

IEPA Log No.: **C-0110-11**
CoE appl. #: **2011-0012**

Public Notice Beginning Date: **December 27, 2013**
Public Notice Ending Date: **January 17, 2014**

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
Division of Water Pollution Control
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Archer Daniels Midland Company, Foot of Tinkham, Havana, IL 62644

Discharge Location: Section 12, T21N, R9W of the 3rd P.M. in Mason County within Havana

Name of Receiving Water: Illinois River

Project Description: Repair existing dock facility.

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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Archer Daniels Midland wishes to repair and upgrade an existing barge loading facility in Havana, located at Illinois River Mile 119.2. The facility is used to load and unload fertilizer and grain to and from river barges. The existing wall of the dock area is bowed out to the river and is cracked such that fill leaks out. The new facility will extend four feet further out to the river. This area of the loading facility extends 91 feet along the river and therefore 364 square feet of the river will be filled as a result of the project. Additionally, three existing wooden dolphins will be replaced in the river. Rip rap will be added along 92 feet of shoreline to reduce erosion threatening grain bins.

The Applicant will restore approximately 130 linear feet of Illinois River shoreline 20 – 25 feet in width as mitigation for this project. The restoration will occur at ADMs Growmark Grain Dock Port facility located at Creve Coeur. The mitigation site is currently un-vegetated shoreline. A variety of bottomland tree species will be planted, making the shoreline more natural in appearance and providing food and cover for wildlife. This site was chosen for mitigation because the Havana site did not have available shoreline that could be restored.

Identification and Characterization of the Affected Water Body.

The Illinois River is a General Use water with a 7Q10 flow of 3135 cfs. The Illinois River (segment D-31) is listed on the draft 2012 Illinois Integrated Water Quality Report and Section 303(d) List as an impaired water body for fish consumption and primary contact uses. The causes given for fish consumption use impairment are mercury and PCBs. The cause of primary contact use impairment is fecal coliform bacteria. Aquatic life use is fully supported. The Illinois River at the location of this project is not listed as a biologically significant stream in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, nor is it given an integrity rating in that report. The Illinois River is not designated as an enhanced water at this location pursuant to the dissolved oxygen water quality standard.

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 Illinois River that will be filled during construction will be negatively impacted.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. The project will eliminate the current habitat from the 364 square feet filled river bottom. The applicant is restoring riparian area on a segment of the Illinois River about 25 miles upstream of the Havana facility.

Purpose and Social & Economic Benefits of the Proposed Activity.

The purpose of the project is to repair and improve the existing fertilizer and grain loading facility. The repairs and improvements will keep the facility a viable local employer.

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. As the facility currently has dock facilities on the Illinois River, alternatives are limited. The repaired facility fills a minimal amount of river bottom.

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

Endangered species consultation was initiated through the Illinois Department of Natural Resource's EcoCAT system on December 6, 2013. Consultation was immediately terminated as IDNR does not know of endangered species in the project area.

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 maintaining jobs at a local employer. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.