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:	**Public Notice Ending Date:**
Friday, June 30, 2023	Friday, July 14, 2023

Agency Log No.: C-0271-22

Federal Permit Information: Federal permit/license no. 2022-1617 is under the jurisdiction of Rock Island District, Regulatory Branch U.S. Army Corps of Engineers

Name and Address of Discharger: Illinois Department of Transportation, Jeffery P. Myers, P.E. - 126 East Ash Street, Springfield, IL 62704

Discharge Location: In Section 15 of Township 18-North and Range 12-West of the West 4th & East 3rd Principal Meridian in Schuyler County. Additional project location information includes the following: US Route 67 over Illinois River, Beardstown, IL 62618

Name of Receiving Water: Illinois River

Project Name/Description: F.A.P 310 - US Route 67 Beardstown Bridge Replacement - The proposed project involves construction of a new Illinois River bridge downstream of the existing Beardstown Bridge and subsequent removal of the existing bridge. The project also involves in-stream work within the Illinois River and Curry Lake and wetland impacts associated with new approach roadways.

Construction Schedule: Beginning Jun 2023 and ending Oct 2026

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.

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Post Document. No. C-0271-22-06302023-PublicNoticeAndFactSheet.pdf

The Illinois Department of Transportation (IDOT) has applied for a 401 Water Quality Certification for impacts associated with removal and replacement of the bridge structure (SN 009-0001) spanning the Illinois River and Curry Lake, and reconstruction of the roadway approaches and the 6th Street/ US 67 intersection in Section 15, Township 18 North, Range 12 West, Cass and Schuyler Counties, near Beardstown, Illinois. The proposed structure (SN 009-0504) will be built downstream, approximately 162 feet west of the existing bridge, in 16 four-unit spans using steel web plate girders. The substructure will be drilled shafts. The total length of the structure will be 3,563 feet 9 inches. Excavation of 5899.3 cubic yards (CY) is proposed in 3573.56 square feet (SF) for shaft and socket placement.

The existing structure will be demolished after the proposed roadway and structure are constructed and open to traffic. Currently the exact method of removing the existing bridge is undetermined. The applicant was asked to provide the agency with a report of findings on painted surface conditions study/survey, and to make recommendations for mitigating the discharge of lead and paint debris into the waterbodies where the structure will fall. Based on that report, the applicant concluded that approximately 15% of the bridge's overall painted surface would have the potential to flake off into the water during bridge removal application. Preliminary consultation with bridge paint specialists resulted in the supposition that the amount of paint that will detach through explosive demolition is likely insignificant. Based on those findings, the Agency will be requiring follow up on the potential mitigation of the 15% of the bridge's overall painted surface. Equipment used during the construction and removal of the existing bridge will likely access the site using an existing access road south of the existing bridge. The proposed project will provide a new bridge structure across the Illinois River that is more reliable and meets current design standards. The current Beardstown Bridge was constructed in 1955 and later rehabbed in 1985, however the bridge is now beyond its useful service life.

Wetlands 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, and 13 will be impacted by the project. The proposed project will result in 9.82 acres (Ac) of permanent wetland impacts in Wetlands 1, 2, 3, 5, 6, 9, 10, 11, 12 and 13, and 0.1 Ac of temporary wetland impacts will occur in Wetland 8. Wetland mitigation required is 35.92 Ac and will occur at the LaGrange Wetland mitigation bank owned by IDOT in Brown County.

Information used in this review was obtained from the application documents dated January 18, 2022, November 17, 2022 and June 2, 2023.

Identification and Characterization of the Affected Water Body.

The Illinois River has 3635 cfs of flow during critical 7Q10 low-flow conditions. The Illinois River is classified as General Use Water. 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, Waterbody Segment IL_D-31, is listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as impaired for fish consumption use with potential causes given as aldrin, dieldrin, endrin, heptachlor, mercury, mirex, polychlorinated biphenyls (PCBs), and toxaphene, and Primary Contact Use with a potential cause given as fecal coliform. Aquatic life use is fully supported. This segment of the Illinois River is not subject to enhanced dissolved oxygen standards.

