

# Final Environmental Impact Statement and Section 4(f) Evaluation

Volume 3 of 3

Coordination Documentation

Fox River Bridge Crossings  
Kane County, Illinois



November, 2001

## Record of Conversation

**Subject:** Fox River Bridge Crossings      **Job No.:** 3142.02  
CC&P/Stearns Road      **Date:** April 4, 1997      **Time:** 10:00 am  
TriCounty State Park


**Contact:** Mr. Barry Hart      **Follow-up Required:** Yes \_\_\_\_\_ No \_\_\_\_\_  
IDNR, Region 2      **Follow-up Completed:** Yes \_\_\_\_\_ No \_\_\_\_\_  
(815) 675-2385

### INSTRUCTIONS OR DATA OBTAINED OR TRANSMITTED:

I called as a followup to our October 28, 1996 meeting on the possible impacts from the CC&P/Stearns Road alignment to the TriCounty State Park. Mr. Hart informed me that the intent is to develop the Region 2 offices, a visitor center, parking and loop trails in the park. While there are no specific plans at this time, the preferred location of the development is off of Stearns Road. The proposed realigned Stearns Road at the east end would adversely affect this location. If need be, IDNR could relocate the proposed developments to off of Illinois Route 25. This option may require additional cooperation from the DuPage County Forest Preserve.

The plans are still very fluid and Mr. Hart will need to verify what he can send me to assist in our evaluation of impacts and mitigation.

Copies To:

By: 

M. Michael Okrent

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**ILLINOIS  
DEPARTMENT OF  
NATURAL RESOURCES**

524 South Second Street, Springfield 62701-1787

Jim Edgar, Governor ● Brent Manning, Director

Region 2 Headquarters ● 110 James Road ● Spring Grove, Illinois 60014  
OFC 815-675-2385 ● FAX 815-675-2495

April 14, 1997

Alfred Benesch & Company  
Attention Mike Okrent  
205 North Michigan Avenue, Suite 2400  
Chicago, Illinois 60601

Dear Mr. Okrent:

**Subject: Tri-county Park development**

Per your request, I am providing a general description of the Illinois Department of Natural Resources' site development project. The site plan used in Patrick Engineering's Preliminary Project Program will be sent to you separately by our consultant. Remember, the site plan is a conceptual layout and is subject to change. Likewise, the use of Stearns Road for the park entrance could change during project design; but, an entrance on Stearns Road is preferred at this time.

**SITE DEVELOPMENT PROJECT**

Tri-county Park was acquired to preserve public open space in the rapidly developing region around the junction of Cook, DuPage, and Kane counties and to restore native vegetation. Already, farm fields in the park's 527 acres are being converted to presettlement plant communities that include mesic prairie, wet prairie, sedge meadow/marsh, savanna, and others. To inform and educate the public about the significance of the restored natural landscape, facilities will be developed that encourage visitor contact with the site's resources through interpretive programming and trail access. Therefore, initial development to be designed in this project includes a visitor center that will accommodate an intensive interpretive program, a multiple-loop trail system, a day use area, and vehicular access into the park.

Besides aiding nature education, the multiple-loop trail system will provide new recreation opportunities for bicyclists, hikers, and cross-country skiers. A small day use area will provide for picnicking by groups attending interpretive programs and by the general public. While developing recreational facilities, existing high quality native vegetation remnants will be protected.

One final item to be designed in this project, in conjunction with the visitor center, is a new Region 2 headquarters. Because the park is more-centrally located in the Region 2 area than the existing one near Spring Grove, public access and public service can be improved by developing a new office there. Furthermore, as the result of several state agencies merging into the Illinois Department of Natural Resources, staff of various divisions are scattered in three widely separated locations. The new office will allow consolidation in one place.

If you have questions or need further information, let me know.

Sincerely,



Barry Hart  
Region 2 Landscape Architect

bh lwpta\trsite



POSITION STATEMENT REGARDING  
USE OF THE UNION PACIFIC RAILROAD CORRIDOR  
FOR THE SITING OF A BRIDGE OVER THE FOX RIVER

The St. Charles Park Board of Commissioners approved the following position statement at their Park Board meeting of May 13, 1997 regarding use of the Union Pacific railroad corridor for the siting of a bridge over the Fox River:

It is the position of the St. Charles Park Board to neither promote or oppose specific proposed bridge sites over the Fox River in St. Charles Township, unless the bridge sites and related road alignments would have a significant impact on existing or future park sites and open space. The St. Charles Park Board has been informed that the Union Pacific railroad corridor is being seriously considered as a Fox River bridge site. The Board believes that a bridge at this location would have a significant adverse impact on the useability, aesthetics and historic character of Pottawatomie Park. Accordingly, the St. Charles Park Board is against the siting of a bridge along the Union Pacific railroad corridor and will oppose any efforts to utilize Pottawatomie Park land for this purpose.



# Dundee Township Park District

21 North Washington Street • Carpentersville, Illinois 60110 • 847-551-4300  
847-551-4302 - Fax

June 17, 1997

Mr. Tom Cieslica  
Deputy Director  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 60175

Dear Tom:

I have shared your letter regarding the Bolz Road corridor, its impact on Hickory Hill Park, and the proposed compensation for the Park property with the Park Board.

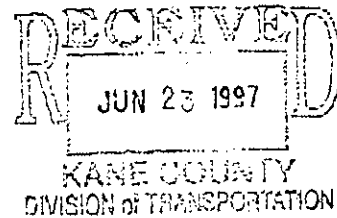
It is the consensus of the Park Board that we continue to subscribe to our request made previously regarding the taking of Hickory Hill Park land. We would like total replacement of the 20.6 acre park site. We would like this site to be located on the west side of the river. Our rationale for this request has been thoroughly explained to all interested parties in writing and in meetings held last summer. Our position on this issue remains the same.

At this time the District is not interested in the proposal that was submitted.

Sincerely,

Thomas Mammoser, CLP  
Executive Director  
Dundee Township Park District

TM





# Dundee Township Park District

21 North Washington Street • Carpentersville, Illinois 60110 • 847-551-4300  
847-551-4302 - Fax

November 21, 1997

Mr. Nabi Fakroddin  
Director of Transportation  
Kane County Highway Department  
41W011 Burlington Road  
St. Charles, IL 60175

Dear Mr. Fakroddin:

I am corresponding in regards to the Park Board's position on the taking of portions of Hickory Hill Park for the purpose of the Bolz Road Bridge Corridor. In past communications, the Park District has indicated that it would like replacement of the total park site with a 20-acre park site on the west side of the river. Since our last communications with the County in June of this year, several factors have prompted the Board to reconsider that request.

The providing of the previously-stated conditions for exchange of land will not necessarily result in the availability of the Hickory Hill Park for the corridor.

The Board is awaiting further action from the County regarding the corridor prior to making a decision on the availability of the park.

In an effort to give the Board a clear perspective on how the project relates to the park site, the Board has asked if a representative of the Transportation Department could be available to meet with the Board. Please contact me to determine an appropriate time for this meeting.

Best of luck in the future.

Sincerely,

Thomas Mammoser, CLP  
Executive Director  
Dundee Township Park District

pc: Park District Board of Commissioners  
Jeff Daily, Director of Transportation  
Mike McCoy, County Board Chairman  
Don Rage, County Board Representative





BE IT FURTHER RESOLVED, that the Dundee Township Park District Executive Director is hereby authorized to execute the attached intergovernmental agreement.

Passed this 21st day of June, 2000, by roll call vote.

Ayes Bowkosti, Lechel, Pakow, Scarpelli

Nays Kubler

Absent None

Attest [Signature]

[Signature]  
Secretary, Board of Park  
Commissioners Dundee Township  
Park District

[Signature]  
President, Board of Park  
Commissioners Dundee Township  
Park District

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE COUNTY OF KANE  
AND THE DUNDEE TOWNSHIP PARK DISTRICT**

This Agreement, entered into this 21<sup>st</sup> day of June 2000, by and between the County of Kane, a body corporate and politic of the State of Illinois (hereinafter "County"), and the Dundee Township Park District, a municipal corporation of the State of Illinois (hereinafter "Park District").

**WITNESSETH:**

WHEREAS, the County and the Park District are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, as provided in Illinois Compiled Statutes, 5 ILCS 220/1 *et. seq.*; and are units of local government within the meaning of the Constitution of Illinois, 1970, Article VII, Section 10; and,

WHEREAS, the Park District owns certain real estate used as park facilities in the Township of Dundee, County of Kane, State of Illinois and in particular a public park facility referred to as "Hickory Hills Park"; and,

WHEREAS, the County has been studying several proposed highway alignments for the purpose of constructing a bridge across the Fox River in or near Bolz Road and Longmeadow Parkway in Dundee Township.

WHEREAS, depending upon alignment approval, the County may in the future desire to acquire a highway right of way corridor for the purpose of constructing a highway from the intersection of Illinois Route 31 and Longmeadow Parkway to Illinois Route 62 in or near the Villages of Carpentersville and Barrington Hills, Illinois. One of the several of the aforesaid proposed highway alignments is across property owned by the Park District; namely the Hickory Hills Park.

WHEREAS, the Park District desires to plan for the future development and use of Hickory Hills Park for the benefit of the citizens of Dundee Township.

WHEREAS, the County and the Park District desire to co-operate amongst themselves in order to facilitate their respective statutory responsibilities and duties.

NOW, THEREFORE; in consideration of the foregoing preambles, the mutual covenants contained herein and for good and valuable consideration, the sufficiency of which is agreed to by the parties hereto, both the County and the Park District covenant, agree and bind themselves as follows, to wit:

1. As consideration for the approval and execution of this Agreement by the Park District, the County shall pay to the Park District the sum of twenty five thousand dollars (\$25,000.00) within ninety (90) days of approval of this Agreement by the County and execution hereof by the Chairman of the Kane County Board. Approval of this Agreement by the Kane County Board is contingent upon the County receiving, a Park District Board approved, fully executed, duplicate original of this Agreement.
2. The County agrees to study the feasibility of the several proposed highway alignments including that part of the proposed highway alignment as set forth in Exhibit "A" which is attached hereto and incorporated herein. The part of the proposed highway alignment as set forth in Exhibit "A" is hereinafter referred to as "Longmeadow Parkway Extended".
3. The County and the Park District acknowledge that Longmeadow Parkway Extended is proposed to go through Hickory Hills Park. The extent of the proposed impact of Longmeadow Parkway Extended on Hickory Hills Park is highlighted in yellow and further described in Exhibit "B" which is attached hereto and incorporated herein.
4. The County and the Park District acknowledge and agree that in the event that the alignment referred to as Longmeadow Parkway Extended as described herein in Exhibit "A" is approved by the Illinois Department of Transportation (hereinafter "IDOT") and/or the Federal Highway Administration (hereinafter "FHA") then the County may seek to acquire from the Park District that portion of Hickory Hills Park as highlighted in yellow and as further described in Exhibit "B". The property highlighted in yellow in Exhibit "B" is hereinafter sometimes referred to as the "Right of Way".
5. If Longmeadow Parkway Extended is approved by IDOT or the FHA, then within sixty (60) days of receipt of a written request from the County requesting the conveyance of the Right of Way, the Park District shall convey or cause to be conveyed to the County the Right of Way on the terms and conditions as set forth herein below. In the event that the County does not submit a written request to the Park District seeking acquisition of the Right of Way by January 1, 2005, then this Agreement shall terminate and be of no further force and effect. This Agreement and the rights, duties and obligations contained herein is contingent upon approval thereof by the Illinois Department of Natural Resources (hereinafter referred to as the "IDNR") and/or the National Park Service (hereinafter referred to as the "NPS"). The County shall be solely responsible for fulfilling and funding any and all requirements that may be imposed on the Park District by the IDNR and/or NPS as a direct result of the Park District's fulfilling its obligations under this Agreement. In the event that the IDNR and or NPS does not approve this Agreement, then this Agreement shall be null and void and of no further force and effect. However, in order to obtain IDNR or NPS approval hereof, both the County and the Park District agree to make any reasonable amendment hereto at the request of the IDNR or the NPS that does not materially effect the rights duties and obligations of either party.

