

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, March 31, 2023

Public Notice Ending Date:

Thursday, April 20, 2023

Agency Log No.: C-0173-22

Federal Permit Information: Federal permit/license no. LRC-2022-00343 is under the jurisdiction of Chicago District, Regulatory Branch U.S. Army Corps of Engineers

Name and Address of Discharger: ANR Pipeline Company, Robert Revenaugh - 700 Louisiana Street, Suite 700, Houston, TX 77002

Discharge Location: In Section 23 of Township 45-North and Range 6-East of the East 3rd Principal Meridian in McHenry County. Additional project location information includes the following: Pipeline project midpoint approximately 4.1 miles northwest of Woodstock., Woodstock, IL 60098

Name of Receiving Water: Various streams and wetlands

Project Name/Description: Wisconsin Reliability Project - ANR is proposing to replace existing pipeline at three distinct locations with 51 miles of new pipeline in Illinois and Wisconsin; uprate and/or replace compressor units at two existing compressor stations in Wisconsin; modify six meter stations in Wisconsin; and modify mainline valves, launchers, and receivers at nine existing aboveground facility sites in Illinois and Wisconsin. The portions of the Project in Illinois include one pipeline segment (PL-1) spanning 10.9 miles with 22-inch-diameter pipe, minor modifications at ANR's existing Woodstock Compressor Station and one mainline valve, and use of one staging area non-contiguous to PL-1.

Construction Schedule: Beginning Jan 2024 and ending Nov 2025

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.

Name: Darren Gove

Email: Darren.Gove@illinois.gov

Phone: 217/782-3362

Post Document. No. C-0173-22-03312023-PublicNoticeAndFactSheet.pdf

ANR Pipeline Company (ANR) (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with installation of replacement pipeline and minor modifications to above ground facilities in McHenry County, Illinois. The project will involve replacing 10.9 miles of 22-inch diameter pipe with 11.0 miles of 36-inch diameter pipe along Segment PL-1 from the Woodstock Compressor Station to Mainline Valve-6 on ANR Mainline-301. The proposed project site is located in multiple municipalities across McHenry County. ANR Pipeline Company (ANR), a subsidiary of TC Energy, operates an interstate natural gas pipeline system partially located within the State of Illinois.

The project will cross three perennial streams, one intermittent stream, and one ephemeral stream. Pipe replacement along Segment PL-1 will primarily involve “lift and lay” which entails excavating the existing pipeline, removing it from the ground, and installing the new pipeline in the same trench. In locations where the same trench cannot be used because of certain constraints, the existing pipeline will be cleaned, cut, capped with a welded steel plate, and abandoned in place. A replacement pipeline then will be installed in a trench adjacent to but offset from the abandoned pipeline. In some of these areas, the new pipeline will be co-located with other utilities. Pipeline replacement will generally be completed using a sequential construction technique, which includes purging and cleaning; survey and staking; clearing and grading; trenching; existing pipe removal; new pipe stringing, bending, welding, and coating; lowering-in and backfilling; hydrostatic testing; commissioning; and cleanup and restoration. These construction techniques will generally proceed in an assembly line fashion and construction crews will move down the construction right-of-way as work progresses. Construction at any single point along the pipeline, from surveying and staking to cleanup and restoration, could last 8 weeks or more. The project will also include replacing or adding new pig launchers and receivers, and upsizing mainline valves. Special construction techniques are required when a pipeline is installed across waterbodies, wetlands, roads, railroads, major utilities, steep slopes, residences, agricultural lands, and other sensitive environmental resources. In general, additional temporary workspace (ATWS) adjacent to the construction right-of-way will be used at most of these areas for staging construction stockpiling spoil, storing materials, maneuvering equipment, and fabricating pipe.

Due to the location of natural and man-made features in the project area, complete wetland avoidance is not feasible, however all but two impacts will be temporary. The only permanent impacts anticipated because of the project are two 1-square foot impacts at cathodic protection (CP) test stations. The project will result in a total of approximately 16.73 acres (Ac) of temporary wetland impacts from the placement of construction matting and excavation fill and 2 square feet of permanent impacts from CP test stations. A total of 49 linear feet (LF) of stream impacts are expected from trenching. Temporary impacts will occur in 26 wetland locations as a result of crossings, temporary disturbance, and fill, 21 wetland locations from construction matting placement, staging areas, and construction entrances, 8 stream locations as a result of trenching, clear span bridges and access road crossings, and 2 waterbody features as a result of temporary intake. Fill in the amount of 920.24 CY is expected as a result of wetland crossings and temporary fill/excavation.

