

IEPA Log No.: **C-0150-07**
CoE appl. #: **2007-188**

Public Notice Beginning Date: **January 31, 2008**
Public Notice Ending Date: **March 3, 2008**

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: Wal-Mart Stores, Inc., 2001 SE 10th Street, Bentonville, Arkansas 72716

Discharge Location: Section 23, T6N, R10W of the 3rd P.M. in Madison County within Godfrey

Name of Receiving Water: Two Unnamed Tributaries to Rocky Fork Creek

Project Description: Construction of a Wal-Mart.

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
Wal-Mart Stores, Inc. – Unnamed Tributaries to Rocky Fork Creek – Madison
County
IEPA Log No. C-0150-07
COE Log No. 2007-188
Contact: Alyson Grady; 217/558-2012
January 31, 2008**

The applicant has applied for 401 water quality certification for the proposed impact of 1,550 linear feet of two unnamed tributaries to Rocky Fork Creek in Section 23, Township 6 North, Range 10 West, Madison County, Illinois. The proposed project will construct a commercial development on 36.8 acres with related infrastructure including utilities, parking lots, and stormwater detention at the intersection of U.S. Route 67 and Airport Road in Godfrey. Two unnamed tributaries to Rocky Fork Creek are located within the project site. The first unnamed tributary enters the site from the north through a culvert under Airport Road and flows approximately 250 linear feet until its confluence with the second unnamed tributary. The proposed project will impact all 250 linear feet of this tributary. The second unnamed tributary enters the project site in the northeast corner of the site and runs approximately 1,570 linear feet through the project site before exiting the site in the southwestern area of the site. The proposed project will impact approximately 1,300 linear feet of this tributary. The unimpacted portion of the tributary is located in the southwestern area of the site. The proposed project will fill these portions of the tributaries and pass the flows through storm sewers along the eastern portion of the site. In the southeast corner of the site, the relocated flows will be day-lighted and will flow through approximately 660 linear feet of new channel prior to entering the remaining portion of the unnamed tributary. The new channel will be constructed with a stilling basin at the outfall and will be planted with native grasses, forbs, shrubs, and trees. The stilling basin is designed to decrease the velocity of the water as well as allow suspended materials and debris time to settle out before it reaches the unnamed tributary. The proposed project will also have a stormwater detention basin to capture the stormwater flows from the site. The stormwater basin will contain a bioretention area that will assist in the removal of pollutants including suspended solids, heavy metals, oil and grease, excess phosphorus, excess nitrogen, and coliform from the stormwater. The bioretention area will be planted with native grasses, forbs, and shrubs. Water that does not infiltrate within the basin will be released from the basin at a restricted rate through a vegetated swale into the unnamed tributary. The release rate from the basin will be equal or less than the pre-development flows as required by the Village of Godfrey and Madison County. Mitigation for the proposed impacts will be both on-site and off-site. The impacts for the project have been evaluated using the USACE State of Missouri Stream Mitigation Method (SMSMM). Under this method, the adverse impacts to the project site total 5,558 credits. The on-site mitigation area will encompass approximately 0.79 acres and fulfill 1,032 riparian restoration credits per the SMSMM. The remaining credits required for the project will be purchased through the Crooked Creek Wetland Mitigation Bank at a 2:1 ratio. The on-site mitigation area will consist of establishing a riparian corridor along the remaining undisturbed portion of the unnamed tributary. The riparian area will be planted with native tree and shrub species.

Identification and Characterization of the Affected Water Body.

The unnamed tributaries to Rocky Fork Creek have zero 7Q10 flow and are General Use waters. The tributaries are not found on the 2006 Illinois 303(d) List nor are they listed under the Agency's Biological Stream Characterization (BSC) system. The tributaries are not listed as a biologically significant waterbody in the Illinois Natural History Survey publication Biologically Significant Illinois Streams.

