

**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:

Thursday, June 20, 2024

Public Notice Ending Date:

Friday, July 19, 2024

Agency Log No.: C-0039-24

Federal Permit Information: Federal permit/license no. LRC-2023-317 is under the jurisdiction of Chicago District, Regulatory Branch U.S. Army Corps of Engineers

Name and Address of Discharger: Metropolitan Water Reclamation District of Greater Chicago, Catherine O'Connor - 100 E Erie Street, Chicago, IL 60611

Discharge Location: In Section 22 of Township 41-North and Range 12-East of the East 3rd Principal Meridian in Cook County. Additional project location information includes the following: Advocate Lutheran General Hospital, 1775 Ballard Rd.; intersection of Dempster St. and Vernon Ave. to 294, Park Ridge; along Bobbi Ln. East and West of Robin Dr. and from Briar Ct. to Potter Rd., Des Plaines; Northwest corner of the retention pond behind Tony's Fresh Market at 8900 N. Greenwood Ave. Prairie Creek running from the pond to Parkside Ave. and Prairie Creek East and West of Parkside Dr., Niles

Name of Receiving Water: Prairie Creek

Project Name/Description: Prairie Creek Flood Control Improvements - proposed flood control improvements at various locations along Prairie Creek within City of Park Ridge and Maine Township

Construction Schedule: Immediate (Planned project duration is approximately 729 days)

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-0039-24-06202024-PublicNoticeAndFactSheet.pdf

The Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) has applied for a 401 Water Quality Certification for impacts associated with flood control improvements to Prairie Creek in Sections 14, 15, 16, 21, 22, and 23, Range 12 East, Township 41 North, Cook County, Illinois. The project site is located in Prairie Creek from Parkside Drive to Potter Road in Park Ridge and Maine Township. The project will involve four subproject locations known as FRCR 4, FRCR 7, FRCR 8, and FRCR 9. FRCR 4 consists of increasing storage at the east and west ponds of the Advocate Lutheran General Hospital (ALGH) North Campus, a diversion pipe, and dewatering pump station. FRCR 7 proposes a diversion box storm sewer trunkline that connects to an existing 84" RCP storm sewer located south of the ALGH North Campus Parking Garage, to divert water away from Prairie Creek towards Farmer's Creek. FRCR 8 consists of culvert upsizing, creek realignment, and creek widening, from the downstream limit of FRCR 4 to upstream of Potter Road.

The applicant is seeking coverage under Nationwide Permits (NWP) 13, 14, 43, and 58 for work at FRCR-8, FRCR-9, FRCR-4, and FRCR-7, respectively. The work covered includes expansion and improvements to stormwater structures, storm sewer installment, bank stabilization and culvert replacement. An individual 401 was required as the project exceeds 1000 feet of streambank work.

Fill material in the amount of 232 cubic yards (CY), 118 CY cut, and 114 CY offset will occur in 0.032 acres (Ac) of wetland and approximately 0.05 Ac of Prairie Creek. The fill will consist of soil, gabion baskets, riprap, and culverts. No mitigation is proposed for stream impacts as the project provides improvements and restoration. Mitigation for wetland impacts will not be required as the impact acreage is less than the 0.1 Ac threshold.

Information used in this review was obtained from the application documents dated February 24, 2023, November 14, 2023, February 22, 2024, March 27, 2024, and June 6, 2024.

Identification and Characterization of the Affected Water Body.

A field investigation was conducted by Gewalt Hamilton Associates on May 9th and 11th, 2023. The study area consisted of four areas within a 1.5-mile stretch:

- FRCR 7 - 1 mile stretch along Dempster Street
- FRCR 9 - 0.25-mile stretch along Ballard Road and includes a retention pond behind the strip mall at Ballard and Greenwood Road
 - Also includes 400 feet of Prairie Creek west of Parkside Drive and 100 feet to the east
- FRCR 4 – 650 feet of Prairie Creek to the east of the retention pond west of Advocate Lutheran General Nessel Pavilion and the retention pond itself
- FRCR 8 – 0.31 miles of Prairie Creek from north of Briar Court ending at Potter Road

Prairie Creek has 0 cfs of flow during critical 7Q10 low-flow conditions. Prairie Creek is classified as General Use Water. Prairie Creek 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. Prairie Creek, tributary to Waterbody Segment IL_G-28, is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List it has not been assessed. Prairie Creek is not subject to enhanced dissolved oxygen standards.

