



US Army Corps
of Engineers ®
Rock Island District

DEPARTMENT OF THE ARMY PERMIT

Regional Permit 16 Bank Stabilization Activities in the State of Illinois

Permittee: This Regional Permit authorizes activities proposed by the general public, railroads, transportation departments, pipeline and utility companies, and government agencies.

Number: CEMVR-OD-P-2020-0691 (Regional Permit 16)

Expiration Date: October 14, 2025

Issuing Office: U.S. Army Corps of Engineers, Rock Island District
Clock Tower Building - P.O. Box 2004
Rock Island, Illinois 61204-2004

You are authorized to perform work in accordance with the terms and conditions specified below.

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

1. **Project Description.** The following bank stabilization techniques will be authorized under this regional permit: blanket riprap, seawalls, gabions, minor bank shaping with appropriate biotechnical bank protection techniques, bendway weirs, longitudinal peaked stone riprap, stone hardpoints, stream barbs, and rock riffles. For design projects not specifically listed, the plans must be approved by the Corps of Engineers and the Illinois Department of Natural Resources, Office of Water Resources.
2. **Project Location.** This regional permit will authorize work associated with fill and/or structural materials placed for bank stabilization in waters of the United States within the State of Illinois, **except** in Cook, DuPage, Kane, Lake, McHenry and Will Counties, (areas under the U.S. Army Corps of Engineers, Chicago District regulatory jurisdiction), and counties within the U.S. Army Corps of Engineers, Louisville District regulatory jurisdiction. Please contact Chicago and Louisville Districts for additional information concerning the separate permit procedures in effect in these Districts.
3. **Permit Conditions:**
 - A. **General Conditions:**
 1. The time limit for completing the work authorized ends on the date specified on page 1. If you commence or are under contract to commence this activity before the date the regional permit expires, you will have twelve months from that date to complete your activity under the present terms and conditions of this regional permit.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party, in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal, state and tribal coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. A conditioned water quality certification from the Illinois Environmental Protection Agency has been issued for your project, **Log # C-0162-20, dated September 30, 2020**, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions. (Condition is not applicable for Section 10 Permits.)
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
7. You are required to complete and return the enclosed "Completed Work Certification" form upon completion of your project. Your signature will certify that you completed the work in accordance with this permit, including general and special conditions.

B. Special Conditions:

1. The total affected length of shoreline, stream bank, or channel to be protected shall not exceed **2,000 feet** in length. Projects greater than 2,000 feet in length would require Individual Permit authorization.
2. Generally, only those reaches of shoreline, stream bank, and channel which are experiencing erosion are covered by this regional permit. No material shall be placed in excess of the minimum needed for erosion protection.
3. This Regional Permit does not authorize any of the following activities: stream channelization; channel modifications such as excavating pilot channels; the placement of materials other than on an area of eroded bank; and projects which conflict with a Federal, state, or local project or improvement.
4. The following materials may not be used for projects to be authorized under this regional permit: auto bodies, tires, garbage or debris, scrap lumber, metal refuse, roofing materials, broken concrete containing asphalt, asphalt or other bituminous materials, or any material which would cause water pollution as defined by the Illinois Environmental Protection Agency. If approval is not specifically granted for a specific material, it is deemed to not be allowable under this Regional Permit.

5. The following materials may be used: suitable clean materials (free from debris, trash, and other deleterious materials); rock, *broken concrete, steel sheet piling, cellular blocks, fabric-formed concrete, concrete filled fabric mats, gabion baskets, rock and wire mattresses, sand/cement filled bags, geotechnical fabric materials, natural vegetation (with proper grading), and **treated wood. *If broken concrete is used, all protruding material such as reinforcing rods shall be removed or cut flush with the surface of the concrete and removed from the construction area. Broken concrete should be cut into pieces no larger than 3 feet by 3 feet, to prevent the pieces from washing downstream in high flow events. **If treated wood is used, it shall be made from newer water based wood preservatives designed for residential uses, as listed on the EPA website: <https://www.epa.gov/ingredients-used-pesticide-products/overview-wood-preservative-chemicals>. If approval is not specifically granted for a specific material, it is deemed to not be allowable under this Regional Permit.
6. All material utilized shall be properly sized or anchored to resist anticipated forces of current and wave action.
7. Materials shall be placed in such a way which will not cause erosion, or the accumulation of debris on properties adjacent to or opposite the project.
8. Materials shall be placed so that the modified bank full width and cross sectional area of the channel will conform to, or be no more restrictive than, that of the natural channel upstream and downstream of the site.
9. Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed areas shall be seeded or otherwise stabilized upon completion of construction. Seeded vegetation must not be on the IL exotic plant list: <https://www.invasive.org/species/list.cfm?id=151> .
10. Excess material excavated during the construction of bank or shoreline protection shall be placed in accordance with local, state, and Federal laws and shall not be placed in a floodway or in any water of the U.S. including wetlands.
11. The use of natural materials will be considered for bank protection on designated segments of the Nationwide River Inventory where feasible and appropriate. When not feasible and/or appropriate and after riprap is placed, the proponent will promote revegetation of the area protected. (see condition i above).
12. Parties proposing to undertake work under the provisions of this Regional Permit must provide prior notification to the appropriate Corps of Engineers District. Information submitted by the proponent must clearly determine whether or not the proposed work complies with the conditions and limitations of the regional permit. The proponent will be notified within 15 workdays if the project is in compliance with the conditions of the regional permit and whether project construction may proceed. However, this will not alleviate the need of the proponent to obtain other applicable state or local authorization.
13. The Corps of Engineers will determine on a case by case basis if a particular project proposal will fall under the auspices of this Regional Permit.
14. This RP does not authorize any activity that would conflict with a Corps civil works project's congressionally authorized purposes, established limitations or restrictions, or limit an agency's ability to conduct necessary operation and maintenance functions. Per Section 14 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. 408), no project that has the potential to take possession of or make use of for any purpose, or build upon, alter, deface, destroy, move, injure, or obstruct a Corps civil works constructed work or project, including,

but not limited to, levees, dams, jetties, navigation channels, borrow areas, dredged material disposal sites, flood control projects, etc., shall be permitted unless the project has been reviewed and approved by the appropriate Corps approval authority. If the proposed activity has the potential to modify or conflict with a Corps civil works authorized project, the permittee must submit the information described in the "Notification Procedures". In addition to the Corps regulatory authorizations of this general permit, other Corps permissions may be needed for the project such as Corps Civil Works 408 permissions and/or Corps Real Estate permissions. Permittees shall not begin the activity until notified by the Corps that the activity may proceed under the general permit.

15. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
16. Projects in environmentally sensitive areas (wetlands, endangered species, etc.) shall be excluded from processing under this regional permit. Also, if in the opinion of the Corps of Engineers, the project may not be in the public interest due to any unique circumstances, the Corps may require an individual permit on a case-by-case basis.
17. This Regional Permit **does not** authorize the discharge of fill into wetland areas or tree clearing in wetland areas.
18. If, at any future date, the Illinois Department of Natural Resources, Office of Water Resources, (IDNR/OWR) or the Corps of Engineers determines that the bank stabilization obstructs or impairs navigation, or in any way infringes on the rights or interests of the public or any individual party, the permittee agrees to make necessary modifications to the project as determined by the IDNR/OWR or the Corps of Engineers.
19. The project proponent must notify the appropriate public or private utility in advance of any work within 250 feet of an underground utility so that the utility is not damaged during construction activities.

