



U.S. Department
of Transportation
**Federal Highway
Administration**

Illinois Division

October 24, 2017

3250 Executive Park Dr.
Springfield, IL 62703
(217) 492-4640
www.fhwa.dot.gov/ildiv

In Reply Refer To:
HPER-IL

Mr. Samuel Tuck III
Bureau Chief Freight Rail Management
Illinois Department of Transportation
69 W. Washington Street, Suite 2100
Chicago, Illinois 60602

Subject: 75th Street Corridor Improvement Project - Re-evaluation Determination
Cook County, Illinois

Dear Mr. Tuck:

The Federal Highway Administration (FHWA) reviewed and evaluated the written re-evaluation of the 75th Street Corridor Improvement project, dated October 23, 2017, and determined that the approved environmental document remains valid for the requested FHWA action.

The FHWA approved a combined Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) on September 19, 2014, for the 75th Street Corridor Improvement Project. Pursuant to 23 CFR 771.129(c), prior to requesting any major approvals or grants, the Illinois Department of Transportation (IDOT) must consult with FHWA to determine if the approved environmental document remains valid. In consultation with IDOT, FHWA requested a written re-evaluation to document any changes that occurred after the FEIS/ROD was approved.

The written re-evaluation demonstrates that there are no new significant impacts with the project. A supplemental environmental impact statement is therefore not required and the approved environmental document remains valid. Please contact Michael Kowalczyk (Michael.Kowalczyk@dot.gov) with any questions regarding FHWA's determination.

Sincerely,

Matt Fuller
Environmental Programs Engineer

ecc: Mr. Omer Osman, Deputy Secretary for Project Implementation, IDOT
Ms. Beth McCluskey, Office of Intermodal Project Implementation, IDOT
Ms. Maureen Addis, Bureau of Design and Environment, IDOT
Mr. Nestor Reina, O of Intermodal Project Implementation, IDOT
Mr. John Sherrill, Bureau of Design and Environment, IDOT



Illinois Department of Transportation

Office of Intermodal Project Implementation / Bureau of Freight Rail Management
69 West Washington Street / Suite 2100 / Chicago, Illinois 60602

October 23, 2017

Ms. Catherine Batey
Division Administrator
FHWA Illinois Division Office
3250 Executive Park Drive
Springfield, Illinois 62703

RE: Reevaluation of the Record of Decision and Final Environmental Impact Statement
CREATE 75th Street Corridor Improvement Project
Cook County, Illinois

Enclosed is the reevaluation of the Record of Decision (ROD) to design, construct, and operate the Selected Alternative as identified in the Final Environmental Impact Statement (FEIS) for the 75th Street Corridor Improvement Project (CIP). Federal Highway Administration (FHWA) signed the ROD on September 19, 2014.

The reevaluation concluded that a supplemental EIS is not required. Since issuance of the FEIS/ROD, there have been no changes in the project's alternatives or in the preliminary design of the Selected Alternative.

The reevaluation documented that the environmental conditions and conclusions of the 75th Street CIP FEIS/ROD remain accurate and valid, as well as consistent with the applicable environmental laws, regulations, and/or policies. The data and analysis contained in the FEIS/ROD are still valid and there are no new circumstances that would change the proposed action or its impacts. Lastly, the environmental commitments documented in the FEIS/ROD remain in effect.

If you concur, please issue the appropriate finding.

If you have any questions, please contact me at (312) 793-3940 or Samuel.Tuck@illinois.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Samuel Tuck III'.

Samuel Tuck III
Bureau Chief Freight Rail Management
Illinois Department of Transportation
69 W. Washington St.
Suite 2100
Chicago, Illinois 60602

Cc: Matt Fuller and Michael Kowalczyk

**Illinois Department of Transportation Office of Intermodal Project Implementation
Bureau of Freight Rail Management**

Reevaluation of the 75th Street Corridor Improvement Project's
Record of Decision and Final Environmental Impact Statement
Cook County, Illinois
October 23, 2017

1. WHAT IS THE PURPOSE OF THIS DOCUMENT?

The Federal Highway Administration (FHWA) signed the Record of Decision (ROD) to design, construct, and operate the Selected Alternative as identified in the Final Environmental Impact Statement (FEIS) for the 75th Street Corridor Improvement Project (CIP) on September 19, 2014. The project involves two rail flyover structures, 29.4 miles of new rail track, and 10.8 miles of relocated track. There will be new rail bridge structures at 4 locations, replacement of existing rail bridges at 3 locations, rehabilitation or modification of existing rail bridges at 23 locations, and one highway-rail grade separation. It will also provide substantial structural, drainage, roadway, and lighting improvements at 36 existing rail viaducts to improve local mobility. The proposed action is in the City of Chicago, Cook County, Illinois.

Since issuance of the FEIS/ROD, there have been no changes in the project's alternatives or in the preliminary design of the Selected Alternative. The purpose of this reevaluation is to document that the environmental conditions and conclusions documented in the FEIS/ROD remain accurate and valid, as well as consistent with the applicable environmental laws, regulations, and/or policies.

The Illinois Department of Transportation's (IDOT) Office of Intermodal Project Implementation (OIPI) prepared this reevaluation of the project's FEIS/ROD in anticipation of starting Phase II final design in 2018 and construction of two project segments thereafter. This reevaluation has been prepared in accordance with the requirements of the Federal Highway Administration Rules and Regulations set forth in 23 CFR 771.129.

2. WHAT WAS THE ORIGINAL DOCUMENT TYPE?

IDOT OIPI issued the FEIS and ROD concurrently for the 75th Street CIP and it was approved by IDOT on September 16, 2014 and FHWA on September 19, 2014. This the first reevaluation prepared for the 75th Street CIP's 2014 FEIS/ROD.

FHWA determined in the ROD that:

"Having carefully considered the environmental record noted above, the mitigation measures as required herein, the public and agency comments on this record, and the written responses to these comments, FHWA has determined that the Selected Alternative is also the environmentally preferred alternative. The Selected Alternative represents the best option for the 75th Street Corridor Improvement Project. FHWA finds that all practicable measures to minimize environmental harm have been incorporated into the design of the Selected Alternative. FHWA will ensure that the commitments outlined herein will be implemented as part of Phase II (final) design, Phase III (construction), and post construction monitoring. FHWA also determines that this decision is in the best overall public interest (ROD, 23)."

3. WHERE DOES THE PROJECT BEGIN AND END?

The 75th Street CIP is in a rail corridor that generally follows 75th Street on the south and southwest sides of the City of Chicago (see Attachment A for project location and study area maps). The project study area, located in Cook County, Illinois, is primarily situated in the southwest quadrant of the City of Chicago with the project's western limit extending into the municipality of Hometown. The study area traverses approximately nine community areas: Ashburn, Chicago

Lawn, West Englewood, Englewood, Greater Grand Crossing, Auburn Gresham, Chatham, Washington Heights, and Roseland.

The 75th Street CIP is a major element of the Chicago Region Environmental and Transportation Efficiency (CREATE) Program. The CREATE Program, initiated in 2003, consists of 70 individual projects designed to improve the movement of passenger and freight rail traffic and to reduce delays to travelers on the roadway system. The 75th Street CIP includes four individual project components of the overall CREATE Program:

- CREATE East-West Corridor Project 2 (EW2) – This project will reduce congestion and delays in the 75th Street corridor between the Dan Ryan Expressway (I-94) southeast of 80th Street Junction, and Ashburn Junction near Columbus Avenue and 81st Street to the southwest;
- CREATE Passenger Corridor Project 2 (P2) – This project will reduce rail conflicts for Metra operations by constructing a flyover bridge to connect the Metra SouthWest Service (SWS) Line to the Rock Island District (RID) Line;
- CREATE Passenger Corridor Project 3 (P3) – This project will eliminate conflicts at Forest Hill Junction (75th Street between Damen Avenue and Western Avenue) between the Metra SWS and the north-south CSX tracks through the construction of a rail-rail flyover; and
- CREATE Grade Separation Project 19 (GS19) – This project will grade-separate 71st Street and the north-south CSX tracks.

As part of its unique tiered federal environmental review process, each component of the CREATE Program was tested for logical termini, independent utility, and any restriction of alternatives. It was through this early evaluation process that linkages between CREATE projects EW2, P2, and P3 were originally identified. Subsequently, a linkage was identified with CREATE project GS19 as well. Together, these four environmentally linked component projects form the 75th Street CIP, which is the subject of this document.

4. ANY CHANGES TO THE PROPOSED ACTION?

Have there been any substantial changes to the following since the approval of the original environmental document(s):

	<u>Yes</u>	<u>No</u>
▪ The project scope?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ The project design?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ The project funding source(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ The project termini	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ Other?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

There have been no changes to the project scope, design, funding sources, or project termini since issuance of the FEIS/ROD. Funding for the 75th Street CIP will be provided by a combination of public and private, monetary contributions. The participating Class I railroads will provide private funding and the remaining funds will come from federal, state, and local governments. No additional coordination has been completed since approval of the FEIS/ROD in 2014.

5. ANY CHANGES TO THE PURPOSE AND NEED?

Have there been any changes to the project purpose and need since the approval of the original environmental document(s)?

<u>Yes</u>	<u>No</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

There have been no changes to the overall goals of the CREATE Program, nor have the specific transportation needs within the 75th Street CIP study area changed. As a result, the 75th Street CIP purpose and need statement remains unchanged.

