*FINAL*

# RESTORATION PLAN
# for the
# WILLIAMS PIPELINE COMPANY

Phase II: Stream Restoration

Unnamed Tributary of Salt Creek

Logan County, Illinois

*Prepared by:*
Illinois Natural Resources Trustees:
Illinois Department of Natural Resources and
Illinois Environmental Protection Agency

August, 2007

FACT SHEET

FINAL RESTORATION PLAN for the Williams Pipeline release of gasoline and diesel oil in Logan County, Illinois.

LEAD AGENCY FOR THE FINAL RESTORATION PLAN:
Illinois Department of Natural Resources

COOPERATING AGENCIES:
Illinois Environmental Protection Agency

ABSTRACT:
This final Restoration Plan describes Phase II of a two-phase restoration effort. The plan has been prepared by the state Natural Resource Trustees to address restoration of natural resources and resource services injured as a result of the Williams Pipeline Company release of gasoline, diesel oil, and related hazardous substances into an unnamed tributary of Salt Creek.

CONTACT PERSON:
**Illinois Department of Natural Resources**
**Attn: Beth Whetsell**
**One Natural Resources Way**
**Springfield, IL 62702-1271**

COPIES:

Copies of the final RP are available at the address listed above or available for download at http://dnr.state.il.us/orep/contaminant_assessment/

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## List of Acronyms and Abbreviations

| | |
|---|---|
| AGO | Office of the Attorney General |
| CERCLA | Comprehensive Environmental Response, Compensation & Liability Act |
| CERP | Comprehensive Environmental Review Process |
| CWA | Clean Water Act |
| IDNR | Illinois Department of Natural Resources |
| IEPA | Illinois Environmental Protection Agency |
| NOAA | National Oceanic & Atmospheric Administration |
| NRDA | Natural Resource Damage Assessment |
| OPA | Oil Pollution Act |
| RP | Restoration Plan |
| Trustees | Illinois Natural Resource Trustees |
| Williams | Williams Pipeline Company |

## I. Introduction

When the public's natural resources are injured by a release of hazardous substances or oil, federal law provides a mechanism, Natural Resource Damage Assessment (NRDA), that authorizes Natural Resource Trustees to seek compensation for the public for injuries to natural resources. Releases of hazardous substances and oil into our environment can pose a threat to human health and natural resources. Natural resources are plants, animals, land, air, water, groundwater, drinking water supplies, and other similar resources. This notice describes a release, injuries to natural resources, and Illinois Natural Resource Trustees' proposal to use the compensation the public received for the injury to natural resources. Primary restoration was achieved through natural recovery of the tributary and surrounding floodplain, thus the project addresses the goals and objectives in compensating for interim losses. The Illinois Natural Resource Trustees (Trustees) are the Illinois Department of Natural Resources (IDNR) and the Illinois Environmental Protection Agency (IEPA) with legal representation provided by the Office of the Attorney General (AGO).

Due to NRDA action taken by the Trustees and the AGO, Williams Pipeline Company (Williams) agreed to compensate the public based on injury determination that natural resources were injured resulting from the release of gasoline, diesel oil, and related hazardous substances to floodplain habitat of an unnamed tributary of Salt Creek and the surrounding area. The settlement, entered in the Menard County Circuit Court on November 6, 2002, provided approximately $105,000, earmarked as a Supplemental Environmental Project and Natural Resource Restoration Trust Funds.

## II. Incident Description

In 1994 and 1997 an interstate oil pipeline owned and operated by Williams Pipeline Company, experienced leaks of gasoline and diesel oil in Logan and Menard Counties. The Logan County release of gasoline, diesel oil, and related hazardous substances was identified by the observance of a petroleum sheen on the water surface of an unnamed tributary of Salt Creek. The release impacted floodplain habitat related to the unnamed tributary and the surrounding area. The floodplain habitat consisted of scrub trees, resembling an area reverting to a wild state following years of agricultural tilling. Also, many square miles of agricultural land surround the affected property. The unnamed tributary appeared to have been channelized immediately upstream of the release and the impacted area of the stream is uniform in shape with steep banks.

