

IEPA Log No.: **C-0690-09**  
CoE appl. #: **2009-00338**

Public Notice Beginning Date: **December 30, 2011**  
Public Notice Ending Date: **January 30, 2012**

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:** Will County Department of Highways, 16841 W. Laraway Road,  
Joliet, IL 60433

**Discharge Location:** Sections 1, 2, 11, and 12, T37N, R9E and Sections 5 and 6, T36N, R11E of the 3<sup>rd</sup>  
P.M. in Will County near Lemont

**Name of Receiving Water:** Long Run Creek, tributaries and wetlands

**Project Description:** Improvements to 135<sup>th</sup> Street.

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 Thaddeus Faught at 217/782-3362.

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Fact Sheet for Antidegradation Assessment

Will County Department of Highways – Long Run Creek, tributaries and wetlands – Will County  
IEPA Log #C-0690-09

COE Log No. 2009-00338

Contact: Bob Mosher at 217/558-2012

December 30, 2011

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The Will County Department of Highways (“Applicant”) has applied for Section 401 water quality certification for a project that includes the widening of 135<sup>th</sup> Street and the realignment of the 135<sup>th</sup> Street and Archer Avenue intersection. The widening of 135<sup>th</sup> Street will occur from New Avenue to Archer Avenue near the Village of Lemont. The project is located in Sections 1, 2, 11, and 12, of Township 37 North, and Range 9 East and Sections 5 and 6 of Township 36 North, and Range 11 East. The project length is 2.57 miles. Currently, 135<sup>th</sup> Street is a 2-lane road with no shoulder or narrow aggregate shoulder and is to be replaced with 4-lanes plus a center median having left turn lanes at intersections & driveways. Pedestrian and bicycle pathways are not proposed to be a part of this project. Four unnamed tributaries to Long Run Creek will be impacted due to culvert replacements. The intersection realignment of 135<sup>th</sup> Street with Archer Avenue will result in the need to relocate a portion of Long Run Creek. The intersection realignment will result in the unavoidable impact to 1.21 acres of Long Run Creek and adjacent wetlands. The 1.21 acres of impact in the creek is due to the need to fill 990 linear feet of the existing creek. The Applicant is proposing to realign Long Run Creek for a total of 1,214 feet. The increase is due to the new bend within the creek. Normal low flows will be maintained during construction by placing culverts under the causeways or by other applicable and appropriate water re-routing methods. The Applicant will purchase 0.135 acres of mitigation credit from an approved wetland mitigation bank in order to mitigate for the 0.135 acres of wetlands lost by this project and they will purchase 2.42 acres for the 1.21 acres of forested wetlands that will be lost.

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

The four unnamed tributaries to Long Run Creek are classified as General Use Waters with a zero 7Q10 flow. Long Run Creek is also classified as a General Use Water with a 7Q10 flow of 0.60 cfs at the project location. Long Run Creek Waterbody segment II\_ GHE-01, has been identified as fully supporting aquatic life use by the Illinois EPA Surface Water Monitoring Unit. Long Run Creek and the four unnamed tributaries are not enhanced waterbodies 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 and tributaries at this location are not listed as biologically significant streams nor have they received an integrity rating. Long Run Creek has a drainage area of approximately 26.3 square miles at the project site. According to the IDNR WIRT System the Blanding’s Turtle and the Hine’s Emerald Dragonfly were identified as threatened or endangered species residing within the project site area. Biological characterization of the creeks has not been required because the project will not permanently alter the existing stream habitat conditions.

