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: **Public Notice Ending Date:** Thursday, June 12, 2025 Wednesday, July 2, 2025 Agency Log No.: C-0011-25 Federal Permit Information: Federal permit/license no. LRC-2017-237 is under the jurisdiction of Chicago District, Regulatory Branch U.S. Army Corps of Engineers Name and Address of Discharger: Lennar Homes, Mr. Todd Kleven - 1700 E Golf Road, Suite 1100, Schaumburg, IL 60173 Discharge Location: In Section 9 of Township 35-North and Range 9-East of the East 3rd Principal Meridian in Will County. Additional project location information includes the following: NEW Wynstone Blvd. and W. Jefferson Street, Village of Shorewood, IL 60404 Name of Receiving Water: Unnamed Tributary to Hammel Creek Project Name/Description: Shorewood Towne Center Phase 2 - proposed impact to 1.71-acres of wetland for the proposed residential subdivision Construction Schedule: Beginning Mar 2025 and ending Mar 2026 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: Webert Deslien Email: webert.deslien@illinois.gov Phone: 217/782-3362

Post Document. No. C-0011-25-06122025-PublicNoticeAndFactSheet.pdf

401 Water Quality Certification Fact Sheet for Sherwood Towne Center Development

IEPA Log No. C-0011-25

Contact: Angie Sutton 217-782-9864

Todd Kleven of Lennar Homes has applied for a 401 Water Quality Certification for impacts associated with the construction of 139 lot residential area, roadways, city sewer and water service infrastructure, stormwater management, and open spaces in Township 35 North, Range 9 East Section 8, Will County, Illinois near the junction of Wynstone Boulevard and West Jefferson Street in the Village of Shorewood. The proposed project will feature the construction of an approximately 60-acre (Ac) residential development and associated roadways/infrastructure. The development will meet the demand for housing in the area and provide stormwater management via two detention basins.

This will necessitate excavating, grading, and filling a nearby wetland to create an inline stormwater management basin, residential areas, and the proposed Peyton Terrace Road. The project will provide stormwater, compensatory, and flood storage benefits, bike path connectivity, and interconnected lakes. The bike path will connect to an existing bike path, cross over the bridge created by the basin weir structure, and then continue along the proposed basin. It will then cross Wynstone Drive to connect to the existing path that leads to Village Hall.

The impacted area will include 1.71 Ac of an emergent wetland habitat. 0.83 Ac of wetland impacts will be as a result of 5110 cubic yards (CY) fill placed. Proposed mitigation for these impacts includes providing 2.565 Ac of wetland mitigation within the Mill Creek Wetland Mitigation Bank at a 1.5:1 ratio.

Information used in this review was obtained from the application documents dated April 10, 2024, July 16, 2024, October 8, 2024, January 15, 2025, May 14, 2025, and May 23, 2025.

Identification and Characterization of the Affected Water Body.

The impacted wetland is a tributary to the DuPage River (tributary to IL_GB-11).

On June 24 and 25, 2024, Midwest Ecological, Inc. (MEI) conducted an on-site wetland delineation of the 60 Ac project area. The area is currently being used as agricultural land. MEI identified one wetland (Wetland A) and one borrow pit totaling 3.71 Ac in size. The 2 Ac borrow pit was determined to be an excavated open water area that was excavated from upland soils for clay and aggregate extraction for the 2009 Shorewood Towne Center Development. It was not reclaimed and has filled with water. This open water area will be incorporated into use as the chain of stormwater management ponds within the residential development. MEI determined that because the borrow pit is an artificial water created due to excavation of an upland area, it is exempt from federal and local wetland regulations.

Wetland A is a 1.71 Ac unmaintained farmer conservation swale classified as emergent wetland. The swale was created/modified to convey surface water off the farm efficiently. A series of drain tiles were installed within and adjacent to the delineated swale to convey the drainage from the upland watershed, downstream. A series of drain tile failures were observed within both the wetland and the adjacent farm fields. The wetland is mostly dry and vegetated with a few small open water pockets caused by drain tile failures. The swale had 4" of flowing water for a few hundred feet but would drain into a broken drain tile causing the swale to dry up. This occurred several times within the overall boundary. The drain tile failures contribute to flooding of the wetland and the adjacent farm fields.

Wetland A receives surface water drainage from the stormwater management basin to the west. Drainage is conveyed, via surface and subsurface drain tile, to a large stormwater management basin located to the east which is connected to a smaller basin prior to discharge within the right of way swale of West Jefferson Street and into Hammel Creek. Wetland A has a Native Mean C of 1.52 and an FQI of 6.98 indicating low-quality wetland. Dominant vegetation consisted primarily of Reed Canary Grass (*Phalaris arundinacea*).

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, filling and grading that may occur in the wetland. The existing benthic habitat of the wetland would be permanently removed by grading activities. The proposed construction activities include the discharge of 5110 CY of clean fill material excavated from a portion of the site and placed within the project area. This fill material will consist of structural clay and topsoil. Earth moving equipment will strip the topsoil from all lot/road and detention areas. The community will be balanced to achieve the design elevations by cutting and filling structural material.

Fate and Effect of Parameters Proposed for Increased Loading.

The existing wetland would be permanently filled by the construction activities. Mitigation will be required for the entire 1.71 Ac wetland. A wetland mitigation ratio of 1.5:1 for the wetland impacts is required and will be accomplished by purchasing 2.565 mitigation credits within the Mill Creek Wetland Mitigation Bank. 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. The project will minimize impacts to Waters of the United States by incorporating best management features, such as naturalized stormwater detention basins, within the proposed project.

