IEPA Log No.: **C-0071-12**
CoE appl. #: **2012-00072**

Public Notice Beginning Date: **September 21, 2012**
Public Notice Ending Date: **October 22, 2012**

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

Section 401 Water Quality Certification to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

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

Name and Address of Discharger: K. Hovanian Homes, 1806 S. Highland Avenue, Lombard, Illinois 60148

Discharge Location: Section 16, T38N, R10E of the 3rd P.M. near Lisle in DuPage County

Name of Receiving Water: Unnamed Wetland

Project Description: Arbor Trails residential development.

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the certification application, the IEPA may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing. If a Section 401 water quality certification is issued, response to relevant comments will be provided at the time of the certification. For further information, please call Thaddeus Faught at 217/782-3362.

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Fact Sheet for Antidegradation Assessment
Scott Batenbruggel/K. Hovnanian Homes – Unnamed Wetland – DuPage County
IEPA Log #C-0071-12
COE Log #2012-00072
Contact: Bob Mosher at 217/558-2012
September 21, 2012

Scott Batenbruggel/K. Hovnanian Homes ("Applicant") has applied for Section 401 water quality certification for construction of a new residential development, known as Arbor Trails, which will include lots for 163 single family homes on a 60 acre project site. The development will impact a 1.48 acre emergent wetland that is located on the site. The site is located in the Village of Lisle. Specifically the project is located southeastern corner of Maple Avenue and Benedictine Parkway, in Section 16, Township 38 North, Range 10 East.

Identification and Characterization of the Affected Water Body.
The wetland is a General Use Water with a zero 7Q10 flow. The wetland has not been evaluated by the Illinois EPA Surface Water Monitoring Unit. The wetland is not an enhanced water body pursuant to the dissolved oxygen water quality standard. Using the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, the wetland is not listed as a biologically significant stream nor has it received an integrity rating. The wetland is indentified as an emergent wetland with a Floristic Quality Index rating of 12.2 and a Native Mean C rating of 2.8.

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 suspended solids during the construction of the project. Erosion control measures will be utilized to minimize any increase in suspended solids. The project will eliminate the current habitat of the affected wetland.

Fate and Effect of Parameters Proposed for Increased Loading.
The increase in suspended solids will be confined to the immediate vicinity of the construction. Erosion control measures will be utilized to minimize any increase in suspended solids during construction. The project will eliminate the current habitat in the affected wetland area. To offset the loss of 1.48 acres of wetlands impacts the Applicant has indicated the following:

> Mitigation for the unavoidable direct impacts to Wetland Area 2 will be provided off-site through a private/public partnership with the Lisle Park District for utilization of a portion of Community Park. The objectives of the Community Park Mitigation Area are to reestablish wetland on drained hydric soils, rehabilitate existing degraded wetland and rehabilitate degraded woodland buffer. The mitigation will provide 2.06 acres of wetland re-establishment, 1.33 acres of wetland rehabilitation, and 2.6 acres of wetland buffer which will consist of woodland and savanna rehabilitation. A total of 2.65 acres of mitigation credit are proposed which provide a wetland mitigation ratio of 1.79:1. The proposed mitigation activities will result in a net increase in wetland acreage and wetland functions and values.

Wetland Mitigation Activities & Credits Summary

Activity	Acreage	Mitigation Multiplier	Credits
Re-establishment	2.06	100%	2.06
Rehabilitation	1.33	25%	0.33
Buffer Rehabilitation	2.60	10%	0.26
Total	**6.22**		**2.65**

Below is a table that describes what the 60 acre project site will consist of after this project is completed:

Existing Area or New	Description	Acres
Existing Wetland #1-not affected	Emergent/Wet Meadow	5.58
Existing Wetland # 2-not affected	Forested Wetland	0.07
New	Prairie Seed Mix Area	2.30
New	Shallow Emergent Plant Area	0.51
New	Shrub Planting Area	0.17
Total		**8.63**

After this project is completed there will be 8.63 acres of wetlands/open areas or 14% of the 60 acre site.

Purpose and Social & Economic Benefits of the Proposed Activity.

The Applicant has stated the following concerning the purpose for this project:

> "The basic purpose of the Arbor Trails subdivision is to provide economically feasible and profitable residential housing in the central DuPage County residential housing market that complies with the planning and zoning requirements of the Village of Lisle and the stormwater management requirements of the DuPage Countywide Stormwater and Flood Plain Ordinance."

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

The construction of the proposed project will follow conditions set forth by the Agency and USACE. Erosion control measures will need to be implemented to prevent additional impacts to the wetlands. The Applicant will follow an approved Best Management Practice Plan that includes the use of vegetated swale, naturalized stormwater basin and prairie buffer slopes on site. The stormwater basins will also be planted with native wetland plants. The Applicant will follow a DuPage County approved Storm Water Pollution Prevention Plan.

Besides the No-Action option the Applicant considered two build options which are described below. These two build options were both rejected due in part to the following reasons cited by the Applicant:

- Alternative A-reduction in number of lots from 163 to 138, a loss of 25 lots.
    1. Wetland Area 2 would still be affected due to diversion of a majority of its water source.
    2. Thousands of cubic yards of fill material would have to be hauled in from off-site to raise the development to the required elevations.
    3. The revised roadway layout would not be acceptable to the Village of Lisle.
    4. The reduction in lots count will make the project economically infeasible to build.

- Alternative B-reduced the development to 59 total lots to avoid the wetland impact.
    1. This alternative is not feasible from an economic standpoint and the Applicant has stated that, "As with the No-Action alternative, this is not a feasible alternative."

Applicant further states the following statement concerning alternatives to this proposed project:

> "In summary, to meet the basic purpose of the project, no practicable alternative to avoid wetland modification exists due to the land planning, zoning, stormwater management, and economic-feasibility constraints discussed above."

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

In a report generated through IDNR's EcoCAT system dated July 27, 2012, the Illinois Natural Heritage Database contains no records of State-listed threatened or endangered species in the vicinity of the project location; therefore, consultation is terminated.

The Applicant has also requested an EcoCAT review on their proposed off-site mitigation area. In a report generated through IDNR's EcoCAT system dated June 5, 2012, the Illinois Natural Heritage Database contains no records of State-listed threatened or endangered species in the vicinity of the wetland mitigation site in Community Park, within the Village of Lisle; therefore, consultation was also terminated on this site.

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 antidegradation review summary was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving waters will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will benefit the community at large by providing a new residential development. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.