

Meeting Minutes

Date of Meeting: December 5, 2006 Time: 10:00 a.m.

Location: U.S. Fish and Wildlife Service
Chicago Illinois Field Office

Regarding: Concurrent Point No. #2 Meeting Follow-up

Attendees: Attached

Introduction

This meeting represents the continuation of the Concurrent Point #2 meeting of November 14, 2006 for the Caton Farm-Bruce Road project. At that meeting the consultant team presented a number of alternatives. These alternatives were then screened out from further detailed analyses on the basis of: Not satisfying Purpose and Need for the project; or as producing unacceptable impacts. As presented, this screening would have limited the subsequent detailed analyses to two crossing locations for the Des Plaines River, with a number of variations east of the river where the alignment bends north. The two proposed crossing locations could generally be referred to as a Caton Farm - Bruce Road (CFB) alignment (actually shifted south of a straight alignment to increase the offset from the Lock and Dam due to security concerns) and a Caton Farm - Oak Street (CFO) alignment (an alignment developed to avoid an impact to Dellwood Park West).

The team had indicated that the southernmost alignment considered, i.e., the Theodore-Rosalind (TR) alignment, satisfied Purpose and Need. It had been rejected by the team, however, due to major socio-economic impacts. U.S. FWS had objected to this elimination as too limiting of the available options for avoiding the Hines Emerald Dragonfly (HED - a Federally listed species). U.S. FWS had suggested options for the TR alignment and the CFO alignment for further study.

The purpose of this meeting was to review if Theodore-Rosalind should indeed be dropped as unacceptable, the offsets from the CFB and CFO alternatives to the HED critical habitat, what avoidance/minimization measures (including modifications to alignments) need to be considered and what are the next steps for this project. Will County would like to present alternatives to the public soon to address public concerns of impacts with the numerous alternatives still being considered.

Theodore Rosalind Corridor Discussion

The consultant team did a brief recap of the November meeting presentation of the Theodore-Rosalind evaluation. The corridor as proposed is two lanes in each direction, plus turn lanes/median and accommodation for non-motorized traffic. While detailed cross-sections were not prepared, a right-of-way width of 150' was used to assess impacts. Even when the alignment was shifted from side-to-side to minimize displacement, the displacement impacts are estimated at 96 residences and 61 businesses - over 50% more than the other corridors being proposed for advancement. Besides simply the number of displacements, community cohesion would be a significant impact because of existing features that are accessible by walking across the proposed corridors, such as schools, parks, businesses, etc. would now be fronting a five-lane arterial road.

IDOT reconstructed Theodore Street from IL 53 to Larkin about 8 to 10 years ago. As part of the planning process for that project, IDOT had proposed widening Theodore to provide additional travel lanes. The proposal was met with substantial public opposition due to above noted displacement, community cohesion and accessibility issues. As a result, they reduced the scope of the improvement to one lane in each direction plus median/turn lane.

U.S. FWS noted that while the Theodore-Rosalind corridor would have Section 4(f) impacts, the Section 4(f) properties affected (in particular, the Joliet Iron Works Forest Preserve and the Lower Spring Creek Forest Preserve) do not have valuable natural resources near the area of impact or directly adjacent to Rosalind Street.

A discussion followed on how some of the communities potentially affected by this project have been developing their comprehensive land use plans based on a new river crossing that generally follows the Caton Farm-Bruce Road alignment. While the current study had started without a selected alternative, a Caton Farm-Bruce Road corridor has been discussed in Will County long range planning documents/studies for decades. In part this is occurring because communities are continuously making decisions affecting land use and cannot wait for a decision on a preferred alternative for this project. Also, while a Caton Farm-Oak alignment would not enjoy as much municipal support as a Caton Farm-Bruce, a Theodore Rosalind alignment would enjoy even less. While a NEPA evaluation does not allow determination of a preferred alternative based solely upon planning activities, municipal planning is a socio-economic issue to be considered along with natural resource issues.

