharges and flooding in residences. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.