

Federal Highway Administration

FINDING OF NO SIGNIFICANT IMPACT

**Interstate 55
Interstate 355 to Interstate 90/94
Will, DuPage and Cook Counties, Illinois**

INTRODUCTION

The Illinois Department of Transportation (IDOT) proposes to convert existing paved median areas and widening into existing grass median areas to provide an additional managed lane in each direction along Interstate 55 (I-55) as an express toll and congestion priced lane. The project extends 25 miles from I-355 in Will County to I-90/94 in Cook County, running through or adjacent to 16 communities. The purpose of the proposed action is to provide an improved transportation facility along I-55 by providing additional capacity resulting in improved mobility, travel time reliability and operational efficiency to better accommodate the movement of people and goods, by providing a new travel choice and a sustainable solution through congestion pricing and congestion management facilities.

The preferred alternative as described in the Environmental Assessment (EA) meets the purpose and need, will have independent utility, and will function without any requirements for additional improvement elsewhere. The project will not restrict consideration of alternatives for other reasonably foreseeable transportation improvement initiatives, to this facility, or to other adjacent facilities.

The proposed action is included in the Fiscal Year (FY) 2014-2019 Transportation Improvement Program (TIP) approved by the Metropolitan Planning Organization (MPO) Policy Committee of the Chicago Metropolitan Agency for Planning (CMAP). The TIP number for this project is 12-10-9001. The project is included in the Illinois Department of Transportation's (IDOT's) FY 2017-2022 Proposed Highway Improvement program for Phase I engineering and environmental studies. With respect to project implementation, the State of Illinois has passed enabling legislation¹ to consider a Public Private Partnership (P3) method of project delivery for which tolling would be considered in combination with other conventional state and federal transportation funds. Funding for subsequent phases of this project is included in IDOT's FY 2017-2022 Proposed Highway Improvement program and includes \$10 million for a P3 Advisor, \$50 million for Phase II Engineering, and \$8 million for Construction Engineering.

ENVIRONMENTAL IMPACTS

The direct result of implementing these improvements will result in the following impacts:

¹ 630 ILCS 5/15 - Public-Private Partnerships for Transportation Act. Can be viewed at <http://ilga.gov/legislation/ilcs/documents/063000050K15.htm>

Right-of-way: Construction of the proposed action will not require the acquisition of additional right-of-way or temporary construction easements.

Displacements: Construction of the proposed action will not result in the displacement of homes or businesses.

Agricultural Lands: No agricultural lands will be involved with this project.

Cultural Resources: The proposed action was reviewed by the State Historic Preservation Officer (SHPO), and a no adverse effect finding was received.

Air Quality: In accordance with the IDOT-EPA “Agreement on Microscale Air Quality Assessments for IDOT Sponsored Transportation Projects”, this project is exempt from a project level carbon-monoxide air quality analysis because the project does not add through lanes or auxiliary lanes at any existing signalized intersections within the study area. The proposed action also was evaluated for mobile source air toxics (MSAT) based on updated interim FHWA guidance dated December 2012. The proposed action is anticipated to have a high potential for MSAT effects. MOVES2014 emissions model was used to prepare a quantitative MSAT analysis. The MSAT analysis shows that the build scenario results in a substantial decrease in MSAT emissions as compared to the no-build scenario. In addition, on a regional basis, the U.S. Environmental Protection Agencies (USEPA’s) vehicle and fuel regulations, coupled with fleet turnover, are anticipated over time to cause substantial reductions in MSAT levels.

In 2012, the USEPA strengthened the annual fine particle standard to 12 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). Due to insufficient quality assured monitoring data to assess compliance with the 2012 annual fine particle standard, the USEPA intends to designate the Chicago region (including Cook County where the project is located) as unclassifiable for the 2012 annual $\text{PM}_{2.5}$ NAAQS. For the 2040 No-Build condition, overall traffic volumes along I-55 are projected to increase by approximately 50% on average. A similar increase in truck traffic is anticipated with the 2040 No-Build condition, with the overall percentage of truck traffic slightly increasing to a range of 11% to 16%. As compared to the 2040 No-Build condition, because this project does not include any site specific truck traffic growth factors (i.e., does not include an additional traffic lane exclusively for trucks, associated interchange or intersection improvements, or a new intermodal or bus terminal), a significant increase in the number of diesel vehicles is not anticipated as a result of this project as discussed in 40 CFR 93.123(b)(1)(i) and (ii). On this basis, it was determined that this project is not an air quality concern and a $\text{PM}_{2.5}$ hot spot analysis is not required.

