

APPENDIX B: AGENCY APPROVAL DOCUMENTS

Note: See cover sheet in each section for detailed table of contents.

Farmland	B1
Cultural Resources	B2
Biological and Natural Resources	B3
Special Waste	B4
Section 4(f).....	B5

FARMLAND

Illinois Department of Agriculture approval was not received prior to the publication of this Environmental Assessment (EA).

CULTURAL RESOURCES

- Historic Structures Memorandum (March 24, 2010) B2-1
- Cultural Resources Concurrence Memorandum (August 31, 2011) B2-2
- State Historic Preservation Officer Concurrence (August 30, 2011) B2-3
- Cultural Resources Concurrence Memorandum (October 3, 2013) B2-4
- State Historic Preservation Officer Concurrence (October 2, 2013)..... B2-5



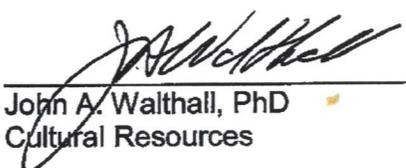
Illinois Department of Transportation

Memorandum

To: Vanessa Ruiz
From: John Walthall By: Laura Fry
Subject: Historic Structures
Date: March 24, 2010

Lake County
IL 131 (Green Bay Rd.)
Sequence # 14766

There are no standing structures eligible for the National Register of Historic Places within the project limits. The results of the archeological survey will be sent to you at a later date.



John A. Walthall, PhD
Cultural Resources



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

August 19, 2011

Lake County
FAP 880, IL 131
Green Bay Street
Project: P-91-352-07

IDOT Seq# 14766
ITARP# 09106
FEDERAL 106 PROJECT

NO HISTORIC PROPERTIES AFFECTED

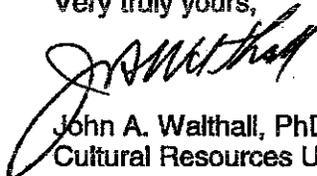
Ms. Anne Haaker
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
Springfield, Illinois 62701

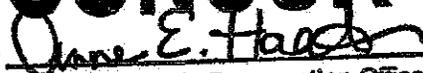
Dear Ms. Haaker:

Enclosed are two copies of an Archaeological Report and Phase I documentation completed by Illinois State Archaeological Survey personnel concerning historical and archaeological properties and sites potentially to be impacted by the 147 acre project referenced above. Two archaeological sites, 11-L-293 & L-750, were found in the project area. Both of these sites are prehistoric or late 19th-20th century surface scatters and do not meet the criteria for listing on the National Register.

In accordance with the established procedure for coordination of Illinois Department of Transportation projects, we request the concurrence of the State Historic Preservation Officer in our determination that no historic properties subject to protection under Section 106 of the National Historic Preservation Act of 1966, as amended, will be affected by this proposed project.

Very truly yours,


John A. Walthall, PhD
Cultural Resources Unit

CONCUR
By: 
Deputy State Historic Preservation Officer
Date: 8/30/11



Illinois Department of Transportation

Memorandum

To: John Fortmann Attn: Pete Harnet
From: John Baranzelli By: Brad Koldehoff
Subject: Cultural Resource Concurrence
Date: October 3, 2013

Lake County
FAP 880 FAP 2711, IL 131
Job No. P-91-352-07
Seq. #14766A

The attached letter documents the concurrence of the State Historic Preservation Officer in the following determination by IDOT's professional cultural resources staff: "No Historic Properties Affected." This concurrence completes the necessary cultural resource coordination for the above referenced project.

Attachment

A handwritten signature in black ink, reading "Brad Koldehoff".

BK:km



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

Lake County
FAP 880/2711, IL 131
Waukegan
Roadway Improvements
IDOT Sequence #14766A
ISAS Log #13046

October 2, 2013

Federal - Section 106 Project

NO HISTORIC PROPERTIES AFFECTED

Ms. Anne Haaker
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
Springfield, Illinois 62701

Dear Ms. Haaker:

Enclosed are copies of the Phase I Survey Report completed by Illinois State Archaeological Survey (ISAS) personnel concerning archaeological and historical resources potentially impacted by the above referenced project. Survey of the 107-acre project area resulted in the identification of no archaeological sites. No architectural resources eligible for National Register consideration were identified by IDOT's cultural resources staff.

In accordance with the established procedure for coordination of proposed IDOT projects, we request the concurrence of the State Historic Preservation Officer in our determination that no historic properties subject to protection under Section 106 of the National Historic Preservation Act of 1966, as amended, will be affected by the proposed project.

Very truly yours,

Brad H. Koldehoff, RPA
Cultural Resources Unit
Bureau of Design and Environment

CONCUR
By: *Anne E. Haaker*
Deputy State Historic Preservation Officer
Date: 10.2.13

BIOLOGICAL AND NATURAL RESOURCES

- Biological Resources Review Memorandum (October 27, 2009)..... B3-1
- Biological Resources Concurrence (October 27, 2009) B3-2
- Wetland Impact Review Tool Report (November 10, 2008) B3-3
- Natural Resources Review Memorandum (January 21, 2015)..... B3-5
- USFWS Endangered Species Act Species List B3-7
- USACE Jurisdictional Determination B3-16
- Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form (May 9, 2017)..... B3-21



Illinois Department of Transportation

Memorandum

To: Diane M. O'Keefe Attn: Peter E. Harnet
From: Charles J. Ingersoll By: Thomas C. Brooks
Subject: Biological Resources Review
Date: October 27, 2009

Thomas C. Brooks

FAP 880/FAP 2711 (IL 131) (Green Bay)
Job No. P-91-352-07 (Seq. 14766)
From Sunset Ave. to Russel Road (WI State Line)
Municipalities of Beach Park, Gurnee, Wadsworth, Waukegan, Winthrop Harbor
and Zion
Lake County

The Natural Resources Unit has reviewed this project. The project, as described on the Environmental Survey Request Form, does not require biological surveys. The IDNR Natural Resources Review Tool has no records of listed species, natural areas or nature preserves within the project corridor (IDNR NRRT/WIRT Report dated November 10, 2008).

