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**4(f) De Minimis Documentation for
Illinois Route 31 over Ferson Creek
City of St. Charles, Kane County, Illinois**

1. Project Description

- a. Project Number:** P-91-208-08
- b. Project Name:** Illinois Route 31 over Ferson Creek
- c. Location:** City of St. Charles, Kane County, Illinois
- d. Project Type:** Bridge Replacement
- e. Project size:** 0.35 miles
- f. Purpose and need of the Project:** The purpose of the project is to replace the bridge that carries Illinois Route 31 over Ferson Creek, provide a northbound left turn lane at the intersection of Illinois Route 31 and Wildrose Springs Drive, provide 8' wide paved shoulders, realign the roadway centerline curves to meet the design speed, and raise the roadway profile and proposed bridge to meet hydraulic requirements. The bridge was built in 1916 and has passed its design life of 75 years. Due to the low inventory rating, condition of the superstructure and substructure, the hydraulic deficiency, and cost effectiveness the recommendation is total replacement in order to maintain safety and mobility of Illinois Route 31 over Ferson Creek.
- g. NEPA Class of Action:** CE II
- h. Project Status:** Finalized preliminary engineering and environmental (Phase I) studies. This improvement is included in the Department's FY 2013-2018 Proposed Multi-Modal Transportation Improvement Program. Our current engineering efforts are targeted to enable a contract letting in the early portion of our current multi-year program contingent upon plan readiness, land acquisition, and funding availability through our future annual legislative appropriations.

2. Section 4(f) Resources

- a. Name of Resource:** Ferson Creek Park and Ferson Creek Fen Nature Preserve
- b. Type of Resource:** Public Park and Nature Preserve
- c. Official with Jurisdiction (OWJ):** St. Charles Park District
- d. Description of role/significance in the community:** The Park and Nature Preserve are located 0.25 miles north of Indian Mound Drive and extend to Crane Road, between Illinois Route 31 and the Fox River. The Ferson Creek Park is located south of Ferson Creek, is approximately 14 acres, and consists of mostly woodlands, grasslands, wetlands, a play ground, picnic areas, fishing, and canoe launch. The Park is mostly for recreational purposes such as picnicking, fishing, hiking, and canoeing. The Ferson Creek Fen Nature Preserve is located north of Ferson Creek, is approximately 46 acres, and consists of mostly woodlands, wetlands, and walking trails. The Nature Preserve is mostly for recreational purposes such as hiking and nature watching.

3. Description of Intended Section 4(f) Resource Use

- a. Acres to be taken:** 0.72 acres of Park District property adjacent to Ferson Creek Park and 1.85 acres of Park District property adjacent to the Ferson Creek Fen Nature Preserve, measured from the existing centerline of Illinois Route 31 to 60' east, are needed as a permanent easement in order to construct a wider bridge replacement that accommodates a northbound left turn lane to Wildrose Springs Drive and 8' shoulders for the occasional on-road experienced bicyclist outside the though lane. The cross-section of the roadway will match the cross section of the bridge and will taper north and south of the proposed bridge to match the existing roadway.
- b.** There will be no negative impact to the Park District property in this case, as the centerline of Illinois Route 31 to 30' east is dedicated for roadway purposes and that between 30' and 42' north of the structure and 30' to 60' south of the structure is dedicated as a permanent easement to Nicor. IDOT believes this land is not maintained nor regularly used by the public. The permanent easements will be needed to construct a wider bridge and re-grade slopes within the Park District property. The re-grading of the slopes will impact over 40 trees within this area.

4. Description of Efforts to Avoid, Minimize, & Mitigate or Enhance the Resource

- a.** To minimize the impact on the Park District property, IDOT has proposed to widen toward the west side of the roadway by constructing the proposed painted median mostly on the west side of the proposed centerline.
- b.** The contractor shall be aware of the Nature Preserve boundary and the legal protections in place. As such, the Contractor shall monitor construction activities to assure no change to the Ferson Creek Nature Preserve including change to hydraulic properties. All measures of erosion control shall be implemented and diligently monitored such that no erosion occurs to or from the Nature Preserve and to the extent possible, minimize sedimentation to Ferson Creek. No equipment shall be staged at the Nature Preserve and the Contractor shall power wash equipment prior to the transport to the Nature Preserve site or use another acceptable means to prevent transfer of non-native or invasive species to the Nature Preserve site.
- c.** IDOT is required to accommodate pedestrians/bicyclists adjacent to the state roadway as part of the Complete Street initiative. The required alternative is to have a 10'-12' shared use path separated from the roadway, but was determined not feasible due to the construction of retaining walls and impacts to the Park District and therefore an 8' wide paved shoulder is recommended for the occasional bicyclist.
- d.** Guardrail will be installed to grade slopes that will minimize impacts on the Park District property.

- e. List of Commitments for Mitigation or Enhancement:
 - Nature Areas Defense Specialist Steven Byers shall be notified to the commencement of project (815-678-4865) and shall be notified immediately of any concerns regarding the Nature Preserve as the project proceeds.
 - The Designer shall explain the Nature Preserve site to the Contractor at the Pre-Construction Meeting.

