IEPA Log No.: **C-0022-19**
CoE appl. #: **LRC-2017-00812**

Public Notice Beginning Date: **October 30, 2019**
Public Notice Ending Date: **November 20, 2019**

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

Section 401 Water Quality Certification for Discharge of Dredged or Fill Material

Public Notice/Fact Sheet Issued By:

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

Name and Address of Discharger: CenterPoint Properties – 1808 Swift Drive, Oak Brook, IL 60523

Discharge Location: Near Joliet in Section 32 of Township 35-North, Range 10-East of the East 3rd P.M. in Will County.

Name of Receiving Water: Unnamed tributary to Cedar Creek

Project Description: Proposed development of a 357 acre industrial site with impacts to 5790 l.f. of stream. Project is located near Joliet north of Brandon Road and south of Laraway Road between the UP Joliet Intermodal Terminal and UP mainline track corridor Sec 32, T35N and R10E.

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge dredged or fill material 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 contact Darren Gove at email darren.gove@illinois.gov or phone no. 217/782-3362.

DRG:C-0022-19_401 PN and FS_14Feb19.docx

Fact Sheet for Antidegradation Assessment
For CenterPoint Properties
IEPA Log No. C-0022-19
COE Log No. LRC-2017-00812
Contact: Angie Sutton 217/558-2012
Public Notice Start Date: October 30, 2019

CenterPoint Properties ("Applicant") has applied for a 401 Water Quality Certification for impacts associated with the relocation and enhancement of the unnamed tributary to Cedar Creek. The project site is a 357-acre site located along Brandon Road, south of Laraway Road between the Union Pacific Joliet Intermodal Terminal and Union Pacific mainline track corridor**.** The property is within Section 5 of Range 10 East, Township 34 North and Sections 32 and 33 of Range 10 East, Township 35 North. The project will consist of realigning and enhancing 5790 linear feet (approximately 1.4 acres) of the unnamed tributary to Cedar Creek and abandoning the existing Brandon Road location and relocating it on the east side of the project site to allow access to planned development sites. The project will provide in-demand larger warehouse and distribution facilities, including campus opportunities in close proximity to an intermodal facility and transportation network. This project is consistent with the original intermodal center project purpose and need. Impacts will include 5790 linear feet (LF) of the unnamed tributary to Cedar Creek, a jurisdictional agricultural ditch. Proposed mitigation consists of needed improvements, naturalized creek corridor and stormwater management system to provide a higher quality aquatic environment and natural resource habitat. A replacement stream crossing at the current crossing site, will impact 0.06 acres. Mitigation for these impacts are included in the stream enhancement mitigation proposal. Rainfall runoff treatment will also be improved as a result of the proposed enhancements.

Information used in this review was obtained from the application documents dated February 8, 2019, September 14, 2018, and September 13, 2018.

Identification and Characterization of the Affected Water Body.

The unnamed tributary to Cedar Creek has 0 cfs of flow during critical 7Q10 low-flow conditions. The unnamed tributary to Cedar Creek is classified as a General Use Water. The unnamed tributary to Cedar 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 Cedar Creek, a tributary to Waterbody Segment IL_GD, is not listed on the draft 2016 Illinois Integrated Water Quality Report and Section 303(d) List since it has not been assessed. The unnamed tributary to Cedar Creek is not subject to enhanced dissolved oxygen standards.

The unnamed tributary to Cedar Creek is characterized as Palustrine, Unconsolidated Bottom, Intermittently Flooded, Excavated (PUBGx), and Riverine, Intermittent, Streambed, Semi-permanent, Excavated (R4SBFx). The unnamed tributary is a low-quality channelized agricultural ditch that functions only as drainage. It makes up 1.92 acres and is long and linear due to historic excavation. Slopes are eroded with scour present, tree roots are exposed and fallen trees are within the boundary. Several beaver dams are present, and slopes are dominated by reed canary grass and poorly drained soil. There is a 0.56-acre open water pond on the site that was excavated in the early 1990's. Rip rap has been placed around the boundary of the pond

to facilitate recreational use. The pond is considered jurisdictional waters because of the presence of a discharge pipe draining to the unnamed tributary but is of low quality and not considered a High Quality Aquatic Resource. This pond will be preserved as part of proposed riparian zone for the realigned, naturalized creek corridor.