Noise: 116 receptors were selected to represent noise sensitive land uses in the project area, each representing a common noise environment (CNE). Under Build (2040) conditions, traffic noise impacts were predicted at 57 CNEs, warranting noise abatement analysis. The most practical type of noise abatement for this project was determined to be a noise wall. Noise walls were evaluated at each impacted CNE to determine if they were feasible (able to be constructed and can provide a substantial noise reduction), and if they were reasonable (able to achieve IDOT’s noise reduction design goal and cost effective). Thirteen noise abatement

walls totaling 62,226 feet in length with 2,160 benefited receptors were found to be feasible and reasonable.

A viewpoint solicitation was conducted to obtain input from the benefited receptors in deciding on the implementation of the identified noise walls. As part of the viewpoint solicitation an extensive community outreach and education plan was conducted to support the viewpoint voting process. Meetings were conducted with municipal leaders, DuPage County and the Forest Preserve District of DuPage County to identify the location of potential noise walls and describe the viewpoint solicitation process. Noise forums were conducted at three locations along the project corridor. Post cards were sent to benefited receptors inviting them to these forums at which potential noise wall locations were identified along with additional project information. The viewpoint solicitation process was presented and project staff was available to answer question.

The first solicitation of viewpoints was mailed to all benefited receptors on May 4, 2016. The initial solicitation met the desired 33.33 percent (1/3rd) response rate for ten of the 13 locations considered. A second solicitation of viewpoint was mailed on June 6, 2016 to the three locations (B5, B20 and B21) that did not meet the desired 33.33 percent (1/3rd) response rate. Based on the viewpoint solicitation results, 12 of the walls (B1, B3, B4, B5, B6, B7, B8, B14-16, B18, B19, B20 and B21) are desired by a majority of benefited receptors and one wall (B9) is not desired. A summary of the noise abatement analysis and the results of the viewpoint solicitation is provided in the table below.

Noise Abatement Summary Table

Barrier	Number of Benefited Receptors	Barrier Height (feet)	Barrier Length (feet)	Barrier Estimated Cost	Noise Reduction Potential dB(A)	Cumulative Cost / Benefited Receptor	Cumulative Allowable Cost / Benefited Receptor	Likely to be Implemented	Reason for Determination
B1	92	14	5,145	\$1,800,750	8	\$7,248	\$24,266	Yes	Desired by majority
B3	197	16	9,864	\$3,945,600	12	\$8,489	\$24,266	Yes	Desired by majority
B4	218	13	7,008	\$2,277,600	10	\$6,039	\$24,257	Yes	Desired by majority
B5	127	14	2,027	\$709,450	9	\$4,859	\$24,256	Yes	Desired by majority
B6	151	14	5,380	\$1,883,000	11	\$6,597	\$24,280	Yes	Desired by majority
B7 ¹	82	14-16	6,231	\$2,382,475	12	\$9,288	\$24,278	Yes	Desired by majority
B8 ¹	30	12-16	2,403	\$857,250	11	\$9,558	\$24,275	Yes	Desired by majority
B9 ²	318	21	3,346	\$1,809,150	12	\$5,064	\$24,286	No	Not desired by majority
B14-B16 ¹	19	11/14	1,735/ 1,322	\$939,825	11	\$9,909	\$24,280	Yes	Desired by majority
B18	113	13	1,760	\$572,000	8	\$4,400	\$24,133	Yes	Desired by majority

Barrier	Number of Benefited Receptors	Barrier Height (feet)	Barrier Length (feet)	Barrier Estimated Cost	Noise Reduction Potential dB(A)	Cumulative Cost / Benefited Receptor	Cumulative Allowable Cost / Benefited Receptor	Likely to be Implemented	Reason for Determination
B19	82	14	2,258	\$790,300	9	\$5,337	\$24,269	Yes	Desired by majority
B20	335	10	7,077	\$1,769,250	11	\$4,750	\$24,149	Yes	Desired by majority
B21	396	10	6,670	\$1,667,500	12	\$4,211	\$24,171	Yes	Desired by majority

¹ Determined to be cost effective based on a cumulative analysis.

² Not likely to be implemented based on the viewpoint solicitation results.

Based on the traffic noise analysis and noise abatement evaluation, highway traffic noise abatement measures are deemed feasible and reasonable and likely to be implemented at twelve locations based on preliminary design (B1, B3, B4, B5, B6, B7, B8, B14-16, B18, B19, B20 and B21), as shown in the table above. Should unforeseen constraints occur during final design, or should public input substantially change reasonableness, an abatement measure may need to be modified or removed from the project plans. A final decision on the installation of abatement measures will be made upon completion of project's final design and the public involvement process.

The *Traffic Noise Analysis Report* contains details of the noise analysis, and summarizes all coordination and the viewpoint solicitation that occurred during and after the EA comment period.

