

**Illinois Environmental Protection Agency  
Bureau of Water, Permit Section  
(IEPA)**

1021 North Grand Avenue East, Post Office Box 19276, Springfield, Illinois 62794-9276, 217/782-3362

The IEPA has issued a Public Notice of a request for a Clean Water Act Section 401 water quality certification that would allow the issuance of a federal permit for the discharge of pollutants to waters of the State.

**Public Notice Beginning Date:**

Friday, July 30, 2021

**Public Notice Ending Date:**

Friday, August 13, 2021

**Agency Log No.:C-0110-21**

**Federal Permit Information:** This civil works project is under the jurisdiction of St. Louis District, Regulatory Branch, U.S. Army Corps of Engineers

**Name and Address of Discharger:** Gateway Acquisitions, Inc., Curtis Francois - 700 Raceway Blvd, Madison, IL 62060

**Discharge Location:** In Section 7 of Township 2-North and Range 9-West of 3rd Principal Meridian in St. Clair County. Additional project location information includes the following: Approximately 3/4 mile South of 700 Raceway Blvd, East Saint Louis, Illinois, 62201, East Saint Louis, IL 62201

**Name of Receiving Water:** not listed

**Project Description:** project featuring construction of one-third mile paved oval track with associated parking and infrastructure within the subject site, as well as placement of fill material to construct a parking/camping area for the raceway facility.

**Construction Schedule:** Unknown at this time

The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their name and address along with comments on the certification request. The IEPA Log number must appear on each comment page. Commenters may include a request for public hearing. Only comments that pertain to Clean Water Act Section 401 authority as defined under 40 CFR part 121.3 will be considered. Part 121.3 defines the "scope of a Clean Water Act section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements". Requests for additional comment period must provide a demonstration of need. The last day that comments will be received will be on the Public Notice period ending date unless the IEPA grants an extended notice period.

The attached Fact Sheet provides a detailed description of the project and the findings of the IEPA's antidegradation assessment.

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 see the contact information below.

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Curt Francois (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with grading and filling a portion of an existing emergent wetland in order to construct a parking/camping area at an approximately 7.7 Acre (Ac) project site for the World Wide Technology (WWT) Raceway. The construction will take place in Section 7, Township 2 North, Range 9 West in St. Clair County, Illinois and north of Interstate 55/70 in Fairmont City. The project will consist of grading and filling with 60,000 Cubic Yards (CY) of soil, 6.82 Ac of an approximately 13.87 Ac emergent wetland located south of the WWT Raceway. An original site plan was proposed in March 2015 that would have impacted the entire emergent wetland in the 14.92 Ac site. The original site plan included construction of a 1/3 mile paved oval track with associated parking and infrastructure but was reevaluated in an effort to decrease impacts to the existing wetland and the federally threatened Decurrent False Aster (*Boltonia decurrens*) population previously identified on the site. Both aquatic and species resources will be mitigated for. The proposed mitigation is the purchase of 10.23 acres of wetland mitigation credits from an approved in-lieu fee program or wetland mitigation bank. The mitigation ratio will be 1.5:1 to offset impacts to the marginal quality emergent wetland on the project site. Overall, there are approximately 0.87-acres of *B. decurrens* on the project site, with expected impacts of 0.09 acres. Impacts to the threatened species will be mitigated on-site within the un-impacted portion of the emergent wetland located on the north side of the project site.

Information used in this review was obtained from the application documents dated March 31, 2015, May 4, 2021, May 13, 2021, June 21, 2021, June 23, 2021 and June 29, 2021.

