



FAX TRANSMISSION

IDNR/OFFICE OF WATER RESOURCES

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To: Larry O'Connor

Date: June 14, 2007

Fax #: 815-933-4558

Pages: 3, including this cover sheet.

From: Rod Johnson

Subject: Kankakee County Landfill & Ethanol Plant

COMMENTS:

Larry -

6/14/07

Attached is a copy of the letter in response to your June 11, 2007 letter regarding the subject project.

If you have any questions, please feel free to contact me at 217/785-1662.

Rod Johnson



Illinois Department of Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Sam Flood, Acting Director

June 14, 2007

SUBJECT: Proposed Landfill & Ethanol Plant
Minnie Creek
Kankakee County

Minnie Creek Drainage District
8051 West 3000 South Road
Herscher, Illinois 60941

ATTN: Mr. Larry O'Connor

Dear Mr. O'Connor:

I have received your letter dated June 11, 2007 regarding the subject project.

In rural areas, the Illinois Department of Natural Resources, Office of Water Resources exercises jurisdiction over construction in the floodway of watercourses which have a drainage area of ten square miles or more such as Minnie Creek. The floodway is the portion of the floodplain which must remain open and unobstructed in order to store and convey flood flows. Although the Minnie Creek 100-yr. floodway has not been determined, this office has determined that the proposed landfill and fill associated with the construction of the proposed ethanol plant may fall within the 100-yr. floodway which has prompted the need for the floodway construction permit from this office. The applicant, Town Country Utilities, Inc, has applied for the permit and has submitted the necessary support documentation for the floodway construction permit.

Your letter questioned if the proposed landfill and ethanol plant site were within the 100-yr. floodplain of Minnie Creek. Based on the applicant's support information, a 100-yr. water surface elevation of 630.75 ft. (NGVD) has been determined for existing conditions throughout the reach of Minnie Creek where the majority of the construction will occur. Based on the existing site topography, the entire property lies below elevation 629.0 ft. (NGVD) which indicates the entire property lies within the 100-yr. floodplain.

Minnie Creek Drainage District
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Your letter also questioned whether the proposed compost pile location was within the 100-yr. floodplain. The compost pile which is located adjacent to the north tributary is within the 100-yr. floodplain of Minnie Creek based on the site having a ground elevation of 624.6 ft. (NGVD) and a computed 100-yr. Minnie Creek water surface elevation of 630.72 ft. (NGVD). The compost pile does not require a floodway construction permit from this office since it is believed to be located outside the Minnie Creek 100-yr. floodway. The compost pile may actually fall within the 100-yr. floodway of this north tributary, but since the drainage area of this north tributary is less than ten square miles, the compost pile location falls outside the jurisdictional purview of this office.

If you have any additional questions or comments, please feel free to contact me at 217/785-1662.

Sincerely,

Rod L. Johnson
Senior Permit Engineer


RLJ:crw