

Federal Highway Administration

FINDING OF NO SIGNIFICANT IMPACT

**Interstate 80 (FAI-80)
Ridge Road to US Route 30
Kendall, Grundy and Will Counties, Illinois
Job No. P-91-185-09**

September 26, 2022

Introduction

The Illinois Department of Transportation (IDOT) proposes to improve Interstate 80 (I-80) between Ridge Road and US Route 30 (US 30) in Grundy, Kendall and Will Counties, Illinois (approximately 16 miles). The purpose of the proposed action is to improve regional and local travel; improve facility condition and design; and improve safety. The proposed action will also meet the goal of improving pedestrian and bicycle facilities within the project area. The preferred alternative as described in the Environmental Assessment (EA) and Errata meets the project's purpose and need and minimizes impacts to the extent possible. It involves improvements to the I-80 mainline, bridges and interchanges between Ridge Road and US 30, as described below:

- Reconstruct the I-80 mainline pavement.
- Widen the shoulders along I-80 to facilitate construction staging and accommodate potential future through lanes.
- Extend the existing auxiliary lanes between Center Street and Richards Street to Larkin Avenue (IL 7) on the west and Briggs Street on the east.
- Construct a new auxiliary lane between Center Street and Richards Street and between I-55 and Houbolt Road.
- Improve or build the following bridges (including interchange bridges):
 - River Road over I-80 – Bridge replacement
 - I-80 over the DuPage River – Eastbound and westbound bridge replacement and widening
 - I-80 over I-55 Frontage Road – Eastbound, westbound and Ramp bridge replacement and widening
 - I-80 over I-55 – Eastbound and westbound bridge replacement and widening
 - I-80 over new I-55/I-80 ramp – New eastbound and westbound bridges
 - New I-55/I-80 ramp over I-55 – New bridge
 - I-80 over Rock Run Creek – Eastbound and westbound bridge replacement and widening
 - I-80 over Houbolt Road – Eastbound and westbound bridge widening
 - I-80 over the Joliet Junction Trail – Eastbound and westbound bridge replacement, widening and lowering

- Larkin Avenue over I-80 – Minor bridge repairs
- I-80 over Midland Avenue – Eastbound and westbound bridge replacement and widening
- Wheeler Avenue over I-80 – Bridge replacement and lengthening
- Center Street over McDonough Street – Bridge repair and deck replacement
- Center Street over I-80 – New, realigned bridge
- I-80 over Chicago Street – Eastbound and westbound bridge replacement to the east
- I-80 over Chicago Street jughandle slip ramp – New eastbound and westbound bridges
- Chicago Street over Hickory Creek – Bridge replacement
- I-80 over the BNSF Railroad/Gardner Street – Eastbound bridge widening
- I-80 over Hickory Creek – Eastbound bridge widening
- I-80 over Richards Street – Eastbound bridge widening
- Richards Street over Hickory Creek – Superstructure replacement and substructure modifications
- I-80 over the CN Railroad/Rowell Avenue – Eastbound bridge widening
- Briggs Street over I-80 – Bridge widening and replacement
- Cherry Hill Road over I-80 – Minor repairs
- Gougar Road over I-80 – Bridge replacement and widening
- Remove the existing Des Plaines River Bridges and build two wider bridges about 300 feet north of the current location.
- At I-55, reconstruct the ramp merge and diverge areas to meet current design standards; widen the ramp connecting northbound I-55 to eastbound I-80 to two lanes; build a new ramp connecting southbound I-55 directly to eastbound I-80; and remove the corresponding existing loop ramp.
- At Houbolt Road, widen the eastbound exit and the westbound entrance ramps to provide two lanes where the ramps meet I-80; and rebuild the westbound exit and eastbound entrance ramps.
- At Larkin Avenue, remove the ramps in the northwest and southeast portions of the interchange. Add turn lanes to the eastbound and westbound exit ramps, which are rebuilt to tee into Larkin Avenue with a traffic light.
- Reconstruct the Center Street interchange with a $\frac{3}{4}$ -diamond layout with a loop ramp in the southwest quadrant of the interchange.
- Replace the Chicago Street interchange with a combination of standard diamond, loop and “jughandle” slip ramps.
- At Richards Street, reconstruct the four ramps to provide longer turn lanes at the intersections and bring the merge and diverge areas up to current design standards.
- At Briggs Street, shift the eastbound ramps north to increase the distance to New Lenox Road, lengthen existing turn lanes and add new turn lanes.

The proposed improvements avoid or minimize impacts to natural and human-made resources. In general, ramp layouts were developed to avoid and minimize impacts to wetlands and residential

properties where possible. Where bridges are replaced over waterways, the new piers will be placed at a similar location in the stream channel. The proposed and existing piers will also be similarly sized, although the new piers will be slightly larger due to the wider roadways they will support. Furthermore, the end supports for the bridges, called abutments, will be located outside of waterways. Stream impacts will also include temporary enclosures, called cofferdams, to dewater areas during construction. The cofferdams will be removed, and disturbed areas will be fully restored once construction is complete. The preferred alternative also includes Best Management Practices (BMPs) to protect water quality, preserve water resources and minimize the overall impact on aquatic resources. BMPs include outletting storm sewers into grass ditches to filter pollutants, allow storm water to soak into the ground, and reduce the general speed of runoff before it flows into waterways.