Based on the nature of the impacts, the proposed project is not expected to require compensatory mitigation. All wetland impacts are temporary in nature and will be restored to preconstruction conditions upon completion of construction activities.

Information used in this review was obtained from the application documents dated March 9, 2022, February 1, 2023, and February 10, 2023.

Identification and Characterization of the Affected Water Body.

The unnamed tributary to Franklinville Creek (s19-e) has 0 cfs of flow during critical 7Q10 low-flow conditions. The unnamed tributary to Franklinville Creek is classified as General Use Water. The unnamed tributary to Franklinville Creek 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 Franklinville Creek (no segment code), a tributary to the Kishwaukee River (IL_PQ-13), is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. This segment of the unnamed tributary to Franklinville Creek is not subject to enhanced dissolved oxygen standards.

The unnamed tributary to Slough Creek (s02-b) has 0 cfs of flow during critical 7Q10 low-flow conditions. The unnamed tributary to Slough Creek is classified as General Use Water. The unnamed tributary to Slough Creek 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 Slough Creek (no segment code), a tributary to Nippersink Creek (IL_DTK-06) is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. This segment of the unnamed tributary to Slough Creek is not subject to enhanced dissolved oxygen standards.

The unnamed tributary to Franklinville Creek (s01-c) has 0 cfs of flow during critical 7Q10 low-flow conditions. The unnamed tributary to Franklinville Creek is classified as General Use Water. The unnamed tributary to Franklinville Creek 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 Franklinville Creek (no segment code), a tributary to the Kishwaukee River (IL_PQ-13), is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. This segment of the unnamed tributary to Franklinville Creek is not subject to enhanced dissolved oxygen standards.

Franklinville Creek (s01-b) has 0 cfs of flow during critical 7Q10 low-flow conditions. Franklinville Creek is classified as General Use Water. Franklinville Creek 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. Franklinville Creek, (no segment code), tributary to Waterbody Segment IL_PQ-13, is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. Franklinville Creek is not subject to enhanced dissolved oxygen standards.

The unnamed tributary to the North Branch Kishwaukee River (s02-c) has 0 cfs of flow during critical 7Q10 low-flow conditions. The unnamed tributary to the North Branch Kishwaukee River is classified as General Use Water. The unnamed tributary to the North Branch Kishwaukee 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 North Branch Kishwaukee River, tributary to Waterbody Segment IL_PQJ-01, is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. This segment of the unnamed tributary to the North Branch Kishwaukee River is not subject to enhanced dissolved oxygen standards.

Slough Creek (s03-b) has 0 cfs of flow during critical 7Q10 low-flow conditions. Slough Creek is classified as General Use Water. Slough Creek 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*; it is given an integrity rating of “D” in that document. Slough Creek, (no segment code), a tributary to Nippersink Creek (IL_DTK-06), is not listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. This segment of Slough Creek is not subject to enhanced dissolved oxygen standards.

Impacted wetlands in project area are outlined in the table below :

Wetland ID	Cowardin Classification	FQI	Mean C	Size in Project Area (Ac.)	Area Impacted (Ac.)
w01-b	PEM	10.39	3.0	0.74	0.13
	PSS			0.19	0.08
w01-c	PEM	5.3	1.88	0.26	0.26
w01-n	PEM	-	-	0.46	0.21
w02-b	PEM	17.08	3.17	3.67	0.51
	PSS			0.86	0.61
w02-c	PEM	26.56	3.46	11.12	4.52
	PSS			5.49	1.2
	PFO			1.40	0.45
w02-e	PEM	6.36	4.5	0.5	0.23
w03-b	PFO	9.9	3.5	0.78	0.24
w03-c	PEM	9.67	3.22	0.06	< 0.01
w04-b	PEM	14.31	3.47	0.81	0.2
w04-c	PSS	4.54	1.71	0.04	0.03
w05-c	PFO	12.55	2.45	1.64	0.2
	PEM			0.29	0.2
w08-b	PFO	7.35	3.0	2.76	0.83
	PEM			0.47	0.24
w08-c	PEM	-	-	0.06	0.02
w09-b	PSS	20.96	3.16	1.85	0.93
	PFO			0.78	0.08
	PEM			1.16	0.49
c	PEM	-	-	0.07	< 0.01
w24-m	PEM	-	-	0.06	0.03

