

IEPA Log No.: **C-0754-12**
CoE appl. #: **2012-1550**

Public Notice Beginning Date: **June 4, 2014**
Public Notice Ending Date: **June 25, 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: Mr. Dave Ballegeer, Ballegeer Excavating, Inc., 8901 North 1800 Avenue, Geneseo, IL 61254 and Mr. Francis Ballegeer, 15016 Coaltown Road, East Moline, IL 61244

Discharge Location: Section 16, T17N, R1E of the 4th P.M. in Henry County near Colona

Name of Receiving Water: Green River

Project Description: Streambank Stabilization.

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
Dave and Francis Ballegeer – Green River – Henry County
IEPA Log # C-0754-12
COE # 2012-1550
Contact: Diane Shasteen (217) 558-2012
June 4, 2014

David and Francis Ballegeer (“Applicant”) have applied for a 401 Water Quality Certification for impacts associated with a Green River streambank stabilization project in Section 16, Township 17 North, Range 1 East, near Colona, Henry County, Illinois. The project site is located at the end of 9th Avenue and Ballegeer Lane (Latitude 41.46704, Longitude -90.38289). The proposed project will place riprap on two separate areas along the Green River. The upstream portion of the project includes 1700’ of streambank and the downstream portion 800’. The streambank is proposed to be regraded to a 1.5 to 1 or flatter slope and protected with a two foot thick layer of broken concrete. Concrete pieces shall be appropriately graded and no longer than 3 feet. Excavated material will be utilized to widen the existing levee on the landward side of the levee. Trees leaning into the channel will be cut leaving root balls intact where practicable; all other trees along the bank will remain and be protected with riprap. Live willow stakes or cuttings will be planted to encourage revegetation of the bank and provide bank stability.

Identification and Characterization of the Affected Water Body.

The Green River (IL_PB-09), a direct tributary to the Rock River (IL_P-25), is a General Use Water with an estimated 48.5 cfs 7Q10 flow at the project location. According to the draft 2014 Illinois Integrated Water Quality Report and Section 303(d) List, the Green River has been assessed by Illinois EPA and is listed as not supporting Aquatic Life use. The cause listed for impairment is Unknown Cause. Fish Consumption, Primary Contact Recreation, Secondary Contact, and Aesthetic Quality uses have not been assessed. The Green River, in the project area, 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 document. The Green River is not designated as an enhanced water pursuant to the dissolved oxygen water quality standard.

No wetlands were identified in the project area.

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 total suspended solids (TSS). These increases, a normal and unavoidable result of bank grading and the placement of the riprap, may occur in the river at the point of project activity. All construction activities should be completed during low flow conditions to reduce the probability of TSS increases.

A variable V-notched strip (approximately 2’ deep by 3’ wide) along the shoreline will be excavated to anchor the rip rap in place. Benthic habitat will be disturbed in the vicinity of this notching area. All riprap will consist of clean native fieldstone, clean quarry run rock, or clean broken concrete. Broken concrete will be no larger than 3’ across the longest flat surface and all reinforcement material (rebar) will be completely removed or cut flush with the surface of the concrete.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. Bank erosion and downcutting has resulted in the increase of sand and silt in the Green River. Although a small portion of the benthic habitat will be disturbed by the project; it is anticipated to recover and improve over time. The grading and placement of riprap along the streambank, along with reestablishment of vegetation via willow cuttings, will aid in the stabilization of the streambank and reduce the influx of sediment into the Green River.

Purpose and Social & Economic Benefits of the Proposed Activity.

The proposed riprap will help stabilize the streambank, reduce further erosion, and reinforce the existing levee by adding the bank grading material to the landward side. The reinforcement of the levee will provide flood protection for approximately 250 acres of farmland along with 100 homes in the Colona area.

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

The Applicant has previously completed Green River streambank protection projects in the area. During the final phase of the project, 2500' of streambank will be regraded to a 1.5 to 1 or flatter slope, protected with a 2' thick layer of riprap, and revegetated with willow stakes and cuttings. According to the Applicant:

“Based on the limited scope of the project, there are no practicable or feasible alternatives which meet the basic purpose of the project (protecting an existing levee from erosion), all impacts to the aquatic environment have been minimized, and the project will protect the Green River from a reduced sediment load due to the protection of the existing levee from erosion.”

Conclusion:

The proposed project will follow conditions set forth by the Agency and USACE. The least intrusive alternative would be to not complete the project. This is not an acceptable alternative given the need to protect the levee and the streambank from further erosion. Completion of the proposed project will allow continued flood protection for 250 acres of farmland along with 100 homes in the Colona area.

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

An EcoCAT endangered species consultation submitted on May 27, 2014 to the Illinois Department of Natural Resources resulted in no record of State-listed threatened or endangered species or protected areas in the vicinity of the project and consultation for IDNR Project #1411684 was immediately 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 the draft 401 Water Quality Certification was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; 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 Green River by providing a more stable streambank which will reduce downcutting and streambank erosion and in turn, reduce additional sand deposits and siltation of the river. The project will also reinforce the existing levee which provides flood protection for 250 acres of farmland and 100 homes in the Colona area. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.