The National Wetland Inventory Map (Wadsworth Quadrangle) depicts wetlands in the project area. The project was sent for field survey, with results received October 26, 2009. A copy of the Wetland Report, GPSed wetland boundaries, and aerial photograph are in Sharepoint. The results of the survey indicate the presence of three jurisdictional wetlands within the project area (Sites 7-9; Sites 1, 2, 4, 6, 10-15, 17-19, 21-43, and 45-56 are isolated wetlands. Please note that Site 41 has a FQI of 21, thus requiring a mitigation ratio of 5.5:1.0 if impacted. Also please note that if impacted, Sites 27 and 50 may require IEPA case specific water quality certification based on plant species present).

In accordance with Section V of the IDOT Wetlands Action Plan, wetland impacts are to be avoided, minimized and then mitigated. For unavoidable impacts, please fill out the Wetland Impact Evaluation Form (WIE Tab in the Wetland Form of the Project Monitoring Database) and submit the form to this office.

By agreement, no coordination with the Illinois Department of Natural Resources and the U.S. Fish and Wildlife Service is required at this time.

Attachments

SED

bw

Attention: Central Office BD&E
Environment Section
Room 330

Environmental Survey Request

A. Project Information

Bio Cultural Wetlands Special Waste

Submittal Date: 10/23/2008 Sequence No: 14766
 District: 1 Requesting Agency: DOH Project No:
 Contract #: Job No.: P-91-352-07
 Counties: Lake
 Route: FAP 880/FAP 2711 Marked: IL 131
 Street: Green Bay Section:
 Municipality(ies) See Addtl. Info Project Length: 12.07 km 7.5 miles
 From To (At): Sunset Ave. to Russel Road (WI State Line)
 Quadrangle: Wadsworth Township-Range-Section: T45N-R, R12E-6,7,18. T46N-R12E-7,18,19,30,31T46N-R11E1,12

Anticipated Design Approval: 12/31/2011

B. Reason for Submittal: (Check all that apply)

Acquisition of additional ROW or easement _____ ha/ _____ acres
 In-Stream Work Stream Name: _____
 Other: Wetland survey needed. Public Golf Courses: Shephard's Crook (Zion Park District), Thunderhawk (Lake County Forest Preserve), Orchard Hills (Waukegan Park District).

C. Project Description: Widening and reconstruction of existing two lanes of IL 131 contingent on public input through Context Sensitive Solutions Process (CSS).

Proposed Work: Highway Bridge Bike Trail Other _____

D. Tree Removal?: Yes _____ Number?: 0 _____ ha/ _____ acres
 Historic District Involved? No _____ Historic Buildings Involved? Don't Know _____
 Section 4(f) Lands Involved? Yes _____ Section 6(f) Lands Involved? Don't Know _____
 Wetland delineation performed by: BDE _____ End. Species Consultation performed by: BDE _____

E. Funding: Federal State TBP MFT Local Non-MFT
 404 Permit Required Anticipated Processing: EA _____

F. Contact Person: John Bazcek Local Contact Person: _____
 Telephone #: (847) 705-4125 ext. Telephone #: _____
 Env. Contact: Sam Mead E-Mail: _____
 Telephone #: 8477054101 Title/Company: _____

Field Sign Off (Bio & Cultural Only) _____ Received in CO _____ SW Received _____

Sequence No: 14766

Memo Date: 10/23/2008 Memo By: V. Ruiz
 Memo: Beach Park, Gurnee, Wadsworth, Waukegan, Winthrop Harbor, Zion.
 SIGNED _____ DATE _____

BIOLOGICAL RESOURCES
NO SURVEY OR FURTHER
 COORDINATION REQUIRED
 10-27-09
 Thomas C. Buckley
 (SED) DATE

Wetland Impact Review Tool Report: Report of Possible Resource Conflicts.

Resource in Vicinity of Project Polygon

- National Wetlands Inventory (NWI)

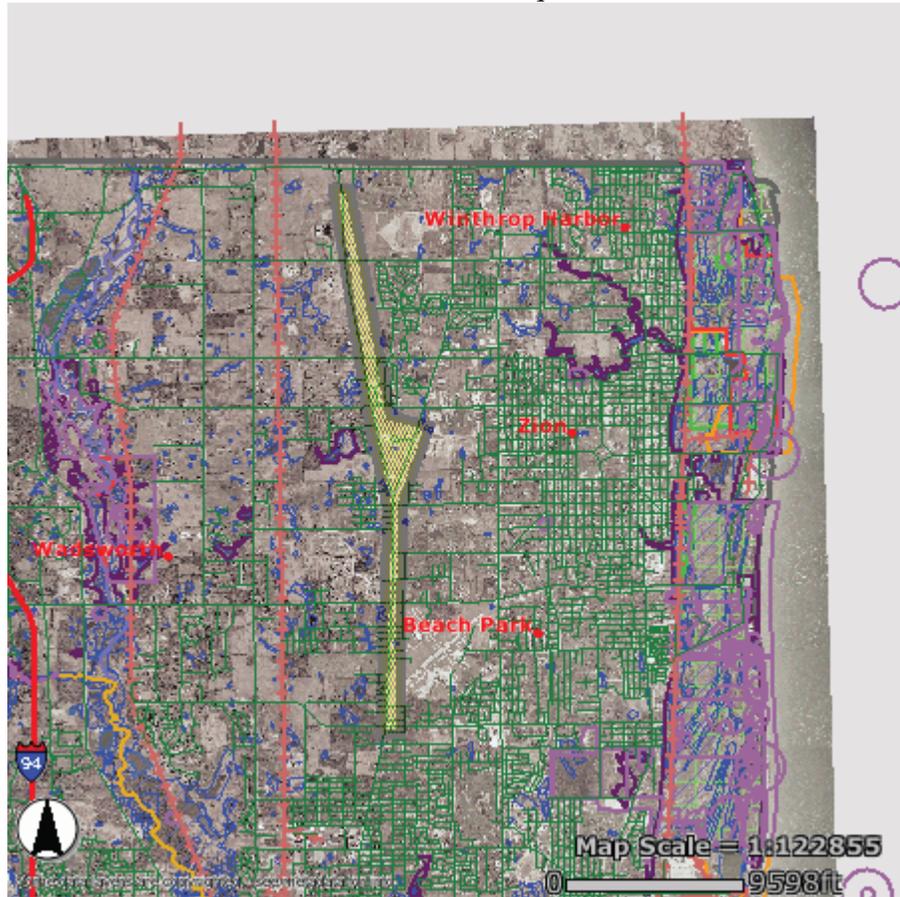
**Resource within Buffer
 No Resource Found**

- Threatened and Endangered Species
- Natural Area Inventory
- Nature Preserve/LWR
- Class 3 Ground Water
- ADID Wetlands

County: LAKE. Section (PLSS): 346N12E19.

