

IEPA Log No.: **C-0262-11**
CoE appl. #: **2011-0605**

Public Notice Beginning Date: **December 7, 2011**
Public Notice Ending Date: **January 6, 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: City of Urbana, Public Works Department, 706 S. Glover Street, Urbana, IL 61802

Discharge Location: Section 8, T19N, R9E of the 3rd P.M. in Champaign County within Urbana

Name of Receiving Water: Boneyard Creek

Project Description: Boneyard Creek Improvements.

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
City of Urbana – Boneyard Creek – Champaign County
IEPA Log #C-0262-11
COE Log No: 2011-0605
Contact: Mark T. Books at 217/558-2012
December 7, 2011

The City of Urbana (“Applicant”) has applied for Section 401 water quality certification for restoration work along 700 feet of Boneyard Creek (“Creek”) between the bridge at Griggs Street and the bridge at Broadway Avenue within the city. The project is located in Section 8, Township 19 North, Range 9 East. The work includes removal of existing steel piling, and removal of the concrete stream bottom along 300 feet of the stream, constructing new bank slopes, retaining walls, and two low water crossings. The low water crossings will be built by using 3 feet long by 12 feet wide precast stepping stones that will be installed to allow water to flow through them at low flows. The revised stream channel will have bank slopes 2:1 or flatter throughout the 700 foot stretch. The current stream channel is vertical or nearly vertical depending on the type of armament used to stabilize the banks. The new stream channel will also be increased by approximately 30 feet through the addition of one stream meander. This will result in approximately 370 cubic yards of fill being placed in 100 feet of the channel. The project also involves the removal and replacement of the Race Street Bridge. The Creek is an urban waterway which drains into Saline Branch of the Salt Fork. The watershed of the Creek lies entirely within developed urban area. Overland runoff to the Creek from its watershed is fed primarily by storm sewer and piped outlets rather than by natural tributaries. No wetlands will be impacted by the proposed project.

Identification and Characterization of the Affected Water Body.

Boneyard Creek is a General Use Water with an estimated 2.4 cfs 7Q10 flow at this project location. Boneyard Creek Waterbody Segment IL_BPJCA is listed in the Illinois Integrated Water Quality Report and Section 303(d) List-2010 as impaired for aquatic life. The cause for impairment is copper, phosphorus (total), DO, alteration in the stream side and littoral vegetation. 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. Boneyard Creek has a drainage area of approximately 5.4 square miles at the project site.

The IDNR WIRT System does 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 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 the Creek that will be disturbed during construction may be negatively impacted, but in time, they will recover and support an improved more diverse community structure than what 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. Sediment sampling will be conducted and any contaminated sediments discovered will be removed from the project site and properly disposed.

Purpose and Social & Economic Benefits of the Proposed Activity.

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

“The proposed improvements to the Boneyard Creek in Urbana, Illinois are intended to accomplish the following key objectives:

- Enhance the downtown area and provide an engine for economic growth in the heart of downtown Urbana.
- Turn the Boneyard Creek into a public amenity, as opposed to a public nuisance.
- Provide a higher quality habitat along the stream corridor.
- Reduce mean flow velocities by opening the channel cross section from a sheet-pile section to an open, natural section.”

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 including using Stormwater Best Management Practices (“BMP”) will need to be implemented to prevent additional impacts to the stream. The Applicant has also stated that they will follow the “Standard Specifications for Road and Bridge Construction,” IDOT, adopted January 1, 2007. In discussing alternatives to this proposed project the Applicant has stated that the only alternative was “No Build Option.” This “No Build Option” alternative was ruled out by the Applicant for the following reasons:

- “Failing to improve the channel is contrary to the City of Urbana’s goals towards downtown revitalization and beautification and may negatively impact the City’s future economic health.
- Failing to modify the channel will result in continued lack of adequate aquatic habitat along the impacted reach of the Boneyard Creek.
- Failing to modify the channel will result in continued elevated flow velocities along the sheet-pile-lined reach of the channel.”

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 October 13, 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 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 through beautification of the creek. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.