

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:

Thursday, December 1, 2022

Public Notice Ending Date:

Friday, December 30, 2022

Agency Log No. :C-0115-22

Federal Permit Information: Federal permit/license no. LRC-2021-01132 is under the jurisdiction of Chicago District, Regulatory Branch U.S. Army Corps of Engineers

Name and Address of Discharger: :Chi Development Operating, LLC, Matthew J. Kurucz - 3819 Maple Avenue, Suite 200, Dallas, TX 75219

Discharge Location: In Section 3 of Township 34-North and Range 9-East of the East 3rd Principal Meridian in Will County. Additional project location information includes the following: Vacant Parcel E of S Youngs Rd along Des Plaines River, Channahon, IL 60410

Name of Receiving Water: Unnamed Wetlands, tributary to Des Plaines River

Project Description: The proposed development consists of two trucking terminals that will provide a Less-Than-Load (LTL) service for the region. The area has a high volume of manufacturing and logistics facilities and providing an LTL terminal is an efficient and cost effective approach to shipping. The terminal is designed to specifically store and handle inventory for an increased demand without creating a high volume traffic terminal. The site contains a large wetland complex associated with the Des Plaines River. Impacts to 9.71 acres of Waters of the U.S. would result from proposed construction activities.

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 must 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 hearing requests and comments that pertain to Clean Water Act Section 401 authority will be considered. This authority provides consideration of whether the permit or license would be consistent with Sections 301, 302, 303, 306, or 307 of the CWA, as well as "any other appropriate requirement of State [or tribal] law". Requests for additional comment period must provide a demonstration of need. The final day of comment acceptance will be on the Public Notice Ending date shown above, 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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Post Document. No. C-0115-22-12012022-PublicNoticeAndFactSheet.pdf

Chi Development Operating (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with the construction of a Less Than Truckload (LTL) logistics facility in Section 2, Township 34 North, Range 9 East, Will County, Illinois. The project area is located in a vacant parcel east of South Youngs Road along the Des Plaines River in Channahon. The proposed project consists of 2 trucking terminals that will provide an LTL service for the region. The area has a high volume of manufacturing and logistics facilities and providing an LTL terminal is an efficient and cost-effective approach to shipping. The terminal is designed to specifically store and handle inventory for an increased demand without creating a high-volume traffic terminal.

The proposal to construct an LTL logistics facility including two buildings, vehicle parking, trailer parking/storage, and associated stormwater management facilities. The facility would enable the transportation of small volume shipments that would not require a full truck capacity. The building does not function as a warehouse, rather, full truckloads are off-loaded at one of the docks and the shipment is then split up and moved to other docked trailers toward their ultimate destination. The need for this type of logistics facility is a result of the increase in e-commerce and on-demand shipping needs. The proposed facility would also act as a hub for trucking operators and is integral to the facility, serving as a centralized service location. This allows for unneeded trailers to be contained at a single location rather than spread across various locations in the region which would assist with both logistic efficiency and fleet upkeep. The facility would accommodate three types of trailer parking spaces: (1) active usage parking for those trucks actively load/unloading, (2) near-term storage, and (3) long-term storage. The proposed centralized parking and storage for trailers addresses a commercial need within the region.

Impacts will involve filling of 9.71 Acres (Ac) of wetlands, and 1160 linear feet (LF) of stream due to grading and site access. Proposed mitigation for the impacts includes offsite creation of an emergent, wet meadow wetland complex within the Des Plaines River Watershed. Due to the presence of High-Quality Wetlands, impacts are proposed to be mitigated at a ratio of 1.7:1 for a total of 16.56 acres of wetland mitigation. For stream impacts, the proponent is awaiting USACE confirmation that the selected off-site location will be suitable for stream mitigation as well. If not, the proponent will purchase stream mitigation credits from an appropriate mitigation bank.

Information used in this review was obtained from the application documents dated September 20, 2021, February 9, 2022, June 8, 2022, and September 16, 2022,

Identification and Characterization of the Affected Water Body.

