

IEPA Log No.: **C-0144-11**
CoE appl. #: **2011-142**

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
Permit Section
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: Sec. 1, 2, 11, 12, T37N, R9E, 3rd P.M., and Sec.7, 13, 18, T37N, R10E, 3rd P.M. in Will County

Name of Receiving Water: Springbrook Creek and DuPage River

Project Description: Will County Department of Highways- proposed 95th Street Extension

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 Keith Runge at 217/782-3362.

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Fact Sheet for Antidegradation Assessment
RE: Will County Department of Highways
IEPA Log #C-0144-11
COE Log #LRC-2011-142
Contact: Mark T. Books at 217/558-2012
December 7, 2011

County: Will

The Will County Department of Highways (“Applicant”) has applied for Section 401 water quality certification for a project that includes extending 95th Street from Plainfield-Naperville Road within the City of Naperville southeast to the intersection of Kings and Boughton Roads within the Village of Bolingbrook. The project is located in Sections 1, 2, 11, and 12, of Township 37 North, and Range 9 East and Sections 7, 13, 18 of Township 37 North, and Range 10 East. The project length is 2.57 miles. The construction will consist of building a four lane highway with two traffic lanes in each direction separated by a median. Bicycle and pedestrian lanes will be included in this project. The project includes a new bridge crossing over the DuPage River. A cofferdam will be used in the river to install the new bridge. There are two stream crossings along the route; the DuPage River and Spring Brook 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 stream channel will be cleaned and protected with riprap upon completion of the project. This project will result in the loss of 2.39 acres of permanent waters and wetland impact. The Applicant will purchase 4.78 acres of mitigation credit from an approved wetland mitigation bank in order to mitigate for this 2.39 acres loss.

Identification and Characterization of the Affected Water Body.

The DuPage River is a General Use Water with a 7Q10 flow of 60 cfs at this project location. Waterbody segment II_ GB-16, is listed in the Illinois Integrated Water Quality Report and Section 303(d) List-2006 and the partially approved Illinois Integrated Water Quality report and Section 303(d) List-2008 as impaired for aquatic life, fish consumption and primary contact recreation. The potential causes of impairment are phosphorus, DO, other flow regime alterations and aquatic plants for aquatic life. The potential causes of impairment are mercury and PCB’s for fish consumption and fecal coliform bacteria for primary contact recreation. The DuPage River 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 River at this location is not listed as a biologically significant stream nor has it received an integrity rating. The DuPage River has a drainage area of approximately 207 square miles at the project site.

Spring Brook Creek and the wetland impacted by this project are General Use Waters with a zero 7Q10 flow. They have not been evaluated by the Illinois EPA Surface Water Monitoring Unit. They are not enhanced water bodies 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 the wetlands are not listed as biologically significant nor have they received an integrity rating. According to the IDNR WIRT System there are no threatened or endangered aquatic life species residing in the project area. Biological characterization of the river and the creek has not been required because the project will not permanently alter the existing stream habitat conditions.

There are six wetlands areas within the project study corridor which will be impacted by this project and they are described below:

<u>Wetland</u>	<u>Type</u>	<u>Total Size</u>	<u>Acres Impacted</u>
Spring Brook Creek	Open Water	Continuous	0.007 acres
Wetland #2	Wet prairie	0.011 acres	0.011 acres
Wetland #3	Wet prairie	0.066 acres	0.066 acres
Wetland #4	Wet prairie/Emergent	3.34 acres	0.97 acres
Wetland next to Dupage River	Wet prairie	Continuous	1.33 acres
<u>Dupage River</u>	<u>Open Water</u>	<u>Continuous</u>	<u>0.01 acres</u>
Total			2.394 acres rounded = 2.39

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 DuPage River and Spring Brook 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. Mitigation for the 2.39 acres of permanent waters and wetland impact will be provided through the purchase of 4.78 acres of mitigation credit from an approved wetland mitigation bank. This will represent a mitigation ratio of 2:1 (2.39 acres x 2 = 4.78 acres).

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. BMPs installation will include naturalized stormwater facilities, filter swales and manufactured BMPs units. Applicant has also stated the following concerning BMPs:

“This project is installing a series of BMPs to protect water quality. These BMPs are expected to remove more than 80% of TSS from the water which runoffs the pavement areas. Oil are expected to be captured within the onsite manufactured BMPs and within the stormwater management facilities. Salt from roadway deicing will pass through the system prior to entering the river.”

Purpose and Social & Economic Benefits of the Proposed Activity.

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

“This project has been in planning for a number of years now, and has reached a point where construction of the improvements is now proposed... The proposed extension between the intersection of 95th Street and Plainfield-Naperville Road and the intersection of Boughton Road and Kings Road reduces the driving distance between intersections from 2.6 miles to 1.5 miles, reduction of 1.1 miles. With a 2030 projected ADT of 14,000 along the 95th Street extension, the cumulative reduction in travel distance in a design year would average 15,400 miles less per day or 5.6 million less miles per year. This will have a positive impact on travel time and operation

costs for the traveling public which in turn will reduce energy consumption, air and noise pollution, and congestion in the area... The purpose of this project is to serve existing and future traffic demands, improve community connections and provide a safer roadway for the travelling public.”

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 extend 95th Street; however concerning this option the Applicant stated the following;

“With projected increase in 2030 traffic, operational conflicts would worsen and associated traffic crash rates and frequencies would also likely worsen over time...The No Build Alternative does not satisfy the purpose and need for this project.”

The Applicant has also looked at the alternative of improving other area roadways to avoid the need of extending 95th Street. The Applicant has stated that, ”improving other area roadways is not feasible and prudent, and does not meet the purpose and need for the project.”

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

In a letter from Tracy Evans dated August 29, 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 95th Street roadway and reduce the travel distance and time between communities. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.