5. Evidence of Opportunity for Public Review and Comment

- a. A newspaper ad will be posted to allow the public an opportunity to review and comment on the section 4(f) impacts (See Attachment E-5)

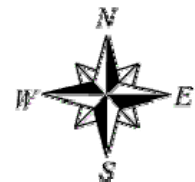
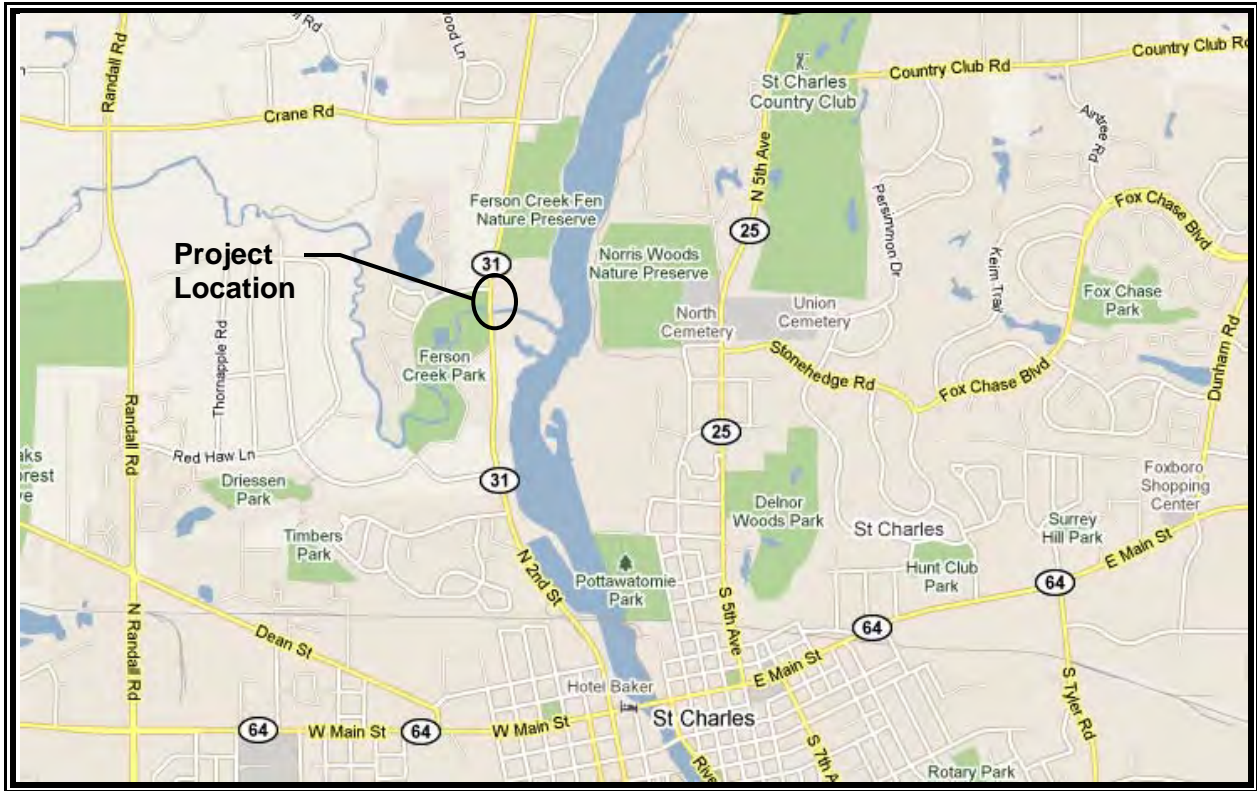
6. Evidence of Coordination with Official(s) with Jurisdiction (OWJ)

- a. Copy of meeting minutes for the meeting with the St. Charles Park District held on November 29, 2012 at the IDOT District 1 office in Schaumburg (see Attachment 6).
- b. Copy of IDOT letter to the St. Charles Park District dated December 18, 2012 requesting review of the section 4(f) De Minimis Documentation.