Prairie Creek is part of FRCR 8 and drains from east to west in the project area. It is locally considered a tributary to Farmers Creek and is a manmade, excavated drainageway. The OHWM along Prairie Creek is densely forested and runs through a residential area stretching from the west pond at ALGH to Potter Road. The riparian environment is forested with streambanks consisting of stone retaining wall and some with steep slopes or mowed turf. Portions of the south streambanks are wood retaining wall and riprap while other sections have differing degrees of bank erosion. The majority of the vegetation is invasive or low-quality consisting of silver maple (*Acer saccharinum*), European buckthorn (*Rhamnus cathartica*), and Boxelder (*Acer negundo*).

Farmers Creek has 0 cfs of flow during critical 7Q10 low-flow conditions. Farmers Creek is classified as General Use Water. Farmers Creek 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. Farmers Creek, tributary to Waterbody Segment IL_G-28, is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List it has not been assessed. Farmers Creek is not subject to enhanced dissolved oxygen standards.

Farmers Creek is part of FRCR 7 and is the main channel that drains north to south long the west side of the project area. It is a manmade, excavated drainageway with eroded streambanks with tree root exposure. Dominant vegetation includes European buckthorn and Reed canary grass (*Phalaris arundinacea*). The portion of the creek closest to Dempster Street along the west side of the creek is dominated by woody shrubs while the east side also contains woody shrubs but is less shaded. Impacts to 61 linear feet (LF) are expected.

Wetlands identified in the study lie within the retention pond adjacent to Advocate Lutheran General, within the 650 feet along Prairie Creek, and on the south side of Dempster Street near the 294 off-ramp. The wetlands in FRCR 9 will receive only 0.0002 Ac of impacts.

FRCR 4 includes a wetland in a low-lying area east of the retention pond. It is a depressional area that was created by grading during construction of the retention pond. It is barred by a retaining wall on the east and connects to the pond on the west side. Dominant vegetation consists entirely of turf grass, Redtop (*Agrostis gigantea*). The study area has a native mean C value of 0 and an FQI of 0. The wetland will undergo 0.03-Ac of impacts.

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. Impacts are expected to be short-term and temporary due to stream realignment and associated improvements. Impacts are expected to recover and improve with the proposed realignment of the waterway. The proposed project will improve flood storage and reduce flooding in the area. No increase in pollutant loads is proposed. The project is anticipated to repair and prevent further environmental degradation by stabilizing banks with man-made and natural remedies (riprap, gabion baskets and native vegetation). Overall environmental improvements rather than degradation are proposed. Additionally, the unsuitable, dredged material shall be disposed properly offsite. Other excavated material meeting the IDOT specifications as suitable material may be reused.

Fate and Effect of Parameters Proposed for Increased Loading.

Mechanical and natural methodologies to stabilize stream banks include gabion baskets, rip-rap, and native vegetation installation. The daylighting of the creek west of Parkside Drive and the enhancement of

the east basin at Advocate Lutheran General Hospital is likely to increase aquatic habitat and function. Additionally, the stabilization of the streambanks will improve long-term water quality and habitat stability as further erosion will be prevented. The native seeding along the creek is also intended to improve the creek's buffer and habitat. A portion of the daylighted Prairie Creek will be planted with native vegetation to mitigate for other impacts to onsite resources.

Impacts will be minimized by keeping stabilization measures such as gabion baskets above the OHWM in as many locations as possible while still providing sufficient stabilization. Additionally, riprap installed below the OHWM will be seeded with native seed to improve overall ecosystem quality and provide natural stabilization.

Additionally, all of FRCR-8 will be seeded with native seed along the shoreline as well as areas being converted from stone walled to native vegetation. At FRCR-4 half of the western portion of the east pond will be naturalized and native seed around the entirety of the pond. At this point in the design process, the project will require no mitigation for wetland impacts as the acreage falls below the 0.1 acre threshold (0.032 acres of impact), shoreline impacts (OHWM) total 446 ft in length. 382 ft of which consists of filling creek while 64 ft will be cutting material away.

Existing uses of the creek will be maintained as the remeandering of the creek is intended to improve creek flood storage functionality. There will be a net increase in surface water with the daylighting of the creek. All mitigation will be provided on site with the daylighting of Prairie Creek along Ballard Road. All temporary measures such as SESC measures including cofferdams and silt fences will be removed upon completion of each project portion. Where erosion control blanket is used, the respective owner will maintain the associated seeding and, ultimately, the portions of stream located within their jurisdiction

Purpose and Social & Economic Benefits of the Proposed Activity.

The purpose of the project is to provide public flood control improvements at various locations along Prairie Creek within the City of Park Ridge and Maine Township. The proposed improvements are expected to significantly reduce the 100-year floodplain within the communities near Prairie Creek, which will provide a socio-economic benefit from reduced flood damage to properties by increasing flood resiliency.