w25-m	PEM	6.63	2.0	0.05	0.01
w05-j**	PFO	N/A	N/A	4.48	2.38
	PEM			0.52	< 0.01
w06-j**	PEM	N/A	N/A	0.35	2.38
			Total	40.83	16.46

*Desktop delineated wetlands not available for survey due to landowner restrictions
Note: PEM=palustrine emergent; PSS=palustrine scrub-shrub; PFO=palustrine forested

A wetland delineation was completed by Merjent in September 2022 for the 542.42 Ac survey area. Based on the field survey and desktop resources review, it was determined that 41 wetlands totaling 44.6 Ac, 9 streams, and 5 open water areas exist within the survey area. Land use across the survey area includes agricultural fields and row crops, residential lots, roadside rights-of-way, forested areas, and fallow grassland, in addition to emergent, scrub, and forested wetlands. Upland areas within the survey area are comprised of agricultural fields, residential lawns, roadside rights-of-way, fallow grassland, and forested areas. Agricultural fields are scattered through the survey area with dominant vegetation consisting of planted corn (*Zea mays*), planted soybeans (*Glycine max*), Japanese bristle grass (*Setaria faberi*), smooth brome (*Bromus inermis*), and velvetleaf (*Abutilon theophrasti*). In the residential lawns and roadside rights-of-way, vegetation is dense with Queen Anne’s lace (*Daucus carota*), red clover (*Trifolium pratense*), smooth brome, Kentucky blue grass (*Poa pratensis*), great plantain (*Plantago major*), and reed canary grass (*Phalaris arundinacea*) creeping up from wetter areas. Fallow grasslands occur in undeveloped areas throughout the survey area, along the edges of agricultural fields, between fields, and lining forested areas. Vegetation consists of Canada goldenrod (*Solidago canadensis*), Queen Anne’s lace, Kentucky blue grass, smooth brome, red clover, Canada thistle (*Cirsium arvense*), sandbar willow (*Salix interior*), common buckthorn (*Rhamnus cathartica*), late goldenrod (*Solidago gigantea*), and reed canary grass. Forested areas occur mainly in the southern and central sections of the survey area. Vegetation consists of black oak (*Quercus velutina*), burr oak (*Quercus macrocarpa*), black walnut (*Juglans nigra*), white mulberry (*Morus alba*), black cherry (*Prunus serotina*), black locust (*Robinia pseudoacacia*), ash-leaf maple (*Acer negundo*), eastern cottonwood (*Populus deltoides*), nanny-berry (*Viburnum lentago*), American basswood (*Tilia americana*) common buckthorn, twinsisters (*Lonicera tatarica*), showy honeysuckle (*Lonicera bella*), rambler rose (*Rosa multiflora*), common red raspberry (*Rubus idaeus*) Canada goldenrod, tall goldenrod, Kentucky blue grass, tall hairy grooveburr (*Agrimonia gryposepala*), orchard grass (*Dactylis glomerata*), reed canary grass, white avens (*Geum canadense*), white vervain (*Verbena urticifolia*), and Virginia-creeper (*Parthenocissus quinquefolia*).

Of the 9 streams in the project site, all but 1 are within the construction area. The impacted streams are s19-e, s02-b, s01-c, s02-c, s01-b and s03-b. Stream s02-b is an intermittent stream with 301.5 linear feet (LF) within the study area. The stream has a silt/clay/mud substrate and is 8 feet wide and 2 feet deep. Stream s01-c is an intermittent stream with 531.3 (LF) within the study area. The stream has a silt/clay/mud substrate and is 5 feet wide and 1 foot deep. Stream s01-b is a perennial stream with 293.2 (LF) within the study area. The stream has a silt/clay/mud substrate and is 10 feet wide and 2 feet deep. Stream s03-b is an intermittent stream with 1319.3 linear feet (LF) within the study area. The stream has a silt/clay/mud substrate and is 12 feet wide and 2 feet deep. Additionally, 6 open water features lie within the survey area of which 2 are in the project area. Stream s11-m and s20-e lie within the construction area, but no impacts are expected below the OHWM.

