

IEPA Log No.: **C-0114-13**
CoE appl. #: **2013-00207**

Public Notice Beginning Date: **September 24, 2014**
Public Notice Ending Date: **October 24, 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: Lake County Department of Public Works, 650 West Winchester Road, Libertyville, IL 60048

Discharge Location: Section 35, T43N, R11E of the 3rd P.M. in Lake County near Vernon Township

Name of Receiving Water: Aptakisic Creek

Project Description: Stream Bank 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
Lake County Department of Public Works – Aptakisic Creek – Lake County
IEPA Log #C-0114-13
COE Log# LRC-2013-207 (Chicago District)
Contact: Eric Runkel (217) 558-2012
September 24, 2014

The Lake County Department of Public Works (“Applicant”) has applied for Section 401 water quality certification for impacts associated with an stream bank stabilization project. The Applicant proposes to stabilize 1,250 lineal feet of Aptakisic Creek through bank grading and installation of Scour Stop[™] with a riprap toe, a long-term biodegradable erosion control blanket and a mix of grasses. The Applicant wants to replace an existing culvert with a larger box culvert, replace 55 linear feet of a 36 inch overflow culvert pipe and stabilize a chronically eroding stream bank that threatens the integrity of a sanitary force main that conveys raw wastewater to the Lake County Wastewater Reclamation facility. The Des Plaines River is the receiving water approximately 2000 feet downstream. The project is in Lake County, Section 35, Township 43N North, Range 11 East.

Identification and Characterization of the Affected Water Body.

Aptakisic Creek (no Segment Code) of the Des Plaines River (Segment Code IL_G-36) is classified as General Use water body with zero 7Q10 flow. The watershed for the water body at the proposed project area is approximately 5.51 square miles. The water body has not been assessed under the Agency’s 305(b)/303(d) program and has not been given an integrity rating nor been listed as biologically significant 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 include possible increases in suspended solids locally during stabilization. Existing benthos directly beneath where the stabilization is proposed would be permanently removed. Fish eggs and larvae may be smothered by the proposed construction activity, both at the stabilization site and downstream. Approximately 0.08 acres of Waters of United States will be impacted.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. Fish and other free-swimming organisms will tend to avoid the construction area; the area will be used again by those fishes soon after construction ends. Sedimentation of the Aptakisic Creek and the Des Plaines River should be reduced by the proposed shoreline enhancements. The vegetated geo-grid solution and riprap will result in an overall improvement in aquatic and riparian habitat from existing conditions. The applicant is also proposing to include in-stream fish habitat improvements structures, in the form of opened-ended concrete pipes to be placed within the riprap, which should provide additional habitat for native species such as crawfish or catfish. All work will be conducted during low flow conditions.

Purpose and Social & Economic Benefits of the Proposed Activity.

This project will restore a deteriorating berm, which threatens to expose an active sanitary force main if erosion is allowed to continue.

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

The administration of the proposed project will follow conditions set forth by the Agency and USACE. A no action scenario concluded that continued critical bank erosion and stream sedimentation would likely require the existing live force main to be relocated. Other alternatives (e.g., steel sheetpile wall, biostabilization using native plantings) were considered but eliminated from further consideration because of access limitations, costs, or likely ineffectiveness. Gabion baskets were originally proposed but were excluded from further consideration because there would be impacts to the property owners on the north side of the creek.

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

An Eco-CAT endangered species consultation with Illinois Department of Natural Resources was submitted on January 14, 2013. In a correspondence dated January 16, 2013, IDNR stated that the project was not likely to have adverse impacts on protected resources and that the 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 impacted 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 provide protection of the existing sanitary force main and reduced stream sedimentation. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.