

IEPA Log No.: **C-0931-10**  
CoE appl. #: **CEMVR-OD-P-2010-1374**

Public Notice Beginning Date: **July 27, 2011**  
Public Notice Ending Date: **August 26, 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:** John Retherford – 1156 – 75<sup>th</sup> Avenue, Joy, IL 61260-8508

**Discharge Location:** Near Joy in NE ¼ of Section 29 of Township 14N, Range 4W of the 4th P.M. in Mercer County.

**Name of Receiving Water:** unnamed tributary

**Project Description:** Proposed grass waterway drainage tile project

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 John Retherford  
IEPA Log No. C-0931-10  
COE Log No. CEMVR-OD-P-2010-1374  
Contact: Mark Books; 217/785-6937  
Public Notice Start Date: July 27, 2011

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Mr. John Retherford ("Applicant") has applied for Section 401 water quality certification for work necessary to reconstruct a grass waterway and install a new drainage tile system, located in Sections 29, Township 14 North, Range 5 West, near the town of Joy. The Applicant will install a new drainage tile system about 1,000 feet long consisting of 10" PVC pipe. The area where the drainage pipe is to be installed had previously been tiled. Remnants of the old clay tile system still exist and still function in various locations. The original waterway and tile system was not maintained properly which has caused the old clay tile system to fail due to breakage, sediment clogging and from tree roots that have been allowed to grow in the drainage channel waterway.

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

The unnamed drainage channel is a General Use Water with a zero 7Q10 flow. The drainage channel has not been evaluated by the Illinois EPA Surface Water Monitoring Unit. The drainage channel 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 drainage channel is not listed as a biologically significant stream nor has it received an integrity rating. The drainage channel has a drainage area of approximately 270 acres at the project site. Biological characterization of the stream has not been required because this area does not have much water flowing above ground. Most of the water flows underground in the old tile system and only appears above ground for short distances in areas where boils appear. The lower part and bottom of the channel are wet showing subsurface flows. The total wetland impact of this project is approximately 0.25 acres.

The IDNR WIRT System did not list any 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 ("SS") 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. Construction for the proposed project will occur during a period of low flow to further minimize any impact. The Applicant will also install fabric checks to reduce the impact from this project.

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

Concerning the reason for this project the Applicant has stated the following:

“The proposed project should reduce head cutting of upstream end of the damaged waterway which threatens all existing waterway, cropland, and tile drainage system.”

**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. The least intrusive alternative would be to not repair the drainage channel tile system; however, the Applicant has stated that,

“If no action is taken the waterway and tile will incur further damage and erosion would cut farther into the field.”

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

In a report generated through IDNR’s EcoCAT system dated April 9, 2011, the Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species in the vicinity of the project location; 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 repairing a drainage waterway and keeping further erosion damage from occurring in the project area. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.