Of the 41 wetlands within the survey area 38 lie within the project area. Impacts to the wetlands are listed in the table above; however, the table does not include impacts from staging areas. The impacted

wetlands include palustrine emergent (PEM), palustrine shrub scrub (PSS) and palustrine forested (PFO) wetlands and are outlined in the table including the Mean C and FQI values. Dominant vegetation for the impacted wetlands is listed in Appendix E – Field Delineated Wetlands in the wetland delineation report.

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

Due to the implementation of the Federal Energy Regulatory Commission (FERC) Plan and Procedures outlined in Appendix D, Construction Typical Drawings in Appendix C, and the Project Stormwater Pollution Control Plan (SWPPP), along with the requirements of the storm water permit for construction activities, pollutant load increases in suspended solids during land grading and stockpiling activities will be minimal during the project. ANR believes there should be no loading increases above current levels for existing land use. Construction of the project via flume, or dam-and-pump crossing method, could result in impacts on waterbodies by causing disturbance in stream channels and adjacent slopes and banks. Clearing and grading of stream banks, equipment crossing, in-stream trenching, trench dewatering, and backfilling could all result in temporary, local modifications of habitat. The clearing of the construction right-of-way (ROW) adjacent to and within a wetland, and grading in adjacent upland areas, can cause erosion of soil and the deposition of sediment into the wetland. Compaction of soil by construction equipment can affect runoff and may contribute to more erosion and sedimentation. These impacts are short-term and will return to preconstruction conditions shortly after construction activities are completed. Temporary impacts will occur in 26 wetland locations as a result of crossings, temporary disturbance, and fill, 21 wetland locations from construction matting placement, staging areas, and construction entrances, 8 stream locations as a result of trenching, clear span bridges and access road crossings, and 2 waterbody features as a result of temporary intake. Fill in the amount of 920.24 CY is expected as a result of wetland crossings and temporary fill/excavation.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids from the proposed project would be short-term and temporary. Measures to minimize the potential impacts to the receiving waters include minimizing ground disturbing activities, staging materials away from wetlands and waterbodies, and implementing the FERC Plan and Procedures Construction Typical Drawings, the Project Stormwater Pollution Control Plan (SWPPP), and storm water construction permit, which will be developed and obtained prior to construction. Controls and best management practices (BMPs) will be inspected on a routine basis and maintained in working order.

No permanent wetland fill will occur as a result of this project. Temporary impacts will be the result of alteration of wetland vegetation and maintenance activities within right-of-way on wetlands. Other activities that may cause minor discharges to wetlands include wetland crossings for construction access and construction equipment working near or in wetlands. Temporary impacts may occur from placement of construction matting and temporary placement of excavation fill. Based on the nature of these impacts, the proposed project will not require compensatory mitigation, as all wetland impacts are temporary in nature and will be restored to pre-existing conditions upon completion of construction activities

ANR proposes complete waterbody crossings using a dry cut crossing method, either dam-and-pump or flume. Throughout the construction process, ANR will follow the Federal Energy Regulatory Commission's Upland Erosion Control, Revegetation, and Maintenance Plan (Plan), Wetland and

Waterbody Construction and Mitigation Procedures (Procedures), and permit conditions to avoid or minimize impacts on water quality. Where dam-and-pump or flume construction techniques are used, activities will be scheduled so that the trench is not excavated across the waterbody until immediately prior to pipe removal and pipe-laying activities. Crossing of waterbodies outside of the excavated trench will be accomplished via temporary timber bridges, except as provided in the FERC Procedures. Excavated spoil will be stockpiled at least 10 feet from the edge of the waterbody and appropriate erosion control devices will be installed in the field. Construction time windows for fisheries will follow the FERC Procedures and approvals or waivers will be applied for from the appropriate state agencies.

Where soils are unstable, temporary work surfaces will be installed with the use of construction mats. Excavation within wetland areas will be scheduled so that the trench is not excavated across the wetland until immediately prior to pipe removal and pipe-laying activities. Construction methods and equipment for these crossings are described in the application materials.

