

IEPA Log No.: **C-0195-12**
CoE appl. #: **CEMVR-OD-P-2-12-538**

Public Notice Beginning Date: **September 2, 2014**
Public Notice Ending Date: **October 2, 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: Spring Valley Walleye Club – P.O. Box 154, Spring Valley, Illinois
61362

Discharge Location: Near Spring Valley in Section 3 of Township 15N, Range 11E of the 4th P.M. in
Bureau County.

Name of Receiving Water: Illinois River

Project Description: Construction of a breakwater structure and dredging operations to the Barto Boat
Landing in Spring Valley along the Illinois River

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 Jenny Larsen at 217/782-3362.

JML:C-0195-12_401PN.docx

Fact Sheet for Antidegradation Assessment
For Spring Valley Walleye Club
IEPA Log No. C-0195-12
COE Log No. CEMVR-OD-P-2-12-538
Contact: Diane Shasteen (217) 558-2012
Public Notice Start Date: September 2, 2014

The Applicant proposes to construct a breakwater and perform dredging operations to remedy a siltation problem at Barto Landing, an existing harbor of the Illinois River. The breakwater would be constructed with recycled concrete bridge decking slabs and would be constructed at 450 feet mean sea level, with a length of 170 feet long and width of 80 feet wide. A 32 foot wide access channel would be mechanically dredged to facilitate boat access to and from the harbor. Excavated material would be temporarily placed in an upland area for dewatering prior to being trucked away to an upland non-wetland site. Maintenance dredging of the access channel and harbor area would be conducted on an as needed basis. Breakwater construction would result in 16,800 square feet (0.4 acres) of permanent fill of the Illinois River.

Identification and Characterization of the Affected Water Body.

The Illinois River (Segment D-16) is a General Use water that possesses 3,528 cfs of 7Q10 flow at the project location. The segment is listed on the draft 2014 Illinois Integrated Water Quality Report and Section 303(d) List as impaired for fish consumption use (potential causes = mercury and polychlorinated biphenyls). The segment 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 segment is not enhanced in regards to the dissolved oxygen water quality standard.

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 during the dredging and the placement of the fill material. The benthic habitat to be dredged would be disturbed but should revert to its previous condition of aquatic life support soon after dredging. Installation of the breakwater would permanently fill 0.4 acres of benthic habitat and remove the existing aquatic life uses of this area.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids would be local and temporary. Aquatic life use of the existing benthic habitat would be permanently removed by fill activities. However, the increased surface area provided by new structures would provide increased habitat for fish and invertebrates, as well as shelter from stream flow during critical periods. The aquatic life uses disturbed by fill activities are anticipated to recover to pre-disturbance conditions over time.

Purpose and Social & Economic Benefits of the Proposed Activity.

The existing boat launch is the only calm-water public access area to the Illinois River in this region. The project would benefit the public by providing safe access to the Illinois River.

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

The construction of the proposed project would follow guidelines set forth by the Agency and USACE. The materials excavated from the river would be placed adjacent to the river to allow for drying/dewatering prior to being trucked away to an upland, not-wetland site. An erosion control silt fence would be placed around the temporary stockpile area where dredged material would be placed. Other than a variation in the design of the breakwater structure, the only other alternative to the proposed project is “no action”. However, “no action” would continue to allow for sediment to migrate from the main river channel into the boat landing area and subsequently require frequent dredging. “No action” is not an acceptable alternative given that this is a useful project that would improve boat access to the Illinois River for recreational users.

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

IDNR was consulted by the Applicant on July 9, 2012 in regards to Endangered Species Protection and Natural Areas Preservation (Part 1075) and it was immediately determined that protected resources were not identified in the area. However, consultation was only valid for two years and a new consultation was necessary. A new natural resources review conducted on May 28, 2014 determined that a protected resource (Decurrent False Aster (*Boltonia decurrens*)) may be in the project vicinity. Consultation under 17 Ill. Adm. Code Part 1075 was terminated, but the Department provided the following recommendations regarding the proposed project:

“The area to be disturbed should be searched for this plant prior to the commencement of construction. While listed plant species are the property of the landowner, it would be beneficial to conserve the genetic material of the plant through translocation, seed collection, or stockpiling and replacing the surface soils containing the seed bank in any areas possible after construction is complete. For more information on the life history and identification of this plant, please visit: <http://www.fws.gov/midwest/endangered/plants/decurrentfalseaster/>. Further, be aware that written permission from the landowner should be obtained to disturb or relocate a listed plant. The Department understands that Cargill FSC owns at least portions of this property.”

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 assessment was written. We tentatively find that the proposed activity would result in the attainment of water quality standards; that all existing uses of the Illinois River 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 continuing to allow for public access to the Illinois River. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.