



## I-80 Des Plaines River Bridge Replacement

### Draft Community Impact Assessment – Response to Comments

Dear Valued Community Member:

We hope this finds you and your family safe and healthy. The Department would like to thank you the community for providing their comments during the comment period of the draft Community Impact Assessment (CIA). Below is a summary of the Department's response to comments received. Additional documents including this summary and your comments with more detailed responses are posted on the project website at [I-80will.com](http://I-80will.com) in both English and Spanish.

One on one meetings will be offered at All Nations Church from August 15 to September 15 to answer any questions. You may contact our Outreach Specialist, Melody Carvajal via email at [melody.carvajal@i-80ej.com](mailto:melody.carvajal@i-80ej.com) or by phone at (331) 233-3555 to answer your questions or to set up a time and day to meet in person.

We have appreciated getting to know you through our engagements. Please stay safe and remain well.

Sincerely,

IDOT I-80 Project Study Team

## Introduction

As part of the Illinois Department of Transportation's (Department) planned I-80 improvement project and required federal environmental reviews, the Department has conducted focused community outreach over two years (2020-2022) to understand and address community concerns about the proposed replacement of the I-80 Des Plaines River Bridge.

A Draft Community Impact Assessment (CIA) was developed and published on March 14, 2022 with recommended mitigation measures based on community input. A newsletter summarizing the Draft CIA was mailed to the entire outreach community in both English and Spanish, and the full Draft CIA was made available on the project website with hardcopies available at the Joliet Public Library and Joliet City Hall. A comment period was established to obtain input from the community and was extended to provide additional opportunities to provide input on the Department's proposed Mitigation. The comment period was extended from April 14, 2022, to May 14, 2022 resulting in a 60 day comment period.

A bilingual outreach specialist provided office hours in the community at All Nations Church with opportunities for members of the community to meet one-on-one and provide comments. Community Partner Meeting #4 was held during the comment period to present the proposed Mitigation and allow for additional community outreach and input on the proposed Mitigation. The Department provided two sessions of this meeting held the evening on March 30, 2022, and on the afternoon of March 31, 2022. Materials were made available at these sessions as well as on the project website in both English and Spanish. Additionally, during the comment period, three community-led meetings were held and were attended by the outreach specialist and resulted in written comments in the form of a letter. All received comments related to the Department's proposed Mitigation were recorded in a spreadsheet that is available at the project website [I-80will.com](http://I-80will.com). This spreadsheet sets forth major comment topics and how comments were incorporated into final decision-making processes.

Individual responses, as necessary, are also reflected in this spreadsheet and cross-referenced with this document. Comment responses are organized in this document by topic areas.

Through outreach efforts, technical analysis, and community impact questionnaires, the Department recognized that the composition of the affected community includes low-income, minority, and senior populations (Environmental Justice Community).

## Property Tax Mitigation for Owner-Occupied Property Owners Who Have to Relocate Due to the Project

### 1. Calculation Basis of Real Property Tax Mitigation and Tax Reporting

The Department developed an environmental justice mitigation measure in the form of real estate property tax mitigation for eligible owner-occupied property owners who are required to relocate due to the Department's project. An owner-occupied property owner who must relocate due to the project is defined as a Relocatee. This purpose of this Mitigation is to minimize anticipated increases in property taxes for eligible Relocatees. This Mitigation does not constitute a benefit provided for under the Uniform Relocation Act, and instead, is offered as a stand-alone resource available to the Environmental Justice community. The Department calculated the proposed Mitigation amount by taking the average number of years of owner-occupied ownership and current (tax year 2020) real estate tax amounts on existing comparable properties in the City of Joliet. The average duration of Relocatee home ownership was calculated at 27.4 years. The average real estate tax differential for comparable property was calculated at \$1,878 per year. The formula and calculation example follows:

$27.4 \times \$1878.00 = \text{rounded up to } \$52,000.00 \text{ for proposed Mitigation}$