Illinois Natural History Survey conducted delineations in 2020 for the Beardstown Bridge project. An updated Wetland Impact Evaluation form was submitted on September 1, 2022, based on the 2020

delineations for this portion of the project. Fifteen wetlands (Wetlands 1-15) were identified withing the project area. Impacts are proposed for Wetlands 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, and 13.

Wetland	Impact Area (Ac)	Community Type	NWI Code	Impact Type	FQI/Mean C
1	0.30	Marsh/ Wet Meadow	PEM1C, U	Permanent	15.5/2.6
2	0.10	Marsh/ Wet Meadow	PEM1C, U	Permanent	15.5/2.6
3	0.45	Wetland Pond	L2ABGx, U	Permanent	6.3/2.1
5	0.81	Wetland Pond/ Wet Shrubland	U	Permanent	10.3/3.6
6	1.33	Wet Floodplain Forest	PFO1A, U	Permanent	N/A
8	0.10	Wetland Pond	PUBGx	Temporary	8.9/4.0
9	1.10	Wet Floodplain Forest	PFO1Ah, PUBGx, U	Permanent	11.5/2.9
10	4.60	Wet Floodplain Forest	PFO1Ah, PFO1Ch, PEM1Fh, L2UBGh	Permanent	10.6/2.7
11	0.23	Wet Floodplain Forest	PFO1Ch	Permanent	N/A
12	0.16	Farmed Wetland	U	Permanent	6.0/1.4
13	0.75	Farmed Wetland	U	Permanent	N/A
Total	**9.92**				

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

Stormwater runoff from US Route 67 currently flows into roadside swales adjacent to the pavement and flows into drainage ditches or the Illinois River. The proposed stormwater management techniques to be utilized for the new US Route 67 bridge include drainage scuppers that discharge directly to the Illinois River, roadside swales on the roadway approaches to the Illinois River, and inlets at each end of the new bridge.

Salt spray and splash typically are concentrated within the shoulder limits of the roadway. Efficiently draining storm water from the roadway minimizes splash from the roadway; storm water on the US Route 67 roadway will be managed through a combination of an open ditch system and a closed storm sewer system.

Project construction may have minor effects of on the surface water quality; however, the effects will be temporary. A Stormwater Management and Erosion Control Plan will be developed prior to construction, in accordance with the IDOT's Drainage Manual and Bureau of Design & Environment Manual. The increased runoff will not have significant effect on surface waters in the project area. There will be slight increases in the amounts of runoff due to additional impervious surfaces resulting from the proposed improvement. As this project does not include widening and added lanes for capacity, the increase in impervious areas is minimal. The increase in impervious surfaces may increase the concentrations of heavy metals in stormwater runoff.

The proposed project will generate increases in suspended solids during excavation for bridge construction and during bridge removal activities. Aquatic life uses in the portion of the river that will be disturbed during construction may be negatively impacted, but in time, they should recover and support approximately the same community structure as is now found in the existing channel.

Based on an estimate of the quantity of paint that may be discharged to waters of the State during demolition activities, minimization of this potential loading is advisable. The applicant states that removal of paint before demolition may result in paint residue or other chemicals entering the water. However, the amount that would be discharged without remediation work is likely to be much greater.

Fate and Effect of Parameters Proposed for Increased Loading.

Appropriate erosion control methods will be implemented to minimize erosion and sedimentation. BMPs will be implemented to protect surface water and a Storm Water Pollution Prevention Plan will propose countermeasures to address sedimentation. Staging areas for equipment repair and maintenance will be located away from drainage courses and surface waters and a wash down area for equipment will be designated. Winter Operation BMPs include annual training for road crews to improve the efficiency of de-icing application and to reduce loss of de-icing chemicals, utilization of calibrated spreaders, pre-wetting of solid de-icing chemicals/mixtures for better pavement adhesion and ice/snow melting and adjusting de-icing chemical rates according to pavement temperature and weather conditions.

The wetland mitigation proposed to occur at the LaGrange Wetland Mitigation Bank is 35.92 acres as summarized on the Wetland Impacts Evaluation (WIE) form included in the application materials. The project occurs in a different watershed than the LaGrange Wetland Mitigation Bank. All wetland impacts except for Wetland 10 will be mitigated at a ratio of 2:1 for a total of 10.62 Ac. Wetland 10 will require mitigation at a ratio of 5.5:1 due to the presence of the federally listed Decurrent false aster for a total of 25.3 Ac.

