



U.S. Department
of Transportation

**Federal Highway
Administration**

Illinois Division

June 22, 2011

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Springfield, IL 62703
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In Reply Refer To:
HPER-IL

Christine Reed, P.E.
Director of Highways
Chief Engineer
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

Subject: Finding of No Significant Impact for US 45 from IL 142 to IL 141,
Saline, Gallatin and White Counties, Illinois

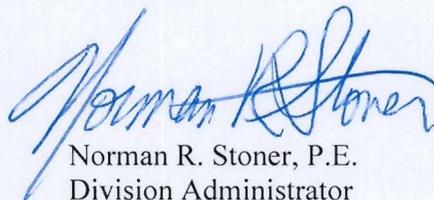
Dear Ms. Reed:

In a June 17, 2011, letter, the Illinois Department of Transportation (IDOT) requested the Federal Highway Administration (FHWA) issue a Finding of No Significant Impact (FONSI) for the subject project. The FHWA approved the Environmental Assessment (EA) for public review on April 18, 2011. Following the public review and comment period, IDOT provided FHWA errata to the EA, copies of comments received during the public comment period, and IDOT responses to those comments.

The FHWA has reviewed the EA, the errata to the EA, the comments submitted during the public comment period, and IDOT responses. Based on this information, FHWA agrees that the project will not result in a significant impact to the human environment. Enclosed with this letter are two signed original FONSI documents for this project.

Please contact Chris Fraley at (217) 492-4619 if you have any questions regarding this determination.

Sincerely,



Norman R. Stoner, P.E.
Division Administrator

Enclosure

ecc: Mr. Scott Stitt, Bureau of Local Roads and Streets, IDOT
Ms. Mary Lamie, Region 5 Engineer, IDOT

Federal Highway Administration
FINDING OF NO SIGNIFICANT IMPACT

US 45
IL 142 to IL 141
Saline, Gallatin, and White Counties, Illinois

The proposed action will upgrade US 45 from two to four lanes from IL 142 in Eldorado (Saline County) to IL 141 at the Gallatin/White County line. The project, approximately nine miles in length, will construct a five-lane urban section from the southern terminus to Dewey Road, where the center turn lane will be replaced with a grass median to the project's northern terminus. The existing two-lane section will primarily be utilized to carry northbound traffic, with two new lanes constructed on the west side of the existing pavement to carry the majority of southbound traffic. New lanes will be constructed to the east of the existing roadway for a portion of the project that traverses the North Fork Saline River floodplain to minimize impacts to the copperbelly water snake habitat on the west side of the existing roadway in this area. The project includes geometric improvements to improve safety at intersecting roadways and as well as right-of-way for a separate bicycle and pedestrian path. The proposed action will improve regional connectivity and promote economic development in an economically depressed portion of Illinois and is consistent with the long-range statewide transportation plan. Land acquisition, construction engineering, utility work, and construction from IL 142 to three miles south of IL 141 are funded in the Illinois Department of Transportation's FY 2012-2017 Proposed Highway Improvement Program.

The proposed action will require the conversion of 75.6 acres to new roadway right-of-way. Approximately 23.3 acres of farmland, 2.2 acres of pasture, 45.7 acres of woodland, and 4.4 acres of residential/commercial land will be converted. One residence and six storage buildings are anticipated to be relocated by the project, though final design may ultimately avoid relocating the residential property. No commercial enterprises will be acquired.

No Section 4(f) land will be permanently incorporated into a transportation facility by the proposed action. The City of Eldorado Bicycle/Pedestrian Path will be crossed by the project, just east of 4th Street, but the proposed action will not acquire right-of-way from the City. A temporary closure/rerouting of the path will be required during construction near the crossing. The temporary closure and rerouting of the trail meets the requirements of 23 CFR 774.13(d), exception from 4(f) approval for a temporary occupancy of 4(f) land. Documentation supporting the temporary occupancy exception is included in the Environmental Assessment.

