

IEPA Log No.: **C-0707-05**
CoE appl. #: **CEMVR-OD-P-2005-1256**

Public Notice Beginning Date: **June 7, 2011**
Public Notice Ending Date: **July 7, 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: U.S. Army Corps of Engineers, Rock Island District – P.O. Box 2004
Clock Tower Building, Rock Island, IL 61204-2004 & Illinois Department of Natural Resources - One
Natural Resources Way, Springfield, IL 62702

Discharge Location: Near Canton in Sections 26, 27, 28, 33 and 34 of Township 6N, Range 5E of the 4
P.M. in Fulton County.

Name of Receiving Water: Illinois Waterway RM 132 to RM 138

Project Description: Proposed aquatic habitat rehabilitation within Rice Lake State Fish and Wildlife
Area

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 U.S. Army Corps of Engineers, Rock Island District and Illinois Department of Natural Resources (IDNR)
IEPA Log No. C-0707-05
COE Log No. CEMVR-OD-P-2005-1256
Contact: Mark Books; 217/785-6937
Public Notice Start Date: June 7, 2011

The USACE and IDNR (“Applicants”) has applied for 401 water quality certification for aquatic habitat rehabilitation and enhancements within the Rice Lake State Fish and Wildlife Area, located between Illinois River Miles 132.0 to 138.0 on the right descending bank, in Fulton County, Illinois. The Rice Lake State Fish and Wildlife Area (SFWA) is approximately 6,800 acres in size and has been managed for migratory birds and other wetland dwelling species since the IDNR purchased tracts of land in the project area beginning in the 1940s. Site management includes operation of pump stations and water control structures to provide reliable food production for migrating birds. However, the current success of water-level manipulation has been sporadic and the area is subject to adverse effects of rapid river level fluctuations that have diminished the effectiveness in assuring annual food production for wildlife. The proposed habitat rehabilitation and enhancement project contains four main components that will work towards achieving the goal of restoring and protecting wetland, aquatic, and floodplain terrestrial habitats. The first component is a 24,050 foot long perimeter water control spillway. The spillway will be aligned to take full advantage of natural ground elevations on the east side of the site and existing remnants of the Hate levee to the south to minimize ground disturbance and reduce construction costs. The spillway will be constructed using adjacent clay material or clay material dredged from Goose Lake. The spillway will be constructed to an elevation of 440 feet NGVD. This elevation corresponds to approximately a 5 year level of protection. A new 60-inch gatewell structure consisting of reinforced concrete piping and an interior sluice gate will be constructed adjacent to the two existing structures. The second component of project includes the construction of a new 133,200 gpm pump station and conveyance system at the northern end of the project site. Approximately 7,000 feet of clearing, grubbing, and channel excavation will be completed to convey the water between the pump station and the site’s lakes. The channel will be between an existing road embankment and a newly constructed berm. Water control structures will be constructed along the new discharge channel. These structures will direct the water into the Voorhees Unit, Big Lake, Rice Lake, and the upper and lower portions of Slim Lake and allow for more reliable water management of the area. The third component of the project will include the construction of two reinforced concrete fish egress structures. These structures will be designed to provide passage of fish from Rice Lake to the gravel pit and Goose Lake to the Illinois River during drawdown periods. This will help minimize the potential for fish kills in the lakes when the depth of the lakes is reduced. The final component of the project includes the planting of approximately 57 acres of warm season native grassland habitat and 352 acres of mast-dominated native forest habitat on Duck Island. The area to be planted is currently in crop production. Tree plantings will be planted at a rate of 100 trees per acre and will include such species as pin oak, swamp white oak, bur oak, northern pecan, hackberry, black cherry, shingle oak, Kentucky coffee tree, persimmon, red oak, green ash, shellbark hickory, and black walnut. The native grass and forb species to be planted will be selected based on their historical range, their affinity for open, sandy meadows, and their ability to withstand some flooding.

Identification and Characterization of the Affected Water Body.

The Illinois River has a 7Q10 flow of 3080 cfs at this location and is a General Use Water. The Illinois River, Waterbody Segment IL_D-31, is listed on the draft 2010 Illinois 303(d) List as impaired for fish consumption and primary contact recreation. The cause of impairment for fish consumption is PCBs and mercury. The cause impairment for primary contact recreation is Fecal Coliform bacteria. The river is not listed as a biologically significant water body in the Illinois Natural History Survey publication Biologically Significant Illinois Streams, nor has the river at this location been given an integrity rating.

Rice Lake is a General Use Water. Rice Lake, Waterbody Segment IL_SDZL, is not listed on the 2010 Illinois 303(d) List nor is it listed as a biologically significant water body in the Illinois Natural History Survey publication Biologically Significant Illinois Streams. This lake is located within the Rice Lake State Fish and Wildlife area.

According to the IDNR WIRT System Decurrent False Aster, King Rail, and Black-Crowned Night-Heron were identified as threatened or endangered species residing in the project area.

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

Pollutant load increases that would occur from this project include some increases in suspended solids during the excavation and construction activities. The project will require the clearing of some land within the project area for construction of the project.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. These increases will be limited to the construction of the proposed project. All disturbed areas will be revegetated as soon as practicable as well as the establishment of 409 acres of new habitat on Duck Island.

Purpose and Social & Economic Benefits of the Proposed Activity.

The goals of the proposed project are to restore and protect wetland, aquatic, and floodplain terrestrial habitats within the Rice Lake SFWA. The following objectives have been identified to meet these goals:

- Increase the areal coverage as measured in acres of annual emergent and moist soil vegetation in Big Lake and Goose Lake during the summer growing season.
- Decrease summer water levels to below 440 in Big Lake, Goose Lake, and Rice Lake in order to promote vegetation growth during the summer growing season. (Target is to achieve this condition 5 years of every 10 years).
- Increase connectivity between Big and Rice Lakes and the Illinois River during summer draw downs in order to reduce fish mortality and avian botulism.
- Increase year-round flowing side channel habitat areas within the Project area to provide habitat for fish and other aquatic species.

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

The proposed project activities will follow guidelines set forth by the Agency and USACE. The Applicants have considered alternatives for the proposed project. These alternatives included

variations of the spillway height, pump sizes, conveyance channels, and ratio of grassland to forested land on Duck Island. A habitat evaluation was conducted to analyze the alternatives and compare the environmental benefits of each alternative. It was determined in the analysis that the above described alternative would provide a high level of net benefits with no unacceptable trade-off in habitat values.

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

The U.S. Army Corps of Engineers, Rock Island District, issued a public review draft of the Rice Lake State Fish and Wildlife Area Habitat Rehabilitation and Enhancement Project Definite Project Report with Integrated Environmental Assessment (R-17PR) in April 2006.

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 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 improving aquatic and terrestrial habitats in the area. Comments received during the 401 Water Quality Certification notice period will be evaluated before a final decision is made by the Agency.