The total cost of the I-80 project is estimated at \$914 million in 2019 dollars. The project estimate considers all currently known work required to build the project – the costs for buying land, implementing environmental commitments and mitigation measures, and constructing the project. The project is included in the Chicago Metropolitan Agency for Planning's (CMAP's) 2019-2024 Transportation Improvement Program (TIP) 09-12-0036, which was accepted on October 24, 2018. Projects in the TIP are consistent with ONTO 2050, the 2050 regional transportation plan endorsed by CMAP.

Environmental Impacts

Implementing the proposed I-80 improvements will result in the following impacts:

Right-of-Way: Construction of the proposed improvements will require approximately 23.34 acres of proposed right-of-way, 0.80 acres of permanent easements and 1.87 acres of temporary easements. The project will displace 72 residential properties located in the City of Joliet in the area from just west of Center Street to Gardner Street. The project will also require 1.45 acres of fee simple right-of-way from a 6.04 acre property owned by Ozinga Concrete. One building on this property will be impacted when the Des Plaines River bridges are shifted north. Illinois state law (605 ILCS 5/4-501 from Chapter 121, paragraph 4-501) and IDOT's *Land Acquisition Policies and Procedures Manual* allow single family residences situated 10 feet or less from the proposed right-of-way line for a highway on new location to request to be relocated by the project. These provisions may displace up to one additional residential property in the vicinity of the Des Plaines River bridges. If relocation is requested, these potential displacements will increase the amount of fee simple right-of-way and temporary easements required for the project.

Social and Economic Resources and Environmental Justice: The proposed action is consistent with existing and future land use plans and is expected to have positive overall economic effects. The project is anticipated to improve vehicular, pedestrian and bicycle access throughout the corridor. On a large scale, the project is not anticipated to adversely affect community cohesion or groups of religious minorities, persons with disabilities or older adults. Localized impacts to community cohesion are anticipated due to changes to the visual and physical landscape, the potential displacement of 72 properties as well as one commercial building, and changes to the local street network that will occur when the Des Plaines River bridges are shifted north in the area between Center Street and Chicago Street.

The proposed improvements will result in direct and cumulative impacts to environmental justice (minority and low-income) communities by relocating 72 residential properties and one commercial building, increasing noise levels, moving the Des Plaines River bridges 300 feet closer to some residences, and potentially causing construction-related impacts. These impacts will be predominantly borne by minority

and low-income communities and are greater in magnitude than the anticipated impacts to non-minority and non-low-income populations.

In accordance with Executive Order (EO) 12898, IDOT conducted a Community Impact Assessment (CIA) for the community surrounding the Des Plaines River Bridges where impacts would occur. The CIA process included additional focused community outreach efforts to examine the impacts of the proposed Des Plaines River Bridge replacement to the surrounding community. Input was sought from communities that could be directly or indirectly impacted from the Des Plaines River Bridge replacement and environmental justice residents who may experience a disproportionately high and adverse effect as a result of this improvement. Based on the analysis and discussion within the CIA, and the development of mitigation measures, the I-80 Des Plaines River Bridge replacement will not cause disproportionately high and adverse effects on any minority or low-income populations in accordance with the provisions of EO 12898 and FHWA Order 6640.23A. Mitigation measures developed as part of this process are described further in the CIA and generally include:

A one-time lump sum property tax mitigation provided to owner occupied residences to mitigate the impacts of relocation.

Providing reimbursement for financial advisory services to residents of owner-occupied properties.

Design of the bridge to blend into the community and address visual and aesthetics impacts.

Local roadway improvements will occur to address impacts to transportation and community cohesion.

A community plan will be developed in conjunction with the City of Joliet to provide the community an opportunity to work with the City to develop a vision and goals for the community and a strategy for funding improvements.

Environmental justice communities may experience benefits due to the construction of new pedestrian and bicycle facilities; improved travel and safety along I-80; and updated design features, including shoulders and concrete barrier that will reduce debris falling from the Des Plaines River bridges. Environmental justice communities have been – and will continue to be – provided full and fair participation in the transportation decision-making process. IDOT will continue to coordinate with environmental justice communities during contract plan preparation, land acquisition and construction.

Agricultural Lands: The proposed improvements will impact the following agricultural lands outside the 2010 US Census Urbanized area: 2.85 acres of permanent land acquisition from one farm in the southeast corner of the I-55 interchange. In addition, 0.85 acres of permanent land acquisition will be required from a property with soils that are classified as prime farmland, although the site is not actively farmed. Both properties are located within the City of Joliet and are zoned for industrial-commercial use. An additional 0.55 acres of fee simple acquisition is needed from a farm located within unincorporated Will County just east of Minooka.

Cultural Resources: No archeological properties subject to protection under Section 106 of the National Historic Preservation Act of 1966, as amended, will be affected by the proposed project. The proposed improvements have the potential to affect four historic resources that are listed on or eligible for listing on the National Register of Historic Place (NRHP): a duplex dwelling at 755 Jasper Street, the Brandon Road Lock and Dam Historic District, the Joliet Equipment Corporation at 1 Doris Avenue, and Alternative Route 66 Wilmington to Joliet. The proposed project (the undertaking) will not cause any physical damage to or alter the character-defining elements of historic properties, nor will it introduce any new

visual, atmospheric or audible elements that diminish the setting of historic properties. As such, the undertaking, as designed, will have no adverse effect to above-ground/architectural historic properties.

