

IEPA Log No.: **C-0244-14**  
CoE appl. #: **CEMVR-OD-P-2014-821**

Public Notice Beginning Date: **December 2, 2014**  
Public Notice Ending Date: **December 23, 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:** City of Beardstown – 105 West Third Street, Beardstown, IL 62618

**Discharge Location:** Near Beardstown in SE 1/4 of Section 10 of Township 18N, Range 12W of the 3rd P.M. in Cass County.

**Name of Receiving Water:** Sangamon River

**Project Description:** Proposed construction of two riprap protection dikes with water equalization pipe.

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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Fact Sheet for Antidegradation Assessment  
For City of Beardstown  
IEPA Log No. C-0244-14  
COE Log No. CEMVR-OD-P-2014-821  
Contact: Diane Shasteen (217) 558-2012  
Public Notice Start Date: December 2, 2014

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The City of Beardstown, (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with the proposed maintenance dredging of the entrance channel from the east side of the Illinois River at river mile (RM) 88.9 through the access channel and the entrance channel to the Beardstown Marina. Additional impacts of approximately 0.50 acres of jurisdictional wetlands and 0.10 acres of open water in the side channel are anticipated in association with the construction of a rock riprap dike on both banks of the access channel. The project area is located at the confluence of the Sangamon and Illinois Rivers at Beardstown in Township 18 North, Range 12 West, Sections 10 & 11, Cass County. The Applicant has previously been authorized to perform site development and maintenance dredging in the access and marina entrance channel under several Department of Army Permits, the most recent being CEMVR-OD-P-2004-550 which expires December 31, 2014. Approximately 20,000 to 30,000 CY of material will be dredged along 4,500’ of channel which varies in width from 50’ to 200’. The average water depth to be attained by the dredging will be approximately 7.0’ at normal pool. Mechanically dredged material will be placed in the previously approved disposal areas in the bermed upper end of the marina or on top of the exiting peninsula. The Applicant anticipates the removal of an additional 5,000 to 10,000 CY of dredged material annually. The rock dikes will measure approximately 400’ X 10’ (L X W; upstream portion) and 590’ X 20’ (downstream portion) with top elevations of 435’ which is equivalent to the Beardstown Illinois River gage height of 15.1’. Approximately 1,600 CY of RR6/RR7 (IDOT Gradation Aggregate) will be utilized for the construction of the dikes. A 24” diameter pipe culvert with an invert elevation of 431’ will be installed in the downstream dike to allow for adequate flow of water and wildlife passage between the marina area and the adjoining backwater areas. The purpose of this project is multifaceted; the dredging of the access/entrance channel will maintain the navigational channel from the marina to the Illinois River, the addition of the rock dikes will act as an erosion control measure by providing a barrier to accumulating upstream siltation and reduce/prevent the scouring of the channel banks from watercraft wave action. The downstream portion of the rock dike will also provide access for maintenance and dredging equipment from the adjacent levee which will enable the Applicant to continue mechanically dredging the access channel. Without the installation of the downstream rock dike, the Applicant would have to contract for hydraulic dredging, a more cost prohibitive practice. The dredging and the addition of the rock dikes will maintain and enhance the access for commercial and recreational watercraft from the Beardstown Marina to the Illinois River, which in turn allows for the continuation of local commercial fishermen’s commodity transfers and recreational opportunities for area residents.

Information used in this review was obtained from the Applicant in a document entitled, Joint Application Form for Illinois dated May 14, 2014.

### **Identification and Characterization of the Affected Water Body.**

The Illinois River (IL\_D-31) is a General Use Water with an estimated 7Q10 flow of 3,635 cfs at this location. According to the draft 2014 Illinois Integrated Water Quality Report and Section

303(d) List, the Illinois River has been assessed by Illinois EPA and is listed as not supporting Fish Consumption and Primary Contact Recreation uses. Causes of impairment are listed as Mercury and Polychlorinated biphenyls (PCBs) for Fish Consumption use and Fecal Coliform for Primary Contact Recreation use. The Illinois River, at this location, is listed as fully supporting Aquatic Life use. Secondary Contact and Aesthetic Quality uses have not been assessed. The Illinois 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 Illinois River, at this location, is not designated as an enhanced water pursuant to the dissolved oxygen water quality standard.

