



U.S. Department  
of Transportation

**Federal Highway  
Administration**

Illinois Division

3250 Executive Park Dr.  
Springfield, IL 62703

June 11, 2020

Refer To: HA-IL

Jack Elston, P.E.  
Engineer of Design and Environment  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

Subject: IL 131 from Russell Road to Sunset Avenue, Lake County, Illinois  
Finding of No Significant Impact

Dear Mr. Elston:

The Federal Highway Administration (FHWA) received the Illinois Department of Transportation's April 30, 2020 request to issue a Finding of No Significant Impact (FONSI) for the IL 131 from Russell Road to Sunset Avenue project in Lake County, Illinois. The FHWA has reviewed the Environmental Assessment (EA), the errata to the EA, the comments submitted during the public comment period and hearing, and the responses to comments. Based on this information, FHWA agrees that the project will not result in a significant impact to the human environment. Included with this letter is the electronically signed FONSI document.

If you have any questions, please contact Irene Pantoja, District 1, Transportation Engineer at [Irene.Pantoja@dot.gov](mailto:Irene.Pantoja@dot.gov) or 217-492-4628.

Sincerely,

Irene Pantoja  
Transportation Engineer

Enclosure

ecc: Mr. Anthony Quigley, Region 1 Engineer, IDOT  
Mr. Scott Stitt, Bureau of Design and Environment, IDOT  
Mr. John Sherrill, Bureau of Design and Environment, DOT  
Ms. Lori Brown, District 1, IDOT  
Mr. Ken Westlake, US Environmental Protection Agency  
Ms. Anastasi Brown, US Army Corps of Engineers  
Mr. Shawn Cirton, US Fish & Wildlife Service  
Mr. Bradley Hayes, IL Department of Natural Resources  
Mr. Brian Rennecker, IL Department of Agriculture  
Ms. Darin LeCrone, IL Environmental Protection Agency  
Mr. Carol J. Wallace, IL State Historic Preservation Officer



# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

April 30, 2020

Ms. Arlene Kocher  
Division Administrator  
Federal Highway Administration  
3250 Executive Park Drive  
Springfield, Illinois 62703-4514

Re: Finding of No Significant Impact (FONSI)  
IL 131 (Russell Road to Sunset Avenue)  
Lake County

Dear Ms. Kocher:

Enclosed are three copies of the Finding of No Significant Impact (FONSI) for the IL 131 project. The Illinois Department of Transportation concludes the Environmental Assessment supports the conclusion that there are no significant environmental impacts associated with this project.

If you concur with this determination, please issue the appropriate finding.

If you have any questions, please contact John Sherrill at (217) 785-2833 or [John.Sherrill@illinois.gov](mailto:John.Sherrill@illinois.gov)

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jack A. Elston'.

Jack A. Elston, P.E.  
Engineer of Design and Environment

Enclosures

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

**FINDING OF NO SIGNIFICANT IMPACT**

**Illinois Route 131  
Russell Road to Sunset Avenue  
Job No. P-91-352-07  
Lake County, Illinois**

**INTRODUCTION**

The Illinois Department of Transportation (IDOT) proposes to improve Illinois Route 131 (IL 131) between Russell Road and Sunset Avenue (approximately 7.3 miles). The purpose of the proposed action is to improve safety and mobility, as well as upgrade roadway features to meet current design standards. The proposed action also includes a goal of improving pedestrian and bicycle facilities along IL 131.

The preferred alternative as described in the Environmental Assessment (EA) meets the project's purpose and need and minimizes impacts to the extent possible. It involves widening IL 131 to provide two through lanes in each direction. The median and edge treatments vary along the corridor, as described below:

- **Russell Road to Shepherd's Crook Golf Course:** 22-foot wide raised curb median with shoulders and ditches.
- **Shepherd's Crook Golf Course to 9<sup>th</sup> Street:** 22-foot wide raised curb median with curb and gutter.
- **9<sup>th</sup> Street to Stone Bridge Drive:** 22-foot wide raised curb median and shoulders with ditches.
- **Stonebridge Drive to 33<sup>rd</sup> Street:** 22-foot wide raised curb median and curb and gutter.
- **33<sup>rd</sup> Street to Yorkhouse Road:** 14-foot wide raised curb median with curb and gutter.
- **Yorkhouse Road to Sunset Avenue:** Flush median for a two-way left turn lane with curb and gutter.