Air Quality: The proposed improvements are listed in CMAP's approved Transportation Improvement Plan (TIP), and ozone is addressed as part of that process. The proposed action is exempt from project-level carbon monoxide air quality analysis because corridor traffic volumes fall below the criterion for assessment, in accordance with the IDOT-IEPA "Agreement on Microscale Air Quality Assessments for IDOT Sponsored Transportation Projects." The proposed action does not present a concern for air quality as defined in 40 CFR 93.123(b)(1) and therefore meets all federal air quality requirements and standards for PM_{2.5}. The proposed improvements may increase Mobile Source Air Toxics (MSAT) emissions where additional travel lanes will be added along the I-80 corridor, but overall MSAT emissions within the study area are expected to decrease in the future because USEPA-required vehicle and fuel regulations will begin to take effect. As a result, the project meets the criteria for "Low Potential for MSAT Effects" in accordance with the *FHWA Interim Guidance on Air Toxics Analysis in NEPA Documents*.

Noise: Traffic noise levels in the project area were evaluated for 71 common noise environments (CNEs). Traffic noise impacts were identified in 55 CNE's due to predicted traffic noise levels that approach, equal or exceed the FHWA Noise Abatement Criteria for their respective land uses. A total of 38 noise walls were evaluated to mitigate or reduce traffic noise impacts. Twenty-five (25) noise walls were found to be feasible and cost effective while meeting IDOT's noise reduction design goals.

According to IDOT's noise policy, IDOT will decide whether to build the 25 noise walls based on the viewpoints of the benefitted receptors. This will occur after the project's final design is approved. If the final design is different from the preliminary design, IDOT will determine if revisions to the traffic noise analysis are necessary. The final decision about whether to build the noise walls will not be made until the project is in the design stage and the public involvement process is completed.

Plant Communities: The proposed action will remove approximately 6,689 trees. In addition, shifting the Des Plaines River bridges north and reconstructing the Chicago Street interchange will remove three exceptional trees – one Burr oak, one American basswood and one Common hackberry. Additional oak trees may be removed during interchange ramp reconstruction and bridge widening. During construction, trees will be preserved and protected when possible. To mitigate unavoidable impacts, IDOT will replace impacted trees in accordance with IDOT Departmental Policy D&E-18, "Preservation and Replacement of Trees."

The proposed action will remove vegetation that may provide habitat for pollinators. Pollinator habitat will be included in the project where practical. In addition, methods described in the FHWA publication *Pollinators and Roadsides: Best Management Practices for Managers and Decision Makers*, will be incorporated into the project during contract plan preparation (Phase II).

Wildlife: The proposed improvements require land from some potential wildlife habitat located in wooded plant communities, streams and rivers, and wetland areas. Existing wildlife crossings in the project area will be preserved. In addition, the I-80 bridges over the DuPage River and Rock Run Creek will be built with flat areas under the bridges and along the waterway that can be used as for animal crossings. Therefore, the proposed action is not anticipated to adversely impact wildlife.

Threatened and Endangered Species: The United States Fish and Wildlife Service (USFWS) identified ten federally listed species that may be present in Grundy, Kendall, and Will counties. Only four of these species – eastern prairie fringed orchid (threatened), the Indiana bat (endangered), the northern long-eared bat (threatened, proposed to be reclassified to endangered), and the rusty patched bumble bee (endangered) – may have suitable habitat in the project area.

Field surveys concluded that habitat for eastern prairie fringed orchid (EPFO) does not exist in the project area, and the project will have no effect to this species.

The USFWS has identified the presence of the Indiana bat in Kendall and Grundy counties. There is no suitable winter habitat (caves or mines) for the Indiana bat in the project area. Suitable summer habitat for the Indiana bat consists of small stream corridors with well-developed riparian woods and upland forests. No tree clearing shall occur between April 1 and October 31 to protect the Indiana bat. Mitigation for impacts to trees will occur in accordance with the Illinois Department of Transportation's Departmental Policy D&E-18 Preservation and Replacement of Trees. This project may affect, but is not likely to adversely affect the Indiana bat.

The project area is within the northern long-eared bat (NLEB) White-Nose Syndrome Zone, as identified by the USFWS. There is no suitable winter habitat (caves or mines) for the NLEB in the project area. There are no known maternity roost trees, maternity colonies or hibernacula for the NLEB in the vicinity of the I80 project. To avoid and minimize impacts to the NLEB, no tree clearing shall occur between April 1 and October 31 to protect the NLEB. Mitigation for impacts to trees will occur in accordance with the Illinois Department of Transportation's Departmental Policy D&E-18 Preservation and Replacement of Trees. This project may affect, but is not likely to adversely affect the NLEB. Rusty patched bumble bee nests from March 16-October 9 in upland grasslands shrublands that contain forage during the summer and fall. It is assumed that rusty patched bumble bee queens overwinter in upland forest and woodlands in loose, soft soil and avoid areas with dense vegetation between October 10 through March 15. There are no forests in the project area, only scattered trees and scrubby rows of trees. Thus, this project will not affect the overwintering of the rusty patched bumble bee. To avoid impacting nesting rusty patched bumble bees, all ROW between Midland Avenue and Elgin, Joliet, and Eastern Railway (west of W. Richard Street) will be mowed starting March 1, or any time after the grass starts growing, and will be mowed once a week throughout construction to avoid any flowering resources in the project area. No borrow, waste, or use sites shall occur between Midland Avenue and Elgin, Joliet, and Eastern Railway (west of W. Richard Street) to avoid impacting the rusty patched bumble bee. All no mow areas may be reseeded with class 4 and 5 prairie seed mix.