Area: 1.25 square miles = 805.408 acres

Parcel ID: FAP 880, seq. 14766 N





Illinois Department of Transportation

Memorandum

To: John A. Fortmann Attn: Peter E. Harnet
From: John D. Baranzelli By: Thomas C. Brooks
Subject: Natural Resources Review
Date: January 21, 2015

Thomas C Brooks

FAP 880/FAP 2711 (IL 131)
T 45N, R 12E, S6
Seq. No. 14766 & 14766A
Lake County

The proposed project involves widening and reconstruction of existing two lanes of IL 131. Addendum A involves additional area for drainage design for a depressed roadway along airport and extended EB turn lanes @ IL 173 and Russel Rd.

There will be unknown acres of land acquisition. There will not be in-stream work. There will be unknown acres of tree removal. Land cover in the vicinity of the proposed improvement is residential and agricultural.

Review for Illinois Endangered Species Protection and Illinois Natural Areas Preservation – Part 1075

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. **Therefore, consultation under Part 1075 is terminated.**

This review for compliance with 17 Ill. Adm. Code Part 1075 is valid for two years unless new information becomes available that was not previously considered; the proposed improvement is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the proposed improvement has not been implemented within two years of the date of this memorandum, or any of the above listed conditions develop, a new review will be necessary.

Review for Illinois Interagency Wetland Policy Act – Part 1090

The National Wetlands Inventory shows wetlands in the vicinity of the project location. A survey for wetlands was conducted within the Environmental Survey Request limits for the proposed improvements. All potential sites were examined

and 66 sites were determined to be wetlands. The Wetland Delineation Report and spatial information (ArcGIS shapefile) are saved in the project folder.

The project sponsor will consider location and design alternatives to avoid and minimize adverse wetland impacts to the extent practical. After the extent of impacts is determined, a Wetland Impact Evaluation (WIE) form will be completed and submitted to the IDOT Bureau of Design and Environment. Unavoidable adverse wetland impacts are subject to the applicable ratios specified in 17 Ill. Adm. Code Part 1090.50 (c)(8). If the project will avoid adverse wetland impacts, the WIE should reflect the determination that adverse wetland impacts will not occur.

Please note: Wetland Site #70 has a mean C of 3.9 and an FQI of 37.5, indicating both a highly conservative flora on average, and high level of native species diversity. According to the INHS, this wetland complex qualifies to be recognized as a Regionally Noteworthy Botanical Area. Please avoid impacts to Wetland Site #70.

Review for Endangered Species Act - Section 7

See the attached US Fish and Wildlife Service list of endangered, threatened, proposed and candidate species and proposed and designated critical habitat that may be present within the county in which the proposed project is located. We cross-referenced the preferred habitat of each listed species with our knowledge of the project area and determined that there may be suitable habitat for the Eastern prairie fringed orchid (EPFO). A field survey was conducted and no individuals of the EPFO were found - see attached report. We conclude absence of EPFO in the project area.

Should the proposed improvement be modified or new information indicate listed or proposed species may be affected, consultation or additional coordination should be initiated.

Attachment—USFWS species county list

JMV



U.S. Fish and Wildlife Service

Trust Resources List

This resource list is to be used for planning purposes only — it is not an official species list.

Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:

Chicago Ecological Service Field Office
1250 SOUTH GROVE AVENUE SUITE 103
BARRINGTON, IL 60010
(847) 381-2253
<http://www.fws.gov/midwest/endangered/section7/s7process/7a2process.html>

Project Name:

IL 131 14766A

Project Counties:

Lake, IL

Project Type:

Transportation

Endangered Species Act Species List ([USFWS Endangered Species Program](#))

There are a total of 6 threatened, endangered, or candidate species on your 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 fishes may appear on the species list because a project could cause downstream effects on the species. Note that 1 of these species should be considered only under certain conditions. See the second table below for a list of these species and the conditions under which effects should be considered. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

Species that should be considered in an effects analysis for your project:

Birds	Status		Has Critical Habitat	Contact
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Trust Resources List

Piping Plover (<i>Charadrius melodus</i>) Population: Great Lakes watershed	Endangered	species info	Final designated critical habitat	Chicago Ecological Service Field Office
Flowering Plants				
Pitcher's thistle (<i>Cirsium pitcheri</i>)	Threatened	species info		Chicago Ecological Service Field Office
Insects				
Karner Blue butterfly (<i>Lycæides melissa samuelis</i>) Population: Entire	Endangered	species info		Chicago Ecological Service Field Office
Mammals				
northern long-eared Bat (<i>Myotis septentrionalis</i>) Population:	Proposed Endangered	species info		Chicago Ecological Service Field Office
Reptiles				
eastern Massasauga (<i>Sistrurus catenatus</i>)	Candidate	species info		Chicago Ecological Service Field Office

Species that should be considered in an effects analysis for your project under specified conditions:

Flowering Plants				
Eastern Prairie Fringed orchid (<i>Platanthera leucophaea</i>)	Threatened	species info	condition info	Chicago Ecological Service Field Office

Critical habitats within your project area:

There are no critical habitats within your project area.

FWS National Wildlife Refuges ([USFWS National Wildlife Refuges Program](#)).

There are no refuges found within the vicinity of your project.



Trust Resources List

FWS Migratory Birds (USFWS Migratory Bird Program).

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. For more information regarding these Acts see: <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html>.

To search and view summaries of year-round bird occurrence data within your project area, go to the Avian Knowledge Network Histogram Tool links in the Bird Conservation Tools section at: <http://www.fws.gov/migratorybirds/CCMB2.htm>.

For information about conservation measures that help avoid or minimize impacts to birds, please visit: <http://www.fws.gov/migratorybirds/CCMB2.htm>.

Migratory birds of concern that may be affected by your project:

There are **30** birds on your Migratory birds of concern list. The underlying data layers used to generate the migratory bird list of concern will continue to be updated regularly as new and better information is obtained. User feedback is one method of identifying any needed improvements. Therefore, users are encouraged to submit comments about any questions regarding species ranges (e.g., a bird on the USFWS BCC list you know does not occur in the specified location appears on the list, or a BCC species that you know does occur there is not appearing on the list). Comments should be sent to [the ECOS Help Desk](#).

