

IEPA Log No.: **C-0140-12**
CoE appl. #: **2012-00170**

Public Notice Beginning Date: **September 21, 2012**
Public Notice Ending Date: **October 22, 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: Metropolitan Water Reclamation District, 111 East Erie Street,
Chicago, IL 60611-3154

Discharge Location: Section 8, T37N, R13E of the 3rd P.M. in Cook County within Oak Lawn

Name of Receiving Water: Oak Lawn Creek

Project Description: Stabilization of Oak Lawn Creek between Central Avenue and Menard Avenue.

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

Metropolitan Water Reclamation District of Greater Chicago – Oak Lawn Creek – Cook County

IEPA Log #C-0140-12

COE Log #LRC-2012-00170

Contact: Bob Mosher at 217/558-2012

September 21, 2012

Metropolitan Water Reclamation District of Greater Chicago (“Applicant or MWRDGC”) has applied for Section 401 water quality certification for stabilization work on the south stream bank of Oak Lawn Creek (“Creek”), from Central Avenue to Menard Avenue, within the Village of Oak Lawn. The work will be done specifically in Section 8, Township 37 North, Range 13 East. The south (left) bank of the creek is severely eroded in several areas where steep slopes are failing. This proposed project will stabilize 1,070 linear feet of the south bank to address severe streambank erosion which is posing a threat to residential structures and infrastructure. The proposal involves stabilizing two reaches of the southern streambank using concrete and soldier pile wall, backfilling behind the wall using clean granular material and topsoil and restoring disturbed areas with native species. The first reach is almost 400 feet extending downstream of Central Avenue. The second reach is approximately 670 feet and starts approximately 120 feet downstream of the first span. This action will affect about 0.04 acres of the Creek.

Identification and Characterization of the Affected Water Body.

Oak Lawn Creek has a 7Q10 flow of approximately 0.4 cfs at the project site and is a General Use water. The Creek has not been evaluated by the Illinois EPA Surface Water Monitoring Unit. 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. The Creek watershed has a drainage area of approximately 3.7 square mile at the project site. The Creek within the project area is a channelized, trapezoidal stream that drains a heavily developed tributary area. The Creek is man-made channel that was excavated in the late 1960s or early 1970s connecting Lake Oak Lawn (a stormwater detention basin) to Stony Creek. The Creek’s FQI is 11.0 and the Mean C is 1.6, which describes a degraded community. No wetlands are present 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 (“SS”) during the construction of the project. Erosion control measures will be utilized to minimize any increase in suspended solids. Construction within the Creek will be done “in the dry” by using bypass pumping to divert base flows from Central Avenue to the downstream end of the construction project area.

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. A sediment and erosion control plan will be followed that will receive approval from the Will/South Cook County Soil and Water Conservation District. Aquatic life uses of this portion of the Creek that will be disturbed during construction may be negatively impacted, but in time, they will recover and support the same community structure as is now found in the existing channel.

Purpose and Social & Economic Benefits of the Proposed Activity.

Applicant has stated the following concerning the need for this project:

“The purpose of this action is to alleviate erosion issues that currently put private property and utility structures at imminent risk of damage.”

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 considered three different build alternatives but dismissed them. In discussing the different alternatives in more detail the Applicant has stated the following:

- **Gabions Installation:** Space limitations along this narrow streambank corridor eliminated the possibility for entirely regrading the streambank. In addition removal of existing trees and shrubs in order to be able to regrade the slope could promote slope instability. Therefore; this option was eliminated from consideration
- **Biotechnology:** Space limitations, steep slopes, channel geometry, and an urban watershed that contributes to rapidly changing water levels together eliminated the biotechnology option from consideration.
- **Concrete Wall Installation:** Space limitations along this narrow streambank corridor eliminated the possibility for entirely regrading the streambank. In addition removal of existing trees and shrubs in order to be able to regrade the slope could promote slope instability. Therefore; this option was eliminated from consideration.
- **No Build Alternative:** Inaction will allow continued slope failure and erosion, which will continue to degrade the water quality in the Creek. The No-Build Alternative will not protect private property and the private utilities structures from damage and does not meet the purpose of this project.

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

In a letter from Rick Pietruszka dated August 17, 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.

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 more stable Creek bank, beautification of the Creek bank, and reduce SS discharges into 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.