C. Design Specifications: The Corps of Engineers may add additional special conditions as deemed appropriate to protect the aquatic environment on a case-by-case basis for any activity authorized under this regional permit.

1. **Blanket riprap.**
 - a. Bank shoreline protection must be no more than 2,000 feet in length and must contain no more than two cubic yards of fill material per running foot below the ordinary high-water mark.
 - b. For projects involving continuous placement of riprap along the bank, toe of the bank, or other similar applications, the cross sectional area of the natural channel shall not be reduced by more than 10 percent nor the volume of material exceed 2 cubic yards per lineal foot of stream bank or shoreline. The bank may be graded to obtain a flatter slope and to lessen the quantity of material required.
 - c. A well distributed mix of stones weighing from 20 to 200 pounds should be used.

- d. The riprap should be from 12 inches to 18 inches thick. Portions of the riprap layer under water should be increased to 18 inches to 30 inches thick.
 - e. Riprap materials shall not be placed at a steeper slope than 2:1 (2 horizontal to 1 vertical) for dumped riprap and 1.5:1 for hand-placed riprap. A bedding layer of either six inches of gravel or filter material must be used if required to prevent loss of fines through the riprap material. The riprap must be sized to withstand the anticipated forces from flood flows or wave action.
 - f. A riprap trench or apron should be provided at the base of the protected bank for stability.
 - g. Both ends of the project should be tied into the bank, with the most common method being to excavate a trench in the bank and fill it with riprap. Additionally the project should be tied into the bank at regular intervals of between 100 feet and 200 feet.
 - h. Blanket riprap shall be constructed to current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.
2. **Seawalls and Gabions.** Seawalls and gabions shall be constructed at or landward of the waterline as determined by the normal pool elevation unless:
- a. It is constructed in alignment with any existing seawall(s) or gabion structure(s).
 - b. The volume of material placed, including the structure, will not exceed 2 cubic yards per lineal foot.
 - c. The cross sectional area of the natural channel shall not be reduced by more than 10 percent nor the volume of material exceed 2 cubic yards per lineal foot of stream bank or shoreline. The bank may be graded to obtain a flatter slope and to lessen the quantity of material required.
 - d. Seawalls and Gabions shall be constructed to current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.
3. **Bank shaping with appropriate biotechnical bank protection techniques.** Minimal grading and bank shaping activities for state-of-the-art natural vegetative stabilization methods, such as the willow post method, will be authorized under this regional permit. No material produced as a result of grading and bank shaping shall be deposited into any water of the US, including wetland areas. Material produced by grading and bank shaping shall be pulled back from the water's edge.
4. **Hard points.** Hard points are short rock intrusions extending only a short distance from the bank. Jetties, which extend from the bank further than hard points, are specifically excluded from this regional permit. Hard points may be used if they are keyed into the bank and if they do not extend from the bank more than the minimum necessary to achieve adequate erosion protection. The Corps of Engineers will determine on a case by case basis whether the proposed hard point is acceptable for the stream.

5. **Longitudinal peaked stone riprap.** Longitudinal peaked stone riprap is a continuous stone dike placed along the toe of the bank. Riprap with a gradation from maximum stone size of 400 pounds to 50 to 70 percent smaller than a 90 pound stone size is placed in a pyramid or triangular shaped cross section at the toe of an eroding bank without shaping the banks. The riprap should be tied into the bank at both the upstream and downstream ends. Additionally, short riprap dikes should be tied into the bank at regular intervals of between 100 feet and 200 feet. Longitudinal peaked stone riprap shall be constructed to current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov. The construction of longitudinal peaked stone riprap is not authorized under this Regional Permit on the Mississippi River or on the Illinois River.
6. **Bendway weirs.** A bendway weir is a low-level rock sill located in the channel of a bend angled 0 degrees to 25 degrees upstream into the stream flow. The structures are spaced approximately 50 feet to 150 feet apart. The weirs should be attached (keyed into) the outer bank of the stream bend. The weirs should be built of well-graded stone with an upper weight limit of 650 pounds to 1000 pounds. Typically, the weirs are 2 feet high at the stream end and rise to 4 feet high at the bank end. Bendway weirs act to redirect the flow away from the eroding bank as flow over the weir is redirected at right angles to the downstream face of the weir. Bendway weirs may extend into the channel a maximum of 50% of stream width. Bendway weirs should be constructed based on engineering/design principles developed by the U. S. Army Corps of Engineers and current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov. The construction of bendway weirs are not be authorized under this Regional Permit on the Mississippi River or on the Illinois River.
7. **Stream barbs.** A stream barb is a rock structure which projects out from the bank on a sharp upstream angle of 20 to 30 degrees, measured from bank tangent line. Stream barbs are designed to direct the stream current away from the eroding bank to the center of the channel. The barbs will be built of well-graded stone with an upper weight limit of 650 pounds to 1000 pounds. At the bank, the top of the barbs will be constructed to the design height, typically 4 to 8 feet above the streambed. The top of the barbs will incline from the bank end to streambed level at the streamward end. The incline will be according to design, typically 10% (10 horizontal to 1 vertical). On silt-bottom streams, the barbs will be keyed into the streambed by excavating a core trench for the full length of the barb and backfilling with riprap rock. The barbs will be keyed into the outer bank. The bank key trench will be excavated perpendicular to the bank from streambed to top-of-bank, and backfilled with riprap rock. Stream barbs are designed to extend into the channel a maximum of 35% of stream width. Stream barbs should be constructed on engineering/design principles developed by the U.S. Army Corps of Engineers and current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov. The construction of stream barbs is not to be authorized under this Regional Permit on the Mississippi River or on the Illinois River.
8. **Rock Riffles.** Rock riffle structures are low-head weir structures constructed over the streambed from bank-to-bank. Constructed rock riffles are used to stabilize the streambed where downcutting erosion is occurring. Rock riffles will be built of well-graded riprap rock with an upper weight limit of 650 pounds to 1000 pounds. The largest individual stones will be sorted from the stockpiled rock to be placed as emergent boulders and crest stone. The crest of the riffle will be "V" shaped on the centerline of the structure. From the crest, the downstream slope will be no steeper than 20H:1V, and the upstream slope will be no

steeper than 4H:1V. Riffle structures will be keyed into the streambed and bank using riprap rock. Bed keys will be constructed from bank-to-bank with a minimum depth of 2 feet and minimum width of 4 feet. Bank keys will be constructed into both banks with a minimum depth of 5 feet and a minimum width of 4 feet, extending upward on a 1.5H to 1V slope toward the top-of-bank. Rock riffles shall be constructed to current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov. The construction of rock riffles is not to be authorized under this regional permit on the Mississippi River or on the Illinois River.

D. Endangered Species:

1. No activity is authorized under this regional permit which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under Section 7 of the Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under this regional permit which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed to address the effects of the proposed activity on a listed species or critical habitat.
2. Federal permittees and their designated state agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the Corps with the appropriate documentation to demonstrate compliance with those requirements. The Corps will review the documentation and determine whether it is sufficient to address ESA compliance for the activity, or whether additional ESA consultation is necessary.
3. Non-federal permittees must provide the Corps with the appropriate documentation to demonstrate compliance with the ESA. If the authorized activity may have the potential to effect any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in designated critical habitat, permittee shall not begin work on the activity until notified by the DE that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. The DE will determine whether the proposed activity "may affect" or will have "no effect" on listed species and designated critical habitat.
4. Authorization of an activity by this regional general permit does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. Fish and Wildlife Service (USFWS), both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the USFWS webpage.