A wetland delineation was performed on September 14, 2021, and September 15, 2021 by Gary R. Weber Associates within the approximately 51-acre study area. The area is bounded by Youngs road to the west, agricultural buildings along Stone Road to the north, the Des Plaines River to the east, and a trucking company to the south. The study area consists of emergent, wooded, and upland vegetation. The soil was disturbed prior to the 1930’s and resulted in clusters of quarried ground present throughout the site. A gravel road was constructed around 2018 and runs north to south within the property. A channel (Drainageway 1) runs east to west across the site and terminates into the Des Plaines River. An excavated pond in the northeast portion of the site was created prior to the 1930s. Four jurisdictional wetlands were also identified in the survey area, with three of those wetlands proposed to be impacted as a result of the project.

The unnamed tributary to the Des Plaines River has 0 cfs of flow during critical 7Q10 low-flow conditions and is classified as a General Use Water. The unnamed tributary to the Des Plaines River is 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*, nor is it given an integrity rating in that document. The unnamed tributary to the Des Plaines River, (Waterbody Segment IL_G-12) is not listed on the 2020/2021 Illinois Integrated Water Quality Report and Section 303(d) List since it has not been assessed. The unnamed tributary to the Des Plaines River is not subject to enhanced dissolved oxygen standards.

The unnamed tributary is a shallow drainageway that generally flows west to east throughout the study area and averages 2 feet in width and has banks that average 1 foot in height or less. At the time of field investigation, water depth within the channel varied between approximately less than 6 inches to 2.5 feet. Flow appears to originate from a groundwater discharge point at the west boundary of Wetland 1 and flows into the Des Plaines River. Small fish and reptiles were observed within portions of the channel. Its banks are primarily vegetated by Sedges (*Carex sp.*), Reed Canary Grass (*Phalaris arundinacea*), Downy Hawthorn (*Crataegus mollis*), and Common Boneset (*Eupatorium perfoliatum*) that is part of Wetland 1.

Wetland 1 has 22.76 Ac onsite and is located within the western and central portion of the study area and extends slightly off-site beyond the north boundary, spanning from Youngs Rd and to the Des Plaines River. Wetland 1 is predominantly emergent and wet meadow communities with scrub-shrub clusters and connects to the Des Plaines River through Drainageway 1. Wetland 1 is generally dominated by highly invasive emergent vegetation but contains pockets of diverse sedge meadow communities. The majority was primarily vegetated by Phragmites (*Phragmites australis*), Narrow-Leaf Cattail (*Typha angustifolia*), and Reed Canary Grass (*Phalaris arundinacea*). The wet meadow pockets were dominated by Porcupine Sedge (*Carex hystericina*), Yellow-Fruit Sedge (*Carex annectens*), Uptight Sedge (*Carex stricta*), and Fox Sedge (*Carex vulpinoidea*), Common Bonset (*Eupatorium perfoliatum*), and Rush species (*Juncus sp.*). The Coefficient of Conservatism (Mean C) for the on-site portion of Wetland 1 was 3.72, and the Floristic Quality Index (FQI) was 27.94. These values indicate a moderate quality plant community.

Wetland 2 has 0.23 Ac onsite and is centrally located within the study area. It is a depression area dominated by Phragmites and sedge species. It was primarily vegetated by Phragmites, Uptight Sedge, American Burnweed (*Erechtites hieracifolia*), and Hard-Stem Bulrush (*Schoenoplectus acutus*). The Coefficient of Conservatism (Mean C) for the wetland was 3.31, and the Floristic Quality Index (FQI) was 11.93. These values indicate a low-quality plant community.

Wetland 3 is located within the southwest portion of the study area. This wetland is a wet meadow community adjacent to a large berm and is depression in nature. Wetland 3 was primarily vegetated by Reed Canary Grass, Dotted Smartweed (*Persicaria punctata*), and American Burnweed. The Coefficient of Conservatism (Mean C) for Wetland 3 was 2.17, and the Floristic Quality Index (FQI) was 5.31. These values indicate a low-quality plant community.