This project will not cause any water quality standards to be exceeded.

To ensure minimization and avoidance of pollutant loading associated with bridge demolition and removal, the applicant would be required to address painted surfaces on the existing structure that are reasonably likely to experience adhesion loss during the demolition and removal phase of the project.

Purpose and Social & Economic Benefits of the Proposed Activity.

The Beardstown Bridge removal and replacement is one component of the larger U.S. 67 improvement project, which is part of a statewide plan to improve regional transportation continuity and enhance the linkage of west central Illinois to major economic markets. This improvement will connect sections of highway to the north and south that are currently either under construction or are in the planning phase.

The purpose of the proposed action is to provide a transportation facility between Jacksonville and Macomb, Illinois, that provides improved transportation continuity, enhanced economic stability and development, upgraded rural access, and improved travel efficiency while connecting the project area to other major transportation systems and communities in western Illinois.

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

The Applicant considered four alternatives based on 7 basic criteria. Those criteria were Bridge/Roadway Deficiencies, Safety, Regional Mobility, Local Access/Mobility, Economic Impacts, Cultural/Historical Resources, and Natural Resources.

Alternative 1A: No-Build
The No-Build alternative would require the existing Beardstown Bridge to remain in place with no improvements made and its substandard features retained. Only routine repairs and maintenance would be provided as needed. The No-Build alternative overlooks the basic transportation purpose and need and for this reason, is not feasible and prudent.

Alternative 1B: Rehabilitation Existing Structure
Under Alternative 1B, the existing Beardstown Bridge would undergo a major rehabilitation attempt to address its structural deficiencies and allow the bridge to remain. This alternative is not feasible and prudent, and it does not satisfy the project's purpose because rehabilitation would not address the existing structural/geometric deficiencies, the truss type bridge cannot be widened, the existing bridge is nearing the end of its useful service life and continued maintenance and rehabilitation would not adequately extend its service life and while rehabilitation would temporarily improve the structural deficiencies of the bridge, this alternative would not address the long-term need of providing an adequate structure to carry the anticipated traffic levels.

Alternative 1C: Build Bridge on New Location Without Impacting the Existing Bridge
This alternative consists of building on new location without impacting the existing bridge. The existing bridge could be maintained as a coupler, with a new bridge constructed in a new location and the existing Beardstown Bridge could be used as a one-way couple to the new bridge. Northbound US 67 would use the existing structure and southbound traffic would use the new structure. This alternative retains the existing bridge. The new bridge, in combination with the existing structure, would service all roadway transportation modes. However, this alternative does not satisfy the purpose and need of this project and is not feasible and prudent since preservation of the existing bridge in place would create another obstacle for navigational river traffic and the existing structure would continue to incur costs to be maintained in a state of good repair.

Alternative 1D: Remove and Replace the Existing Bridge
This alternative proposes that a new bridge would be constructed 161.5' southwest of the existing Beardstown Bridge to provide access across the Illinois River. The existing bridge would remain in place to maintain traffic during construction and would then be removed after the new bridge is complete and servicing traffic. This alternative meets the project purpose and need to provide safe and reliable connectivity across the Illinois River for all modes of traffic by addressing the structural and geometric deficiencies of the existing bridge, while also minimizing impacts to the environment and surrounding area. This alternative was chosen as the preferred alternative.

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

On January 18, 2022, the US Department of Transportation (USDOT) Federal Highway Administration (FHWA), issued a letter to IDOT regarding the December 15, 2021 re-evaluation of the approved environmental decision. The letter stated that "The written re-evaluation demonstrates that there are no new significant impacts with the project. A supplemental environmental impact statement is therefore not required, and the approved environmental document remains valid. The IDOT may now request FHWA authorization to proceed with subsequent phases of the project."

