

IEPA Log No.: **C-0252-09**
CoE appl. #: **2009-283**

Public Notice Beginning Date: **August 28, 2012**
Public Notice Ending Date: **September 18, 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: Village of Fairmont City 2601 North 41st Street Fairmont City, IL. 62201

Discharge Location: Sec. 5, T2N, R9W, 3rd P.M. in Fairmont City

Name of Receiving Water: Unnamed Wetlands

Project Description: Construct Wetland Interpretive Center

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: Village of Fairmont City

County: St. Clair

Fairmont Wetland Interpretive Center- Unnamed Wetlands

IEPA Log # C-0252-09

COE Log # 2009-283

Contact: Bob Mosher 217/558-2012

August 28, 2012

This project involves a 98 acre wetland parcel within the village boundary of Fairmont City. The Village acquired the parcel from Waste Management of Illinois, Inc. in 2009. Approximately 33% of the site will be excavated to form a lake that will be used for public recreation. An interpretive center will be built to accommodate visitors and will include a boardwalk across a portion of the wetlands to the shore of the lake. The remaining wetlands will be preserved, including 29 acres of relatively high quality forested wetland. The wetlands to be excavated consist of 14.70 acres of palustrine scrub-shrub wetland and 18.03 acres of palustrine emergent wetland for a total of 32.73 acres converted to open water. Additionally, fill activities associated with the construction of the interpretive center will destroy 0.14 acre of forested wetland and 0.73 acre of emergent wetland making a total of 33.60 acres in need of mitigation.

Mitigation will occur at a row crop agricultural field owned by Waste Management 1.5 miles north of the Fairmont City site. This site will also contain a lake and will be turned over to the Village of Madison for potential future recreational use when excavation is complete. The information relating to antidegradation assessment was submitted by the Village's consultant, SCI Engineering, Inc. in documents dated April 24, 2012, January 2012, September 2011 and August 2011.

Identification and Characterization of the Affected Water Body.

The 98 acre parcel contains portions of a designated INAI site (Fairmont City INAI site). The Village will not excavate or fill the portions of the property within this designated area. The breakdown of land cover within the parcel is as follows: palustrine forested wetland, 29.05 acres; palustrine scrub-shrub wetland, 18.92 acres; open water, 7.61 acres; palustrine emergent wetland, 42.44 acres; upland, 0.34 acres. The forested wetland is described as fairly high quality. The remaining wetlands are described as predominantly covered by *Phragmites australis*, the invasive common reed.

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

During excavation, water may drain out of portions of the emergent wetlands that will be preserved. Total suspended solids may temporarily increase due to the excavation activities. The forested wetland area on the north side of the parcel will be protected from drainage by the presence of an existing ditch between the forest and the emergent wetland.

Fate and Effect of Parameters Proposed for Increased Loading.

Mitigation will be as follows:

Wetland	Acres excavated or filled	Mitigation Ratio	Acres Needed for Mitigation	Wetland Preserved or created	Credit Ratio	Wetland Credits
Forested	0.14	3:1	0.42	27.13	0.5:1	13.57
Emergent	33.46	1.5:1	50.19	44.39	-	44.39
Total	33.60	-	50.61	71.52	-	57.96

No net loss of wetlands will occur.

Purpose and Social & Economic Benefits of the Proposed Activity.

The Village of Fairmont Park will obtain a fishing lake and wetland interpretation center from this project. There are currently no fishing lakes within walking distance of the village. The mostly low income residents of the village will have increased recreational opportunities.

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

The Village’s initially submitted plans for this development included destruction of part of the INAI area and involved more acres of wetlands to be excavated. Subsequent plans were more cognizant of these issues. The Village also modified its requests for mitigation credits for leaving some of the on-site wetlands untouched. Impacts are minimized as much as possible given that the goal of this project is to build a recreation lake where wetlands are currently found.

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

The Illinois Department of Natural Resources sent a letter to the applicant dated June 22, 2102 that stated the IDNR’s concerns and the actions Fairmont City should take to alleviate these concerns. Fairmont City responded with an August 9, 2012 letter action items addressing the IDNR concerns. I contacted Kathi Davis of IDNR concerning the reaction of IDNR to the Fairmont City action items. Ms. Davis said that all of the IDNR concerns were appropriately addressed and that consultation would be 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 the 401 water quality certification was submitted. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all wetland acreage lost to this project will be mitigated; 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 outdoor recreational opportunities. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.