E. Historic Properties/Archaeological:

1. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). In cases where the DE determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places (National Register), the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) are met.

2. Federal permittee's should follow their own procedures for complying with the requirements of Section 106 of NHPA, permittee's must provide the DE with the appropriate documentation to demonstrate compliance with those requirements.
3. Non-federal permittees must submit information to the DE if the authorized activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on the National Register, including previously unidentified properties. For such activities, the information must state which historic properties may be affected by the proposed work and include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO), as appropriate, and the National Register (see 33 CFR 330.4(g)). The DE shall make a reasonable and good faith effort to ensure that appropriate identification efforts are carried out, which may include background research, consultation, history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the DE shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties which the activity may have the potential to cause effects, and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the DE either that the activity has no potential to cause effects, or that consultation under Section 106 of the NHPA has been completed.
4. The DE will notify the prospective permittee within 45 days of receipt of a complete application whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). If NHPA Section 106 consultation is required, the non-Federal applicant cannot begin work until Section 106 consultation is completed.
5. Permittee's should be aware that section 110k of the NHPA (16 U.S.C. 16 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes, if the undertaking occurs on or affects historic properties on tribal lands or ancestral homelands, or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.
6. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

7. Individual projects to be authorized under this Regional Permit must not be located within sites included in the National Register of National Landmarks or any other areas named in Acts of Congress or Presidential proclamations as National Rivers, National Wilderness Areas, National Recreational Areas, National Lakeshores, National Parks, National Monuments, National Wild and Scenic River Systems, National Wildlife Refuge System, and such areas as may be established under Federal Law for similar and related purposes unless the activity is specifically authorized by the appropriate Federal agency.

F. **Water quality certification**: The conditions listed in the attached letter from the Illinois Environmental Protection Agency, **Log # C-0162-20, dated September 30, 2020**, are considered to be part of this Regional Permit.

The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

<<<<< **END OF SPECIAL CONDITIONS** >>>>>

Further information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

Section 404 of the Clean Water Act (33 U.S.C. 1344).

Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This authorization does not eliminate the requirement that you must still obtain other applicable Federal, state, and local permits. If you have not already coordinated your project with the ILDNR, please contact them by telephone 217/782-6302 to determine if a floodplain development permit is required for your project. You may contact the IEPA Facility Evaluation Unit at 217/782-3397 to determine whether additional authorizations are required from the IEPA. Please send any electronic correspondence to EPA.401.bow@illinois.gov. Also, please contact the IDNR at 217/785-5500 or <https://dnr2.illinois.gov/EcoPublic/> to consult on potential impacts to state listed species or other state protected natural resources.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

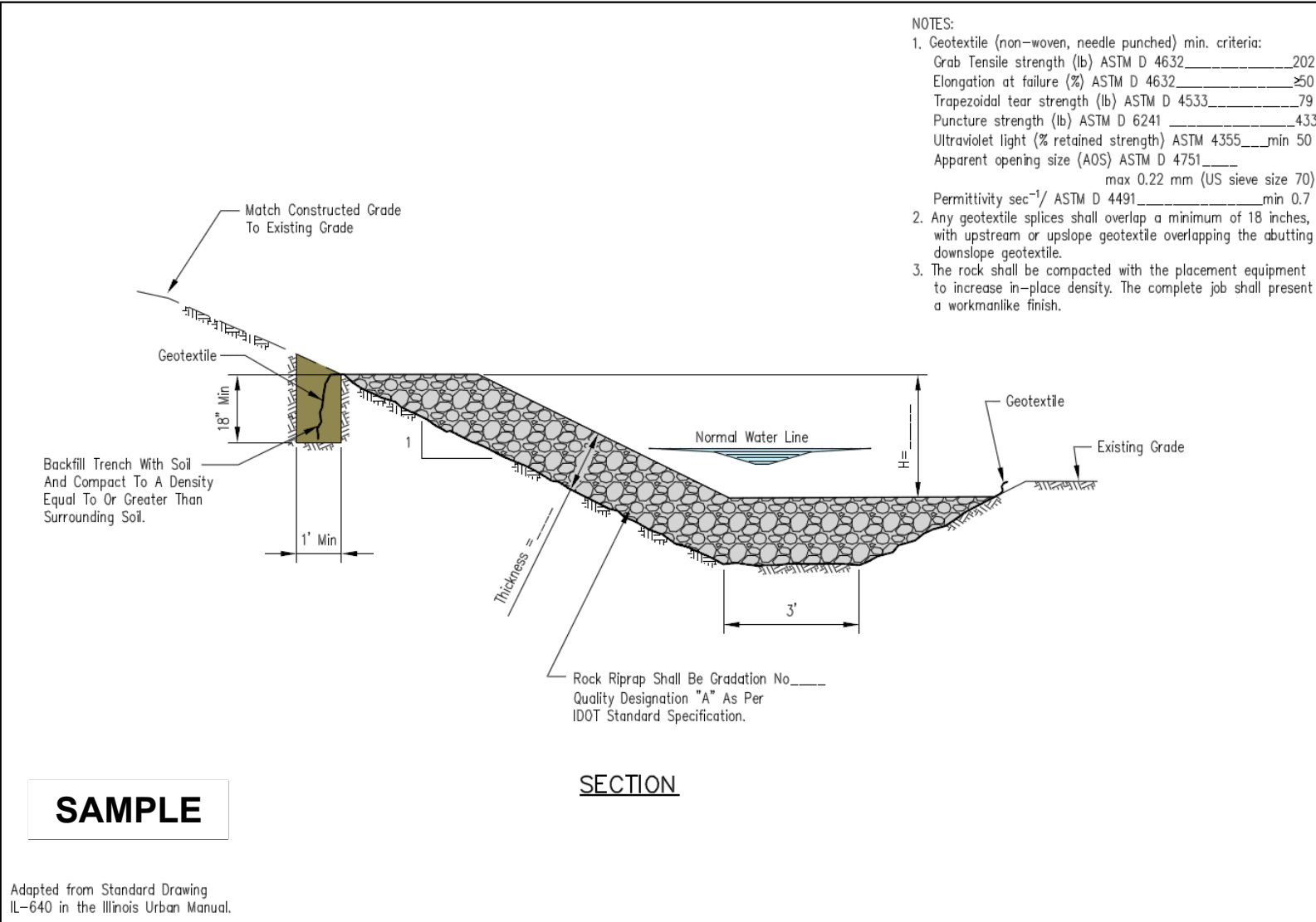
c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

Ward Lenz Regulatory Branch Chief Rock Island District	Date
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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

Transferee	Date
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- NOTES:
- Geotextile (non-woven, needle punched) min. criteria:
 - Grab Tensile strength (lb) ASTM D 4632 _____ 202
 - Elongation at failure (%) ASTM D 4632 _____ ≥ 50
 - Trapezoidal tear strength (lb) ASTM D 4533 _____ 79
 - Puncture strength (lb) ASTM D 6241 _____ 433
 - Ultraviolet light (% retained strength) ASTM 4355 _____ min 50
 - Apparent opening size (AOS) ASTM D 4751 _____ max 0.22 mm (US sieve size 70)
 - Permittivity sec^{-1} / ASTM D 4491 _____ min 0.7
 - Any geotextile splices shall overlap a minimum of 18 inches, with upstream or upslope geotextile overlapping the abutting downslope geotextile.
 - The rock shall be compacted with the placement equipment to increase in-place density. The complete job shall present a workmanlike finish.

