**Section 1090.60 Analysis of Alternatives**

a) The Department shall not approve a wetland impact determination unless the Department finds that the agency or applicant has demonstrated that the activity:

1) Is water dependent and has no other practicable alternative; or is not water dependent and that alternative designs and alternative sites are not available;

2) Minimizes alteration or impairment of the wetland and its associated buffer area; and

3) Is in compliance with the Illinois Endangered Species Act and the Illinois Natural Areas Preservation Act.

b) In considering whether a practicable alternative to the proposed activity exists, the Department shall consider whether:

1) A modification in the size, scope, configuration, or density of the project for which the wetland impact determination is sought and all alternative designs that would result in a less adverse impact on the wetland have been considered consistent with applicable established minimum standards for safe design and operation of the project;

2) The basic purpose of the project would still be accomplished if the project is modified, and whether the basic purpose has been so narrowly defined as to disqualify all but a single site; and

3) The agency or applicant has made reasonable attempts to remove or accommodate constraints, such as inadequate zoning, infrastructure, or parcel size.

c) For all project actions, it is presumed that a practicable alternative that does not adversely impact a wetland exists. It is the responsibility of the agency or applicant to demonstrate that practicable alternatives do not exist for projects that will cause an adverse wetland impact.