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:	**Public Notice Ending Date:**
Wednesday, October 2, 2024	Tuesday, October 22, 2024

Agency Log No.: C-0235-23

Federal Permit Information: Federal permit/license no. CEMVR-RD 2023-1608 is under the jurisdiction of Rock Island District, Regulatory Branch U.S. Army Corps of Engineers

Name and Address of Discharger: Illinois Department of Transportation-District 6, Jeffrey P. Myers - P.E. Region 4 Engineer - IL Route 97 Project/From IL Route 125 to IL Route 4, Springfield, IL 62677

Discharge Location: In Section 22 of Township 16-North and Range 6-West of the West 3rd Principal Meridian in Sangamon County. Additional project location information includes the following: IL Route 97 Project/From IL Route 125 to IL Route 4, Springfield, IL 62677

Name of Receiving Water: Willow Branch

Project Name/Description: IL 97-Four Lane Expressway-E. Contract-Willow Branch Stream Impacts - Construction of a four lane expressway from IL4 to Old Covered Bridge Road to accommodate projected traffic demands and to improve safety in the project corridor.

Construction Schedule: Beginning Apr 2024 and ending Nov 2026

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.

Name: Oyetunde Tinuoye Email: Oyetunde.Tinuoye@illinois.gov Phone: 217/782-3362

Post Document. No. C-0235-23-10022024-PublicNoticeAndFactSheet.pdf

IDOT ("Applicant") has applied for a 401 Water Quality Certification for impacts associated with construction of a four-lane expressway on Illinois Route 97 (IL 97) to accommodate projected traffic demands and to improve safety**.** The project is located along IL 97 between its intersection with IL 125, and IL 4 in Springfield, in Township 16 North, Range 6 West, Sections 22 of Sangamon County, Illinois. The project which begins approximately 3400 feet west of the IL 97/IL 125 intersection and ends approximately 570 feet west of IL 4, will be constructed in two contracts. This project addresses the impacts in the East Contract with limits from IL 4 to Old Covered Bridge Road. The proposed expressway will span over Willow Branch West and a tributary to Willow Branch West. The double branched stream (west branch and east branch) will be rerouted through a pipe culvert under IL 97 thus impacting 690.8 LF of the west branch and 316.12 LF of the east branch.

The construction is proposed as a four-lane, divided highway with a signalized "T' intersection at the IL 125 junction. This intersection will include a westbound to northbound right turn lane and a single-lane ramp. Construction will also include a northern bypass around the town of Bradfordton. All sections except for the bypass will utilize all or part of the existing IL 97 right-of-way. The existing IL 97 between Koke Mill Road and approximately 0.6 miles west of Bradfordton will remain open as a service road. The connection to Moore Road will be severed and rerouted to a signalized intersection with proposed access roads/driveways and Bradfordton Road. All intersections will include left and/or right turn lanes.

Proposed permanent impacts to Willow Branch West and the tributary to Willow Branch West include 690.8 LF of stream impacts to the west branch (Willow Branch West) and 316.12 LF of stream impacts to the east branch (tributary to Willow Branch West). A 72-inch pipe culvert approximately 222 feet long will be installed under IL 97 to carry Willow Branch, and a 446 ft long riprap lined drainage ditch will carry the West branch to the pipe culvert. Fill will be in the form of riprap and roadway fill in the amount of 3298 cubic yards (CY) in the west branch and 4918.67 CY in the east branch for a total fill amount of 8216.66 CY. Tree removal is expected in 2.15 Acres (Ac) of the East Contract.

The impacts will be mitigated through the purchase of stream mitigation credits from the Sangamon River Wetland and Stream Mitigation Bank.

Information used in this review was obtained from the application documents dated June 12, 2018, July 26, 2023, August 9, 2023, August 18, 2023, and November 7, 2023.

Identification and Characterization of the Affected Water Body.

On May 1, 2017, the Illinois Natural History Survey performed a wetland and surface water investigation for the entire project area. In the survey area that includes East Contract, Sites 5, W2, and W3 were identified in the Wetland Determination Site Summaries.

Site 5 is identified as a wet floodplain forest which lies approximately 50 feet south of IL 97. The total site area of the wetland was determined to be 0.03 acres (Ac) with less than 0.01 Ac occurring within the project corridor. No wetlands will be impacted as a result of this project.

Site W3 is identified as a tributary to Spring Creek. The tributary crosses North Bradfordton Road approximately 480 feet south of IL 97. No impacts are proposed for this stream.

Site W2 is identified as Willow Branch and includes Willow Branch West (west branch) and an unnamed tributary to Willow Branch West (east branch). This stream crosses IL 97 approximately 1220 feet east of the intersection of North Old Covered Bridge Lane/County Highway 9B and IL 97. It is an intermittent stream with observed riffles an

no mussel shell material observed. The NWI code is listed as R4SBC (seasonally flooded, streambed, intermittent, riverine wetland).

