

IEPA Log No.: **C-0375-13**
CoE appl. #: **CEMVR-OD-P-2012-1677**

Public Notice Beginning Date: **December 10, 2013**
Public Notice Ending Date: **January 9, 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
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Allen Township – P.O. Box 231, Ransom, IL 61470

Discharge Location: Near Ransom in SW 1/4 of Section 6 of Township 31N, Range 6E of the 3rd P.M. in LaSalle County.

Name of Receiving Water: Unnamed tributary to Waupecan Creek

Project Description: Proposed improvements to East 30th Road and railroad crossing

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 Darren Gove at 217/782-3362.

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Allen Township (Applicant) is applying for a 401 water quality certification for impacts associated with the improvements to the roadway on East 30th Road and railroad crossing located in LaSalle County, Illinois. The unnamed tributary to Waupecan Creek will be relocated to move it further from the roadway. The existing 1,016 foot channel will be relocated approximately 20 feet to the east and the old channel will be filled. The new 1,005 foot channel will be established in such a way to provide benefit to and improve that waterway and replicate the conditions of the existing channel. The total stream bed area will be larger than the existing total stream bed area and the stream sinuosity will also be replicated. An 18 foot long 6'x3' precast box culvert will be installed in the new channel for a farm field entrance. To prevent water washing over and eroding the bank, approximately 10 feet of riprap will be installed adjacent to the box culvert.

Antidegradation assessment materials were received from the applicant under a October 24, 2012 dated cover, Joint Permit Application, East 30th Road RR Crossing , ACOE Permit CEMVR-OD-P-2012-1677, IEPA Log # C-0375-13, received September 24, 2013 from Eduard Duran, Lewis, Yockey & Brown, Inc., LeRoy, Illinois.

Identification and Characterization of the Affected Water Body.

The unnamed tributary (no Segment Code) of Waupecan Creek is classified as General Use water body with zero 7Q10 flow. The watershed for the unnamed tributary at the proposed project area is approximately 6.7 miles. The unnamed tributary has not been assessed under the Agency's 305(b)/303(d) program and has not been given an integrity rating nor been listed as biologically significant in the 2008 Illinois Department of Natural Resources publication Integrating Multiple Taxa in a Biological Stream Rating System. The water body is not enhanced in regards to the dissolved oxygen water quality standard.

In northern Illinois, streams with one square miles of watershed or less are characterized as 7Q1.1 zero flow streams and are therefore expected to have at least seven continuous days of zero flow nine out of ten years. Since the watershed for the unnamed tributary exceeded this threshold and the Agency has not assessed this stream, additional characterization of the water body was required of the applicant. In general, a macroinvertebrate Index of Biotic Integrity (IBI) of ≥ 41.8 and a fish IBI of ≥ 41 are required for a stream to be fully supportive of aquatic life using Agency methodologies and protocols.

The results from the biological survey concluded that fish and macroinvertebrate populations were found to be below these indices. A limited fish population consisting of fourteen species common and widespread in Illinois was found to exist in this reach. The IBI was calculated as 30 or "low" for the fish population. The macroinvertebrate population is also limited with 17 species found with mostly tolerant species identified. The macroinvertebrate IBI value of 20.26 was calculated and is considered indicative of "poor" conditions. Two mussels were found; first

is a slippershell mussel ("Alasmidonta Viridis"), which is listed as threatened in Illinois and the other is a Lilliput, which is not a listed species and is common in headwaters throughout Illinois. Water chemistry results were evaluated as normal for this type of stream and no violations of water quality standards were noted. The tributary was concluded to be a modified stream channel due to channelization to accommodate agriculture and has little or no flow during drought conditions.

The downstream receiving water that may be impacted by the unnamed tributary is Waupecan Creek (Segment Code IL_DZX). Waupecan Creek is less than 0.03 miles from the proposed project area. Waupecan Creek is classified as a General Use water body with zero 7Q10 flow existing upstream of the project area. This stream has been assessed under the Agency's 305(b)/303(d) program and found to be fully supportive for Aquatic Life. Waupecan Creek has not been given an integrity rating nor been listed as biologically significant in the 2008.

Illinois Department of Natural Resources publication Integrating Multiple Taxa in a Biological Stream Rating System. Waupecan Creek is enhanced in regards to the dissolved oxygen water quality standard at the location of the unnamed tributary confluence.

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

A total of 1,016 linear feet of intermittent stream will be impacted by the proposed activity. No wetlands were identified within the project area. One State threatened species of mussel was identified within the project area. The filled stream segments will result in loss of aquatic habitat. Pollutant load increases that would occur from this project include some suspended solids in the downstream reach during the reconstruction of the stream channel.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary in downstream reaches that will not be filled during reconstruction. Aquatic communities at least as diverse as currently inhabit streams will return upon reclamation. A total of 1,005 linear feet of streams will be reconstructed. The stream restored will be constructed to an 'as good or better' quality than previously existed. Stream banks will be constructed to slopes that vary from 2.5:1 near the railroad crossing to 3:1 normally. This will improve bank slopes from the current 2:1 ratio. The new segments will be created dry and then opened to the existing stream bed on both ends allowing aquatic life to migrate back into the newly created stream. A detailed Stream Channel Impact Mitigation Plan is provided in the Joint Permit Application. A 5 year performance period of monitoring will be employed by the applicant to ensure compliance with projected goals of stream mitigation. Sediment and erosion control measures; including using silt fencing, silt traps, planting fast germinating vegetation, and perimeter erosion barriers will be utilized. All trees removed as part of this project will be replaced with Native tree species in similar locations. The existing and proposed road surface is aggregate and the township does not salt this road. No adverse impacts to streams would occur as all water quality standards are expected to be met in the receiving waters.

Purpose and Social & Economic Benefits of the Proposed Activity.

The new road profile and railroad crossing is necessary in order to improve safety and allow for the installation of crossing guards at this location. The new alignment will provide a much better site line for both the vehicles using East 30th road and the railroad engineers entering the crossing.

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

Closing Railroad Crossing

Under this alternative, the crossing would be moved to the west to where the Railroad does not intersect N. 17th road and reconnect East 30th Road. This alternative would require filling a much larger area in the floodplain of the Waupecan Creek. Therefore this alternative was eliminated.

Moving Railroad Crossing West

This alternative would shift the crossing slightly west away from the unnamed tributary. This re-alignment would minimize impacts to aquatic resources, but would have a larger effect on existing farm fields and right-of-ways.

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

IDNR has evaluated the EcoCAT information and concluded that adverse effects are likely to a State threatened species. IDNR required the applicant to complete an Incidental Take Authorization (ITA). The applicant has submitted an ITA application to IDNR. The slippershell mussel ("Alasmodonta Viridis") found during the macroinvertebrate survey was relocated to an area not proposed for stream repositioning. Consultation was terminated for IDNR Project #1305488 on November 20, 2013.

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 antidegradation review summary was written. We tentatively find that the proposed activity would result in the attainment of water quality standards; that all existing uses of the receiving streams would 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 would enhance the stream and benefit the community at large by providing a safer railroad crossing at this location. Comments received during the 401 certification public notice period will be evaluated before a final decision is made by the Agency.

Fact Sheet for Antidegradation Assessment
For Allen Township
IEPA Log No. C-0375-13
COE Log No. CEMVR-OD-P-2012-1677
Contact: Eric Runkel (217) 558-2012
Public Notice Start Date: December 10, 2013
