

**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:

Wednesday, September 11, 2024

Public Notice Ending Date:

Tuesday, October 1, 2024

Agency Log No.: C-0105-24

Federal Permit Information: Federal permit/license no. LRC-2023-651 is under the jurisdiction of Chicago District, Regulatory Branch U.S. Army Corps of Engineers

Name and Address of Discharger: Williamsport Condo Association, Jonathan Rentfrow - 220 Memory Lane #3, Westmont, IL 60559

Discharge Location: In Section 21 of Township 38-North and Range 11-East of the East 3rd Principal Meridian in DuPage County. Additional project location information includes the following: Williamsport Pond, Westmont, IL 60559

Name of Receiving Water: Williamsport Pond

Project Name/Description: Williamsport Shoreline Enhancement - proposed installation of 1,087 ft of riprap toe protection and 67 ft of gabion baskets to stabilize the eroded shoreline

Construction Schedule: Beginning Oct 2024 and ending Dec 2024

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-0105-24-09112024-PublicNoticeAndFactSheet.pdf

Johnathan Rentfrow has applied for a 401 Water Quality Certification for impacts associated with placement of rip rap in order to protect the Willamsport Condo Association retention pond shoreline from further degradation and will reduce further sediment deposition within the pond. The proposed project will be completed in the Willamsport Condo Association Retention Pond in Township 38 North, Range 11 East, Section 21 in Westmont, DuPage County. The project will consist of installing 1154 linear feet (LF) of streambank stabilization which would include 1087 LF of riprap toe protection and 67 LF of gabion baskets. The 4-acre (Ac) retention pond has a heavily degraded area of shoreline which would be protected using approximately 500 cubic yards (CY) of rip rap and approximately 1000 CY of fresh topsoil to top dress the slope. The eroded shoreline has contributed to sediment discharge to the pond and ultimately St Joseph Creek. This sediment has made the pond shallower and as a result, more prone to algal blooms and less inviting to aquatic life. The impacted area on the site will include 0.08 Ac of Waters of the U.S. (WOUS) of which no compensatory mitigation is proposed as it is below the 0.1 Ac threshold.

This project is authorized under Nationwide Permit 13; however, the U.S. Army Corps of Engineers has requested an Individual 401 certification because the project exceeds the 1,000-foot length restriction.

Information used in this review was obtained from the application documents dated August 8, 2023, August 21, 2023, October 3, 2023, March 26, 2024, April 25, 2024, June 17, 2024, and July 24, 2024.

Identification and Characterization of the Affected Water Body.

The detention pond, an unnamed tributary to St. Joseph Creek, has 0 cfs of flow during critical 7Q10 low-flow conditions. The unnamed tributary to St. Joseph Creek is classified as General Use Water. The unnamed tributary to St. Joseph 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. The unnamed tributary to St. Joseph Creek, tributary to Waterbody Segment IL_GBLB-01, is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. This segment of the unnamed tributary to St. Joseph Creek is not subject to enhanced dissolved oxygen standards.

The USGS Illinois Streamstats basin characteristics program gives a watershed size of 0.593 square miles for the detention pond. According to the Illinois State Water Survey, the detention pond in the area of the proposed project is likely to be 7Q1.1 zero flow streams. In this region of Illinois, 7Q1.1 zero flow streams are streams with a watershed area of 1 square mile or less. These streams will exhibit no flow for at least a continuous seven-day period nine out of ten years. Aquatic life communities in these headwater streams are tolerant of the effects of drying. Depending on the rainfall received before biological surveys, either a very limited aquatic life community, or no community at all would be found. Given this flow regime, no additional biological characterization is required.

Christopher B. Burke Engineering, Ltd. (CBBEL) completed a waters/wetland assessment of the project area on March 15, 2024. The constructed Willamsport detention pond was identified as a WOUS due to its connection with St. Joseph Creek. No wetlands were present along the shoreline of the pond.

The study area is located east of the Willamsport Subdivision, east of Memory Lane. The detention pond is an excavated stormwater management pond that currently has a severely eroded shoreline and is surrounded by mowed lawn. The shoreline is comprised of highly erodible soils and nearly vertical cut banks of 4 feet or more high surround almost half of the pond and has migrated many feet toward the

surrounding residences. At the time of the visit the outlet has been dammed up (presumably by children) which has elevated water levels in the pond by about 8 inches.