6. As consideration for the Right of Way, the County agrees to replace the Right of Way on a three-acre to one-acre basis. The general location of some of the property utilized to replace the Right of Way is highlighted in orange on page 1 of Exhibit "C" and is further legally described on pages 2 through 6 of Exhibit "C" which is attached hereto and incorporated herein and which property is hereinafter referred to as the "Replacement Property".
7. The County shall, as consideration for the conveyance of the Right Way, also convey to the Park District a ten-acre site for park purposes. The general location of said ten-acre site (hereinafter "Park Site") is highlighted in orange on page 1 of Exhibit "D" and is further legally described on page 2 of Exhibit "D", which is attached hereto and incorporated herein. The Park Site shall, at a minimum, be suitable for the construction of and utilization by the Park District as soccer and baseball fields. In conjunction with the development of the Park Site, the County shall construct or cause to be constructed at the sole cost of the County an access road to the Park Site from either Longmeadow Parkway or Illinois State Route 31. The location and the design of said access road shall be at the sole discretion of the Kane County Engineer with the advice of the Park District. Said access road shall be constructed at a minimum in conformance with IDOT's Standard Specifications for Road and Bridge Construction as may be from time to time amended.
8. This Agreement and the conveyance of the Replacement Property from the County to the District as contemplated herein is contingent upon the County causing, and the Replacement Property passing, a complete environmental assessment. The environmental assessment shall be conducted at the sole cost of the County and a copy of said assessment shall be provided to the Park District at least five days prior to closing. In the event that the Replacement Property fails the above described environmental assessment, the County may at its sole option, take measures that are calculated to remediate any environmental hazards revealed by the above described environmental assessment. At the conclusion of said remediation, if the Replacement Property passes a second environmental assessment then this Agreement shall remain in full force and effect.
9. The Replacement Property shall have an appraised value equal to or greater than the appraised value of the Right of Way.
10. Subject to its passing an environmental assessment, the County and the Park District agree that the Replacement Property and the Park Site is suitable for replacement of the Right of Way. The County shall convey the Replacement Property and the Park Site to the Park District as replacement for the Right of Way and, thereafter, the County shall have no further obligation to provide any additional property to the Park District as replacement for the Right of Way.
11. In the event that the Park District becomes, as a result of this Agreement, a party defendant to any litigation challenging the Park District's legal authority to convey the Right of Way to the County or to accept the conveyance of the Replacement Property or the Park Site from the County, then the County shall defend and indemnify the Park District against said challenge to the Park District's legal authority to convey the Right of Way to the County or

to accept the conveyance of the Replacement Property or the Park Site from the County.

12. Notwithstanding anything herein to the contrary, the Park District may, prior to closing, remove any and all structures, vegetation or personal property from the Right of Way. In the event that the Park District decides to relocate any structure, vegetation or personal property from the Right of Way, the Park District shall be solely responsible therefor and shall do so at the sole cost of the Park District. Said structures, vegetation or personal property shall be relocated prior to closing. In the event that structures or personal property are not removed by closing, the County shall be entitled to demolish and dispose of the same without reimbursement to the Park District for the value thereof.
13. The County shall have the property line between the Right of Way and the remainder of Hickory Hills Park delineated by placing survey stakes thereon, on or before June 15, 2000.
14. The County shall grant or cause to be granted to the Park District two (2) full accesses: one access to Longmeadow Parkway Extended upon its construction and one access to Illinois Route 31. The accesses shall be as generally set forth in Exhibit "D" and Exhibit "E" which are attached hereto and incorporated herein. The specifics and exact location of said accesses shall be subject to the engineering discretion of the Kane County Engineer with the advice of the Park District, and the Illinois Department of Transportation when applicable.
15. The County shall pay to the Park District, as consideration for the Right of Way, the sum of one hundred thousand dollars (\$100,000.00).
16. The County shall, upon acquiring possession of the Replacement Property and prior to conveyance thereof to the Park District, grant to the Park District:
  - i) temporary access across the Replacement Property to and from Illinois State Route 25 until such time as Replacement Property is conveyed to the Park District by the County; and,
  - ii) temporary possession and use of the residential structure located on the Replacement Property as of the date of execution hereof, until such time as the Replacement Property is conveyed to the Park District by the County.

The Park District shall defend, indemnify and hold harmless the County, its officers, employees and agents for any and all liability for personal injury or property damage that may accrue to the County, its officers, employees and agents as a result of the Park District's use, possession and occupation of the Replacement Property whether by the Park District, its officers, employees, agents and invitees, prior to conveyance thereof to the Park District by the County.

17. The parties hereto acknowledge and agree that the Right of Way, Park Site and the Replacement Property are hereinafter sometimes collectively referred to as the "Real Estate".

18. Closing and possession shall be held at 1:00 p.m. on or before the sixtieth (60<sup>th</sup>) day after receipt, (not including the day of receipt) by the Park District of the written request from the County to the Park District requesting conveyance of the Right of Way. If the Replacement Property undergoes environmental remediation as described in Paragraph No. 8 hereof, closing and possession shall occur within sixty (60) days of the Replacement Property passing the second environmental assessment after remediation. Said closing shall be at the offices of the County in the county in which the Real Estate is located or as otherwise agreed to by the parties hereto. Both the closing and possession date is legally significant to both the County and the Park District. The parties hereto understand that when this Agreement is signed by both the County and the Park District, closing and possession may only be changed by mutual agreement of the parties
19. The County shall prepare plats of survey for the Real Estate and shall also prepare for the signature of the Park District and the signature of the County, which will be executed by the Park District and County at closing, all deeds and any documents as required by the County, the Park District and the Internal Revenue Code. The County shall also be responsible for obtaining commitments for title insurance of the Real Estate at the sole cost of the County.
20. The Park District shall convey to the County, by a recordable warranty deed, with release of homestead rights and release of access rights to Longmeadow Parkway, conveying good, marketable and merchantable title to the Right of Way as described in Exhibit "B" and subject only to the following described exceptions: covenants conditions and restrictions of record provided they are not violated nor contain a reverter or right of re-entry, zoning laws and ordinances, easement for public utilities, drainage ditches, feeders, laterals, drainpipe tile or other conduit, and if applicable installments or assessments due after the date of closing.
21. The County shall convey to the Park District, by a recordable quit claim deed, with release of access and homestead rights, conveying good, marketable and merchantable title to the Replacement Property as described in Exhibit "C" and the Park Site as described in Exhibit "D" and subject only to the following described exceptions: covenants conditions and restrictions of record provided they are not violated nor contain a reverter or right of re-entry, zoning laws and ordinances, easement for public utilities, drainage ditches, feeders, laterals, drainpipe tile or other conduit, and if applicable installments or assessments due after the date of closing.
22. In the event that the Park District cannot obtain title insurance over any Schedule "B" exceptions (except those provided in paragraph 20 above), any amount sufficient to secure the release of said exceptions shall be paid by the Park District to the County at closing. In the event that the title commitment shows encroachments or exceptions not acceptable to the County, the Park District shall have said exceptions removed prior to closing, or alternatively obtain a policy of insurance to insure over said exceptions. If the Park District is unable to either remove said exceptions or have said exceptions insured over, the County may terminate this Agreement at no expense to either the County or the Park District

23. In the event that the County cannot obtain title insurance over any Schedule "B" exceptions (except those provided in paragraph 21 above), any amount sufficient to secure the release of said exceptions shall be paid by the County to the Park District at closing. In the event that the title commitment shows encroachments or exceptions not acceptable to the Park District, the County shall have said exceptions removed prior to closing, or alternatively obtain a policy of insurance to insure over said exceptions. If the County is unable to either remove said exceptions or have said exceptions insured over, the Park District may terminate this Agreement at no expense to either the County or the Park District.
24. General real estate taxes shall not be prorated. Any rents, deposits or other assessments shall be prorated.
25. If prior to the delivery of the deed hereunder, the Right of Way is materially damaged by any casualty, the County shall have the option of terminating this Agreement. If prior to the delivery of the deed hereunder, the Replacement Property or the Park Site is materially damaged by any casualty, the Park District shall have the option of terminating this Agreement.
26. The Park District agrees to leave the Right of Way in clean and orderly condition. All refuse and personal matter on the Right of Way shall be removed at the Park District's expense prior to the date of possession. The County agrees to leave the Replacement Property and the Park Site in clean and orderly condition. All refuse and personal matter on the Replacement Property and Park Site shall be removed at the County's expense prior to the date of possession.
27. The Park District represents that no notice has been received of any zoning, building, fire or health code violations, environmental regulation or of any pending special assessment proceedings affecting the Right of Way. The County represents that no notice has been received of any zoning, building, fire or health code violations, environmental regulation or of any pending special assessment proceedings affecting the Replacement Property.
28. Any and all notices given pursuant to this Agreement shall be in writing and signed by the attorney for the Park District and the attorney for the County and shall be given by certified mail or in person at the addresses hereinbelow. Notice to any one of a multiple person party shall be notice to all.
29. The date of this Contract shall be the last date of acceptance of this Agreement as provided herein below.
30. If the Park District defaults hereunder, the County may elect either to (i) terminate the Park District's obligations under this Agreement by written notice to the Park District, or alternatively (ii) the County may file an action for specific performance of this Agreement to compel the Park District to convey the Right of Way subject to the Permitted Exceptions and Survey Matters with a set off for liens of a definite and ascertainable amount and with the Park District being liable for all litigation costs, fees and expenses incurred by the

County in pursuing that remedy, if the County prevails in such action. If the County defaults hereunder, the Park District may elect either to (i) terminate the County's obligations under this Agreement by written notice to the County, or alternatively (ii) the Park District may file an action for specific performance of this Agreement to compel the County to convey the Replacement Property subject to the Permitted Exceptions and Survey Matters with a set off for liens of a definite and ascertainable amount and with the County being liable for all litigation costs, fees and expenses incurred by Park District in pursuing that remedy, if the Park District prevails in such action.

31. Park District hereby represents and warrants to the County as follows, which representations and warranties shall be deemed remade by Park District to County at the closing, and which shall survive the closing:
- (a) To Park District's knowledge, there is no pending or threatened litigation affecting the Right of Way nor to the best knowledge and belief of Park District is any such litigation contemplated by any party other than litigation threatened at the Dundee Township Board meeting of March 1, 2000;
  - (b) The Park District has received no notice of, and has no actual knowledge of, any change that is contemplated with respect to the zoning of the Right of Way, the availability of utility services to the Right of Way, violation of any existing law, municipal ordinance or other governmental regulation, contemplated or threatened condemnation, or any other matter which would affect the Right of Way other than regulation that the Right of Way may be subject to by the IDNR or the NPS;
  - (c) The Park District has the authority to execute and perform the terms of this Agreement; and,
  - (d) The Park District has not received notice of any violations of local, state or federal laws including environmental laws, rules or regulations concerning the Right of Way.
32. The County hereby represents and warrants to the Park District as follows, which representations and warranties shall be deemed remade by the County to the Park District at the closing, and which shall survive the closing:
- (a) To the County's knowledge, there is no pending or threatened litigation affecting the Replacement Property or the Park Site, nor to the best knowledge and belief of County is any such litigation contemplated by any party;
  - (b) The County has received no notice of, and has no actual knowledge of, any change that is contemplated with respect to the zoning of the Replacement Property or the Park Site, the availability of utility services to the Replacement Property or the Park Site, violation of any existing law, municipal ordinance or other governmental regulation, contemplated or threatened condemnation, or any other matter which would affect the Replacement Property or the Park Site;
  - (c) The County has the authority to execute and perform the terms of this Agreement; and,
  - (d) The County has not received notice of any violations of local, state or federal laws including environmental laws, rules or regulations concerning the Replacement Property or the Park Site.



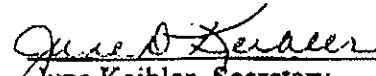
DUNDEE TOWNSHIP PARK DISTRICT

BY:



Tom Mammoser, President  
21 North Washington St.  
Carpentersville, Illinois 60110

ATTEST:



June Keibler, Secretary

# KANE COUNTY

## DIVISION of TRANSPORTATION

Jeffrey S. Dailey, P.E.  
Director of Transportation  
County Engineer



41W011 Burlington Road  
St. Charles, IL 60175  
Phone: (630) 584-1170  
Fax: (630) 584-5265

June 28, 2000

Mr. Jon Duerr  
Director of Field Services  
Kane County Forest Preserve  
719 Batavia Avenue, Building G  
Geneva, IL 60134

Dear Mr. Duerr:

At the June 23, 2000 meeting, the Transportation Committee consensus was to proceed with the Kane County Forest Preserve mitigation agreements for Long Meadow Parkway and Stearns Road Bridge Corridors. Enclosed are the mitigation agreements for:

- 1) Long Meadow Parkway – Algonquin Shores Forest Preserve
- 2) Stearns Road – Blackhawk Forest Preserve
- 3) Stearns Road – Prairie Path.

Please present these agreements to the Forest Preserve Commission for approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey S. Dailey", is written over the typed name.