Additional Temporary Workspace will be located a minimum of 50 feet from the edge of waterbodies whenever possible. Where dry construction techniques are implemented, activities will be scheduled so that the trench is not excavated across the waterbody until immediately prior to pipe-laying activities. Crossing of waterbodies outside of the excavated trench will be accomplished via temporary bridges, except as provided in the FERC Plan and Procedures. Excavated spoil will be stockpiled at least 10 feet from the edge of the waterbody and appropriate erosion control devices will be installed in the field.

To minimize impacts during clearing activities, ANR will cut the existing wetland vegetation to ground level, leaving existing root systems intact. Erosion and soil compaction will be minimized by the use of construction mats within a wetland if wetland soils are not excessively saturated at the time of construction and can support construction equipment. Erosion will further be minimized by the installation of temporary erosion control devices between the upland construction areas and the wetland to limit the potential for soil to leave the ROW or enter a wetland. In addition, permanent erosion controls will be installed in accordance with the FERC Plan and Procedures, Construction Typical Drawings and SWPPP.

Purpose and Social & Economic Benefits of the Proposed Activity.

ANR is proposing the Project, an expansion and reliability project designed to provide much-needed natural gas supply to meet the increasing market demand of residential, commercial, and industrial consumers, while increasing the reliability and efficiency of ANR's existing system. The Wisconsin Reliability project will position utility transportation services to meet the growing market needs of natural gas service. Through the installation of incremental facilities and the modification and optimization of existing infrastructure, the proposed project will help address the shippers needs to meet growing energy demand, while simultaneously increasing reliability and reducing direct emissions on ANR's system. The project will also enable ANR to replace and upgrade existing pipeline facilities with new, more efficient pipeline facilities, to provide continued safe and reliable natural gas transportation service to existing customers on its pipeline system.

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

The applicant has analyzed the following alternatives for this project:

Alternative Energy Sources - Potential alternative energy sources to natural gas include traditional fuels, such as coal and oil, nuclear energy, and electricity (including electricity generated from oil, coal, and nuclear power) and renewable energy sources, such as wind, solar, hydroelectric, biomass, tidal, and wave energy. Depending on the location of the identified alternative energy source, new infrastructure would be required to meet the demand for the increased capacity served by the project, including additional transmission facilities needed to connect supply and demand areas. Due to the environmental impacts of new infrastructure creation and construction, alternative energy sources are not viable alternatives to decrease or minimize pollutant load.

System Alternatives - System alternatives would make use of existing, modified, or proposed pipeline systems to meet the purpose and need of the project and involve the transportation of the equivalent amount of natural gas by modification or expansion of existing pipeline systems, or by new pipeline systems. Evaluation of system alternatives would determine whether the environmental impacts associated with project construction and operation could be avoided or reduced by using another pipeline system, while still meeting the project objectives. To be considered a viable system alternative, the system would need to be capable of transporting an equivalent amount of incremental natural gas volumes and result in significantly less environmental impact than the Project.

Existing Third-party Pipelines – To be considered viable, this alternative must provide the capacity necessary to transport the contracted volumes of natural gas for the term of the contract to ANR’s customers. ANR identified three other existing interstate natural gas pipeline transportation systems presently operating in the vicinity of the project that could potentially transport the volumes of natural gas to ANR’s customers. The three systems include Guardian Pipeline, LLC in McHenry County, Illinois and Outagamie County, Wisconsin, Natural Gas Pipeline Company of America in McHenry County, and Viking Gas Transmission Company in Wood County, Wisconsin. These three systems could possibly be used to transport to and from the markets served by the project, however they do not serve required delivery points and would require expansion in order to meet the purpose and need. This option doesn’t meet the project objectives of improving reliability by replacing aging infrastructure or reducing emissions along ANR’s existing system and would increase environmental impacts due to required new construction. A third-party system use option would not decrease or minimize pollutant load and is therefore not a viable project alternative.