Species Name	Bird of Conservation Concern (BCC)	Species Profile	Seasonal Occurrence in Project Area
Acadian Flycatcher (<i>Empidonax virescens</i>)	Yes	species info	Breeding



Trust Resources List

American bittern (<i>Botaurus lentiginosus</i>)	Yes	species info	Breeding
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Yes	species info	Year-round
Bell's Vireo (<i>Vireo bellii</i>)	Yes	species info	Breeding
Black tern (<i>Chlidonias niger</i>)	Yes	species info	Breeding
Black-billed Cuckoo (<i>Coccyzus erythrophthalmus</i>)	Yes	species info	Breeding
Black-crowned Night-Heron (<i>Nycticorax nycticorax</i>)	Yes	species info	Breeding
Blue-winged Warbler (<i>Vermivora pinus</i>)	Yes	species info	Breeding
Bobolink (<i>Dolichonyx oryzivorus</i>)	Yes	species info	Breeding
Brown Thrasher (<i>Toxostoma rufum</i>)	Yes	species info	Breeding
Canada Warbler (<i>Wilsonia canadensis</i>)	Yes	species info	Breeding
cerulean warbler (<i>Dendroica cerulea</i>)	Yes	species info	Breeding
Common tern (<i>Sterna hirundo</i>)	Yes	species info	Breeding
Dickcissel (<i>Spiza americana</i>)	Yes	species info	Breeding
Field Sparrow (<i>Spizella pusilla</i>)	Yes	species info	Breeding
Golden-Winged Warbler (<i>Vermivora chrysoptera</i>)	Yes	species info	Breeding
Henslow's sparrow (<i>Ammodramus henslowii</i>)	Yes	species info	Breeding
Kentucky Warbler (<i>Oporornis formosus</i>)	Yes	species info	Breeding
Least Bittern (<i>Ixobrychus exilis</i>)	Yes	species info	Breeding
Loggerhead Shrike (<i>Lanius ludovicianus</i>)	Yes	species info	Breeding
Marsh wren (<i>Cistothorus palustris</i>)	Yes	species info	Breeding
Northern Flicker (<i>Colaptes auratus</i>)	Yes	species info	Year-round



Trust Resources List

Pied-billed Grebe (<i>Podilymbus podiceps</i>)	Yes	species info	Breeding
Prothonotary Warbler (<i>Protonotaria citrea</i>)	Yes	species info	Breeding
Red-headed Woodpecker (<i>Melanerpes erythrocephalus</i>)	Yes	species info	Year-round
Rusty Blackbird (<i>Euphagus carolinus</i>)	Yes	species info	Wintering
Short-eared Owl (<i>Asio flammeus</i>)	Yes	species info	Wintering
Upland Sandpiper (<i>Bartramia longicauda</i>)	Yes	species info	Breeding
Willow Flycatcher (<i>Empidonax traillii</i>)	Yes	species info	Breeding
Wood Thrush (<i>Hylocichla mustelina</i>)	Yes	species info	Breeding

NWI Wetlands ([USFWS National Wetlands Inventory](#)).

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

Data Limitations, Exclusions and Precautions

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.



Trust Resources List

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery and/or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Exclusions - Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Precautions - Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

The following wetland types intersect your project area in one or more locations:

Wetland Types	NWI Classification Code	Total Acres
Freshwater Emergent Wetland	PEM/ABF	6.441
Freshwater Emergent Wetland	PEM/SS1A	16.3522
Freshwater Emergent Wetland	PEM/UBF	16.53
Freshwater Emergent Wetland	PEM/UBG	13.368
Freshwater Emergent Wetland	PEM/SS1C	161.6398
Freshwater Emergent Wetland	PEM/SS1BD	89.896
Freshwater Emergent Wetland	PEM/SS1F	4.8422
Freshwater Emergent Wetland	PEMCd	247.9916
Freshwater Emergent Wetland	PEMFd	35.0366



Trust Resources List

Freshwater Emergent Wetland	PEM/FO1Cd	11.1069
Freshwater Emergent Wetland	PEMBd	0.578
Freshwater Emergent Wetland	PEMFh	3.2559
Freshwater Emergent Wetland	PEMF	863.9705
Freshwater Emergent Wetland	PEMA	56.1351
Freshwater Emergent Wetland	PEMC	841.4164
Freshwater Emergent Wetland	PEMB	16.0415
Freshwater Emergent Wetland	PEMAd	2.1904
Freshwater Emergent Wetland	PEMAf	11.4185
Freshwater Emergent Wetland	PEM/FO1C	88.0558
Freshwater Emergent Wetland	PEM/FO1B	4.308
Freshwater Emergent Wetland	PEM/SS1Cd	33.9986
Freshwater Forested/Shrub Wetland	PSS1/EMA	8.0804
Freshwater Forested/Shrub Wetland	PSS1/EMC	95.0108
Freshwater Forested/Shrub Wetland	PSS1Cd	2.6784
Freshwater Forested/Shrub Wetland	PFO1Ad	9.7869
Freshwater Forested/Shrub Wetland	PSS/FO1CD	22.6501
Freshwater Forested/Shrub Wetland	PFO/SS1C	28.1628
Freshwater Forested/Shrub Wetland	PFO/SS1A	4.3662
Freshwater Forested/Shrub Wetland	PFO5FH	1.4044
Freshwater Forested/Shrub Wetland	PSS1/ABF	1.7286
Freshwater Forested/Shrub Wetland	PSS/FO1A	1.1256
Freshwater Forested/Shrub Wetland	PSS/FO1C	57.9338
Freshwater Forested/Shrub Wetland	PFO1Bg	1.435
Freshwater Forested/Shrub Wetland	PSS1B	32.1791
Freshwater Forested/Shrub Wetland	PFO1C	256.6629



Trust Resources List

Freshwater Forested/Shrub Wetland	PSS1A	21.0433
Freshwater Forested/Shrub Wetland	PFO1A	76.5196
Freshwater Forested/Shrub Wetland	PSS1C	41.1257
Freshwater Pond	PUBFx	7.9431
Freshwater Pond	PUB/EMF	3.198
Freshwater Pond	PUB/EMG	93.2292
Freshwater Pond	PAB4/FO5F	5.1694
Freshwater Pond	PUBKh	0.3341
Freshwater Pond	PUBGh	18.6504
Freshwater Pond	PUB/ABF	1.2839
Freshwater Pond	PUBGx	160.506
Freshwater Pond	PUB/AB4Gx	0.4127
Freshwater Pond	PAB4G	1.9987
Freshwater Pond	PAB4F	14.2408
Freshwater Pond	PABF	5.512
Freshwater Pond	PUBHh	5.5778
Freshwater Pond	PABFx	0.9352
Freshwater Pond	PUBKx	0.5354
Freshwater Pond	PUB/AB4F	1.316
Freshwater Pond	PUBHx	82.7932
Freshwater Pond	PAB/EMF	3.9276
Freshwater Pond	PAB4Hx	0.2512
Freshwater Pond	PUBH	33.9595
Freshwater Pond	PUBG	4.8344
Freshwater Pond	PUBF	29.5359
Freshwater Pond	PUBFh	1.3545