The Illinois Natural Heritage Database shows seven state-listed species occurring in the vicinity of the project. Three of these species – the Blanding's turtle, NLEB and rusty patched bumble bee – have potential habitat in the project. The rusty patched bumble bee and NLEB are discussed above (federally listed species).

To avoid impacts to the Blanding's turtle, the IDNR recommends work in the vicinity of wetland 35a and 37a occur during the Blanding's turtle's inactive season from November 1st to March 1st. in addition to these avoidance dates, IDNR recommends the following:

- All on-site personnel be educated about this species and instructed to stop work immediately and contact the Department (Brad Semel, Natural Heritage Division, 815-675-2386 ext. 216) if they are encountered in the project area. Fliers with photos of adult and juvenile Blanding's Turtles, and life-history information, should be distributed to personnel.
- Exclusionary fencing should be installed around wetland areas prior to the Blanding's Turtle's active season from March 1-November 1.
 - Exclusionary fencing should be trenched into the ground (a minimum of 4 inches) and inspected daily for Blanding's Turtles.

- Fencing should be installed with turn-arounds at open ends and at any access openings needed, in order to redirect animals away from openings.

Excavations should be inspected daily for trapped wildlife and safely covered overnight. Soil or other potential turtle nesting medium stockpiles should also have exclusionary fencing installed around the perimeter to discourage turtle nesting and potential harm.”

Surface Water Resources: The proposed improvements will impact a total of 0.10 acres in three Waters of the United States (WOUS). Widening the I-80 eastbound and westbound bridge piers will impact the DuPage River and Rock Run Creek. The project will not cause new impacts to Hickory Creek because the stream channel is completely lined in the area where work will be performed. Removing the existing I-80 bridges and building two new bridges approximately 300 feet to the north will impact the Des Plaines River. Mitigation for impacts to WOUS will be determined during contract plan preparation (Phase II) and in coordination with the U.S. Army Corps of Engineers (USACE) during the Section 404 permitting process. IDOT will also obtain a Section 9 permit from the U.S. Coast Guard (USCG) and a Section 10 permit from the USACE for impacts to the Des Plaines River, which is a navigable waterway.

The preferred alternative includes Best Management Practices (BMPs) to protect water quality, preserve water resources and minimize the overall impact on aquatic resources. BMP locations were identified during the project’s planning phase and are included in the existing right-of-way. BMPs include riprap dissipaters, in-line detention, sediment trap/retention areas, existing vegetation, vegetative/riprap ditches, infields, and natural depression areas, where appropriate. Where swales and ditches are included, they will have vegetation to slow the runoff and help filter pollutants before it enters the waterway or the storm sewer system. Where a storm sewer system is included, BMPs such as catch basins with sumps will further trap sediments.

The proposed improvements will include measures to manage erodible soils both during construction and after the project is built according IDOT specifications for erosion control practices. The selection and design of the BMPs will be coordinated with the USACE during contract plan preparation (Phase II). In addition, a management and monitoring plan for all approved BMPs will be coordinated with the USACE through the permitting process.

Groundwater Resources: The project will not be subject to compliance with minimum setback requirements for community water supply wells or other potable water supply wells. The proposed action will not create any new routes for groundwater pollution movement or any new sources of groundwater pollution. Furthermore, the proposed improvements will not result in a measurable change to the available water supply or recharge areas. As a result, no direct permanent impacts to groundwater are anticipated as a result of the proposed action. The proposed improvements will include BMPs to minimize the potential for polluting groundwater that supplies private wells.

Floodplains: The proposed improvements will place new permanent fill in the floodplains for Unnamed Streams 1, 2 and 3. Construction, including placing permanent fill, within regulatory floodways will occur at the bridges over the DuPage River, Rock Run Creek, the Des Plaines River and Hickory Creek. Hydraulic analyses showed the work at Rock Run Creek and the Des Plaines River will change the base flood elevations by less than 0.1 foot. The work at Hickory Creek will not increase the base flood elevation. The work at the DuPage River will reduce the water surface elevation. The project will provide compensatory storage at a 1:1 mitigation ratio to offset any loss of flood storage capacity resulting from additional fill in regulatory floodways. Compensatory storage requirements will be addressed through the floodplain permitting process.

Wetlands: The proposed improvements will directly impact a total of 5.594 acres from 30 wetlands. Based on a preliminary assessment of the jurisdictional status of the wetlands conducted by the Illinois Natural History Survey (INHS), 1.749 acres are jurisdictional wetland impacts, and 3.845 acres are isolated wetland impacts. In addition, 0.279 acres of wetland impacts will occur in a wetland that is classified as a High Quality Aquatic Resource (HQAR). There are no Advanced Identification (ADID) wetlands in the project area. If deemed necessary, a USACE jurisdictional determination will be requested during contract plan preparation (Phase II) as part of the 404 permitting process.

Completely avoiding wetland impacts would require ramps and/or the I-80 mainline to be shifted outside the existing right-of-way. This would require more right-of-way and would create greater impacts to existing homes and businesses. The proposed improvements include BMPs to minimize potential for negative impacts to wetlands. Further avoidance, minimization and mitigation efforts will be investigated during contract plan preparation (Phase II) as part of the Section 404 permitting process.