Jeffrey S. Dailey  
Director/County Engineer

c: Pat Jaeger  
Janet Pettigrew  
Mike Okrent  
Tom Rickert  
✓File



**COPY**

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE COUNTY OF KANE  
AND THE KANE COUNTY FOREST PRESERVE DISTRICT  
(LONGMEADOW PARKWAY EXTENDED)**

This Agreement, entered into this 12<sup>th</sup> day of Sept. 2000, by and between the County of Kane, a body corporate and politic of the State of Illinois (hereinafter "County"), and the Kane County Forest Preserve District, a municipal corporation of the State of Illinois (hereinafter the "District").

WITNESSETH:

WHEREAS, the County and the District are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, as provided in Illinois Compiled Statutes, 5 ILCS 220/1 *et. seq.*; and are units of local government within the meaning of the Constitution of Illinois, 1970, Article VII, Section 10; and,

WHEREAS, the District owns certain real estate utilized as a forest preserve in the Township of Dundee, County of Kane, State of Illinois and in particular a bike path facility referred to as "the Fox River Trail"; and,

WHEREAS, the County has been studying several proposed highway alignments for the purpose of constructing a bridge across the Fox River near Longmeadow Parkway and Bolz Road, in Dundee Township.

WHEREAS, depending upon alignment approval, the County may in the future desire to acquire a highway right of way corridor for the purpose of constructing a highway from Longmeadow Parkway to Bolz Road in or near the Village of Carpentersville, Illinois. One of the several of the aforesaid proposed highway alignments is across property owned by the District; namely the Fox River Trail.

WHEREAS, the District desires to plan for the future development and use of the Fox River Trail for the benefit of the citizens of Kane County.

WHEREAS, the County and the District desire to co-operate amongst themselves in order to facilitate their respective statutory responsibilities and duties.

NOW, THEREFORE, in consideration of the foregoing preambles, the mutual covenants contained herein and for good and valuable consideration, the sufficiency of which is agreed to by the parties hereto, both the County and the District covenant, agree and bind themselves as follows,

to wit:

1. As consideration for the approval and execution of this Agreement by the District, the County shall pay to the District the sum of one thousand dollars (\$1,000.00) within ninety (90) days of approval of this Agreement by the County and execution hereof by the Chairman of the Kane County Board. Approval of this Agreement by the Kane County Board is contingent upon the County receiving, a District Board approved, fully executed, duplicate original of this Agreement.
2. The County agrees to study the feasibility of the several proposed highway alignments including the proposed highway alignment as set forth in Exhibit "A" which is attached hereto and incorporated herein. The proposed highway alignment as set forth in Exhibit "A" is hereinafter referred to as "Longmeadow Parkway Extended".
3. The County and the District acknowledge that Longmeadow Parkway Extended is proposed cross the Fox River Trail. The extent of the proposed impact of Longmeadow Parkway Extended on the Fox River Trail is set forth as the yellow highlighted area in Exhibit "B" which is attached hereto and incorporated herein.
4. The County and the District acknowledge and agree that in the event that the alignment referred to as Longmeadow Parkway Extended as described herein in Exhibit "A" is approved by the Illinois Department of Transportation (hereinafter "IDOT") and/or the Federal Highway Administration (hereinafter "FHA") then the County may seek to acquire from the District that portion of the Fox River Trail as generally highlighted in yellow and as further described in Exhibit "B". The property described in Exhibit "B" is hereinafter sometimes referred to as the "Right of Way". In the event that the County acquires the Right of Way as described in Exhibit "B", the County shall maintain the connection of the Fox River Trail upon completion of the construction of Longmeadow Parkway Extended.
5. If Longmeadow Parkway Extended is approved by either IDOT or the FHA, then within sixty (60) days of receipt of a written request from the County requesting the conveyance of the Right of Way, the District shall convey or cause to be conveyed to the County the Right of Way on the terms and conditions as set forth herein below. In the event that the County does not submit a written request to the District seeking acquisition of the Right of Way by January 1, 2005, then this Agreement shall terminate and be of no further force and effect. This Agreement and the rights, duties and obligations contained herein is contingent upon approval thereof by the Illinois Department of Natural Resources (hereinafter referred to as the "IDNR") and/or the National Park Service (hereinafter referred to as the "NPS"). The County shall be solely responsible for fulfilling and funding any and all requirements that may be imposed on the District by the IDNR and/or NPS as a direct result of the District's fulfilling its obligations under this Agreement. In the event that the IDNR and or NPS does not approve this Agreement, then this Agreement shall be null and void and of no further force and effect.

6. As consideration for the Right of Way, the County agrees to replace the Right of Way. The property utilized to replace the Right of Way is highlighted in yellow and further described in Exhibit "C" which is attached hereto and incorporated herein and hereinafter referred to as the "Replacement Property".
7. This Agreement and the conveyance of the Replacement Property from the County to the District as contemplated herein is contingent upon the County causing, and the Replacement Property passing, a complete environmental assessment. The environmental assessment shall be conducted at the sole cost of the County and a copy of said assessment shall be provided to the District at least five days prior to closing. In the event that the Replacement Property fails the above described environmental assessment, the County may at its sole option, but only with the approval of the District, take measures that are calculated to remediate any environmental hazards revealed by the above described environmental assessment. At the conclusion of said remediation, if the Replacement Property passes a second environmental assessment then this Agreement shall remain in full force and effect.
8. The Replacement Property shall have an appraised value equal to or greater than the appraised value of the Right of Way.
9. Upon completion of the construction of Longmeadow Parkway Extended, the County shall ensure the continuity of the Fox River Trail.
10. Subject to its passing an environmental assessment, the County and the District agree that the Replacement Property is suitable for replacement for the Right of Way. The County shall convey the Replacement Property to the District as replacement for the Right of Way and, thereafter, the County shall have no further obligation to provide any additional property to the District as replacement for the Right of Way.
11. Notwithstanding anything herein to the contrary, the District may, prior to closing, remove any and all structures, vegetation or personal property from the Right of Way. In the event that the District decides to relocate any structure, vegetation or personal property from the Right of Way, the District shall be solely responsible therefor and shall do so at the sole cost of the District. Said structures, vegetation or personal property shall be relocated prior to closing. In the event that structures or personal property are not removed by closing, the County shall be entitled to demolish and dispose of the same without reimbursement to the District for the value thereof.
12. The parties hereto acknowledge and agree that the Right of Way and the Replacement Property are hereinafter sometimes collectively referred to as the "Real Estate".
13. Closing and possession shall be held at 1:00 p.m. on or before the sixtieth (60<sup>th</sup>) day after receipt, (not including the day of receipt) by the District of the written request from the County to the District requesting conveyance of the Right of Way. If the Replacement Property undergoes environmental remediation as described in Paragraph No. 8 hereof,

closing and possession shall occur within sixty (60) days of the Replacement Property passing the second environmental assessment after remediation. Said closing shall be at the offices of the County in the county in which the Real Estate is located or as otherwise agreed to by the parties hereto. Both the closing and possession date is legally significant to both the County and the District. The parties hereto understand that when this Agreement is signed by both the County and the District, closing and possession may only be changed by mutual agreement of the parties hereto.

14. The County shall prepare plats of survey for the Real Estate and shall also prepare for the signature of the District and the signature of the County, which will be executed by the District and County at closing, all deeds and any documents as required by the County, the District and the Internal Revenue Code. The County shall also be responsible for obtaining commitments for title insurance of the Real Estate at the sole cost of the County.
15. The District shall convey to the County, by a recordable warranty deed, with release of homestead rights and release of access rights to Longmeadow Parkway Extended, conveying good, marketable and merchantable title to the Right of Way as described in Exhibit "B" subject only to the following described exceptions: covenants conditions and restrictions of record provided they are not violated nor contain a reverter or right of re-entry, zoning laws and ordinances, easement for public utilities, drainage ditches, feeders, laterals, drainpipe tile or other conduit, and if applicable installments or assessments due after the date of closing.
16. The County shall convey to the District, by a recordable quit claim deed, with release of access and homestead rights, conveying good, marketable and merchantable title to the Replacement Property as described in Exhibit "C" subject only to the following described exceptions: covenants conditions and restrictions of record provided they are not violated nor contain a reverter or right of re-entry, zoning laws and ordinances, easement for public utilities, drainage ditches, feeders, laterals, drainpipe tile or other conduit, and if applicable installments or assessments due after the date of closing.
17. In the event that the District can not obtain title insurance over any Schedule "B" exceptions (except those provided in paragraph 14 above), any amount sufficient to secure the release of said exceptions shall be paid by the District to the County at closing. In the event that the title commitment shows encroachments or exceptions not acceptable to the County, the District shall have said exceptions removed prior to closing, or alternatively, obtain a policy of insurance to insure over said exceptions. If the District is unable to either remove said exceptions or have said exceptions insured over, the County may terminate this Agreement at no expense to either the County or the District
18. In the event that the County can not obtain title insurance over any Schedule "B" exceptions (except those provided in paragraph 15 above), any amount sufficient to secure the release of said exceptions shall be paid by the County to the District at closing. In the event that the title commitment shows encroachments or exceptions not acceptable to the District, the County shall have said exceptions removed prior to closing, or alternatively obtain a policy

of insurance to insure over said exceptions. If the County is unable to either remove said exceptions or have said exceptions insured over, the District may terminate this Agreement at no expense to either the County or the District.

19. General real estate taxes shall not be prorated. Any rents, deposits or other assessments shall be prorated.
20. The District agrees to leave the Right of Way in clean and orderly condition. All refuse and personal matter on the Right of Way shall be removed at the District's expense prior to the date of possession. The County agrees to leave the Replacement Property in clean and orderly condition. All refuse and personal matter on the Replacement Property shall be removed at the County's expense prior to the date of possession.
21. The District represents that no notice has been received of any zoning, building, fire or health code violations, environmental regulation or of any pending special assessment proceedings affecting the Right of Way. The County represents that no notice has been received of any zoning, building, fire or health code violations, environmental regulation or of any pending special assessment proceedings affecting the Replacement Property.
22. Any and all notices given pursuant to this Agreement shall be in writing and signed by the attorney for the District and the attorney for the County and shall be given by certified mail or in person at the addresses hereinbelow. Notice to any one of a multiple person party shall be notice to all.
23. The date of this Contract shall be the last date of acceptance of this Agreement as provided herein below.
24. If the District defaults hereunder, the County may elect either to (i) terminate the District's obligations under this Agreement by written notice to the District, or alternatively (ii) the County may file an action for specific performance of this Agreement to compel the District to convey the Right of Way subject to the Permitted Exceptions and Survey Matters with a set off for liens of a definite and ascertainable amount and with the District being liable for all litigation costs, fees and expenses incurred by the County in pursuing that remedy, if the County prevails in such action. If the County defaults hereunder, the District may elect either to (i) terminate the County's obligations under this Agreement by written notice to the County, or alternatively (ii) the District may file an action for specific performance of this Agreement to compel the County to convey the Replacement Property subject to the Permitted Exceptions and Survey Matters with a set off for liens of a definite and ascertainable amount and with the County being liable for all litigation costs, fees and expenses incurred by District in pursuing that remedy, if the District prevails in such action.
25. District hereby represents and warrants to the County as follows, which representations and warranties shall be deemed remade by District to County at the closing, and which shall survive the closing:
  - (a) To District's knowledge, there is no pending or threatened litigation affecting the Right

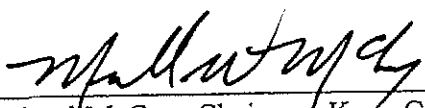


- of Way nor to the best knowledge and belief of District is any such litigation contemplated by any party;
- (b) The District has received no notice of, and has no actual knowledge of, any change that is contemplated with respect to the zoning of the Right of Way, the availability of utility services to the Right of Way, violation of any existing law, municipal ordinance or other governmental regulation, contemplated or threatened condemnation, or any other matter which would affect the Right of Way;
  - (c) The District has the authority to execute and perform the terms of this Agreement; and,
  - (d) The District has not received notice of any violations of local, state or federal laws including environmental laws, rules or regulations concerning the Right of Way.
26. The County hereby represents and warrants to the District as follows, which representations and warranties shall be deemed remade by the County to the District at the closing, and which shall survive the closing:
- (a) To the County's knowledge, there is no pending or threatened litigation affecting the Replacement Property, nor to the best knowledge and belief of County is any such litigation contemplated by any party;
  - (b) The County has received no notice of, and has no actual knowledge of, any change that is contemplated with respect to the zoning of the Replacement Property, the availability of utility services to the Replacement Property, violation of any existing law, municipal ordinance or other governmental regulation, contemplated or threatened condemnation, or any other matter which would affect the Replacement Property;
  - (c) The County has the authority to execute and perform the terms of this Agreement ; and,
  - (d) The County has not received notice of any violations of local, state or federal laws including environmental laws, rules or regulations concerning the Replacement Property.
27. From and after the date hereof and so long as this Agreement is in effect, the District shall not, without County's prior written consent, execute any lease, license, contract or other agreement affecting the Right of Way that will survive the Closing. From and after the date hereof and so long as this Agreement is in effect, the County shall not, without the District's prior written consent, execute any lease, license, contract or other agreement affecting the Replacement Property that will survive the Closing.
28. This Agreement may be amended only in writing upon the signatures of all the parties hereto.
29. This Agreement is executed and submitted by the District as of the date set forth below. A duplicate original of this Contract, duly executed by the District shall be delivered to the County not later than 5 business days from such date.
30. This Agreement shall be effective upon approval by the respective legislative bodies of the County and the District.