Proposed Mitigation would be a payment made by the Department and paid to Relocatees. This Mitigation payment will be paid as a lump sum within 60 days

of closing on the replacement home. For consistency, average years of residency was applied equally among all eligible owner-occupied owners. Using an average with this duration provided an equitable measure that captures the complexities of each owner-occupant's individual circumstances, (such as real estate tax exemptions e.g., homeowner, senior exemption, or senior freeze). When developing this proposed Mitigation, the Department coordinated with the Federal Highway Administration (FHWA). Due to such coordination, it was determined that the property tax Mitigation when paid could not be included in relocation benefits under the Uniform Act; and therefore, the amounts when paid may likely be considered by the IRS as taxable income.

Based on the community input received, the Department heard community concerns about the formula and potential taxability. Those concerns include: (a) \* the average duration of 27.4 years does not account for a number of displaced residents burdens from living under or near the I-80 Des Plaines River Bridge, (b) the average amount of property tax increase may not be equal to the actual property tax increase experienced by a specific Relocatee, and (c) that because the Mitigation payment may constitute taxable income, the Relocatee will not receive the full amount of the funds or their tax bracket may be affected. The Department has considered these concerns when developing the Mitigation. Responses to these comments follows:

- (a) Due to the number of comments received, the Department has recalculated the Mitigation and instead of using an average duration of displaced owner-occupied ownership of 27.4 years, the Department will use a 30-year mortgage term, as this represents a standard mortgage practice. This results in increasing the amount of mitigation from \$52,000.00 to \$57,000.00 (30 x \$1878 ~ \$57,000.00).
- (b) The Department determined that the most equitable manner to mitigate real property tax increases for all owner-occupied resident that have to relocate is to base calculations on the

average estimated increase of property taxes. Due to individual facts and circumstances the Mitigation would vary substantially if based on actual real estate tax differential and associated timing and would result in disparate treatment.

- (c) This Mitigation is to reduce the anticipated increases to real estate taxes that may result from relocating to a new owner-occupied property. As described in paragraph (a) above the Department adjusted the amount of this property tax Mitigation for each owner-occupied Relocatee. The Department, in listening to the Community, has agreed to increase the amount of the property tax Mitigation payment from \$57,000.00 to \$75,000.00.
- (d) In addition, the Department will offer financial advisory services (see Response #3).

Note: \* The property tax mitigation payment is not intended to address indirect and cumulative impacts to residents adjacent to the bridge. Instead, the impacts are being addressed through other mitigation measures, such as by development and implementation of Community Plan improvements proposed in the CIA and are part of final decision-making. The Department's Mitigation is not individualized or based on case-by-case monetary compensation calculations – those were considered and not selected for such impacts.

## 2. Impacts on other Governmental/Social Benefits and Payout Terms

The Department considered impacts of this measure to the Environmental Justice Community. For senior citizen owner-occupied owners that must relocate due to the project, the Department reviewed available Social Security guidance for those that are of full retirement age and impacts based on additional earnings that may be accrued. For those that have reached full retirement age, earnings such as the payment of this Mitigation would not likely reduce benefits regardless of the amount earned in a year. For those that have not yet reached the full retirement age, there are yearly earnings limits that will need to be taken into

consideration in obtaining this Mitigation payment, thus financial advisory services will be provided to eligible owner-occupied property owners. If you have questions and need clarification it is recommended that you consult a financial advisor as to what constitutes retirement age for your individual circumstances/situation. This Mitigation is a separate resource for Relocates in this Environmental Justice community, and no Relocatee is required to accept the Mitigation payment. Other social service benefits, such as SNAP, the government license plate program or others, may also be impacted depending upon reported income, household composition and size, which should be reviewed with a financial advisor on an individualized basis (See Response # 3 provided for in this document immediately below)

### **3. Need for Financial Advisory Services/ Certified Public Accountants**

A Relocatee may obtain financial advisory services or the services of a certified public account (CPA) prior to electing to receive the Mitigation. The Department will reimburse the Relocatee for up to two visits. Reimbursements will be made on a case-by-case basis.