In the Record of Decision (ROD) for this project (issued March 6, 2003) the Beardstown Bridge was determined to be eligible for the National Register of Historic Places. A Section 106 Memorandum of Agreement was executed among the Federal Highway Administration, the Illinois State Historic Preservation Officer, and the Illinois Department of Transportation to address the adverse effects to the

Beardstown Bridge and phase the identification of archaeological resources once access to parcels is acquired. To address the Section 4(f) use of the Beardstown Bridge, IDOT prepared, and FHWA approved, the application of the Programmatic Section 4(f) Evaluation for Historic Bridges.
The Illinois Chorus Frog (state threatened) was determined to be likely present in the area of the existing Beardstown Bridge in the original study. An Incidental Take (IT)[TH(15][ODM16] Permit was obtained from the Illinois Department of Natural Resources on December 18, 2003. All conditions of the IT Permit including mitigation commitments have been met for the Illinois Chorus Frog.

A Natural Resource Review (NRR) has been updated to determine if any new T & E species or habitat are present. The Illinois Natural Heritage Database contains records of State-listed river redhorse, Illinois chorus frog, and Vahl's fimbry. A record of the federally listed Decurrent false aster is also present. The Slough Natural Heritage Landmark and Beardstown Marsh INAI also occur in the vicinity of the project location. No records of dedicated Illinois Nature Preserves or registered Land and Water Reserves occur in the vicinity of the project location.

River redhorse is state listed and is known to occur near the project study area. This species was not discussed in the EIS. Per email from IDNR's Bradley Hayes dated June 18, 2019, IDNR does not have any concerns with the river redhorse because there is no spawning habitat in the area. IDNR requested the following commitment be added to the project and IDOT concurs with the commitment. IDNR requests the chance to comment on the demo/construction of the new bridge. IDNR also requests scare charges be used if blasting is required. These are new commitments to the project.

- A commitment was added to protect the state listed species Vahl's fimbry which is that no parking shall occur in the Beardstown Marsh INAI site. This commitment was not discussed in the EIS.
- The Slough Natural Heritage Landmark was not discussed in the FEIS. The Slough Natural Heritage Landmark is outside of the project study limits. This project is not likely to adversely affect the Slough Natural Heritage Landmark.
- The Beardstown Marsh INAI is discussed in the FEIS. This INAI site is located 380 feet south of the project study area. Thus, no work will occur in the INAI site and this project is not likely to adversely affect the Beardstown Marsh INAI site. The only change since the FEIS is that IDOT is adding a commitment that no parking shall occur in the Beardstown Marsh INAI site
- There shall be no tree clearing between April 1 and September 30 to protect the Indiana bat and northern long eared bat.
- Indiana bat - This is a new commitment and is not in the EIS.
- Northern long eared bat – This species has been listed since the EIS.
- Two additional federally listed species are listed as occurring in Cass and Schuyler Counties that were not discussed in the EIS.

A Section 7 consultation was completed by the USFWS on February 3, 2021 and determined that there may be suitable habitat in the project area for Indiana bats and Northern long-eared bats. USFWS stated "A tree clearing date restriction will be included to avoid direct impacts to these species. Trees will be replaced in accordance with Departmental Policy D&E-18. We recommend including tree species that are beneficial to bats when replacing trees whenever possible. We concur with your determination that the project is not likely to adversely affect these species with the tree clearing restriction in place. Coordination between USFWS and the ILDOT is ongoing regarding potential impacts to the Decurrent false aster."

- Indiana bat (*Myotis sodalis*) and Northern long-eared bat (*Myotis septentrionalis*): Potential habitat for the Indiana bat and northern long eared bat does occur in the project study area. Due to this, no tree removal shall occur between April 1 and September 30. This is a new commitment to

the project. A bat bridge assessment was conducted in 2020 and no bats or signs of bats were observed on the bridge. This project may affect, not likely to adversely affect the northern long eared bat and Indiana bat.

