

IEPA Log No.: **C-0004-13**
CoE appl. #: **2013-341**

Public Notice Beginning Date: **August 2, 2013**
Public Notice Ending Date: **September 3, 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: Illinois Department of Transportation - District 6, 126 East Ash Street, Springfield, IL 62704

Discharge Location: Sections 15, 22 and 23, T20N, R4W of the 3rd P.M. in Logan County near New Holland

Name of Receiving Water: Sugar Creek Overflow, unnamed tributary to Sugar Creek and unnamed wetlands

Project Description: Realignment of Illinois Route 10.

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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The Illinois Department of Transportation-District 6 (“Applicant”) has applied for Section 401 water quality certification for impacts associated with the proposed realignment of IL10 and Rd 400 intersection, replacement of two culverts over IL10; one for the Sugar Creek overflow (a channelized retention area to alleviate potential flooding of the roadway during high water events) and the other for an unnamed tributary west of the above-mentioned intersection which drains to Sugar Creek approximately 0.5 miles to the southwest. The project area is approximately 3 miles east of New Holland. The construction of the new box culvert under IL10 for an unnamed tributary will have an impact area of approximately 7045 cubic yards of total excavation with 500 feet being in-stream excavation. 166 cubic yards of riprap will be placed in the above-mentioned excavation. For the Sugar Creek overflow approximately 160 cubic yards of excavation will require 166 cubic yards of riprap with 80 feet of total linear feet of in-stream excavation. The new intersection realignment will eliminate 2.13 acres of wetlands, which will be replaced by obtaining 9.14 acres of wetland credits from the LaGrange Wetland Mitigation Bank.

Identification and Characterization of the Affected Water Body.

The unnamed tributary is a General Use water with zero 7Q10 flow. The tributary flows southwest into Sugar Creek approximately 0.5 miles from the project. The watershed is approximately 1.5 square miles to the north mainly of agricultural property. The tributary has not been assessed under the Illinois Integrated Water Quality Report and Section 305(b)/303(d) program. The tributary 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 tributary is not enhanced in regards to the dissolved oxygen water quality standard. Biological characterization of the tributary has not been required because the project will not permanently alter the existing stream habitat.

The Sugar Creek overflow within the project site is a General Use water with zero 7Q10 flow. The overflow has a watershed of approximately 0.05 acres. 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. Biological characterization of the tributary has not been required because the project will not permanently alter the existing stream habitat.

The Applicant identified three wetlands (1A, 1B and 2B) within the intersection realignment project area. All the wetlands will be permanently impacted by this project. Wetlands impacted combined total 2.13 acres. Wetland 1A and 2B are identified as floodplain forest of 0.59 and 1.1 acres, respectively. Wetland 1B is identified as wet meadow of 0.44 acres.

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 to the unnamed tributary and the Sugar Creek overflow during construction. The project will eliminate 2.13 acres of wetlands at the intersection realignment.

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. Construction for the proposed project will occur during a period of low flow to further minimize any impact. Aquatic life habitat and community structure is expected to return to pre-construction conditions. The 2.13 acres of permanent impacted wetland Sites 1A, 1B and 2B are proposed to be mitigated at the LaGrange Wetland Mitigation Bank Site. A 3.0 to 1 mitigation ratio has been applied to the impacts to Sites 1A and 1B. Impacts to 2B require a 5.5 to 1 mitigation ratio. A total of 9.14 acres of credit will be retained from the bank.

Purpose and Social & Economic Benefits of the Proposed Activity.

The segment of IL10 intersecting township road 44 (TR 400 E) existing crash data shows that the segment performs worse than 95% of like peer segments (2 lane rural highways) statewide. The project will create an intersection with a better line of sight for on-coming traffic and two safer bridges to cross.

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. The Applicant examined different traffic patterns at the intersection and found the proposed angle would be more beneficial for line of sight, lower the need for more right of way and adding a steeper drainage slope would decrease the need for elimination of additional wetlands.

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 July 17, 2013. The immediate response by Eco-CAT dated July 17, 2013, was that the project was not likely to adversely impact protected resources and that consultation was 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 a providing a safer intersection and two improved bridges. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.