6. ANY CHANGES TO THE AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES?

This section of the document identifies if there have been any changes in the affected environment or project impacts from those identified in the original approved FEIS/ROD. For each “YES”, the change is described, and appropriate documentation/coordination is attached. If the resource is not present in the study area or has not changed, no further information is necessary. Attachment B contains a list of environmental resources that have changed since issuance of the 75th Street CIP FEIS/ROD.

A. Have There Been Any Changes to Land Use, Transportation, or Other Plans?

Have there been any changes to land use plans since the approval of the original environmental documents(s)? Yes No

There have been no changes to the land use, transportation, or other plans since issuance of the 75th Street CIP's FEIS/ROD. The 75th Street CIP determined that:

“Potential indirect effects associated with the 75th Street CIP are reduced neighborhood desirability and reduced property values resulting from noise, vibration, and visual impacts. Increases in freight volumes will result in roadway congestion at highway-rail grade crossings within and outside the project study area in both the Build and No-Build scenarios (ROD, 21).”

The FEIS documented that the Select Alternative would provide cumulative benefits and that there was no potential for the project to have a cumulative effect on land use, transportation or other plans (See FEIS Section 3.17 Indirect and Cumulative Effects Analysis).

There have been no changes to land use or transportation plans, or to the Selected Alternative that alter the findings of the indirect and cumulative effects analysis since issuance of the 75th Street CIP FEIS/ROD; therefore, a reevaluation of this environmental resource is not required.

B. Have There Been Any Changes to Right-of-Way Needed?

Have there been changes to the right-of-way requirements for the project since the approval of the original environmental document(s)? Yes No

The design of the Selected Alternative has not changed. Consequently, there have been no changes to the 75th Street CIP's right-of-way requirements since issuance of the FEIS/ROD.

C. Have There Been Any Changes to Social Impacts?

Have there been any changes to the following since the approval of the original environmental document(s): Yes No

- The number of residential acquisitions or relocations required?
- The project's effects on neighborhoods or community cohesion?
- The project's effects on travel patterns and accessibility (e.g., vehicular, commuter, bicycle, or pedestrian)?
- The project's effects on schools, recreation areas, churches, businesses, police and fire protection, etc.?
- The project's effects on the elderly, handicapped, non-drivers, transit-dependent, minority and ethnic groups, or the economically disadvantaged?
- Unresolved project issues or concerns of an Indian Tribe?

There have been no changes to the 75th Street CIP's social and economic impacts (acquisition/relocations) since issuance of the FEIS/ROD.

D. Have There Been Any Changes to the Environmental Justice Impacts?

	<u>Yes</u>	<u>No</u>
Were any minority or low-income populations documented in the original study area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, have there been any changes to the project's effects related to any minority or low-income population as defined in DOT Order 5610.2(a), May 2, 2012 or DOT Order 6640.23A, June 14, 2012?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The population of 75th Street CIP's demographic study area, as defined in the FEIS, was determined to be 92.9 percent minority and 22.1 percent low-income based on U.S. Census Bureau 2010 American Community Survey (ACS) 5-Year Estimates. Based on the Council on Environmental Quality (CEQ) Environmental Justice Guidelines Under the National Environmental Policy Act (December 1997), populations of concern were determined to be present for the purposes of the environmental justice (EJ) analysis. Therefore, the 75th Street CIP FEIS/ROD determined the following:

“Based on existing socioeconomic conditions of the demographic study area, impacts, whether beneficial or adverse, would be predominantly borne by minority and low-income populations. According to the analysis, the Build Alternative for the 75th Street CIP would have disproportionate adverse noise, vibration, and visual impact on Title VI and Environmental Justice populations as defined by Title VI of the Civil Rights Act of 1964 and EO 12898. This determination was based on the fact that the project impacts would be predominantly borne by minority and low-income populations (FEIS, 3-57).”

The 75th Street CIP FEIS investigated a range of mitigation measures, additional practicable mitigation measures, and enhancement measures that would mitigate, minimize, or provide offsetting benefits to the affected communities and individuals consistent with the guiding principles established under EO 12898 and Title VI of the Civil Rights Act of 1964, as well as IDOT and CREATE Program policies. Attachment C lists the mitigation measures and offsetting benefits contained in the FEIS/ROD to address disproportionately high and adverse impacts to minority and low-income populations.

As part of this reevaluation, the latest U.S. Census Bureau ACS 5-Year Estimates (2015) were reviewed to determine whether the socioeconomic conditions of the demographic study area have changed since the EJ analysis was completed and whether the changes affect the EJ analysis and conclusions of the FEIS/ROD.

Based on U.S. Census Bureau 2010 ACS 5-Year Estimates, 39 out of the 40 census tracts that compose the demographic study area had minority populations greater than 50 percent. Based on U.S. Census Bureau 2015 ACS 5-Year Estimates, 39 out of the 40 census tracts had minority populations greater than 50 percent. It was also determined that the demographic study area's population is 93 percent minority and 26 percent low-income based on U.S. Census Bureau 2015 ACS 5-Year Estimates.

The demographic study area continues to have populations of concern present. As discussed in other sections of this reevaluation document, the noise, vibration, and visual impacts documented in the FEIS have not changed since issuance of the ROD. Therefore, the impacts of the 75th Street CIP would still be predominantly borne by minority and low-income populations.

Because the presence and concentration of minority and low-income populations is similar to that identified in the FEIS/ROD, no change in the mitigation measures, additional practicable mitigation measures, or enhancement measures to mitigate, minimize, or provide offsetting benefits to the affected communities and individuals are recommended as part of this reevaluation. IDOT and the CREATE partners reaffirm their commitment to mitigate, minimize, or provide offsetting benefits to the affected communities and individuals of the 75th Street CIP.

E. Have There Been Any Changes to the Economic Impacts?

	<u>Yes</u>	<u>No</u>
Were any businesses documented in the original study area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If 'YES', have there been any changes to the following since the approval of the original environmental document:

- The number of business acquisitions/relocations required?
- The project's potential to have adverse economic impacts on the regional and/or local economy, such as the effects of the project on development, tax revenues and public expenditures, employment opportunities, accessibility, and retail sales?
- The project's potential to have an adverse effect on established businesses or business districts?
- The project's impact on business operations, including impacts to parking spaces?

The 75th Street CIP FEIS determined that businesses were located throughout the study area:

"Many of the business establishments within the study area are located along the main arterial roadways and are in close proximity to the existing railroad rights-of-way. Business establishments range from light industrial and manufacturing facilities to big-box retail chains and fast food restaurants, as well as small retail shops, auto dealerships, and wholesalers. The majority of manufacturing and light industrial establishments are found along the railroad rights-of-way adjacent to Columbus Avenue as well as 74th Street (FEIS, 3-11)."

The Selected Alternative would require the acquisition of 17 vacant industrial parcels totaling 12.8 acres, as well as acquisition of a vacant parcel owned by the City of Chicago, which was a former railroad property (FEIS, 3-27). The 75th Street FEIS determined that the removal of private property from the local tax base would have a negligible impact on the local tax base within the study area. No additional adverse economic impacts were documented in the FEIS/ROD.

Field visits were conducted on September 29th, 2017 and October 5th, 2017 to determine whether documented economic effects have changed since issuance of the FEIS/ROD. Based on the field visits and a review of local tax records, it was determined that the impacted industrial parcels remain vacant as documented in the FEIS/ROD. Therefore, there have been no changes to the predicted economic impacts of the Selected Alternative.

F. Have There Been Any Changes to Farmland Impacts?

Were any farmlands documented in the original study area? Yes No

If 'YES', have there been any changes to the following since the approval of the original environmental document:

- The number of farms or farm building acquisitions or relocations required?
- The project's potential to have adverse economic impacts on the regional or local farm economy?
- The project's impact on farmland or farming operations?

No farmlands were documented in the 75th Street CIP FEIS/ROD and there have been no changes to the project's scope or design since issuance of the FEIS/ROD; therefore, a reevaluation of this environmental resource is not required.

G. Have There Been Any Changes To Cultural Resources Impacts?

Were any historic properties (e.g., buildings, bridges archeological sites) eligible for the National Register of Historic Places documented in the original study area? Yes No

If additional ROW is required, are there any historic properties in or immediately adjacent to the new ROW?

If 'YES', have there been any changes to the following since the approval of the

original environmental document:

- Any changes in the Area of Potential Effect (APE)?
- The status of National Register-listed or eligible sites in the project area?
- The conclusions reached in the original environmental document regarding the project's effect on cultural and historical resource?
- The project activities described in consultation or findings letters previously submitted to SHPO or other consulting parties?
- Was a Section 106 project Memorandum of Agreement prepared? If so, are there any changes to the Memorandum or Agreement?

The 75th Street CIP FEIS/ROD identified Hamilton Park and the Hamilton Park Field House as the only cultural resources within the study area that were eligible for the National Register of Historic Places (FEIS, 3-85). The Proposed Action would construct a new rail connection between the existing Metra SWS line, on Chicago and Western Indiana (CWI) track along the immediate west side of Hamilton Park, to the Metra Rock Island District Line which is adjacent to the east side of Hamilton Park.