A mitigation ration of 1.5:1 will be applied to the wetland impacts. The appropriate mitigation ratios and methods will be finalized during contract plan preparation (Phase II) and during the Section 404 permit process. IDOT expects to provide mitigation off-site, but in the same drainage basin. Other mitigation options and locations will also be considered. The final decisions regarding mitigation will be made in coordination with the USACE and IDNR.

Special Waste: The proposed improvements will require new land from six sites with Recognized Environmental Concerns (RECs) and two parcels owned by the CSX railroad. In addition, the proposed action will require the demolition of 72 residential properties and one commercial building.

During contract plan preparation (Phase II), IDOT will determine if any of the sites with RECs or right-of-way next to a site with RECs will be impacted by the proposed work and/or if any new land will be required at any of the REC locations. Right-of-way acquisition will be discussed with the IDOT Bureau of Land Acquisition to determine if further studies are needed, such as a Preliminary Site Investigation (PSI) or a pre-demolition building survey. During construction, special waste will be managed in accordance with IDOT's standards and specifications and applicable federal, state, and local laws and procedures.

Special Lands: There are no Section 6(f) (LAWCON) or OSLAD lands located within the project area.

Section 4(f): The Forest Preserve District of Will County (FPDWC) is the official with jurisdiction over the Joliet Junction Trail, a Section 4(f) resource. The proposed action will replace the existing bridges with a single-span bridge that is 16.3 feet over the trail and install underpass lighting. It is unclear if IDOT has existing right-of-way directly under the two existing bridge structures therefore 0.43 acres of permanent easement for the proposed bridge improvements will be acquired. During construction, 400 feet of the Joliet Junction Trail will be closed to protect its users during the period of heaviest construction and during overhead bridge work that cannot be shielded. The schedule will be coordinated with the FPDWC four weeks in advance of the start of construction and in advance of any trail closures. The project plans will require the contractor to maintain functional use of the trail throughout construction with necessary temporary signage and other measures to protect its users, with the exception of temporary trail closures during the heaviest construction activities. The project plans will also require construction equipment to access the area via I-80 and will prohibit construction vehicles from driving along the trail to access the site. Construction equipment may utilize the trail within the temporary easement. Any damage caused to the trail by construction operations will be repaired to equal or better than that prior to the start of construction.

The public was given the opportunity to review the impacts to the Joliet Junction Trail and provide comments at two open house-style public hearings held at the Holiday Inn & Suites (1472 Rock Creek Boulevard) on November 6, 2019, from 4:00 pm to 7:00 pm and at the All Nation Church of God Community Life Center (503 Water Street) on November 7, 2019, from 4:00 pm to 7:00 pm. No comments were received from the public regarding impacts to the JJT or the 4(f) *de minimis* report. The proposed action will have a *de minimis* impact on the Joliet Junction Trail because proposed action will not adversely affect the activities, features or attributes that qualify this resource for protection under Section 4(f). In a letter dated August 2, 2022, the FPDWC concurred with the determination that the impact to the preserve would be *de minimis*.

The project has a potential effect to four historic resources: a duplex dwelling at 755 Jasper Street, the Brandon Road Lock and Dam Historic District, the Joliet Equipment Corporation at 1 Doris Avenue, and Alternative Route 66 Wilmington to Joliet.

Duplex Dwelling: The proposed improvements will not require land from the duplex dwelling on a temporary or permanent basis and will not severely impact important features, activities or attributes associated with this dwelling. Therefore, the work occurring in the vicinity of this resource is not considered a use under Section 4(f).

Brandon Road Lock and Dam Historic District: The existing Des Plaines River bridges are located within the limits of the Brandon Road Lock and Dam Historic District, although the I-80 bridges are not contributing resources to the historic district. The preferred alternative replaces the existing bridges with new bridges that are wider and higher than the current structures and relocates the bridges 300 feet to the north, nearer to the northern boundary of the historic district. The proposed design replaces two sets of piers within the historic district. It is not possible to widen the existing Des Plaines River bridges due to how the support system works. Therefore, new bridges are required, and impacts to the historic district cannot be avoided. However, the new bridges will be shallower in profile and will open the river setting of the historic district and be less invasive to the viewshed from the lock and dam to the south.

The public and consulting parties were given the opportunity to review the impacts to the Brandon Road Lock and Dam Historic District and provide comments at two open house-style public hearings held at the Holiday Inn & Suites (1472 Rock Creek Boulevard) on November 6, 2019, from 4:00 pm to 7:00 pm and at the All Nation Church of God Community Life Center (503 Water Street) on November 7, 2019, from 4:00 pm to 7:00 pm. The Illinois State Historic Preservation Officer (SHPO) agreed with a *de minimis* impact finding on April 15, 2019. The proposed action will have a *de minimis* impact on the Brandon Road Lock and Dam Historic District, because the proposed action will not adversely affect the activities, features or attributes that qualify this resource for protection under Section 4(f).

Joliet Equipment Corporation: The proposed improvements will not require land from the Joliet Equipment Corporation on a temporary or permanent basis and will not severely impact important features, activities or attributes associated with this property. Therefore, the work occurring in the vicinity of this resource is not considered a use under Section 4(f).

Alternative Route 66 Wilmington to Joliet: The restoration, rehabilitation and maintenance of historic transportation facilities can proceed without being considered a use under Section 4(f) if the Section 106 process determines that the project would have no adverse effect to the resource. Therefore, the work impacting Alternative Route 66 Wilmington to Joliet is not considered a use under Section 4(f).

