

IEPA Log No.: **C-0155-19**
CoE appl. #: **LRC-2019-237**

Public Notice Beginning Date: **September 4, 2019**
Public Notice Ending Date: **September 25, 2019**

Section 401 of the Federal Water Pollution Control Act
Amendments of 1972

Section 401 Water Quality Certification for Discharge of Dredged or Fill Material

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Heniff Transportation – 2015 Spring Road, Oak Brook, IL 60523

Discharge Location: Near Hazel Crest in NE 1/4 Section 26 of Township 36-North, Range 13-East of the 3rd P.M. in Cook County.

Name of Receiving Water: unnamed wetlands

Project Description: Permanent impact to 1.83 acres of wetlands caused by the proposed construction of a new bulk liquid truck transportation support facility. The new, approximately 23 acre, facility would include office space, warehouse, truck parking and container storage yard, storm water management and a wetland mitigation site.

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge dredged or fill material 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 contact Darren Gove at email darren.gove@illinois.gov or phone no. 217/782-3362.

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Heniff Transportation (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with the construction of a bulk liquid transportation facility located at 167th St., Hazel Crest, Cook County, IL (Section 26, Township 36N, Range 13E). The approximately 22.8-acre site currently consists of vacant land that has been subject to clearing and grading activities from 1967 to 1988. A portion of the site is utilized for agriculture and the remainder contains weedy wetland vegetation.

The Applicant is a bulk liquid transportation company specializing in the safe transport of chemicals and is expanding to meet a growing market in the southern Cook County area. The proposed site and facility plan would accommodate container storage, truck storage, and associated offices and maintenance facilities. The selected site provides immediate access to Interstate 80.

Currently, the site contains eight disturbed wetlands that total 1.83 acres, as verified by USACE. The wetlands are located throughout the eastern half of the property. The Applicant proposes to fill all 1.83 acres for site grading and construction. Wetland mitigation is proposed via the creation of 1.86 acres of wetlands within the project area.

The purpose of the proposed project is to develop a specialty trucking facility with container storage, truck storage, and associated offices and maintenance facilities, located in proximity to the south Chicago industrial market with access to the Interstate Highway System. Information used in this review was obtained from the Wetland Delineation Report dated August 20, 2018, with addendum dated April 23, 2019; the Joint Permit Application dated June 14, 2019; Application for Section 401 Individual Water Quality Certification dated July 5, 2019; and USACE Public Notice dated July 11, 2019.

Identification and Characterization of the Affected Water Body.

The proposed project would impact eight General Use, unnamed wetlands (1.83 acres) with 0 cfs of flow. The unnamed wetlands are not listed as a biologically significant stream in the 2008 Illinois Department of Natural Resources publication *Integrating Multiple Taxa in a Biological Stream Rating System* or given integrity ratings in that document. The unnamed wetlands have not been assessed by the Agency and are not listed in the draft 2016 Illinois Integrated Water Quality Report and Section 303(d) List. The unnamed wetlands are not subject to enhance dissolved oxygen Standards. The eight wetlands to be impacted are quantitatively described in the table below, all with low- to moderate-native vegetation diversity and none are considered high quality aquatic resources.

ID	Area (ac)	Wetland Type	C-Value	FQI
Wetland 1	0.31	Emergent	2.92	10.54
Review Area 1	0.09	Scrub-Shrub	1.67	4.08
Review Area 2	0.28	Forested	1.67	4.08
Review Area 7		Emergent	1.86	6.95
Review Area 3	0.15	Forested	2.25	4.5
Review Area 4	0.015	Forested	2.25	4.5

Review Area 5	0.11	Emergent	1.91	6.33
Review Area 6	0.87	Emergent	2.1	6.64

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

Total suspended solids are anticipated to increase because of the proposed on-site grading and fill activities. This increase is a normal and unavoidable result of the proposed construction activities. The project would permanently fill 1.83 acres of wetlands with earthen, clean material. Impacts to the uses of downstream waters due to suspended solids are not anticipated, because the proposed project's discharge loading would be temporary and present only during active construction. Benthic habitat would also be disturbed in the project area, although is anticipated to recover and improve over time in areas proposed for mitigation.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids from the construction activities would be short-term and temporary. The project proposes to permanently fill 1.83 acres of wetlands. Impacts to the wetland would be mitigated for via wetland creation located on the development site. Due to the degraded nature of the wetlands, the Applicant is proposing mitigation at a 1:1 ratio.

The Applicant is proposing to create 1.86 acres of wetlands around the perimeter of the site. These created wetlands would consist of a higher quality of plants and soils than the existing wetlands. Created wetlands would be interspersed with a mix of emergent and open water components to provide a healthy, diverse wetland community. Sedge meadow and native prairie would also be planted within the mitigation areas. The wetland mitigation areas would be subject to a 5-year monitoring and maintenance plan. Final plans would be developed during the permitting process. The USACE has not verified the adequacy of the mitigation proposed as of the July 11, 2019, Public Notice, and would make the final determination on whether the proposed mitigation is appropriate and practicable.

Purpose and Social & Economic Benefits of the Proposed Activity.

The purpose of the project is to develop a specialty trucking facility that would support a growing market. The south suburbs of Chicago have established a niche for creating communities around manufacturing campuses, industrial markets, and logistic companies. This has allowed for extensive growth in the workforce with establishment of full-time jobs. The Village of Hazel Crest is eager to support responsible development that would provide additional jobs for their community.

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

Six sites were screened for accessibility, size, environmental concerns, and logistics and to ultimately meet criteria, such as: secure development opportunity within the south Chicago industrial market; secure a location that is located in very close proximity to interstates, other major highways, and truck routes; travel routes must not pass through residential neighborhoods; obtain enough buildable land to provide a facility that can accommodate office space, maintenance, warehouse, trucking and container yard; create a well-designed facility in a centralized location that has adequate access,

stormwater management, utilities connections, security, etc.; obtain a site that is not hampered by environmental concerns such as contamination, water resources, etc.; development must be approved and supported on a municipal level; and project must be feasible, i.e. shall be within Heniff's budget. The preferred site location best fits the project purpose and need. No alternative site layouts would meet the proposed purpose and need while remaining economically feasible.

The Applicant's proposed plan includes environmental impacts that are unavoidable. The least intrusive alternative would be to not complete the project. This is not an acceptable alternative given the interest in increasing economic development in the area. Impacts to site wetlands would be mitigated on-site and erosion control measures would be implemented to prevent additional impacts. The construction of the proposed project 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.

The Applicant conducted a review of the USFWS technical assistance website on August 21, 2018, for federally listed threatened and endangered species. According to the website, 11 listed species may be present in Cook County. Potential habitats for these species are not present within the project area and therefore would not negatively affect threatened or endangered species.

An IDNR EcoCAT consultation was initiated on August 21, 2018, Project #1901807. The Illinois Natural Heritage Database found that the Tollgate Prairie INAI Site may be in the vicinity of the project location. After further review, the IDNR Division of Ecosystems & Environment concluded that adverse effects to protected resources are unlikely. The consultation was terminated on August 21, 2018.

Agency Conclusion.

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time this assessment was written. 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 community by providing new commercial development. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.