Hines Emerald Dragonfly Limits Discussion

The HED Critical Habitat delineations published in the Federal Register were not precise and require further interpretation. With further information from U.S. FWS, the consultants prepared exhibits showing the distance from the proposed Caton Farm-Bruce and Caton Farm-Oak crossings to the designated critical habitat areas. These distances varied between 220' and 830'. U.S. FWS noted these limits were based upon best available information and are not definitive on habitat or population presence. In fact, additional studies by Jim Miner of ISGS have identified additional areas of low to moderate habitat potential outside of the critical habitat areas.

U.S. FWS noted that the Miner study was not conducive to the best analysis since it was conducted in November, long after the dragonflies and larvae are dormant. They also noted that while the Federal Register generally identifies critical habitat, adults can, and most likely do, fly north and south of this area and through the Caton Farm -Bruce and the Caton Farm-Oak corridors. More studies will be needed to get a better handle on limits and population.

Whereas the comment period for the limits as published in the Federal Register is closed, U.S. FWS is preparing a supplemental economic analysis that will also be published for comment. Regardless of the above, Section 7 consultation will still be required because of possible impacts to individuals and to habitat. Also, simple avoidance of habitat areas is not sufficient to ensure no impacts; there can be impacts from construction activities (including sediment and access operations), operations (including salt spray, drainage, future maintenance activities) and presence (including shadows and collisions with flying insects).

U.S. FWS indicated that they would prefer to see additional alternatives that are further away from the HED critical habit area, including vertically. However, concerns were expressed about the cost of these alternatives without further clarification on how far from what is sufficient and how high is sufficient. This will take additional studies. The question then evolves into how extensive, expensive and of what duration the studies will be. U.S. FWS noted that one season should be adequate to determine presence/absence and populations. Larval surveys could not begin before June and adult surveys should not begin until July because that is when adults are active. Adult surveys should be conducted during the peak of the flight season under optimal conditions (see HED Recovery Plan, Appendix 3 Guidelines for Locating HED Adults).

Conclusions and Recommendations

After a closed door discussion, U.S. FWS provided their recommendations. U.S. FWS concurs that the Theodore-Rosalind corridor is not acceptable. As most of the impacts, however, are west of the river, a crossing involving Caton Farm to Rosalind was requested by U.S. FWS, based upon the expectation that shifting the crossing further south would reduce direct and/or indirect impacts to the HED.

U.S. FWS service also requested investigation of Caton Farm-Oak alignments that follow the EJ&E tracks longer to shift the river crossing further south before resuming eastwardly. This alignment is in conformance with the discussions of options at the November 14 meeting. There was a brief discussion of non-highway alternatives, but there was agreement that these could not satisfy the purpose and need for the project.

If desired, the County could proceed toward public meeting. This presentation would need to show the range of crossings still under consideration. In the meantime, further evaluations could proceed on the new options discussed above using available information plus some field work. The evaluation should include the impacts from the new alignments, including displacements, wetlands (with required mitigation), engineering concerns, cost comparisons, etc.; any cost impact assessment should include an evaluation of the cost of impact mitigation

While not the proper season for wetland delineations, a reasonable assessment could still be made and included in the evaluation.

Action Items

- The consultant team will proceed with the further development and evaluation of the U.S. FWS recommended alternatives
- U.S. FWS and Jim Novak of Huff & Huff will schedule a field review to assess wetlands from the newly proposed crossings. U.S. ACOE will also be invited
- The County will begin planning for a Public Meeting for February or March as a snapshot of whatever is known at that time.
- The findings of the additional evaluations will be presented at the FHWA/IDOT/Local Agency coordination meeting tentatively scheduled for January 9 at 2:00 PM; this meeting will be considered a further continuance of the Concurrence Point #2 Meeting. IDOT will confirm the time and date and let everyone know.
- No addendum to the ESRF for additional alignments will be prepared at this time. This decision will be reconsidered at the January meeting depending upon the findings.

Meeting Concludes.

The meeting was adjourned at 12:30 p.m.