

**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:**

June 15, 2022

**Public Notice Ending Date:**

June 29, 2022

**Agency Log No.:C-0096-22**

**Federal Permit Information:** This civil works project is under the jurisdiction of Chicago District, Regulatory Branch U.S. Army Corps of Engineers

**Name and Address of Discharger:** Park District of Highland Park, Brian Romes - 636 Ridge Road, Highland Park, IL 60035

**Discharge Location:** In Section 24 of Township 43-North and Range 12-East of the East 3rd Principal Meridian in Lake County. Additional project location information includes the following: 0.75 miles northeast of intersection of Central Avenue & St John's Avenue, Highland Park, IL 60035

**Name of Receiving Water:** Lake Michigan

**Project Description:** The project involves placing clean quarry sand along Park Avenue beach to replenish the beach area and re-establish the sand ramp. The purpose of the project is to replenish the beach area to allow the public to safely access the water. The placement of approximately 1,055 cubic yards of clean quarry sand will occur every year for 10 years

**Construction Schedule:** Beginning Sep 2022 and ending Sep 2032

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-0096-22-06152022-PublicNoticeAndFactSheet.pdf

The Park District of Highland Park (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with placement of sand to nourish the beach in Lake Michigan at the Park Avenue Boat Launch in Highland Park, Lake County, Illinois. The project site can be found in Township 43N, Range 12E, Section 24. The proposed project would allow for 1,055 cubic yards (CY) of clean quarry sand to be placed in 0.29 acres (Ac) of Lake Michigan annually. The sand ramp would receive 10 CY and the beach would receive 1,045 CY. Over a 10-year period, total beach nourishment would total 10,550 CY. Currently, the Park Avenue Beach is suffering from significant erosion and sand migration as a result of prolonged high-water levels. The sand ramp is used by personal watercraft users to deploy their vessels. The proposed project will replenish the beach area to allow the public to safely access the water and alleviate future erosion of the beach and adjacent structures.

The Applicant is requesting a 10-year sand nourishment permit which would enable them to have the ability to mobilize up to 1,055 CY of sand annually if and when necessary to help maintain a stable sand ramp and beach.

This project will minimize impact to the maximum extent practicable. The proposed work is anticipated to be conducted from the landside and will be conducted in a manner that limits the potential for environmental impacts, therefore, compensatory mitigation is not planned.

Information used in this review was obtained from the application documents dated April 5, 2022 and May 12, 2022.

### **Identification and Characterization of the Affected Water Body.**

Lake Michigan has 0 cfs of flow during critical 7Q10 low-flow conditions. Lake Michigan is classified as a Lake Michigan Basin Use Water. Lake Michigan 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. Lake Michigan, Waterbody Segment IL\_QLM-01, is listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as impaired for aesthetic quality with a potential cause given as total phosphorus, and fish consumption use with potential causes given as aldrin, dieldrin, endrin, heptachlor, mercury, mirex, polychlorinated biphenyls, and toxaphene. Aquatic life, primary contact, and public and food processing water supply uses are fully supported.

Park Avenue Beach, Waterbody Segment IL\_QJ-05, is listed on the 2018 Illinois Integrated Water Quality Report and Section 303(d) List as impaired for fish consumption use with potential causes given as mercury and polychlorinated biphenyls and for primary contact recreation use with potential cause given as E-coli.

A Total Maximum Daily Load (TMDL) Report has been prepared and approved by the USEPA for 51 beaches along Illinois’ Lake Michigan shoreline to address Primary Contact Use Recreation impairments due to excess bacteria. The proposed activity occurs within an area identified by the May 15, 2013, report “Shoreline Segments in Suburban Lake County, Illinois” as a Beach Protection Area and is therefore subject to this TMDL.

There is little habitat in the proposed work areas due to the presence of past shoreline stabilization and recreational land uses directly adjacent to the water's edge. Additionally, there is no visible aquatic vegetation present, and no terrestrial vegetation due to the presence of a beach area and the upland water plant parking lot.

#### **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 are a normal and unavoidable result of the placement of quarry sand beach fill. The fill material will consist of washed torpedo sand that will be placed using land-based access and is expected to fill 0.29 acres.

#### **Fate and Effect of Parameters Proposed for Increased Loading.**

The increase in total suspended solids would be local and temporary, and existing aquatic life use in the shallow, nearshore zone will temporarily be disturbed, but will recover over time. The proposed project will provide shoreline protection for the bluff and lakebed, as well as improve the boating facilities and accessibility at this site. The proposed fill will improve the quality of the lakebed and water. This permit calls for up to 1,055 tons of sand to be placed annually for beach nourishment. Due to the nature of the project and the minimal environmental impacts, no additional mitigation is proposed.

#### **Purpose and Social & Economic Benefits of the Proposed Activity.**

The need for the project is a result of the prolonged high-water levels causing significant erosion and sand migration from the beach area. The purpose of the project is to replenish the beach area to allow the public to safely access the water and alleviate future erosion of the beach and adjacent structures.

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

An alternative location was not considered as the Park Avenue Beach is an existing facility. However, the following alternatives were evaluated:

##### No Action Alternative:

If no action is taken, the public's access to Lake Michigan by personal watercraft users would be difficult as the sand ramp would not be functional. Additionally, the beach area would be left in a constant state of ongoing erosion, and sand migration would continue, jeopardizing the stability of the beach area and adjacent shoreline.

##### Alternative Nourishment Options:

1. The applicant considered placing larger volumes of imported washed sand placed more infrequently. This alternative does not appear to reduce the risk of fine material being distributed in the lake and does not offer an economic advantage therefore, this alternative was not chosen.
2. The applicant also considered use of dredged lakebed material from other locations within the area. This alternative does not appear to reduce the risk of fine material being distributed in the lake and does not offer an economic advantage therefore, this alternative was not chosen.

##### Preferred Option:

This option involves implementation of a 10-year sand nourishment permit which would enable them to have the ability to mobilize up to 1055 CY of washed torpedo sand annually if and when necessary to help maintain a stable sand ramp and beach. This is the option preferred for this project.

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

On May 12, 2022, the IDNR EcoCAT review was initiated for the project (Project # 2213015) and identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects area unlikely. The consultation was terminated on May 12, 2022.

### **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 Park District of Highland Park by providing shoreline stabilization and sand nourishment to eroding beach areas, and in turn, providing safe access to the water. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.