

**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, May 27, 2025

Public Notice Ending Date:

Monday, June 16, 2025

Agency Log No.: C-0271-24

Federal Permit Information: Federal permit/license no. P-2373-016 is under the jurisdiction of Federal Energy Regulatory Commission

Name and Address of Discharger: Midwest Hydro, LLC, Melissa Rondou - 7315 Wisconsin Avenue, Suite 1100 W, Bethesda, MA 20814

Discharge Location: In Section 13 of Township 46-North and Range 1-East of the East 4th & East 3rd Principal Meridian in Winnebago County. Additional project location information includes the following: on the rock river near the Township of Rockton in Winnebago County, Illinois, Township of Rockton, IL 61072

Name of Receiving Water: Rock River

Project Name/Description: Rockton Hydroelectric Project - proposed to continue operating the project as a run-of-river facility and does not propose any new construction, but does propose modifications to the current project boundary

Construction Schedule: Beginning Jan 2025 and ending May 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-0271-24-05272025-PublicNoticeAndFactSheet.pdf

Midwest Hydro, LLC, is applying to the Federal Energy Regulatory Commission (FERC) for a subsequent license to continue to operate the Rockton Hydroelectric Project (FERC Project No. 2373) in Winnebago County as the current license issued September 30, 1993, expired on August 31, 2024.

The facility is operated in a run-of-river mode with a normal head of approximately 31 feet. It releases a continuous minimum flow over the spillway that equates to 300 cubic feet per second (cfs) or inflow, whichever is less by maintaining a minimum reservoir elevation of 725.48 feet National Geodetic Vertical Datum of 1929 (NGVD 29). It consists of a three-section dam forming a 1,600-foot-long power canal, and a 40.67-acre reservoir at a minimum of 725.48 feet NGVD 29. The powerhouse at the downstream end of the power canal contains 2 generating units. The three sections of the dam consist of a power canal headworks, a six-foot-high concrete overflow dam, and an earthen dike. The minimum hydraulic capacity of the project is 350 cfs and the maximum hydraulic capacity of the powerhouse is 1,620 cfs or 810 cfs per turbine. No changes to the Rockton Project facilities or operations are proposed.

Identification and Characterization of the Affected Water Body

Upstream of the dam (Segment IL_P-09), the Rock River is classified as a General Use water with a flow rate of 339 cubic feet per second (cfs) during 7Q10 low-flow conditions. According to the 2024 Integrated Water Quality Report and 303(d) List, this segment is listed as impaired for fish consumption due to the presence of mercury and polychlorinated biphenyls (PCBs). It is also impaired for primary contact, with fecal coliform identified as a potential cause. However, aesthetic quality and aquatic life uses are fully supported. This segment is not considered a biologically significant stream and does not have an integrity rating, as noted in the Illinois Department of Natural Resources' 2008 document, *Integrating Multiple Taxa in a Biological Stream Rating System*. The segment is subject to enhanced dissolved oxygen (DO) standards and is not included in any completed or ongoing Total Maximum Daily Load (TMDL) development efforts.

Segment IL_P-15, located downstream of the dam, has a 7Q10 low-flow rate of 926 cfs. It is listed as impaired for fish consumption due to the presence of aldrin, dieldrin, endrin, heptachlor, mercury, mirex, polychlorinated biphenyls (PCBs), and toxaphene. The segment is also impaired for primary contact, with fecal coliform identified as a contributing factor. Despite these impairments, aquatic life and aesthetic quality uses are fully supported. Although it is not classified as a biologically significant stream, the Illinois Department of Natural Resources (IDNR) assigned it an integrity rating of "A" in its 2008 assessment. This segment is not included in any completed or ongoing TMDL efforts.