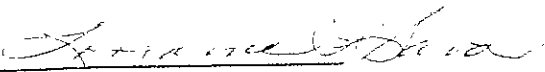
31. The parties hereto acknowledge and agree that in the event that any section, paragraph, subdivision or sentence of this Agreement shall be for any reason held invalid or to be unconstitutional, such decision or holding shall not affect the validity of the remainder of this Agreement.

IN WITNESS WHEREOF, the County of Kane has executed this Agreement as of the \_\_\_ day of Sept. 2000 at Geneva, Illinois.

COUNTY OF KANE

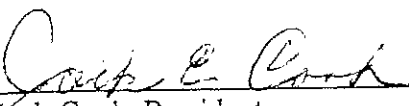
BY:   
Michael McCoy, Chairman Kane County Board  
719 South Batavia Avenue  
Geneva, Illinois 60134

ATTEST:

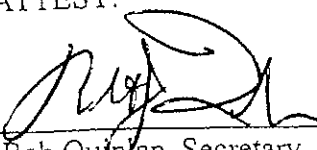
  
Lorraine Sava, County Clerk

IN WITNESS WHEREOF, the District has executed this Agreement as of the \_\_\_ day of September 2000 at Geneva, Illinois

KANE COUNTY FOREST PRESERVE DISTRICT

BY:   
Jack Cook, President  
719 South Batavia Avenue  
Geneva, Illinois 60134

ATTEST:

  
Bob Quinn, Secretary

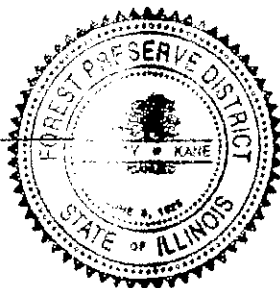
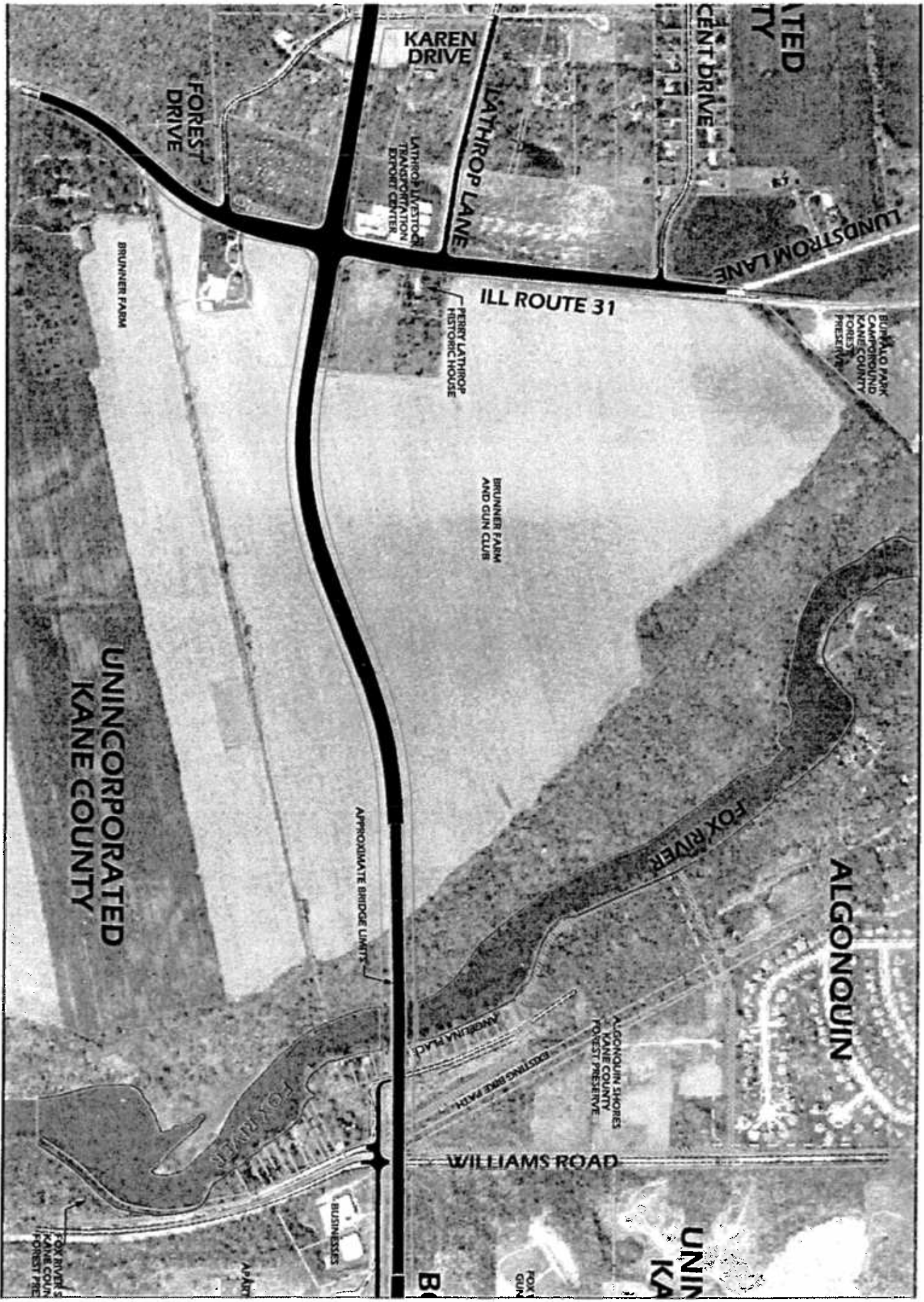
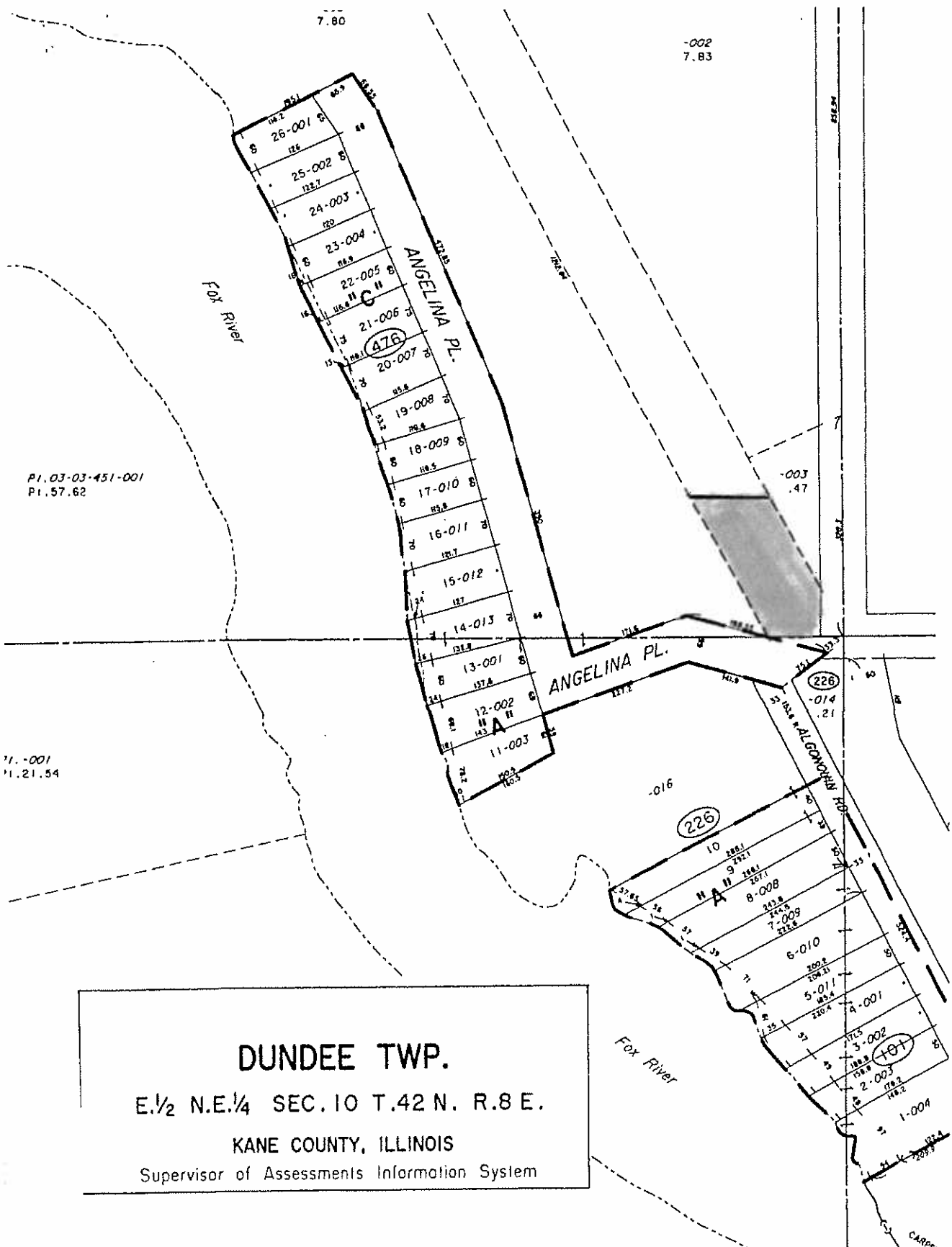


EXHIBIT "A"





**DUNDEE TWP.**

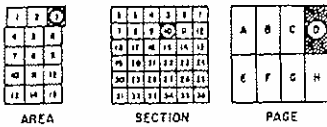
E. 1/2 N.E. 1/4 SEC. 10 T. 42 N. R. 8 E.

KANE COUNTY, ILLINOIS

Supervisor of Assessments Information System



**SHEET LOCATOR**



REVISIONS

KANE COUNTY, ILLINOIS  
COPYRIGHT 1999

**03-10D**

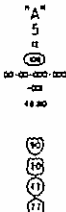
**LEGEND**

**LINES**

- COUNTY
- TOWNSHIP
- CORPORATE LIMITS
- SECTION
- DETAIL PAGE
- SUBDIVISION BOUNDARY
- RIGHT OF WAY
- WATER COURSE ON EDGE
- LOT
- PARCEL

**LABELS**

- SUBDIVISION NAME REFERENCE
- SUBDIVISION BLOCK NO.
- SUBDIVISION LOT NO.
- PERMANENT PARCEL BLOCK NO.
- PERMANENT PARCEL NO.
- INDIVIDUAL PARCEL NO.
- ACREAGE
- HIGHWAY SYMBOLS**
- INTERSTATE
- U.S.
- STATE
- COUNTY

