

IEPA Log No.: **C-0798-10**
CoE appl. #: **2010-1383**

Public Notice Beginning Date :March 15, 2011
Public Notice Ending Date: April 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
Facility Evaluation Unit
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Illinois Department of Transportation 819 Depot Avenue Dixon, IL 61021

Discharge Location: Sec. 20, T45N, R2E, 3rd P.M., Winnebago County within Machesney Park

Name of Receiving Water: North Branch of Willow Creek

Project Description: IL 173 from IL 251 easterly to Alpine Road. Two culvert replacements, one culvert extension channel relocation.

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 Keith Runge at 217/782-3362.

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Fact Sheet for Antidegradation Assessment

RE: IDOT-IL Route 173

County: Winnebago

IEPA Log #C-0798-10

COE Log #CEMVR-OD-P-2010-1383

Contact: Mark T. Books at 217/558-2012

March 15, 2011

The Illinois Department of Transportation (“applicant”) has applied for Section 401 water quality certification for work associated with the intersection improvement at IL 173/IL 251 in Machesney Park, located in Section 20, Township 45 North, Range 2 East. When the complete project is completed IL 173 roadway in this area will be widened from a 2-lane road to a 4-lane road. The work involves replacement of two box culverts under IL 173, extension of one box culvert under IL 251 and the moving/reconstruction of approximately 750 feet of North Branch of Willow Creek (“creek”). This work is needed due to the widening of the road and the need for a 1:4 foreslope for safety purposes. Flow will be diverted away from the work area so as to have a dry work environment. Temporary diversion measures will be needed and will be determined by the contractor at the time of construction.

Identification and Characterization of the Affected Water Body.

North Branch of Willow Creek is an intermittent tributary to Willow Creek which is tributary to the Rock River. North Branch of Willow Creek is a General Use Water with a zero 7Q10 flow. 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. This creek has a drainage area of approximately 2.9 square miles at the project site. The creek within the project area has been previously channelized and the channelization extends approximately 5,000 feet upstream of the project area. The channelized stream zigzags its way through an area of commercial development, parking lots, and roadways. Biological characterization of the stream has not been required because the project will not permanently alter the existing stream habitat conditions.

The IDNR WIRT System lists Black Sandshell as a threatened or endangered species residing in the project area, but not in North Branch of Willow Creek.

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. Applicant has stated that, “the current channel configuration is 30 ft wide articulated open block bottom with vertical sides comprised of concrete retaining wall blocks. The proposed channel is 30 ft grass bottom with a 1:4 slope (roadside) and with a vertical side (away from roadway) comprised of concrete retaining wall blocks”. Applicant will construct a shoulder about 35 feet wide with a 1:4 slope which will allow settling/infiltration of any contaminants such as salt used during the winter periods for roadway clearing. Aquatic life uses in the portion of the creek that will be disturbed during construction may be negatively impacted, but in time, they will recover and support approximately the same community structure as is now found in the existing channel.

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. Construction for the proposed project will occur during a period of low flow to further minimize any impact.

Purpose and Social & Economic Benefits of the Proposed Activity.

This project will replace two existing box culverts under IL 173 because of their poor condition and the need to widen them. The box culvert under IL 251 is being extended and a section of North Branch of Willow Creek is being moved because of the addition of traffic lanes to the existing roadway. The project will improve the operation and safety of the IL 173/IL 251 intersection.

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. Erosion control measures will need to be implemented to prevent additional impacts to the stream. The Applicant looked at two alternatives to this proposed project. Alternative 1) The No-Build Alternative is the least intrusive alternative; however, this is not an acceptable alternative due to the intersection traffic volume, safety concerns, and travel delays. Alternative 2) A six lane roadway would cause more environmental impact than the selected four lane roadway project.

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

In a letter from Steve Hamer dated October 21, 2010, IDNR stated that an initial report submitted through the EcoCAT website indicated the potential presence of protected resources in the vicinity of the project location. The letter further states that the IDNR has evaluated this information and concluded that adverse impacts to the protected resources are unlikely; therefore, consultation 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 providing a safer intersection for travel. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.