

IEPA Log No.: **C-0156-14**
CoE appl. #: **CEMVR-OD-P-2013-1528**

Public Notice Beginning Date: **February 2, 2015**
Public Notice Ending Date: **March 4, 2015**

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: Decatur Park District – 620 E. Riverside Avenue, Decatur, IL 62521

Discharge Location: Near Decatur in Section 24 of Township 16N, Range 2E of the 3rd P.M. in Macon County.

Name of Receiving Water: Lake Decatur

Project Description: Proposed improvements to Lake Decatur's shoreline.

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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The Decatur Park District (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with the proposed improvements to the Lake Decatur shoreline. The project area is located along the Lake Decatur Basin 2 shoreline between East Lost Bridge Road and Illinois State Route 36 in southeastern Decatur, Section 24, Township 16 North, Range 2 East, Macon County. The proposed project includes seven project sections (I- VII) and will include improvements to the public waterfront, stabilization of the Lake Decatur shoreline, a multi-use recreational trail around the entire perimeter, and modern boat docks that are compliant with present standards (Table 1). Approximately 82,603 square feet (~1.9 acres) of fill will be placed below the Ordinary High Water Mark (OHWM) in Lake Decatur to stabilize the shoreline, fill the existing boat launch, and provide fill for development areas including the pedestrian bridges, beach, and water features. Two wetland areas (0.047 and 0.06 acres) have been identified along the southern shoreline in Section VI. Impacts to these wetland areas will be minimal and will consist of pilings for bridge construction where the multi-use trail crosses the wetland areas. No mitigation is being required by the U.S. Army Corps of Engineers due to minimal impacts to waters of the U.S. The purpose of the project is to increase and improve public access and recreational use, and provide for future development of Lake Decatur.

Table 1: Decatur Park District - Nelson Park Proposed Improvements

	Section I	Section II	Section III	Section IV	Section V	Section VI	Section VII
Improvements							
Dock Removal/Replacement	X	X	X	X			
Boat Launch development	X						
Boat Launch Removal		X					
Pier replacement/construction	X	X	X				
Parking/Road construction	X	X	X				
Facility/residential structures	X	X	X	X			
Beach development			X				
Shoreline stabilization/fill	X	X	X	X	X	X	X
Multi-use recreational trail	X	X	X	X	X	X	X
Pedestrian bridge construction					X	X	X
Kayak launch construction						X	
Fill below OHWM (ft ²)	16,075	23,093	40,650	2,700	0	85	0

Information used in this review was obtained from the Applicant in a document entitled, Nelson Park Project Individual Permit, Joint Application Form for Illinois dated October 10, 2013 and revisions to the project dated January 12, 2015.

Identification and Characterization of the Affected Water Body.

According to the draft 2014 Illinois Integrated Water Quality Report and Section 303(d) List, Lake Decatur (IL_REA) has been assessed by Illinois EPA and is listed as not supporting

Aquatic Life, Fish Consumption, and Aesthetic Quality uses. The causes listed for impairment are aquatic algae (non-pollutant), phosphorus (Total), and total suspended solids (TSS) for Aquatic Life and Aesthetic Quality uses. Turbidity is also listed for Aquatic Life use and chlordanes, mercury, and polychlorinated biphenyls are causes listed for Fish Consumption use impairment. Lake Decatur is listed as fully supporting Public and Food Processing Water Supplies. Primary Contact Recreation and Secondary Contact uses have not been assessed. Lake Decatur is given an integrity rating of "D" in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*. Lake Decatur is not designated as an enhanced water pursuant to the dissolved oxygen water quality standard.

Holocene Environmental, LLC investigated the proposed project area for the presence of wetlands. The project areas of Sections I - V and VII and the majority of Section VI did not meet the criteria of wetlands. Two relatively small areas (0.047 and 0.06 acres) located in Section VI were considered wetlands. Minimal impacts are expected due to the placement of pilings for the multi-use trail bridge which will cross over the wetlands. No mitigation for wetland impacts will be required for this project.

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 the shoreline stabilization and fill, may occur in the lake at the point of construction activity. Best management practices (BMPs) including the use of a turbidity curtain, silt fences, and hay bales will be utilized during all proposed fill activities. The project's proposed bank stabilization will include the use of sheetpile, riprap, seawalls, and natural vegetative areas which will reduce bank erosion and provide buffers along the shores of Lake Decatur Basin 2.

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 these disturbances and prevent further impacts to the lake.

Purpose and Social & Economic Benefits of the Proposed Activity.

Current conditions of the public areas surrounding Lake Decatur, including the boat docks, beach, pier structures, and shoreline edges, are in need of maintenance and stabilization. The Nelson Park project will improve the condition of these structures, increase and improve public access and recreational use, and promote future development of the Lake Decatur area. The multi-use recreational trail will encircle the entire Lake Decatur Basin 2 providing additional recreational opportunities for the residents of Decatur and the surrounding area.

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

The only alternative to the proposed project considered was a “no action” alternative. This alternative was deemed impractical due to the present deteriorating state of the docks, piers, and other infrastructure located along the shores of Lake Decatur Basin 2. Project updates are needed to restore public accessibility to the lake and bring infrastructure up to present day standards. The construction of the proposed project will follow conditions set forth by the Agency and USACE. The completion of the proposed project will achieve the project goals of increasing and improving public access, provide a multi-use recreational trail, and allow for future development of the Lake Decatur shoreline while minimizing the environmental impacts to the area. The proposed plan calls for minimal disturbance to the delineated wetlands in Section VI and for stabilization of the Lake Decatur shoreline through the placement of sheetpile, riprap, seawalls, and natural vegetative areas. The bank stabilization portion of the project will reduce bank erosion and provide natural vegetative buffers along the shores of Lake Decatur Basin 2 which may result in an improvement in overall water quality of the lake.

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

An EcoCAT endangered species consultation submitted on January 12, 2015 to the Illinois Department of Natural Resources resulted in no record of State-listed threatened or endangered species or protected natural areas in the vicinity of the project and consultation for IDNR Project #1508102 was immediately terminated. The U.S. Fish and Wildlife Service has indicated that the federally endangered *Myotis sodalis* (Indiana Bat) and the proposed federally endangered *Myotis septentrionalis* (Northern long-eared Bat) potentially occur in any area with forested habitat in any county in the State of Illinois. Therefore, any tree removal associated with the proposed project shall occur between October 1st and March 31st, which is outside of the mating and roosting season of these bats, therefore resulting in no effect to these species.

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 assessment 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 community at large by providing improvements to the public waterfront including a multi-use recreational trail and modern boat docks and piers for the residents of the City of Decatur and surrounding areas and will benefit Lake Decatur by improving and stabilizing the shoreline of Basin 2. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.