Pipeline Looping Alternative - For expansion projects, looping segments along the existing pipeline may be a viable alternative to lift-and-lay replacement, subject to existing system constraints, design parameters, and environmental impacts. Looping along existing rights-of-way would entail construction of approximately 24.5 miles of new 16-inch pipeline along Segments PL-1 and PL-2, and approximately 34.5 miles of new 20-inch pipeline along Segment PL-3, to meet the Project objective of transporting natural gas from ANR’s Southwest Head Station and ANR’s interconnect, with the Alliance pipeline, to project delivery points. The proposed project offers an environmental advantage over the looping alternative by constructing fewer miles of new pipeline. Looping was not considered a viable system alternative to decrease or minimize pollutant load for the project.

Greenfield Alternative – This alternative must provide service to all contractual points of delivery and relieve hydraulic bottlenecks along Segments PL-1-3 in order to meet the project objectives.

Based on the route and new laterals required to connect ANR's proposed source and delivery points, a new greenfield mainline could only alleviate constraints for Segments PL-1 and PL-2, and a loop pipeline would be required for Segment PL-3. This alternative would require construction of approximately 85.5 miles of new 24-inch-diameter pipeline in Illinois and Wisconsin, installing 24.5 miles of new 20-inch-diameter looping pipeline parallel to and offset approximately 25 feet from PL-3, and adding more than 15,000 horsepower of new greenfield compression facilities in Waukesha County, Wisconsin. The greenfield alternative potentially requires 1,267 acres of construction right-of-way and 665 acres of new permanent easements, as well as possibly impacting additional environmentally sensitive resources. The proposed project uses existing easements and compression facilities which would provide an environmental advantage. The greenfield alternative is not considered a viable system alternative for the project to reduce or minimize pollutant load.

Route Alternatives - ANR identified and evaluated a variety of route alternatives to determine if they would be preferable to the project route, and/or replacement of the existing pipeline with new pipeline within the same trench. Within Segment PL-1, ANR identified and considered one route alternative (PL-1-ALT1) that follows the existing pipeline alignment and the project route, which diverges from the existing pipeline at milepost (MP) 49.3 and reconnects at MP 51.5. This proposed route for PL-1 was developed to avoid a large residential area along the existing pipeline easement, which severely constrains available temporary workspace outside of the existing right-of-way. Although the proposed route is slightly longer than the PL-1-ALT1 route alternative, and deviates from the existing pipeline, the proposed route would avoid the need for construction through the front yards of multiple residences, while increasing the separation distance from those dwellings, thus significantly reducing landowner disturbance and constructability challenges. Because of the increased environmental impacts due to additional land disturbance required for a route alternative, this option is not a viable alternative to the project to decrease or minimize pollutant load.

No Action Alternative – This alternative would involve no replacement or expansion of the pipeline facilities or modifications to existing above-ground facilities. Environmental and landowner impacts associated with the proposed project would be avoided, but this option would prevent the applicant from achieving the purpose and need for the project. Consumers would need to seek other energy sources which could be economically and environmentally less desirable. This alternative is not considered a feasible alternative to the proposed project.

Proposed Project (Preferred) – The proposed project will achieve the purpose and need of the project while avoiding and minimizing wetland impacts to the extent practicable. The proposed project will allow for ANR to replace and upgrade existing pipeline facilities with new, more efficient pipeline facilities, to provide continued safe and reliable natural gas transportation service to existing customers on its pipeline system.

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

An EcoCAT endangered species consultation was submitted on May 18, 2022 (Project #2213303) to the Illinois Department of Natural Resources for the area north of Highway 14. The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location: Nippersink Creek INAI Site, Blanding's Turtle (*Emydoidea blandingii*), Least Bittern (*Ixobrychus exilis*), and

the Yellow-Headed Blackbird (*Xanthocephalus xanthocephalus*). A consultation termination was received on June 13, 2022.

An EcoCAT endangered species consultation was submitted on September 7, 2022 (Project #2304135) to the Illinois Department of Natural Resources for the Woodstock Staging Area. The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

EcoCAT endangered species consultations were submitted on September 8, 2022 (Project #2304186 and #2304187) to the Illinois Department of Natural Resources for the PL-1 South of Yonder Prairie and the PL-1 North of Yonder Prairie, respectively. The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project locations: Blanding's Turtle (*Emydoidea blandingii*), Rusty Patched Bumblebee (*Bombus affinis*), Yonder Prairie Nature Preserve, and West Woodstock Prairie INAI Site.