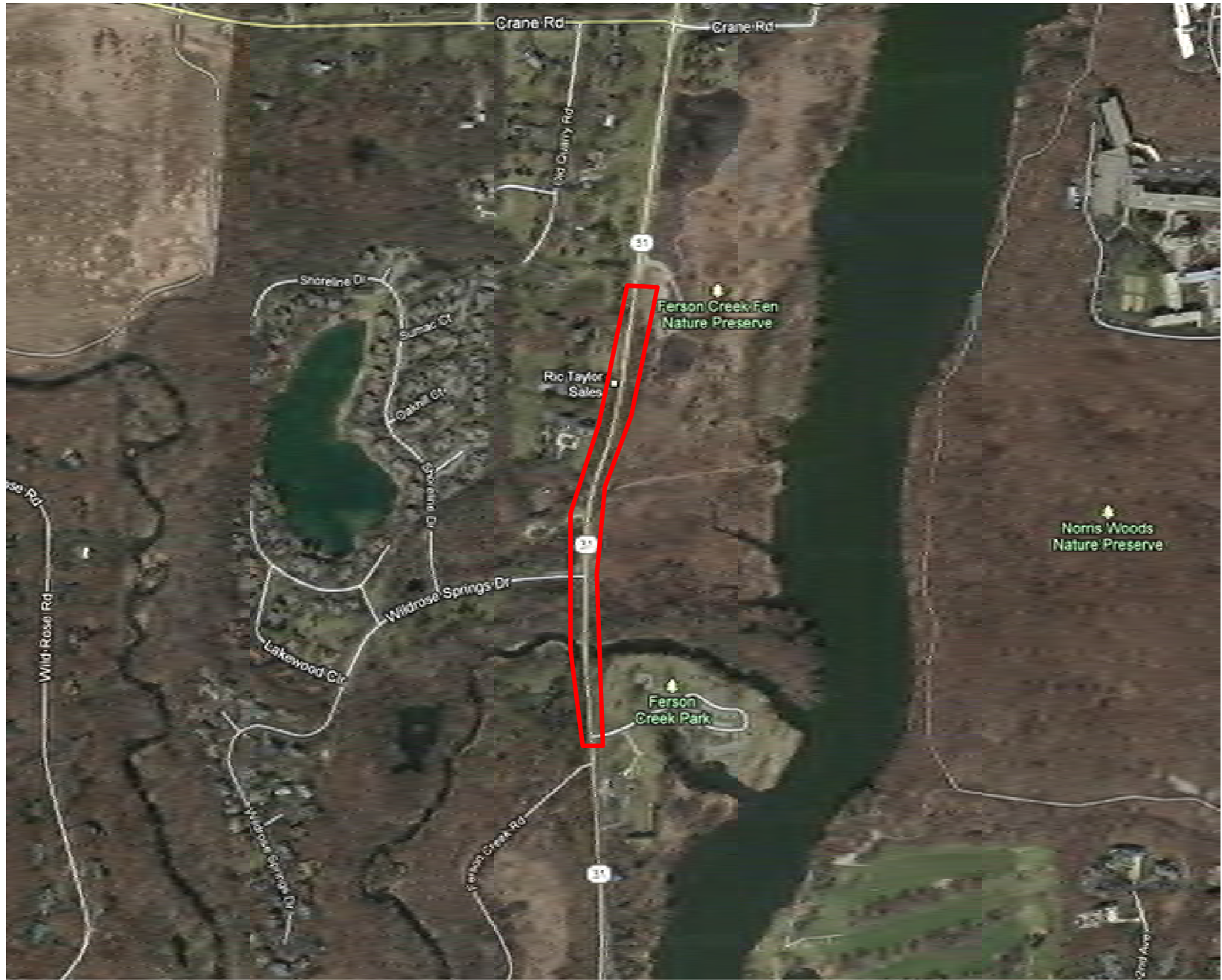
7. Supporting Documentation

- a. Project Location Map (see Attachment E-1)
- b. Existing Aerial (see Attachment E-2)
- c. Preliminary Proposed Plan and Profile (see Attachment E-3)
- d. Photographs of Resource (see Attachment E-4)
- e. Newspaper Public Comment Display Ad (see Attachment E-5)
- f. Copies of other correspondence (see Attachment E-6)

LOCATION MAP

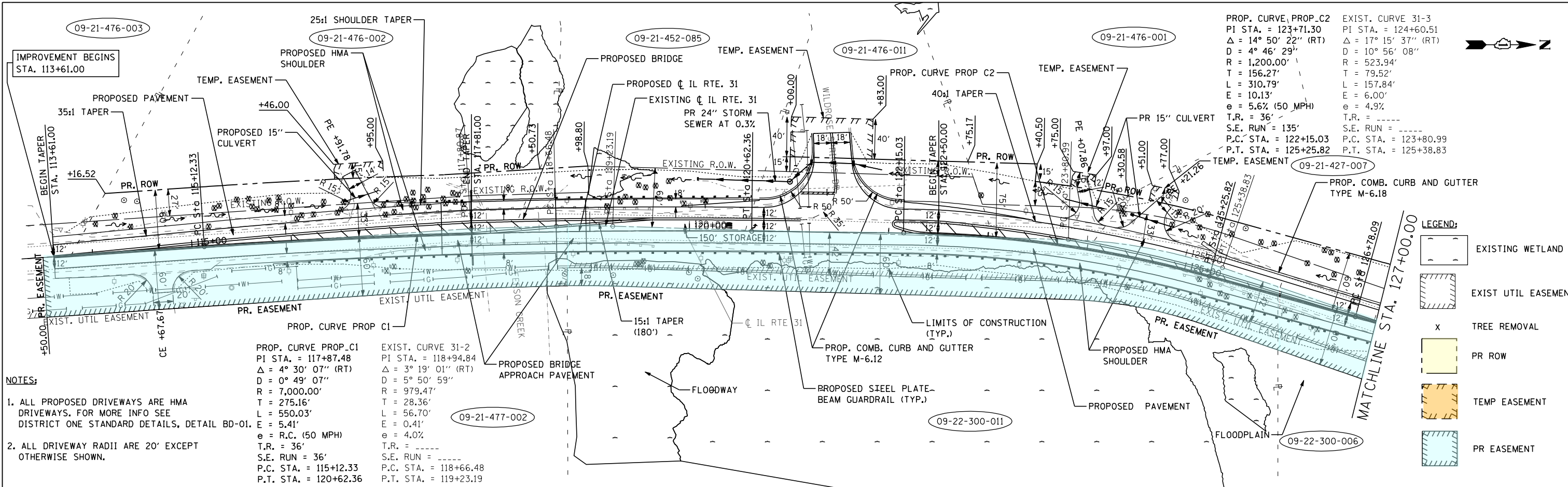


Illinois Route 31 (FAU 3887)
over Ferson Creek
Kane County
St. Charles
P-91-208-08
SN 045-0019



Illinois Route 31 over Ferson Creek

PLAN	SURVEYED	DATE
	PLOTTED	
	CHECKED	
	ALIGNED	
	CAD FILE NAME	
	NO.	