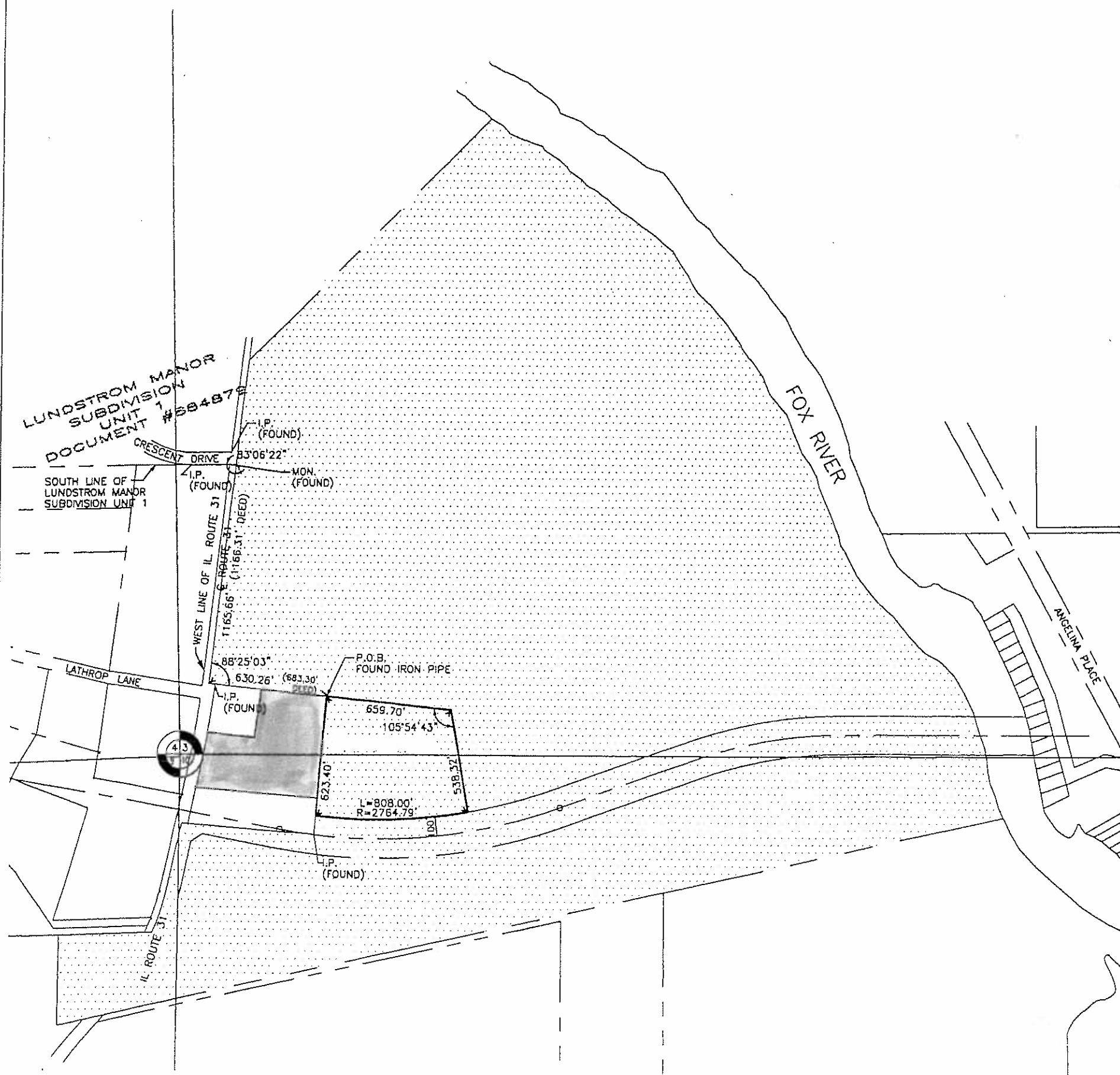


**EXHIBIT "B"**



PARCEL PLAT

PARCEL #	OWNER	F.I.N.	TOTAL AREA	AREA TAKEN	GIVEN AREA	REMAINING AREA	ACQUIRED BY
PT-79	ROBERT WOLF & BRUNNER & LAY, INC.	03-10-100-003	278.37 AC.		-	-	KANE CO. DOT



SCALE 1" = 600'

STATE OF ILLINOIS }  
COUNTY OF COOK } S.S.

THIS IS TO CERTIFY THAT I, MANUEL E. PALMA, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED THE PARCEL PLAT SHOWN HEREON TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE PLAT CORRECTLY REPRESENTS SAID SURVEY, THAT ALL MONUMENTS FOUND AND ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN THEREON AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. MADE FOR KANE COUNTY, STATE OF ILLINOIS, DATED AT 17 DAY OF July, 2000 A.D.

*Manuel E. Palma*  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2135

EXHIBIT "C"

 **McDonough Associates Inc.**  
Engineers/Architects

DRAWING ID: H:\93034\PHASE 1\CADD\PLATS1.DWG  
PLOT DATE 06/19/00 - 15:32 BY MPhon

**COPY**

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF KANE  
AND THE KANE COUNTY FOREST PRESERVE DISTRICT FOR THE  
REALIGNMENT OF STEARNS ROAD, DUNHAM ROAD  
AND ILLINOIS STATE ROUTE 25**

This Agreement, entered into this 12<sup>th</sup> day of Sept. 2000, by and between the County of Kane, a body corporate and politic of the State of Illinois (hereinafter "County"), and the Kane County Forest Preserve District, a municipal corporation of the State of Illinois (hereinafter the "District").

**WITNESSETH:**

WHEREAS, the County and the District are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, as provided in Illinois Compiled Statutes, 5 ILCS 220/1 *et seq.*; and are units of local government within the meaning of the Constitution of Illinois, 1970, Article VII, Section 10; and,

WHEREAS, the District owns certain real estate utilized as a forest preserve in the Township of St. Charles, County of Kane, State of Illinois and in particular a forest preserve facility referred to as "Illinois Prairie Path"; and,

WHEREAS, the County has been studying the proposed realignment of the intersection of Illinois State Route 25, Dunham Road and Stearns Road in St. Charles Township County of Kane, State of Illinois.

WHEREAS, depending upon final alignment, the County may desire to acquire highway right of way for the purpose of constructing the realigned intersection of Illinois State Route 25, Stearns Road and Dunham Road. The aforesaid proposed intersection realignment is across property owned by the District; namely the Illinois Prairie Path.

WHEREAS, the District desires to plan for the future development and use of the Illinois Prairie Path for the benefit of the citizens of Kane County.

WHEREAS, the County and the District desire to co-operate amongst themselves in order to facilitate their respective statutory responsibilities and duties.

NOW, THEREFORE, in consideration of the foregoing preambles, the mutual covenants contained herein and for good and valuable consideration, the sufficiency of which is agreed to by the parties hereto, both the County and the District covenant, agree and bind themselves as follows, to wit:

1. As consideration for the approval and execution of this Agreement by the District, the County shall pay to the District the sum of one thousand dollars (\$1,000.00) within ninety (90) days of approval of this Agreement by the County and execution hereof by the Chairman of the Kane County Board. Approval of this Agreement by the Kane County Board is contingent upon the County receiving, a District Board approved, fully executed, duplicate original of this Agreement.
2. The County agrees to finalize the proposed intersection realignment as generally set forth in Exhibit "A" which is attached hereto and incorporated herein. The proposed highway alignment as set forth in Exhibit "A" is hereinafter referred to as the "Intersection Realignment".
3. The County and the District acknowledge that the Intersection Realignment is proposed to property owned by the Kane County Forest Preserve District, which is commonly referred to as the Illinois Prairie Path. The extent of the proposed impact of the Intersection Realignment on the Illinois Prairie Path is set forth in Exhibit "B" which is attached hereto and incorporated herein
4. The County and the District acknowledge and agree that in the event that the Intersection Realignment as described herein in Exhibit "A" is approved by the Illinois Department of Transportation (hereinafter "IDOT") and/or the Federal Highway Administration (hereinafter "FHA") then the County may seek to acquire from the District that portion of the Illinois Prairie Path as generally highlighted in yellow and as further described in Exhibit "B". The property described in Exhibit "B" is hereinafter referred to as the "Right of Way". In the event that the County acquires the Right of Way, the County shall ensure the continuity of the Illinois Prairie Path upon completion of the construction of Intersection Realignment.
5. Within sixty (60) days of receipt of a written request from the County requesting the conveyance of the Right of Way, the District shall convey or cause to be conveyed to the County the Right of Way on the terms and conditions as set forth herein below. In the event that the County does not submit a written request to the District seeking acquisition of the Right of Way by January 1, 2005, then this Agreement shall terminate and be of no further force and effect.
6. The County shall, as consideration for the conveyance of the Right Way, construct the following :
  - i) the relocation of the Illinois Prairie Path from its intersection with Dunham Road south of Stearns Road so that it travels north along the east side of the proposed relocated Dunham Road to a proposed east/west crossing of relocated Dunham (See Exhibit "C" or Exhibit "D"); and,



- ii) the construction of an underpass beneath proposed relocated Dunham Road for utilization of the Illinois Prairie Path (See Exhibit "C" or Exhibit D), or alternatively the construction of an at grade crossing of relocated Dunham Road at its intersection with relocated Stearns Road for the Illinois Prairie Path (See Exhibit "E" or Exhibit "F"); and,
- iii) the relocation of the Illinois Prairie Path from the aforescribed underpass to the west side of the proposed relocated Dunham Road up to proposed relocated Illinois State Route 25 (See Exhibit "C" or Exhibit "D"), or, alternatively, the relocation of the Illinois Prairie Path from the at grade crossing at the intersection of relocated Dunham Road to the proposed crossing of relocated Illinois State Route 25 (See Exhibit "E" or Exhibit "F"); and
- iv) the construction of an overpass for the Illinois Prairie Path over relocated Illinois State Route 25 and reconstruction of the Illinois Prairie Path to rejoin the existing Illinois Prairie Path (See Exhibit "C", "D" & "E"); and
- v) the removal and the salvage for reuse the existing Prairie Path bridge over existing Illinois State Route 25 and complete Prairie Path reconstruction (See Exhibits "C", "E", "F") or the removal and the salvage for reuse the existing Prairie Path bridge over the CC&P Railroad tracks (See Exhibit "D"); and,

The improvements as set forth in sections i, ii, iii, iv and v of this paragraph shall be designed and constructed in conjunction with the planned improvement, relocation and realignment of the Illinois State Route 25, Stearns Road and Dunham Road intersection. All of said improvements shall be designed and constructed to the satisfaction of the Kane County Engineer with the advice of the Operations Manager of the District, and at a minimum in conformance with IDOT's Standard Specifications for Road and Bridge Construction as may be from time to time amended.

7. This Agreement and the conveyance of the Replacement Property from the County to the District as contemplated herein is contingent upon the County causing, and the Replacement Property passing, a complete environmental assessment. The environmental assessment shall be conducted at the sole cost of the County and a copy of said assessment shall be provided to the District five days prior to closing. In the event that the Replacement Property fails the above described environmental assessment, the County may at its sole option, but only with the approval of the District, take measures that are calculated to remediate any environmental hazards revealed by the above described environmental assessment. At the conclusion of said remediation, if the Replacement Property passes a second environmental assessment then this Agreement shall remain in full force and effect.
8. Notwithstanding anything herein to the contrary, the District may, prior to closing, remove any and all structures, vegetation or personal property from the Right of Way. In the event that the District decides to relocate any structure, vegetation or personal property from the Right of Way, the District shall be solely responsible therefor and shall do so at the sole cost of the District. Said structures, vegetation or personal property shall be relocated prior to

closing. In the event that structures or personal property are not removed by closing, the County shall be entitled to demolish and dispose of the same without reimbursement to the District for the value thereof. Notwithstanding anything herein to the contrary, the County shall, with the advice of the district, salvage, for reuse, any bridges that may be on the Prairie Path within the project area for the Intersection Realignment.

9. The parties hereto acknowledge and agree that the Right of Way is hereinafter sometimes referred to as the "Real Estate".
10. Closing and possession shall be held at 1:00 p.m. on or before the sixtieth (60<sup>th</sup>) day after receipt, (not including the day of receipt) by the District of the written request from the County to the District requesting conveyance of the Right of Way. Said closing shall be at the offices of the County in the county in which the Real Estate is located or as otherwise agreed to by the parties hereto. Both the closing and possession date is legally significant to both the County and the District. The parties hereto understand that when this Agreement is signed by both the County and the District, closing and possession may only be changed by mutual agreement of the parties hereto.
11. The County shall prepare plats of survey for the Real Estate and shall also prepare for the signature of the District and the signature of the County, which will be executed by the District and County at closing, all deeds and any documents as required by the County, the District and the Internal Revenue Code. The County shall also be responsible for obtaining commitments for title insurance of the Real Estate at the sole cost of the County.
12. The District shall convey to the County, by a recordable warranty deed, with release of homestead rights and release of access rights to Stearns Road, conveying good, marketable and merchantable title to the Right of Way as described in Exhibit "B" and Exhibit "C" and subject only to the following described exceptions: covenants conditions and restrictions of record provided they are not violated nor contain a reverter or right of re-entry, zoning laws and ordinances, easement for public utilities, drainage ditches, feeders, laterals, drainpipe tile or other conduit, and if applicable installments or assessments due after the date of closing.
13. In the event that the District can not obtain title insurance over any Schedule "B" exceptions (except those provided in paragraph 12 above), any amount sufficient to secure the release of said exceptions shall be paid by the District to the County at closing. In the event that the title commitment shows encroachments or exceptions not acceptable to the County, the District shall have said exceptions removed prior to closing, or alternatively, obtain a policy of insurance to insure over said exceptions. If the District is unable to either remove said exceptions or have said exceptions insured over, the County may terminate this Agreement at no expense to either the County or the District.
14. General real estate taxes shall not be prorated. Any rents, deposits or other assessments shall be prorated.