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

The pollutant load increases that would occur from this project include some possible increases in total suspended solids. These increases, a normal and unavoidable result of the relocation of the unnamed tributary to Cedar Creek, is expected to occur in 1.4 acres of the existing tributary. Impacts are expected to be short-term and temporary due to proposed improvements. The existing waterway would be permanently filled once the channel is relocated but impacts to the aquatic life uses of this area are expected to recover and improve with the proposed enhancements to the area. The proposed project features will provide an enhancement in terms of habitat improvements, flow attenuation and stormwater filtering and infiltration compared to existing conditions

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in total suspended solids would be temporary short-term increases. Although the existing stream is to be filled in, it is expected that the relocated stream will provide better overall habitat to the area due to the proposed improvements. Impacts have been minimized to the extent possible and though they cannot be fully avoided, the corridor improvements and stormwater management system created will provide higher quality aquatic environment and natural resource habitat. In addition, rainfall runoff treatment improvement will be achieved. Stream channelization will include improving the stream to 18 feet wide and 5970 linear feet (3.2 acres) and creating a 53.8-acre floodplain and riparian open space. Instream structures will be restored or enhanced including providing a variety of velocity regimes and aquatic habitat in the form of varying rock size, creation of instream and off stream pool sequences and instream vegetation planting. Creek corridor creation will result in approximately 57 acres of open space to be utilized by wildlife and increased flow will facilitate floodplain habitat and a riparian corridor. The riparian habitat will be improved through planting and management of diverse and functional native species and proposed management and monitoring programs include bank repair, herbicide control of invasive species and prescribed burns. The stream channelization plan expects to achieve a 2.2:1 replacement ratio (3.2 acres). This new design will decrease the channel capacity to 30 cfs to increase overbank inundation in the riparian zone to facilitate desired habitats in the floodplain.

Purpose and Social & Economic Benefits of the Proposed Activity.

The proposed creek realignment and improvement will accommodate efficient configuration of improvement sites and satisfy demands for larger warehouse and distribution facilities, as well as provide campus opportunities in close proximity to an intermodal facility and transportation network. This proposed project is consistent with the original overall intermodal center project intent and objectives.

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

The Applicant has provided the following alternatives:
Alternative 1 – Site Preservation:
This alternative results in leaving the project site (identified as Site 12) in its existing state. This option would not allow for the objective to construct a development desired by the City of Joliet and in turn derive economic benefits from an investment standpoint. Because of the objective not being met, this is an impractical alternative.

Alternative 2 – Off-site Locations:
This alternative considers 12 identified sites in close proximity to the Joliet Intermodal Terminal site. Sites 1 and 2 consist of the largest areas, but it is not enough space to accommodate planned improvements. The two sites also contain a portion of Cedar Creek and its associated buffer in the southern portion and have gas and petroleum pipelines in a no-build zone running east to west though the site. The presence of the pipelines will eliminate the possibility of constructing warehouse buildings and therefore will not satisfy the purpose and need of the project. Sites 3-11 are too small to consider as a valid alternative and Sites 5, 6 and 11 have gas or petroleum pipelines onsite that restrict development and building sizes. Site 12 is the preferred site due to it being appropriately sized and location. None of the other sites can accommodate 4 buildings in close proximity to the Joliet Intermodal Terminal.

Alternative 3 – Alternative Site Layout:
This alternative required a review to be completed to look at creating several smaller building pads in order to avoid the unnamed tributary of Cedar Creek. However, it was found that this option would create disjointed development and is not possible due to the current stream alignment and the associated floodplain. Leaving the stream would create a need for Brandon Road to be widened for access to sites on both sides of the stream. This would impact one-third of the stream due to its location in the Right of Way of Brandon Road and require several culvert crossings. This alternative does not meet the purpose and need of the project.

Alternative 4 – Preferred Alternative:
Based on the site review, development of Site 12 satisfies the purpose and need of the Applicant to construct improvements within the Joliet Intermodal Terminal development. The Applicant will construct four buildings and improve the site in accordance with the Creek Corridor Improvement Plan included in the application. The preferred alternative will convert agricultural land to warehousing/distribution facility use by realigning 5790 LF of a channelized agricultural ditch to the west property line with incorporation of improvements outlined in the application documents. The improvements will provide in-kind “waters” replacement as described in the mitigation plan. These improvements will be more ecologically beneficial than off-site mitigation.

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

On May 31, 2018, the IDNR EcoCAT review was initiated for the project area. The review did not identify any protected resources that may be in the vicinity of the project area. IDNR terminated the consultation request on May 31, 2018.

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 unnamed tributary of Cedar Creek by providing improvements to the stream habitat, and benefits to the Joliet Intermodal Terminal will be provided by accommodating market demands with larger warehouse/distribution facilities and campus opportunities. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.