PROP. CURVE PROP_C2	EXIST. CURVE 31-3
PI STA. = 123+71.30	PI STA. = 124+60.51
Δ = 14° 50' 22" (RT)	Δ = 17° 15' 37" (RT)
D = 4° 46' 29"	D = 10° 56' 08"
R = 1,200.00'	R = 523.94'
T = 156.27'	T = 79.52'
L = 310.79'	L = 157.84'
E = 10.13'	E = 6.00'
e = 5.6% (50 MPH)	e = 4.9%
T.R. = 36'	T.R. = -----
S.E. RUN = 135'	S.E. RUN = -----
P.C. STA. = 122+15.03	P.C. STA. = 123+80.99
P.T. STA. = 125+25.82	P.T. STA. = 125+38.83

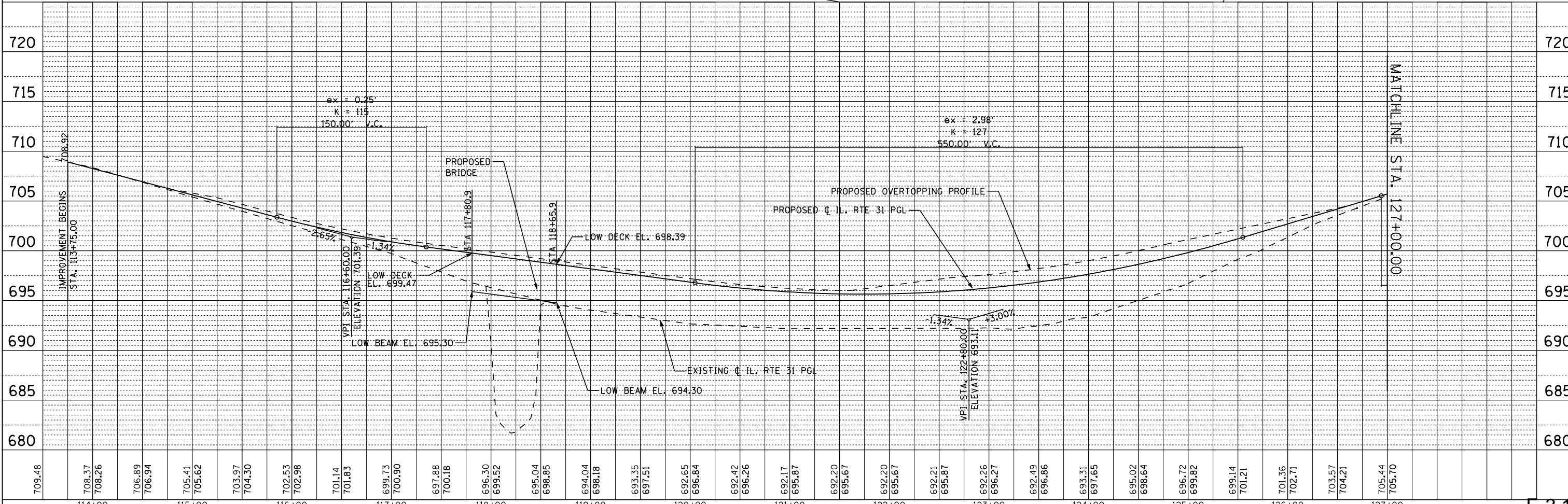
- NOTES:**
- ALL PROPOSED DRIVEWAYS ARE HMA DRIVEWAYS. FOR MORE INFO SEE DISTRICT ONE STANDARD DETAILS, DETAIL BD-01.
 - ALL DRIVEWAY RADII ARE 20' EXCEPT OTHERWISE SHOWN.

PROP. CURVE PROP_C1	EXIST. CURVE 31-2
PI STA. = 117+87.48	PI STA. = 118+94.84
Δ = 4° 30' 07" (RT)	Δ = 3° 19' 01" (RT)
D = 0° 49' 07"	D = 5° 50' 59"
R = 7,000.00'	R = 979.47'
T = 275.16'	T = 28.36'
L = 550.03'	L = 56.70'
E = 5.41'	E = 0.41'
e = R.C. (50 MPH)	e = 4.0%
T.R. = 36'	T.R. = -----
S.E. RUN = 36'	S.E. RUN = -----
P.C. STA. = 115+12.33	P.C. STA. = 118+66.48
P.T. STA. = 120+62.36	P.T. STA. = 119+23.19

LEGEND:

- EXISTING WETLAND
- EXIST UTIL EASEMENT
- TREE REMOVAL
- PR ROW
- TEMP EASEMENT
- PR EASEMENT

PROFIL RTE	DATE



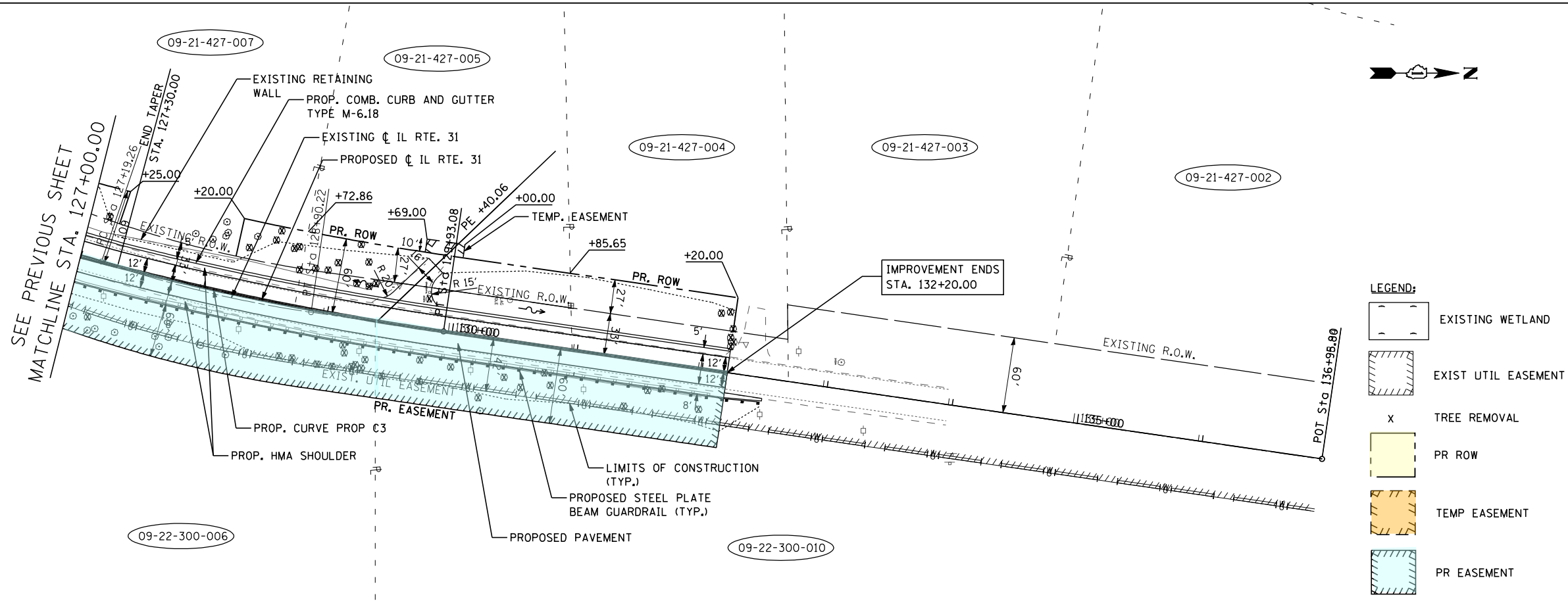
PLAN	SURVEYED	DATE
	PLOTTED	BY
	CHECKED	
	FILE NAME	
	NO.	

PROFILE	SURVEYED	DATE
	PLOTTED	BY
	CHECKED	
	STRUCTURE	NOTATIS CHRD
	NO.	

EXIST. CURVE 31-4
 PI STA. = 128+04.99
 $\Delta = 10^\circ 41' 07''$ (LT)
 $D = 6^\circ 15' 01''$
 $R = 916.71'$
 $T = 85.73'$
 $L = 170.96'$
 $E = 4.00'$
 $e = 2.9\%$
 $T.R. = \text{---}$
 $S.E. RUN = \text{---}$
 $P.C. STA. = 127+19.26$
 $P.T. STA. = 128+90.22$

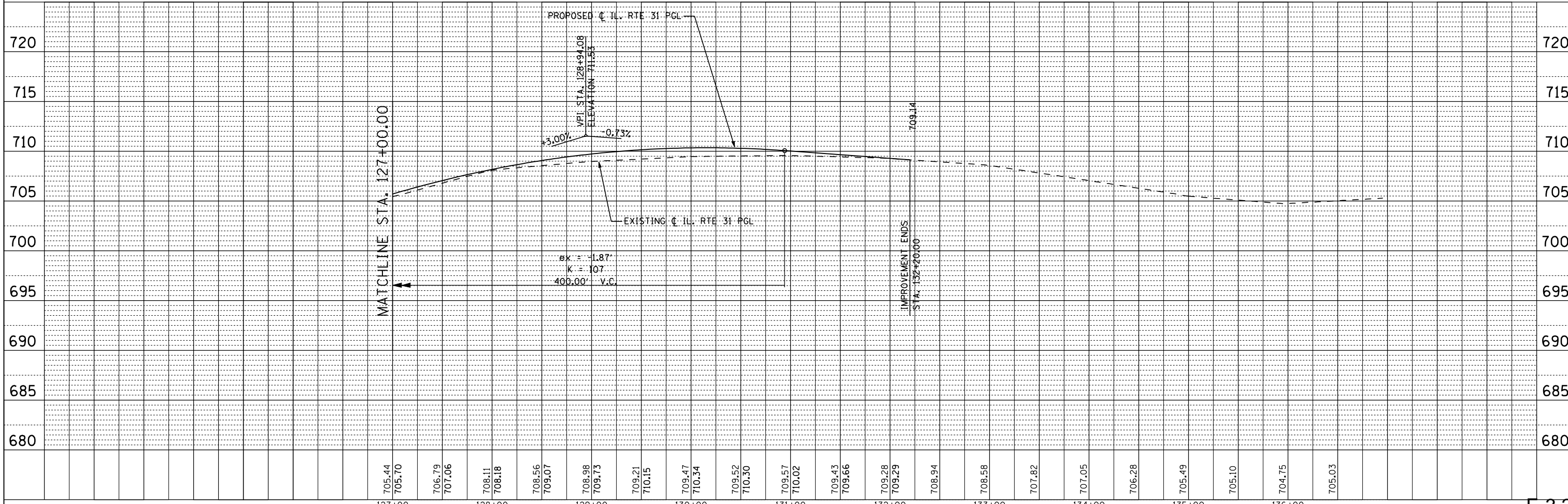
PROP. CURVE PROP.C3
 PI STA. = 128+35.79
 $\Delta = 7^\circ 13' 09''$ (LT)
 $D = 2^\circ 17' 31''$
 $R = 2,500.00'$
 $T = 157.70'$
 $L = 314.99'$
 $E = 4.97'$
 $e = 3.8\%$ (50 MPH)
 $T.R. = 36'$
 $S.E. RUN = 93'$
 $P.C. STA. = 126+78.09$
 $P.T. STA. = 129+93.08$