Trains would be relocated from the existing CWI line, to the Rock Island District (RID) Line. There would be no change in the number of daily Metra trains, so the noise from these passenger trains would simply move from one side of the park to the other. This reduction in noise on the park's west side would be offset by an increase in the number of freight trains using the CWI line with the Selected Alternative, resulting in essentially no change from existing noise conditions along the west side of the park. Along the east side of the park, the addition of the Metra SWS trains would increase the noise levels slightly – approximately three decibels – over existing levels. This increase is small enough to not be considered a noise impact under the CREATE *Noise and Vibration Assessment Methodology* (see FEIS Table 3.7-2 in Section 3.7.1.2).

The Selected Alternative would not require any permanent acquisition of property from Hamilton Park; however, a small area of the southeastern corner of the park is needed on a temporary basis to allow construction of a new retaining wall on railroad property. The total park area affected by the temporary construction activity is estimated to be approximately 60 feet long along the railroad right-of-way and approximately 15 feet wide, with a total area of approximately 933 square feet. There are no programmed park uses of the area affected by the temporary construction.

The Illinois Historic Preservation Agency concurred with IDOT's determination that the temporary construction work would have no adverse effect on Hamilton Park. Therefore, the 75th Street CIP was found to have, "no impacts to historical, archaeological, or architectural properties that warrant National Register consideration and concurrence from the Deputy State Historic Preservation Officer (FEIS, H-1)."

Field visits were conducted on September 29th, 2017 and October 5th, 2017 that determined there have been no changes to the condition of the park where the temporary construction impact will occur and there have been no changes to the project's scope or design. Additionally, coordination occurred with the Illinois Department of Transportation's Cultural Resources Unit on September 28, 2017 and they indicated that cultural resource clearance received during preparation of the 75th Street CIP FEIS/ROD remains valid.

Therefore, no change to the cultural resource impacts were identified, and the environmental commitments related to cultural resources documented in the FEIS/ROD remain in effect.

H. Section 4(f) or Section 6(f) or Other Special Funded Lands.

Were any Section 4(f), 6(f), Open Space Lands, INAI, Nature Preserves, Land and Water Reserves, or OSLAD, or other uniquely-funded lands in the original study area? **Yes** **No**

If additional ROW is required, are there any of these 4(f), 6(f) or other special lands in the new ROW?

If 'YES', have there been any changes to the following since the approval of the original environmental document:

- The status of Section 4(f) properties affected by the proposed action or the project's effects on such 4(f) properties?
- The determination of whether the project would "use" land from a Section 4(f) property?
- The status of Section 6(f) or other uniquely funded properties affected by the proposed action?
- The determination of whether the use of a Section 6(f) or other special funded property is a "conversion of use" per Section 6(f) of the Land and Water Conservation Fund Act (LWCFA) or other regulation or statute?
- The status of Open Space Lands, Illinois Natural Areas Inventory (INAI), Nature Preserves, Land and Water Reserves, or Open Space Lands Acquisition and Development (OSLAD)?

The 75th Street CIP FEIS/ROD determined that Section 4(f), Section 6(f), and Other Special Funded Lands were located throughout the study area including a portion of the Cook County Forest Preserve District's Dan Ryan Woods, 14 municipal parks in the City of Chicago, and Patterson Park in Hometown, IL. All but three of these parks are located immediately adjacent to existing rail lines or a road bordering an existing rail line. Two of the parks and recreational areas have received federal Land and Water Conservation Fund (LAWCON) or state OSLAD funding assistance. One of the parks, Hamilton Park and its field house are listed on the National Register of Historic Places.

The FEIS documented temporary construction impacts, noise impacts requiring mitigation in the form of a noise wall, visual impacts, and changes in pedestrian access at parks in the study area (See FEIS Section 3.13 Special Lands: Section 4(f), Section 6(f), and OSLAD Lands). No other impacts to parks or other special lands were anticipated because of the Selected Alternative. There will be no impacts of any type to either Dawes or West Chatham Parks, the only 6(f)/OSLAD properties in the study area.

The 75th Street CIP FEIS/ROD concluded that the temporary construction impacts to Section 4(f) properties would not have an adverse effect on either park and therefore the temporary occupancy would not constitute a use under Section 4(f).

Field visits were conducted on September 29th, 2017 and October 5th, 2017 that determined there have been no changes to the condition of the parks where the temporary impacts will occur and there have been no changes to the project's scope, design, or mitigation and environmental commitments.

Therefore, no change to the Section 4(f), Section 6(f), and Other Special Funded Lands impacts were identified as part of the reevaluation, and the environmental commitments related to these resources documented in the FEIS/ROD remain in effect.

I. Wetland Impacts.

- | | <u>Yes</u> | <u>No</u> |
|---|--------------------------|-------------------------------------|
| Were any wetlands documented in the original study area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If additional ROW is needed, are there any wetlands present in the new ROW? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If 'YES' to either of the above questions, have there been any changes to the following since the approval of the original environmental document: | | |
| <ul style="list-style-type: none"> ▪ The project's wetland impacts? <ul style="list-style-type: none"> a. List total acres of original impact: N/A b. List total acres of new impact: N/A | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No wetlands were documented in the 75th Street CIP FEIS/ROD and there have been no changes to the project's scope or design since issuance of the ROD; therefore, a reevaluation of this environmental resource is not required.

J. Surface Water and Stormwater.

	<u>Yes</u>	<u>No</u>
Were any rivers, streams, lakes, or springs documented in the original study area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If 'YES', have there been any changes to the following since the approval of the original environmental document:

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> ▪ The project's effects on water bodies? ▪ Any streams listed by IEPA as impaired? ▪ A designated Wild and Scenic River or land adjacent to a Wild and Scenic River? ▪ The project's effect on discharges of stormwater into waters of the United States? ▪ Changes to the stormwater management methodologies resulting from project scope or design changes? | <input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/> | <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> |
|--|--|---|

No rivers, streams, lakes, or springs were document in the 75th Street CIP FEIS/ROD; however, there was one surface water feature:

“The only surface waters within the study area are the lagoons in Auburn Park, north of 79th Street and east of the Metra RID Line (see Figure 3.10 1). The park and lagoons are managed by the Chicago Park District. The lagoons are a remnant of the original wetlands that existed on the site in the 1870s, but are now an entirely maintained feature (FEIS, 3-146).”

The FEIS/ROD determined that the Selected Alternative would not impact these lagoons and there have been no changes the project's scope of work or design near the Auburn Park lagoons; therefore, a reevaluation of this environmental resource is not required.

K. Groundwater and Drinking Water Impacts.

- | | | |
|--|--|---|
| | <u>Yes</u> | <u>No</u> |
| <ul style="list-style-type: none"> ▪ Are there changes to groundwater impacts since the approval of the original environmental document? ▪ Are there any changes to the project's involvement with a public or private drinking water source? ▪ Are there any project activities that will occur in the Mahomet Sole Source Aquifer review area? (Coordination with USEPA may be required.) | <input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/> | <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> |

No groundwater or drinking water sources were documented in the 75th Street CIP FEIS/ROD and there have been no changes to the project's scope or design since issuance of the FEIS/ROD; therefore, a reevaluation of this environmental resource is not required.

L. Floodplain Impacts.

	<u>Yes</u>	<u>No</u>
Are there changes to floodplain impacts since the approval of the original environmental document?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No floodplains were documented in the 75th Street CIP FEIS/ROD and there have been no changes to the project's scope since issuance of the FEIS/ROD; therefore, a reevaluation of this environmental resource is not required.

M. Fish And Wildlife Impacts.

- | | | |
|---|--------------------------|-------------------------------------|
| | <u>Yes</u> | <u>No</u> |
| Have there been any changes to the following since the approval of the original environmental document: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <ul style="list-style-type: none"> ▪ The project's effects on wildlife or fish species or habitat? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- The project's effect on migratory birds?

No fish or wildlife impacts were documented in the 75th Street CIP FEIS/ROD and there have been no changes to the project's scope or design since issuance of the FEIS/ROD; therefore, a reevaluation of this environmental resource is not required.

O. Threatened And Endangered Species (T&E) Impacts.

	<u>Yes</u>	<u>No</u>
Were any T&E species or habitat documented in the original study area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If additional ROW is required, are there any T&E species or habitat in the new ROW?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have there been any changes to the following since the approval of the original environmental document:		
▪ The status of listed, proposed or candidate T&E species that will be directly or indirectly affected by the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ The status of critical habitat in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ The project's effect on listed, proposed or candidate T&E species or designated critical habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The 75th Street CIP ROD determined that the Selected Alternative would not have any impact on threatened and endangered species.

The ROD concluded the following for state listed species:

“The Illinois Department of Natural Resources (IDNR) Review Tool indicates that there are no records of any state or federally listed species within the project study area. Per the IDOT Biological Resources Review memorandums dated June 23, 2010, December 16, 2011, October 8, 2013, and January 30, 2014 (see Appendix H), no coordination of the project with the IDNR or the U.S. Fish and Wildlife Service is necessary (FEIS, 3-145).”