Recommendations received on September 12, 2022, are as follows:

Blanding's Turtle

1. Surveys should be conducted to identify whether suitable overwintering habitat exists within the proposed working area.
 - Survey results and methods should be forwarded to the Department for review and concurrence.
 - If overwintering habitat exists, the Department may recommend filing for Incidental Take Authorization.
2. In areas which are not suitable for overwintering, the Department recommends that initial groundbreaking work be done between the dates of November 1st and March 1st.
3. Personnel working on site should be made aware of the turtle's potential presence. Informational fliers and posters should be posted in a central location.
4. Install exclusionary silt fence by the end of March and maintain it through October to prevent turtles from entering the construction area.
5. Conduct daily inspections during construction to ensure that exclusionary fencing is properly installed (dug into the ground) and to check if turtles are present.
6. Trenches should be covered at the end of each workday. Before each workday, trenches and excavations should be inspected to ensure no turtles (or other amphibians and reptiles) have become trapped within them.
7. If Blanding's Turtles are encountered, crews should stop work immediately, allow the turtle to move out of the way and contact the Department.

Alternatively, the applicant may choose to assume species presence and apply for Incidental Take Authorization.

Rusty Patched Bumblebee

- 1) The Department recommends that work which disturbs the ground or may remove flowering plants be done between October 1 and April 1 to avoid potential impacts.

- 2) The Department recommends a Rusty Patched Bumble Bee habitat assessment be performed by a qualified biologist.
- 3) If Rusty Patched Bumble Bee are found to be present, the Department recommends consultation with the US Fish & Wildlife Service regarding potential liability which may result from inadvertently disturbing an underground nest during site excavation.
 - Alternatively, the applicant may seek an Incidental Take Authorization (ITA) pursuant to Part 1080 and Section 5.5 of the *Illinois Endangered Species Protection Act*. Please note that due to the federal status of the Rusty Patched Bumblebee, and its potential occurrence in the project area, coordination with the U.S. Fish and Wildlife Service may be necessary and is separate from this consultation and Illinois State regulations. The Department may not issue such an Authorization until after the Service has determined whether a Habitat Conservation Plan and Incidental Take Permit (ITP) are required pursuant to Section 10 of the federal *Endangered Species Act*.
 - www2.illinois.gov/sites/naturalheritage/speciesconservation/Pages/Incidental-Take-Authorizations.aspx for more information on the ITA process

Please note that due to the federal status of the Rusty Patched Bumblebee, and its potential occurrence in the project area, coordination with the U.S. Fish and Wildlife Service may be necessary and is separate from this consultation and Illinois State regulations.

Given the above recommendations are adopted the Department has determined that impacts to these protected resources are unlikely. The Department has determined impacts to other protected resources in the vicinity of the project location are also unlikely.

The consultation was closed on September 12, 2022.

The Department also offers the following conservation measures be considered to help protect native wildlife and enhance natural areas in the project area:

If temporary or permanent lighting is required, the Department recommends the following lighting recommendation to minimize adverse effects to wildlife:

- All lighting should be fully shielded fixtures that emit no light upward.
- Only “warm-white” or filtered LEDs (CCT < 3,000 K; S/P ratio < 1.2) should be used to minimize blue emission.
- Only light the exact space with the amount (lumens) needed to meet industry safety requirement.
- If LEDs are to be used, avoid the temptation to over-light based on the higher luminous efficiency of LEDs.

If erosion control blanket is to be used, the Department also recommends that wildlife-friendly plastic-free blanket be used around wetlands and adjacent to natural areas, if not feasible to implement project wide, to prevent the entanglement of native wildlife.

An EcoCAT endangered species consultation was also submitted on September 8, 2022 (Project #2304188) to the Illinois Department of Natural Resources for the PL-1 Yonder Prairie, the area within Yonder Prairie. The Illinois Natural Heritage Database shows the following protected resources may be

in the vicinity of the project locations: Blanding's Turtle (*Emydoidea blandingii*), Rusty Patched Bumblebee (*Bombus affinis*), Yonder Prairie Nature Preserve, and West Woodstock Prairie INAI Site. A response from the Department is pending approval from Yonder Prairie/Nature Preserve Commission.

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 community by providing much-needed natural gas supply to meet the increasing market demand of residential, commercial, and industrial consumers, while increasing the reliability and efficiency of ANR's existing system. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.