IEPA Log No.: **C-0043-18**
CoE appl. #: **LRC-2017-407**

Public Notice Beginning Date: **May 30. 2019**
Public Notice Ending Date: **June 20, 2019**

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
Division of Water Pollution Control
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: TUF Partners, LLC, 401 W. Superior St., Suite 200, Chicago, IL 60654

Discharge Location: Southwest corner of Motorola Campus in Section 1, 2, 11, and 12 of Township 41N, Range 10E of the 3rd P.M., Cook County, Latitude: 42.06667, Longitude 88.03053

Name of Receiving Water: 4.52 ac water of the US and 0.18 ac wetland at the above project site.

Project Description: Re-configuration of an existing stormwater detention pond

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 Wei Han at 217/782-3362.

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Fact Sheet for Antidegradation Assessment
TUF Partners, LLC – South Pond Modification at Veridian – Cook County
Log# C-0043-18
COE# LRC-2017 - 407
Contact: Abby Brokaw 217/782-3362

TUF Partners, LLC, ("Applicant") has applied for a 401 Water Quality Certification for impacts associated with the proposed project, South Pond Modifications at Veridian, in Schaumburg, Cook County, Illinois. The proposed project area is located within the former Motorola Solutions property, south of Algonquin Road, north of I-90 Tollway, west of Meacham Road, and east of Hammond Drive. More specifically, the proposed project site is in Sections 1, 2, 11, and 12 of Township 41N, Range 10E and Section 34 of Township 42N, Range 10E in Palatine Township.

The South Pond at Veridian project site is approximately 30-acres and contains multiple buildings, roadways and parking lots, mowed turf grass areas, forested areas, one open water pond, and one small wetland. The facility provides stormwater detention for the existing Zurich American Insurance facility (24.40 acres), the Motorola Solutions, Inc. facility (32.44 acres), and the new development site created by Veridian (27.94 acres). The total tributary area to the South Pond is 93.96 acres and the basin currently provides 12.11 acre-feet of stormwater storage and 19.63 acre-feet of compensatory flood storage.

The proposed project activities include the expansion and re-configuration of the open water pond (aka Pond 2 or South Pond) to create a larger stormwater management facility needed for the planned developments. The detention and compensatory storage totals 53.85 acre-feet as required by the Village of Schaumburg and the Metropolitan Water Reclamation District. The redevelopment of the proposed project area would change the south pond tributary area to 90.80 acres, which would require an increase in detention storage of 11.71 acre-feet and an increase in compensatory flood storage of 3.25 acre-feet.

The major impacts would be caused by mass grading, including pond filling and excavation and building pad grading, as well as alterations to existing parking infrastructure and adding additional parking. Permanent impacts include 4.52 acres of waters and 0.18 acres of wetland. Best Management Practices (BMPs) would be utilized in the proposed pond construction, native plantings would be installed in the wetland and buffer areas to create a naturalized basin, and the proposed project would involve maintenance and monitoring to ensure success of the new stormwater management facility.

The purpose of the proposed project is to restructure an existing corporate property to accommodate stormwater management needs as part of an adaptive redevelopment of the property. Information used in this review was obtained from the project narrative and plan, "Site Improvement Plans for South Pond Modifications at Veridian," dated January 5, 2018, and revised joint permit application received by the Agency on April 6, 2018.

Identification and Characterization of the Affected Water Body

A wetland delineation was conducted for the multiple parcels located within the former Motorola Solutions property, on May 8, 2017 and November 9, 2017, with a Wetland Assessment Report, prepared May 23, 2017 and updated November 9, 2017. Three wetlands, one ditch, and three open-water ponds were identified within the entire property during the site visits. Wetland 3 and Pond 2, discussed below are located within the proposed project area.

Pond 2 is located on the southwest side of proposed project area, just north of the I-90 Tollway. The pond is an open-water pond surrounded by maintained turf grass, which was likely constructed for detention during the original development. Pond 2 does not meet the requirements of a wetland for hydric soil indicator or hydrophytic vegetation.

Wetland 3 is located at the southwest corner of the proposed project area, just west of Pond 2. The dominant species within the wetland included Reed Canary Grass (Phalaris arundinacea), Late Goldenrod (Solidago gigantea), and Fuller's Teasel (Dipsacus fullonum). The delineated wetland fulfills all three indicators of a wetland; hydrophytic vegetation, hydric soils, and wetland hydrology.

A meander vegetation inventory was taken at the time of the field visit within the wetland plant communities and was entered into a Floristic Quality Assessment (FQA) program to calculate a value for the Floristic Quality Index (FQI) and Coefficient of Conservatism (C-Value). The table below provides the values for those resources to be impacted by the proposed project.

Impacted Resource	Project Area	Jurisdiction	Size On-Site (Acres)	Impacted Acres	Native Mean C	Native FQI	Native Mean W
Wetland 3	South Pond at Veridian	USACE	0.18	0.18	2.00	2.83	0.00
Pond 2	South Pond at Veridian	USACE	6.89	4.52	N/A	N/A	N/A
		Total	7.07	4.7			

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses

The pollutant load increases would include possible increases in total suspended solids (TSS). This increase, a normal and unavoidable result of the reconfiguration and expansion, may occur in the at the point of construction activity. Permanent impacts include 4.52 acres of waters of the U.S. and 0.18 acres of wetland, totaling 4.7 acres. The waters impacts are due to filling of the north section of the existing pond and expanding the south part of the pond to create a larger basin. The wetland impacts are due to excavation to create a larger regional detention basin in and around the area of the wetland. Benthic habitat would be disturbed in the construction area, but localized impacts to aquatic life uses are not anticipated.