Design	_____	Date	_____
Drawn	_____	10/1/13	_____
Checked	_____		_____
Approved	_____		_____

ROCK RIPRAP STREAMBANK PROTECTION DETAIL



File No.	IL-ENG-162
Drawing No.	
Page	1 of 1
Sheet	of

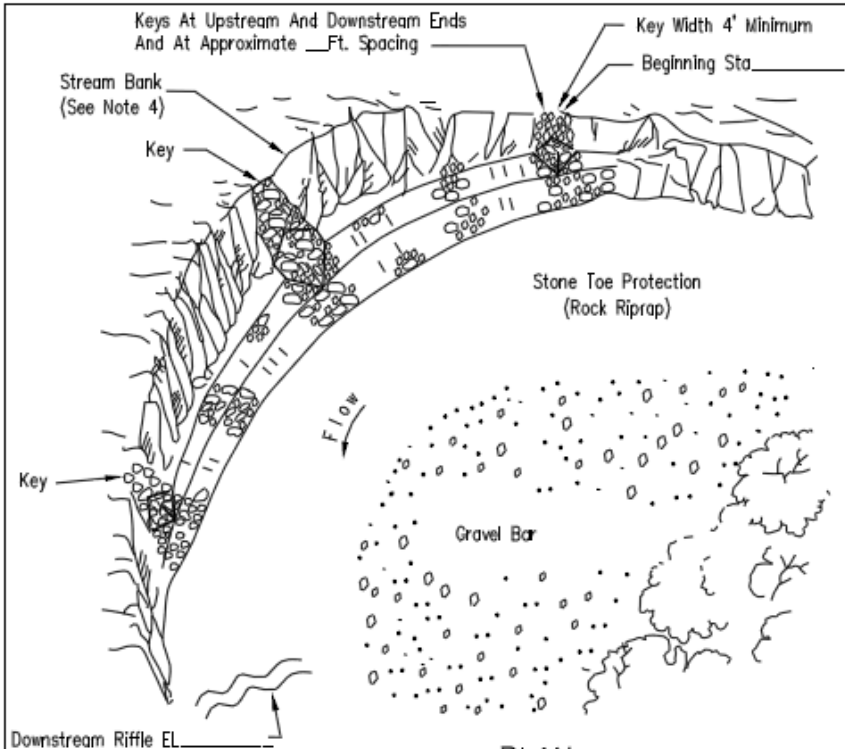
SAMPLE

SECTION

Adapted from Standard Drawing IL-640 in the Illinois Urban Manual.

Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.

CEMVR-OD-P-2020-0691
Rock Riprap – Section
Sheet 1 of 9



PLAN

SAMPLE

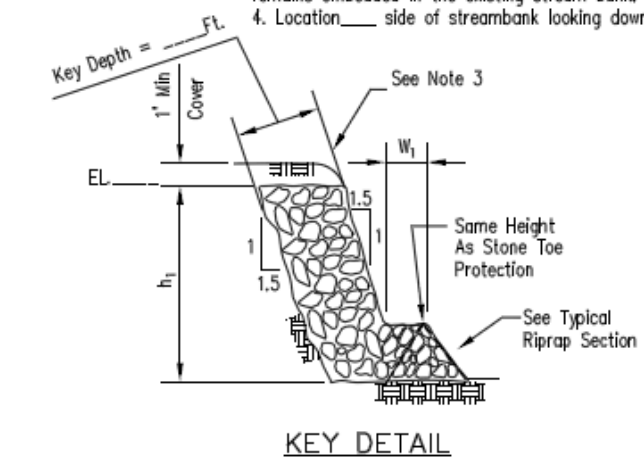
Key	Sta.	h_1	W_1	Level Crest El.

Benchmark EL. _____
 Description _____

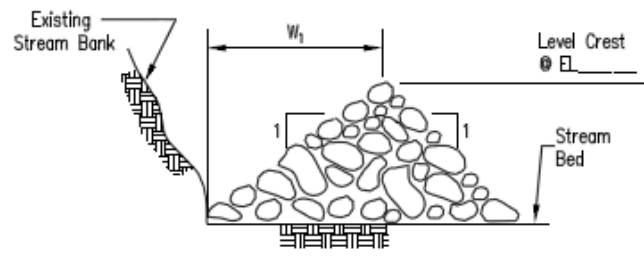
 Beginning Sta. Description _____

Landowner _____ Stream _____ Location _____

- Notes:
1. Rock gradation shall meet IDOT requirements for GRAD. NO. ___ riprap, quality designation "A", or as designated by engineer.
 2. Stone Toe ___ ft @ ___ Tons/Ft. average Keys ___ Tons Each Total Rock Amount (Estimate) ___ Tons
 3. Key shall be constructed so that the vertical section remains embedded in the existing stream bank.
 4. Location ___ side of streambank looking downstream.



KEY DETAIL



TYPICAL RIPRAP SECTION

NOT TO SCALE

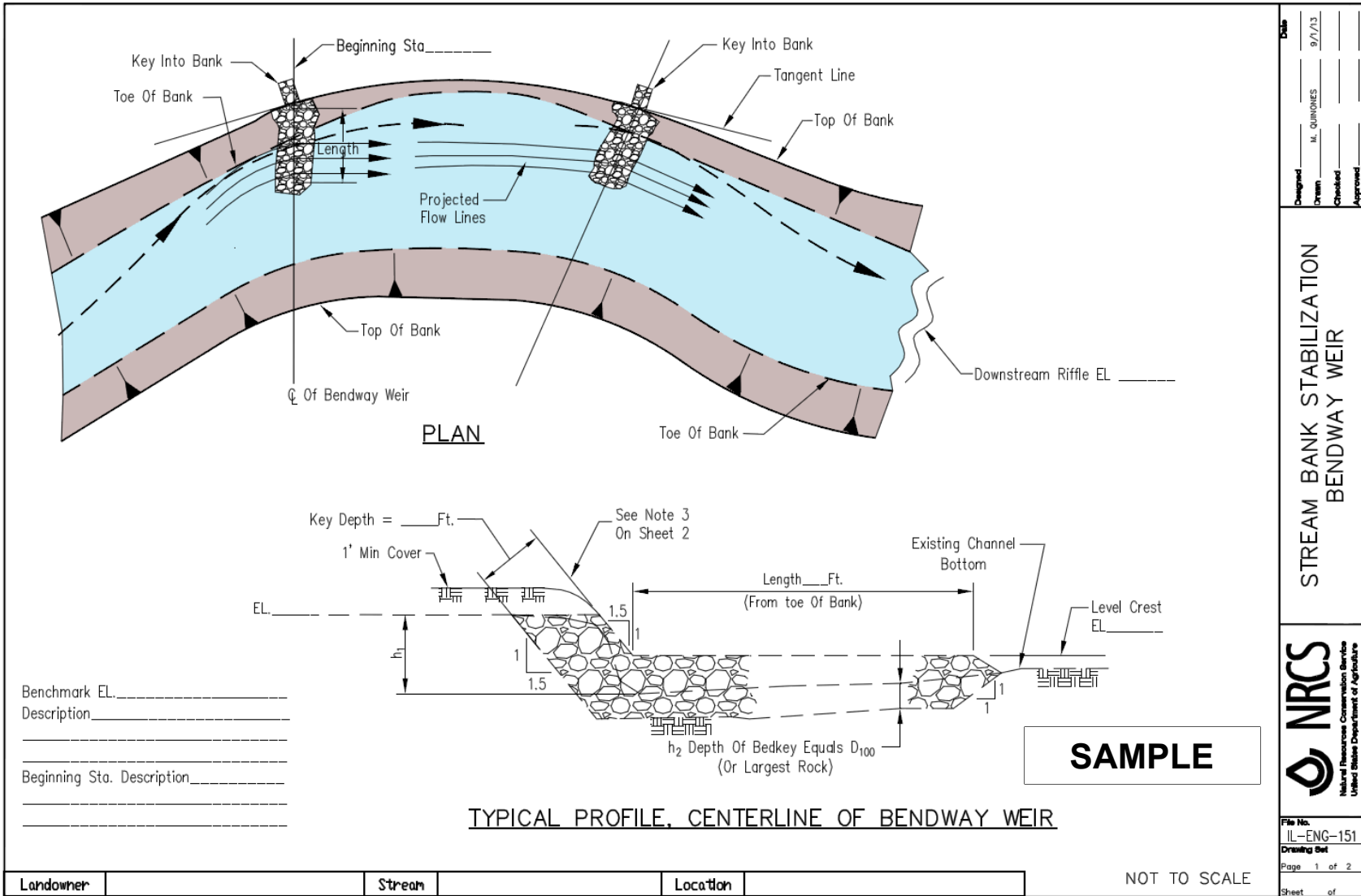
Project No. _____
 Date 9/11
 Drawn by _____
 Checked by _____
 Approved by _____

