IEPA Log No.: **C-0734-13**
CoE appl. #: **MVS-2013-683**

Public Notice Beginning Date: **June 20, 2014**
Public Notice Ending Date: **July 11, 2014**

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: City of East St. Louis – 301 River Park Dr., East St. Louis, IL 62201

Discharge Location: Near East St. Louis in SE 1/4 of Section 23 of Township 2N, Range 10W of the 3rd P.M. in St. Clair County.

Name of Receiving Water: Unnamed wetlands

Project Description: Proposed construction of new access road and connection to IL Route 3 for Port of East St. Louis.

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 City of East St. Louis
IEPA Log No. C-0734-13
COE Log No. MVS-2013-683
Contact: Diane Shasteen (217) 558-2012
Public Notice Start Date: June 20, 2014

The City of East St. Louis and North Cahokia Real Estate, LLC has applied for Section 401 water quality certification for impacts of approximately 1.05 acres of low quality palustrine emergent wetlands located within the 100-year Mississippi River floodplain. The impacts to wetlands include the following fill quantities and types: 7100 CY - earth embankment backfill, 353 CY - cement concrete pavement, 171 CY - Type A Sub-base Granular, and 121 CY - Hot Mix Asphalt shoulders. The City of East St. Louis will construct an entrance/access road from IL Route 3 to the Mississippi River levee and North Cahokia Real Estate, LLC will construct an interior road running along the protected side of the levee to Monsanto Road to serve the future Port of East St. Louis. The proposed project is located in the City of East St. Louis and the Village of Sauget, St. Clair County, between IL Route 3 and 8th Street and Mississippi Avenue, on the left descending Mississippi River bank between river miles 178 and 179, in Section 23, Township 2 North, Range 10 West. The purpose of this project is to provide the initial infrastructure and vehicular access to the future Port of East St. Louis and potential industrial and commercial development. The impacts to 1.05 acres of jurisdictional wetlands will be mitigated with the purchase of 2.10 acres of wetland credit from the Southern Illinois Wetland Bank.

Information used in this review was obtained from the applicant in a document entitled, Port of East St. Louis Entrance and Access Road, City of East St. Louis, Joint Application Form dated November 2013.

Identification and Characterization of the Affected Water Body.

The Mississippi River (IL_J) is a General Use Water with an estimated 46,500 cfs 7Q10 flow at this location. According to the draft 2014 Illinois Integrated Water Quality Report and Section 303(d) List, the Mississippi River has been assessed by Illinois EPA and is listed as not supporting Fish Consumption use. Causes for Fish Consumption impairment are Mercury and Polychlorinated biphenyls. The Mississippi River at this location is listed as fully supporting Aquatic Life and Public and Food Processing Water Supplies uses. Secondary Contact and Aesthetic Quality uses have not been assessed. The Mississippi River 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 Mississippi River, at this location, is designated as an **enhanced** water pursuant to the dissolved oxygen water quality standard.

SCI Engineering (SCI) completed three delineation reports, one in June 2012 and two in September 2013 to determine wetlands located in the project area. Two emergent wetlands totaling 11.25 acres were identified in the June report, neither of these wetlands will be impacted by the project. The wetland delineation of 12.9 acres near the proposed access road revealed no wetland or waterbodies within the site. The field investigation on the southern portion of the project site delineated three emergent wetlands (A-C) totaling approximately 3.1 acres, in addition to a swale and a roadside ditch totaling approximately 0.6 acres. The hydrology of the

site flows northwesterly with Wetland A (0.3 acres) draining via a culvert to Wetland B (0.5 acres) which, in turn, drains via a swale to Wetland C (2.4 acres). Two acres of Wetland C are within the project limits and 1.05 acres will be filled during the proposed project. No FQI scores were listed in the report; however, the wetlands, located in the 100-year Mississippi floodplain, were listed as palustrine emergent with low quality vegetation consisting of narrow-leaf cattail, swamp milkweed, fox-tail sedge, and black willow. Impacts to these wetlands are unavoidable and are anticipated to be mitigated at a rate of 2.0:1 with the purchase of 2.10 acres of wetland credit from the Southern Illinois Wetland Bank.