Wetland 4 is located within the northeast portion of the study area and extends off-site to the north. It is a wet meadow community along the Des Plaines and adjacent to Wetland 1. The on-site portion of Wetland 4 was primarily vegetated by Phragmites. The Coefficient of Conservatism (Mean C) for the on-site portion of Wetland 4 was 0.00, and the Floristic Quality Index (FQI) was 0.00, indicative of a low-quality plant community. This wetland will not be impacted by the proposed project.

The excavated pond is in the northwest portion of the study area and is currently an open water pond feature. The construction of this pit pre-dates any found historic aerials which go back to 1930 and is likely a former borrow pit. Large rocks and a gravel pile are present within the pond and surrounds the

area as well. This pond is directly connected to the Des Plaines River. Sample points were taken around the basin and found that gravel is present throughout the soil horizon. Banks of this pond are an average of 20 feet tall. Pond bank/fringe was primarily vegetated by Canadian Goldenrod (*Solidago canadensis*), Porcupine sedge, Matted Sandmat (*Euphorbia serpens*), Narrow-leaf Cattail (*Typha angustifolia*), and White Snakeroot (*Ageratina altissima*).

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 are a normal and unavoidable result of construction and grading that may occur in the pond, wetlands, and waterbody in and around the area of construction. The existing benthic habitat of the onsite pond and wetlands would be permanently removed by fill activities. Proposed impacts are due to grading, facilities and parking, and access and fill will consist of the use of clean earthen fill.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in total suspended solids where Drainageway 1 is concerned, is anticipated to be permanent. The existing wetlands and pond would be permanently filled by the construction activities. A total of 9.71 Ac of wetland impact and 1,160 linear feet of stream impacts are proposed. The wetland impact has been reduced by 5.23 Ac through avoidance measures that reduced parking areas. The applicant re-worked the parking layout and quantity in an effort not only to reduce wetland impacts, but to avoid high quality wetland areas where possible. Sedge meadow communities along the western portion were avoided by reducing and narrowing the parking areas. The high-quality meadow that fringes the drainageway in the eastern portion was avoided by pulling parking out of that area and grading down to the wetland elevation. The overall reduction in wetland impact is over 5 acres.

The wetlands onsite include Wetland 1 (22.76 Ac), Wetland 2 (0.23), Wetland 3 (0.08) and Wetland 4 (0.02). Wetland impacts were revised from 14.94 Ac to 9.71, leaving 13.38 Ac remaining, an increase of 5.23 Ac from the original proposed impacts. Stream impacts were also reduced from 1396 LF, to 1160 LF. Wetland 4 is not proposed to be impacted by the project. The table below breaks down the original and revised impacts between high- and standard-quality areas of the wetlands.

Wetland	Original Impacts (Ac)				Revised Impacts (Ac)			
	Impacted		Remaining		Impacted		Remaining	
	High Quality	Standard Quality	High Quality	Standard Quality	High Quality	Standard Quality	High Quality	Standard Quality
Wetland 1	2.79	11.84	0.59	7.54	1.33	8.11	2.13	11.19
Wetland 2	0	0.23	0	0	0	0.23	0	0
Wetland 3	0	0.08	0	0	0	0.04	0	0.04
Wetland 4	0	0	0	0.02	0	0	0	0.02
Total	2.79	12.15	0.59	7.56	1.33	8.38	2.13	11.25
Impacts	14.94		8.15		9.71		13.38	

The applicant has modified the site plan to ensure that no direct runoff reaches the Des Plaines River. Additionally, 12 discharge areas are proposed that will be intercepted by vegetated bioswale or compensatory storage prior to reaching river. Naturalized areas will be planted with deep-rooted native vegetation that will effectively treat run off. BMPs implemented go beyond local authority requirements to reduce runoff and prevent increased degradation to river. Mechanical BMPs are also under consideration. Naturalized compensatory storage is proposed along the east side of the project site which

will provide a water quality benefit as run-off from the site will pass through deep rooted prairie plant communities. An updated native landscape plan will be provided upon completion. Preserved wetlands will be protected in perpetuity through a deed restriction.

