

**Illinois Environmental Protection Agency  
Bureau of Water, Permit Section  
(IEPA)**

1021 North Grand Avenue East, Post Office Box 19276, Springfield, Illinois 62794-9276, 217/782-3362

The IEPA has issued a Public Notice of a request for a Clean Water Act Section 401 water quality certification that would allow the issuance of a federal permit for the discharge of pollutants to waters of the State.

**Public Notice Beginning Date:**

Friday, October 14, 2022

**Public Notice Ending Date:**

Friday, October 28, 2022

**Agency Log No.: C-0172-22**

**Federal Permit Information:** Federal permit/license no. CEMVR-RD-2021-1463 is under the jurisdiction of Rock Island District, Regulatory Branch U.S. Army Corps of Engineers

**Name and Address of Discharger:** Galena Road Gravel - 5129 E. Truitt, P.O. Box 50, Chillicothe, IL 61523

**Discharge Location:** In Section 24 of Township 11-North and Range 8-East of the West 4th Principal Meridian in Peoria County. Additional project location information includes the following: North and east of intersection of Truitt Rd and N Blue Ridge Rd., Chillicothe, IL 61523

**Name of Receiving Water:** Hallock Creek, tributary to Senachwine Creek

**Project Description:** after-the-fact relocation of approximately 1,030 feet of Hallock Creek to a new 1,090 foot long channel 150 feet to the west to correct a failed streambank that caused flow into the adjacent quarry

**Construction Schedule:** Unknown at this time

The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters must provide their name and address along with comments on the certification request. The IEPA Log number must appear on each comment page. Commenters may include a request for public hearing. Only hearing requests and comments that pertain to Clean Water Act Section 401 authority will be considered. This authority provides consideration of whether the permit or license would be consistent with Sections 301, 302, 303, 306, or 307 of the CWA, as well as "any other appropriate requirement of State [or tribal] law". Requests for additional comment period must provide a demonstration of need. The final day of comment acceptance will be on the Public Notice Ending date shown above, unless the IEPA grants an extended notice period.

The attached Fact Sheet provides a detailed description of the project and the findings of the IEPA's antidegradation assessment.

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 see the contact information below.

Name: Darren Gove

Email: Darren.Gove@illinois.gov

Phone: 217/782-3362

Post Document. No. C-0172-22-10142022-PublicNoticeAndFactSheet.pdf

Galena Road Gravel, Inc. (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with relocation of Hallock Creek in Section 24, Township 11 North, Range 8 East, Peoria County, Illinois. The project site is located on the west edge of Chillicothe, north of Truitt Avenue.

Galena Road Gravel, Inc. is seeking after-the-fact authorization for relocation of Hallock Creek approximately 150 feet to the west of the original alignment. Hallock Creek broke out of its banks on July 15, 2021, due to extreme rainfall and caused flooding in the area. The bank failed on the east side and flowed directly into the gravel pit. As an emergency measure a new channel was dug to the west of the old channel following approximately the same flow path. The replaced channel was approximately 1030 linear feet (LF) long, the newly created channel is approximately 1090 LF long, has 5:1 side slopes, and is 5-6 feet wide at base.

The activity involved the discharge of fill material into 1030 LF of the original section of Hallock Creek that is now permanently filled-in following the stream rerouting action that occurred. Impacts have been completed and are considered after-the-fact (ATF) impacts. The applicant will be required to offset the permanent impacts to the creek with 3,614 mitigation credits. Stream restoration credits of 1,417 will be applied to the relocation of the stream, and riparian credits totaling 2,542 will be generated through creation of a 100-foot-wide riparian buffer west of the entire constructed channel (Stream Reach 1) for 1,580 credits, and two buffers will be created on the west side of Hallock Creek north of the impacted channel which will generate 435 credits (Stream Reach 2) and 577 credits (Stream Reach 3). The proposed mitigation will total 3,959 credits, exceeding the amount required.

Information used in this review was obtained from the application documents dated June 30, 2022, July 21, 2021, December 17, 2021, January 13, 2022, February 14, 2022, and March 9, 2022.

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

Hallock Creek has 0 cfs of flow during critical 7Q10 low-flow conditions and is classified as General Use Water. Hallock Creek 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. Hallock Creek, Waterbody Segment IL\_DMA, is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List it has not been assessed. Hallock Creek is subject to enhanced dissolved oxygen standards.

Hallock Creek is considered an ephemeral/intermittent creek. Approximately 226 feet south of the impacted stream reach is a bridge. The bridge supporting structure has a concrete pier wall spanning the entire width of the bridge and is situated in the creek channel. A railroad bridge is situated 873 feet northeast of the stream reach and is constructed of five rows of multi-timber pier columns driven into the creek bed approximately five feet apart. The timber configuration extends approximately 136 feet north of the bridge. Several aerial photographs of the creek prior to the impact show that less than 25 feet of riparian buffer was present on either side of Hallock Creek. These factors led to an assessment by the consultant that the original reach of Hallock Creek is considered functionally impaired.

On June 28, 2022, Superior Environmental assessed and documented current conditions of the relocated channel and upstream and downstream sections of Hallock Creek. This visit was to assess physical conditions by visually observing vegetation, wildlife, fish, aquatic plants, etc.; assess chemical conditions by using a mutli-probe instrument to document pH, temperature, dissolved oxygen, and conductivity; and

assess biological conditions by monitoring macroinvertebrates. Because water was not present, chemical, and biological assessments were not conducted. The on-site assessments indicate minimal ecological differences of the relocated channel and upstream and downstream of Hallock Creek. In each of these areas, no evidence of stream biota is present because Hallock Creek flow is dependent upon significant precipitation events. Pools of water were also not observed. Differences in these three areas relates to the presence of vegetation, shade, and erosion. The relocated channel has a sparse riparian buffer and very little shade due to its recent construction. Upstream and downstream areas of Hallock Creek have significant vegetation and shade. Hallock Creek is ephemeral and does not support aquatic life. Bank erosion in the relocated channel appears to be minimal because the wider channel appears to slow water flow. Bank erosion downstream and upstream of the new channel is readily apparent.

