

IEPA Log No.: **C-0034-13**

CoE appl. #: **2012-973**

Public Notice Beginning Date: **July 31, 2013**

Public Notice Ending Date: **August 21, 2013**

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: Evansville Western Railway, 818 West 2nd Street, Mt. Vernon, Indiana 47620

Discharge Location: Sections 17, 18, 20 and 21, T5S, R10E of the 3rd P.M. in White County near Carmi

Name of Receiving Water: Unnamed railroad ditch and linear wetland

Project Description: Construction of the Carmi-Epworth railroad siding.

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
Evansville Western Railway – Unnamed Railway Ditch and Linear Wetland – White County
IEPA Log #C-0034-13
COE Log #LRL-2012-973
Contact: Eric Runkel (217) 558-2012
July 31, 2013

The Evansville Western Railway (“Applicant”) has applied for Section 401 water quality certification for impacts associated with the proposed construction of a rail siding adjacent to an existing track in White County, southeast of Carmi. The Applicant proposes to fill, or partially fill an existing railroad ditch, establishing a new parallel tract bed, laying new track, and construct a new adjacent ditch affecting approximately 3,047 feet of jurisdictional stream and a small linear wetland (0.09 acres). The proposed newly constructed ditch will have the same characteristics of the existing ditch and will convey the same flow. The proposed newly constructed ditch will have a narrow forested riparian buffer similar to the pre-existing ditch.

Identification and Characterization of the Affected Water Body.

The railroad ditch is a General Use water with zero 7Q10 flows. The ditch will have an impacted area of approximately 0.28 total acres. The ditch flows northwest into an unnamed tributary which flows into the Little Wabash River approximately four miles to the west of the project. The ditch has not been assessed under the Illinois Integrated Water Quality Report and Section 305(b)/303(d) program. The ditch is not listed as biologically significant and has not been given an integrity rating in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*. The ditch is not enhanced in regards to the dissolved oxygen water quality standard.

The unnamed linear wetland within the project site is a General Use water with zero 7Q10 flow. The water has not been assessed under the Illinois Integrated Water Quality Report and Section 305(b)/303(d) program. The water is not listed as biologically significant and has not been given an integrity rating 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

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

The pollutant load increases that would occur from this project is a possible increase in suspended solids (“SS”) locally upstream to an unnamed tributary during construction. There would be an elimination of aquatic life over the 3,047 feet of ditch during the construction phase. The project will eliminate 0.09 acres of wetlands.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. Erosion controls measures are proposed during construction of this project. It was noted that resources in the project area have a limited riparian buffer and poor in-stream habitat diversity. The new railroad ditch is expected to provide a similar habitat and hydrology as the impacted area and aquatic life is expected to colonize the new ditch at the same level as the filled segment. The wetlands eliminated during construction will be replaced with a similar wetland habitat. This should have the potential to redevelop the previous wetland diversity.

Purpose and Social & Economic Benefits of the Proposed Activity.

The project will improve the traffic flow of trains moving both directions on the existing line. This improved flow will result in increase of quantities of commodities moving on this line and will reduce costs of said commodities due to increased transportation efficiency.

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. Alternatives for this project included a “no action” and a longer siding scenario. The no action would negate the benefits from the proposed project and potentially cause an increase in train traffic delays and road/intersection blockage. A longer siding scenario would cause an impact on 5,000 linear feet of stream without creating a significant advantage to train traffic.

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

The IDNR Eco-CAT threatened or endangered species system was consulted on June 25, 2013. In a letter dated June 26, 2013, IDNR replied that the project may have an adverse impact on protected aquatic species (mussels) downstream, that erosion control measures were critical for protection, and if recommendations are agreed upon that consultation was terminated. The erosion control measures specified by IDNR have been incorporated into the project.

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 transportation of more commodities at a faster rate. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.