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

The alternatives studied include twelve storage improvement alternatives (S1-S12), eight conveyance improvement alternatives (C1-C8), fifteen combination improvements (D1-D15), and one "other" improvement (L1).

Alternatives were assessed via in-depth analyses performed by the Illinois Department of Natural Resources (IDNR "Strategic Planning Study", September 2009) and the Metropolitan Water Reclamation District ("Detailed Watershed Plan for the Lower Des Plaines River Watershed: Volume 1" Prepared by Metropolitan Water Reclamation District of Greater Chicago (MWRDGC), Dated February 28th, 2011) The chosen projects vary slightly from those within these studies but closely resemble the following projects within the IDNR study: Alternative S3 – Lutheran General Hospital Pond (Now Advocate Lutheran General Pond (ALGH)). The preferred project varies in that the west pond is being deepened while the east pond is being naturalized. A pump station was originally proposed which is consistent with existing plans. The original project, as described in the study, included a siphon pipe beneath the existing pond. Alternative C2 within the IDNR study consists of a pipe along Dempster Street to divert the existing storm sewer that outlets into Prairie Creek downstream of ALGH to a point on Farmers Creek adjacent to the tollway.

The option to do nothing is not a feasible long-term solution for alleviating the issue of flooding within the project area and does not serve the purpose and need of the project.

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

An EcoCAT endangered species consultation was submitted to the Illinois Department of Natural Resources on February 24, 2023, and found record of the Kirtland's Snake (*Clonophis kirtlandii*) that may be in the vicinity of the project location.

The Department recommends the following actions be taken to avoid adversely impacting listed species in the vicinity of the project:

- “A survey for Kirtland’s Snake be conducted to determine if the snake and suitable habitat is present within the project area. The principal investigator should obtain a Scientific Collectors Permit and T&E Permit from the Department to conduct such work. A survey proposal should be sent to this office for concurrence on methods, along with the results for final comment.”
- “Subsequently, if the Kirtland’s Snake or suitable habitat is identified during the survey, the Department recommends the applicant seek an Incidental Take Authorization (ITA) pursuant to Part 1080 and Section 5.5 of the *Illinois Endangered Species Protection Act*. Visit the link below for information on the ITA process: Incidental Take Authorizations - Species Conservation ([illinois.gov](https://www.illinois.gov)).”

Given the above recommendations are adopted, the Department has determined that impacts to these protected resources are unlikely. The Department has determined impacts to other protected resources in the vicinity of the project location are also unlikely therefore, consultation for Part 1075 was closed.

A US Fish and Wildlife Services (USFWS) Section 7 consultation was completed on October 26, 2023 and found the following threatened and endangered species that may occur in the proposed project location or may be affected by the proposed project:

- Northern Long-eared Bat (*Myotis septentrionalis*) – Endangered; No Critical habitat has been designated. Tree removal to occur November 1st – April 1st to avoid accidental take. Conclusion: Adverse impacts unlikely.
- Rufa Red Knot (*Calidus canutus rufa*) – Threatened; Proposed critical habitat does not include Illinois. Conclusion: Species not present.
- Whooping Crane (*Grus americana*) – Experimental Population, Non-Essential; No designated critical habitat. Based upon quality of Prairie Creek and food sources, conclusion is that adverse impacts are unlikely.
- Eastern Massasauga rattlesnake (*Sistrurus catenatus*) – Threatened; No designated critical habitat. There are limited shallow wetlands onsite and where viable, the surrounding area is mowed; therefore, adverse impacts are unlikely.
- Hine’s Emerald Dragonfly (*Somatochlora hineana*) – Endangered; Wetlands do not meet habitat description for species therefore adverse impacts are unlikely.
- Monarch Butterfly (*Danaus plexippus*) – Candidate; No designated critical habitat. Potential habitat onsite has a small amount of required milkweed plants, therefore adverse impacts are unlikely.

- Eastern Prairie Fringed Orchid (*Platanthera leucophaea*) – Threatened; No designated critical habitat. Wetlands consist of and/or are adjacent to mowed turf grass therefore adverse impacts are unlikely.
- Leafy Prairie-clover (*Dalea foliosa*) – Endangered; No designated critical habitat. Occurs in calcareous soils of which there are none onsite. Conclusion: Species not present.

The project was reviewed for cultural resources and determined to be in compliance with the Illinois State Agency Historic Resources Preservation Act.

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 communities near Prairie Creek by reducing flood damage to properties by increasing flood resiliency. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.