Indirect and Cumulative: The proposed improvements may indirectly affect land use by causing planned development to occur sooner or to a greater degree, including the permanent loss of farmland, threatened and endangered species habitat, wildlife habitat, wetlands, and plant communities. However, the effects of any future land use change will also largely be determined by local plans and regulations. The proposed improvements may also have the indirect effect of reducing traffic congestion on other east-west routes in the region. The proposed project will increase the chloride from highway runoff in the DuPage River (which includes two unnamed tributaries) and Hickory Creek. The project includes BMPs to protect water quality, preserve natural water resources and minimize the overall impact on aquatic resources. In addition, IDOT will identify mitigation measures to address the net increase in chloride concentrations in the impaired section of Hickory Creek as part of the Section 401 Water Quality Certification process.

The proposed improvements and other planned projects may lead to cumulative effects, including residential relocations; converting private land to transportation uses; permanent loss of natural resources such as wildlife habitat, wetlands, and plant communities; and increased stormwater runoff which may affect water quality and aquatic life. Cumulative effects of the proposed action also include additional residential displacements and moving the Des Plaines River bridges closer to homes that were impacted by the original interstate construction.

Public Involvement: The I-80 project was developed using the Context Sensitive Solutions (CSS) process. Public and agency involvement occurred using a collaborative approach with key stakeholders to develop a facility that fits into its surroundings and preserves key human and natural resources.

The CSS process included a community context audit and seven project working group meetings that were held at key project milestones to present information and obtain feedback. Three public meetings were held between 2010 and 2018. The first public meeting was held in August 2010 to introduce the project and discuss IDOT's Phase I study and CSS process. The second public meeting was held in July 2011 to gather feedback on the project's purpose and need and the alternatives development process. The third public meeting was held in January 2018 to gather feedback on the alternatives carried forward. Additional meetings were held with the City of Joliet, municipalities, counties, FPDWC, emergency services, and other local stakeholders.

IDOT mailed surveys to the owners and occupants of residences that will be displaced by the preferred alternative to gather information from people who may be impacted by the project. Surveys were also mailed to residents within three to four blocks of I-80 and between Center Street and Chicago Street. Residents and stakeholders were also invited to provide input on the project's effects at two community outreach meetings and a one-on-one community meeting held in the neighborhood between the Des Plaines River and Chicago Street.

Two public hearings were held to present the preferred alternative. The first public hearing was held on November 6, 2019, from 4:00 pm to 7:00 pm at the Holiday Inn & Suites (1472 Rock Creek Boulevard) in Joliet. The second public hearing was held on November 7, 2019, from 4:00 pm to 7:00 pm at the All Nation Church of God Community Life Center (503 Water Street) in Joliet. The public hearings were conducted in an open house format with a public comment forum. Public notice was placed in the October 22 and November 1, 2019, editions of the Chicago Sun Times and the Joliet-Herald News. Postcards advertising the hearings were mailed to stakeholders along the corridor, and an e-blast was sent to the project mailing list. An electronic ad was also sent to the municipalities, chambers, and townships in the project area. The EA was made available for public review on the project website, as well as at the IDOT – District 1 office, the Joliet Public Library, the New Lenox Public Library, the

Shorewood-Troy Public Library, and the Three Rivers Public Libraries in Channahon and Minooka during the public availability period beginning October 22, 2019.

The public hearings were attended by 346 people, including public officials, local government representatives, media outlets, public and emergency services, transportation agencies, schools, property owners, residents, businesses, advocacy groups, and community/economic development groups. A court reporter was present to transcribe verbal comments and the public comment forum. The comment period ended on December 2, 2019, and resulted in 71 comments being submitted. The most common comment topics related to the I-80 improvements included support for the project; requests for additional lanes on I-80; noise impacts; relocation concerns; construction impacts; and safety concerns.

Additional outreach to the environmental justice communities surrounding the Des Plaines River Bridge replacements was conducted as part of the CIA. This additional outreach included providing a designated bi-lingual community outreach specialist who worked extensively with the community throughout the development of the CIA; a designated project email was provided to facilitate communication; a community impact questionnaire was developed and participation in the questionnaire was encouraged through community outreach events such as food drives; four Community Partner Meetings were held; one-on-one meetings were held; and a series of community mailings were sent to the CIA outreach area. Additional outreach conducted as part of the CIA is further described in the CIA.

Environmental Commitments

- The Joliet Junction Trail under I-80 will be impacted by the replacement of the I-80 bridges. IDOT will notify the FPDWC four weeks in advance of the start of construction and in advance of any trail closures. The project plans will require the contractor to maintain functional use of the trail and protect its users throughout construction with necessary temporary signage and other measures to protect its users, with the exception of temporary trail closures during the heaviest construction activities. The project plans will also require construction equipment to access the area via I-80 and will prohibit construction vehicles from driving along the trail to access the site. Construction operations and equipment may utilize the trail within the proposed easements, however prior reopening the trail to the public it must be repaired to a condition equal to or better than existing.
- Flat shelves will be provided under the Rock Run Creek bridge to allow for wildlife crossings and a future shared-use path being planned by the FPDWC.
- IDOT will improve accessibility and provide concrete pads at PACE bus stations along Chicago Street within the project limits.
- IDOT will continue to coordinate changes to the local street network with the City of Joliet during contract plan preparation (Phase II).
- IDOT will continue to coordinate with residents eligible for voluntary relocation during contract plan preparation (Phase II).
- To avoid and minimize impacts to the Indiana bat and NLEB, no tree clearing shall occur from April 1 to October 31.
- To avoid impacting nesting rusty patched bumble bees, all ROW between Midland Avenue and Elgin, Joliet, and Eastern Railway (west of W. Richard Street) will be mowed starting March 1, or any time after the grass starts growing, and will be mowed once a week throughout construction within the construction limits wherever vegetation is allowed to grow to avoid any flowering

resources in the project area. No borrow, waste, or use sites shall occur between Midland Avenue and Elgin, Joliet, and Eastern Railway (west of W. Richard Street) to avoid impacting the rusty patched bumble bee. All no mow areas may be reseeded with class 4 and 5 prairie seed mix.