STREAM BANK STABILIZATION
STONE TOE PROTECTION


 National Resources Conservation Service
 United States Department of Agriculture

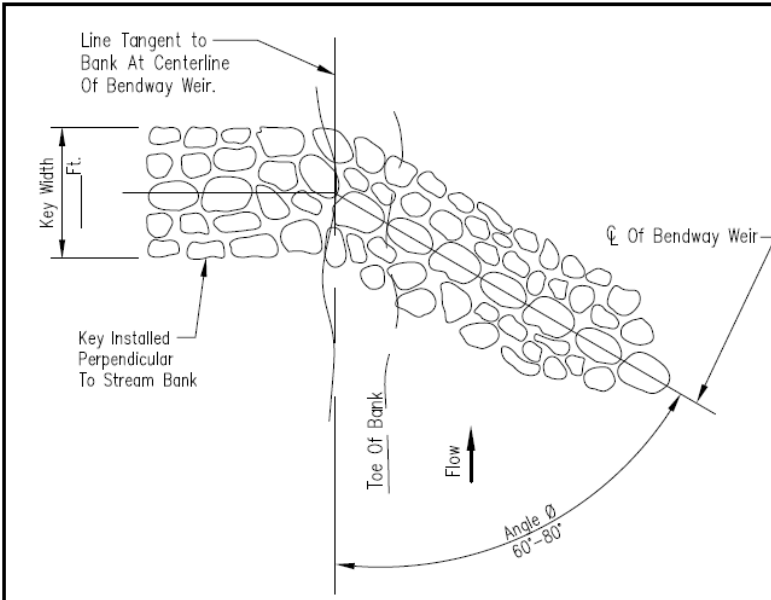
File No. IL-ENG-152
 Drawing Date _____
 Page 1 of 1
 Sheet _____ of _____

Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.



Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.

CEMVR-OD-P-2020-0691
Bendway Weirs – Plan & Profile
Sheet 3 of 9

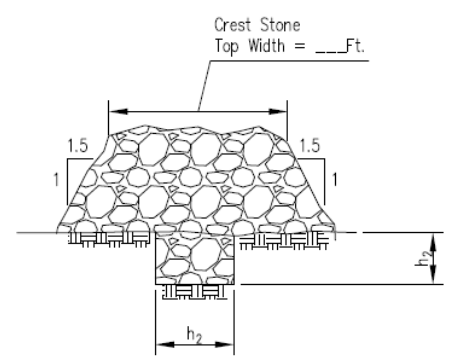


PLAN VIEW OF BENDWAY WEIR

SAMPLE

REFERENCE TABLE		
GRAD. NO.	h ₂ (D ₁₀₀)	D ₅₀
4	1.3 ft	7.4 in
5	1.7 ft	9.8 in
6	2.0 ft	12.1 in
7	2.5 ft	14.6 in

- Notes:
- **Azimuth is the compass reading from magnetic north along the centerline of weir.
 - *Bank—left side or right side looking downstream.
 - Key shall be constructed so that the vertical section remains embedded in the existing stream bank.
 - Rock gradation shall meet IDOT requirements for GRAD. NO. ____ riprap, quality designation "A", or as designated by engineer.



TYPICAL BENDWAY WEIR SECTION

Weir	*Bank	Station	Length	Crest Elev.	h ₁	h ₂	Angle	**	Azimuth	Tons
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
Total Stone										

Landowner	Stream	Location	NOT TO SCALE
-----------	--------	----------	--------------

Date: 9/7/13
 Designed: M. QUINONES
 Drawn: _____
 Checked: _____
 Approved: _____

