

IEPA Log No.: **C-0511-13**

CoE appl. #: **2013-656**

Public Notice Beginning Date: **May 7, 2014**

Public Notice Ending Date: **May 28, 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: Union Pacific Railroad Company, 1400 Douglas Street, Stop 0910, Omaha, NE 68179

Discharge Location: Sections 3, 4, 8 and 9, T32N, R9E of the 3rd P.M. in Will County near Braidwood

Name of Receiving Water: Unnamed Wetlands

Project Description: Construction of the Braidwood Siding Project.

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
Union Pacific Railroad Company – Unnamed Wetlands – Will County
IEPA Log # C-0511-13
COE Log# 2013-656
Contact: Eric Runkel (217) 558-2012
May 7, 2014

The Union Pacific Railroad Company (UPRR) (“Applicant”) is applying for a 401 water quality certification for impacts associated with a new high speed rail (HSR) line in Will County. The applicant proposes to install 12,200 linear feet of siding railroad track and associated structures between mile posts (MPs) 54.90 to 57.30 to accommodate high speed rail capacity. The project activities proposed will include the construction of the Braidwood siding track and access road, hydraulic structure replacements and/or modifications, and at-grade crossing improvements. As part of the siding track construction and other improvements, clean earthen fill and ballast are required to construct new track and road embankments. For hydraulic structure replacements and/or extensions, fill materials will include the hydraulic structures themselves and any associated headwalls, wingwalls, or riprap required for armoring. The project is located along existing UPRR track adjacent to Highway 53 at Route 129.

Identification and Characterization of the Affected Water Body.

Four unnamed streams (no Segment Codes) will be traversed by replacement culverts at MP 57.20, 56.30, 55.70 and 54.98. All four streams impacted are General Use waters with zero 7Q10 flows. The streams have not been evaluated by Illinois EPA because of the small watersheds. Biological characterization of the stream has not been required because the project will not permanently alter the existing stream habitat conditions. Likewise, the wetlands have not been evaluated by the Illinois EPA Surface Water Monitoring Unit. The streams and the wetland areas are not enhanced water bodies pursuant to the dissolved oxygen water quality standard. Using the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, the streams are not listed as biologically significant streams nor have they received an integrity rating

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 suspended solids during the construction of the project. Erosion control measures will be utilized to minimize any increase in suspended solids. Aquatic life uses in the portions of the streams that will be disturbed during construction may be negatively impacted, but in time, they will recover and support approximately the same community structure as is now found in the existing channel. The project will eliminate the current habitat from the permanently impacted wetlands.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. Erosion control measures will be utilized to minimize any increase in suspended solids and prevent further impact to the stream. Construction for the proposed project will occur during a period of low flow to further minimize any impact.

New culvert construction will replace all existing culverts, widening the current stream conveyance to include the proposed siding track area. All culvert widening will be conducted from the existing track, limiting the impact. No significant channel relocation will occur with the proposed project.

Mitigation is proposed to occur within the project ACOE watershed through mitigation banking. Table 1 will be useful in determining breakdown of impacts within the Braidwood Siding project area.

Table 1 – Identification of impacted waters and wetlands as part of the Braidwood Siding Project*.

ID	Cowardin Classification	Facility Type	Size (Acres or Linear Feet)	Impacts	
				Temporary Impacts (Acres)	Permanent Impacts (Acres)
DM-I1	PEMA	Culvert	0.11	0.0	0.11
DM-I2	PEMA	Culvert	0.29	0.08	0.08
DM-H1	PEMA/PSSA	Siding	1.0	0.0	1.0
DM-H2	PEMA/PSSA	Siding	0.32	0.0	0.32
DM-G	PEMA/PEMC	Culvert	0.07	0.0	0.07
DM-F	PSSA/PFOA	Siding	0.16	0.0	0.16
DM-E1**	PSSA/PEMC	Culvert/Siding	0.19	0.0	0.19
DM-E2	PSSA/PEMC	Siding	0.08	0.0	0.08
DM-D2**	PEMA	Culvert	0.75	0.0	0.25
DM-D4	PEMA	Siding	2.04	0.0	0.18
DM-C**	PEMA	Culvert	1.12	0.46	0.24
DM-B**	PEMA/PFOA	Siding/Culvert	3.19	0.0	1.36
SK-7**	PSSA/PEMA/PFOA	Siding	0.54	0.12	0.27
Total	--	--	9.32	0.66	4.31

*While additional wetlands are located throughout the Braidwood project footprint, this list only includes those that will be either permanently or temporarily impacted. Information reproduced from UPRR Antidegradation Assessment Report (dated February 17, 2014).