Traffic noise impacts were predicted at four noise sensitive areas (NSAs) representing 52 receptors. The noise assessment also examined whether abatement measures would provide a substantial noise reduction, and whether the implementation of those abatement measures is reasonable and feasible. Abatement measures such as traffic management, alteration of the alignment for abatement, and the purchase of noise buffer zones, are not reasonable for the project as they either do not meet the project's purpose; are restricted by the area's relatively flat topography and the desire to minimize overall project impacts by utilizing the existing alignment; or, as with buffer zones, would only be useful for future development, which is not currently planned along the corridor. Noise barriers are not feasible, as all impacted NSAs are located in

areas of unrestricted access along US 45, which prohibit noise barriers from providing a substantial reduction.

Habitat for the federally-listed Indiana bat is present within the wooded areas along the North Fork Saline River and its tributaries. Impacts to this habitat will be minimized due to the project's use of the existing alignment, and tree removal within the construction corridor will be restricted to occur only between September 30 and April 1, when Indiana bats are utilizing caves for roosting instead of trees. The US Fish and Wildlife Service (USFWS) concurred on June 20, 2010 that use of tree clearing restrictions will prevent Indiana bats from being adversely affected by the project. The Illinois Department of Natural Resources (IDNR) concurred with the use of tree clearing restrictions on December 16, 2009.

In addition to the Indiana bat, the copperbelly water snake, a resource of concern, is also present in the wetland areas around the North Fork Saline River crossing. The selected alternative was developed to minimize impacts to this species to the extent practicable. USFWS and IDNR concurred that use of the mitigation wetland site to mitigate for copperbelly water snake habitat loss, as well as notes in the construction plans that any snakes identified be unharmed, will sufficiently mitigate for impacts to the species.

The state-listed Arkansas sedge will be impacted in an area east of the North Fork Saline River. To mitigate these impacts, IDOT (with assistance from the Illinois Natural History Survey) will relocate identified populations of the species prior to construction. Remaining populations near the construction limits will be flagged or fenced off to reduce further impact. Habitat for and/or occurrences of other state-listed species in the area (water hickory, Wolf's bluegrass, mice rice rat, golden mouse, and northern harrier) were not observed in the project impact area; subsequently, the project is not anticipated to impact these species. However, should any state-listed species be identified during construction, a qualified biologist shall be contacted to identify and enact any necessary preservation measures.

One bridge and one overflow structure will be replaced along the Elba Reach of the North Fork Saline River, an Illinois Natural Area Inventory (INAI) Category VI site due to its high abundance of freshwater mussels within the project corridor. The project will not have an adverse impact on the INAI site, and impacts will be minimized due to use of the existing alignment and adherence to Best Management Practices (BMPs) to minimize erosion and sedimentation.

Seven streams will be crossed by the project. Potential impacts include increased erosion from construction disturbance and the resulting increased sediment inputs into surface waters. Siltation of streams and rivers resulting from soil erosion is known to have a negative impact upon water quality and aquatic life; these impacts will be temporary and are not expected to alter the existing aquatic communities. BMPs for erosion and sedimentation control will be utilized, as will requirements specified in the IDOT Bureau of Design and Environment Manual, Chapter 41, Construction Site Stormwater Pollution Control to minimize impacts. All disturbed areas will be re-seeded and mulched immediately to minimize impacts to surface water and perimeter barrier fencing will also be utilized. An individual Section 401 Water Quality Certification from the Illinois Environmental Protection Agency (IEPA) will be acquired prior to construction, as will a National Pollutant Discharge Elimination (NPDES) permit.

A combined total of approximately 25 acres of three waterbodies' floodways will be filled to prevent the new roadway from flooding. The majority of these impacts (20.4 acres) are to the North Fork Saline River floodway, which will require a floodway construction permit from IDNR. These impacts have been minimized through use of the existing alignment, as well as steeper side slope embankments in the fill areas to minimize the roadway footprint requiring fill.