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

The pollutant load increases that would occur during this project include possible increases in suspended solids due to the removal of existing pavement, stripping of top soil and excavation for roadway culverts. The Applicants will follow IDOT's Standard Specifications for Road and Bridge Construction (SSRBC) and follow Erosion and Sediment Control Plans and BMPs that:

- Minimize soil exposure during construction
- Minimize disturbance to steep slopes
- Maintain natural buffers around surface waters
- Minimize soil compaction

Stabilization practices including temporary seeding and erosion control blankets will be utilized during and after construction until all disturbed ground is stable. Handling of contaminated soils discovered during construction will follow IDOT's SSRBC Section 669- Removal and Disposal of Regulated Substances. Stormwater runoff BMPs will be implemented during construction and no adverse effects are expected to the river or wetland communities due to stormwater runoff.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. Erosion control measures will be utilized to minimize any increase in these disturbances and prevent further impacts to the river and the wetlands near the newly constructed roadway.

The Applicant will purchase 2.10 acres of wetland credit from the Southern Illinois Wetland Bank, the result of a 2.0 to 1 mitigation ratio applied to 1.05 acres of impacts to Wetland C.

Purpose and Social & Economic Benefits of the Proposed Activity.

The proposed entrance and access road project will provide the initial infrastructure needed for truck and vehicular traffic for the future Port of East St. Louis. The roadway is a needed as a first step to lead to future industrial and commercial development of the Port. Grant funds, made available through the River Edge Redevelopment Zone Act (RERZA) have been secured from the Department of Commerce and Economic Opportunity (DCEO) by both Applicants. DCEO has been commissioned to provide funding to four cities adjacent to Illinois Rivers, including East St. Louis, for the revitalization and redevelopment of environmentally challenged properties. The project is considered the initial step for the development of the site and is expected to have a long-term impact on economic development opportunities for the area.

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

The applicant has completed an alternative analysis to determine the location of the proposed entrance and access road project. DCEO grant monies were made available to East St. Louis; therefore, road alternatives were limited to their municipal boundaries. Based on detailed planning and traffic studies it was determined that future traffic volumes for the Port would require a signalized intersection. The Applicants, along with the Illinois Department of Transportation, considered three options for entrance locations.

Alternative 1: Entrance from IL Route 3 south of 8th Street and Mississippi Avenue

- Considered non-viable due to signaled intersection spacing requirements

Alternative 2: Entrance from IL Route 3 at 8th Street and Mississippi Avenue

- Signalized intersection exists
- Preferred option

Alternative 3: Entrance from First Street

- Considered non-viable due to significant land acquisition requirements

Alternative 2 provides the only viable option, within the municipal boundaries of East St. Louis, for the development of the entrance and access roads to the proposed Port of East St. Louis. Additional roadway design analyses and changes include:

- The length of the entrance road was reduced to keep the access road as far east as possible but still allow for safe turning radius of anticipated truck traffic, this change resulted in reduced impacts to on site wetlands.
- The roadway elevation analyses determined the need to keep elevation at or above the Mississippi River 100-year floodplain.
- Alternative route options were limited due to presence of existing storage facility and water treatment plant.

Only a no build alternative would result in lack of impacts to the environment and wetlands. This option is not viable due to the availability of DCEO grant monies secured for the initial infrastructure project and the future development of the Port of East St. Louis.

<u>Conclusion</u>:

The construction of the proposed project will follow conditions set forth by the Agency and USACE. The completion of the entrance and access roadways is the most cost effective, viable means for developing the initial infrastructure needed for future development of the Port of East St. Louis. Erosion and Sediment Control Plans will be implemented pre- and post-construction and stormwater BMPs will be implemented to reduce impacts to the Mississippi River and other wetlands near the construction site. Wetland mitigation of 2.10 acres of wetland credit from the

Southern Illinois Wetland Bank has been proposed for the permanent loss of 1.05 acres low quality emergent wetlands.

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

An EcoCAT endangered species consultation submitted on June 2012 to the Illinois Department of Natural Resources resulted in the identification of protected resources that may be in the vicinity of the proposed project. IDNR has evaluated the EcoCAT information and concluded that adverse effects are unlikely, and terminated consultation for IDNR Project #1212916 on June 27, 2012.

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 draft 401 Water Quality Certification was written. We tentatively find that the proposed activity will 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 will benefit the community at large by providing the initial infrastructure needed for future development of the Port of East St. Louis. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.