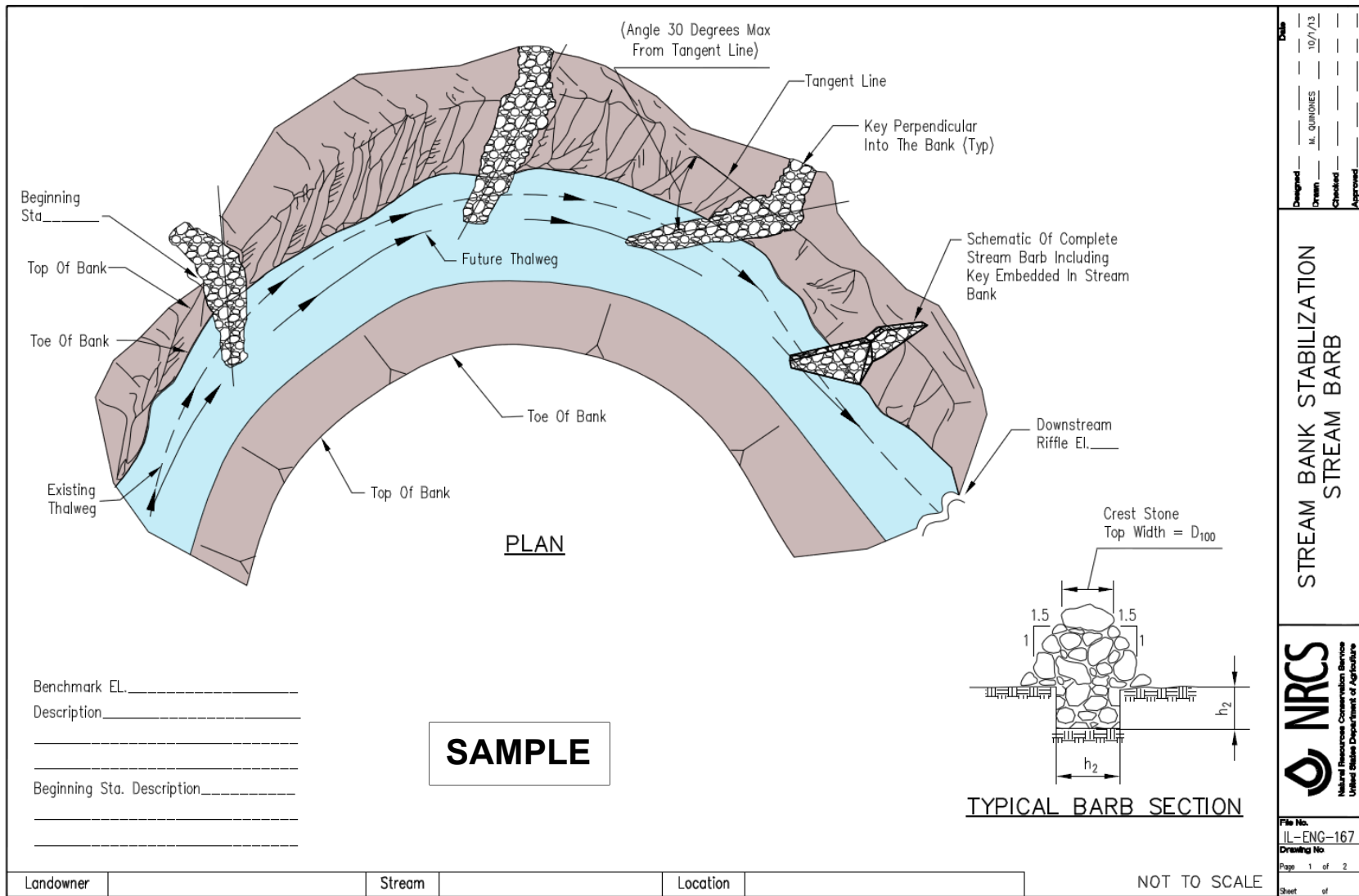
**STREAM BANK STABILIZATION
 BENDWAY WEIR**



File No. IL-ENG-151
 Drawing Set
 Page 2 of 2
 Sheet of

Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.

**CEMVR-OD-P-2020-0691
 Bendway Weirs – Plan & Section
 Sheet 4 of 9**



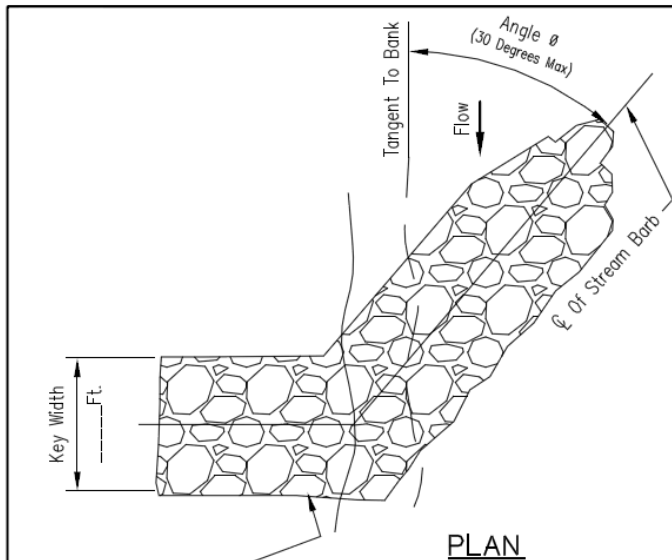
Designed	M. QUINONES	Date	10/7/13
Drawn		Checked	
Approved			

**STREAM BANK STABILIZATION
STREAM BARB**



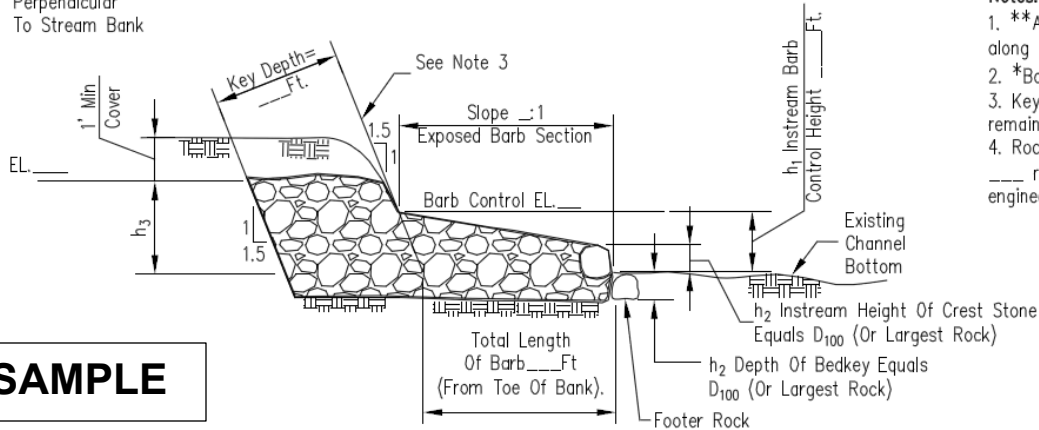
File No.	IL-ENG-167
Drawing No.	
Page	1 of 2
Sheet	of

Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.



PLAN

Key Installed Perpendicular To Stream Bank



TYPICAL PROFILE, CENTERLINE OF STREAM BARB

NOT TO SCALE

Barb	*Bank	Station	Total Length Of Barb	Barb Control Elevation	h ₁	h ₂	h ₃	Slope	Angle φ	** Azimuth	Tons
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											
Total Stone											

Notes:

- **Azimuth is the compass reading from magnetic north along the centerline of weir.
- *Bank—left side or right side looking downstream.
- Key shall be constructed so that the vertical section remains embedded in the existing stream bank.
- Rock gradation shall meet IDOT requirements for GRAD. NO. ___ riprap, quality designation "A", or as designated by engineer.

GRAD. NO.	h ₂ (D ₁₀₀)	D ₅₀
4	1.3 ft	7.4 in
5	1.7 ft	9.8 in
6	2.0 ft	12.1 in
7	2.5 ft	14.6 in

Date: 10/7/13
 Designed: M. QUINONES
 Drawn: _____
 Checked: _____
 Approved: _____