#### **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. Aquatic life uses in the portion of Long Run 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. Impact acres and mitigation amounts for this project are identified in the following chart:

Area/Location	Impact Acres	Mitigation Ratio *	Mitigation Acreage
West Unnamed Creek	0.036	1:1	0.036
West-Central Unnamed Creek	0.041	1:1	0.041
East-Central Unnamed Creek	0.015	1:1	0.015
East Unnamed Creek	0.043	1:1	0.043
Long Run Creek Wetlands	0.459	2:1	0.918
Long Run Creek	0.751	2:1	1.502

\* The normal mitigation ratio for wetland acres impacted in this area would be 1.5:1 and for forested wetlands it would be 3:1 but the Applicant is purchasing fully certified/ fully functioning wetland credits. The Applicant has stated the following:

“It is important to note that the mitigation credits purchased were fully certified credits and as allowed by Corps policy fewer credits were required to be purchased.”

In addition to the mitigation credits that the Applicant will purchase they have stated the following concerning the impact to 990 lineal feet Long Run Creek:

“Long Run Creek will be relocated and mitigated through the creation of a new 1,214 foot long meandering creek channel. The channel has been designed to be a natural stream corridor, with native vegetation on the banks that are designed to be more gently sloping and stable. The stream bed has been designed taking into consideration fluvial geomorphologic characteristics incorporating a cobble bottom with pools and riffles to replace the lost habitat functions and values of the impacted creek, and provide more than 200 linear feet of additional stream 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. Applicant has stated that they will follow soil erosion and sediment control plan including the use of BMPs and the installation of bioswales. Applicant has stated the following concerning BMPs use on this project:

“The bioswales (8,846 feet long, 0.81 acres) are being constructed to provide water quality filtering and infiltration. The swales will have gravel bases that to the extent possible will be over excavated to intersect with the underlying parent sands and gravels. The bioswales will be planted with native vegetation, and undergo long term maintenance and management...Runoff from on-site as well as off-site will flow through the stormwater management areas including native vegetated buffer areas. These measures will serve as on-site BMP’s and reduce overall contaminant levels in the aquatic system prior to discharge from the site”

Concerning the Hine’s Emerald Dragonfly (“HED”) possibly being impacted by this project the Applicant conducted a HED impact study in October 2010 which concluded the following:

“The project site is not located within Critical Habitat (“CH”), and no HED are located within the project limits. No direct impacts to CH or HED are anticipated.”

Concerning the Blanding’s Turtle possibly being impacted by this project the Applicant has committed to completing a turtle search prior to earthmoving activities each morning and if any turtles are discovered the Applicant will be required to notify the IDNR prior to relocating them.

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

The Applicant has stated the following regarding the purpose for this project:

“The Basic Project Purpose and Description of the 135<sup>th</sup> Street/Archer Avenue intersection project is to remove a dangerous existing intersection (sharp angle and poor sight lines) and replace it with a modern, fully-signalized, safer intersection capable of efficiently handling a projected increase in traffic. This project is necessary improve the health, safety and welfare of travelers passing through this intersection.”

The Applicant has also stated the following concerning the need to widen the roadway:

“The basic project purpose (BPP) is construct a safe arterial roadway capable of handling projected traffic volumes... The new roadway will also be built at a higher elevation to provide required flood protection. The existing roadway frequently floods, sometimes for several days at a time.”

### **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. Considering alternatives the Applicant has stated that the least intrusive alternative would be to not to do this project; however concerning this option the Applicant stated the following;

“The no-build alternative was considered. As the traffic increases to design year volumes, the existing intersection would not have the capacity required Safety would be further compromised with increased traffic and congestion. Additionally, the frequent flooding of 135<sup>th</sup> Street would not be addressed. This flooding is a concern as it significantly delays emergency services along this arterial roadway during the flooding events. For these reasons, the no-build alternative is not feasible.”

The Applicant has also looked at the alternative of improving other area roadways to avoid the need of widening 135<sup>th</sup> Street. The Applicant has stated that, “upgrading a parallel route would not be feasible.” The Applicant considered three alternatives for the construction of the intersection of 135<sup>th</sup> Street and Archer Avenue. They have stated that the chosen option which will have a 90 degree intersection will provide the best operations, safety, and traffic handling capacity.

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

In a letter from Tracy Evans dated December 13, 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 benefit the community at large by providing a safer 135<sup>th</sup> Street roadway. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.