The Sangamon River (IL\_E-25) is a General Use Water with an estimated 7Q10 flow of 248 cfs at this location. According to the draft 2014 Illinois Integrated Water Quality Report and Section 303(d) List, the Sangamon River has been assessed by Illinois EPA and is listed as not supporting Fish Consumption and Primary Contact Recreation uses. Causes of impairment are listed as Polychlorinated biphenyls (PCBs) for Fish Consumption use and Fecal Coliform for Primary Contact Recreation use. The Sangamon River, at this location, is listed as fully supporting Aquatic Life use. Secondary Contact and Aesthetic Quality uses have not been assessed. The Sangamon 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 Sangamon River, at this location, is not designated as an enhanced water pursuant 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 include some possible increases in total suspended solids. These increases, a normal and unavoidable result of dredging, may occur in the river at the point of dredge activity or during placement of the two riprap protection dikes. Mechanical dredging will be implemented during the project. The project will impact 0.50 acres of Palustrine Emergent wetlands and 0.10 acres of open water in the side channel due to the rock dike construction.

Aquatic life uses in the portion of the river that will be disturbed during dredging and placement of the riprap may be negatively impacted, but in time, they will recover and support approximately the same community structure as is now found in the existing areas. Due to the size of the river, impacts to aquatic communities should be negligible.

### **Fate and Effect of Parameters Proposed for Increased Loading.**

The increase in suspended solids will be local and temporary. Dredged material will be placed in the previously permitted areas located in the bermed upper end of the marina or on top of the existing peninsula.

Mitigation (4.0:1 ratio) for the 0.50 acres of PEM wetland impacts will be accomplished through the enhancement of a 2.0 acre low quality wetland located south of Beardstown directly adjacent to the 540 acre Illinois Natural Areas Inventory Site (INAI), Beardstown Marsh. Specific plans, including the return of site hydrology through a pipe culvert, removal of the invasive reed canary grass (*Phalaris arundinacea*), reseeding with an approved wetland mix, and establishing a 25' native grass buffer around the entire wetland basin, have been developed for the Applicant by The Nature Conservancy.

### **Purpose and Social & Economic Benefits of the Proposed Activity.**

The purpose of this project is to provide continued access from the Beardstown Marina to the Illinois River. Dredging will remove sediment from a 1,700 LF area in the access and entrance channels and maintain a navigational channel for recreational and commercial watercraft from the Beardstown Marina to the Illinois River. The addition of rock dikes will reduce the amount of upstream sediment inputs, reduce the erosional effects of watercraft wave action to the channel banks, provide access for maintenance equipment from the adjacent levee, and allow the City of Beardstown to continue mechanical dredging of the channel, reducing the need for more cost-prohibitive hydraulic dredging.

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

The dredging of the access and entrance channels from the Illinois River to the Beardstown Marina, along with the construction of the two riprap protection dikes will follow conditions set forth by the Agency and USACE. The least intrusive alternative would be to not construct the dikes or dredge the channels. This is not an acceptable alternative given the following needs of the area including the continued access to the Illinois River from the Beardstown Marina for commercial and recreational watercraft, the reduction of sedimentation of the access channel, the reduction of wave action impacts to the channel banks, and improved access for mechanical dredging equipment. Dredging and the placement sites chosen will have the least overall impacts to the environment, will not result in significant adverse effects on human health and welfare, and will be operationally and economically feasible for the Applicant.

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

Comments have been received from IDNR, Office of Water Resources (OWR) for project numbers 1412134 and S20140126 (OWR). Consultation resulted in the identification of the smooth softshell turtle (*Apolone mutica*) as a protected resource; IDNR has evaluated the information, concluded that adverse effects are unlikely if construction is completed by March 31, 2015. If the construction of the rock dikes or the dredging is not complete by the aforementioned date, IDNR recommends a survey be conducted by a qualified biologist to determine if the turtle frequents the area during the active season and what risks the project could pose. Consultation for IDNR Project # 1412134/S20140126 was terminated on November 14, 2014.

### **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 City of Beardstown and the surrounding area by allowing continual access to the Illinois River by commercial and recreational watercraft through the access and entrance channels and that the proposed rock dikes will reduce the amount of siltation into these channels from the Sangamon River, hence reducing the amount of dredging that will be required in the future and providing improved access for mechanical dredging equipment which reduces the need for the implementation of more cost-prohibitive hydraulic dredging of the access/entrance channel. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.