The ROD concluded that species federally listed as occurring in Cook County, Illinois, “occur in specialized habitats that do not occur within the project area. Therefore, the project would have no effect on these species or their habitats (FEIS, 3-145).” Since this determination was made in October 2013, the list of federally threatened and endangered (T&E) species was updated by the U.S. Fish and Wildlife Service (USFWS). Specifically, two species were added to the federal T&E species list:

1. Rusty patched bumble bee; and
2. Northern long-eared bat (NLEB).

The limits of the proposed improvement were evaluated for the presence of potentially suitable rusty patched bumble bee habitat. This evaluation included the use of guidance from USFWS, which uses modeling to identify zones where there is a high potential for the species to be present, called “high potential zones.” According to the USFWS guidance, the rusty patched bumblebee is not likely to be present for any project located outside the high potential zone, and consultation with USFWS or incidental take coverage is not necessary. Therefore, if a project is outside of a high potential zone, then a “no effect” determination is appropriate. The 75th Street CIP does not overlap an USFWS high potential zone or known rusty patched bumble bee record. In accordance with USFWS guidance, the project will have no effect to the rusty patched bumble bee.

The project will remove 43 trees located throughout residential neighborhoods within the 75th Street CIP study area. However, there are no known maternity tree roosts, maternity colonies, or hibernacula in the vicinity of the project study area. Additionally, there are no records of the NLEB in the project area. The potential for adverse impacts to the northern long eared bat was assessed in accordance with the USFWS *Programmatic Biological Opinion on Final (4) Rule for*

the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions. Based on that assessment, it was determined that the project will have no effect on the northern long-eared bat.

Attachment C contains the Transportation Review for Ecological Compliance (TREC) report and the updated USFWS species list, as well as email correspondence between IDOT OIPI and IDOT's Environment Section.

P. Unique Upland Habitat.

Was any unique upland habitat identified in the original study area? **Yes** **No**

If 'YES', have there been any changes to the following since the approval of the original environmental document:

- The project's effect on identified unique upland habitat?

No unique upland habitat was documented in the 75th Street CIP FEIS/ROD and there have been no changes to the project's scope since issuance of the ROD; therefore, a reevaluation of this environmental resource is not required.

Q. Air Quality (Conformity).

Have there been any changes to the following since the approval of the original environmental document: **Yes** **No**

- The project's effect on a nonattainment area or maintenance area, which will require a new or revised conformity determination?
- The requirement to perform a hot-spot analysis for mobile source air toxics or PM2.5?
- Is the project included in the fiscally constrained, conforming portion of the Plan and TIP?

There have been no changes to the design of the Selected Alternative or to the corresponding air quality analyses that would alter the associated findings or conclusions contained in the 75th Street CIP FEIS/ROD; therefore, a reevaluation of this environmental resource is not required. However, below is an overview of the analyses completed for the FEIS/ROD and their status, which are categorized by topic:

General Conformity

There have been no updates to the fuel consumption data as documented in the FEIS/ROD that would change the results of the analyses; however, the year of construction year has changed. Despite this change, the air quality emission factors for construction equipment are anticipated to be less; therefore, there is no change to the general conformity determination documented in the 75th Street CIP FEIS/ROD.

Transportation Conformity

The 75th Street CIP is included in the FY 2014-2019 Transportation Improvement Program (TIP) endorsed by the Metropolitan Planning Organization Policy Committee of the Chicago Metropolitan Agency for Planning (CMAP) for the region in which the project is located. Projects in the TIP are considered to be consistent with the 2040 regional transportation plan endorsed by CMAP. The project is within the plan; however, the project has funding needs beyond the horizon years in the TIP. Segments of the project will be moved into the TIP as funding is identified and its horizon years are advanced.

On October 9, 2014, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) determined that the 2040 regional transportation plan conforms with the State Implementation Plan (SIP) and the transportation related requirements of the 1990 Clean Air Act Amendments. On October 9, 2014, the FHWA and the FTA determined that the updated TIP also conforms with the SIP and the Clean Air Act Amendments. These findings were in accordance with 40 CFR Part 93, "Determining Conformity of Federal Actions to State or Federal Implementation Plans."

The project's design and scope are consistent with the project information used for the TIP conformity analysis. Therefore, this project conforms to the existing Statewide Implementation Plan and the transportation-related requirements of the 1990 Clean Air Act Amendments.

There are three TIP identification numbers associated with the 75th Street CIP: 01-07-0001 for the passenger corridor from LaSalle Street Station/Union Station to Canal Interlocking/Chicago Ridge Interlocking; 01-06-0058 for the 71st Street/CSX grade separation; and 01-05-0012 for the East-West Corridor, including Belt Junction.

Particulate Matter (PM) Hot Spot Analysis

The existing and projected passenger train volumes associated with the Metra Rock Island District (RID) line and the Metra SouthWest Service line remain unchanged from the FEIS/ROD. Therefore, no changes are required to the truck-train analysis and the train arrival analysis contained in the FEIS/ROD. The 75th Street CIP is not considered a project of air quality concern and no PM hot-spot analysis is required.

Microscale Analysis

- Locomotive Analysis – There have been no updates to the fuel consumption data documented in the FEIS/ROD that would change the results of the locomotive emissions analysis; therefore, there have been no changes to the estimated annual emissions of the Selected Alternative documented in the 75th Street CIP FEIS/ROD (FEIS, 3-99).
- Roadway Carbon Monoxide Analysis – The design of the project has not changed. In accordance with the IDOT- Illinois Environmental Protection Agency (IEPA) "Agreement on Microscale Air Quality Assessments for IDOT Sponsored Transportation Projects," this project is exempt from a project-level carbon monoxide air quality analysis because it does not add through lanes or auxiliary turning lanes (FEIS, 3-99).

Mobile Source Air Toxics Analysis (MSATs)

There have been no updates to the fuel consumption data documented in the FEIS/ROD that would change the results of the MSAT analysis; therefore, there have been no changes to the MSAT determination documented in the 75th Street CIP FEIS/ROD (FEIS, 3-100).

R. Noise Impacts.

Have there been any changes to the following since the approval of the original environmental document:

	<u>Yes</u>	<u>No</u>
▪ The project's scope or design that would change the project to a Type I project per IDOT's Noise Manual?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ Project parameters that would require a revision to the noise analysis completed for the original environmental document?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ Project parameters that would change the decision on mitigation measures for identified noise impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ Changes in federal or state noise regulations or policy? [Note: IDOT's highway traffic noise assessment manual was updated in May 2017; however, the CREATE Noise and Vibration Assessment Methodology (June 2014), which governs the noise and vibration analysis for this project remains unchanged.]	<input type="checkbox"/>	<input checked="" type="checkbox"/>

There have been no changes to the scope or design of the 75th Street CIP or to the CREATE Noise and Vibration Assessment Methodology (CREATE Methodology) (June 2014) since issuance of the 75th Street CIP FEIS/ROD (September 19, 2014). The FEIS/ROD documented the presence of sensitive land uses throughout the noise evaluation study area and determined their proximity to the railroads. Field visits conducted on September 29th, 2017 and October 5th, 2017 verified no noticeable change to the presence, location, or overall number of sensitive land uses documented in the FEIS/ROD. Additionally, no noticeable changes were observed in the built environment that would be anticipated to change existing noise volumes documented in the FEIS/ROD.

The FEIS/ROD assessed noise levels of the Selected Alternative based on a measurement of background noise levels when no CREATE Program trains are using the tracks and a prediction of freight and passenger train noise levels,

which are calculated using existing and predicted train volumes, which are identified using the Chicago Transportation Coordination Office (CTCO) train model. As documented in the FEIS/ROD, train volumes, “including number of trains during the day and night periods, number of cars and locomotives per train, and train speed were estimated by the Chicago Transportation Coordination Office (CTCO) for each track in the project study area and for each condition – Existing, No-Build, and Build (FEIS, 3-111).”

Ambient noise measurements were completed in 2010 and CTCO provided passenger and freight train data in 2011. Under the no-build condition, CTCO projected that the 75th Street CIP study area would essentially reach full capacity in the year 2024 (FEIS, 3-64). The 2011 CTCO train data indicated that the study area would reach capacity under the Selected Alternative as well, but not until the year 2029. Under such conditions, additional trains would be unlikely to travel through the study area because they would experience an unacceptable level of delay and travel time reliability.

The 75th Street CIP FEIS/ROD documented the following noise analysis results:

“A total of 1,359 residential noise impacts – 1,092 moderate and 267 severe – have been predicted for the Build Alternative. Three institutional land uses would be moderately impacted – Leland Giants Park, Fernwood Parkway Park, and (Wendell) Smith Playlot Park. An additional seven institutional land uses would experience interior impacts – four religious facilities (God’s Way Apostolic Faith Church, Freedom Temple Church of God, Trinity United Church of Christ, and St. Thaddeus Catholic Church), and three schools (the Ashburn Community Elementary School, the Parker Elementary Community Academy/Amandla Elementary Charter School, and the Banner School) (FEIS, 3-117).”

To mitigate the predicted impacts, the FEIS/ROD committed to implementation of four noise walls as part of the 75th Street CIP (Barriers G, H, M, and N). The FEIS/ROD also committed to implementation of a fifth barrier (Barrier O) to mitigate impacts to minority and low-income populations, as well as exploring implementation of a quiet zone on the UP Villa Grove Subdivision during Phase II final design (see FEIS Section 3.2.7 Environmental Justice). As noted in the FEIS/ROD, the noise analysis area for the 75th Street CIP overlaps with the noise analysis area for the CREATE EW3 Project. Based on the viewpoint solicitation completed as part of the EW3 Project, Barrier O is currently included as part of the CREATE EW3 Project.