- To avoid impacts to the Blanding's turtle, the IDNR recommends work in the vicinity of wetland 35a and 37a occur during the Blanding's turtle's inactive season from November 1st to March 1st. In addition to these avoidance dates, IDNR recommends the following:
 - All on-site personnel be educated about this species and instructed to stop work immediately and contact the Department (Brad Semel, Natural Heritage Division, 815-675-2386 ext. 216) if they are encountered in the project area. Fliers with photos of adult and juvenile Blanding's Turtles, and life-history information, should be distributed to personnel.
 - Exclusionary fencing should be installed around wetland areas prior to the Blanding's Turtle's active season from March 1-November 1.
 - Exclusionary fencing should be trenched into the ground (a minimum of 4 inches) and inspected daily for Blanding's Turtles.
 - Fencing should be installed with turn-arounds at open ends and at any access openings needed, in order to redirect animals away from openings.
 - Excavations should be inspected daily for trapped wildlife and safely covered overnight. Soil or other potential turtle nesting medium stockpiles should also have exclusionary fencing installed around the perimeter to discourage turtle nesting and potential harm."
- IDOT will identify mitigation measures to address the net increase in chloride concentrations in the impaired section of Hickory Creek as part of the Section 401 Water Quality Certification process.
- A Community Plan, in conjunction with the City of Joliet and the community, will be developed to further identify and prioritize community improvement needs. Development and implementation of the Community Plan will also help to address concerns raised about attractiveness and property value changes as a result of the project by enhancing community amenities, beautification, and community cohesion. The Department is committed to funding this plan, which will be carried out by the City of Joliet and with active involvement from the community.
- In addition to compensation and relocation according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), for properties within the CIA outreach area boundary the following will occur:
 - IDOT will provide a real-property tax mitigation to owner occupied properties in the amount of \$75,000.00. Proposed Mitigation would be a payment made by the Department and paid to Relocatees (an owner-occupied property owner who must relocate due to the project is defined as a Relocatee). This Mitigation payment will be paid as a lump sum within 60 days of closing on the replacement home.
 - 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.

- The Department will provide a community outreach liaison to assist tenants that have to be relocated as a result of the Department's project to assist in applications, filling out forms, or other documents related to low-income housing, Section 8 housing applicability.
- IDOT will consider acquisition and relocation for property owners that have requested voluntary acquisition and are within 10 feet of the new proposed I-80 right-of-way as per the State of Illinois' Highway Code (Section 1, Section 4-501).
- When comparable replacement housing cannot be obtained based on fair market value, "Housing of Last Resort" provisions would be utilized by the Department to secure a replacement dwelling that is decent, safe, and sanitary. Housing of last resort provisions are in place to provide additional and alternative assistance when comparable replacement dwellings are not identified and available within the monetary limits of property owners or tenants.

Special Design and Construction Considerations

- Twenty-five (25) noise barriers are likely to be implemented within the project area. IDOT will solicit the viewpoints of the property owners and residents who will benefit from possible noise walls after the project's final design has been approved. If the final design is different from the preliminary design, IDOT will determine if revisions to the traffic noise analysis are necessary. The final decision about whether to build the noise walls will not be made until the solicitation of viewpoints and the public involvement process is complete.
- IDOT will investigate eliminating the Level 1 design exception for vertical sight distance on I-80 near Gardner Street during contract plan preparation (Phase II).
- In accordance with the CIA, the Des Plaines River Bridge will be designed to include a landscaped buffer which would either be a sloped embankment or elevated structure with room between the bridge and homes. This would allow space for landscaping, sidewalks connections, and would better blend the bridge into the community. Fencing, lighting, and a concrete knee wall will be used to enhance safety and minimize trash and other debris accumulating under the bridge.
- IDOT, in coordination with the City of Joliet and the surrounding community, will develop a Construction Outreach and Coordination Plan prior to construction activities commencing for the Des Plaines River Bridge.
- IDOT will make improvements to the local street network both east and west of the Des Plaines River Bridge to improve local connectivity.
- A Maintenance of Traffic (MOT) Plan will be developed as part of design activities and prior to construction commencing for the Des Plaines River Bridge Replacement.
- A Construction Noise and Vibration Monitoring Plan will be developed in advance of construction activities commencing for the Des Plaines River Bridge Replacement.
- A Project Specific Dust Control Plan will be developed prior to construction and as part of the required pre-construction contractor documents.

Agency Findings

The following findings establish the project's adherence to applicable laws intended to protect sensitive environmental and socioeconomic resources.

Farmland Protection Policy Act

The project will convert three acres or less of farmland per mile, and the conversion will not result in more than minor impacts. Accordingly, the project conforms to the general Form CPA-106 prepared by National Resources Conservation Service (NRCS).