Appropriate BMPs and erosion control measures will be taken during construction operations to reduce the potential for unintentional sedimentation and sediment runoff into adjacent regulated waters. The proposed basins will incorporate structural, non-structural and stormwater BMP's that will replicate wetland and prairie functions, promote filtration, infiltration, evapotranspiration, reduce sediment migration, and prevent erosion.

A Maintenance and Monitoring Program (MMP) has also been developed. This MMP for the Shorewood Towne Center Phase 2 establishes a means by which the native areas may be evaluated relative to preestablished goals and performance standards for basins and native areas. Monthly maintenance includes inspections and repair of outlet control structures, storm inlets, manholes, and catch basins, and storm sewers and culverts. Vegetation management is also an aspect of the MMP.

Purpose and Social & Economic Benefits of the Proposed Activity.

The project purpose is to develop 139 single family residential homes on a 60-acre parcel to meet the demand for housing in the area by providing residential homes within a community that desires additional homes and overall growth opportunities. The proposed impacts to the wetland will facilitate the construction of the proposed inline stormwater basin which is part of the overall master plan of the development.

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

The Applicant has provided the following alternatives:

No Action Alternative:

Under the no-action alternative, the number of available lots in the village for single family housing will soon be very limited and will force building and development to other communities thus limiting the village's tax base and growth opportunities. This will also reduce building and employment opportunities in the village. The aquatic resources of this property were severely reduced and caused to deteriorate significantly when farm tiles were initially installed. No action would allow these already low-quality wetlands to continue to deteriorate by allowing the existing farm drainage tiles to continue to degrade, preventing on-site and off-site drainage. This alternative was not considered to be viable.

Off-site Location Alternative:

Alternate sites were evaluated for the proposed project. Several farms were noted within the area that could be potential alternative candidates; however, this site is part of a fully master planned development. The alternative sites that would have been suitable for the developer's needs were determined to not as beneficial to the community as the proposed Towne Center project. The Downtown Center is centered around the Village Hall, park area and outdoor amphitheater and is positioned south of the existing lake, in the center of the residential and proposed commercial areas. Utilizing an alternative location will not complete the downtown center plan as designed and approved. The off-site location alternative was not chosen as the Preferred Alternative.

Develop site without disturbing/changing the existing wetland swale:

Moving the basin in order to avoid impacts to the wetland was studied. The plan would require significant realignment in the roadway and the loss of approximately 34 lots. However, because the development is "low-density", the loss of even one lot makes the project unviable. All necessary Village and County permits along with two IDNR OWR permits for construction have also been obtained and changing the design would cause not only permitting delays, but significant construction and project over-runs and delays. Because of this, it was determined that this alternative is not feasible.

Provide on-site wetland mitigation within the proposed Inline detention basin:

The proposed project will create a 7.5 Ac -line stormwater management basin for the project. In this alternative, the basin would be large enough to accommodate the proposed stormwater management for the residential development, including future development, the proposed compensatory storage and onsite wetland mitigation. The open water basin will facilitate connection the existing basins to the east and west. The open water basin will provide a scenic area for the residential areas to the north and commercial and municipal uses to the south as well as include fountains and water circulators within the basins. If on-site wetland mitigation was to be contemplated, the desired open water features would not be possible as the area would have to maintain emergent wetland characteristics. The proposed inline basin will be naturally vegetated to replicated wetland functions but not to the level of on-site mitigation. The preferred alternative would be to create 7.5-acres of in-line basin as designed and purchase wetland credits within an off-site wetland mitigation facility. Because of these factors, off-site wetland mitigation is requested.

Preferred Alternative - Provide Inline detention with additional off-site mitigation:

The preferred alternative develops the site as it was master planned and approved in 2006. The proposed project provides 139 single family homes and completes the residential portion of the Shorewood Towne Center development. The project will provide stormwater/compensatory/flood storage benefits, bike path connectivity and interconnected lakes. The preferred alternative will provide connectivity and accessibility to the downtown center which is focused on the Village Hall, park area and outdoor amphitheater. The downtown center is positioned south of the existing lake, in the center of the residential and proposed commercial areas. Housing needs in the Village will be addressed and in turn provide an increase in property tax revenue.

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

"The Corps of Engineers has determined that the proposed activity would not affect any federally listed endangered or threatened species or critical habitat for any endangered or threatened species, pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act does not appear to be warranted at this time."

An EcoCAT consultation (Project # 2412969) was initiated on April 10, 2024. An automatic termination was returned as at that time it was determined that the Illinois Natural Heritage Database contained 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. However, on January 15, 2025, the consultation was resubmitted and the natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 was terminated.

However, the Department recommended the following conservation measures:

"If tree clearing is necessary, the Department recommends removing trees between November 1st and March 31st to avoid impacts to bats and birds.

Wildlife-friendly plastic-free blanket should be used to prevent the entanglement of native wildlife.

Areas of exposed soil should be re-seeded with a local genotype seed, approved IDOT seed mix, or noninvasive cover crop. The project proponent should consider native plantings in the landscape design, when feasible.

Any required night lighting should follow International Dark-Sky Association's (IDA) Five Principles for Responsible Outdoor Lighting to minimize the effect of light pollution on wildlife."

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 meeting the demand for housing in the area by providing residential homes within a community that desires additional homes and overall growth opportunities. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.