CTCO periodically reviews actual train volumes and trends within the Chicago terminal and compares them to the CTCO train model output. The purpose of the review process is to validate the continued use of the CTCO train model as an appropriate operational planning tool. As part of this reevaluation, IDOT OIPI coordinated with CTCO to assess whether the 2011 train model data was still an appropriate data set for the noise and vibration assessments documented in the FEIS/ROD. CTCO confirmed there have not been any meaningful changes to the study area’s freight and passenger rail network over this same time period that were not previously considered as part of the CTCO train model output, or that would notably change the capacity of the 75th Street CIP study area in either the base year or the design year. CTCO confirmed that no meaningful changes were made to the CTCO train model over the past three years and, as a result, the 2011 train model data documented in the FEIS/ROD remains valid. CTCO also confirmed that, under the Selected Alternative, the study area would continue to reach capacity by the end of the design year, even after construction of the 75th Street CIP. In other words, no additional trains would travel through the project study area. Therefore, the noise and vibration analyses documented in the 75th Street CIP FEIS/ROD assess the worst-case noise and vibration conditions under the Selected Alternative, and no additional analyses are required as part of this reevaluation.

All environmental commitments related to mitigation of predicted noise and vibration impacts remain in effect for the 75th Street CIP.

S. Special Waste (Recognized Environmental Condition (REC) or Contaminated Properties).

Were any special waste or REC sites identified in the original study area?

<u>Yes</u>	<u>No</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

If ‘YES’, have there been any changes to the following since the approval of the original environmental document:

- The status of known or potentially contaminated sites within or adjacent to the existing or proposed ROW (temporary or permanent)?
- Any proposed excavation plans adjacent to, or within, a known REC site?
- Was this a Risk Managed site?
- The potential for encountering contamination during construction?
- Additional bridge repairs or replacements requiring asbestos inspection?

The scope and design of the 75th Street CIP have not changed since the approval of the 2014 FEIS/ROD. As a result, no additional bridge repairs or replacements have been identified.

The 75th Street CIP FEIS/ROD recommended Preliminary Site Investigations (PSIs) for 52 special waste sites rated as having a Moderate or High Risk for soil or water contamination or other environmental hazards, “such as hazardous substances and petroleum products (common sources of potential Special Waste), in order to protect construction workers, residents of the project area, and the local environment from inadvertent exposure to hazardous wastes during construction of the project (FEIS, 3-149).” These PSIs would be conducted prior to the completion of Phase II design and prior to any excavation or disturbance of soils for construction.

The FEIS/ROD committed to completing the PSIs during Phase II (final design), as well as to implement any required mitigation measures during construction. These commitments remain in effect. Additionally, since more than 3 years have passed since the completion of the Preliminary Environmental Site Assessment (PESA), the project will be re-assessed as a new project in accordance with IDOT’s special waste policy and, if needed, a new Preliminary Environmental Site Assessment (PESA) will be prepared for the project. Based on the results of the new PESA, the commitments regarding special waste issues may be refined or updated at that time.

T. Construction Impacts.

Have there been any changes to the following since the approval of the original environmental document:

- | | <u>Yes</u> | <u>No</u> |
|--|--------------------------|-------------------------------------|
| ▪ Temporary degradation of water quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ Temporary wetland impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ Temporary stream diversion? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ Temporary degradation of air quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ Temporary delays and detours of traffic? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ Temporary impacts on businesses? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ Temporary noise impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ Other construction impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The 75th Street CIP ROD determined that construction of the Selected Alternative would result in temporary construction impacts. The FEIS assumed that, “construction of the project will likely be conducted in several phases to better accommodate day to day rail operations through the corridor and to match the likely availability of funding (ROD, 15).” There have been no changes in the assumed construction phasing or methods since issuance of the ROD; therefore, a reevaluation of construction impacts is not required and all environmental commitments related to temporary construction impacts remain in effect.

U. Permits And Authorization(s).

Are permits or other authorizations required for work in the study area, as originally proposed? **Yes** **No**

Have there been any changes to the status of permits and authorizations since the approval of the original environmental document?

The 75th Street CIP ROD committed to obtaining a National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharges and preparing the required Stormwater Pollution Prevention Plan (SWPPP) prior to construction. The ROD also committed to obtaining several permits from the City of Chicago, as required (See FEIS Section 3.15 Permits/Certifications) for construction. Since issues of the ROD, there have been no changes to the status of permits and authorizations; therefore, a reevaluation of permits and authorizations is not required and all environmental commitments related to permits and authorizations remain in effect.

V. Environmental Commitments.

Are there any changes to the environmental commitments made in the original environmental documents? **Yes** **No**

Are there any new environmental commitments?

A list of environmental commitments made in the FEIS/ROD is provided in Attachment D. No new environmental commitments were made as part of this reevaluation and the original commitments remain in effect.

7. COMMENTS AND COORDINATION.

Has public and/or agency coordination occurred since the approval of the original environmental document? **Yes** **No**

Is there any public controversy regarding the proposed action?

The 75th Street CIP was developed using IDOT’s context sensitive solutions (CSS) process, which includes extensive public outreach through all phases of the project, including design, construction and operation. CSS is an interdisciplinary approach that seeks effective transportation solutions by working with stakeholders to develop, build, and maintain transportation facilities that fit into and reflect the project's surroundings - its “context.”

The primary method of engaging stakeholders and the general public in the project development process has been through targeted meetings, including the following:

- Project Study Group (PSG) Meetings:
- Community Advisory Group (CAG) Meetings:
- Meetings with 16 different elected officials and community leaders
- Public meetings
- A formal public hearing
- Agency coordination meetings

The study team used several other methods and tools to communicate with stakeholders and the general public. These methods included project branding, brochures and fact sheets, and a project website (<http://www.75thcip.org/>).

In addition to the comments and coordination documented in the FEIS, the 75th Street CIP ROD committed to continue using the CSS process through final design, construction, and operation of the Selected Alternative (See FEIS Section 3.21 Environmental Commitments).

Public outreach was not conducted as part of this reevaluation because the scope and design of the project remain unchanged. Once funding is identified and obtained and a schedule for Phase II final design and/or Phase III construction is developed, additional outreach will occur in accordance with IDOT’s CSS process and the environmental commitments documented in the 75th Street CIP FEIS/ROD.

8. ENVIRONMENTAL REEVALUATION DETERMINATION.

The conclusions of this reevaluation and supporting supplemental analysis indicate that the original approved environmental decision remains valid?

Yes



No



This reevaluation documented that since issuance of the 75th Street CIP FEIS/ROD, there have been no changes in the project's alternatives or in the preliminary design of the Selected Alternative. This reevaluation determined that the environmental conditions and conclusions documented in the FEIS/ROD remain accurate and valid, as well as consistent with applicable environmental laws, regulations, and/or policies.

IDOT OIPI prepared this reevaluation of the project's FEIS/ROD in anticipation of starting Phase II final design in 2018 and construction of two project segments thereafter. This reevaluation was prepared in accordance with the requirements of the Federal Highway Administration Rules and Regulations set forth in 23 CFR 771.129.

9. ATTACHMENTS.

Attachment A – CREATE Program Map and 75th CIP Project Location

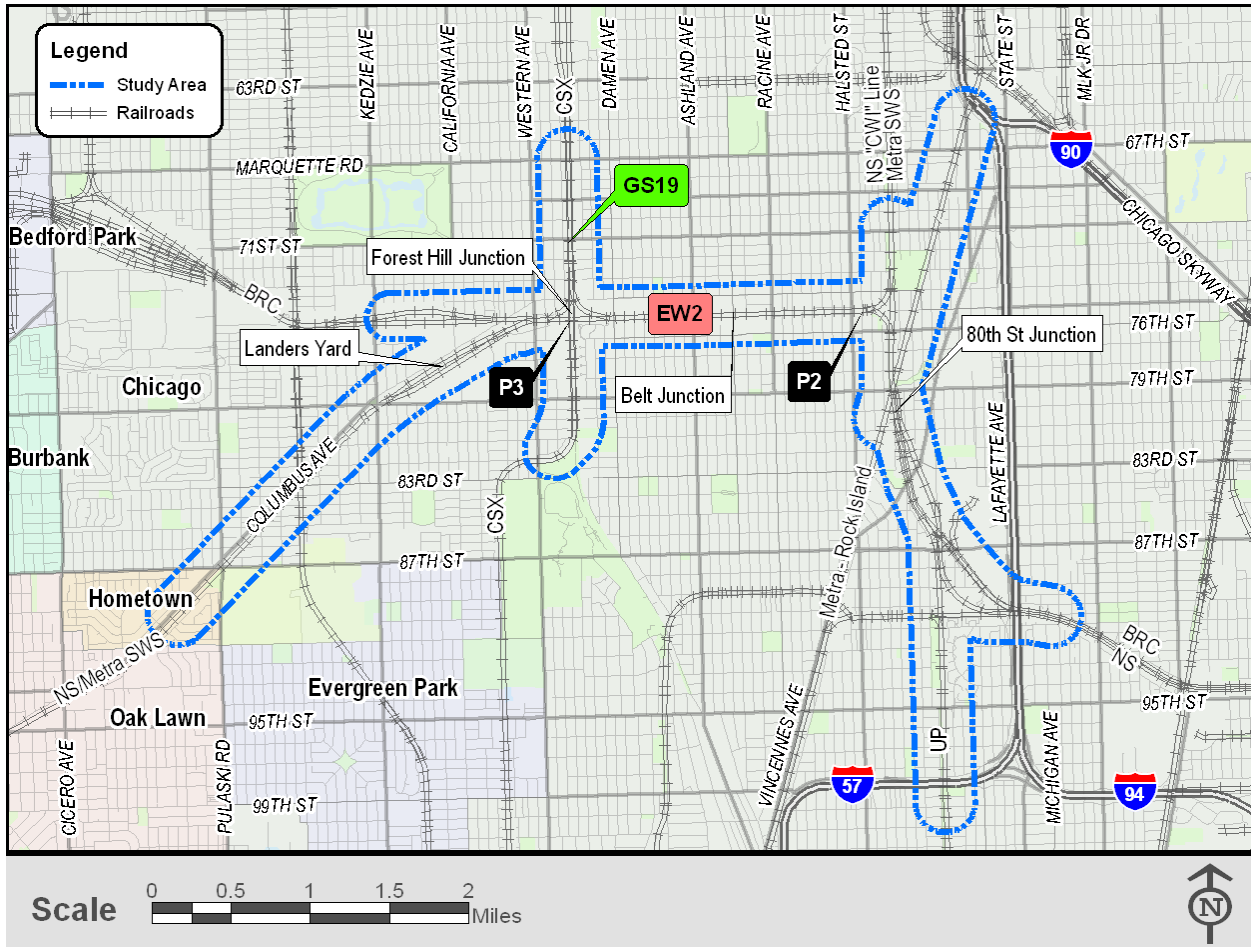
Attachment B – List of Environmental Resources That Have Changed