Wetlands within the Rockton Project boundary also contribute to the ecological context of the affected waterbody. Based on the delineation of wetland acreage within the current and proposed project boundaries, a total of 170.49 acres of wetlands are currently within the project area, compared to 69.72 acres in the proposed revised boundary. The primary wetland types include riverine, freshwater

forested/shrub, freshwater pond, and freshwater emergent wetlands. Reductions in wetland acreage, particularly for riverine and forested/shrub types, are attributed to the exclusion of river reaches that are not inundated at the reservoir elevation of 725.48 feet NGVD. Importantly, no operational changes affecting minimum flow or reservoir elevation are proposed, and as such, the continued operation of the Rockton Project is not anticipated to impact wetlands within or adjacent to the project boundary.

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

No new pollutant discharges or increased loadings to the Rock River are proposed. The Project will continue to operate in run-of-river mode. The operation maintains inflow-outflow equilibrium with a required minimum flow of 300 cfs or inflow, whichever is less. Flow is released over the spillway to preserve downstream aquatic habitat. The proposed modification to the project boundary—intended to encompass all lands and waters necessary for the safe and effective operation of the Rockton Project—will not involve any new construction or operational changes that would result in new or increased loading to waters of the United States within the revised boundary.

To evaluate potential impacts related to DO, the applicant conducted site-specific water quality monitoring in 2021, including continuous and vertical profile sampling of DO, temperature, and pH. Monitoring locations included upstream, bypass, and tailrace locations during summer months.

Results confirmed:

- DO concentrations in the tailrace and bypass channel consistently exceeded general use and enhanced DO standards.
- The lowest recorded DO concentration in the tailrace was 6.19 mg/L.
- DO depression in the impoundment during non-generation periods was temporary and did not extend downstream.
- No exceedances of water quality standards were observed.

Fate and Effect of Parameters Proposed for Increased Loading

No new parameters are proposed for increased loading. Based on available monitoring data, the existing run-of-river operation does not negatively impact water quality or the designated uses of the Rock River. Furthermore, the continuous flow regime and the absence of impoundment stratification in the bypass and tailrace contribute to the maintenance of dissolved oxygen levels supportive of aquatic life.

Purpose and Social & Economic Benefits of the Proposed Activity

The purpose of the proposed activity is to continue hydroelectric generation under a renewed FERC license. The project provides renewable energy while maintaining aquatic and hydrologic conditions that support designated uses in the receiving water. No new construction or operational changes are planned, ensuring consistency with past conditions.

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

Because no new or increased discharge is proposed, no alternatives analysis was required. The project does not lower water quality and continues to comply with applicable water quality standards.

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 July 8, 2019 (Project #2000234) to the Illinois Department of Natural Resources (IDNR) for the Rockton Hydropower Project Relicensing. The natural resource review identified multiple protected resources, including state-listed species such as the Black Sandshell (*Ligumia recta*), Blanding's Turtle (*Emydoidea blandingii*), Iowa Darter (*Etheostoma exile*), and the Rock River Segment INAI Site. This project was submitted for informational purposes only and does not constitute a formal consultation under 17 Ill. Adm. Code Part 1075. Further coordination with IDNR may be required if the project scope changes or if future impacts to protected resources are identified.

A U.S. Fish and Wildlife Service (USFWS) Section 7 consultation was initiated on December 29, 2021 (Consultation Code: 03E18000-2022-SLI-0542; Event Code: 03E18000-2022-E-01411) to assess potential impacts to federally threatened and endangered species. The official species list includes the following species that may occur in the project vicinity: Indiana Bat (*Myotis sodalis*), Northern Long-eared Bat (*Myotis septentrionalis*), Hine's Emerald Dragonfly (*Somatochlora hineana*), Monarch Butterfly (*Danaus plexippus*) [candidate], Eastern Prairie Fringed Orchid (*Platanthera leucophaea*), and Prairie Bush-clover (*Lespedeza leptostachya*). The consultation concluded that there are **no critical habitats** within the project area under the jurisdiction of the USFWS, and that any potential effects to listed species are unlikely. No further coordination under Section 7 is required at this time.

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 and is based on the information available to the Agency at the time this assessment was written. We tentatively find that the proposed activity will not result in a new or increased pollutant loading to waters of the State, will not degrade water quality, and will maintain all applicable water quality standards, including those for dissolved oxygen. Comments received during the public notice period will be evaluated before a final decision is made by the Agency.