A wetland delineation was conducted along Hallock Creek and in the western adjacent agricultural field on August 13, 2010. The vegetation observed along Hallock Creek included the following tree, forb, and grass species: White Mulberry (*Morus alba*), Wafer Ash (*Ptela trifoliata*), Slippery Elm (*Ulmus rubra*), Box Elder (*Acer negundo*), Smooth Bromegrass (*Bromus inermis*), Giant Ragweed (*Ambrosia trifida*), Tall Goldenrod (*Solidago altissima*), Wild Hemp (*Cannabis sativa sativa*), Common Milkweed (*Asclepias syriaca*), Venice Mallow (*Hibiscus trionum*), Giant Foxtail (*Setaria faberi*), Green Foxtail (*Setaria viridis*), Large Crabgrass (*Digitaria sanguinalis*), and Fall Panicum (*Panicum dichotomiflorum*).

### **Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.**

The pollutant load increases that would occur from this project included some possible increases in total suspended solids. These increases, a normal and unavoidable result of grading and construction of the relocated channel has already occurred in the stream. Given the current conditions, it is anticipated that the TSS level is similar to or lower than the TSS level prior to the breach and channel relocation. Once the channels of the relocated stream and the upstream and downstream reaches of the original stream were connected, and the soil was dry, the slopes and berms were graded. Due to the emergency nature of the project Galena Gravel could not incorporate erosion control activities into the construction process. The increase in total suspended solids (TSS) downstream because of the construction activities, if any, was short term.

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

In March of 2022, Galena Gravel seeded both berms of the relocated channel and installed a silt fence along both sides of the berms to reduce erosion. Prior to this work, areas of minor erosion had formed on the berms. During significant precipitation events the new channel will hold significantly more water flow, positively affecting the downstream channel by decreasing bank erosion and sediment and flooding will be reduced. Pollution runoff may have resulted if the alignment wasn't completed, due to flood damage that would have occurred on the property. Further minimization includes creation of a 75' buffer on both sides of the channel with approved grasses and forbs. The newly created channel and buffer will be protected with a site protection instrument.

Project impacts have already occurred in the construction area. Additionally, secondary impacts are minimal or not present in the project area. As part of the after-the-fact (ATF) permit application process, additional mitigation will be provided offsite as well as the stream location considered for mitigation credits. The Illinois Stream Mitigation Method was used to determine the mitigation credits required to offset the loss of 1,030 linear feet of Hallock Creek. The applicant will be required offset the loss of the creek with 3,614 mitigation credits. Stream restoration credits of 1,417 will be applied with the relocation of the stream, and riparian credits totaling 2,542 will be generated through creation of a 100-foot-wide riparian buffer west of the entire constructed channel (Stream Reach 1) for 1,580 credits, and two buffers will be created on the west side of Hallock Creek north of the impacted channel which will generate 435

credits (Stream Reach 2) and 577 credits (Stream Reach 3). The proposed mitigation credits will total 3,959, exceeding the amount required.

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

The primary purpose of the emergency project was to stop continual flow of water into the gravel pit.

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

To determine whether constructing the new channel was the least environmentally damaging practical alternative, the applicant considered the following alternatives:

Alternative channel design - This alternative would consist of designing and constructing a channel with more meanders. Additional meanders could potentially have less adverse impact, if any, on the aquatic ecosystem, although meanders may also promote erosion of the banks and even bank failure. Including more meanders would obviously have taken significantly more time and resources to construct the channel, at a time when water flowing into the gravel pit needed to be stopped as quickly as possible. As is, the channel construction took 24 hours to complete, and additional hours might have caused significant adverse impacts to the Galena Gravel operation.

Alternative channel location - This alternative consists of constructing the new creek in the agricultural field further to the west. The channel would be constructed with a wider bow, which would provide additional length for the creek. Impacts to aquatic resources, if any aquatic sources are present, would be no less than the new creek and may still cause erosion. The additional length of the channel would take longer to construct at increased costs and resources. The direct, secondary, and cumulative impacts would be no different than the new channel, but additional agricultural land would be impacted. Additional time to construct the channel may have caused economic and possibly environmental damage to Galena Gravel and other areas downstream.

Allow the water to flow into the gravel pit and repair the berm failure - This alternative consists of avoiding the construction of a new channel, wait for the water flow to cease, and then repair the breached area. If the repair was even possible, it would be completed at a significant cost. In addition, Galena Gravel could be “irreparably” harmed due to continued water flow into the gravel pit, possibly damaging transformers and ultimately all operations. Also, there are no assurances the repaired berm area would remain intact, or that another section of the creek berm would not fail.

These alternatives would not have less impact on the aquatic system than the relocation of Hallock Creek, or the impact could have other adverse environmental consequences.

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

On February 14, 2022, an IDNR EcoCAT consultation (Project # 2209640) was initiated for the proposed project site. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated. Consultation was terminated on February 16, 2022.

**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 would 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. Comments received during the Section 401 water quality certification public notice period will be evaluated before a final decision is made by the Agency.