### **4. Payout Terms, Request for Trusts and Establishment of Beneficiaries**

The Department also considered the feasibility of establishing trusts for this property tax Mitigation payment when deciding on final mitigation measures, as suggested in some comments received. Establishment of trusts are beyond normal Department protocols and administrative functions, and are likely beyond the State's statutory authority. Outside resources and services would likely need to be procured in compliance with the procurement code and would further delay real property acquisition, relocation, and mitigation processes. Many residents have commented and have indicated they are eager to move forward. The Department has determined that setting up trusts is not appropriate for this dispersion of the real-estate property tax mitigation.

Regarding duration, the property owner is not required to accept any of the tax mitigation measure. However,

to provide additional flexibility to this measure, if the property owner can demonstrate economic hardship that accepting the tax mitigation will cause undue financial burden, the Department will commit to working with the property owner and provide options such as reducing the overall tax mitigation compensation amount or dispersing the funds equally over multiple years. After an economic hardship has been identified by a property owner and the Department, the property owner must provide a written request to the Department.

### **5. Property Tax Mitigation - Senior Housing Replacement**

The Property Tax Mitigation payment is available to any community member who is a Relocatee, regardless of the type of housing the Relocatee chooses to relocate to.

## **Additional Displacement Related Impacts and Mitigation Measure Requests**

### **6. Displaced Landlords' Mitigation Requests**

Landlords do not meet the criteria of a Relocatee and are not eligible for the Property Tax Mitigation payment.

### **7. Displaced Tenant/Renter Mitigation Requests**

The Uniform Relocation Act (the Act) provides relocation assistance benefits (including a rental price differential, if applicable). As the Act provides eligible benefits, inclusion of the Mitigation payment in addition to relocation benefits may be contrary to federal law. From comments received, however, the Department recognizes that there will be an impact from the project on the availability of low-income housing in the impacted community. The Department also notes community members indicated they wished to remain in Joliet due to proximity to family, doctors, and social service providers.

To address these concerns, the Department will provide the following to address the impacts on low-income residents resulting from the project displacement and

to provide additional education and assistance to low-income tenants relocated as a result of the project:

- » Tenants that are relocating due to this project can obtain financial advisory services during the land acquisition process or the relocation process under the Uniform Act.
- » The Department will provide a community outreach liaison to assist tenants that have to be relocated as a result of the Department's project and relocation program to assist in applications, filling out forms, or other documents related to low-income housing, Section 8 housing applicability.
- » The Department will fund the Community Plan and provide funding assistance for improvements in the community. The City of Joliet will lead this Community Plan effort and enlist a community steering committee in developing this plan and prioritizing improvements.

## 8. Additional Voluntary Acquisition Requests

Throughout the last 2 years, the Department has worked with the community in developing the Community Impact Assessment (CIA) and project footprint for the I-80 Des Plaines River Bridge communities. Based on findings from the CIA and input received from the community, the project team conducted additional engineering and considered alternative design options and refinements for the new bridge structure. These additional design options and refinements responded to community concerns raised. Of note, 46 additional properties were identified as needed to accommodate these design options for the proposed construction access plan, and to account for a landscaped buffer bridge design.

The project footprint along with a map of required displacements for the project based on the latest design elements as well as based on outreach and comments have been published on the project website <https://i-80will.com/community-impact-analysis/potential-property-displacement.html> and shared with the community in mailings and through community partner meetings. As a result, the Department will allow voluntary acquisition for any owner-occupied

single-family residences within 10-feet of the proposed right-of-way and this would include the real estate property tax differential mitigation. The Department is currently evaluating voluntary acquisition property and will continue to respond to voluntary acquisition requests received on case-by-case basis. Final design will confirm all final acquisition needs, however the current project footprint represents the best available information.

## Other Comments on Community Impacts and Mitigation

### 9. Maintenance and Conditions of the Existing and New Bridge and Community Maintenance

Concerns were received from the community regarding existing maintenance under the bridge, falling debris, and requests that the Department maintain the landscaping under the new bridge. The Department has considered these concerns in its final decision-making for the project.