The preferred alternative also includes relocating and lowering IL 131 between Beach Road and Yorkhouse Road to comply with Federal Aviation Administration (FAA) regulations and accommodate the planned expansion of the Waukegan National Airport. The entire 7.3 mile project corridor includes:

- Dedicated left turn lanes at major intersections;
- Dedicated right turn lanes where needed to provide acceptable traffic operations;

- 8- to 10-foot shared-use path (or graded shelf);
- 5-foot sidewalk (or graded shelf); and
- Combining and removing extra driveways very close to major intersection areas.

The preferred alternative incorporates features such as retaining walls, curb and gutter, roadway shifts, narrower medians, roadway grading, and drainage features to minimize impacts. In addition, the location of the shared-use path alternates between the east and west sides of IL 131 to provide connections between the places where pedestrians and bicyclists are most likely to travel. Features to improve water quality and benefit wildlife are also included. The preferred alternative received concurrence through the NEPA-404 Merger process.

This project is included in the Fiscal Year (FY) 2019–2024 Transportation Improvement Program (TIP) endorsed by the Metropolitan Planning Organization Policy Committee of the Chicago Metropolitan Planning Organization (CMAP). Projects in the TIP are considered to be consistent with ON TO 2050, the 2050 regional transportation plan endorsed by CMAP. The project is within the fiscally constrained portion of the plan. The TIP number for the project is 10-09-0024. Funding for subsequent phases of this project is included in IDOT’s Proposed Highway Improvement Program, including \$12 million for land acquisition and \$4.4 million for Phase II engineering in FY 2020, as well as \$50.5 million for the completion of the improvement from Sunset Avenue to Wadsworth Road in the FY 2020-2025 program.

## **ENVIRONMENTAL IMPACTS**

Implementing the proposed IL 131 improvements will result in the following impacts:

**Right-of-Way:** Construction of the proposed improvements will require approximately 40.05 acres of proposed right-of-way, including 1.0 acre of donated right-of-way, 6.56 acres of permanent easements, and 5.89 acres of temporary easements. The proposed improvements will not result in any residential displacements.

**Social and Economic Resources and Environmental Justice:** The proposed improvements will not disproportionately affect community cohesion or groups of minorities, older adults, low-income households, or persons with disabilities. The proposed action is consistent with existing and future land use plans and is expected to have positive overall economic effects.

The area surrounding the project contains a high proportion of minority and Hispanic populations. While property impacts were avoided and minimized to the extent possible, the proposed improvements will require land from 288 residences and 162 businesses along IL 131. Impacts to residents and businesses will include small permanent increases in travel distances due to left turn restrictions, and increased noise levels. Property impacts will also require two businesses to relocate buildings on their property. The proposed improvements include median openings every ¼-mile to preserve local access. Additional benefits to residents and businesses include improving mobility and safety along IL 131; providing different modal options through the shared-use paths and sidewalks; and improving connections to the larger transportation system, including public transportation. The public

involvement activities for the proposed action included enhanced efforts to engage minority stakeholders, including translating project materials to Spanish and having a translator present at all public meetings and the public hearing. Neither business that will be relocated is minority owned, and there is room to relocate the impacted buildings on their existing properties. Therefore, the project will not adversely affect short-term employment for minority individuals; and will enhance employment opportunities because of the improved transportation safety and mobility. Furthermore, the proposed improvements will achieve an appropriate balance of benefits and burdens such that no disproportionately high and adverse impacts to environmental justice populations will occur.

**Agricultural Lands:** The preferred alternative will permanently convert 7.72 acres of land that is currently under agricultural production. Of this total, 6.33 acres are considered land already in urban development. In April 2018, the Illinois Department of Agriculture determined the project complies with IDOT's *Agricultural Land Preservation Policy* and the *Illinois Farmland Preservation Act*.

**Cultural Resources:** No archaeological sites or architectural resources listed on or eligible for the National Register of Historic Places (NRHP) are present in the project area.

