

IEPA Log No.: **C-0653-12**
CoE appl. #: **CEMVR-OD-P-2013-0176**

Public Notice Beginning Date: **October 21, 2013**
Public Notice Ending Date: **November 11, 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
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Morris Riverplace II LLC – 518 Broad Street, Suite 200, St. Joseph, MI 49085

Discharge Location: Near Morris in Sections 1 and 3 of Township 33N, Range 7E of the 3rd P.M. in Grundy County.

Name of Receiving Water: Illinois River

Project Description: Proposed recreational marina and barge fleeting facilities

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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The Morris Riverplace II, LLC (Applicant) is applying for a 401 water quality certification for impacts associated with a newly proposed marina and barge basin in Morris, Illinois. Two sheet pile areas (approximately 150 feet and 250 feet long) have been proposed in the project plans; one will serve a recreational marina consisting of floating slips, fuel and pump-out facilities, boat placement and retrieval facilities, provide land-based boat storage facilities, and a marina service building with associated parking for the 19-acre marina area (west basin) and the other will be used to create a barge unloading platform on the north side of the proposed fleeting basin (east basin), respectively. Three areas of rip rap are proposed throughout both the west and east basins. 1,830 linear feet of rip rap is proposed along the north bank of the west basin. The other two areas of rip rap, 880 and 120 linear feet sections, are included on the north side of the fleeting basin (east basin). Approximately 666,660 cubic yards of dredge (CYDs) will be removed from the floodway and 28,500 CYD will be removed from the floodplain for an approximate total of 695,160 CYDs. A total of 277,180 CYDs is proposed to be relocated in other areas within the floodway up to an elevation of 503.6' and 202,580 CYDs will be relocated in areas within the floodplain up to elevation 505'. The remaining dredge material will be relocated offsite outside of the floodway and floodplain. No fill will be placed in identified wetlands. A proposed entrance for the marina to the Illinois River will be constructed to a width of 115 feet and a depth of LWD-10 feet. The entrance of the proposed barge basin to the Illinois River will be widened from 320' to 550' with a depth of LWD-14'. A new water ski lake is also proposed east of the fleeting basin. The proposed 62 acre water ski lake will have a total perimeter of 8,300 linear feet of shoreline with 3,000 linear feet of rip rap. The remaining 5,300 linear feet of bank will be restored with natural vegetation. The ski lake will have no connection to public waters and was not assessed for antidegradation in this summary.

Antidegradation assessment material were received from the applicant under an August 23, 2013 dated cover, 401 Application Review Form, Morris Riverplace II, LLC, ACOE Permit CEMVR-OD-P-2013-0176, IEPA Log # C-0653-12, received September 3, 2013 from Edgewater Resources, St. Joseph, Michigan by signature from authorized representative Michael Murphy.

Identification and Characterization of the Affected Water Body.

The project area is approximately 111 acres in size, with approximately 60 acres being a basin connected to the Illinois River. The basin was created by gravel mining activities from 1900 to 1995. The majority of the property is within the 100-year floodplain of the Illinois River.

The Illinois River has a 7Q10 flow of 3,155 cfs at this location and is a General Use water. The Illinois River, Waterbody Segment IL_D-10 is listed in the Illinois Integrated Water Quality Report and Section 305(b)/303(d) List 2012 as impaired for Fish Consumption use; Mercury and polychlorinated biphenyls are given as the causes of this impairment. The river is fully supporting Aquatic Life, Primary Contact Recreation and Secondary Contact. Aesthetic Quality

has not been assessed. The river at this location is an enhanced waterbody pursuant to the dissolved oxygen water quality standard. The river is not listed as biologically significant, but has been given an integrity rating of “B” in the 2008 Illinois Department of Natural Resources Publication Integrating Multiple Taxa in a Biological Stream Rating System.

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

No pollutant load increases would occur from this project other than some increases in suspended solids near the location of mechanical dredging equipment. Approximately 400 linear feet of shoreline will be eliminated by the placement of sheet piles. Benthic organisms will be disturbed by dredging and construction activities.

Fate and Effect of Parameters Proposed for Increased Loading.

Aquatic communities at least as diverse as currently inhabit the basin will return upon construction completion. Sediment and soil erosion control plans will be utilized during construction. Silt fencing and straw bales will be properly located to minimize runoff to surface waters and wetland areas. A turbidity curtain will be used to isolate the basin from the Illinois River. No adverse impacts to the river would occur as all water quality standards are expected to be met.

Purpose and Social & Economic Benefits of the Proposed Activity.

The proposal will provide the City of Morris an opportunity to benefit from the demand for waterfront development for recreational and commercial use. Commercial shippers may evaluate other, less suitable sites for fleeting operations if the project is not approved.

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

No action would deny the City of Morris an opportunity to develop land currently being underutilized by the surrounding community. The applicant estimates that 200-500 jobs may be created by this proposal. The proposal also includes the construction of a new ski lake east of the basins which will significantly alter physical and biological conditions thus providing aquatic vegetation and habitat to enhance new biotic communities on land currently being used for farming. This would offset the loss of shoreline in the basins from construction of sheet piles used for docking.

Relocating the project would not be a viable alternative as essentially the same or more aquatic resources would be encountered at any location along the Illinois River. Also, potential fleeting basin locations are dictated by the site specific conditions. Available access to the Illinois River with minimal impact to potential wetland makes this location more suitable for development than other like-kind basins.

Residential housing, a hotel and condominiums were originally proposed to surround the shoreline. This proposal was withdrawn by the applicant partially because of the impacts it

would have had on the wetlands and natural habitats. Only marina and barge activities are currently proposed for this project.

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

The IDNR EcoCAT system was consulted on July 15 2013. It was determined that no threatened or endangered species or protected natural areas are in the vicinity of the areas and consultation was terminated as stated in the August 22, 2013 correspondence from Stefanie Fitzsimons of IDNR .

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 benefit the community at large by providing new marine related jobs, both recreational and commercial and the ancillary economic benefits of these jobs to the local economy. Comments received during the 401 certification public notice period will be evaluated before a final decision is made by the Agency.