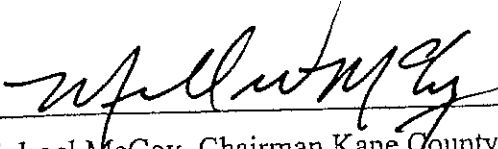
15. The District agrees to leave the Right of Way in clean and orderly condition. All refuse and personal matter on the Right of Way shall be removed at the District's expense prior to the date of possession. The County agrees to leave the Replacement Property in clean and orderly condition. All refuse and personal matter on the Replacement Property shall be removed at the County's expense prior to the date of possession.
16. The District represents that no notice has been received of any zoning, building, fire or health code violations, environmental regulation or of any pending special assessment proceedings affecting the Right of Way. The County represents that no notice has been received of any zoning, building, fire or health code violations, environmental regulation or of any pending special assessment proceedings affecting the Replacement Property.
17. Any and all notices given pursuant to this Agreement shall be in writing and signed by the attorney for the District and the attorney for the County and shall be given by certified mail or in person at the addresses hereinbelow. Notice to any one of a multiple person party shall be notice to all.
18. The date of this Contract shall be the last date of acceptance of this Agreement as provided herein below.
19. If the District defaults hereunder, the County may elect either to (i) terminate the District's obligations under this Agreement by written notice to the District, or alternatively (ii) the County may file an action for specific performance of this Agreement to compel the District to convey the Right of Way subject to the Permitted Exceptions and Survey Matters with a set off for liens of a definite and ascertainable amount and with the District being liable for all litigation costs, fees and expenses incurred by the County in pursuing that remedy, if the County prevails in such action. If the County defaults hereunder, the District may elect either to (i) terminate the County's obligations under this Agreement by written notice to the County, or alternatively (ii) the District may file an action for specific performance of this Agreement to compel the County to convey the Replacement Property subject to the Permitted Exceptions and Survey Matters with a set off for liens of a definite and ascertainable amount and with the County being liable for all litigation costs, fees and expenses incurred by District in pursuing that remedy, if the District prevails in such action.
20. District hereby represents and warrants to the County as follows, which representations and warranties shall be deemed remade by District to County at the closing, and which shall survive the closing:
  - (a) To District's knowledge, there is no pending or threatened litigation affecting the Right of Way nor to the best knowledge and belief of District is any such litigation contemplated by any party;
  - (b) The District has received no notice of, and has no actual knowledge of, any change that is contemplated with respect to the zoning of the Right of Way, the availability of utility services to the Right of Way, violation of any existing law, municipal ordinance or other governmental regulation, contemplated or threatened condemnation, or any other matter which would affect the Right of Way;

- (c) The District has the authority to execute and perform the terms of this Agreement; and,
- (d) The District has not received notice of any violations of local, state or federal laws including environmental laws, rules or regulations concerning the Right of Way.

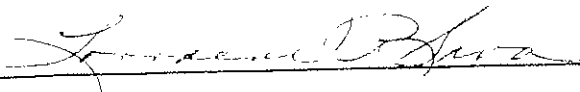
- 21. From and after the date hereof and so long as this Agreement is in effect, the District shall not, without County's prior written consent, execute any lease, license, contract or other agreement affecting the Right of Way that will survive the Closing. From and after the date hereof and so long as this Agreement is in effect, the County shall not, without the District's prior written consent, execute any lease, license, contract or other agreement affecting the Replacement Property that will survive the Closing.
- 22. This Agreement may be amended only in writing upon the signatures of all the parties hereto.
- 23. This Agreement is executed and submitted by the District as of the date set forth below. A duplicate original of this Contract, duly executed by the District shall be delivered to the County not later than 5 business days from such date.
- 24. This Agreement shall be effective upon approval by the respective legislative bodies of the County and the District.
- 25. The parties hereto acknowledge and agree that in the event that any section, paragraph, subdivision or sentence of this Agreement shall be for any reason held invalid or to be unconstitutional, such decision or holding shall not affect the validity of the remainder of this Agreement.

IN WITNESS WHEREOF, the County of Kane has executed this Agreement as of the \_\_\_ day of June 2000 at Geneva, Illinois.

COUNTY OF KANE

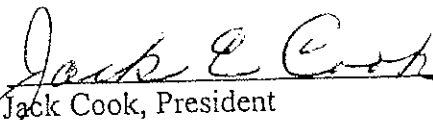
BY:   
Michael McCoy, Chairman Kane County Board  
719 South Batavia Avenue  
Geneva, Illinois 60134

ATTEST:


  
Lorraine Sava, County Clerk


IN WITNESS WHEREOF, the District has executed this Agreement as of the \_\_\_ day of 2000  
at Geneva, Illinois

KANE COUNTY FOREST PRESERVE DISTRICT

BY:   
Jack Cook, President  
719 South Batavia Avenue  
Geneva, Illinois 60134

ATTEST:

  
Bob Griffin, Secretary

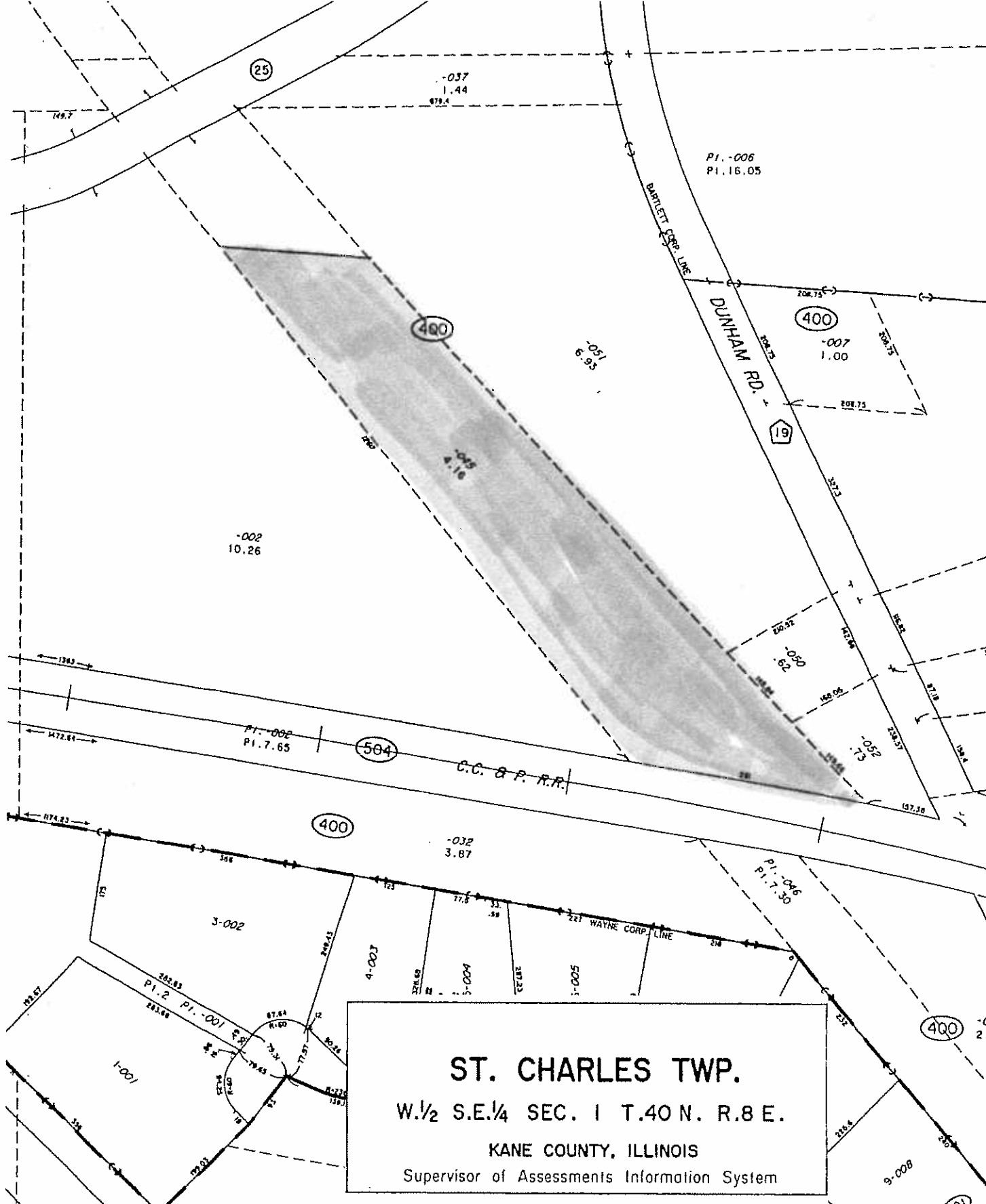













**ST. CHARLES TWP.**  
 W. 1/2 S.E. 1/4 SEC. 1 T.40 N. R.8 E.  
 KANE COUNTY, ILLINOIS  
 Supervisor of Assessments Information System

  
 NORTH  
 REVISIONS  
 KANE COUNTY, ILLINOIS  
 COPYRIGHT 1999  
**09-01G**

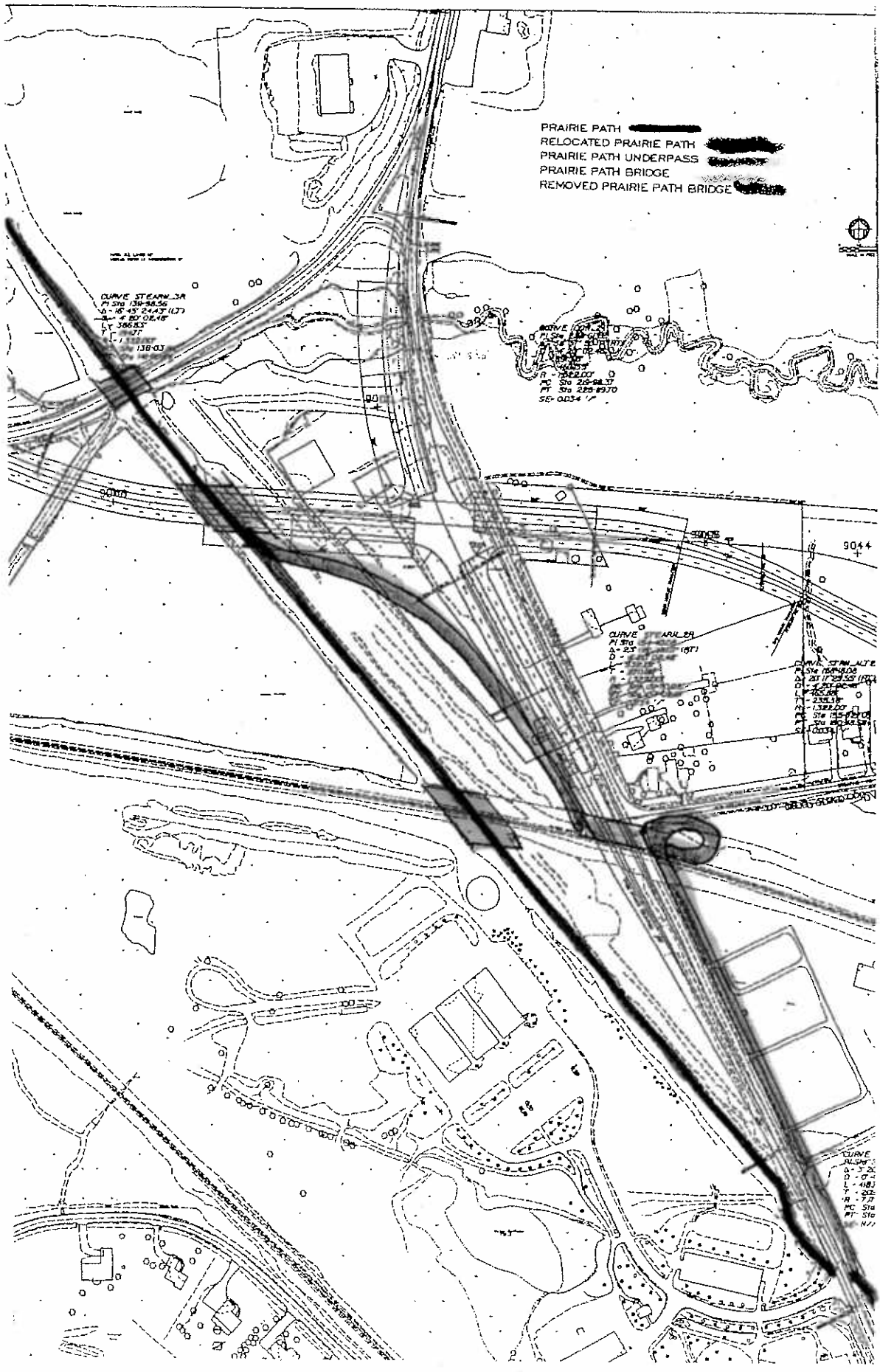
SCALE  
 50 0 100 200 feet  
 SHEET LOCATOR  