- NOTES:
- ALL PROPOSED DRIVEWAYS ARE HMA DRIVEWAYS. FOR MORE INFO SEE DISTRICT ONE STANDARD DETAILS, DETAIL BD-01.
 - ALL DRIVEWAY RADII ARE 20' EXCEPT OTHERWISE SHOWN.



LEGEND:

[Symbol]	EXISTING WETLAND
[Symbol]	EXIST UTIL EASEMENT
X	TREE REMOVAL
[Symbol]	PR ROW
[Symbol]	TEMP EASEMENT
[Symbol]	PR EASEMENT



FILE NAME =	USER NAME = aericksen	DESIGNED -	REVISED -	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION	IL ROUTE 31 OVER FERSON CREEK ROW PLAN				F.A.U. RTE. = 3887	SECTION	COUNTY = KANE	TOTAL SHEETS = 2	SHEET NO. = 2
PLOT SCALE = 100.0000' / IN.	CHECKED -	REVISED -	REVISED -						CONTRACT NO. 60M81				
PLOT DATE = 8/30/2012	DATE -	REVISED -	REVISED -						FED. ROAD DIST. NO. 1 ILLINOIS FED. AID PROJECT				
									SCALE:	SHEET NO.	OF SHEETS	STA. TO STA.	

E-32

<i>Picture Log</i>			
Project:	Illinois Route 31	County:	Kane
Limits:	Over Ferson Creek		
Project Number:	P-91-208-08		



Location: Looking east (downstream) at the west face of bridge.



Location: Looking west (upstream) at east face of bridge.

<i>Picture Log</i>			
Project:	Illinois Route 31	County:	Kane
Limits:	Over Ferson Creek		
Project Number:	P-91-208-08		



Location: Illinois Route 31 looking north at bridge over Ferson Creek.



Location: Illinois Route 31 looking south at bridge over Ferson Creek.

<i>Picture Log</i>			
Project:	Illinois Route 31	County:	Kane
Limits:	Over Ferson Creek		
Project Number:	P-91-208-08		



Location: Illinois Route 31 looking north standing at northwest corner of Wildrose Springs Drive.



Location: Illinois Route 31 looking south standing at northwest corner of Wildrose Springs Drive.

<i>Picture Log</i>			
Project:	Illinois Route 31	County:	Kane
Limits:	Over Ferson Creek		
Project Number:	P-91-208-08		



Location: Illinois Route 31 looking north standing 600' north of Wildrose Springs Drive.



Location: Illinois Route 31 looking south standing 600' north of Wildrose Springs Drive.

<i>Picture Log</i>			
Project:	Illinois Route 31	County:	Kane
Limits:	Over Ferson Creek		
Project Number:	P-91-208-08		



Location: Illinois Route 31 looking north at entrance to Ferson Creek Fen Nature Preserve.



Location: Illinois Rte. 31 looking south standing 200' south of Ferson Creek Fen Nature Preserve entrance.



IDOT is seeking public comments on impacts the Illinois Route 31 over Ferson Creek project will have on Ferson Creek Park and Ferson Creek Fen Nature Preserve which is owned and operated by the St. Charles Park District.

The Illinois Route 31 project will impact the property from the existing centerline of Illinois Route 31 to 60 feet east and from the Ferson Creek Park entrance to the Ferson Creek Fen Nature Preserve entrance, in the City of St. Charles. IDOT requires the acquisition of a permanent easement in order to accommodate the replacement of the existing bridge that carries Illinois Route 31 over Ferson Creek, widen the roadway and proposed bridge to accommodate a northbound left turn lane to Wildrose Springs Drive, provide 8-foot wide paved shoulders, realign the roadway centerline curves to meet design speed, and raise the roadway and bridge to meet hydraulic requirements. This is the first opportunity for the public to comment on the additional public land needed for this project.

Hard copies of the Section 4 (f) de minimis documentation will be provided at the following locations during normal business hours.

DATE: 12-21-12 to 01-04-13
TIME: 8:00 AM to 4:00 PM, Monday thru Friday
PLACE: Illinois Department of Transportation
Bureau of Programming
201 West Center Court
Schaumburg, IL 60196
OR
St. Charles Park District
101 South Second Street
St. Charles, IL 60174

The Section 4 (f) de minimis documentation is available on the Department's website at: <http://www.dot.state.il.us/projects.html>

Electronic copies can be provided by emailing a request to carlos.feliciano@illinois.gov.