Due to the presence of high-quality wetlands, the applicant is proposing wetland impacts to be mitigated at a ratio of 1.7:1 for a total of 16.5 Ac of required mitigation. The proposed Permittee Responsible Mitigation (PRM) activity provides offsite creation of a 32.5 acre emergent and wet meadow wetland complex and stream restoration of a degraded stream corridor within the Des Plaines River Watershed. The proposed mitigation project site is located in Tinley Park on an agricultural parcel northeast of the intersection of S. Harlem Ave. and Vollmar Road.

The wetland mitigation efforts will mitigate for the 9.71Ac of wetland impact by focusing on converting an agricultural field into a large wetland complex that will consist of 14.8 Ac of emergent basin bottom and 17.7 Ac of wet meadow. The field is extensively tiled. By disabling or controlling tiles both lateral and main tiles, wetland hydrology can be restored to the drained field. Other efforts, such as shallow scrapes and berms, will create wetland pools suitable for emergent wetland habitat.

If the off-site mitigation parcel is deemed appropriate for stream mitigation, efforts would be focused on stream restoration to compensate for the 1,160 LF of impact to Drainageway 1. The existing stream corridor at the off-site location would be enhanced through bank restoration techniques, invasives management, and native plantings. Some or all of the following measures would be implemented: removal of invasive shrub material from the riparian corridor; re-grade sections of steeply eroded linear stream bank and create meanders; install live stakes in stream banks that are susceptible to erosion; establish wet meadow / emergent plantings in suitable areas along the stream bank; establish low profile prairie in open upland areas along the stream; and remove invasive and overstory trees.

The wetland and stream mitigation activities would be subject to a 5-yr Monitoring and Maintenance Plan. Management will be implemented and funded in perpetuity by the Odyssey Golf Foundation which maintains the ponds and natural areas contained within the adjacent golf course.

The Corps has not verified the adequacy of this mitigation proposal at this time and will make the final determination on whether the proposed mitigation is appropriate and practicable in accordance with 33 CFR Part 332.

Purpose and Social & Economic Benefits of the Proposed Activity.

The purpose of the proposed LTL logistics facility is to facilitate the transportation of small volume shipments that would not require a full truck capacity. The building does not function as a warehouse. Instead, full truckloads are off-loaded at one of the docks and the shipment is then split up and moved to other docked trailers toward their ultimate destination. The need for this type of logistics facility is a result of the increase in e-commerce and on-demand shipping needs.

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

Several alternative sites were considered prior to selecting the subject property. These sites did not meet criteria and planning factors that were considered necessary for the proposed developments, including:

- Travel routes must not pass through residential neighborhoods.
- Sites near or adjacent to residential communities are not suitable.
- Project must secure development opportunities near the I-55 and I-80 industrial market.

- Project must secure a location that is in very close proximity to other logistical/industrial/freight developments, interstates, other major highways, and truck routes.
- Project must obtain enough buildable land to provide a facility that can accommodate parking, storage, docking, and personnel space.
- Development must be zoned appropriately.
- Development must be approved and supported on a municipal level.
- Project must be feasible, i.e., shall be within budget

According to the applicant, there are no additional alternative site layouts that would provide the above-mentioned criteria and avoid impacts to wetlands and water resources. The wetland located in the proposed development parcel spans the entire western portion of the site. The development is positioned further to the east to avoid as much of Wetland 1 as possible. Due to the extensive grading needed for site development, complete avoidance of Wetland 1 is not possible.

The high-quality wetland areas are generally focused more in the center of the property. The development footprint would have to be separated and shifted to avoid these areas entirely. Due to the extensive change in elevation located along the west boundary, the development is pushed to the east side of the property. Separating the building and parking into two sections, north and south, was considered early on. Due to the amount of mass grading solutions needed for the site, this was not considered feasible.