The release impacted the soil, groundwater, and the unnamed tributary of Salt Creek. Approximately 21 acres were affected, some of which were enrolled in the IDNR *Illinois Acres for Wildlife Program*. Natural resources under the trusteeship of the IDNR and IEPA that were impacted include fish, macroinvertebrates, amphibians, and reptiles; aquatic and terrestrial mammals; migratory birds; aquatic and terrestrial plants; surface water; and sediment.

## III. Natural Resource Trustees and Authorities

Federal laws establish liability for natural resource damages in order to compensate the public for the injury, destruction, and loss of natural resources and their services due to the un-permitted

release of oil or hazardous substances. These authorities are found generally in Section 107(f) of the Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9607(f), Section 311(f) of the Clean Water Act (CWA), 33 U.S.C. § 1321(f), and Section 1002(b) of the Oil Pollution Act of 1990 (OPA), 33 U.S.C. §2702(b), the National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. Part 300, the OPA NRDA regulations, 15 C.F.R. Part 990, and the CERCLA and CWA NRDA regulations, 43 C.F.R. Part 11. The IDNR and IEPA prepared this final Restoration Plan (RP). As Trustees, the IEPA and IDNR are each authorized to act on behalf of the public, to assess and recover natural resource damages and to plan and implement actions to restore natural resources and resource services injured or lost as the result of a discharge or threat of a discharge of oil or hazardous substances.

## IV. Overview of the Oil Pollution Act of 1990 Requirements

OPA authorizes Trustees to recover the cost of restoring, rehabilitating, replacing, or acquiring the equivalent of the injured natural resources ("primary restoration"), the diminution in value of those injured natural resources pending restoration ("compensatory restoration"), and reasonable assessment costs. The National Oceanic & Atmospheric Administration (NOAA) promulgated regulations for natural resource damage assessments resulting from oil spills at 15 C.F.R. Part 990. The following provides a summary of the steps taken by the Trustees to address the natural resource injuries associated with these incidents including developing this restoration plan.

After an initial investigation the Trustees determined federal authority provided jurisdiction to pursue recovery for natural resource injuries. The pipeline and spill constitute an "incident" pursuant to OPA Section 1001(14) (33 U.S.C. § 2701(14)). Because the discharge was not authorized by a permit issued under federal, state, or local law and did not originate from a public vessel or from an onshore facility subject to the Trans-Alaska Pipeline Authorization Act, the incident is not an "excluded discharge" within the meaning of OPA Section 1002(c) (33 U.S.C. § 2702(c)). Further, the Trustees determined that natural resources under the trusteeship of the Trustees were injured as a result of the incident. These factors established jurisdiction to proceed with an OPA NRDA claim.

Natural resources are defined as "land, fish, wildlife, biota, air, water, ground water, drinking water supplies and other such resources belonging to, managed by, held in trust by, appertaining to or otherwise controlled by the United States (including the resources of the exclusive economic zone), any State or local government or Indian tribe or any foreign government" (33 U.S.C. § 2701(20)). Injury is defined as "an observable or measurable adverse change in a natural resource or impairment of a natural resource service" (15 C.F.R. § 990.30). A NRDA consists of three phases: preassessment, restoration planning, and restoration implementation. Based on information collected during the preassessment phase, the Trustees make a preliminary determination as to whether natural resources and/or services have been injured and/or are likely to be injured by the release. Through coordination with response agencies (e.g., the IEPA) the Trustees next determine whether the oil spill response actions will eliminate the injury or the threat of injury to natural resources. If injuries are expected to continue, and feasible restoration alternatives exist to address such injuries, the Trustees may proceed with the restoration planning phase. Restoration planning may also be necessary if injuries are not expected to continue or

endure but are nevertheless determined to have resulted in interim losses of natural resources and/or services from the date of the incident until the date of recovery (15 C.F.R. § 990.30).