Attachment C – Mitigation and Environmental Commitments

ATTACHMENT A
CREATE Program Map and 75TH Street CIP Project Location



Attachment A – Figure 1: CREATE Program Project Map



Attachment A – Figure 2: 75th Street CIP Project Study Area

ATTACHMENT B
Environmental Resources That Have Changed

Michael Hurley

From: Hurley, Felecia A <Felecia.Hurley@illinois.gov>
Sent: Tuesday, October 3, 2017 2:24 PM
To: Ronald Deverman
Cc: Michael Hurley; Tuck III, Samuel; Reina, Nestor A.; Trotter, Jakita; Sherrill, John; Adin McCann; Hargrove, Susan Dees
Subject: RE: CREATE 75th Street CIP Reevaluation ESR Update (Sequence #11761)

I would like to change one statement below.

Rusty Patched Bumble Bee

The project is not within the high potential zone for the rusty patched bumble bee so it is not included in the USFWS species list. Thus, state that the project occurs outside of the high potential zone and based on USFWS guidance there will be a no effect.

-----Original Message-----

From: Ronald Deverman [mailto:rdeverman@HNTB.com]
Sent: Monday, October 02, 2017 11:58 AM
To: Hurley, Felecia A
Cc: Michael Hurley; Tuck III, Samuel; Reina, Nestor A.; Trotter, Jakita; Sherrill, John; Adin McCann; Hargrove, Susan Dees
Subject: [External] Re: CREATE 75th Street CIP Reevaluation ESR Update (Sequence #11761)

Thanks Felecia. This is very useful information. Ron

Sent from my iPhone

> On Oct 2, 2017, at 11:43 AM, Hurley, Felecia A <Felecia.Hurley@illinois.gov> wrote:
>
> Attached is the TREC report and the USFWS species list. The only thing that has changed, regarding natural resources, since the EA is the Rusty patched bumble bee and Northern long eared bat have been listed.
>
> **Rusty Patched Bumble Bee**
> The project is not within the high potential zone for the rusty patched bumble bee so it is not included in the USFWS species list. Thus, there is no need to discuss this species in the reevaluation.
>
> **Northern Long Eared Bat (NLEB)**
> NLEB is a no effect determination. There are no records of that species in the project area. Instead of us doing an NRR I suggest including the attached documentation in the reevaluation, stating that this species was listed after the EA, and making the no effect determination in the reevaluation.
>
> If you have any additional questions please let me know.
> Felecia Hurley
> IDOT - BDE
> Environment Section
> 217-785-2130
> felecia.hurley@illinois.gov
>
> From: Michael Hurley [mailto:mhurley@HNTB.com]

> Sent: Friday, September 29, 2017 3:25 PM
> To: Hurley, Felecia A; Hargrove, Susan Dees
> Cc: Tuck III, Samuel; Reina, Nestor A.; Trotter, Jakita; Sherrill,
> John; Ronald Deverman; Adin McCann
> Subject: [External] CREATE 75th Street CIP Reevaluation ESR Update
> (Sequence #11761)
>
> Resending with correct email address. Sincerely, M
> _____
>
> Felecia/Susan,
>
> On behalf of the IDOT Office of Intermodal Project Implementation (OIPI), I am contacting you to request an update to the biological clearance received for the CREATE 75th Street Corridor Improvement Project (CIP) (Sequence #11761). OIPI is preparing a reevaluation of the project's FEIS/ROD (signed 9/16-19/2014) in anticipation of starting Phase II final design in 2018 and construction of two project segments thereafter.
>
> For reference, attached is a map identifying the project's location and Environmental Survey Request (ESR) limits, and I'll file transfer you two detailed maps that are too large to email. There is no change to the ESR limits from the prior clearances (Sequence #s 11761, 11761A, 11761B, 11761C). Also, it does not appear that shapefiles were previously provided. If those are needed, we can prepare and provide.
>
> We coordinated with John Sherrill, Kim Kessinger, and Brad Koldehoff on 9/28/2017 and they advised us to contact you via email to request this update. The 75th Street CIP last received biological clearance on 1/30/2014. The review found none of the following:
>
> * State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves;
> * Wetlands; or
> * Listed species or critical habitat.
> Kim asked that we note that the rusty patched bumble bee was added to the list of endangered, threatened, and candidate species since the project was last cleared and that the project involves removal of 43 trees located throughout a residential neighborhood, which may relate to the northern long-eared bat.
>
> The project received cultural clearance on 11/26/2014. The project's scope of work has not changed and the environmental commitments related to cultural resources remain intact; therefore, we understand an update to the cultural clearance is not needed at this time.
>
> OIPI is targeting completion of the reevaluation on or before October 22nd, 2017. The timeline is directly linked with the submission of a federal grant application to fund Phase II final design and partially fund Phase III construction of the 75th Street CIP. John and Kim suggested we provide our desired response date with the understanding that it may not be feasible if issues or concerns are identified once you initiate your review process. Therefore, we respectfully request the updated biological clearance on or before October 13, 2017. Additionally, we would greatly appreciate an update if any potential issues or concerns are identified once you initiate your review process.
>
> Sincerely,
> Michael
>
> Michael P. Hurley, AICP
> Planner
> Department of Planning
> Tel (312) 798-0364 Cell (312) 498-8220

>
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>
> _____
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>
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>
> <image001.png>
> <image002.png>
> <image003.png>
> <image004.png>
> <TREC2017.pdf>
> <Species List_ Chicago Ecological Service Field Office.pdf>

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.