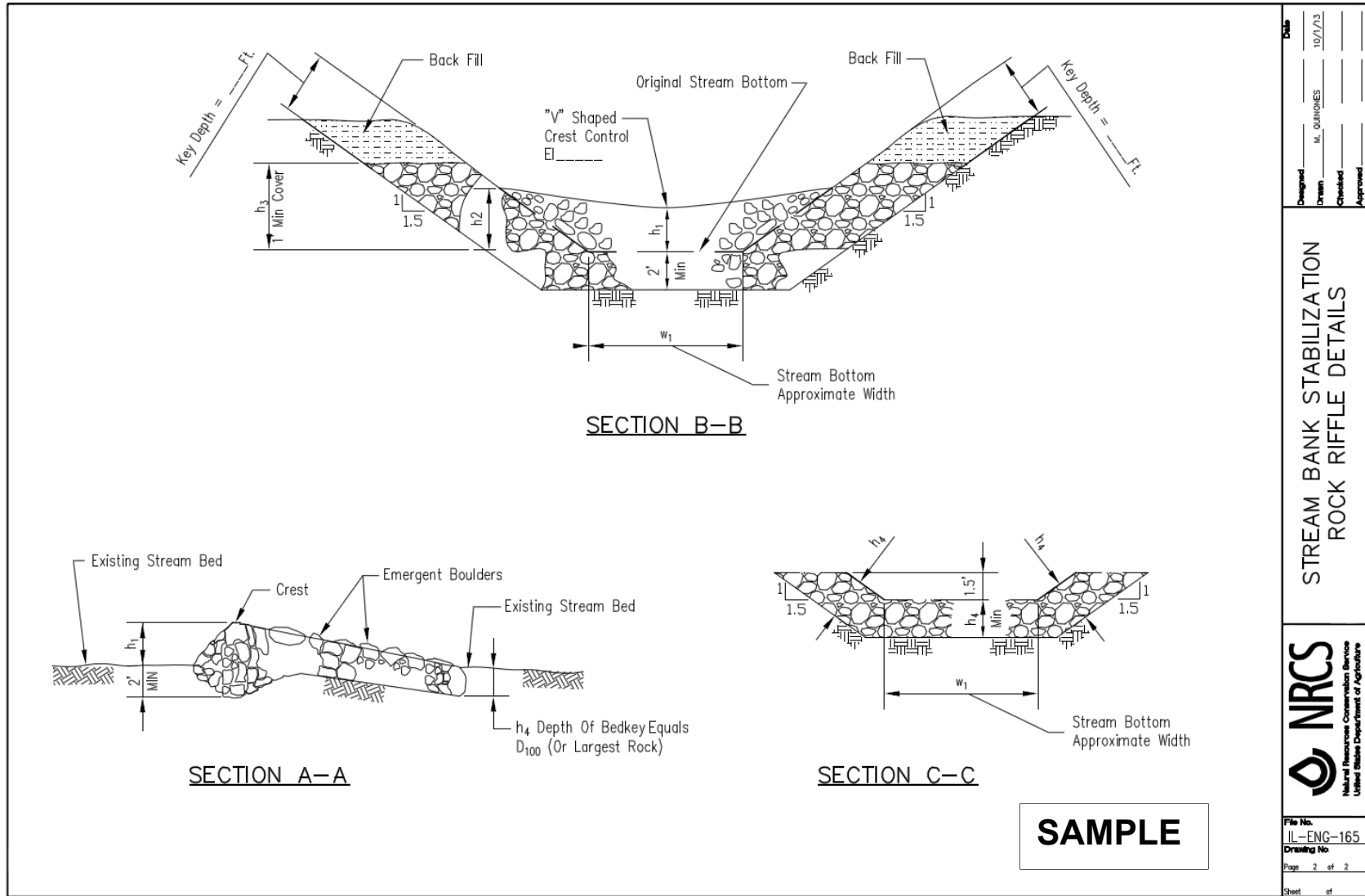
STREAM BANK STABILIZATION
 STREAM BARB



File No: IL-ENG-167
 Drawing No: _____
 Page 2 of 2
 Sheet of _____

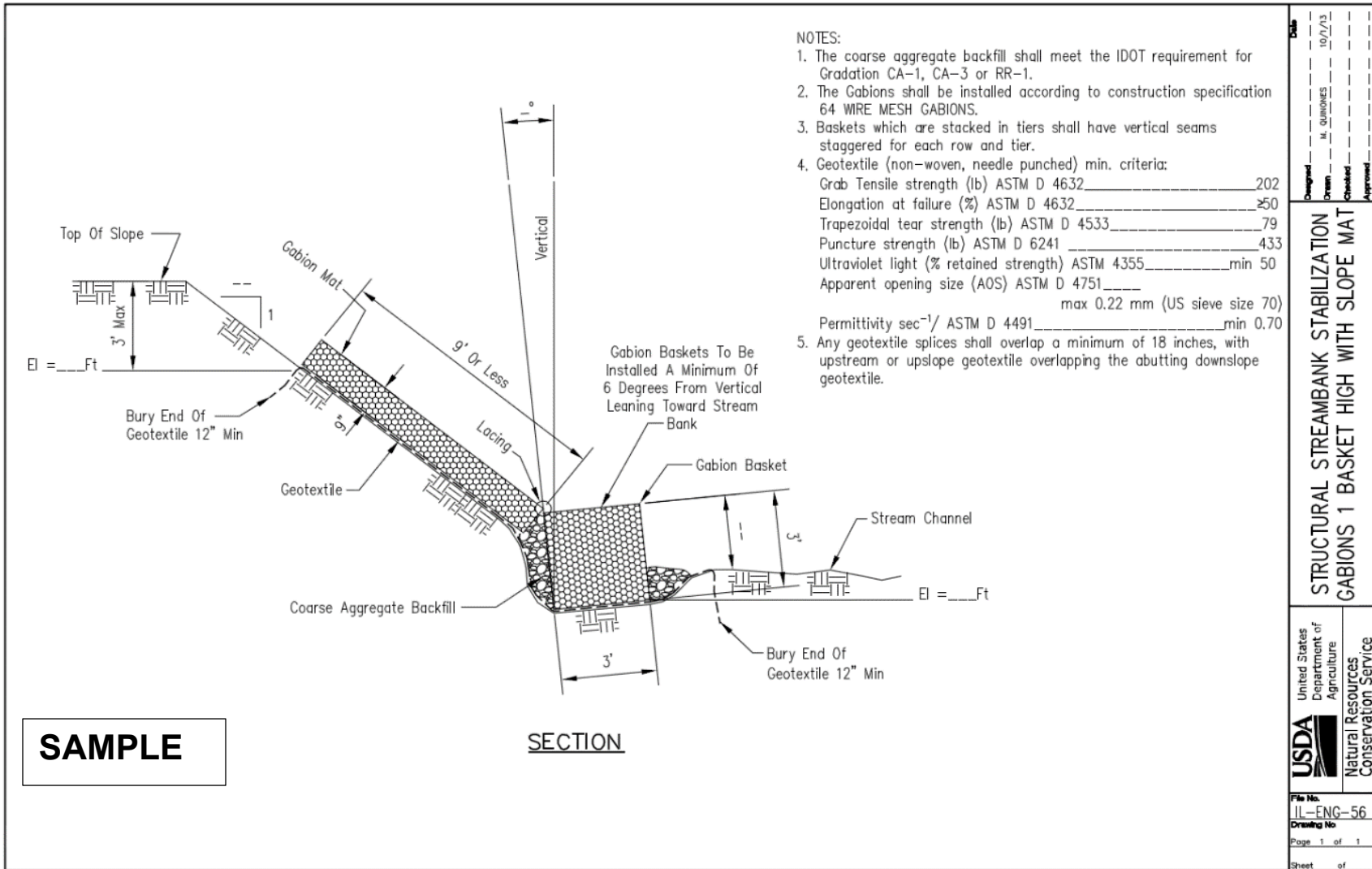
Landowner	Stream	Location
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Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.



Current NRCS design materials are available online through links on the Illinois NRCS webpage: www.il.nrcs.usda.gov.