U.S. Fish and Wildlife Service

Trust Resources List

Freshwater Pond	PUB/EMFH	0.2799
Lake	L1ABG	8.782
Lake	L1ABH	3.5966
Lake	L1AB4H	1.005
Lake	L2USJ	17.0435
Lake	L1UBH	890.3547
Lake	L1UBHx	103.1122
Lake	L2UBG	159.4152
Lake	L1UBGx	3.0744
Riverine	R2UBH	433.0079
Riverine	R2UBHx	9.8298



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
231 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60604-1437

REPLY TO
ATTENTION OF:

January 10, 2017

Technical Services Division
Regulatory Branch
LRC-2010-00518

SUBJECT: Approved Jurisdictional Determination for Illinois Route 131 from Russell Road to Sunset Avenue in Waukegan, Beach Park, Winthrop Harbor, Wadsworth, and Zion in Lake County, Illinois

John Fortmann
Illinois Department of Transportation
201 West Center Court
Schaumburg, Illinois 60196

Dear Mr. Fortmann:

This is in response to your request that the U.S. Army Corps of Engineers complete a jurisdictional determination for the above-referenced site. The subject project has been assigned number LRC-2010-00518. Please reference this number in all future correspondence concerning this project.

Following a review of the information you submitted, this office has determined that the subject property contains "waters of the United States" as well as non-jurisdictional features. Sites 7-9, 40, 41, 51-53, 55, 58, 65, 69-72, W4-W7 have been determined to be under the jurisdiction of this office and therefore, subject to Federal regulation.

Sites 4, 6, 10, 11, 14, 15, 17-19, 21-27, 29-39, 42, 45-50, 57, 59-60 and 66 have been determined to be isolated and therefore not subject to Federal regulation. Sites 12, 13, 28, 56, 61-63 and 67-68 are detention basins constructed in upland and are not under the jurisdiction of this office. Sites W3, W8 and W9 are roadside ditches and not under the jurisdiction of this office. Please be informed that this office does not concur with the boundaries of waters not under the jurisdiction of this office.

This office concurs with the submitted wetland delineation and wetland boundaries at the subject site. This confirmation is valid for a period of five years from the date of this letter unless new information warrants revision of the delineation prior to the expiration date.

For a detailed description of our determination please refer to the enclosed decision document. This determination covers only your project as depicted in the document titled "Wetland Delineation Report – Project Site: IL 131 (FAP880/FAP 2711) Addendum A – Lake County, Illinois" dated July 2013, prepared by the Illinois Natural History Survey.

This determination is valid for a period of five (5) years from the date of the letter, unless new information warrants revision of the determination before the expiration date or a District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

This letter is considered an approved jurisdictional determination for your subject site. If you object to this determination, you may appeal, according to 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and a Request for Appeal (RFA) form. If you request to appeal the above determination, you must submit a completed RFA form to the Great Lakes/Ohio River Division Office at the following address:

Jacob Siegrist
Appeal Review Officer
Great Lakes and Ohio River Division
CELRD-PD-REG
550 Main Street, Room 10032
Cincinnati, Ohio 45202-3222
Phone: (513) 684-2699 Fax: (513) 684-2460

In order to be accepted, your RFA must be complete, meet the criteria for appeal and be received by the Division Office within sixty (60) days of the date of the NAP. If you concur with the determination in this letter, submittal of the RFA form to the Division office is not necessary.

This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

It is your responsibility to obtain any required state, county, or local approvals for impacts to wetland areas not under the Department of the Army jurisdiction. For projects in unincorporated areas of Lake County, please contact Lake County Planning, Building and Development at (847) 377-2600. For projects in incorporated areas of Lake County, please contact the Lake County Stormwater Management Commission at (847) 377-7700.

Pursuant to Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers regulates the discharge of dredged or fill material into waters of the United States, including wetlands. A Department of the Army permit is required for any proposed work involving the discharge of dredged or fill material within the jurisdiction of this office. To initiate the permit process, please submit a joint permit application form along with detailed plans of the proposed work. Information concerning our program, including the application form and an application checklist, can be found at and downloaded from our website:
<http://www.lrc.usace.army.mil/Missions/Regulatory.aspx>

If you have any questions, please contact Mr. Soren Hall of my staff by telephone at (312) 846-5532 or email at Soren.G.Hall@usace.army.mil.

Sincerely,
CHERNICH.KATHLEEN.
G.1230365616
2017.01.18 17:05:51
-06'00'
Kathleen G. Chernich
Chief, East Section
Regulatory Branch

Enclosures

Copy Furnished w/out Enclosures

Huff & Huff (Alycia Klunenberg)

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: John Fortmann, Transportation		Illinois Department of	File Number: LRC-2010-00518	Date: January 10, 2017
Attached is:				See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)			A
	PROFFERED PERMIT (Standard Permit or Letter of Permission)			B
	PERMIT DENIAL			C
X	APPROVED JURISDICTIONAL DETERMINATION			D
	PRELIMINARY JURISDICTIONAL DETERMINATION			E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A. INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit or a Letter of Permission (LOP), you may sign the permit document and return it to the district commander for final authorization. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district commander. Your objections must be received by the district commander within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district commander will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district commander will send you a proffered permit for your reconsideration, as indicated in Section B below.

B. PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit or a Letter of Permission (LOP), you may sign the permit document and return it to the district commander for final authorization. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division commander. This form must be received by the division commander within 60 days of the date of this notice.

C. PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division commander. This form must be received by the division commander within 60 days of the date of this notice.

D. APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division commander. This form must be received by the division commander within 60 days of the date of this notice.