### **Identification and Characterization of the Affected Water Body.**

A wetland delineation was performed on the 13.82-acre project area just south of WWT Raceway. The entire site primarily exists as a large emergent wetland that is maintained annually. Cahokia Canal bounds the site to the north, beyond which is the Gateway International Racetrack. Interstate 55/70 borders the south and east and the west is bound by a wetland area beyond which are commercial properties. Within the project limits, the USGS map depicts an open water feature which spans the entire northern portion of the site. The NWI map shows a PUBG (Palustrine, Unconsolidated Bottom, Intermittently Exposed) wetland in the northern portion of the site and a PEMC (Palustrine, Emergent, Seasonally Flooded) wetland in the southern portion. The emergent wetland in the project area (Wetland A) has a surface area of 13.82 Ac and lies within a depression adjacent to the Cahokia Canal. Hydrology is supported by water level fluctuations in the Cahokia Canal and surface runoff from the surrounding area. Dominant vegetation in the area includes Reed Canary Grass (*Phalaris arundinacea*), Pennsylvania Smartweed (*Persicaria pensylvanica*), Common Reed (*Phragmites australis*), Yellow Nutsedge (*Cyperus esculentus*), Fall Panic Grass (*Panicum dichotomiflorum*), and Narrowleaf Cattail (*Typha angustifolia*). The wetland is of marginal quality and provides a minimal amount of natural habitat. Additional wetland characteristics include surface water, saturation, oxidized rhizospheres, inundation visible on aerial imagery, geomorphic position and hydric soil indicators.

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

The pollutant load increases that would occur from this project include some possible increases in total suspended solids. These increases, a normal and unavoidable result of the grading and filling of the wetland, are expected to occur during construction activities. Some solids may potentially travel to downstream waters in runoff during rain events, but the adjacent wetland will likely provide filtration and

treatment of this water. Any potential impacts to the waterways downstream of the project area are expected to be local and temporary. Impacts to the wetland will be permanent with grading and filling activities associated with the project. 60,000 CY of soil fill material will be used to fill the wetland in order to provide an adequate base for construction of the parking/camping area.

### **Fate and Effect of Parameters Proposed for Increased Loading.**

Due to the location of the wetland on the proposed site, impacts cannot be avoided. Compensatory mitigation must be provided for the 6.82 Ac of emergent wetland impacts at a ratio of 1.5:1. WWT Raceway intends to purchase 10.23 wetland mitigation credits from an approved in-lieu fee program or wetland mitigation bank. Overall, there is 0.87 Ac of *B. decurrens* on site. Approximately 0.78 Ac will be preserved, and 0.09 Ac impacted by the project. Mitigation for the impacts to the *B. decurrens* will occur on-site within the unimpacted portion of the emergent wetland located on the north side of the project site. Seed will be collected, and individual plants will be transplanted in coordination with the IDNR and USFWS, and the mitigation site will be protected from further development and disturbance. A revised Biological Assessment is currently in progress and will be submitted to USACE and USFWS upon completion.

During construction, the appropriate best management practices (BMPs) will be utilized in order to reduce the potential for erosion and sedimentation of downstream waters. These include use of a temporary perimeter silt fence and seeding/vegetating the site once construction is completed. Off-site sedimentation will be cleaned up and perimeter controls will be repaired if needed until the site is stabilized. The applicant plans to install a vegetated filter strip along the northern boundary of the parking lot slope in order to aid in the pre-treatment of potentially polluted stormwater runoff and sedimentation due to the new parking lot. The strip will intercept stormwater prior to running offsite and north into the protected wetland and allow it to infiltrate into the ground and be absorbed by the soil and native grasses.

### **Purpose and Social & Economic Benefits of the Proposed Activity.**

The purpose of the proposed project is to construct an additional parking lot associated with WWT Raceway while minimizing onsite impacts. Parking and camping opportunities for WWT Raceway are needed for this much needed St. Louis Metro Area destination.

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

The Applicant considered various alternatives during the planning stages of the development which attempted to avoid and minimize impacts to the onsite wetland and decurrent false aster population. The alternatives reviewed are below:

#### Alternative 1 – No Impact:

This alternative would avoid all impacts to jurisdictional wetlands. The emergent wetland exists on the entire 13.87-acre site and is a Waters of the US (WOUS). This option would leave the wetland undisturbed but would not allow for development of the proposed parking facilities. The proposed parking facilities will allow for greater flexibility for the WWT Raceway in hosting many types of events, often simultaneously. A No Impact alternative is not practicable and would cause the project to be unfeasible. This option was not chosen as a viable alternative.