Sequence #: 11761

75th St. Corridor (CREATE)
Resource in Vicinity of Project Polygon

*Ducks Unlimited Wetlands

*National Wetlands Inventory

INAI & NP w/in 1 mile

*none found

No Resource Found

*INAI

*T&E

*Nature Preserve

*Roadside Prairie Inventory

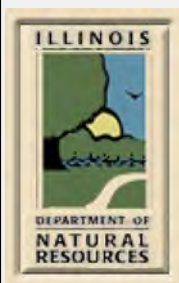
County: COOK

Section(PLSS): 3 38N14E18

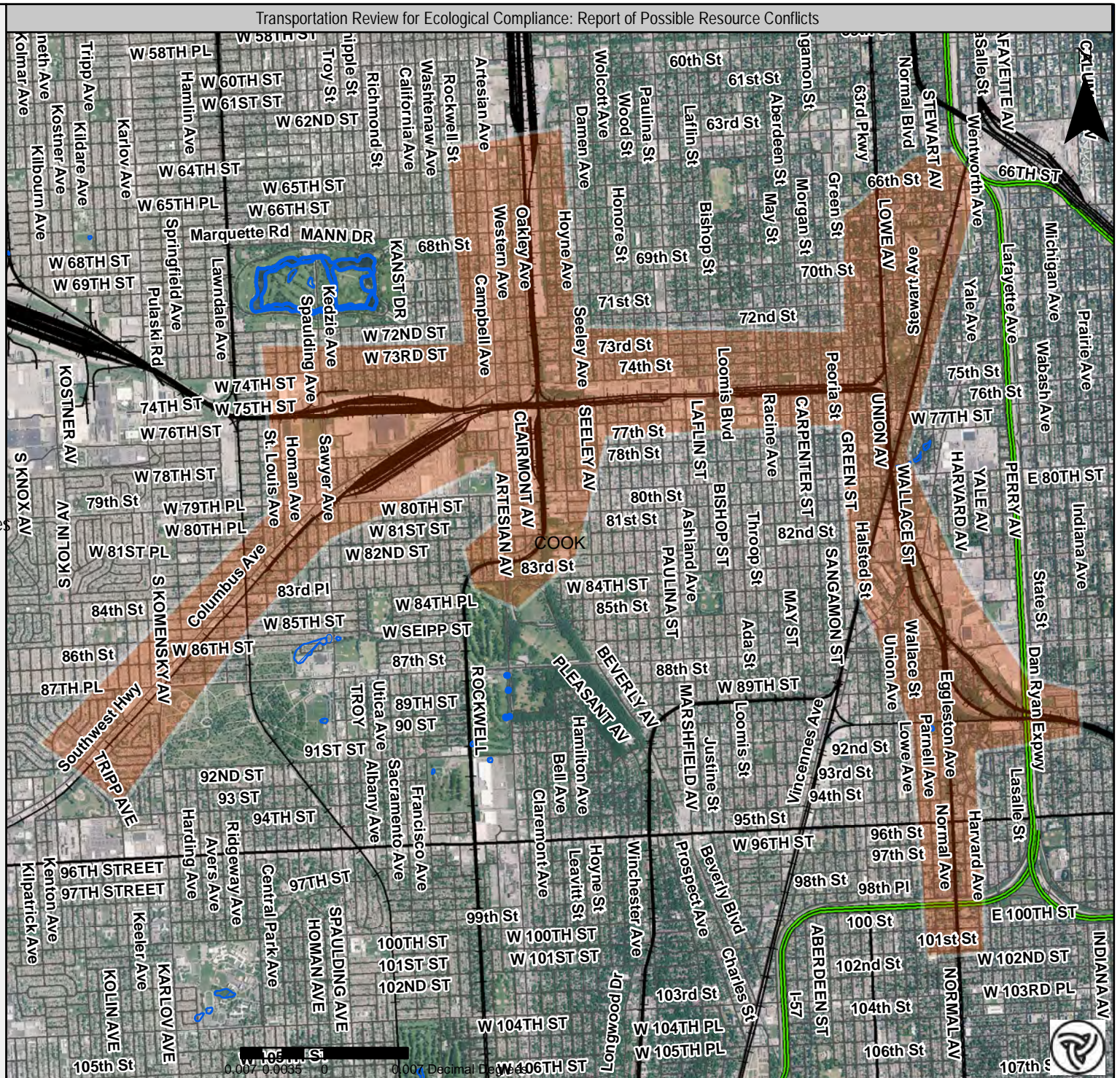
Area: 7.26241 sq. miles = 4647.94363 acres

Report created by Felecia Hurley

-  Threatened & Endangered Species (T&E)
-  Nature Preserve (NP)
-  Illinois Natural Areas Inventory (INAI)
-  Wetlands
-  INHS Wetland
-  Roadside Prairie Inventory



Include as additional documentation with permit applications (USACE).





United States Department of the Interior



FISH AND WILDLIFE SERVICE

Chicago Ecological Service Field Office
U.s. Fish And Wildlife Service Chicago Ecological Services Office
230 South Dearborn St., Suite 2938
Chicago, IL 60604-1507
Phone: (312) 216-4720 Fax:

<http://www.fws.gov/midwest/endangered/section7/s7process/7a2process.html>

In Reply Refer To:

September 29, 2017

Consultation Code: 03E13000-2017-SLI-0598

Event Code: 03E13000-2017-E-01452

Project Name: 75th St Corridor, CREATE; Seq. no. 11761

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Please note! For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

For all other projects, continue the Section 7 Consultation process by going to our Section 7 Technical Assistance website at <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. If you are familiar with this website, you may want to go to Step 2 of the Section 7 Consultation process at <http://www.fws.gov/midwest/endangered/section7/s7process/step2.html>.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and

completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chicago Ecological Service Field Office

U.s. Fish And Wildlife Service Chicago Ecological Services Office

230 South Dearborn St., Suite 2938

Chicago, IL 60604-1507

(312) 216-4720

Project Summary

Consultation Code: 03E13000-2017-SLI-0598

Event Code: 03E13000-2017-E-01452

Project Name: 75th St Corridor, CREATE; Seq. no. 11761

Project Type: TRANSPORTATION

Project Description: The proposed action involves the construction of two rail fly over structures, 29.4 miles of new rail track, and 10.8 miles of relocated track. There will be new rail bridge structures at 4 locations (not including the two new rail flyovers), replacement of existing rail bridges at 3 locations, rehabilitation or modification of existing rail bridges at 23 locations, and one highway-rail grade separation. The proposed action is located in the City of Chicago, Cook County, Illinois. The proposed action will eliminate major rail conflicts at three rail junctions and one at-grade roadway crossing. It will also provide substantial structural, drainage, roadway and lighting improvements at 36 existing rail viaducts to improve local mobility. The proposed action will require the acquisition of a total of 16.7 acres of right-of-way, of which 14.9 acres are currently vacant residential or industrial parcels. A total of 27 residential dwelling units (26 occupied and 1 vacant) and one church will be acquired. No wetlands will be affected by the proposed action.

Project Location:

Approximate location of the project can be viewed in Google Maps:

<https://www.google.com/maps/place/41.745399193818415N87.68076904313827W>



Counties: Cook, IL

Endangered Species Act Species

There is a total of 10 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) There is final designated critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Endangered
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Reptiles

NAME	STATUS
Eastern Massasauga (=rattlesnake) <i>Sistrurus catenatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2202	Threatened

Insects

NAME	STATUS
<p>Hine's Emerald Dragonfly <i>Somatochlora hineana</i></p> <p>There is final designated critical habitat for this species. Your location is outside the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/7877</p>	Endangered
<p>Rattlesnake-master Borer Moth <i>Papaipema eryngii</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/7863</p>	Candidate

Flowering Plants

NAME	STATUS
<p>Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> Follow the guidance provided at https://www.fws.gov/midwest/endangered/section7/s7process/plants/epfos7guide.html <p>Species profile: https://ecos.fws.gov/ecp/species/601</p> <p>Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/984/office/31131.pdf</p>	Threatened
<p>Leafy Prairie-clover <i>Dalea foliosa</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/5498</p>	Endangered
<p>Mead's Milkweed <i>Asclepias meadii</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/8204</p>	Threatened
<p>Prairie Bush-clover <i>Lespedeza leptostachya</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/4458</p>	Threatened

Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.

ATTACHMENT C
Mitigation and Environmental Commitments

Following are the Mitigation and Environmental Commitments included in the 75th Street CIP FEIS/ROD:

Right-of-Way Acquisition

Under the Build Alternative, a total of 26 occupied residential dwelling units (comprised of 8 occupied single-family dwellings and 18 dwelling units in 7 multi-family buildings) and one church (I Care Christian Ministries) are proposed to be acquired. IDOT, CDOT, and/or the lead participating railroad will complete the acquisition of private property in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970104 and the IDOT Land Acquisition Manual.105. Just compensation will be provided for property to be acquired. Fair market value is accepted as the standard for determining just compensation. The fair market value will be determined by appraisers hired by the organization responsible for the property acquisition. 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.

Environmental Justice

Impacts associated with the Build Alternative, whether beneficial or adverse, would be predominantly borne by minority and low-income populations. Under the Build Alternative, disproportionate adverse noise, vibration, and visual impact on Title VI and Environmental Justice populations as defined by Title VI of the Civil Rights Act of 1964 and EO 12898 would remain even after mitigation. As a result, additional practicable mitigation and enhancement measures (those not considered under the current IDOT or CREATE Program policies) that could minimize impacts or provide offsetting benefits to the affected communities and individuals were evaluated under the flexibility provided by the FHWA's Environmental Justice Order 6640.23A in order to address concerns for equity and in consideration of the disproportionate impacts of the project. The CREATE Environmental Justice Policy was also referenced to determine the practicability of other mitigation and enhancement measures to address disproportionately high and adverse impacts to minority and low-income populations.

Input about these additional measures and offsetting benefits was gathered from the involved agencies, the CAGs, local officials, residents of the study area, and other project stakeholders. The feedback received from all parties demonstrated support for implementation of all of the additional mitigation measures.

Four noise barriers are likely to be implemented as part of the 75th Street CIP (see Noise and Vibration section below). IDOT, FHWA, and the participating railroads are committed to providing the additional Noise Barrier O and mortgage assistance to eligible property owners to mitigate disproportionately high and adverse impacts. IDOT, CDOT, and the participating railroads will commit to further exploring additional job training and education opportunities during Phase II final design and Phase III construction. FHWA will support this commitment by IDOT, CDOT, and the participating railroads for on-the-job training and education opportunities.

Other mitigation measures were evaluated including a quiet zone on the UP Villa Grove Subdivision, bus stop improvements, sidewalk improvements, bicycle facility improvements, remnant and vacant parcel improvements, and streetscape improvements. However, these measures are outside the jurisdiction of FHWA and IDOT and will require coordination with other agencies such as CDOT and CTA. Although FHWA and IDOT cannot commit to implementing these measures, they do commit to coordinating with the responsible agencies during Phase II (final) design to advance the planning and design of mitigation measures. It is important to note that the intent of the additional mitigation measures is that the 75th Street CIP project would provide capital funding only (i.e., no maintenance and operational funding would be included). The responsible agencies would need to commit the resources required to perform the work to plan, design, operate and maintain any associated infrastructure. These actions would need to occur during the Phase II (final) design process so that the required funding could be procured for their construction. These measures—which are intended to address noise impacts, visual impacts, and community impacts, as well as local mobility needs—are detailed in Section 3.2.7.

While the implementation of these additional mitigation measures is desirable, IDOT's and FHWA's decision to move forward with the project would not change if the additional mitigation measures outside of their control are not implemented. Consequently, if these additional mitigation measures are not implemented by the responsible external agency, it would not affect the commitments stated in the Final EIS and would not create the need to update the

Preferred Alternative.