Preferred Alternative: The preferred alternative was chosen based on ideal location, location size, and appropriate zoning.

Ideal location – The preferred site has direct interstate transport access. The project area is within an existing industrial park that has been subjected to development in recent years. The utility of a truck parking terminal would be a suitable use. Will County is ideal due to it being a major hub for roads, rail and natural gas pipelines. Will County is also home to largest inland port in North America and is served by five Class 1 railroads, 3 intermodal facilities, 4 interstate highways, 3 navigable waterways, and 1500 miles of pipeline. This parcel in particular has direct access to nearly all of these amenities. This location offers premium access to I-55 and I-80, thus allowing ease of connection to the entire Chicago interstate network, the Joliet/I-80 submarket which is home to two of the largest inland ports in the country (Union Pacific and BNSF) and the corresponding largest concentration of mega-warehouses in the Chicago market. Further the I-55 Corridor through Romeoville and Bolingbrook is one of the pre-eminent industrial pockets in the entire country

Size – The preferred site location is large enough to act as a hub to most efficiently consolidate assets (products get regrouped/transferred) and to facilitate increased logistical and maintenance efficiencies. Parking for trailers can be both long-term and short-term to provide flexibility for partially loaded trailers waiting for the remainder of their load from a different shipment. Due to the scarcity and value of terminal facilities or parking lots (as a result of municipality aesthetic and traffic/safety concerns) these sites are always sought to be maximized when one is identified.

Zoning – The parcel is zoned industrial which would meet the proposed purpose, is within range of Will County’s 2040 freight corridor that benefits truck drivers utilizing the corridor to access the surrounding industrial businesses and logistic hubs. Along the highways, between Bolingbrook and Joliet, available parcels on which communities will allow the development of warehouses is very limited. When development includes terminal operations, that number drops to 1 (which is the site in question). The extreme scarcity of terminal sites in general, combined with potential scale/size of this project, results in something extremely rare and sought after for the entire region. Any potential inbound/outbound truck

routes for this site would not interact with any residential communities or intersections, leading to positive safety and public support perspective.

Based on criteria and planning factors that were considered necessary for the proposed developments, the alternative properties were determined unsuitable for proposed development. The proposed site meets all criteria with the exception of wetlands in the project area.

Alternate sites were looked at based on particular municipalities/villages, land locations, and individual sites. These were not considered for various reasons listed as follows:

- Lack of critical infrastructure, poor access along roads not equipped for trucks, zoning, and residential proximity.
- Site is not a suitable size.
- The area is either earmarked for future mixed-use residential and retail, or the village has reduced industrial growth over the past few years.
- The land is currently under contract or unsuitable for building due to lack of infrastructure.
- There are extreme soil conditions and infeasible stormwater management remedies (ie: not physically possible for any kind of development).
- A potential seller had considered but ultimately ended deal (ie., to self-develop warehouses) .
- Extreme topographic issues are present (i.e. the small size of one site meant that there were no ways to mitigate these issue).
- There is a lack of utilities available, or extremely difficult access exists (new bridge over rail line was needed).
- The need for sizeable wetland impacts would occur.
- Some existing companies with excess land are holding it for future plant expansions, or not interested in selling.
- Extreme flood plain issues rendered the land unbuildable.

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

An EcoCAT endangered species consultation was submitted to the Illinois Department of Natural Resources on September 20, 2021 (Project # 2205249). The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

Based on a September 17, 2021, review of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website, sensitive (federally threatened or endangered) plant or animal species habitat may be located on the study area (see USFWS Review Summary). Habitat for the Northern Long Eared bat may be present. Habitat for the Hine's Emerald Dragonfly is not present, and the study area is outside of the recharge zone. However, for both species, further coordination with the USFWS may be required if requested by the USACE.

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 provide the area with an LTL logistics facility in order to meet the needs of an increase in e-commerce and on-demand shipping. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.