**Air Quality:** The proposed improvements are listed in CMAP's approved TIP. The proposed action is exempt from project-level carbon monoxide air quality analysis because corridor traffic volumes fall below the criterion for assessment, in accordance with the IDOT-IEPA "Agreement on Microscale Air Quality Assessments for IDOT Sponsored Transportation Projects." The proposed action does not present a concern for air quality as defined in 40 CFR 93.123(b)(1) and therefore meets all federal air quality requirements and standards for PM<sub>2.5</sub>. The proposed improvements may increase MSAT emissions where additional travel lanes will be added along IL 131 corridor, but overall MSAT emissions within the study area are expected to decrease in the future because USEPA-required vehicle and fuel regulations will begin to take effect. As a result, the project meets the criteria for "Low Potential for MSAT effects" in accordance with the *FHWA Interim Guidance on Air Toxics Analysis in NEPA Documents*.

**Noise:** Traffic noise levels in the project area were evaluated for 45 common noise environments (CNEs). Traffic noise impacts were identified in 36 CNE's due to predicted traffic noise levels that approach, equal or exceed the FHWA Noise Abatement Criteria for their respective land uses. Within those CNE's, traffic noise impacts were predicted at 137 homes, two churches, two golf courses, one office building, and one park. A total of 75 noise walls were evaluated to mitigate or reduce traffic noise impacts. Four noise walls (B2, B9, B33 and B63) were found to be feasible and cost effective while meeting IDOT's noise reduction design goals.

According to IDOT's noise policy, IDOT will determine to build the four noise walls based on the viewpoints of the benefitted receptors. The final decision to build the noise walls will be made when viewpoints are solicited from benefitted receptors.

**Plant Communities:** Field surveys identified 15 types of naturally occurring wooded plant communities ranging in size from 0.03 to 2.89 acres within the project. Most of the project area contains relatively small trees scattered in commercial, residential and wooded areas.

However, there are several medium to large trees and 15 trees with a diameter of 24-inches or more located throughout the project area. No exceptional or specimen trees were identified in the project area. The proposed action will convert 10.06 acres of land from wooded plant communities. Approximately 1,660 trees will be removed, including thirteen trees with a diameter at breast height of 24-inches or more. To mitigate the unavoidable impacts, IDOT will replace impacted trees in accordance with IDOT Departmental Policy D&E-18, “Preservation and Replacement of Trees.”

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

**Wildlife:** The proposed improvements require land from some potential wildlife habitat located in upland plant communities, small streams and wetland areas. To mitigate potential impacts, wildlife crossings are proposed at six locations along IL 131 for small to medium-sized mammals, amphibians and reptiles. The crossings will consist of culverts that have been oversized to allow wildlife to pass under the roadway. IDOT will determine the exact sizes and types for the modified culverts during contract plan preparation (Phase II). Therefore, the proposed action is not anticipated to impact wildlife.

**Threatened and Endangered Species:** No federally-listed species are anticipated to be impacted by the proposed improvements. The United States Fish and Wildlife Service (USFWS) identified eight federally listed species that may be present in Lake County. Only three of these species – the Eastern prairie fringed orchid (threatened), the Rusty patched bumble bee (endangered) and the northern long-eared bat (threatened) – may have suitable habitat in the project area.

Field surveys conducted for the eastern prairie fringed orchid (EPFO) concluded that neither the EPFO nor its habitat exist in the project corridor.

Potentially suitable habitat for the rusty patched bumble bee was evaluated using guidance issued by USFWS. The IL 131 project area does not overlap a 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 area is within the northern long-eared bat (NLEB) White-Nose Syndrome Zone, as identified by the USFWS. There is no suitable winter habitat (caves or mines) for the NLEB in the project area. However, suitable summer habitat is present. There are no known maternity roost trees, maternity colonies or hibernacula in the vicinity of the project corridor. In consultation with USFWS, it was determined that the proposed action may affect the NLEB but will not cause an incidental take prohibited by the final 4(d) rule.

No state-listed species were identified in the project area.