Noise generated by construction equipment would vary greatly, depending on the equipment type, model and age, mode and duration of operation, closeness to residential receptors, and the specific type of work in progress. Impacts resulting from construction noise are anticipated and likely to be localized, temporary, and transitory. To minimize or eliminate the effect of construction noise on these receptors, mitigation measures have been incorporated into IDOT's *Standard Specifications for Road and Bridge Construction* as Article 107.35, and shall be incorporated during construction of this project.

Natural and Biological Resources: No natural and biological resources will be involved with this project.

Threatened and Endangered Species: There are no known locations of federally-listed endangered or threatened species within the project corridor. There was a record of the state-listed banded killifish (*Fundulus diaphanus*) in the Chicago Sanitary and Ship Canal (CSSC) upstream of the proposed improvements. However, in-stream work is not proposed in the CSSC as part of the I-55 improvements. The project corridor was field surveyed for reptiles/amphibians and the potential presence of the Eastern Prairie Fringed Orchid (*Platanthera leucophaea*). Based on the scope of the project, habitat in the project study area, and the survey results, IDOT concluded that there will be no effect to any federally-listed or state-listed species.

Floodplains: The proposed action will result in fifteen transverse and/or longitudinal encroachments of 100-year floodplains (Black Partridge Creek, Unnamed waterway, Wards Creek, West Branch Sawmill Creek, Sawmill Creek, East Branch Sawmill Creek, 79th St Ditch, Flag Creek, Des Planes River and the Chicago Sanitary and Ship Canal). The floodplain encroachments are not anticipated to result in any significant adverse impacts on the natural and beneficial floodplain values; they will not result in any significant change in flood risks or damage; and they do not have significant potential for interruption or termination of emergency services or emergency evacuation routes; therefore, these transverse encroachments are not significant.

Wetlands: The proposed action will result in a total of 13.19 acres and 0.29 acres of impacts to wetlands and waters of the U.S. respectively. All practicable measures to minimize impacts to wetlands have been incorporated into the project design. Remaining wetlands 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 Section 404 Clean Water Act (CWA) Individual Permit from the U.S. Army Corps of Engineers and Section 401 CWA Individual Water Quality Certification from the Illinois Environmental Protection Agency are required. There is no practicable alternative to the proposed construction in wetlands and the proposed action includes all practicable measures to minimize harm to wetlands that may result.

Special Waste: A preliminary environmental site assessment (PESA) for special waste was completed for the proposed action which identified 450 adjacent sites with recognized environmental conditions (RECs) and 308 sites associated with *de minimis* conditions, which may be indicative of potential releases of hazardous substances. No acquisition of additional right-of-way or easements are proposed for this project. However, as part of subsequent Phase II engineering, it will be determined if any of the sites with RECs will be impacted by the proposed action and whether further studies in the form of a preliminary site investigation (PSI) are required.

Special Lands: There are no impacts to Section 4(f) resources, Section 6(f) resources, Open Space Lands Acquisition and Development (OSLAD) Act lands, Illinois Natural Area (INA) sites, nature preserves, or land & water reserves by the proposed improvements to I-55.

Indirect and Cumulative: The proposed improvements within the I-55 study area are anticipated to have a positive impact on the Chicago Region, providing improved access between the Chicago Central Business District, the southwest Chicago neighborhoods and suburban communities. The proposed improvements are anticipated to have a positive cumulative impact based on the improved transportation service and the proposed traffic noise abatement walls.

Public Involvement: An open-house public hearing was held on May 17, 2016 from 4:00 p.m. to 7:00 p.m. at the Holiday Inn in the Village of Countryside, which was accessible to disable individuals and special assistance was offered to anyone requesting it in advance. Public notice was placed in the May 2 and May 12, 2016 editions of the Chicago Sun-times newspaper. Approximately 2,500 postcards of invitation were sent to public officials and agencies, representatives of local communities, utilities, and property owners within the study

area. The hearing was attended by approximately 130 people, including a few elected officials. Representatives from IDOT and the Phase I engineering consultant team were available to discuss the project with public hearing attendees and answer questions.

The EA was made available for review at IDOT District 1 and the Woodridge, Indian Prairie, Hodgkins, Summit, Archer Heights and McKinley Park libraries, and was posted on the project website (<http://www.i55managedlaneproject.org>) beginning May 2, 2016 with the review/comment period extending through June 1st. Multiple copies of the EA also were available at the public hearing for attendees to review. Each public hearing attendee was provided with a copy of the project brochure. The project brochure included a more detailed explanation of the purpose of the public hearing, the purpose and need for the project, a description of the proposed improvement plan, environmental considerations, and the project schedule. Attendees were directed to first view an audio-visual presentation that was continuously shown in a separate room throughout the duration of the public hearing to provide an overview of the project purpose and need and the proposed improvement plan. Attendees were then directed to view project exhibits including project overview, project purpose and need, current study area conditions, alternatives developed, overview of the alternatives, environmental considerations, noise evaluation, project timeline, and next steps in the process.