On-site activities would begin with the installation of appropriate erosion control measures such as silt fence, in-pond barrier filter, and stabilized construction entrance. Erosion controls would remain in place until the disturbed areas have been stabilized. Additional BMPs for the proposed project include use of native vegetation along the pond bottom, slopes and buffers and use of a sedimentation forebay to increase sediment removal at the upstream end of the stormwater management system. All temporary erosion and sediment control practices would be removed and disposed of after final stabilization is achieved or after the temporary practices are no longer needed.

Fate and Effect of Parameters Proposed for Increased Loading

The TSS increase would be local and temporary. Although the benthic habitat would be disturbed by the construction activities, it is anticipated to recover and improve over time. Permanent impacts include 4.52 acres of waters of the U.S. and 0.18 acres of wetland, totaling 4.7 acres. Wetland and waters of the US impacts to the pond and on-site wetlands would be provided on-site through wetland and waters of the U.S. creation and enhancement. The proposed Pond 2 would become a larger basin with two lobes. The northwest lobe would be a wetland bottom basin and the southeast lobe would be primarily open water.

Delineated Resource	Mitigation Ratio	Wetland/Waters Mitigation Required	Wetland/Waters Mitigation Provided	Buffer Mitigation Provided
Wetland 3	1.5:1	0.18	3.17	4.32

Pond 2	1:1	4.52	1.75	
	Total	4.70	4.92	4.32

Purpose and Social & Economic Benefits of the Proposed Activity

The proposed project benefits to the community includes increases in commercial and retail businesses; temporary and permanent employment opportunities; and tax revenue for the Village of Schaumburg.

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

No Action Alternative: The current land-use of the property is not functional for redevelopment due to an insufficient volume for stormwater storage, according to the current Village of Schaumburg and MWRD ordinances. The property also would not meet the requirements of the MWRD Watershed Management Ordinance for BMPs because of the existing pond layout.

Alternative 1 – Preferred alternative, south pond reconfigured and enlarged, building pad on north side of the parcel: The proposed Pond 2 (or South Pond) reconfiguration and redevelopment of the property provides the greatest use of the site for commercial and retail sources, as well as all necessary stormwater management capacity. In addition, the proposed project includes the implementation of BMPs that comply with the MWRD Watershed Management Ordinance and improve water quality. The preferred configuration allows for the construction of a connector/entrance road from the proposed parcel to the planned Boulevard Road through the property, which may eventually connect to Roselle Road/Central Road to accommodate site traffic needs. The alignment of the connector/entrance road is located along the parcel lines and limits the potential configurations of the property.

Alternative 2 – Building pad on the west side of the parcel, south pond enlarged in-place: Alternative 2 consists of expanding the existing Pond 2 (or South Pond) to create additional stormwater storage in the area immediately surrounding the pond with the building pad location on the west side of the existing pond. However, this location for the building pad is not ideal for a buyer or leaser of the property due to a restricted view from the Tollway. Additionally, the revised shape of a larger pond does not allow for proper sizing of a needed roadway. This would limit the available redevelopment of the south pond parcel and the parcel to the north, as the roadway is a necessity to redeveloping the land in this configuration.

The three alternatives were evaluated by the owner, Village of Schaumburg, and multiple engineering consultants throughout the planning process. The no-action alternative is the least impactful; however, the property would likely remain vacant. The preferred alternative offers an opportunity for maximum development of the space while meeting the redevelopment ordinance requirements. The Applicant would follow conditions set forth by the Agency and USACE.

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

On May 1, 2017, an IDNR EcoCAT consultation was initiated, Project #1710205, and the Natural Heritage Database showed that the Yellow-Headed Blackbird (*Xanthocephalus xanthocephalus)*, a protected resource, may be in the vicinity of the project location. After additional review, IDNR concluded that adverse effects are unlikely, and the consultation was terminated on June 2, 2017.

On September 14, 2017, the Applicant requested consultation and sign-off from the Illinois Preservation Agency for the presence of any historic structures, cultural resources, or archeologically significant artifacts as required under Section 106 of the National Historic Preservation Act and Section 707 of the Illinois State Agency

Historic Resources Preservation Act. A response from the IHPA received on November 21, 2017, states that no historic properties are affected; and, therefore, IHPA has no objection to the project.

The Applicant performed a threatened and endangered species consultation for the USFWS on November 22, 2017. An IPAC resource list was generated on November 29, 2017. A memorandum dated November 29, 2017, describes the eleven listed species found in Cook County and their habitat, as well as a determination that the described habitats are not present on the project site with adverse effects on the species unlikely.

Additional requested reviews for the project include the North Cook County Soil and Water Conservation District and a MWRD Watershed Management Ordinance.

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). We tentatively find that the proposed activity will result in the attainment of water quality standards; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will benefit the project area by providing the required stormwater capacity for redevelopment. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.