The purpose of the restoration planning phase is to evaluate the potential injuries to natural resources and services and to use that information to determine the need for and scale of associated restoration actions (15 C.F.R. § 990.51-990.56). This phase provides the link between injury and restoration and has two basic components: injury assessment, and restoration selection.

The goal of injury assessment is to determine the nature and extent of injuries to natural resources and services, thus providing a factual basis for evaluating the need for, type of, and scale of restoration actions. If the Trustees determine that the information gathered during preassessment is sufficient to provide a basis for restoration, they may proceed directly to the restoration planning phase without completing a formal damage assessment. As the injury assessment is being completed, the Trustees develop a plan for restoring the injured natural resources and services. The Trustees must identify a reasonable range of restoration alternatives, evaluate and select the preferred alternative(s), develop a draft restoration plan presenting the alternative(s) to the public, solicit public comment on the draft restoration plan, and consider public comments into a final restoration plan (15 C.F.R. § 990.55).

During the restoration implementation phase, the restoration plan is presented to responsible parties to implement or to fund the Trustees' costs for assessing damages and implementing the restoration plan. This provides the opportunity for settlement of damage claims without litigation. Should the responsible parties decline to settle, OPA authorizes Trustees to bring a civil action against the responsible parties for damages or to seek reimbursement from the Oil Spill Liability Trust Fund administered by the United States Coast Guard.

In this case, the Trustees and Williams have already settled claims for natural resource damages. This final RP demonstrates that the settlement is adequate to restore, replace, rehabilitate, or acquire the equivalent of the injured natural resources and services.

## V. Public Participation

Public review of the draft RP is an integral component of the restoration planning process. Through the public review process, the Trustees seek public comment on the approaches used to define and assess natural resource injuries and the projects being proposed to restore injured natural resources or replace services provided by those resources. Public review of the draft RP is consistent with all federal and state laws and regulations that apply to the NRDA process. Public comments and suggestions on the proposed restoration alternative(s) is an important part of the public participation process. Anyone who reviews the draft RP is encouraged to evaluate and comment on any part of the draft RP, including descriptions of the affected areas, the proposed restoration projects, and/or the restoration selection process. The public is further encouraged to evaluate and comment on the feasibility of the proposed restoration projects themselves.

Following public notice, the draft RP became available to the public for a 30-day comment period. Comments on the draft RP were received by:

**Illinois Department of Natural Resources**
**Attn: Beth Whetsell, RP Williams Phase II**
**One Natural Resources Way**
**Springfield, IL 62702-1271**

One comment was received and considered by the Trustees in preparing the final RP. The Trustees' response to the comment is included in Appendix A.

An additional opportunity for public review will be provided in the event significant changes are made to the final RP.

## VI. Restoration Planning

The Trustees solicited restoration project alternatives from divisions and programs of IDNR and IEPA (Table 1). To be eligible for the Natural Resource Restoration Trust funds, the Trustees request that the projects be in the general vicinity of where the incident occurred, preferably in the same watershed where the incident occurred. Specifically for this case, Trustees obtained project proposal information from the Division of Fisheries, Division of Natural Heritage, the Conservation Reserve Enhancement Program, and the Illinois Nature Preserves Commission.

The Trustees have evaluated all potential restoration project alternatives that will restore the affected natural resources to pre-incident or baseline levels, and compensate for interim losses. The Trustees utilized evaluation criteria (See Section VIII) and restoration expert opinions to evaluate all potential restoration project alternatives.

The OPA regulations require that the Trustees state their preferred alternative(s) and explain the basis for their selection or rejection of other alternatives (Table 1). These Trustee determinations may be modified based on public input and comment.

## VII. Restoration Strategy

The goal of the NRDA process is restoration of the injured natural resources and compensation for the interim lost uses of those resources. Restoration actions under OPA regulations are either primary or compensatory. Primary restoration is action taken to return the injured natural resources and services to baseline on an accelerated time frame by directly restoring or replacing the resource or service. As one form of primary restoration, the OPA regulations require that Trustees consider natural recovery of the resource. Trustees may select natural recovery under three conditions: 1) if feasible; 2) if cost-effective primary restoration is not available; or 3) if injured resources will recover quickly to baseline without human intervention. Primary restoration alternatives can range from natural recovery, to actions that prevent interference with natural recovery, to more intensive actions expected to return injured natural resources and services to baseline faster or with greater certainty than natural recovery alone.