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

The unnamed tributary to Willow Branch West has 0 cfs of flow during critical 7Q10 low-flow conditions. The unnamed tributary to Willow Branch West is classified as a General Use Water. The unnamed tributary to Mill 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. The unnamed tributary to Willow Branch West, tributary to Waterbody Segment IL_EZL is not listed on the 2022/2022 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. The unnamed tributary to Willow Branch West is not subject to enhanced dissolved oxygen standards.

The USGS Illinois Streamstats basin characteristics program gives a watershed size of 0.551 square miles at the convergence of the west and east branches of Willow Branch. According to the Illinois State Water Survey, Willow Branch in the area of the proposed discharge is likely to be 7Q1.1 zero flow streams. In this region of Illinois, 7Q1.1 zero flow streams are streams with a watershed area of 3 square miles or less. These streams will exhibit no flow for at least a continuous seven day period nine out of ten years. Aquatic life communities in these headwater streams are tolerant of the effects of drying. Depending on the rainfall received before biological surveys, either a very limited aquatic life community, or no community at all would be found. Given this flow regime, no additional biological characterization is required.

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, a normal and unavoidable result of the culvert placement and filling/realignment of the east and west branches of Willow Branch west, may occur in the proposed project area. Fill impacts will be permanent in the 2 reaches of the stream for construction of the new roadway. Rip rap and fill in the amount of 8216.66 CY will be used, with 3298 CY in the west branch and 4918.67 in the east branch. Fill will consist of clean fill material from a later determined site. A total of 1007 LF of stream impacts and no wetland impacts are expected because of this project. Tree removal is expected in 2.15 Ac.

The south legs of both reaches of Willow Branch are proposed to be intercepted by the new riprap lined roadside ditch prior to entering the new 72” pipe culvert to cross under the new expressway before rejoining the existing flow north of the improvements.

The slight increase in runoff due to additional impervious surfaces is not expected to have any significant effect on surface waters in the project area. As this project does not include widening and added lanes for capacity, the increase in impervious areas is minimal. The increase in impervious surfaces may increase the concentrations of heavy metals in stormwater runoff.

Fate and Effect of Parameters Proposed for Increased Loading.

Impacts to surface water will be minimized through appropriate erosion and sediment control best management practices (BMPs). Vegetative cover will be established on all unpaved areas and areas not covered by a permanent structure. Additionally, a winter Operations BMP plan will be implemented by applying annual training for plow operators to improve the efficiency of de-icing application and to reduce loss of de-icing chemicals, calibrated

spreaders equipped with ground sensors that can accurately control the rate of spreading, prewetting solid deicing chemicals/mixtures for better adhesion to the pavement surface and for melting of the ice/snow, and adjusting the application rates of de-icing chemicals according to pavement temperature and weather conditions.

The Illinois Stream Mitigation Method was used to determine the mitigation credits required as a result of this project. This method used the stream type impacted (ephemeral/intermittent), priority (secondary), existing condition (functionally impaired), duration (permanent), and activity (pipe) to determine the factors that cumulative impact. The sum of the factors multiplied by the total linear footage of the streams found the total mitigation credits to be 3395.56. These stream mitigation credits will be purchased from the Sangamon River Wetland and Stream Mitigation Bank.

Purpose and Social & Economic Benefits of the Proposed Activity.

The purpose of this project is to address traffic demands and to improve safety in the project area. Traffic volumes on this section of IL 97 in 2019 showed an Average Daily Traffic (ADT) of 10,500 with projections of 10,775 in 2025, and 12,800 in 2047. Crash data from 2017-2021 showed a total of 154 crashes at 6 intersections identified as High Safety Tier Intersections within this section. The identified intersections are IL 97/125, Old Covered Bridge Lane, Moore Road, Hazlett Road, Koke Mill Road, and Winch Lane. There is a Critical Safety Tier Segment from Covered Bridge Lane to Bradfordton Road. There are also 2 High Safety Tier Segments identified through this section, from Farmington Cemetery Road to Old Covered Bridge Lane, and from Moore Road to Koke Mill Road.

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

No Build Alternative: This alternative would keep IL 97 a two-lane roadway on its present alignment and be subject to only minor short-term restoration activities such as general safety and maintenance improvements that would support its continuing operation within the study area.

The Build Alternative (Preferred Alternative): This alternative proposes a four-lane, divided, partial access-controlled highway with a signalized T intersection at the IL 125 junction. A westbound to northbound right turn, free flow, single-lane ramp would be included, as well as a northern bypass around the town of Bradfordton. Not including the proposed bypass, all other sections of this alternative, including the replacement of the Prairie Creek and the abandoned Sangamon Valley Trail bridge structures, would utilize all or part of the existing IL 97 right of way. A portion of IL 97 will remain open as a service road between Koke Mill Rd and 0.6 mile west of Bradfordton. Moore Road would be severed and rerouted to intersect with the new expressway with a signalized intersection. The Build Alternative will also include appropriate access roads/driveways to the various residences and business along the alignment. Additionally, left and/or right turn lanes will be constructed at all intersections.