**Surface Water Resources:** The project area includes seven small unnamed streams/ditches and one pond which ultimately drain to the Des Plaines River and one unnamed stream which

ultimately drains to Lake Michigan. The U.S. Army Corps of Engineers (USACE) determined that four of the unnamed streams in the project area are considered Waters of the United States (WOUS). The proposed improvements will impact a total of 0.03 acres in three streams, all of which have been designated WOUS, due to widening the IL 131 roadway and replacing and extending existing culverts. Mitigation for impacts to WOUS will be determined during contract plan preparation (Phase II) and in coordination with the USACE during the Section 404 permitting process.

Coordination with the USACE occurred to discuss environmentally sensitive areas in the project corridor, as well as best management practices (BMPs), impact avoidance, and minimization strategies. Proposed BMPs include rip rap dissipaters, ditch checks, over-excavation of detention basins, and inline stormwater detention where appropriate. Where swales and ditches are included in the proposed improvements, they will have vegetation to slow the runoff and help filter pollutants before it enters the storm sewer system. Where the improvements include a storm sewer system, BMPs such as catch basins with sumps and vortex separators will further trap sediments.

The proposed improvements will include measures to manage erodible soils both during construction and after the project is built according to IDOT specifications for erosion control practices. A management and monitoring plan will be required by the USACE for all approved BMPs through the permitting process during contract plan preparation (Phase II).

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

**Floodplains:** There are no floodplains in the project area.

**Wetlands:** The proposed improvements will directly impact a total of 2.812 acres from 27 wetlands. Of this total, 0.383 acres are jurisdictional wetland impacts, and 2.429 acres are isolated wetland impacts. In addition, 0.026 acres of jurisdictional wetland impacts will occur in a wetland that is classified as a High Quality Aquatic Resource (HQAR). There are no Advanced Identification (ADID) wetlands in the project area. The USACE requested that the proposed drainage be revised to avoid or minimize wetland impacts. These concerns were assessed, and the proposed improvements were designed to avoid or minimize wetland impacts to the extent possible.

Under the Programmatic Agreement that IDOT and IDNR have established to comply with the Interagency Wetland Policy Act, mitigation ratios are determined based on whether the mitigation is provided within the watershed basin of the impacted wetland as well as the quality of the wetlands impacted. Wetland mitigation ratios can range from 1.5:1.0 up to 5.5:1.0 for higher quality wetlands. A mitigation ratio of 5.5:1 will be applied to the wetland (Site 69) that has an FQI of 25.4. A mitigation ratio of 1.5:1 will be applied to the remaining wetlands.

The appropriate mitigation ratios and methods will be finalized during contract plan preparation (Phase II) and during the Section 404 permit application process. At this time, it is estimated that 4.326 acres of wetland mitigation will be provided. IDOT expects to provide mitigation at an off-site wetland mitigation bank. Other mitigation options and locations will also be considered. The final decisions regarding mitigation will be made in coordination with the USACE and IDNR.

**Special Waste:** The Illinois State Geological Survey (ISGS) developed two Preliminary Environmental Site Assessments (PESAs) for the project corridor in August 2013 and February 2017. Several Recognized Environmental Concerns (RECs) were identified by the PESAs. The proposed improvements will require new land from 48 sites with RECs and temporary easements from five sites with RECs. In addition, the proposed action will require the demolition of buildings on one commercial and one industrial property. No CERCLIS sites will be affected by the project.

If IDOT determines during contract plan preparation (Phase II) that the proposed action will not avoid impacting identified RECs and will require excavation, subsurface utility relocation, new right-of-way (temporary or permanent), or building demolition at any of the sites with identified RECs, then a Preliminary Site Investigation (PSI) will be required. A PSI will also be required for excavation or subsurface utility relocation in existing right-of-way adjoining a site with identified RECs.

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

**Section 4(f):** The Zion Park District is the official with jurisdiction over the Shepherd's Crook Golf Course, a Section 4(f) resource. The proposed improvements will require about 0.10 acres of temporary easement from the Shepherd's Crook Golf Course. The temporary impacts to the golf course will not result in a use of Section 4(f) resources as set forth in 23 CFR 774. The Zion Park District concurred with this finding on June 4, 2012.

