

IEPA Log No.: **C-0694-10**
CoE appl. #: **CEMVR-OD-P-2010-1214**

Public Notice Beginning Date: **January 4, 2012**
Public Notice Ending Date: **January 25, 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: Seneca I-80 Riverport, LLC. – 719 Shady Avenue, Geneva, IL
60134

Discharge Location: Near Seneca, IL in the SW 1/4 of Section 25 of Township 33N, Range 5E of the
3rd P.M. in LaSalle County.

Name of Receiving Water: IL River

Project Description: To build a facility for the loading of barges on the Illinois River, dredging, and
concrete structures to be installed below the water line.

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 James Blessman at 217/782-3362.

JTB:c-0694-10_401 PN and FS_29Sep10.docx

Fact Sheet for Antidegradation Assessment
For Seneca I-80 Riverport, LLC.
IEPA Log No. C-0694-10
COE Log No. CEMVR-OD-P-2010-1214
Contact: Bob Mosher; 217/785-6937
Public Notice Start Date: January 4, 2012

Seneca I-80 Riverport, LLC ("Applicant") has applied for Section 401 water quality certification for impacts associated with the construction of a new barge loading facility on the Illinois River ("River"). The new facility will be built to load grain and aggregate. Two concrete cells, 24 feet long and 24 feet wide will be constructed to support a tower which will hold the two loading conveyors. Four steel pipe dolphins will be constructed within the River for the mooring of barges during loading operations. An area approximately 470 feet long and 80 feet wide (approximately 7,000 cubic yards) will be mechanically dredged with a clam shell bucket to provide adequate depth for moored barges. The dredge material will be loaded into barges and disposed in an upland non-wetland site on the Applicant's property. The initial dredge disposal area is where the support structures for this project will be built upon. Maintenance dredging will occur on an as-needed basis. The project is located at Illinois River Mile 253 in the Village of Seneca, Section 25, Township 33 North, Range 5 East. Applicant will provide conversion of 2.0 acres of farmed land into wet prairie as mitigation for this project.

Identification and Characterization of the Affected Water Body.

The Illinois River has a 7Q10 flow of 3,180 cfs at this location and is a General Use water. The Illinois River Waterbody Segment IL_D-23 is listed in the Illinois Integrated Water Quality Report and Section 303(d) List-2010 as impaired for fish consumption, and primary contact recreation. The potential causes of impairment are mercury and PCB's for fish consumption and fecal coliform bacteria for primary contact recreation. The Illinois River at this location is 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 Illinois River, at this location, is not listed as a biologically significant stream nor has it received an integrity rating. The Illinois River has a drainage area of approximately 8,259 square miles at the project site.

The IDNR WIRT System does not list any threatened or endangered species residing 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 during the construction of the project. Erosion control measures will be utilized to minimize any increase in suspended solids. The Applicant has stated that they will be using a clam shell bucket to minimize the potential for dredge material to slough off during the removal process.

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. The conveyor will span the jurisdictional wetlands and the non-jurisdictional wetland is being avoided by the grain storage area. The only impact is due to the dredging within the river, the installation of the concrete cells for the conveyors tower at the edge of the river, and for the installation of the dolphins within the river (permanent impact less than 0.04 acres). The Applicant used the Illinois Stream Mitigation Guidance manual to determine the adverse impact for this project to be 1,372.5 impact credits and their mitigation credits as being 1,525.5. The Applicant plans to convert approximately 2.0 acres of previously farmed land into a wet prairie habitat through restoration and reseedling. In addition to this 2.0 acres, 5.76 acres of jurisdictional wetlands will also become subject to deed restrictions restricting any future development (for a total of 7.76 acres within a deed restriction).

Purpose and Anticipated Benefits of the Proposed Activity.

The Applicant has stated that the basic project purpose is to operate a barge loading facility for grain and aggregate. The Applicant has stated the following additional statement concerning the purpose and anticipated benefit for this project:

“This project will result in increased access to markets for grain and aggregate suppliers. Distribution of these products via barge traffic will provide access to a greater number of end users for these products...Additionally, the project is expected to provide the following benefits:

1. Creation of new jobs.
2. Increased retail sales tax revenues.
3. Increased property tax revenues. and,
4. New market for farmers.”

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.

Besides the no build option the Applicant has stated the following concerning this project:

“The site layout has been designed to avoid wetland and waters impact to the extent possible. Waters filling is only for installation of the dolphins. Wetland impact results from the installation of the base points for the conveyor. The conveyor will span the existing wetland area except for the base points. Regardless of the location of the conveyor, on site wetland must be crossed to allow the transfer of material to the barges. The siting of the support structures, driveways, parking, etc, all avoid impacts to wetlands.”

The Applicant has also stated that there are very few properties located along the Illinois River which meet all of their required criteria for this type of project.

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

In a report generated through IDNR’s EcoCAT system dated July 26, 2011, the Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species in the vicinity of the project location; therefore, consultation was terminated. Rick Pietruszka from the IDNR also sent an E-Mail to the Applicant dated August 11, 2011 stating in part that he did not see a need for a mussel survey since IDNR’s records indicate that no listed mussel species resides in the project’s vicinity.

The Village of Seneca has submitted a letter (dated August 2, 2011) supporting this project.