

**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, June 28, 2024

Public Notice Ending Date:

Thursday, July 18, 2024

Agency Log No.: C-0057-24

Federal Permit Information: Federal permit/license no. (Public Notice Number 09-03-22) is under the jurisdiction of Ninth Coast Guard District U.S. Coast Guard

Name and Address of Discharger: Chicago Department of Transportation, Moira Kent - 2 North LaSalle Street, Suite 820, Chicago, IL 60602

Discharge Location: In Section 31 of Township 39-North and Range 14-East of the East 3rd Principal Meridian in Cook County. Additional project location information includes the following: South Western Avenue Bridge, Chicago, IL 60608

Name of Receiving Water: Chicago Sanitary and Ship Canal

Project Name/Description: Replacement of South Western Avenue Bridge - proposed replacement of the existing bridge structure with a new three (3) span steel girder bridge with new abutments and utilizing existing river piers

Construction Schedule: Beginning Apr 2024 and ending Dec 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-0057-24-06282024-PublicNoticeAndFactSheet.pdf

The Chicago Department of Transportation is proposing a comprehensive bridge rehabilitation or replacement to the existing South Western Avenue/Boulevard Bridge. The bridge is currently in poor condition and the project would address structural deficiencies of the existing structure and meet the current and future transportation needs of the Western Avenue Corridor. The proposed project will include a full superstructure replacement consisting of a three-span steel girder bridge that will support vehicular and pedestrian traffic. New abutments will be constructed behind the existing abutments and piers in the waterway will be re-used.

The bridge construction project has been authorized by the U.S. Army Corps of Engineers (USACE) using Nationwide Permit (NWP) 15 (U.S. Coast Guard Approved Bridges) to satisfy federal CWA § 404 permitting requirements. The U.S. Coast Guard (USCG) also regulates this activity under its own authority; therefore, a state water quality certification under CWA § 401 is required for the USCG permit process. Until recent changes to the 401 certification rules pursuant to 40 CFR 121, USCG would satisfy its permitting criteria by using an existing water quality certification issued for a USACE permit, provided the project's permitted activities are identical. Given these procedural changes, it is necessary for the proponent to seek a separate CWA § 401 water quality certification for the pending USCG permit even though this Agency has already evaluated and made a final determination that the activity would meet all applicable water quality requirements.

A wetland delineation was performed on May 16, 2022, which found no wetlands in the 12-acre (Ac) project area. The bridge spans the Chicago Sanitary and Ship Canal; however, the only fill proposed being approximately 50 cubic yards (CY) of riprap at each abutment totaling 100 CY. The riprap will be used for scour protection and the limits of disturbance will consist of the areas in front of the existing abutments in the outer spans along the edge of the waterway totaling 0.2 Ac.

The Chicago Sanitary and Ship Canal is classified as a Chicago Area Waterway System and Brandon Pool Aquatic Life Use B Water. The Chicago Sanitary and Ship Canal 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*, however it is given an integrity rating of "D" in that document. The Chicago Sanitary and Ship Canal, Waterbody Segment IL_GI-03, is listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) as impaired for fish consumption with potential causes given as mercury and polychlorinated biphenyls, and indigenous aquatic life use with potential causes given as chloride, nickel, and total phosphorus. This segment of the Chicago Sanitary and Ship Canal is not subject to enhanced dissolved oxygen standards.

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 community by providing continued transportation mobility in the area. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.