**denotes a jurisdictional wetland; others (not marked as such) are isolated wetlands

Impacts to wetlands will be mitigated by purchasing wetland credits from an approved wetland mitigation bank(s). The mitigation bank(s) will be selected following concurrence from the USACE on the acceptable ratios. The following mitigation ratios are anticipated.

- If mitigation will occur within the same HUC-8 watersheds as the project site;
 - 1.5:1 mitigation ratio for emergent wetland impacts;
 - 2.5:1 mitigation ratio for forested wetland impacts; and
 - 1.0:1 mitigation ratio for isolated (waters of the State) wetland impacts.

- If mitigation will occur outside the HUC-8 watershed of the project site:
 - 2.0:1 ratio for emergent wetland impacts;
 - 3.0:1 ratio for forested wetland impacts; and
 - 1.0:1 mitigation ratio for isolated (waters of the State) wetland impacts.

The project is located in the Illinois River and Kankakee HUC-8 watersheds. The USACE Chicago District has not determined the final mitigation method or ratio for this project.

Purpose and Social & Economic Benefits of the Proposed Activity.

The Preferred Alternative will provide an alternative to driving or flying for business or personal activity and reduce travel time for thousands of trips along the corridor. Over 1.5 million residents live within an eight kilometer (five-mile) radius of six proposed stations: Chicago, Joliet, Bloomington/Normal, Springfield, Alton, and St. Louis. Each of these communities offers unique economic, educational, medical and cultural opportunities. By facilitating access to these corridor communities, high-speed rail service could enhance the way people live, work, shop, go to school, interact with other businesses and services, and choose to participate in cultural and recreational activities.

The Applicant has stated the following concerning the purpose for this project in the Antidegradation Assessment Document:

The proposed improvements within the Braidwood Siding Project of the high speed rail (HSR) will provide the necessary infrastructure for high-speed passenger train service between terminus in Chicago and St. Louis. The Braidwood Siding Project is within the HSR Project corridor which was funded under the American Recovery and Reinvestment Act of 2009. Work within the HSR corridor was approved as part of the National Environmental Policy Act (NEPA) 2003 Final Environmental Impact Statement (FEIS; see <http://www.dot.state.il.us/hsrail/pdf/cover.pdf>) and 2004 Record of Decision (ROD; see http://www.fra.dot.gov/downloads/rrdev/chi-stlouis_rod.pdf) for the Chicago to St. Louis High-Speed Rail Project (FHWA-IL-EIS-99-01).

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

The No-Build Alternative will not meet the purpose and need of this project. The purpose of this proposal is to enhance the passenger transportation network in the Chicago - St. Louis corridor, resulting in a more balanced use of its components. To achieve this, there must be a new or improved transportation mode with shorter travel times and enhanced reliability and safety. The No-Build Alternative will be a continuation of existing Amtrak service and will not provide any operational or service improvements. Without reductions in travel time or improvements to reliability and safety, the viability of rail passenger service as an alternative to air and automobile travel will not increase, and subsequently, travelers will not divert from those two modes. Therefore, this alternative is not considered an adequate solution to meet the existing and anticipated transportation needs of the corridor.

The applicant provided the following summary of alternatives in the Antidegradation Assessment Document:

The proposed project was designed to avoid and minimize adverse impacts in conformance to the scoping and sequencing processes of NEPA. Tier 2 NEPA documentation for the Braidwood Siding project has been prepared by Illinois Department of Transportation (IDOT) which includes a Categorical Exclusion document for the Braidwood Siding Project.

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

An Eco-CAT endangered species consultation was submitted on May 2, 2014 to the Illinois Department of Natural Resources. In a May 5, 2014 letter from IDNR for Project #1410934 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 receiving 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 benefit the community at large by providing an alternate rapid form of transportation between Chicago and St. Louis. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.