The Build Alternative “A”: This alternative would involve removal of the abandoned railroad bridge and substructure, which currently carries the Sangamon Valley Trail over IL 97. Abandonment of the tracks would be necessary. Construction of temporary railroad runaround would be involved with this alternative.

The Build Alternative “B”: This alternative would involve removal of the abandoned railroad bridge and substructure, which currently carries the Sangamon Valley Trail over IL 97. Abandonment of the tracks would be necessary. The typical section for this alternative would be the same as Build Alternative “A”, but the profile would be raised to a more desirable slope that is closer to the surrounding terrain.

The Build Alternative would remain open to traffic during construction, and access to residential and commercial proprieties would be maintained at all times.

Other build alternatives considered included a Paperclip or North Carolina Directional interchange and a Trumpet interchange at the IL 125 junction. These alternatives were compared to the T interchange described in the Build Alternative, but it was determined that they impacted the floodplain, prime farmland, and upland forest at a greater

degree, as well as had a significantly higher cost. Because of this, the Paperclip and Trumpet interchanges were not considered further.

A southern bypass of Bradfordton was considered briefly but was eliminated from further study due to the residential and church displacements, stream crossings, and upland forest impacts it would result in as compared to the build alternative.

Improvements to the existing alignment through Bradfordton was considered but eliminated from further study due to the following factors:

- The alignment would require a five-lane section with no median resulting in a reduced design speed; therefore, defeating the purpose of a four-lane rural expressway.
- Potential involvement with a Leaking Underground Storage Tank (LUST) site.
- The acquisition of frontage property of 8 more residences and 9 more businesses than the Build Alternative.

The Build Alternative is the Preferred Alternative for the proposed project.

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

An Environmental Assessment (EA) was completed for the entire project (both East and West Contracts) resulting in a Finding of No Significant Impact (FONSI) on May 8, 1997. A reevaluation for the EA was submitted on March 14, 2023, due to a change in the original alignment. The Federal Highway Authority (FHWA) reviewed and evaluated the document and determined that the approved EA remains valid. However, since the 1997 FONSI issuance, two new species, the Northern long-eared bat (NLEB) and the Tricolored bat were listed as federally threatened. A Section 7 review discussed the two species.

The IPaC was completed and it was determined that the project is not within the scope of the programmatic biological opinion and is likely to adversely affect the Tricolored bat, NLEB or Ibat unless the following conservation measures are implemented:

- Trees three (3) inches or greater in diameter at breast height will not be cleared April 1 through September 30.

- USFWS has determined that 6.65 acres of tree mitigation shall be required due to 3.8 acres of tree removal beyond 100’ of existing pavement.

Tree species suitable for bats shall be planted. IDOT may choose to accomplish tree mitigation by the following:

- Planting trees at a local municipality park(s)
- Planting trees on local conservation property (state, federal, other)
- Set up an Intergovernmental Agreement with IDNR Division of Forestry to have trees planted on IDNR property
- USFWS In Lieu Fee program for Bats

The Natural Resource Review also states:

“If using the USFWS range-wide in lieu fee program sponsored by The Conservation Fund, the transportation agency shall send notification to the Program Coordinator, Lauri Lindquist (269-426-8825) via IbatILFCoordinator@conservationfund.org, as well as to the local Service Field Office in order to begin the mitigation process.

If the proposed improvement includes bridge/structure replacement and an assessment for signs of bats was conducted, please note that the assessment is valid for two years and that an expired assessment will need to be updated prior to construction.

Should the project require temporary or permanent lighting, all lighting shall be installed in accordance with Federal Highway Administration Guide for bats which recommends that lighting does not increase illumination above ambient conditions and that incorporates full cut off, downward facing lights directed away from forested areas.

At this time, the Tricolored bat is proposed for listing as federally endangered. The species habitat requirements are similar to NLEB and IBAT. They often roost in trees during the summer active season and hibernate in caves or mines during the wintertime period. Therefore, this office has determined that the above conservation measures may also provide protections for the Tricolored bat**. "**

IDOT has also determined that the proposed project will have no effect on the Eastern prairie fringed orchid, monarch butterfly, and whooping crane.

A Review for Illinois Endangered Species Protection and Illinois Natural Areas Preservation under Part 1075 was completed, and it was determined that the Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. No species listed as threatened or endangered federally or in Illinois were found during the wetland survey. Also, no communities of special interest were noted. Therefore, consultation under Part 1075 was terminated.

A June 17, 2022 letter from the Deputy State Historic Preservation Officer states that plans to reduce the right of way for the project will meet The Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" and therefore provides a No Adverse Effect Determination and compliance with Section 106 of the National Historic Preservation Act of 1966, as amended.

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 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 public by addressing traffic demands and improving safety in the project area**.** Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.