

IEPA Log No.: **C-0366-11**
CoE appl. #: **2011-648**

Public Notice Beginning Date: **April 2, 2012**
Public Notice Ending Date: **April 23, 2012**

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
Facility Evaluation Unit
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: James Corzatt Trust, RR#1 PO Box 33, Media, IL 61460

Discharge Location: Section 14, T8N, R4W of the 4th P.M. in Henderson County near Raritan

Name of Receiving Water: Honey Creek

Project Description: Channelization and restoration of Honey Creek.

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 Thaddeus Faught at 217/782-3362.

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Fact Sheet for Antidegradation Assessment
James Corzatt Trust – Honey Creek – Henderson County
IEPA Log No. C-0366-11
CoE Log # 2011-648
Contact: Bob Mosher 217/558-2012
April 2, 2012

This project is an after-the-fact application for a 401 Water Quality Certification for stream realignment. The applicant (James Corzatt) dug a new stream channel on a portion of Honey Creek in order to cut off a meander that the applicant said was threatening a cemetery. Approximately 400 feet of meander was isolated by this action. The U.S. Army Corps of Engineers is requiring the applicant to restore the meander and to plant and maintain a 25 foot wide native grass buffer strip on both sides of the newly constructed channel.

Identification and Characterization of the Affected Water Body.

Honey Creek (segment LZF-01) has a 7Q10 flow of zero cfs and is a General Use water. The stream is not listed on the draft 2010 Illinois Integrated Water Quality Report and Section 303(d). Aquatic life is fully supported in this segment. Honey Creek at this location 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. However, a few miles downstream from this project site, Honey Creek is listed as a biologically significant stream. Honey Creek is designated as an enhanced water pursuant to the dissolved oxygen water quality standard at this location. The IDNR WIRT system does not list any state threatened or endangered aquatic species as residing in Honey Creek.

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

In making the channel cut-off, a portion of the stream became isolated from the stream flow. The USACOE is requiring the applicant to rectify this situation. This is because meanders serve useful purposes in the ecosystem and should be preserved.

Fate and Effect of Parameters Proposed for Increased Loading.

The habitat destroyed by the stream realignment will be restored. The stream should recover its previous functions. No permanent harm will be apparent.

Purpose and Social & Economic Benefits of the Proposed Activity.

While it is important to save cultural features such as cemeteries from natural stream meandering, permission must be obtained from the USACOE and Illinois EPA before work is done.

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

Had the applicant consulted with either the USACOE or Illinois EPA, modifications to save the cemetery from erosion by the creek channel could have been done in a more efficient manner without harm to the ecosystem. The applicant will instead perform restorative work on the project and in essence do the project twice.

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

The Illinois Department of Natural Resources was consulted regarding threatened and endangered species issues via the EcoCAT system on March 26, 2012. It was immediately determined that no threatened or endangered species reside in the receiving stream and consultation was 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 401 water quality certification was submitted. 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 protecting a cemetery from erosion. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.