

IEPA Log No.: **C-0196-10**

CoE appl. #: **2010-253**

Public Notice Beginning Date: **June 27, 2011**

Public Notice Ending Date: **July 27, 2011**

Section 401 of the Federal Water Pollution Control Act
Amendments of 1972

Section 401 Water Quality Certification to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Ellrodt / Schweighauser – 263 N. Mayflower Road, Lake Forest, IL
60045

Discharge Location: Near Lake Forest in SE 1/4 of Section 34 of Township 44N, Range 12E of the 3rd
P.M. in Lake County.

Name of Receiving Water: Lake Michigan

Project Description: Proposed construction of quarystone breakwaters

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

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 call Darren Gove at 217/782-3362.

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Fact Sheet for Antidegradation Assessment
For Ellrodt / Schweighauser
IEPA Log No. C-0196-10
COE Log No. 2010-253
Contact: Mark Books; 217/785-6937
Public Notice Start Date: June 27, 2011

Ellrodt/Schweighauser (“Applicant”) has applied for 401 water quality certification for repair work along Lake Michigan on an existing quarystone breakwater, to encapsulate the south existing groin with quarystone, reconstruct the existing quarystone revetment, provide maintenance work on the ravine outfall, install a steel boat ramp and place sand on the beach. The project is located in Cook County, Section 34, Township 44 North, Range 12 East. The address is 263 North Mayflower Road, Lake Forest. The purpose of the repair work is to help break storm wave energy and provide scour protection. Approximately 1,700 tons of clean quarried stone will be used in the project. As part of the proposed project the Applicant will also place 2,310 tons of clean sand onto the existing beach, as beach nourishment, as required by IDNR. The new boat ramp will be completely made of galvanized steel and will be 62’ long and 12’ wide with an attached 3’ wide stair system. The ramp will extend to lakebed clay; however, a large portion of the ramp will be covered with sand upon completion. The ravine outfall was built in 1992 and consists of steel sheetpile walls 25’ apart by approximately 150’ long, filled in with large quartzite boulders. No maintenance work has occurred in the ravine outfall since 1999; consequently, the ravine outfall has filled in with sediments and vegetation has established in the sediment. During high intensity storm events, stormwater now overtops the steel sheetpile wall on the south side which causes beach washout to occur and sediment discharges into the lake. The proposed maintenance work in the ravine outfall includes removing and stockpiling boulders on the beach, removing sediment and vegetation from the channel and hauling it off site, and resetting boulders back into the outfall structure. The applicant estimates that about 200 cubic yards of material will be removed from the ravine outfall structure and disposed of at an approved landfill location.

Identification and Characterization of the Affected Water Body.

Lake Michigan is a large oligatrophic lake subject to the Lake Michigan Basin water quality standards of 35 Ill. Adm. Code 302 Subpart E. The open waters are listed in the Illinois Integrated Water Quality Report and Section 303(d) List – 2010 as impaired for fish consumption with a cause given as PCBs and mercury.

According the IDNR WIRT System Ground Juniper was identified as a threatened or endangered species residing within the project site.

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

The construction activities will cause a temporary increase in suspended solids. Habitat will be disturbed in the vicinity of the construction area. All sand placed onto the beach will be clean and from inland quarries.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. The benthic habitat disturbed by the construction activities is anticipated to recover to pre-construction conditions over time.

Purpose and Social & Economic Benefits of the Proposed Activity.

This project will repair a breakwater that has been damaged due to recent storm events. This project will also provide scour protection for the existing seawall as well as provide access to Lake Michigan from an existing house. In addition the project will conduct required maintenance work on the ravine outfall resulting in less sediment being discharged into the lake.

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

The construction of the proposed project will follow guidelines set forth by the Agency and USACE. Erosion control measures need to be implemented to prevent additional impacts. The ravine maintenance work will be conducted during no-flow or low-flow times. All of the proposed work will be completed using a backhoe that will work on the land to place the materials. It is anticipated that the materials and machinery will be delivered to the site via barge on Lake Michigan.

The least intrusive alternative would be to not complete the project. This is not an acceptable alternative given that this is a useful project and will repair a breakwater from total failure along Lake Michigan, providing access to the lake, and minimizing the excessive scouring and erosion from the ravine discharges which will decrease suspended solids load into the lake.

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

In a letter from Tracy Evans dated May 27, 2011, IDNR stated that an initial report submitted through the EcoCAT website indicated the potential presence of protected resources in the vicinity of the project location. The letter further states that the IDNR has evaluated this information and concluded that adverse impacts to the protected resources are unlikely; therefore, consultation is terminated.

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 the assessment was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving stream will be maintained; 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 will benefit the community at large by providing a stabilized shoreline along Lake Michigan and reducing suspended solids discharges into the lake. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.