E. **PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Regulatory Branch
Chicago District Corps of Engineers
231 South LaSalle Street, Suite 1500
Chicago, IL 60604-1437
Phone: (312) 846-5530
Fax: (312) 353-4110

If you only have questions regarding the appeal process you may also contact:

Jacob Siegrist
Appeal Review Officer
Great Lakes and Ohio River Division
CELRD-PD-REG
550 Main Street, Room 10032
Cincinnati, Ohio 45202-3222
Phone: (513) 684-2699 Fax: (513) 684-2460

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Commanders personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Information to Determine 4(d) Rule Compliance:

YES NO

	YES	NO
1. Does the project occur wholly outside of the WNS Zone ¹ ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have you contacted the appropriate agency ² to determine if your project is near known hibernacula or maternity roost trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

Agency and Applicant³ (Name, Email, Phone No.): Janel Veile, janel.veile@illinois.gov, 217-558-4752

Project Name: FAP 880/FAP 2711 (IL Rt 131); Seq. no. 14766 and A

Project Location (include coordinates if known): Sunset Ave to Russel Road in Lake County

Basic Project Description (provide narrative below or attach additional information): Involves widening and reconstructing Illinois Route 131 for 7.3 miles between Russell Road and Sunset Avenue in Lake County, Illinois. The proposed improvements include: two lanes in each direction, dedicated left and right turn lanes; a raised median between Russell Road and Yorkhouse Road; a flush two-way left turn lane between Yorkhouse Road and Sunset Avenue; a shared-use path; and a sidewalk.

¹ <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

² See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

³ If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

General Project Information

YES NO

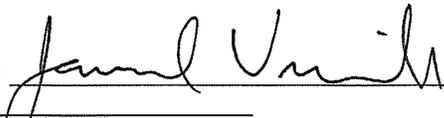
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion ⁴ ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	1,660 trees	
If known, estimated acres ⁵ of forest conversion from April 1 to October 31		
If known, estimated acres of forest conversion from June 1 to July 31 ⁶		
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: 

Date Submitted: 5-9-17

⁴ Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

⁵ If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

⁶ If the activity includes tree clearing in June and July, also include those acreage in April to October.

SPECIAL WASTE

- Special Waste Informal Transmittal (May 20, 2010) B4-1
- Preliminary Environmental Site Assessment Review Memorandum (May 17, 2010)..... B4-2
- Special Waste Informal Transmittal (September 5, 2013) B4-3
- Preliminary Environmental Site Assessment Review Memorandum (August 29, 2013)..... B4-4
- Preliminary Environmental Site Assessment Review Memorandum (February 14, 2017)..... B4-5



Illinois Department of Transportation

201 West Center Court
Schaumburg, IL 60196-1096

Informal Transmittal

To:	John Bazcek
Bureau:	Programming
Attn:	

From:	Sam Mead
Bureau:	Programming
	Environmental Studies Unit
Subject:	IL-131; Sunset Ave. to Russel Rd. (WI State Line)
	Special Waste

Date:	05/20/2010
-------	------------

Please check appropriate box below:

- | | | |
|--|--|---------------------------------|
| <input type="checkbox"/> Take Necessary Action | <input checked="" type="checkbox"/> For Your Information | <input type="checkbox"/> Reply |
| <input type="checkbox"/> For Your Comments | <input type="checkbox"/> See Me About the Attached | <input type="checkbox"/> Return |
| <input type="checkbox"/> Per Your Request | <input type="checkbox"/> Draft (Letter)(Memo) For | <input type="checkbox"/> Route |
| <input type="checkbox"/> For Your Approval | My signature | <input type="checkbox"/> File |

Message

Attached is a copy of the PESA for the above-mentioned project. The PESA Review cover memo, dated **May 17, 2010**, states that there are Recognized Environmental Conditions (REC's) along the project route and that further studies may be required if the project will require land acquisition or linear excavation from or adjacent to a property with RECs. Special Waste studies are now complete for Phase I and the project is clear for Design Approval.

A Special Design/Construction Consideration shall be added to the Project Report that states:

"A Preliminary Environmental Site Assessment (PESA) has been completed for this project. It is the responsibility of Phase II to determine if any of the sites with Recognized Environmental Conditions (REC's) or ROW adjacent to the site with RECs will be impacted with the proposed work and/or if any ROW will be required at any of the REC locations. Any acquisition shall be discussed with the Bureau of Land Acquisition prior to responding to the PESA to request further studies"

If you have any questions, please call me at extension 4101.

Signature

Copies to

PESA File

Judy Cortese – Land Acq.

Response



Illinois Department of Transportation

201 West Center Court
Schaumburg, IL 60196-1096

Informal Transmittal

To:	Kimberly Murphy
Bureau:	Programming
Attn:	

From:	Tyler Petersen
Bureau:	Programming
	Environmental Studies Unit
Subject:	IL 131; Russell Rd. to Sunset Ave. P-91-352-07 Seq. # 14766A ISGS # 1806V
	Special Waste

Date:	09/05/2013
-------	------------

Please check appropriate box below:

- | | | |
|--|---|---------------------------------|
| <input type="checkbox"/> Take Necessary Action | <input checked="" type="checkbox"/> For Your Information | <input type="checkbox"/> Reply |
| <input type="checkbox"/> For Your Comments | <input type="checkbox"/> See Me About the Attached | <input type="checkbox"/> Return |
| <input type="checkbox"/> Per Your Request | <input type="checkbox"/> Draft (Letter)(Memo) For
My signature | <input type="checkbox"/> Route |
| <input type="checkbox"/> For Your Approval | | <input type="checkbox"/> File |

Message

Attached is a copy of the PESA for the above-mentioned project. The PESA Review cover memo, dated August 2, 2013, states that there are Recognized Environmental Conditions (REC's) along the project route and that further studies may be required if the project will require land acquisition or linear excavation from or adjacent to a property with RECs. Special Waste studies are now complete for Phase I and the project is clear for Design Approval.

A Special Design/Construction Consideration shall be added to the Project Report that states:

***** "A Preliminary Environmental Site Assessment (PESA) has been completed for this project. It is the responsibility of Phase II to determine if any of the sites or ROW adjacent to the site will be impacted with the proposed work and/or if any ROW will be required at any of the locations."

If you have any questions, please call me at extension 4122.



Signature

Copies to

PESA File

David Howorth – Land Acq.