Written comments can be submitted at the IDOT office, mailed to the IDOT office, or submitted electronically to carlos.feliciano@illinois.gov. Comments must be received by 01-04-13 to be considered part of the public record.

This documentation will be accessible to handicapped individuals. Anyone needing special assistance should contact Carlos Feliciano at (847) 705-4106. Persons planning to visit either site to review the documents and need a sign language interpreter or other similar accommodations should notify the Department's TDD number (847)705-4710 at least five days prior.

All correspondence regarding this project should be sent to:

Illinois Department of Transportation
Bureau of Programming
Attn: John Baczek
201 West Center Court
Schaumburg, IL 60196-1096

Project Name: Illinois Route 31 over Ferson Creek
Date: November 29, 2012
Time: 9:30 am
Location: IDOT - D1, 3rd floor Land Acquisition Conference Room
Attendance: Carlos Feliciano – IDOT P&ES
Mike Phan – IDOT P&ES/Stantec
Keith Stoddard – IDOT Land Acquisition
Ray Ochromowicz – St. Charles Park District (STCPD)
Laura Rudow – St. Charles Park District
John Wessel – St. Charles Park District

The purpose of this meeting was to present to the St. Charles Park District the Draft Section 4(f) De Minimis Evaluation and discuss the right-of-way requirements for the subject improvement. This was the first meeting with the Park District. The scope of work for this project is replacement of the bridge that carries Illinois Route 31 over Ferson Creek. The meeting began with introductions. Carlos Feliciano is the Acting In-House Unit Head for the Bureau of Programming and currently manages preliminary and environmental (Phase I) projects. Mike Phan discussed that he was the project manager for the Illinois Route 31 over Ferson Creek Phase I project, which received Phase I Design Approval on December 9, 2011. The project is currently in Phase II, Contract Plan preparation and Land Acquisition with a construction letting target of March 2013.

Improvements recommended in the Phase I Report (a copy was given to the STCPD following the meeting) include replacement of the bridge, widening the bridge to accommodate a left turn into Wildrose Springs Drive and 8' wide shoulders, realigning the centerline of the road to provide longer horizontal curves to meet design speed criteria, and raising the profile of the roadway over 3' to meet hydraulic requirements. The project limits extend from approximately 100' south of the Ferson Creek Park entrance to 300 feet south of the Ferson Creek Fen Nature Preserve entrance, for a distance of 1860 feet (0.35 miles). According to Department policy, a separate shared-use path is required to accommodate bicyclists and pedestrians along, or short distances outside of, the project limits if the local agency is willing to participate in cost sharing and take maintenance responsibilities of this path. For this project it was determined not feasible to construct this path due to impacts to the STCPD and therefore an 8' wide paved shoulder was the next best feasible alternate provided to accommodate experienced bicyclists within the project limits. Tree impacts are expected due to the widened roadway and increased roadway elevation. The Department has performed a tree identification and evaluation and determined that none of the trees identified within the project limits are considered specimen or exceptional (i.e. high quality native trees). All trees and other plants removed for construction will be replaced on a 1:1 nursery stock basis at a minimum wherever feasible and appropriate under Department guidelines.

Forested areas or dense strands of trees and shrubs may be placed with seedling trees on a 3:1 basis where appropriate. The STCPD asked if the replaced trees could be placed on STCPD property outside of the project limits. The Department would require additional temporary easement to access STCPD property to install the new trees. During Phase II Contract Plans the Department will coordinate with the STCPD on landscaping requirements.

According to the available information during the Phase I Process the State owned a right-of-way (ROW) footprint of 60 feet on either side of Illinois Route 31 within the project limits. During the Phase II land acquisition process, it was determined through a title search that the Illinois Department of Transportation (Department) did not own ROW from the existing centerline of Illinois Route 31 to 60 feet east along the STCPD property. The title search results showed that the Department had acquired a 60-foot frontage along the Illinois Route 31 south and north of the STCPD property but had the STCPD property as an omission. The Department determined that 60 feet of permanent easement (2.57 acres) from the existing Illinois Route 31 centerline east is required from the STCPD to construct the bridge and provide the roadway improvements. The 60-foot permanent easement that the Department is seeking would overlap an existing 60-foot easement south of Ferson Creek and a 42-foot easement, from north of Ferson Creek to just south of Crane Road, along the STCPD property which is currently held by Nicor. Any utility conflicts will be coordinated via the Department's Utility Coordination Section. At this time no utility relocations in this area are expected.

The Federal Highway Administration (FHWA) requires that the Department process all projects which cause a use of land from a significant publicly owned park, recreational area, wildlife/waterfowl refuge or historic site require compliance with Section 4(f) of the Department of Transportation Act of 1966. Since the impacts associated with this improvement do not change the activities, features or attributes of the resource the FHWA has determined the impacts to be a De Minimis finding. A Draft Section 4(f) De Minimis Evaluation Report was provided to the STCPD for review. The STCPD will determine if the Park District property has used Open Space Lands Acquisition and Development (OSLAD) funds in its development, as this will require special mitigation of the property. The STCPD Board meets every two weeks and plan to discuss this project at their next meeting on December 11, 2012. The Department requests at this meeting the Board concur with the Draft Section 4(f) De Minimis Evaluation Report, at which time the Department will advertise in a minimum of two newspapers for public comments on the impacts to Ferson Creek Park and the Ferson Creek Fen Nature Preserve. The Department will forward any comments to the STCPD in a following Final Section 4(f) De Minimis Report and will request concurrence from the STCPD on the Report in the January 2013 STCPD Board Meeting. The Department is looking to let the project for construction in the spring of 2013.