- Eastern prairie fringed orchid (*Platanthera leucophaea*): Grows in mesic to wet prairies. This habitat does not occur in the project study area. The Illinois Natural Heritage Database has no records of this species occurring in the project area or the vicinity of the project. Therefore, it has been determined that the project will have no effect to this species.
- Prairie bush clover (*Lespedeza leptostachya*): Grows in dry to mesic prairies with gravelly soil. The Illinois Natural Heritage Database has no records of this species occurring in the project area or the vicinity of the project. Therefore, it has been determined that the project will have no effect to this species.
- Decurrent False Aster (*Boltonia decurrens*): Decurrent false aster is a perennial plant found in moist, sandy floodplains and prairie wetlands along the Illinois River. Decurrent false aster is a species which relies on disturbances such as flooding in order to persist in an area (Smith and Mettler 2002). Without disturbance, it is vulnerable to encroachment by more competitive species, including woody species that may reduce light availability and thereby inhibit growth and seed germination (Smith et al. 1993, Smith et al. 1998, Baskin and Baskin 2002). Seeds can survive a maximum of seven years in the soil (Baskin and Baskin 2002). This creates a seed bank and potential for growth of new individuals. It is important to note that although there is a seed bank, it is extremely difficult to predict future population size and location (Smith et al. 2005). The size and extent of Decurrent false aster populations can fluctuate dramatically from year to year. Unique environmental conditions that are optimal, and in many cases necessary for the growth, reproduction, and ultimately survival of these populations, are tied to seasonal flood pulses, as well as attributes of these flood pulses (e.g., flood intensity, flood duration, time of year that flooding occurs, etc.). In any given year, there may be a large population, only a limited number of flowering individuals, or no flowering individuals. The 2020 survey identified three sub-populations of Decurrent false aster with a total of 600 rosettes. Only site 1a is within the projects action area. Site 1b and 1c are north of the project's action area.

This project may affect, likely to adversely affect sub-population site 1a, which is a total of 0.13 acre by the construction of the preferred alternative and demolition of the existing bridge, affecting approximately 60 rosettes. The impact will be from the land being cleared and graded. The following are mitigation measures recommended for site 1a. To preserve the Decurrent false aster IDOT proposes the following measures:

1. No parking or use shall occur in sites 1a, 1b, or 1c.
2. Decurrent false aster seeds would be collected in late September or October (depending on bloom time, weather, and rainfall) two years and one year preceding initial construction activities. For example, if construction activities were scheduled to begin during the spring of 2024, seed collection would occur during the autumn of 2022 and/or 2023 depending on population numbers. Allowing two years for seed collection would increase the likelihood of obtaining enough seed in the event that blooming individuals within the population were extremely low or absent for a given year.
3. The flowering/fruiting heads within the population would be collected during the years described in mitigation measure two. A small portion of the fruiting inflorescence of each individual (or numerous individuals, depending on population size) would be clipped and seeds shaken into a clean bucket. Collecting seeds from individual plants spanning the entire population would increase the likelihood of obtaining genetic variation (i.e., seed from plants growing in full sun, partial shade, river sediment, gravelly soil, etc.).
4. After the Decurrent false aster seeds are collected they would then be allowed to dry for 5 to 7 days in a climate-controlled lab (approximately 67° F [19.4° C] and relative humidity 45%). Seeds would then be divided into lots (depending on the volume of seed obtained) and placed in

Ziploc bags and stored in a freezer at a constant temperature of approximately 20° F (-6.7° C). This storage method would allow the seeds to be stored for several years (3 to 7 years, possibly longer). The project will take approximately four years to complete from the time the project begins construction to after the existing bridge is removed. If seeds were collected two years prior to letting they would be stored for six years which is within the safe limits of this storage method.

5. Seed dispersal would optimally be at the original site where seeds were collected. When all construction activities have been completed at the Beardstown Bridge site, seeds can then be removed from cold storage and hand broadcast at the site sometime between late April and June. Broadcasting of seed would depend on weather and flood conditions, and optimally would take place at the end of the last major flood event.
6. If unforeseen circumstances arise and the seed has been held for seven growing years IDOT will consider whether the seed should continue to be held or dispersed at another location. One area where dispersal could occur is an approximately 6-acre floodplain prairie/shrub prairie habitat occurring at Beardstown Marsh INAI site, which is next to the project. This area has existing populations of Decurrent false aster. IDOT will coordinate with USFWS and IDNR if this circumstance arises.

An EcoCAT endangered species consultation was submitted on February 15, 2023 (Project #2310246) to the Illinois Department of Natural Resources for the project area. 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 was terminated on June 13, 2023.

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; and that this activity would benefit the area by replacing a structurally deficient crossing by providing a transportation facility that is reliable and meets current design standards. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.

cc: Springfield Surface Water Manager