Response

SECTION 4(F)

- Shepherd's Crook Golf Course Temporary No Use Concurrence (June 4, 2012) B5-1



Illinois Department of Transportation

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

Project and Environmental Studies
Illinois Route 131 (Green Bay Road)
Russell Road to Sunset Avenue
Lake County

May 25, 2012

Mr. Richard Walker
Director of Parks & Recreation
Zion Park District
2400 Dowie Memorial Drive
Zion, IL 60099

Dear Mr. Walker:

The Illinois Department of Transportation (Department) is currently performing preliminary engineering and environmental studies (Phase I) for the improvement of Illinois Route 131 (Green Bay Road) from Russell Road to Sunset Avenue, in Lake County. A location map is attached for your reference. This project is not included in the Department's Fiscal Year 2013 to 2018 Proposed Multi-Modal Transportation Improvement Program. This project will be included in our priorities for future funding consideration among similar improvement needs throughout the region. The scope of work is roadway reconstruction to provide two lanes in each direction with a median. The project is necessary to address the safety issues along the corridor, as well as improve operations, mobility, and pedestrian and bicycle facilities.

The proposed Illinois Route 131 improvement will require two temporary easements from the Shepherd's Crook Golf Course (Golf Course) property. As this project is anticipated to utilize federal funds, the Golf Course is eligible for protection under federal regulations 23 U.S.C. 138 and 49 U.S.C. 303, which were originally enacted as Section 4(f) of the Department of Transportation Act of 1968 and are still commonly referred to as "Section 4(f)." Section 4(f), which is implemented under Code of Federal Regulations 23 CFR 774, is the federal act that protects publicly owned parks, recreation areas, and wildlife and waterfowl refuges. The purpose of this letter is to request your concurrence that this project will satisfy the temporary occupancy requirements under Section 4(f).

The required temporary easements total 2,406 square feet (sq. ft.) as shown on the attached preliminary plan and denoted in blue. The southernmost temporary easement (1,692 sq. ft.) is needed to construct drainage swales and match the existing side slope grades. The northernmost temporary easement (714 sq. ft.) is needed to reconstruct the driveway entrance to the golf course. The overall construction project is estimated to last approximately two years, but the actual duration of the work on the golf course property will be minimized and determined during contract plan preparation (Phase II). The land will be restored after construction with landscaping to include either grass seeding or sodding. This easement will not cause permanent impact, alteration or disruption to the recreational use of the golf course.

The requirements of Section 4(f) will be satisfied for the subject project if the impacts to the Golf Course can be qualified as temporary occupancy. This is described in 23 CFR Part 774 as temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f). The following conditions must be satisfied:

- (1) Duration must be temporary, i.e. less than the time needed for construction of the project, and there should be no change in ownership of the land;
- (2) Scope of the work must be minor, i.e. both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- (3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- (4) The land being used must be fully restored, i.e. the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- (5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

We believe that these conditions will be met for this project. If you agree that the subject project meets the above conditions for temporary occupancy, please indicate your concurrence by signing the last page of this letter and returning it to the Department in the enclosed self addressed envelope. Your concurrence will help fulfill the environmental processing for the project and expedite our studies.

Mr. Richard Walker
May 25, 2012
Page 3

If you have any questions or need additional information, please contact Marty Morse, Project Manager, at (847) 705-4107.

Very truly yours,

Diane M. O'Keefe, P.E.
Deputy Director of Highways,
Region One Engineer

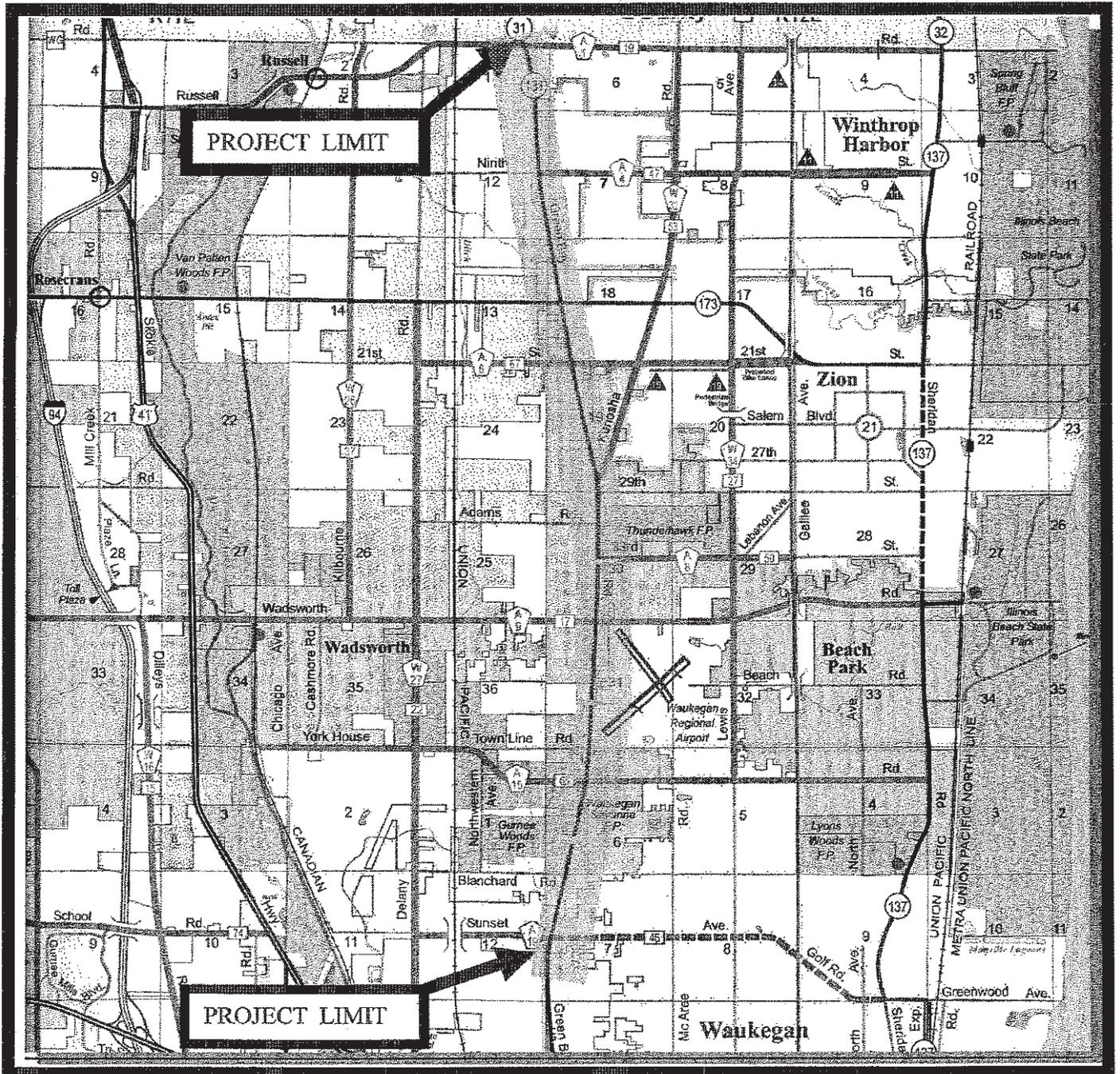
By: 
John A. Baczek, P.E.
Project and Environmental Studies Section Chief