The Waukegan Park District is the official with jurisdiction over the Waukegan SportPark, a Section 4(f) resource. The proposed action will require 1.08 acres of permanent land and 0.145 acres of temporary easement from Waukegan SportsPark. The impacted area includes an existing driveway and a gravel/asphalt parking lot used for overflow parking. The proposed action will minimize impacts to the Waukegan SportsPark by constructing a retaining wall along IL 131. The proposed alternative will mitigate the impacts by replacing the driveway and providing access to the park from IL 131. Parking impacts will be mitigated by expanding the existing parking lot to the west. During contract plan preparation (Phase II), IDOT will work with the Waukegan Park District to determine the final parking configuration, including how and when it will be built.

The public was given the opportunity to review the impacts to the Waukegan SportsPark and provide comments at the open house-style public hearing held on Thursday, November 16, 2017 at Beach Park Middle School (40667 N. Green Bay Road) from 4:00 pm to 7:00 pm. No comments regarding impacts to the park were received during the comment period. The Waukegan Park District concurred with the determination that there will be no adverse effect

on the park in a letter dated July 23, 2018. The proposed action will have a *de minimis* impact on the Waukegan SportsPark, because proposed action will not adversely affect the activities, features or attributes that qualify this resource for protection under Section 4(f).

**Indirect and Cumulative:** The proposed improvements may indirectly affect land use by causing planned development to occur sooner or to a greater degree, including the permanent loss of farmland, threatened and endangered species habitat, wildlife habitat, wetlands and plant communities. However, the effects of any future land use change will also largely be determined by local plans and regulations. The proposed improvements may also have the indirect effect of reducing traffic congestion on other north-south routes in the region. The proposed action includes BMPs to protect water quality, preserve natural water resources and minimize the potential for indirect effects to surface water resources and quality.

The Waukegan Port District and the Federal Aviation Administration (FAA) are currently evaluating facility expansion at the Waukegan National Airport. This Illinois Route 131 project is consistent with the proposed facility expansion at the Waukegan National Airport, see resolution dated December 18, 2019. The cumulative effects of the IL 131 and airport expansion projects may include residential relocations; converting private land to transportation uses; permanent loss of natural resources such as wildlife habitat, wetlands and plant communities; and increased stormwater runoff which may affect downstream water quality and aquatic life.

**Public Involvement:** The IL 131 project was developed using the Context Sensitive Solutions (CSS) process. Public and agency involvement occurred using a collaborative approach with key stakeholders to develop a facility that fits into its surroundings and preserves key human and natural resources.

The CSS process included five project working group meetings that were held at key project milestones to present information and obtain feedback. Four public meetings were held between 2008 and 2011. The first public meeting was held in October 2008 to introduce the project and discuss IDOT's Phase I study and CSS process. The second meeting was held in December 2009 to gather feedback on the project's purpose and need. The third public meeting was held in May 2010 to obtain input on the preliminary alternatives and the alternative evaluation criteria. The fourth public meeting was held in March 2011 to gather feedback on the refined alternatives. Additional meetings were held with municipalities, counties, Wisconsin DOT, the Waukegan National Airport, and other local stakeholders.

The public hearing to present the preferred alternative was held on Thursday, November 16, 2017 at Beach Park Middle School 40667 N. Green Bay Road in Beach Park, Illinois from 4:00 pm to 7:00 pm. The public hearing was conducted in an open house format with a public comment forum. Public notice was placed in the November 1 and November 8, 2017 editions of the Lake County News Sun, Zion-Benton Express, and Kenosha News; the November 3 and November 10, 2017 editions of the Hoy newspaper; and the November 2 and November 9, 2017 editions of the Lake County Journal. The EA was made available for public review on the project website as well as at the IDOT – District One office, Zion-Benton Public Library, Waukegan Public Library, Village Hall of Wadsworth and Beach Park, City Hall of City of Waukegan during the public availability period beginning November 1, 2017. The public

hearing was attended by 86 people, including transit and transportation agencies, counties, municipalities, elected officials, legislators, local businesses, libraries, media, schools, churches, homeowner associations, property owners, public services and utility agencies. A court reporter was present to transcribe verbal comments and the public comment forum. The comment period ended on December 16, 2017 and resulted in 21 comments being submitted. The most common comment topics included local access considerations; pedestrian and bicycle accommodations, and utility relocation issues. IDOT responded to all comments received during the public comment period through a project newsletter and/or individual coordination.