CEMVR-OD-P-2020-0691
Rock Riffle – Sections
Sheet 8 of 9



SAMPLE

SECTION

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**CEMVR-OD-P-2020-0691
 Gabions – Section
 Sheet 9 of 9**



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217/782-3362

SEP 30 2020

U. S. Army Corps of Engineers,
Attn: Regulatory Branch
Rock Island District
Clock Tower Building
P.O. Box 2004
Rock Island, IL 61204-2004

U.S. Army Corps of Engineers,
Attn: Regulatory Branch
St. Louis District
1222 Spruce Street
St. Louis, MO 63103-2833

U.S. Army Corps of Engineers,
Attn: Regulatory Branch
Memphis District
167 North Main, B-202
Memphis, TN 38103-1894

Re: U.S. Army Corps of Engineers: Rock Island District, St. Louis District, and Memphis District
Re-Issuance of Regional Permit 16 Bank Stabilization Activities
Log # C-0162-20 [CoE appl. # CEMVR-OD-P-2020-0691]

Gentlemen:

This Agency received a request on June 19, 2020 from U.S. Army Corps of Engineers, Rock Island District, St. Louis District, and Memphis District requesting necessary comments concerning the re-issuance of Regional Permit 16 Bank Stabilization Activities in the State of Illinois. We offer the following comments.

Based on the information included in this submittal, it is our engineering judgment that bank stabilization activities authorized by this regional permit may be completed without causing water pollution as defined in the Illinois Environmental Protection Act, provided the project is carefully planned and supervised.

These comments are directed at the effect on water quality of the construction procedures involved with bank stabilization activities and are not an approval of any discharge resulting from the completed activity, nor an approval of the design of the facility. These comments do not supplant any permit responsibilities of the applicant toward the Agency.

This Agency hereby issues certification under Section 401 of the Clean Water Act (PL 95-217), subject to the applicant's compliance with the following conditions:

- 1) Pursuant to 395.401(a), the applicant shall not cause:
 - a. a violation of applicable water quality standards of the Illinois Pollution Control Board Title 35, Subtitle C: Water Pollution Rules and Regulation;
 - b. water pollution defined and prohibited by the Illinois Environmental Protection Act;
 - c. interference with water use practices near public recreation areas or water supply intakes;
 - d. a violation of applicable provisions of the Illinois Environmental Protection Act;
- 2) Pursuant to 35 Ill. Admin. Code Section 302.203, the applicant shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.

- 3) Pursuant to 35 Ill. Adm. Code Section 302.105(b), an individual 401 water quality certification will be required for any activities permitted under this Regional Permit for discharges to waters designated by the State of Illinois as Outstanding Resource Waters.
- 4) Pursuant to 35 Ill. Admin. Code Sections 302.105(a), 302.105(c)(2)(B) and 395.401(a), for any project that involves a waterbody with a USEPA approved Total Maximum Daily Load (TMDL) allocation for a pollutant parameter that is reasonably expected to exist within the resulting discharge, additional measures which ensure consistency with the assumptions and requirements of the TMDL must be developed and incorporated with the construction plan. TMDL program information and water listings are available at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/reports.aspx>.
- 5) Pursuant to 35 Ill. Adm. Code Sections 302.105(a), 302.105(c)(2)(B) and 395.401(a), an individual 401 water quality certification will be required if the resulting pollutant discharge includes one or more pollutants which are listed on the Illinois Environmental Protection Agency's Section 303(d) list for the affected waterbody. The most recent Illinois Integrated Water Quality Report and Section 303(d) List can be found at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx>.
- 6) Pursuant to 35 Ill. Admin. Code Section 302.105(f)(1)(F), prior to proceeding with any work in accordance with this Regional Permit, potential impacts to State threatened or endangered species and Natural Areas shall be determined in accordance with applicable consultation procedures established under 17 Ill. Admin Code Part 1075. The Department of Natural Resources (IDNR) Ecological Compliance Assessment Tool (EcoCAT) is available to complete consultation at <http://dnr.illinois.gov/EcoPublic/>. If IDNR determines that adverse impacts to protected natural resources are likely, the applicant shall address those identified concerns with IDNR through the consultation process. Please contact IDNR, Impact Assessment Section at 217-785-5500 if you have any questions regarding consultation.
- 7) Pursuant to 35 Ill. Admin. Code Sections 302.515 and 395.401, any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area that is in compliance with all State statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by the Illinois EPA pursuant to 35 Ill. Admin. Code 395.203 and Section 12(b) and 39(n) of the Illinois Environmental Protection Act. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.
- 8) Pursuant to 35 Ill. Admin. Code Section 309.102, 395.402(b)(2) and Illinois Environmental Protection Act Section 39(a)[415 ILCS 5/39(a)], all areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent soil erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching to prevent transport of sediment and materials to adjoining wetlands and downstream. All construction within the waterway shall be conducted during zero or low flow conditions.
- 9) Pursuant to the Illinois Environmental Protection Act Section 39(a)[415 ILCS 5/39(a)] and 35 Ill. Admin. Code Sections 395.402(b)(2) and 309.102, the applicant shall be responsible for obtaining a NPDES Storm Water Permit under the federal Clean Water Act prior to initiating construction if the construction activity associated with the project will result in the disturbance of one (1) or

more acres, total land area. A NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the IEPA's Division of Water Pollution Control, Permit Section.

- 10) Pursuant to 35 Ill. Admin. Code Sections 395.401(b) and 302.203, asphalt, bituminous material and concrete with protruding material such as reinforcing bar or mesh shall not be 1) used for backfill, 2) placed on shorelines/stream banks, or 3) placed in waters of the State.
- 11) Pursuant to 35 Ill. Admin. Code Sections 395.401(b) and 302.203, the applicant shall implement all necessary sedimentation and erosion control measures consistent with the current version of the "Illinois Urban Manual" found at <https://illinoisurbanmanual.org/>.
- 12) Pursuant to 35 Ill. Admin. Code Sections 395.401(b) and 395.205, the fill material used for temporary work areas in waters of the State shall be predominantly sand or larger size material, with <20% passing a #230 U. S. sieve.
- 13) Pursuant to 35 Ill. Admin. Code Sections 395.401, 302.203 and 302.208, hydraulic machinery used in or immediately adjacent to the affected waterbody shall utilize biodegradable or bio-based hydraulic fluids to minimize pollution in the case of broken or leaking hydraulic equipment.
- 14) Pursuant to 35 Ill. Admin. Code Sections 395.401, 302.203 and 302.208, the applicant shall ensure that a spill avoidance and response plan has been developed and implemented for management of accidental releases of petroleum, oil, and lubricant products to the aquatic environment during construction and for emergency notification of applicable downstream water supply operators. Absorbent pads, containment booms and skimmers shall be available to facilitate the cleanup of petroleum spills. If floating hydrocarbon (oil and gas) products are observed, the applicant or his designated individual will be responsible for directing that work be halted so that appropriate corrective measures are taken in accordance with the plan prior to resuming work.

Should you have any questions or comments regarding the content of this letter, please contact Francisco J. Herrera at 217-782-3362.

Sincerely,



Darin E. LeCrone, P. E.
Manager, Industrial Unit, Permit Section
Division of Water Pollution Control

DEL:FJH:C-0162-20.docx

cc: **IEPA, Records Unit**
CoE, Chicago District
CoE, Louisville District (Indianapolis Office)
CoE, Louisville District (Newburgh Office)
IEPA, DWPC, FOS, Des Plaines
IEPA, DWPC, FOS, Peoria
IEPA, DWPC, FOS, Champaign
IEPA, DWPC, FOS, Springfield
IEPA, DWPC, FOS, Collinsville
IEPA, DWPC, FOS, Marion
IDNR, OWR, Springfield
USEPA, Region 5