Compensatory restoration includes actions taken to compensate for the interim losses of natural resources and/or services pending recovery. The type and scale of compensatory restoration depends on the nature of the primary restoration action and the level and rate of recovery of the injured natural resources and/or services, given the primary restoration action. When identifying compensatory restoration alternatives, Trustees must first consider actions that provide services of the same type and quality and that are of comparable value as those lost. If a reasonable range of compensatory actions of the same type and quality and comparable value cannot be found, Trustees then consider other compensatory restoration actions that will provide services of at least comparable type and quality as those lost.

## VIII. Evaluation Criteria

The OPA regulations discuss six evaluation criteria for Trustees to consider when developing a range of restoration alternatives. The Trustees then use those criteria to identify preferred restoration alternatives:

(1) cost to carry out the alternative;
(2) extent to which each alternative is expected to meet the Trustees' goals and objectives in returning the injured natural resources and services to baseline and/or compensating for interim losses;
(3) likelihood of success of each alternative;
(4) extent to which each alternative will prevent future injury as a result of the incident and avoid collateral injury as a result of implementing the alternative;
(5) extent to which each alternative benefits more than one natural resource and/or service; and
(6) effect of each alternative on public health and safety.

## IX. Proposed Compensatory Restoration Alternative

The preferred alternative consists of one project identified by the Trustees involving stream restoration in the unnamed tributary of Salt Creek where the incident occurred, to restore/sustain habitat for natural resources similar to those lost or injured as a result of the gasoline and diesel oil release (See Section X). This project will restore and preserve or sustain stream and floodplain habitat and the flora and fauna that utilize such habitat.

All appropriate permits will be obtained before restoration work begins.

Project Description:

The stream at the site of the incident appears to be a highly modified straightened channel with intermittent flow. Less than two stream miles downstream, northwest of the site, is an existing stream restoration project, in the vicinity of the 1100 N bridge (Fig 5). The area of the existing downstream project appears to be the best location for further restoration work.

In a trip report of a Logan County Streambank Stablization Project dated January 12, 2000, Wayne Kinney describes the existing project, a Rock Riffle Grade Control Project, which was

installed on the Farmer Brothers Tributary to Salt Creek (Fig 1 - 5). The project was implemented to alleviate stream stabilization problems that have resulted in major bank erosion and channel downcutting. Currently all riffles are performing as planned with no indication of stone loss, degradation, siltation or channel scour after 3 years of implementation. However, significant incision and continued downcutting is occurring upstream of the 2003 project (W. Kinney and T. Thomas pers. communication). Therefore, the proposed restoration project would be to expand on the Rock Riffle Grade Control Project already implemented at the downstream site in order to continue treatment in this watershed.

The unnamed tributary to Salt Creek would benefit from a restoration project involving the installation of rock riffle grade control structures upstream of the 2003 project. An additional 20 rock riffle grade control structures could be installed in areas of the unnamed tributary (Fig 5).

The preferred alternative has the support of all the local landowners with access to the site available through buffer strips along the riparian corridor. Therefore construction can be completed at any time the ground conditions are favorable with no damage to crops. However, the contractor constructing the work must contact and coordinate with the appropriate landowners before and during construction activities.

The estimated cost of the preferred alternative is $80,000.

## X. Rationale for Preferred Restoration Alternative

The total amount of the Williams Pipeline settlement for restoration projects was $105,000. The preferred restoration project is projected to cost $80,000. The remaining Natural Resource Restoration Funds were allocated at an earlier date for additional projects (Phase I) within the Bellrose Nature Preserve along Sugar Creek.