The first tributary enters the site from the north through a culvert under Airport Road and flows approximately 250 linear feet until its confluence with the second unnamed tributary. This tributary is approximately 1 to 3 feet wide from bank to bank. In places, there is a 10-foot wide wooded riparian buffer associated with the tributary. This riparian area is composed of American elm, sycamore, oak and willow. The drainage area for this tributary at the project location is 4.62 acres.

The second tributary enters the project site in the northeast corner of the site and runs approximately 1,600 linear feet through the project site before exiting the site in the southwestern area of the site. The channel is approximately 3 to 5 feet wide, with the tributary averaging 8 to 15 feet from bank to bank. A wooded riparian buffer does exist in some areas along the tributary, but is absent in others. Where present, the buffer is composed of American elm, sycamore, oak, and willow. The unnamed tributary lies within active agricultural fields within the project site and upstream and downstream of the project site. The drainage area for this tributary at the project location is 159.0 acres.

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 suspended solids during the construction of the project and a possible increase in contaminants associated with urban parking lot run-off. Erosion control measures will need to be utilized to minimize any increase in suspended solids. BMPs will need to be constructed to treat the parking lot run-off. Aquatic life uses in the portion of the tributary rerouted into a new swale will be negatively impacted, but in time, they will recover and support approximately the same limited community structure as is now found in the existing channel. Aquatic life uses of the portion of the tributary to be piped will be eliminated.

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 suspended solids and prevent further impact to the remaining wetlands. The BMPs, as described above, will be implemented to allow for the infiltration and treatment of the stormwater generated on-site. Mitigation for the impacts will be through the establishment of a wooded riparian corridor along the remaining portion of the unnamed tributary and the purchase of mitigation credits from Crooked Creek Wetland Mitigation Bank.

Purpose and Anticipated Benefits of the Proposed Activity.

This project will construct a new commercial development consisting of a new Wal-Mart Supercenter store, a commercial building with small retail shops, and several outlots. The project will provide economic and employment opportunities for the community.

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

The construction of the proposed project will follow guidelines set forth by the Agency and USACE. Erosion control measures need to be implemented to prevent additional impacts to the remaining wetlands. The applicant considered alternative site locations for the proposed project. These sites included a site near the end of IL 255, a site north of Godfrey Townhall, a site at Seiler and Humbert Road and a site along Buckmaster Lane in Alton. These sites were rejected from consideration for various reasons including limited access, detention concerns, required roadway improvements, site is too small/narrow, the inability to achieve the required parking ratio, and availability of the land for purchase. The applicant also considered using the Alton Municipal Golf Course as a potential site. However, use of this site would require that a special tax district be set up to help pay for the project costs. This site also contains jurisdictional tributaries and wetlands that would require relocation and mitigation. The proposed project site has fewer jurisdictional impacts and will not require the use of a special tax district to develop. Within the project site, the applicant considered piping the entire tributary. However, it was determined to be better for the environment and community if they could minimize the amount of tributary enclosed. The applicant also considered relocating the entire tributary. This alternative was rejected because the relocated tributary would have to be very deep and wide to accommodate the topography on the site. The applicant has reduced the footprint of the development by removing and relocating some of the turnarounds. This allowed the detention basin to be moved further away from the remaining portion of the unnamed tributary and will increase the riparian corridor along the tributary. The least intrusive alternative would be to not impact the tributaries. This is not an acceptable alternative given that this is a useful project and will provide the community with additional employment and economic opportunities.

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

In a report generated through IDNR's EcoCAT system dated October 30, 2007, the Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory (INAI) sites, dedicated Illinois Nature Preserves, or registered Land & Water Reserves in the vicinity of the project location. Consultation is terminated.

In a letter from Robert Schanzle dated May 25, 2007, IDNR Office of Realty and Environment Planning reviewed the project and has no objections to permit issuance.

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 assessment was written. 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 providing economic and employment opportunities. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.