cc: Diane D. Burkemper, Zion City Clerk

Attachments

bcc: Don Wittmer, HNTB
Ken Doll

S:\WP\p&es\CONSULT\Projects - Active\IL 131 from Russell to Sunset\Correspondence\Draft Zion PD
Shepherds Crook 4(f) LTR to Walker(2).docx



Location Map

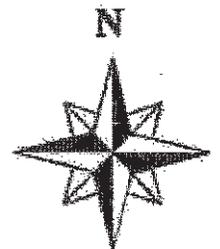
PROPOSED IMPROVEMENT:

Illinois Rte. 131 (Russell Rd. to Sunset Ave.)

Municipalities: Zion, Wadsworth, Beach Park, Waukegan
Gurnee, Winthrop Harbor

County: Lake **Route:** FAP 880/FAU 2711

Project #: P-91-352-07



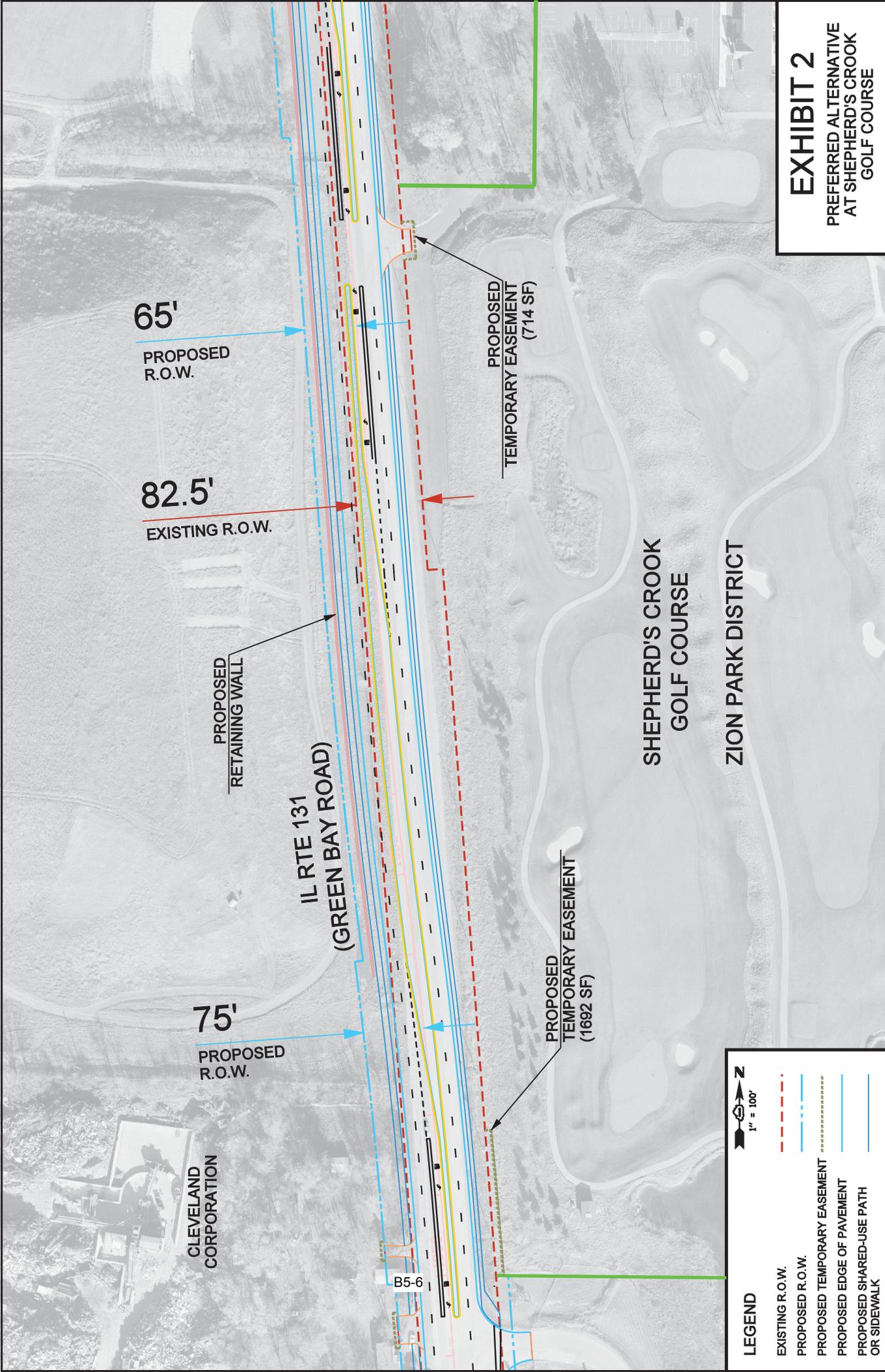


EXHIBIT 2
 PREFERRED ALTERNATIVE
 AT SHEPHERD'S CROOK
 GOLF COURSE

65'
 PROPOSED
 R.O.W.

82.5'
 EXISTING R.O.W.

PROPOSED
 RETAINING WALL

IL RTE 131
 (GREEN BAY ROAD)

75'
 PROPOSED
 R.O.W.

PROPOSED
 TEMPORARY EASEMENT
 (714 SF)

SHEPHERD'S CROOK
 GOLF COURSE

ZION PARK DISTRICT

PROPOSED
 TEMPORARY EASEMENT
 (1692 SF)

CLEVELAND
 CORPORATION

B5-6

LEGEND

- EXISTING R.O.W.
- PROPOSED R.O.W.
- PROPOSED TEMPORARY EASEMENT
- PROPOSED EDGE OF PAVEMENT
- PROPOSED SHARED-USE PATH OR SIDEWALK