## **ENVIRONMENTAL COMMITMENTS**

- Changes to the Shepherd's Crook Golf Course will be temporary and minor and will not impact the recreational use of the facility. The land needed for the temporary easement will be fully restored.
- The Waukegan SportsPark driveway will be replaced. A median break will be provided on IL 131 to allow left-in and right-in/right-out access. The impacted parking lot will be expanded. IDOT will coordinate with the Waukegan Park District to finalize parking mitigation.
- Prior to starting construction, IDOT will contact the Lake County Forest Preserve to coordinate the schedule and timing of anticipated construction activities.
- IDOT will continue to coordinate with the Waukegan Port District and the FAA during contract plan preparation.
- Four noise barriers are likely to be implemented within the project area. IDOT will solicit the viewpoints of the property owners and residents who will benefit from possible noise walls. The final decision to build the noise walls will be made when viewpoints are solicited from benefited receptors.

## **AGENCY FINDINGS**

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

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

The acquisition of properties will be accomplished in accordance with the *Uniform Relocation Assistance and Real Property Acquisition Act* (Uniform Act), as amended, and the IDOT *Land Acquisition Procedure Manual*, as applicable. Under the Uniform Act, in addition to just compensation, displaced residents are entitled to benefits to minimize hardships of relocation such as acquisition and relocation assistance designed to help residents and businesses with reimbursement claims and the lease or purchase of new locations. Relocation advisory assistance would be provided to owners and renters of displaced properties.

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

The proposed action does not result in disproportionately high or adverse human health or environmental effects on minority or low-income populations. The proposed improvements will achieve an appropriate balance of benefits and burdens such that no disproportionately high and adverse impacts to minority and Hispanic populations within the project area will occur.

### **Section 106 of the National Historic Preservation Act of 1966**

There are no properties listed on or eligible for the National Register of Historic Places in the project area. Therefore, no historic properties will be affected by the proposed undertaking.

### **Executive Order 11988, Floodplain Management**

There are no floodplains in the project area. Therefore, Executive Order 11988 does not apply to the proposed action.

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

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

### **Federal Executive Order 11990, *Protection of Wetlands***

The project will impact 2.812 acres of wetlands. Completely avoiding wetland impacts was not practicable, due to substantial project costs and impacts to existing homes and businesses. The proposed improvements were designed to minimize impacts to wetlands where feasible. Mitigation for these impacts will be based on the Programmatic Agreement that IDOT and IDNR have established to comply with the Interagency Wetland Policy Act. A mitigation ratio of 5.5:1 will be applied to the wetland identified as an HQAR. A mitigation ratio of 1.5:1 will be applied to the remaining wetlands. The appropriate mitigation ratios and methods will be finalized during contract plan preparation (Phase II) and during the Section 404 permit application process.

### **Endangered Species Act of 1973**

The project area is within the northern long-eared bat (NLEB) White-Nose Syndrome Zone, as identified by the USFWS. The proposed action may affect the NLEB but will not cause an incidental take prohibited by the final 4(d) rule. The project area does not overlap a USFWS high potential zone or known rusty patched bumble bee record. Therefore, the project will have no effect to the Rusty patched bumble bee. Other threatened and endangered species are known to exist within Lake County. The proposed action will not impact these species or their habitat.

**Section 4(f) of the USDOT Act of 1966**

The temporary impacts to the Shepherd’s Crook Golf Course will not result in a use of Section 4(f) resources as set forth in 23 CFR 774.

In accordance with 23 CFR 774.3, the Federal Highway Administration (FHWA) hereby makes a *de minimis* finding for the use of the Waukegan Sports Park. The proposed action will not adversely affect the activities, features or attributes that qualify this resource for protection under Section 4(f). The *de minimis* impact finding is based on the impact avoidance, minimization, and mitigation or enhancement measures incorporated into the proposed action and on the documented concurrence from the official with jurisdiction.

**CONCLUSION**

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

6/9/20



Date

Arlene Kocher, Division Administrator  
Federal Highway Administration