1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32

 AREA      SECTION      PAGE

**LEGEND**  
**LINES**  
 COUNTY  
 TOWNSHIP  
 CORPORATE LIMITS  
 SECTION  
 DETAIL PAGE  
 SUBDIVISION BOUNDARY  
 RIGHT OF WAY  
 WATER COURSE ON EDGE  
 LOT  
 PARCEL  
**LABELS**  
 SUBDIVISION NAME REFERENCE  
 SUBDIVISION BLOCK NO.  
 SUBDIVISION LOT NO.  
 PERMANENT PARCEL BLOCK NO.  
 PERMANENT PARCEL NO.  
 INDIVIDUAL PARCEL NO.  
 ACRES  
**HIGHWAY SYMBOLS**  
 INTERSTATE  
 U.S.  
 STATE  
 COUNTY

ST. PAGE 09-01H  
**EXHIBIT "B"**  
 2 of 2



PRAIRIE PATH  
 RELOCATED PRAIRIE PATH  
 PRAIRIE PATH UNDERPASS  
 PRAIRIE PATH BRIDGE  
 REMOVED PRAIRIE PATH BRIDGE

CURVE STATION 3A  
 PI Sta 138+88.56  
 Δ = 85° 43' 24.43" (L)  
 R = 366.53  
 PT Sta 138+03

CURVE STATION 2A  
 PI Sta 250+00.00  
 Δ = 90° 00' 00" (L)  
 R = 300.00  
 PT Sta 250+00.00  
 SE-0034

CURVE STATION 1A  
 PI Sta 150+00.00  
 Δ = 90° 00' 00" (L)  
 R = 300.00  
 PT Sta 150+00.00

CURVE STATION 1B  
 PI Sta 150+00.00  
 Δ = 90° 00' 00" (L)  
 R = 300.00  
 PT Sta 150+00.00

CURVE STATION 1C  
 PI Sta 150+00.00  
 Δ = 90° 00' 00" (L)  
 R = 300.00  
 PT Sta 150+00.00

EXHIBIT "C"

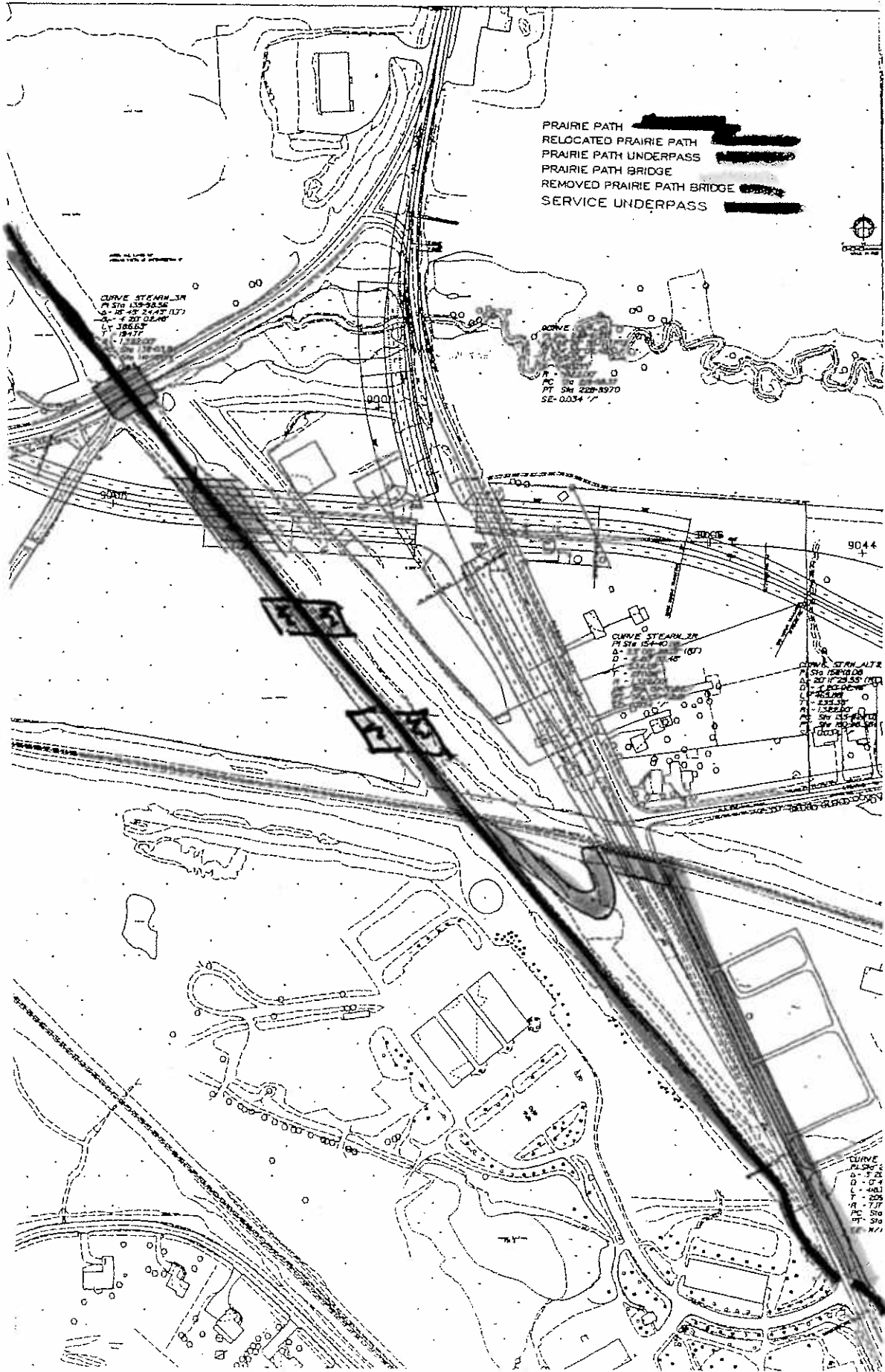


EXHIBIT "D"

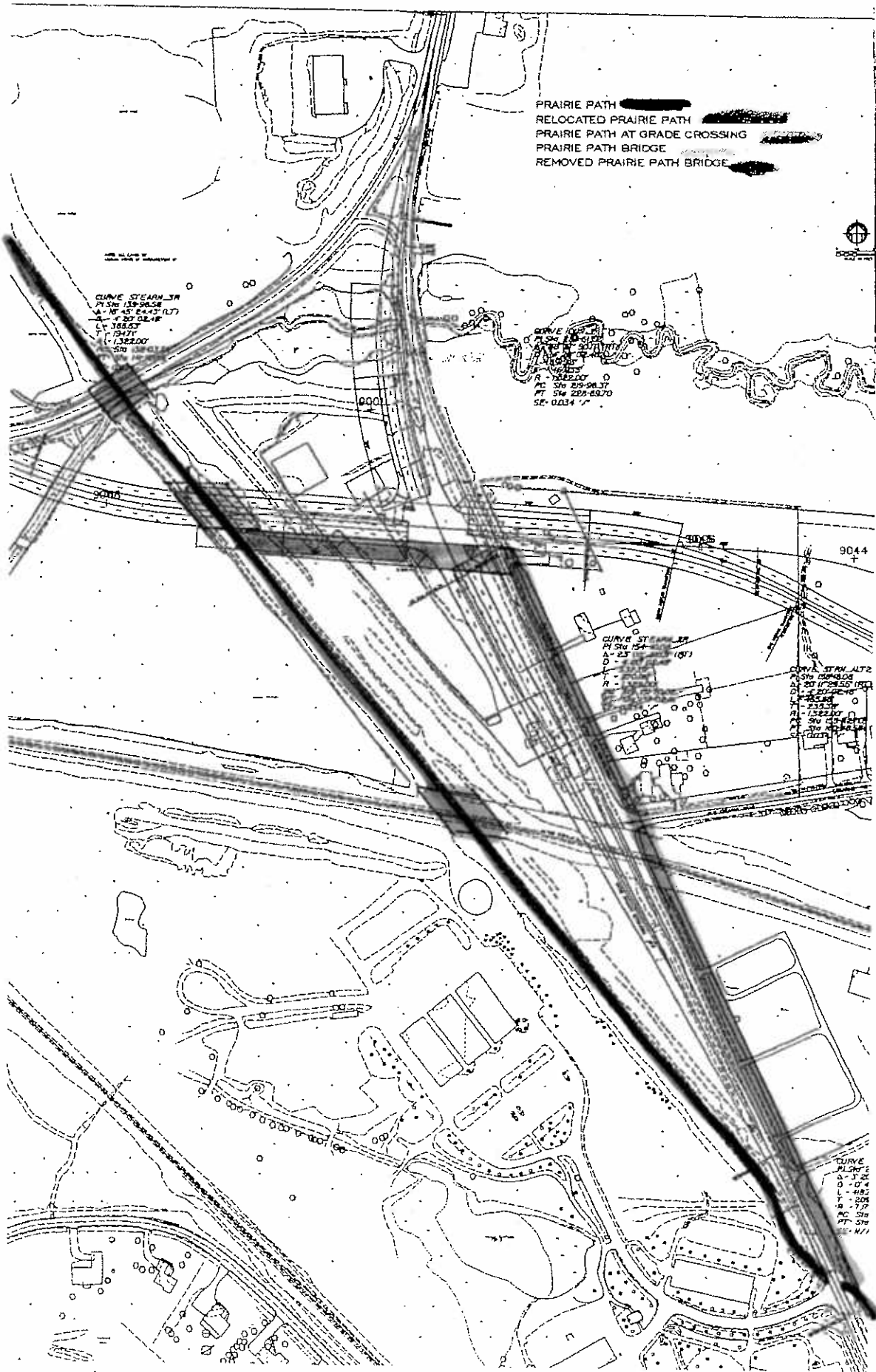
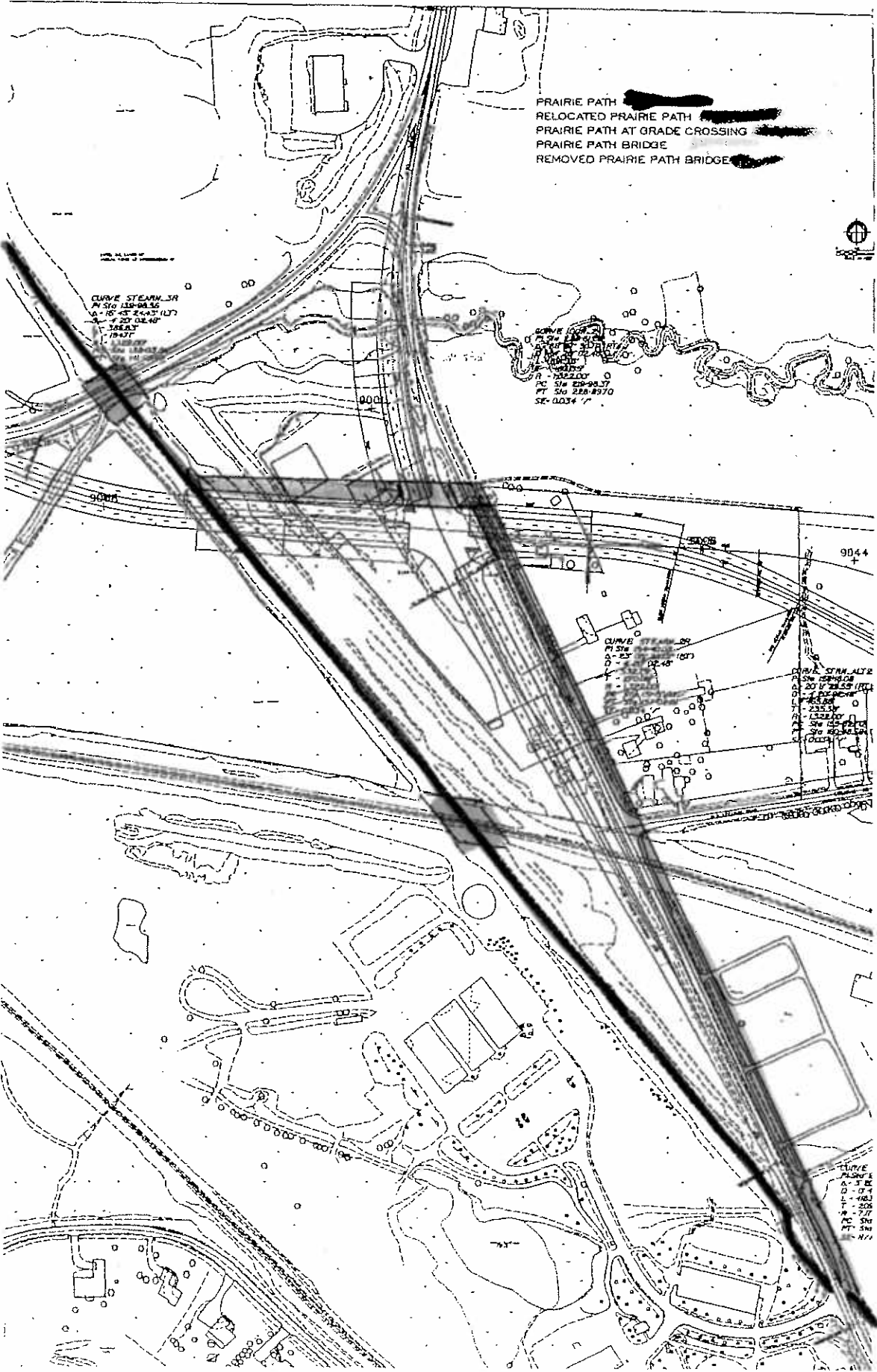