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

The pollutant load increases that would occur from this project could include some possible increases in suspended solids during excavation prior to riprap placement; however, no change in tributary area or drainage patterns is proposed. This project is simply installing shoreline stabilization to reduce shoreline erosion. A total 1167 linear feet of shoreline stabilization is proposed. The project will result in a significant reduction in pollutant load tributary to the pond and ultimately St. Joseph Creek. No pollutant load increase will occur due to this project. The project will result in significant reductions in pollutant loading in the pond and St. Joseph Creek.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in total suspended solids from excavation and rip rap placement is anticipated to be minimal and would be local and temporary. No compensatory mitigation is proposed for this project as the project itself is self-mitigating.

Dredge sediment and excavated materials will be disposed of at a special waste landfill. It is anticipated that minimal amounts of excavated material would fall back into the area of excavation. Work will be completed in dry conditions, and no material is anticipated to fall back into moving or ponded water. Only clean new riprap will be installed. Low pressure equipment and crane matting will be used to minimize the impact to the lawn and shoreline areas during construction.

Outlet curtains will be placed before any work begins and fabric will be placed along the shoreline before rip-rap installation begins. The staging area will consist of timber mats to the southwestern section of the pond. Silt fencing will encompass this entire area, preventing any stockpiled material from leaving the project site. Access to the pond will be gained by a removable section of silt socks to be secured at the end of each workday. Material will be loaded onto the barge and staged near the shoreline repair location of focus. After fabric is installed, an amphibious excavator will then appropriately place the riprap, followed by topsoil for back grading. Each section of freshly placed topsoil will be seeded and blanketed that day. A turbidity curtain will encompass the entire section of shoreline work throughout the project. Erosion control blanket install will be installed, and a sediment basket will be installed in the nearest stormwater structures and in any outfalls. Turf seeding will occur in the appropriate areas post-construction in addition to the planned blanketing of new topsoil with no off-site areas anticipated to be disturbed. A barge and push-boat, amphibious excavator, long-reach excavator, and tracked skid steer will also be utilized and the staging area will be restored.

Purpose and Social & Economic Benefits of the Proposed Activity.

The purpose of the project is to stabilize the eroded banks, to prevent/minimize the risk to infrastructure and to prevent large amounts of sediment from entering the headwaters of St. Joseph Creek degrading the detention pond and the creek. This project will result in a significant reduction in sediment loading to the detention pond and St. Joseph Creek.

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

An evaluation of alternatives designs was completed. The three alternatives and no action alternative considered are as follows:

No Action - The No Action alternative would result in additional sediment being deposited in the detention pond and into St. Joseph Creek, as well as additional impacts to the site. The detention pond has and will continue to impact utility lines, create unsafe conditions around the pond due to the steep high drop offs near the waterline, and continued loss of lawn, bringing the pond and flood plain closer to the residences.

Alternative 1: Vegetation shoreline treatment - A vegetative shoreline treatment option was considered; however, based on the significant resident goose population, muskrat presence, and severely fluctuating water levels in the pond, establishment of shoreline vegetation is unlikely to be successful. This alternative was not considered further.

Alternative 2: Installation of riprap to stabilize the shoreline - This alternative is a cost effective and long-term solution. Riprap placement will stabilize the shoreline, reduce muskrat damage, and discourage geese. Installation of riprap on tall embankments will result in flood plain fill not acceptable to other review agencies. Riprap on cut banks higher than about 2.5 feet is not viable due to excessive flood plain fill.

Alternative 3 (Preferred Alternative) - This alternative employs the use of a combination of riprap along a majority of the slope and gabion baskets where the cut bank is higher and closer to the buildings and infrastructure. This design meets the requirements of the other review agencies, protects the shoreline, and significantly reduces pollutant loading of the detention pond and St. Joseph Creek. Alternative 3 outlines the proposed project and is the least damaging alternative.

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

An EcoCAT consultation (Project # 2402483) was initiated on August 8, 2023. The natural resource review provided by EcoCAT identified no protected resources that may be in the vicinity of the project location. An automatic consultation termination was generated.

An IPaC Resource list generated for the project area shows the following species are potentially affected by activities in this location:

- Whooping Crane (*Grus americana*) – Experimental population, Non-essential
- Hine’s Emerald Dragonfly (*Somatochlora hineana*) - Endangered
- Monarch Butterfly (*Danaus plexippus*) – Candidate
- Eastern Prairie Fringed Orchid (*Platanthera leucophaea*) – Threatened
- Leafy Prairie clover (*Dalea foliosa*) –Endangered

There are no critical habitats within the project area; however, there is a requirement to determine if the project may have effects on all of the above-listed species. USACE stated that no consultation was necessary.

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 stabilizing the eroded banks of the detention pond to prevent/minimize the risk to infrastructure and preventing sediment from building up and in turn degrading the pond. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.