St. Charles Park District - Meeting Minutes

November 29, 2012

Page 3 of 3

The Department's Bureau of Land Acquisition recommended that the STCPD re-record the "Sketch of Ferson Creek Fen" as the legal description that describes the Fen as being measured from the existing ROW to clarify the ROW in this area. This sketch shows the distance for the existing ROW.

By:

Carlos Feliciano – IDOT

Mike Phan - Stantec

S:\WP\p&es\INHSE\Projects- Active\IL 31 over Ferson Creek\Meeting
Minutes\MIN_IDOT_MP_IL31_over_Ferson_Creek_STCPD_11292012.docx



Illinois Department of Transportation

Attendance Roster

Bureau: Programming Section: Project & Environmental Studies

Project/Topic: Illinois Route 31 over Ferson Creek, 4(f) De Minimis and ROW

Date: November 29, 2012

Time: 9:30 am

Location: IDOT D1 Schaumburg, Bureau of Land Acquisition Conference Room

	Attendees	Representing	Phone Number	Email Address
1.	Carlos Feliciano	IDOT-P&ES	(847) 705-4106	carlos.feliciano@illinois.gov
2.	Mike Phan	IDOT-P&ES/Stantec	(847) 705-4634	michael.phan@illinois.gov
3.	KEITH STODDARD	IDOT - LAND AC	847-705-4771	KEITH.STODDARD@ILLINOIS.GOV
4.	John Wessel	SCPD	630-513 4373	john jwessel@steparks.org
5.	LAURA RUDDOW	STCAD	630 864 7923	LRUDDOW@STCPARKS.ORG
6.	RAY OCHROMOWICZ	"	630 513 4315	rochymowicz@steparks.org
7.	CARLOS FELICIANO	IDOT-PROGRAMM ^{PTES}	4106	
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22.				



Illinois Department of Transportation

Division of Highways/Region One / District One
201 West Center Court/Schaumburg, Illinois 60196-1096

December 18, 2012

CERTIFIED MAIL

Mr. Ray Ochromowicz
Director of Parks and Recreation
101 South Second Street
St. Charles, IL 60174

Dear Mr. Ochromowicz:

The purpose of this letter is to notify you that the Illinois Department of Transportation (Department) has completed the preliminary engineering and environmental (Phase I) study for the improvement of Illinois Route 31 over Ferson Creek in the City of St. Charles in Kane County. A location map is enclosed for your reference. This improvement is included in the Department's FY 2013-2018 Proposed Multi-Modal Transportation Improvement Program. Our current engineering efforts are targeted to enable a contract letting in the early portion of our current multi-year program contingent upon plan readiness, land acquisition, and funding availability through our future annual legislative appropriations. The proposed improvement is anticipated to consist of bridge replacement.

The Department will require ROW in the form of permanent easement (PE) from the Ferson Creek Park and Ferson Creek Fen Nature Preserve properties of the St. Charles Park District (Park District). The area (2.57 acres) that is denoted in blue (see Section 4(f) Report, Exhibit E-3) is the proposed PE needed to replace the bridge that carries Illinois Route 31 over Ferson Creek, provide a northbound left turn lane at the intersection of Illinois Route 31 and Wildrose Springs Drive, provide 8' wide paved shoulders, realign the roadway centerline curves to meet the design speed, and raise the roadway profile and proposed bridge to meet hydraulic requirements.

The Department believes that the transportation improvement impacts the Park District owned land qualifies for the use of the de minimis provision since the transportation use of the Section 4(f) resource does not adversely affect the activities, features, and attributes that qualify the resources for protection under Section 4(f). The Federal Highway Administration has evaluated the impacts and has determined that the impacts qualify for a De Minimis processing. The easement is essential for highway needs and is in the best interest of the public. Alternates to avoid, minimize and mitigate have been investigated and are described in the Draft Section 4(f) Report

Mr. Ray Ochromowicz
December 18, 2012
Page 2

Enclosed are copies of the preliminary geometry and two copies of the Draft De Minimis Section 4(f) Evaluation Report for your review and approval to advance the project into Phase II, Contract Plan Preparation and Land Acquisition. The proposed improvement will require the acquisition of 2.57 acres of permanent easement. There will be trees impacted within the Park District property by this improvement (see Section 4(f) Report, Exhibit E-3).

Please review the Draft De Minimis Section 4(f) document and keep a copy in your offices for public review. A copy of the Draft Section 4(f) document will also be available for review at the IDOT offices as well as the IDOT website for those interested in reviewing the documents. After the public input period is completed, IDOT will forward you the Final Section 4(f) document with any comments on record for your concurrence to proceed into Phase II, where additional detail and coordination with the Park District would occur regarding the impacts, values, and mitigation of Park District Property. This concurrence will then be sent to the Federal Highway Administration (FHWA) for final approval of the Section 4(f) document.

If you have any questions or need additional information, please contact me or Carlos A. Feliciano, Acting In-House Studies Unit Head, at (847) 705-4106.

Very truly yours,

John Fortmann, P.E.
Acting Deputy Director of Highways,
Region One Engineer

Enclosures

cc: Laura Rudow, St. Charles Park District