A court reporter was available to record questions/comments, and a comment box was available for written questions/comments to be submitted. There were five comment forms received. At 6:00 p.m., attendees were invited to participate in a Public Forum in which they could register to speak for up to two minutes regarding the project. The court reporter documented fourteen participant's comments. Comments also were accepted via mail to IDOT or via the project website subsequent to the hearing. There were 25 separate questions/comments received via the website and 6 via mail during the comment period from May 2nd to June 1st, 2016. Comments included noise abatement, increased congestion, concern over eligibility in the noise wall voting process and support for the project. Additional details of the comments received are included in the Errata to the approved Environmental Assessment.

AGENCY FINDINGS

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

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

The project does not result in disproportionately high or adverse human health or environmental effects on minority or low-income populations (Executive Order 12898). While the I-55 study area included minority and low income populations, impacts on these environmental justice populations are not disproportionate. The proposed I-55 project will primarily occur within the existing median and stay within the existing I-55 right-of-way. The proposed project will not displace any persons, businesses, farms or nonprofit organizations.

With respect to the tolling component of the project, impacts are not disproportionate to any low-income or minority populations. The existing general-purpose lanes along I-55 will

remain un-tolled, therefore low-income and minority drivers will still have the same option to travel along I-55 as they do currently. The proposed improvements are intended to provide relief to all users regardless of demographics as the project provides overall improvements to mobility, travel time predictability and improved public transit accessibility (i.e.; Pace Bus Service).

Section 106 of the National Historic Preservation Act of 1966 (NHPA)

The FHWA has determined that the undertaking will have “no adverse effect” on historic properties. The SHPO concurred with this determination.

Executive Order 11988, *Floodplain Management*

There are fourteen floodplains within the I-55 study area. There will be no significant encroachment within any of the 100-year floodplains and regulatory floodways as part of the proposed improvements.

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 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.

This project is within a portion of a Nonattainment or Maintenance Area where CMAP is the MPO.

This project is included in the FY 2014-2019 Transportation Improvement Program (TIP) approved by the MPO Policy Committee of CMAP for the region in which the project is located. Projects in the TIP are considered to be consistent with the region’s long-ranged transportation plan (MTP). The project is within the fiscally constrained portion of the plan.

On June 5, 2015, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) determined that the MTP and the TIP conforms to the State Implementation Plan (SIP) and the transportation-related requirements of the 1990 Clean Air Act Amendments. These findings were in accordance with 40 CFR Part 93, “Determining Conformity of Federal Actions to State or Federal Implementation Plans.”

Executive Order 11990, *Protection of Wetlands*

It is anticipated that the proposed action would result in 13.19 acres of wetland impacts. Executive Order (EO) 11990 requires federal agencies to avoid (to the extent practical) long- and short-term adverse impacts associated with the destruction or modification of wetlands. More specifically, EO 11990 directs federal agencies to avoid new construction in wetlands (if practicable avoidance alternatives exist). Where wetlands cannot be avoided, the proposed action must include all practicable measures to minimize harm to wetlands.

Wetland impacts have been avoided where practicable. The proposed action includes converting existing paved median areas and widening into existing grass median areas to provide an additional managed lane in each direction along I-55. The wetland impacts associated with this project are required to maintain the existing stormwater management system, which is no longer functioning as intended. Wetland impacts include ditch re-grading and other drainage related improvements. The wetland to be impacted are part of the current

stormwater management system and predominantly consist of man-made roadside ditches within the I-55 right-of-way and/or vegetated depressional areas within the I-55 interchange loops and directional ramps.

The determination is that there is no practicable alternative to the proposed construction and impact to wetlands and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. Further avoidance/minimization measures will be evaluated in Phase II design during Section 404 CWA permitting.

Endangered Species Act of 1973

Impacts to threatened and endangered species are not anticipated as a result of this project. Based on field surveys and database reviews, no federal- or state-listed species or critical habitats are expected to be impacted by the proposed improvements. FHWA has determined that the project will have no effect on endangered species.

Section 4(f) of the U.S. DOT Act of 1966

FHWA has determined that there will be no direct or temporary use of any properties protected by Section 4(f).

CONCLUSION

The Federal Highway Administration (FHWA) has determined that the project will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the attached Environmental Assessment, which has been independently evaluated by the FHWA and determined to adequately and accurately assess 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.

Date

July 20, 2016


Catherine A. Batey, Division Administrator