For current maintenance: The Department is responsible for maintenance under the existing bridge. It is the Department's policy to preserve and encourage native vegetation within State right-of-way. Maintenance is generally scheduled and includes mowing up to 3 time per year and general trash cleanup once per year (trash cleanup is typically in the spring months). For additional information please refer to the "Illinois Monarch Project: Mowing Guidelines for Pollinators" document: [https://www.ilfb.org/media/5266/final\\_imp\\_mowingguidance\\_june2019\\_printversion.pdf](https://www.ilfb.org/media/5266/final_imp_mowingguidance_june2019_printversion.pdf).

During construction the contractor will be responsible for maintenance of the area under the exiting bridge as well as properties acquired by the Department for the project. A community liaison with a direct phone number will be provided throughout construction to respond to community concerns.

For falling debris: the Department is not liable or responsible for matters beyond its control, including falling debris that is not part of the project. However, if there is property damage resulting from the project

during construction, the Department has developed procedures for reporting incidents and submitting claims. Claimants should contact District 1 staff to report their claim and obtain required forms that need to be submitted for a claim. District 1 contact information for this reporting is as follows: 201 West Center Court Schaumburg, Illinois 60196-1096, Telephone: (847) 705-4401. For more information, please go to the following website: <http://www.idot.illinois.gov/travel-information/report-a-problem/claims/index>. Additionally, demolition and installation of the new bridge will improve bridge conditions and is expected to minimize debris. The new I-80 alignment along the Des Plaines River Bridge includes construction of new bridges with wider shoulders and solid concrete barriers along the edges. These features are expected to reduce the occurrence of debris falling from the bridges and reduce traffic noise.

For landscaping under new bridge: the Department has committed to address visual and aesthetic conditions under the new bridge as part of its mitigation measures for this project. The Department has considered ways that can further deter garbage dumping under the new bridge and improve safe and visually aesthetic conditions, including the following:

- » Include fencing where required under the Des Plaines River Bridge structure that will allow Department access for its maintenance activities. The Department will commit to installing any needed fencing at least 6-8 feet tall and with materials that maintain visibility between fenced and unfenced areas for safety.
- » Design the bridge underpass to include a concrete knee wall (approximately 2 feet high) or other design parameters to limit vehicle access under the new bridge, and thereby minimizing trash and other debris accumulation under the bridge.
- » The Department will conduct a lighting study to determine the need for and proposed locations of lighting under the proposed bridge, along the bridge as well as along new local roads proposed. These recommendations will be included in final design plans and cost estimates.

- » Design and construction of the new bridge will be designed to best blend into the surrounding community and the Department will install landscaping, where practical, to shield bridge view naturally and aesthetically. As part of the design process, a landscape plan will be developed detailing proposed landscaping elements to be incorporated into the new bridge construction and for new noise walls.
- » The Department will share the findings of the lighting study, and landscape plan or other elements of the aesthetics proposed, if any, for the new bridge during the community partner meetings held during the design phase and prior to construction.

## 10. Community Plan and Improvements Funding Mitigation

The Department has committed funding to the City of Joliet for the development of a community plan in the I-80 Des Plaines River Bridge communities. The Department has also agreed to provide funding for prioritized improvements that come out of this plan. This is also part of Department measures to provide minimization of impacts to address both direct and indirect/cumulative impacts to the community, and to minimize impacts to those that remain in the community by providing improvement funding to the City of Joliet. The City of Joliet will be the entity to develop such plans. The Department's funding of the Community Plan is the first collective master planning effort in this community since the 1970s. As part of the plan, a collective list of needs will be developed to consider concerns raised about both existing conditions and improvement needs and will be further prioritized for programming and funding for these improvements in coordination with the community. While the Department has documented suggestions offered by the community during outreach efforts for community improvement needs, such as the walking/ bike path, lighting, and plaques in the park, the development and prioritization of improvements to be completed using this funding will be determined by the Community Plan itself and is not dictated by any of the funding that will be provided to Joliet by the Department. The Department and the City of

Joliet are committed to performing this community planning effort. This includes the formation of a steering committee that will include representatives of the community to help identify and prioritize improvements.