The preferred restoration project is expected to benefit various natural resources and services associated with natural communities through conservation and restoration (see criteria 5, Section VIII). The project is expected to satisfactorily compensate for losses sustained by the incidents and benefit public health and safety (see criteria 2 and 6, Section VIII). The Trustees considered that the cost to carry out the project is clearly feasible given the settlement claim (see criteria 1, Section VIII). Further primary restoration was achieved through natural recovery of the tributary and surrounding floodplain, thus the project addresses the goals and objectives in compensating for interim losses (see criteria 2 and 4, Section VIII). For these reasons, the Trustees believe the project will be suitable to use for restoration. Post monitoring of the project will be done to increase the likelihood of a successful restoration effort (see criteria 3, Section VIII).

## XI. Proposed Action

The IDNR, IEPA and AGO propose that the subject settlement monies be allocated to fund the proposed restoration project. The Contaminant Assessment Section staff (IDNR) will work in close coordination with the Division of Fisheries (IDNR) and Streams Specialists to follow the proper procurement process to ensure the successful operation of the instream restoration on the unnamed tributary of Salt Creek.

## XII. Surveillance and Monitoring

Pre and post restoration surveys (i.e. fish, macroinvertebrate, and habitat) will be conducted in order to provide information that can be used to assess the success of the restoration for NRDA purposes. Post restoration inspections of the project will also be completed to insure that it is functioning as expected. The first inspection will follow the first few heavy stream flows, follow-up inspections will occur every 2 to 5 years.

## XIII. Fiscal Procedures

Restoration funds for the Williams settlement total $105,000.00. It is the intention of IDNR to release funds in Fiscal Year 2007 and/or 2008 to begin restoration activities. Once funds are released, restoration activities can begin. IDNR will oversee all restoration activities. The IDNR Springfield headquarters will handle all fiscal transactions. All billings with supporting documentation shall be submitted to the IDNR Springfield Office for review and payment. IDNR fiscal agents will be responsible for the approval and payment of all expenses, obligations and contracts in accordance with the State of Illinois fiscal and procurement procedures.

## XIV. Coordination with Other Programs, Plans, and Regulatory Authorities

### Overview

The major federal laws guiding the restoration of the injured resources and services are the Oil Pollution Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Clean Water Act. Overall these statutes provide the basic framework for natural resource damage assessment and restoration. In addition, the State laws relevant for guiding the restoration of injured resources are the Illinois Environmental Protection Act (415 ILCS 5/1, et seq.), the Illinois Natural Areas Preservation Act (525 ILCS 30/1, et seq.), the Illinois Endangered Species Protection Act (520 ILCS 10/1, et seq.), the Interagency Wetland Policy Act of 1989 (20 ILCS 830/1-1, et seq.), and the Comprehensive Environmental Review Process (CERP). The Trustees must comply with other applicable laws, regulations and policies at the federal and state levels.

### Key Statutes, Regulations, and Policies

There are a number of federal and state statutes, regulations, and policies that govern or are relevant to damage assessment and restoration. The potentially relevant laws, regulations, and policies are set forth below.

**Oil Pollution Act of 1990, 33 U.S.C. §§ 2701, *et seq.***
The Oil Pollution Act establishes a liability regime for oil spills that injure or are likely to injure natural resources and/or the services that those resources provide to the ecosystem or humans. Federal and state agencies and Indian tribes act as Trustees on behalf of the public to assess the injuries, scale restoration to compensate for those injuries, and implement restoration. The National Oceanic and Atmospheric Administration promulgated regulations for the conduct of natural resource damage assessments at 15 C.F.R. Part 990. Natural resource damage

assessments are intended to provide the basis for restoring, replacing, rehabilitating, and acquiring the equivalent of injured natural resources and services. The Trustees actions are substantially consistent with the regulations found at 15 C.F.R. Part 990.

**Clean Water Act (Federal Water Pollution Control Act), 33 U.S.C. §§ 1251, *et seq*.** The Clean Water Act is the principal law governing pollution control for water quality of the nation's waterways. Section 404 of the law authorizes a permit program for the disposal of dredged or fill material into navigable waters. The U.S. Army Corps of Engineers administers the program. In general, restoration projects that move significant amounts of material into or out of water or wetlands (e.g., hydrologic restoration of marshes) require Section 404 permits. - Under Section 401 of the CWA, restoration projects that involve discharge or fill to wetlands or navigable waters must obtain certification of compliance with state water quality standards (section 401).

**Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§ 9601, *et seq.*** This Act provides the basic legal framework for cleanup and restoration of the nation's hazardous-substances sites. Generally, parties responsible for contamination of sites and the current owners or operators of contaminated sites are liable for the cost of cleanup and restoration. CERCLA establishes a hazard ranking system for assessing the nation's contaminated sites with the most contaminated sites being placed on the National Priorities List (NPL).

**Illinois Environmental Protection Act, 415 ILCS 5/1, *et seq.*** The Environmental Protection Act is the state law that prohibits most forms of pollution occurring on land, in water, or in the air. It also establishes a liability regime, including enforcement and penalties, for entities that violate the provisions of the Act. The Environmental Protection Act was developed for the purpose of establishing a unified state-wide program for environmental protection and cooperating with other states and with the United States in protecting the environment. It was also developed to restore, protect and enhance the quality of the environment and to assure that adverse effects upon the environment are fully considered and borne by those who cause them.

**Illinois Natural Areas Preservation Act, 525 ILCS 30/1 *et seq.*** The Act serves to protect any area in Illinois that has been designated as a nature preserve, including the species of plants and animals in each habitat. Any endangered plant and animal species found in designated nature preserves are also protected under this Act. Dedicating and holding an area for natural preserves is also encouraged in this Act.

**Illinois Endangered Species Protection Act, 520 ILCS 10/1 *et seq.*** This Act gives protection to any plant and animal species on the endangered or threatened list from being moved or destroyed. Any species that the Secretary of the Interior of the United States lists as endangered or threatened is also included on Illinois's endangered and threatened species list. The Act also provides rules of law for searching any premises suspected of illegally keeping goods, merchandise, or animals, plants, or animal or plant products subject to the Act and seizing such products.

**Interagency Wetland Policy Act of 1989, 20 ILCS 830/1 *et seq.*** This Act states that state agencies are responsible for preserving, enhancing, and creating wetland areas for the purpose of increasing quality and quantity of the State's wetland resource base. The goal behind the Act is that there shall be no overall net loss of the State's existing wetland acres or their functional value due to State supported activities.

**Comprehensive Environmental Review Process.** All internal Department (IDNR) projects, permits, and plans related to construction, development, or other activities that will result in a change to existing environmental conditions shall be reviewed by the CERP staff to ensure compliance with relevant state and federal environmental statutes and to ensure the greatest protection of all natural and cultural resources to the extent possible.

## XV. Tables and Figures

Table 1. Summary of the Restoration Alternatives

| Alternative | General Location | Project Description | Accept or Reject |
|---|---|---|---|
| Tree Plantings | Salt Creek, Logan County, Illinois | Plant trees upstream or downstream of the impacted area. | Reject. Based on expert opinion and evaluation criteria this project was not chosen for funding. |
| Wetland Project | Salt Creek, Logan County, Illinois | Wetland creation along the impacted area. | Reject. Based on expert opinion and evaluation criteria this project was not chosen for funding. |
| Rock Riffle Grade Control Project | Salt Creek, Logan County, Illinois | Installation of 14 rock riffle grade control structures on the main stem of an unnamed tributary of Salt Creek. | Reject. Based on expert opinion and evaluation criteria this project was not chosen for funding. |
| Rock Riffle Grade Control Project | Salt Creek, Logan County, Illinois | Installation of 20 rock riffle grade control structures along the main stem and laterals of an unnamed tributary of Salt Creek. | Accept. The project site is in the vicinity of the impacted area. The project would expand a pre-existing project. |

