

IEPA Log No.: **C-0253-08**
CoE appl. #: **MVS-2008-350**

Public Notice Beginning Date: **June 22, 2011**
Public Notice Ending Date: **July 22, 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 Jacksonville – 200 West Douglas Ave., Jacksonville, IL
62650

Discharge Location: Near Jacksonville in SE 1/4 Section 27 of Township 15 N, Range 10 W of the 3rd
P.M. in Morgan County.

Name of Receiving Water: Mauvaise Terre Creek; tributary to Illinois River

Project Description: Proposed return water discharge from hydraulically dredged sediment disposal
facility.

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.

DRG:C-0253-08_401 PN and FS_14May08.docx

Fact Sheet for Antidegradation Assessment
For City of Jacksonville
IEPA Log No. C-0253-08
COE Log No. MVS-2008-350
Contact: Mark Books; 217/785-6937
Public Notice Start Date: June 22, 2011

The City of Jacksonville (“Applicant”) has applied for 401 water quality certification for the removal and placement of hydraulically dredged material from Lake Mauvaise Terre (“Lake”) in Section 27, Township 15 North, Range 10 West, Southeast of Jacksonville. The project involves the removal of approximately 600,000 cubic yards of sediment from the Lake. The dredge disposal site is currently an upland agricultural ground adjacent to the Lake. The proposed disposal facility will be an earthen berm sediment dewatering facility (“SDF”). The returning water from the SDF will drain into Mauvaise Terre Creek about 2,000 feet upstream of the Lake. The Applicant has stated that the outfall point in the creek was actually part of the original lake but was lost to sedimentation.

Identification and Characterization of the Affected Water Body.

Lake Mauvaise Terre is a General Use Waterbody. Lake Mauvaise Terre Waterbody Segment IL_SDL 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 are turbidity for aquatic life and mercury for fish consumption. The drainage area of the Lake is about 21,000 acres. When built, the Lake was approximately 213 acres in size, but it is now only about 154 acres in size due to sedimentation loss.

Mauvaise Terre Creek (segment DD-02) has a zero 7Q10 flow and is a General Use water. The creek 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 27.61 square miles at the project site.

The IDNR WIRT System list Loggerhead Shrike as a threatened or endangered species residing in the project area.

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

No pollutant load increases would occur from this project other than some increases in suspended solids during the dredging and placement of the spoil material. The benthic habitat to be dredged will be disturbed but should revert to its previous condition of aquatic life support soon after dredging. 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 dredging and discharge duration is estimated to last approximately 3-6 months.

Purpose and Social & Economic Benefits of the Proposed Activity.

This project will allow the dredging of a portion of Lake Mauvaise in order to provide increased storage capacity for the City of Jacksonville's emergency water supply as well as improve recreation and Lake Habitat.

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

The dredging of Lake Mauvaise Terre will follow guidelines set forth by the Agency and USACE. The least intrusive alternative would be to not dredge this portion of the lake. This is not an acceptable alternative given that this is a useful project and will increase the City's emergency water supply storage volume.

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

In a letter from Rich Lewis dated March 31, 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 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 the assessment 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 stream 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 to provide increased storage capacity for the City's emergency water supply as well as improve recreation and Lake habitat. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.