### **11. Decision-Making Timeframes/Process, Uncertainty about Mitigation Fulfillment, and Requests for Continued Community Outreach Team Involvement and Availability of Staff to be in Community**

Department outreach and input received from the community was an essential aid in identifying and confirming project impacts. Additionally, community input has shaped the mitigation measures and final decision-making for this project. A variety of methods were undertaken to involve and receive input from the community throughout the outreach process, including mailings, community food drives, a dedicated community outreach liaison, community impact questionnaires, community partner meetings, and one on one meetings in the community to hear from and answer questions concerning project impacts and mitigation.

In accordance with law, acquisition and relocation coordination can only begin once environmental decision-making is finalized on this project. The environmental phase will only be completed once the mitigation is finalized, and the Department and the Federal Highway Administration approve and publish the final decision-making document, the Environmental Assessment/Finding of No Significant Impact, which will be published to the project website. The publishing timeline is dependent on state and federal agency reviews and approvals, which the Department anticipates occurring later in 2022.

Final mitigation measures are defined clearly during the environmental review phase of projects that will receive federal funding. The Department is required to fulfill these mitigation measures and commitments to receive federal funding, and the Department coordinates with the Federal Highway Administration throughout project

implementation to track and monitor completion of mitigation measures and commitments.

A two-year timeframe for completing acquisition and relocation has been identified and shared with the community as a reasonable and conservative timeframe for completing acquisition and relocation. The Department will work with property owners and tenants to reach cooperative agreements as quickly as possible, and final timelines for completion of these activities will be dependent upon how quickly these agreements on acquisition and relocation can be finalized. As part of this process, the Department enlists an independent appraiser who is familiar with local property values in providing an evaluation and professional opinion of current fair market value. After the appraiser completes this work, a reviewer appraiser examines the appraisal report to assure that the estimate is fair and that the work conforms with professional appraisal standards. Fair market value of a property is generally considered to be the amount of money that would likely be paid for a property in a sale between a willing seller and a willing buyer.

The Department recognizes that the community has built trust with the current consultant outreach team and understands that the community would like this team to continue to be involved. As acquisition and relocation efforts move forward, the current consultant outreach team will assist the Department and property owners and tenants to transfer contact from the outreach team to the Department's Bureau of Land Acquisition staff responsible for real property acquisition and relocation.

The Department appreciates the offers and suggestions of some commenters that have offered to act as volunteers and/or to offer locations within the community to allow the Department to meet with community members within the community itself and as part of ongoing outreach for the project. The Department will continue to coordinate with the community, community partners, and the surrounding community during the next stages of project development, design, and construction. The

term “relocation coordinators” cited from one of the comments received is not a standard term in URA or one that is used by the Department when relocation is involved. The Department’s Bureau of Land Acquisition agency staff will coordinate with property owners and tenants for real property acquisitions and relocations.

During the design phase of the project, the Department will provide:

- » A dedicated telephone number and email address for the Public Involvement Construction Coordinator.
- » Notifications to the Des Plaines River Bridge community in the form of mailings, fact sheets, and updates on the project website at key milestones to continue to share design activities progress, apprise the community of project advancements, and answer questions from the community on construction related activities.
- » Community meetings at major milestones to be set forth by the Department during design progress. These meetings will also provide further details on the Public Involvement Construction Coordinator and contact information.
- » Prior to construction of the project, the Department will develop a Construction Outreach and Coordination Plan for the I-80 Des Plaines River Bridge communities. This plan will include the designation of a Public Involvement Construction Coordinator to answer questions, respond to community concerns and provide updates during construction activities. The location and availability of this coordinator will be included in this plan. The Construction Outreach and Coordination Plan will also provide information on construction activities, such as detours for state routes and any minor or temporary use of local access roads needed. The plan will establish timeframes for advance notification and regular construction updates.