| Alternative | General Location | Project Description | Accept or Reject |
|---|---|---|---|
| Barton-Sommer Woodland Nature Preserve Understory thinning: | Intersection of Mason, Menard and Logan counties, IL. | Barton-Sommer Woodland Nature Preserve is 53 acres in size. The qualifying feature for the preserve is the presence of a High Quality Wet-Mesic Floodplain Forest. It has been a long term goal of the site to control the undesired understory. There are approximately 31.17 acres (12.61 ha) which need such control. | Reject. Based on expert opinion and evaluation criteria this project was not chosen for funding. |
| Sandra Miller Bellrose Nature Preserve Wetland Enhancement: | Sugar Creek, Logan County, Illinois | Wetland enhancement along Sugar Creek. The projects involve earthwork and excavation and the installation of anti-seep mechanisms and water control structures. This is a cost share project with CREP funds, therefore NRDA funds would provide a 25% match. | Accept. Further described in Restoration Plan for Williams Pipeline Company, Phase I: Wetland and Stream Restoration Sandra Miller Bellrose Nature Preserve Logan County, Illinois |
| Sandra Miller Bellrose Nature Preserve Instream Restoration: | Sugar Creek, Logan County, Illinois | Instream restoration projects along Sugar Creek. Project activities include: bank stabilization, creating additional floodplain habitat, escape cover for smallmouth bass, increasing fish habitat, and increasing dissolved oxygen content of the water. This is a cost share project with CREP funds, therefore NRDA funds would provide a 25% match. | Accept. Further described in Restoration Plan for Williams Pipeline Company, Phase I: Wetland and Stream Restoration Sandra Miller Bellrose Nature Preserve Logan County, Illinois |


Figure 1. Project sign north of 1100 N.

Figure 2. First rock riffle grade control structure downstream of the 1100 N bridge.

Figure 3. Unnamed tributary, north of 1100 N, looking downstream showing bank erosion and rock riffle grade control structure.

Figure 4. Unnamed tributary, north of 1100 N, looking upstream showing bank erosion and pooled water behind rock riffle grade control structure.

