

IEPA Log No.: **C-0620-15**  
CoE appl. #: **2015-1488**

Public Notice Beginning Date: **October 21, 2016**  
Public Notice Ending Date: **November 10, 2016**

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:** Spring Bay Materials, LLC, 1583 Spring Bay Road, Spring Bay, IL 61611

**Discharge Location:** Section 11, T27N, R4W of the 3<sup>rd</sup> P.M. in Woodford County within Spring Bay

**Name of Receiving Water:** Unnamed Wetlands.

**Project Description:** Spring Bay Materials River Access Channel.

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  
Spring Bay Materials – Unnamed Wetlands – Woodford County  
Log # C-0620-15  
COE # 2015-1488  
Contact: Bob Mosher; 217/558-2012  
October 21, 2016

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Spring Bay Materials, LLC, operates a sand and gravel dredging site near the Illinois River at River Mile 173 near Spring Bay. This activity has created an inland lake not far from the river that the company wishes to connect to the river with a barge canal. This would allow sand and gravel from the operating mine to be loaded onto barges and shipped to the Illinois River. The barge canal would be approximately 1500 feet in length, 100 feet in width and ten feet in depth at normal pool elevation. Beginning at the lake, the canal would cut through emergent wetland (0.44 acres) forested wetland (0.72 acres) an existing drainage slough and open water in the Illinois River. Only one barge and a small tug would fit in the canal at a time. The lake level would become one with the Illinois River, rising and falling with river stage. Mitigation for the wetland impacts will be accomplished through the purchase of credits (1.5 acres of forested wetland and 0.68 acres of emergent wetlands) from the Afton South Prairie Wetland Mitigation Bank in DeKalb County.

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

According to the draft 2016 Illinois Integrated Water Quality Report and Section 303(d) List, the Illinois River (segment code D-30) has been assessed by Illinois EPA and is listed as not supporting fish consumption use. The causes given are mercury and PCBs. Aquatic life use is fully supported. This segment of the Illinois River 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 forested wetlands affected at this site are characterized as hardwood bottomland forest. The dominant species include silver maple, cottonwood, and green ash. The emergent wetland is dominated by species such as late boneset and panicked aster. Neither wetland would be considered high quality.

### **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 construction of a barge canal, are not expected to impact designated uses. Best management practices (BMPs) will be used during construction. Forested wetlands lost will be mitigated by a 2:1 ratio and the emergent wetland at a 1.5:1 ratio. This results in 2.18 acres of mitigation. Mitigation credits will be purchased from the Afton South Prairie Wetland Mitigation Bank in DeKalb County. Aquatic life will inhabit the canal much as it does the Illinois River in its current configuration.

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

The increase in suspended solids will be local and temporary. Aquatic life disturbed by the dredging process will return to populate the canal in much the same manner as that now found in the river.

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

The sand and gravel mine will benefit from an efficient new way to market products. This will improve the viability of the company and will help preserve jobs.

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

Trees that must be cleared for this project will be felled October through March when bats are not using the trees for nursery areas. The most efficient pathway for the canal was chosen, which resulted in a minimum of wetland disturbance. Sediments dredged from the river and wetlands will be loaded on barges to be placed on an upland site. The dredged sediments will be transported to the working quarry where they will be stockpiled for later use on or off-site. These alternatives represent good choices that will protect the river and wetlands as much as possible.

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

An endangered species consultation was terminated by the Illinois Department of Natural Resources in an October 18, 2016 letter. No endangered species were identified from the project area. However, IDNR made several requests of the Applicant regarding fish and wildlife resources. IDNR previously had recommended that a mussel survey and salvage operation be conducted in the footprint of the canal in the Illinois River. Eleven species (79 individuals) were recovered and relocated. IDNR cautioned the Applicant that ospreys and bald eagles may nest in the area around the canal and that workers should be informed to ensure that disturbance is minimized. IDNR asked that a survey be conducted for these species, but none were found to be nesting on the property involved in the dredging.

### **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 a new way to market products from a local sand and gravel mine, which will preserve jobs. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.