Illinois Farmland Preservation Act

On August 3, 2022, the U.S. Department of Agriculture concluded that the footprint of this project includes existing roadway and adjacent right of way with some portions also falling within municipal boundaries and are therefore exempt from the Farmland Preservation Act.

Relocation Assistance and Real Property Acquisition Policies Act of 1970, *as amended*

The acquisition of properties will be accomplished in accordance with the *Uniform Relocation Assistance and Real Property Acquisition Act* (Uniform Act), as amended, and the IDOT *Land Acquisition Policies and Procedures Manual*, as applicable. Under the Uniform Act, in addition to just compensation, displaced residents are entitled to benefits to minimize hardships of relocation such as acquisition and relocation assistance designed to help residents and businesses with reimbursement claims and the lease or purchase of new locations. Relocation advisory assistance will be provided to owners and renters of displaced properties. Housing resources are available to all relocatees without discrimination. During the land acquisition process, IDOT will develop a relocation plan to address potential problems with displacements required for the project, identify ways to minimize the impact of displacements, and effectively plan for all relocation activities.

605 Illinois Compiled Statutes (ILCS) 5/4-501 from Chapter 121, paragraph 4-501.

IDOT considers the stretch of I-80 between the Center Street and Chicago Street interchanges to be on a new location. 605 ILCS 5/4-501 and IDOT's *Land Acquisition Policies and Procedures Manual* allow single family residences situated 10 feet or less from the proposed right-of-way line for a highway on new location to request to be relocated by the project. These provisions will allow up to four additional residential units to demand relocation.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Environmental justice communities have been – and will continue to be – provided full and fair participation in the transportation decision-making process. The development of the CIA defined mitigation measures to address impacts to and concerns of the environmental justice populations identified in the area surrounding the Des Plaines River Bridge replacement. Mitigation measures described in the CIA will be incorporated into the design and construction of the Des Plaines River Bridge. With the mitigation measures proposed defined in the CIA, there will not be a disproportionately high adverse impact to EJ communities.

Section 106 of the National Historic Preservation Act of 1966

No archeological properties subject to protection under Section 106 of the National Historic Preservation Act of 1966, as amended, will be affected by the proposed project. The Illinois State Historic Preservation Officer (SHPO) agreed with these findings on December 26, 2018. The undertaking, as designed, will have no adverse effect to above-ground/architectural historic properties. The Illinois SHPO agreed with these findings on March 26, 2019.

Executive Order 11988, Floodplain Management

The preferred alternative will place new permanent fill in the floodplains for the DuPage River; Rock Run Creek; the Des Plaines River; Hickory Creek; and Unnamed Streams 1, 2 and 3. No alternative sites were considered because the existing roadways, bridges and transportation right-of-way are located in the floodplains. The project will provide compensatory storage at a 1:1 mitigation ratio to offset any loss of flood storage capacity resulting from additional fill in regulatory floodways. The project complies with applicable Local, State and Federal floodplain protection standards.

Section 176(c) of the Clean Air Act Amendments of 1990

The project's design concept and scope are consistent with the project information used for the Metropolitan Planning Organization's (MPOs) Transportation Improvement Plan (TIP) conformity analysis. Therefore, this project conforms to the existing State Implementation Plan (SIP) and the transportation-related requirements of the 1990 Clean Air Act Amendments.

Federal Executive Order 11990, *Protection of Wetlands*

The project will impact 5.594 acres of wetlands. Completely avoiding wetland impacts was not practicable, due to substantial project costs and impacts to existing homes and businesses. The proposed improvements were designed to minimize impacts to wetlands where feasible. Mitigation for these impacts will be based on the Programmatic Agreement that IDOT and IDNR have established to comply with the Interagency Wetland Policy Act. A mitigation ratio of 1.5:1 will be applied to impacted wetlands. The mitigation ratios and methods will be finalized during contract plan preparation (Phase II) and during the Section 404 permit application process.

Endangered Species Act of 1973

USFWS concurred with a may affect, not likely to adversely affect determination for the Indiana bat, Northern long eared bat and rusty patched bumble bee on September 23, 20022. Other federally threatened and endangered species are known to exist within Grundy, Kendall, and Will Counties. The proposed action will not affect these species.

Illinois Endangered Species Protection Act

IDNR evaluated the project's impacts to state-listed species on September 4, 2018 and September 8, 2022. Impacts to the NLEB and rusty patched bumble bee are addressed under the Endangered Species Act of 1973. With commitments in place IDNR determined that adverse impacts are unlikely to all species.

Section 4(f) of the USDOT Act of 1966

In accordance with 23 CFR 774.3, the Federal Highway Administration (FHWA) hereby makes a *de minimis* finding for the use of the Joliet Junction Trail and the Brandon Road Lock and Dam Historic District. The proposed action will not adversely affect the activities, features or attributes that qualify these

resources for protection under Section 4(f). The *de minimis* impact findings are based on the impact avoidance, minimization, and mitigation or enhancement measures incorporated into the proposed action and on the documented concurrence from the officials with jurisdiction.

Conclusion

The Federal Highway Administration (FHWA) has determined that the project will not have a significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the attached Environmental Assessment and the Environmental Assessment Errata, which have been independently evaluated by the FHWA and determined to discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures adequately and accurately. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached Environmental Assessment and Environmental Assessment Errata.

September 27, 2022

Date

Arlene Kocher, Division Administrator
Federal Highway Administration