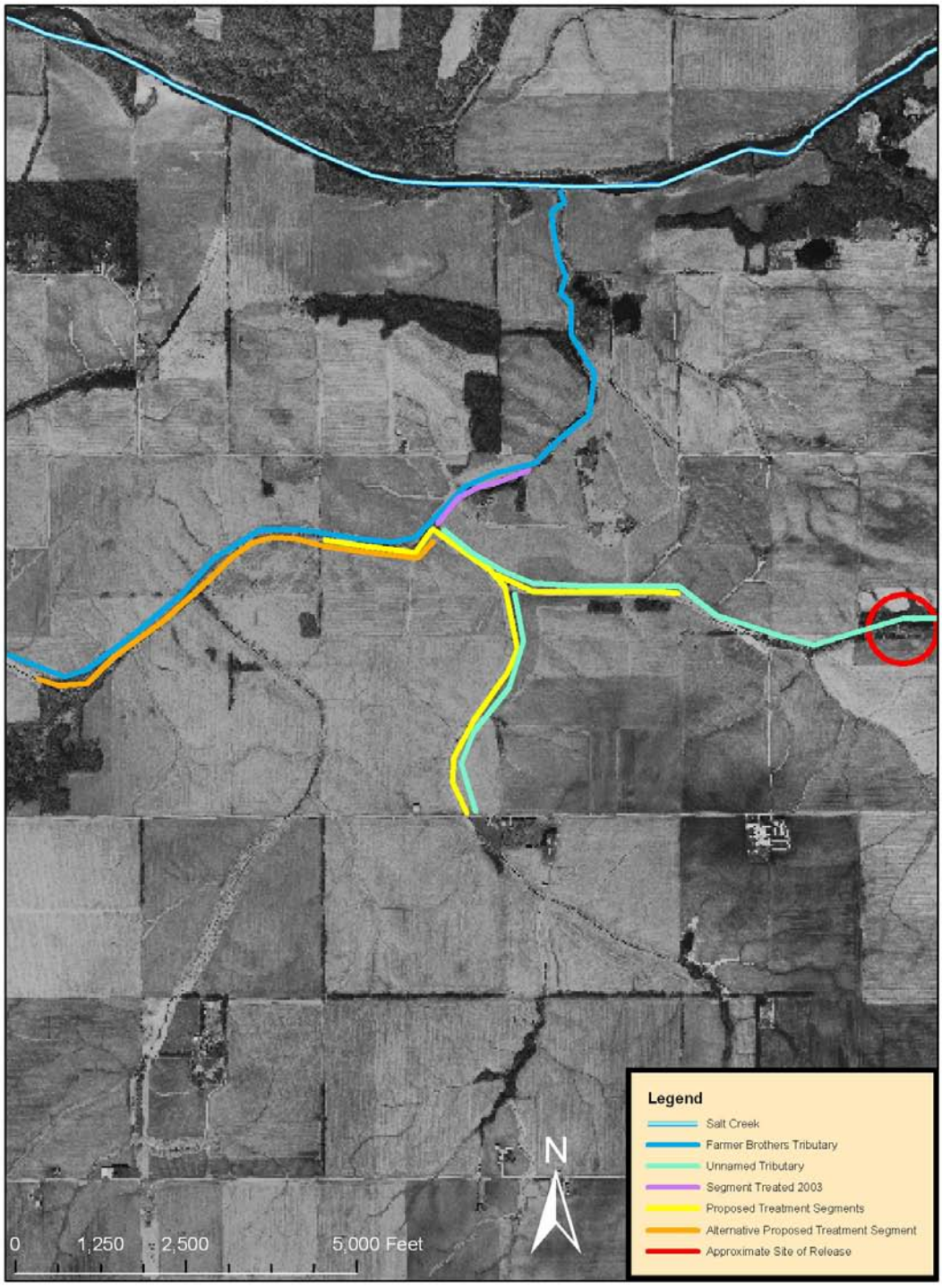


Figure 5. Digital Ortho Map of Salt Creek, the Farmer Brothers Tributary, and the proposed project site on the main stem and laterals of the unnamed tributary. This map was obtained through IDNR GIS (Geographic Information System).

**XVI. Appendix A**
>>> > 6/29/2007 4:18:24 PM >>>

Beth,

Were other restoration projects already completed for the Williams site? For a release impacting approximately 21 acres of soil, groundwater and the unnamed tributary of Salt Creek, it will cost a lot more than $105,000 to properly remediate the area.

Thanks

**From:** BETH WHETSELL
**To:**
**Date:** 7/2/2007 11:59:54 AM
**Subject:** Re: Williams RP Phase II

Thank you for your comment.

Compensation for natural resource injuries in the form of natural resource damages is different than remediation. In terms of remediation, Williams Pipeline Co. repaired the damaged pipeline days after the release occurred. An emergency response contractor constructed a series of trenches to gather hazardous liquid. Impacted soil was removed. Following initial response actions, Williams Pipeline Co. entered the IEPA Site Remediation Program, a volunteer program providing site owner/operators IEPA review, technical assistance and no further remediation determinations from the Illinois EPA. In terms of Natural Resource Damage Assessments, Trustees have been delegated authority to perform assessments beyond cleanup to restore or replace natural resources to the conditions that would have existed without the hazardous substance release [CERCLA Section 107(f)(1); 40 CFR Section 300.615(c)(3)(4)]. The goal of the NRDA process includes seeking restoration of the injured natural resources and compensation for the interim lost uses of those resources.

The compensation to the public for the release of oil and hazardous substances into an unnamed tributary of Salt Creek and the surrounding floodplain includes the instream restoration effort described in the subject document and an instream restoration effort and wetland enhancement within a Nature Preserve along Sugar Creek in Logan County. Both project sites fall within the watershed that was impacted by the release.

The preferred restoration projects are expected to benefit various natural resources and services associated with natural communities through conservation and restoration. Due to NRDA action taken by the Trustees and the Attorney General's Office, Williams Pipeline Co. agreed to compensate the public based on injury determination that natural resources were injured as a result of the release of gasoline, diesel oil, and related hazardous substances. The projects are expected to satisfactorily compensate for losses sustained by the incident.

Thank you again for your comment.
Beth Whetsell