Traffic during Construction

Construction activities for the Build Alternative have the potential to affect traffic on project area roadways, particularly at the 36 existing viaduct locations proposed for improvement. A Traffic Management Plan will be required for each major construction contract. IDOT, CDOT, and/or the lead participating railroad will develop the plan in coordination with the relevant public agencies and local officials, and will cover maintaining access to local residences and businesses, coordination with emergency service providers, and coordination with transit agencies where necessary to ensure access for local users throughout the full period of construction.

Air Quality during Construction

IDOT, CDOT, and/or the lead participating railroad will submit a Dust Control Plan for approval prior to beginning construction; adhere to all federal, state and local laws pertaining to dust control; maintain the construction site to minimize dust conditions that would adversely affect construction or railroad operations, including equipment operation and worker safety; maintain the construction site to minimize spreading of dust to adjacent land and property owners including homes and businesses; ensure that the operating safety of adjacent highways and roadways is not adversely affected by spreading of dust from the construction site.

Noise and Vibration

IDOT, CDOT, and/or the lead participating railroad will assure compliance with applicable Cook County, City of Chicago, and City of Hometown regulations. To reduce noise and vibration impacts during the period of construction, the use of pile-driving, if determined to be necessary, will adhere to all applicable City of Chicago ordinances for noise and vibration. IDOT, CDOT, and/or the lead participating railroad will develop contract documents that will require the contractor to coordinate with local schools to schedule pile driving activities so as to not interfere with State of Illinois mandated testing periods. Schools in the vicinity of potential pile driving activities currently include Southside Occupational Academy High School (7342 S. Hoyne Avenue), St. Rita High School (7740 S. Western Avenue), and Stagg Elementary School (7424 S. Morgan Street).

The following maintenance procedures will be accomplished by the rail industry to mitigate vibration impacts through minimizing vibration sources: regularly scheduled rail grinding, wheel truing programs, vehicle reconditioning programs, and the use of wheel-flat detectors.

The noise and vibration analysis for this project may need to be reassessed if: a) the project is revised in a manner in which impacts of the project may change due to the project revisions (e.g., a new track alignment is moved closer to a receptor), or b) the CREATE Program's train model is updated due to projects being removed from or added to the CREATE Program.

Based on the preliminary design, IDOT and/or the lead participating railroad are likely to implement four noise barriers, benefitting 189 residences and one park: Barrier G (benefitting NEA R10), Barrier H (benefitting NEA R11), Barrier M (benefitting NEA R14/15), and Barrier N (benefitting NEA R17). A fifth barrier is likely to be implemented to mitigate impacts to low-income and minority populations. This barrier, Barrier O (benefitting NEA R18) will benefit 57 residences. The final decision on implementation of recommended noise mitigation measures will be made upon the completion of the project design and the public involvement process.

The noise analysis area for the 75th Street CIP overlaps with the noise analysis area for the CREATE EW3 Project. Due to this overlap and the resulting consistency in the noise analysis results, noise abatement is currently recommended for both projects to mitigate predicted impacts to low-income and minority populations. It is likely that the EW3 project will implement noise abatement in this area prior to 75th Street CIP. For this reason, IDOT and FHWA solicited the viewpoints of benefited receptors in the area of Barrier O as part of the EW3 Project. The feedback received during this process indicated that the affected residents desired the implementation of Barrier O. Based on the analysis and the preliminary design, Barrier O is likely to be implemented as part of the EW3 project. If it subsequently develops during the final design of the EW3 project that constraints not foreseen in the preliminary design occur, or public input substantially changes, the abatement measure may need to be modified or removed from the EW3 project plans. A final decision on the implementation of Barrier O will be made upon completion of the EW3 project's final design and

corresponding public involvement process.

Visual Resources

The Metra Rock Island connection flyover bridge would require the acquisition of 20 residential parcels in the area immediately south of Hamilton Park, but the permanent right-of-way would not require the full use of all of these parcels. Based on the Phase I (preliminary) design, there would be a total of 1.39 acres of parcel remnants adjacent to the proposed flyover. IDOT, CDOT, and/or the lead participating railroad will landscape these parcels to screen the view of the rail flyover structure, thus minimizing the visual impacts. The parcels could also be landscaped by a public or private organization using project funds, transferred to the City of Chicago, or to an adjacent property owner through the City of Chicago's adjacent neighbors program, or used for other community purposes. Details will be determined through the CSS process in Phase II (final) design.

IDOT, CDOT, and/or the lead participating railroad will also landscape along the east side of the CSX railroad tracks to minimize visual impacts where the new rail flyover would be constructed. Trees will be planted along the eastern side of the CSX right-of-way and/or on adjacent City of Chicago property parallel to the new flyover structure.

Many design details (e.g., color, texture, public art) could still be changed or added in the final engineering phase of the project. Because the 75th Street CIP is designated as a CSS project, IDOT will continue to seek community input at meetings through the Phase II design process. Some type of aesthetic treatment for the walls could potentially be used to minimize the visual impacts in some locations. The public will have the opportunity to provide input about various design details during the Phase II design of the project. Potentially, funding could be designated for new or replacement murals, or other public art, as a mitigating action.

Special Waste

IDOT, CDOT, and/or the lead participating railroad will complete a Preliminary Site Investigation (PSI) in the vicinity of the 52 sites in 15 general areas ranked as having a moderate or high Risk Finding as identified by the Preliminary Environmental Site Assessment (PESA) and the 2014 PESA Update. The purpose of the PSI is to clarify the risks presented at sites where a maximum depth of excavation stipulation may be necessary to protect worker safety or where potentially impacted soil could require special handling or disposal. The PSIs will be conducted prior to the completion of Phase II design and prior to excavation or disturbance of soils for construction. Required remediation, if needed, will also be completed by the responsible agency.

Tree Replacement

It is estimated that approximately 43 trees in the residential neighborhood south of Hamilton Park would need to be removed in order to construct the proposed Metra connection to the RID Line. To mitigate for this impact, IDOT, CDOT, and/or the lead participating railroad will replace all public street trees, all landscape trees (i.e., trees planted intentionally, rather than volunteer growth), and all other trees of over six-inch diameter at breast height (i.e., 4.5 feet above ground level) on a one-for-one basis per IDOT policy. Replacement trees will be planted in appropriate street locations within the immediate neighborhood where the tree removals take place, or on the unused portion of parcels acquired for the project. The locations of all tree replacements will be coordinated with the City of Chicago Bureau of Forestry during Phase II design. This requirement does not apply to trees on existing railroad property that are removed in order to construct the 75th Street CIP.

Trees removed for construction in other areas may also be replaced in consultation with local stakeholders during final Phase II design. Tree and vegetation replacement in the construction areas within Hamilton and Leland Giants Parks is discussed below.

Control of Nuisance Species

For all construction contracts, the contracting entities will comply with City of Chicago municipal ordinance 13-32-325. This ordinance requires contractors to complete rodent surveys, and abatement where applicable, in order to obtain a permit for the demolition of any building or structure. Additionally, contractors will control nuisance species, such as rodents, during the initial land-clearing phase of the work and as needed through the completion of construction in order to protect adjacent residential areas.

Hamilton Park and Leland Giants Park

New retaining walls could be constructed on railroad property along the east property line of Hamilton Park, just north of 74th Street and along the north and east property line of Leland Giants Park, just south of 75th Street. Permits will be obtained from the Chicago Park District to allow for construction of the new retaining walls. One condition of the construction permits will be the development and implementation of a landscaping plan to restore the affected areas of the parks.

Coordination will continue during Phase II (design) with the IHPA and Chicago Park District to develop an appropriate landscaping plan in the affected area of Hamilton Park, as well as to coordinate the aesthetic treatment of the exposed face of the new retaining wall at Hamilton Park.

Damen Avenue Bridge Façade

Although the Illinois Historic Preservation Agency has determined the bridge to not be eligible for listing on the National Register, they recognized that the structure has aesthetic merit. IDOT, CDOT, and/or the lead participating railroad will continue coordination with the IHPA during Phase II design to ensure the Damen Avenue viaduct Art-Deco façade and railing that currently exists will be replaced in-kind and replicated to the extent feasible.

Consultation with Local Stakeholders

IDOT and the CREATE Partners will work with local stakeholders during the Phase II design to provide them with opportunities for input on various design features and other aspects of the work affecting the neighborhoods.

Final Bridge Plans

During the Phase II design, the individual railroads or their consultants/contractors will coordinate the development of all bridge plans with the IDOT Bridge Office to allow for all required reviews and will obtain the required permits.

Permits/Certifications

IDOT, CDOT, and/or the lead participating railroad will obtain a National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharges, and will prepare the required Stormwater Pollution Prevention Plan (SWPPP) prior to construction. The permit will require that all of the control measures identified in the SWPPP be regularly inspected and maintained and repaired or replaced as needed to function properly. Provisions will be made in the SWPPP to contain the waste and washout from concrete trucks at the construction sites. These facilities will be designed to prevent such discharges from reaching the normal stormwater drainage systems.

Additionally, following Phase II final design, IDOT and/or the lead participating railroad will also be required to obtain a number of permits from the City of Chicago. These could include tree removal permits, pavement opening permits, public way use permits, temporary street or lane closure permits, sewer permits, and similar permits depending on the specific contractor activities.