

**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:

Tuesday, April 15, 2025

Public Notice Ending Date:

Tuesday, April 29, 2025

Agency Log No.: C-0051-25

Federal Permit Information: Federal permit/license no. LRC-2025-72 is under the jurisdiction of Chicago District, Regulatory Branch U.S. Army Corps of Engineers

Name and Address of Discharger: Village of North Aurora, Brandon Tonarelli, PE - 25 E. State Street, North Aurora, IL 60542

Discharge Location: In Section 5 of Township 38-North and Range 8-East of the East 3rd Principal Meridian in Kane County. Additional project location information includes the following: Pine Hill Drive & Fox Hill Lane, North Aurora, IL 60542

Name of Receiving Water: Blackberry Creek (Fox River)

Project Name/Description: Oak Hill Detention Basin - Shoreline Stabilization Project - proposed shoreline stabilization

Construction Schedule: Beginning Apr 2025 and ending Jun 2025

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-0051-25-04152025-PublicNoticeAndFactSheet.pdf

The Village of North Aurora has applied for a 401 Water Quality Certification for impacts associated with stabilization of 1783 linear feet (LF) of the Oak Hill Basin Shoreline due to extensive moderate and severe bank erosion. The proposed project site is located in Township 40 North, Range 8 East, Section 5, in Kane County, Illinois. The work will include installation of rock toe, slight bank reshaping, and the installation of a native planting buffer above the rock toe. A native buffer of 0.49 Acres (Ac) will be constructed by converting predominantly existing manicured turf grass into native plantings.

Impacts proposed include 0.2 Ac of permanent impacts to Waters of the US (WOUS) from placement of rock toe and 0.55 Ac of temporary buffer impacts to WOUS due to access and shoreline regrading. Approximately 800 cubic yards (CY) of riprap is expected to be used for construction of the proposed rock toe. No wetland impacts are proposed as a result of this project and mitigation will take place in the form of BMPs and overall improvement to the project area.

The Oak Hill Detention Basin shoreline was excavated and constructed with the Oak Hill Subdivision development. According to the subdivision Record Drawing by Siebert Engineers in 1997, the shoreline side slopes were constructed at approximately a 3:1 (H:V) slope. Since 1997, the shoreline slopes in the project area have become only steeper as a result of wave erosion. The eroding banks in most areas are lacking vegetation.

Information used in this review was obtained from the application documents dated February 3, 2025, and February 4, 2025.

Identification and Characterization of the Affected Water Body.

A Non-Wetland Determination Letter dated February 4, 2025, was submitted to the USACE Chicago district following the field investigation by Living Water Consultants, Inc. (LWC) done on November 26, 2024. It was determined by LWC that jurisdictional wetlands are lacking in the project area and only contains WOUS.

The unnamed tributary to East Run (Oak Hill Detention Basin) has 0 cfs of flow during critical 7Q10 low-flow conditions. The unnamed tributary to East Run is classified as General Use Water. The unnamed tributary to East Run 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 East Run, a tributary to Waterbody Segment IL_DTDA, is not listed on the 2024 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. This segment of the unnamed tributary to East Run is not subject to enhanced dissolved oxygen standards.

The Oak Hill Detention Basin has severely eroded banks dominated by extensively manicured turf grass.

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

The pollutant load increases that would occur from this project include some possible increases in total suspended solids. These increases, a normal and unavoidable result of fill placement may occur as a result of shoreline improvement activities. Permanent fill in the form of rock toe will be discharged to 0.2 Ac of WOUS (800 CY) as shoreline stabilization. Temporary impacts in the form post-construction restoration will occur in 0.55 Ac of WOUS. Disturbed areas will either be restored to native plant buffer, or to turf grass. Restoration to turf grass is expected for areas beyond the proposed 12-foot wide native plant buffer

area adjacent to proposed rock toe stabilization areas.

Existing trees will be protected on site with the possible exception of any trees located within the shoreline re-grading area, that may require removal to access and/or stabilize the existing eroded shoreline. No impacts to wetlands or wetland buffer areas are proposed.

Fate and Effect of Parameters Proposed for Increased Loading.

The fill placement in WOUS will have a positive effect as the streambanks will be stabilized and naturalized. Approximately 0.49 Ac of existing turf grass will be converted into native riparian habitat. Impacts will be mitigated with a restored and naturalized pond shoreline, seeding reshaped pond shoreline areas with native plant species, and conversion of approximately 0.49 Ac of existing turf grass into native riparian habitat with enhanced aquatic diversity.

Purpose and Social & Economic Benefits of the Proposed Activity.

The purpose of the project is to stabilize moderate to severely eroded pond shoreline slopes with BMPs including rock toe, a reshaped slope, and native riparian plantings. The work will improve water quality and habitat diversity.

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

No Action

A No Action alternative would not address the ongoing, moderate, and severe shoreline erosion. Water quality would worsen as eroding soils deposit not only sediment into the waterway, but also phosphorus and nitrogen.

Proposed Project – Selected Alternative

The proposed project was determined to be the best method to address existing moderate and severe shoreline erosion. The rock toe along with filter fabric helps to prevent wave action from washing out soils near the water surface. Re-shaping the very steep and unstable slopes above the proposed rock toe will re-establish stable grades at the project site. Proposed native plant (and temporary vegetative cover crop) seeding with erosion blanket will provide immediate shoreline stabilization upon completion of construction. Over time, the native plant buffer around the shoreline, above the rock toe will filter pollutant runoff from upgradient upland areas before it is discharged into the waterway. This was chosen as the preferred alternative.

Rock Revetment

Rock revetment may prevent ongoing erosion at the water level but does not address the pollutant reduction proposed to occur through the installation of deep-rooted native plants in the preferred alternative. This would not provide as much benefit to water quality as the preferred alternative would. Rock revetment is also significantly more expensive than the preferred alternative. For these reasons, this was not chosen as the preferred alternative.

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

An EcoCAT endangered species consultation was submitted on February 3, 2025 (Project #2509091) to the Illinois Department of Natural Resources. An automatic termination was issued with the submitted request.

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 stabilizing the eroded shoreline in order to improve water quality and habitat diversity. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.