The proposed action will impact 15.4 acres of wetlands. The project is in compliance with Executive Order 11990 (Protection of Wetland). All practicable measures to minimize impacts to wetlands have been incorporated into the project design. Widening along the existing highway will minimize impacts compared to constructing on new alignment, and the selected alternative was specifically designed to avoid and minimize impacts. Remaining wetland areas will be protected from construction activities using perimeter barrier fencing and appropriate erosion control measures as specified by IDOT's BDE Manual, Chapter 41, Construction Site Storm Water Pollution Control. A total of 57.005 acres of mitigation will be required to compensate for the impacts. This mitigation acreage was calculated in accordance with the Approved IDOT Wetlands Action Plan required by the Interagency Wetland Policy Act of 1989; the project is being processed as a Programmatic Review Action. The wetland mitigation site will ideally be located in the vicinity of the US 45 crossing of the North Fork Saline River. Upon design approval, a specific site will be selected and coordinated with the IDNR, USFWS, and US Army Corps of Engineers (USACE). The wetland mitigation site will also provide mitigation for impacts to copperbelly water snake habitat as wetland mitigation enhancement options include planting swamp rose and buttonbush, which are desirable plants for copperbelly water snake habitat. Additionally, elevated areas in the mitigation wetland will be created to provide feeding, loafing, and hibernating areas for the species.

Regulatory agencies present at the NEPA/404 Merger Meetings held for the project, including the USACE, US Environmental Protection Agency, IDNR, and the Illinois Department of Agriculture, concurred with the need for the project. These agencies also concurred that the proposed action minimizes impacts and that the remaining impacts to wetlands are unavoidable. An individual Section 404 permit for the wetland impacts will be acquired prior to construction.

No hazardous waste (CERCLIS) sites are present within the project limits. Six special waste sites could potentially be impacted by the project. These sites include a property near Texas City Road where magnetic abnormalities indicate underground storage tanks (USTs) could be present. If right-of-way acquisition includes a parcel with UST(s) and land acquisition procedures are followed and stipulations identified during the Preliminary Environmental Site Assessment conducted by the Illinois State Geological Survey are not exceeded, then the project will comply with IDOT's Hazardous Waste Policy LEN-13 and no additional preliminary testing for the project is necessary. If these stipulations cannot be met, Phase II investigations will be conducted.

A thorough geotechnical study of the project corridor will be conducted to identify specific areas of concern, and Phase II investigations, if warranted, will be conducted with regards to these sites of concern, including current and historic coal mining sites and oil and gas wells/distribution lines. Special notes will be included on project plans to advise the contractor of these concerns.

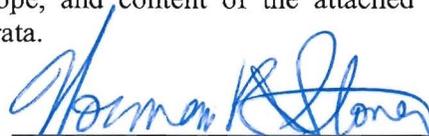
An open-house public hearing was conducted at the Eldorado Community Center on May 12, 2011. The community center is accessible to disabled individuals, and special assistance was offered to anyone requesting it in advance. Project team representatives were available to address questions/concerns and to record oral comments. No attendees requested that their comments be recorded. Sixty-five individuals signed the official attendance register, though the project team estimated that approximately fifteen additional individuals who did not sign the register were in attendance. The majority of attendees were project area residents, and several local officials were present.

The proposed action was presented on large-scale aerial maps, and individual details at improved intersections were shown. A copy of the approved EA was available for review as well. Attendees were furnished with a comment form, with seating area and comment drop box available for those wishing to complete their comment form on-site. Twenty-five written comments were received. Of the 25 respondents, 10 identified themselves as residential owners/tenants, 10 as farm owners/tenants, and four as business owners/operators/employees (some respondents did not provide this information, others identified as multiple categories, e.g. residential and business owner). Comments were similar to those received at previous public meetings, with the majority of concerns regarding access, with others related to drainage, project cost, farmland impacts, wetland/wildlife habitat impacts, noise, property compensation, loss of trees, speeding, and the need for a bicycle path. One commenter included a request for sidewalks in the vicinity of Eldorado Primary Care. All comments were considered, addressed, and responses were sent to each person providing comment.

The FHWA has determined that the Build Alternative as identified in the Environmental Assessment will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the attached Environmental Assessment and 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 Assessment Errata.

JUNE 22, 2011

Date



For Federal Highway Administration