#### Alternative 2 – Original Site Plan:

The proposed original site plan resulted in 13.87 Ac of wetland impacts from development of a paved 1/3-mile racetrack, grandstands, and parking facilities estimated to provide 800 parking spaces. This alternative would impact the entire wetland resulting in further evaluation in an effort to decrease the wetland impacts. This alternative was abandoned, and a new plan that would reduce wetland impacts was evaluated.

#### Alternative 3 – Reduced Impact Site Plan:

This alternative was developed in order to minimize environmental impacts while maximizing the use of available space in order to make the proposed project viable. It would allow for site development while minimizing wetland impacts. Only the No Impact alternative would completely avoid impacts while the Reduced Impact Site Plan decreased wetland impacts by 3.38 Ac compared to Original Site Plan. Impacts would still occur in 10.49 acres of wetland. This reduction of impacts was a result of decreasing proposed parking spaces as the racetrack footprint could not be modified. This alternative proposes approximately 574 parking spaces, which is less than the ideal 1000 to accommodate estimated event goers. In this plan, parking spaces are reduced in order to avoid wetland impacts. The footprint of the racetrack, parking areas, and grandstands would be accommodated in this site plan, as well as provide a reduction in wetland impacts. Upon further evaluation, this alternative was determined to be economically and environmentally unfeasible. This option was not chosen as a viable alternative.

#### Alternative 4 – Preferred Alternative:

The applicant has proposed a modified site plan in order to minimize environmental impacts even further and still make the proposed project viable. The 1/3-mile racetrack and grandstands were abandoned for additional parking only therefore establishing the following alternative as the preferred alternative for the development of the site. A compromise was reached that greatly reduces impacts to the onsite wetland and previously identified *Boltonia decurrens* population on site. Due to the wetland existing in the entire parcel, only the No Impact alternative would completely avoid wetlands impacts. The Preferred Alternative decreased wetland impacts by 7.05 Ac as compared to Original Site Plan. Impacts would still occur in 6.82 acres of wetland in order to accommodate the proposed parking facility. This alternative would result in providing approximately 375 parking spaces which is well below the desired parking area, however, the applicant has come to this compromise in an effort to reduce overall impacts. Additional parking will be accommodated for the WWT raceway as well as a reduction of impacts. Upon further evaluation, this alternative was determined to be economically and environmentally feasible. Because of this, this option was chosen as a viable alternative.

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

On May 13, 2021, an IDNR EcoCAT review was initiated for the project area. The review indicated that the following state-listed species occur in the vicinity of the project: decurrent false aster (*Boltonia decurrens*), black-crowned night heron (*Nycticorax nycticorax*), least bittern (*Ixobrychus exilis*), and little blue heron (*Egretta caerulea*).

Decurrent False Aster: The department encourages disturbance to this population to be avoided if possible. However, listed plant species are the property of the landowner under the *Illinois Endangered Species Protection Act*, and thus the fate of the population resides with the landowner. If development plans are pursued in the project area, it would be beneficial to conserve the genetic material of the plant through translocation and seed collection and coordinate this effort with IDNR.

Black-crowned Night Heron, Least Bittern, and Little Blue Heron: The Illinois Natural History Survey conducted avian surveys for an unrelated project in 2015 and determined that habitat in the project area may be conducive to breeding and foraging for the state-listed birds. Recommendations by the Department include vegetation clearing and wetland filling between October 1 and March 31 to avoid prime nesting season for wetland birds. If the date restriction cannot be accommodated, an updated bird survey/habitat assessment shall be performed by a qualified biologist. Results should be forwarded to the Department for a final determination on impacts to any state-listed birds.

In a letter dated June 16, 2021, the US Fish and Wildlife Service (USFWS) stated that the proposed project is not likely to adversely affect the Illinois cave amphipod, Indiana bat, pallid sturgeon, and northern long eared bat, and is not likely to jeopardize the continued existence of the monarch butterfly. It was also determined that no critical habitat is in the project area at this time.

In a letter dated June 23, 2021, USFWS provided a list of affected species and designated critical habitat as an initial step of the Section 7 Consultation process.

Additionally, the US Fish and Wildlife Service has recommended interagency coordination.

### **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 would 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 would benefit the WWT Raceway by providing additional parking and camping opportunities needed to accommodate this St. Louis Metro Area destination. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.