

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:

Thursday, October 27, 2022

Public Notice Ending Date:

Thursday, November 10, 2022

Agency Log No. :C-0220-22

Federal Permit Information: Federal permit/license no. CEMVR-RD-2022-0189 is under the jurisdiction of Rock Island District, Regulatory Branch U.S. Army Corps of Engineers

Name and Address of Discharger: :Rusted Anchor, Gabe Nagy - Mississippi River, 705 North 4th Street, Warsaw, IL 62379

Discharge Location: In Section 4 of Township 4-North and Range 9-West of the West 4th Principal Meridian in Hancock County. Additional project location information includes the following: Mississippi River, 705 North 4th Street, Warsaw, IL 62379

Name of Receiving Water: Mississippi River

Project Description: construct a quarrystone groin on the Mississippi River to protect a downstream dock from ice flows and other debris

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-0220-22-10272022-PublicNoticeAndFactSheet.pdf

Project Details: The proposed activity includes the discharge of fill material to construct a shore perpendicular groin (jetty) having a maximum footprint of approximately 150 ft. length and 40 ft. wide for the purpose of protecting a downstream covered boat dock from ice and debris such as trees. The groin would be constructed using approximately 8,000 cubic yards of non-erodible clean material consisting of quarried limestone rip-rap ranging in size between 6” to 18” and would have 1V:3H side slopes with a flat crest with crest elevation equivalent to a 17 foot river stage at this location. The groin would permanently cover approximately 0.14 acres of the river’s bed. Placement of material would occur by end dumping the material from hauling trucks and would result in minimal resuspension of in-situ material. Resuspended solids would become entrained in the river’s current and would settle out or become part of the river’s bed load. The applicant considered alternative actions such as moving the dock’s location or taking it out of the water, however; neither option is feasible due to availability of sites and reliability of the measure to protect the structure. Other alternatives considered included removal of shoreline material to create an embayment for the dock and construction of a pile driven steel groin in lieu of material placement; neither of these options are feasible due to the shallow bedrock found along the shoreline. The proposed action will likely create or expand habitat diversity, therefore; no compensatory mitigation is being sought at this time by the Agency for the proposed permanent impacts. The entire project would be expected to be completed in days or weeks.

Identification and Characterization of Receiving Water: The proposed discharge would occur within and along the Illinois shoreline of the Mississippi River (Segment ID IL_K-17 IL) at a point where 15,740 cfs of flow exists during critical 7Q10 low-flow conditions. The Mississippi River is a General use waterbody and is listed on the draft 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) as impaired for Fish Consumption Use caused by Aldrin, Dieldrin, Endrin, Heptachlor, Mercury, Mirex, Polychlorinated Biphenyls (PCBs), and Toxaphene, Primary Contact Use impairment caused by Fecal Coliform and impaired for Public and Food Processing Water Supply Use caused by Atrazine and Iron.

Agency Conclusion regarding Antidegradation: The Agency finds that this activity has no potential to adversely impact designated uses of the water body associated with the project as detailed under 35 Ill. Adm. Code 302.105(a). The water body has not been designated as an Outstanding Resource Water under 35 Ill. Adm. Code 302.105(b). The Antidegradation provision affecting High Quality waters in 35 Ill. Adm. Code 302.105(c) are met given that all existing uses will be maintained, and all water quality standards will be met. The nature of any additional loading of pollutants will not cause further impairment and will be temporary and short term, therefore; pursuant to Subsection (d) of 35 Ill. Adm. Code 302.105, this activity is not subject to further antidegradation assessment in accordance with 35 Ill. Adm. Code 302.105(f).