

IEPA Log No.: **C-0027-12**
CoE appl. #: **2012-145**

Public Notice Beginning Date: **September 10, 2012**

Public Notice Ending Date: **October 10, 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: Illinois Department of Transportation, Division of Highways P.O. Box 100
Carbondale, IL 62903-0100

Discharge Location: Sec. 20, 21, 22, 23, T8S, R2E, 3rd P.M. in Williams County

Name of Receiving Water: Tributaries to Pond Creek

Project Description: Road Improvement, Herrin to Johnson City road

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: Illinois Department of Transportation-District 9

County: Williamson

Road Improvement, Herrin to Johnson City road- Tributary to Pond Creek

IEPA Log # C-0027-12

COE Log # 2012-025

Contact: Bob Mosher 217/558-2012

September 10, 2012

The Illinois Department of Transportation-District 9 (“Applicant”) has applied for Section 401 water quality certification for proposed work involving the improvement of the Herrin to Johnston City Road, from 5th Street in Herrin to approximately 2 miles west of I-57. The improvement will include culvert extensions and replacements and a relocation of the “S” curve on the east side of Herrin. The project will cross two unnamed tributaries of Pond Creek and impact six identified wetland sites. A total of 3.12 acres of wetlands will be impacted as a result of this project. The maximum linear stream disturbance at each stream crossing will be less than 100 feet. The project is specifically located within Sections 20-23, Township 8 South, Range 2 East.

Identification and Characterization of the Affected Water Body.

The unnamed tributaries and the wetlands are classified as General Use Waters with a zero 7Q10 flow. The tributaries and the wetlands have not been evaluated by the Illinois EPA Surface Water Monitoring Unit. The tributaries and wetlands are not an enhanced water body 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 tributaries and wetlands are not listed as biologically significant nor have they received an integrity rating. Below is a description of the six different wetlands affected by this project:

ID#	Wetland Description	Quality-FQI #	Impact Acres	On-Site Mitigation Ratio	Off-Site Mitigation Ratio	Required Mitigation Acres
C	Marsh	Fair-15.9	0.058	1.5:1		0.087
8	Pond	Fair-17.3	0.30	1.5:1		0.45
12	Forested	Good-20.0	0.52		5.5:1	2.86
14	Forested	Fair-17.4	1.77	5.5:1	5.5:1	4.78 & 4.95
16	Marsh	Fair-10.2	0.23	5.5:1		1.26
17	Young Forest/Marsh	Fair-18.8	0.24	5.5:1		1.32
Total			3.12			*15.7

*Mitigation will be obtained by a combination of off-site and on-site mitigation acres. On site mitigation will be obtained in the area of the pavement relocation, the existing roadway embankment will be removed to an elevation consistent with that of the surrounding wetlands and then planted with wetland plants, which will amount to 7.9 acres.

*Off site mitigation, the Applicant will also purchase 7.8 acres of wetland credits from the Sugar Creek Mitigation Bank in Franklin County.

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. The proposed impact of the wetlands will eliminate the current habitat from the affected fill areas of the wetlands.

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 ("SS") and prevent further impact to the stream.

Purpose and Social & Economic Benefits of the Proposed Activity.

The Applicant has stated that numerous accidents and fatalities have occurred over the past years on this roadway primarily located within the "S" curve on the east side of Herrin. The Applicant has also stated that over the years the usage of this roadway has gone up to the point that it is difficult for the present roadway to handle the traffic flow. This project will improve the operations and safety of this roadway.

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. The Applicant will follow Best Management Practices for construction which will include a Storm Water Pollution Prevention Plan ("SWPCC") and an Erosion/Sediment Control Plan to control storm water discharges from the project area. The Applicant reviewed two other alternatives to this proposed project, the No-Build Alternative and The Widening of the Existing Alignment Only Alternative. The Applicant has stated the following concerning these two alternatives:

- "The No-Build Alternative will not improve the safety of this roadway and will not serve the needs of the motoring public.
- The Widening of the Existing Alignment Only Alternative would improve mobility within the project limits but would not address the accidents and fatalities that have occurred within the "S" curve section of the roadway."

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

In a letter from Steve Hamer dated April 11, 2012, IDNR stated that an initial report submitted through the EcoCAT website indicated the potential presence of protected resources in the vicinity of the project location. The letter further states that the IDNR has evaluated this information and concluded that adverse impacts to the protected resources are unlikely; therefore, consultation is terminated.

The Illinois Natural History Survey indicates that several sites in the project corridor may have the state-listed Marsh Rice Rat present. To address this issue the Applicant has created a conservation plan to protect this animal and has received from the IDNR an Incidental Take Authorization permit.

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 better and safer traffic flow in the area. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.