EXHIBIT "E"



PRAIRIE PATH  
 RELOCATED PRAIRIE PATH  
 PRAIRIE PATH AT GRADE CROSSING  
 PRAIRIE PATH BRIDGE  
 REMOVED PRAIRIE PATH BRIDGE

CURVE STEARN, SR  
 PI STA 134+98.33  
 Δ = 16° 53' 24.43" (L)  
 R = 207.02-48'  
 PC STA 134+00.00  
 PT STA 134+98.33  
 SE-0034

CURVE STEARN, SR  
 PI STA 134+98.33  
 Δ = 16° 53' 24.43" (L)  
 R = 207.02-48'  
 PC STA 134+00.00  
 PT STA 134+98.33  
 SE-0034

CURVE STEARN, SR  
 PI STA 134+98.33  
 Δ = 16° 53' 24.43" (L)  
 R = 207.02-48'  
 PC STA 134+00.00  
 PT STA 134+98.33  
 SE-0034

CURVE STEARN, ALTR  
 PI STA 207+28.58 (L)  
 Δ = 22° 53'  
 R = 132.50'  
 PC STA 207+00.00  
 PT STA 207+28.58  
 SE-0034

CURVE STEARN, ALTR  
 PI STA 207+28.58 (L)  
 Δ = 22° 53'  
 R = 132.50'  
 PC STA 207+00.00  
 PT STA 207+28.58  
 SE-0034

EXHIBIT "F"

**COPY**

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE COUNTY OF KANE  
AND THE KANE COUNTY FOREST PRESERVE DISTRICT  
(STEARNS ROAD EXTENDED)**

This Agreement, entered into this 12<sup>th</sup> day of Sept. 2000, by and between the County of Kane, a body corporate and politic of the State of Illinois (hereinafter "County"), and the Kane County Forest Preserve District, a municipal corporation of the State of Illinois (hereinafter the "District").

WITNESSETH:

WHEREAS, the County and the District are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, as provided in Illinois Compiled Statutes, 5 ILCS 220/1 *et. seq.*; and are units of local government within the meaning of the Constitution of Illinois, 1970, Article VII, Section 10; and,

WHEREAS, the District owns certain real estate utilized as a forest preserve in the Township of St. Charles, County of Kane, State of Illinois and in particular a forest preserve facility referred to as "Black Hawk Forest Preserve", and the "Fox River Trail"; and,

WHEREAS, the County has been studying several proposed highway alignments for the purpose of constructing a bridge across the Fox River in or near Stearns Road, Illinois State Route 25 and Illinois State Route 31 in St. Charles Township.

WHEREAS, depending upon alignment approval, the County may in the future desire to acquire a highway right of way corridor for the purpose of constructing a highway from at or near the intersection of Stearns Road and Dunham Road to Randall Road in or near the City of South Elgin, Illinois. One of the several of the aforesaid proposed highway alignments is across property owned by the District; namely the Black Hawk Forest Preserve and the Fox River Trail.

WHEREAS, the District desires to plan for the future development and use of Black Hawk Forest Preserve and the Fox River Trail for the benefit of the citizens of Kane County.

WHEREAS, the County and the District desire to co-operate amongst themselves in order to facilitate their respective statutory responsibilities and duties.

NOW, THEREFORE, in consideration of the foregoing preambles, the mutual covenants contained herein and for good and valuable consideration, the sufficiency of which is agreed to by the parties hereto, both the County and the District covenant, agree and bind themselves as follows, to wit:

1. As consideration for the approval and execution of this Agreement by the District, the County shall pay to the District the sum of one thousand dollars (\$1,000.00) within ninety (90) days of approval of this Agreement by the County and execution hereof by the Chairman of the Kane County Board. Approval of this Agreement by the Kane County Board is contingent upon the County receiving, a District Board approved, fully executed, duplicate original of this Agreement.
2. The County agrees to study the feasibility of the several proposed highway alignments including the proposed highway alignment as set forth in Exhibit "A" which is attached hereto and incorporated herein. The proposed highway alignment as set forth in Exhibit "A" is hereinafter referred to as "Stearns Road Extended".
3. The County and the District acknowledge that Stearns Road Extended is proposed to go through Black Hawk Forest Preserve and over the Fox River Trail. The extent of the proposed impact of Stearns Road Extended on Black Hawk Forest Preserve is highlighted in yellow and further described in Exhibit "B" which is attached hereto and incorporated herein. The extent of the proposed impact of Stearns Road Extended on the Fox River Trail is highlighted in yellow and further described in Exhibit "C" which is attached hereto and incorporated herein.
4. The County and the District acknowledge and agree that in the event that the alignment referred to as Stearns Road Extended as described herein in Exhibit "A" is approved by the Illinois Department of Transportation (hereinafter "IDOT") and/or the Federal Highway Administration (hereinafter "FHA") then the County may seek to acquire from the District that portion of Black Hawk Forest Preserve as generally highlighted in yellow and as further described in Exhibit "B" and that portion of the Fox River Trail as generally highlighted in yellow and as further described in Exhibit "C". The property described in Exhibit "B" and Exhibit "C" is hereinafter sometimes collectively referred to as the "Right of Way". In the event that the County acquires the Right of Way, the County shall ensure the continuity of the Fox River Trail upon completion of the construction of Stearns Road Extended.
5. If Stearns Road Extended is approved by IDOT or the FHA, then within sixty (60) days of receipt of a written request from the County requesting the conveyance of the Right of Way, the District shall convey or cause to be conveyed to the County the Right of Way on the terms and conditions as set forth herein below. In the event that the County does not submit a written request to the District seeking acquisition of the Right of Way by January 1, 2005, then this Agreement shall terminate and be of no further force and effect. This Agreement and the rights, duties and obligations contained herein may be contingent upon approval thereof by the Illinois Department of Natural Resources (hereinafter referred to as the "IDNR") and/or the National Park Service (hereinafter referred to as the "NPS"). The County shall be solely responsible for fulfilling and funding any and all requirements that may be imposed on the District by the IDNR and/or NPS as a direct result of the District's fulfilling its obligations under this Agreement. In the event that IDNR and/or NPS approval of this Agreement is required by law or regulation and the IDNR and/or NPS does not approve this Agreement, then this Agreement shall be null and void and of no further force

and effect.

6. As consideration for the Right of Way, the County agrees to replace the Right of Way. The property utilized to replace the Right of Way is highlighted in orange and further described in Exhibit "D" which is attached hereto and incorporated herein and hereinafter referred to as the "Replacement Property".
7. The County shall, as consideration for the conveyance of the Right Way, also construct the following :
  - i) construction of a bike trail from the intersection of the Illinois Prairie Path and Illinois State Route 25 to the intersection of Stearns Road Extended and Illinois State Route 31 (See Exhibit "E"); and,
  - ii) construction of a bike trail loop through Black Hawk Forest Preserve (See Exhibit "E").

The improvements as set forth in sections i, ii, of this paragraph shall be designed and constructed in conjunction with the contemplated improvement, of Stearns Road Extended. All improvements shall be designed and constructed to the satisfaction of the Kane County Engineer and at a minimum in conformance with IDOT's Standard Specifications for Road and Bridge Construction as may be from time to time amended.

8. This Agreement and the conveyance of the Replacement Property from the County to the District as contemplated herein is contingent upon the County causing, and the Replacement Property passing, a complete environmental assessment. The environmental assessment shall be conducted at the sole cost of the County and a copy of said assessment shall be provided to the District at least five days prior to closing. In the event that the Replacement Property fails the above described environmental assessment, the County may at its sole option, but only with the approval of the District, take measures that are calculated to remediate any environmental hazards revealed by the above described environmental assessment. At the conclusion of said remediation, if the Replacement Property passes a second environmental assessment then this Agreement shall remain in full force and effect.
9. The Replacement Property shall have an appraised value equal to or greater than the appraised value of the Right of Way.
10. Subject to its passing an environmental assessment, the County and the District agree that the Replacement Property is suitable for replacement of the Right of Way. The County shall convey the Replacement Property to the District as replacement for the Right of Way and, thereafter, the County shall have no further obligation to provide any additional property to the District as replacement for the Right of Way.



11. Notwithstanding anything herein to the contrary, the District may, prior to closing, remove any and all structures, vegetation or personal property from the Right of Way. In the event that the District decides to relocate any structure, vegetation or personal property from the Right of Way, the District shall be solely responsible therefor and shall do so at the sole cost of the District. Said structures, vegetation or personal property shall be relocated prior to closing. In the event that structures or personal property are not removed by closing, the County shall be entitled to demolish and dispose of the same without reimbursement to the District for the value thereof.
12. The parties hereto acknowledge and agree that the Right of Way and the Replacement Property are hereinafter sometimes collectively referred to as the "Real Estate".
13. Closing and possession shall be held at 1:00 p.m. on or before the sixtieth (60<sup>th</sup>) day after receipt, (not including the day of receipt) by the District of the written request from the County to the District requesting conveyance of the Right of Way. If the Replacement Property undergoes environmental remediation as described in Paragraph No. 8 hereof, closing and possession shall occur within sixty (60) days of the Replacement Property passing the second environmental assessment after remediation. Said closing shall be at the offices of the County in the county in which the Real Estate is located or as otherwise agreed to by the parties hereto. Both the closing and possession date is legally significant to both the County and the District. The parties hereto understand that when this Agreement is signed by both the County and the District, closing and possession may only be changed by mutual agreement of the parties hereto.
14. The County shall prepare plats of survey for the Real Estate and shall also prepare for the signature of the District and the signature of the County, which will be executed by the District and County at closing, all deeds and any documents as required by the County, the District and the Internal Revenue Code. The County shall also be responsible for obtaining commitments for title insurance of the Real Estate at the sole cost of the County.
15. The District shall convey to the County, by a recordable warranty deed, with release of homestead rights and release of access rights to Stearns Road, conveying good, marketable and merchantable title to the Right of Way as described in Exhibit "B" and Exhibit "C" and subject only to the following described exceptions: covenants conditions and restrictions of record provided they are not violated nor contain a reverter or right of re-entry, zoning laws and ordinances, easement for public utilities, drainage ditches, feeders, laterals, drainpipe tile or other conduit, and if applicable installments or assessments due after the date of closing.
16. The County shall convey to the District, by a recordable quit claim deed, with release of access and homestead rights, conveying good, marketable and merchantable title to the Replacement Property as described in Exhibit "D" subject only to the following described exceptions: covenants conditions and restrictions of record provided they are not violated nor contain a reverter or right of re-entry, zoning laws and ordinances, easement for public utilities, drainage ditches, feeders, laterals, drainpipe tile or other conduit, and if applicable

installments or assessments due after the date of closing.

17. In the event that the District can not obtain title insurance over any Schedule "B" exceptions (except those provided in paragraph 15 above), any amount sufficient to secure the release of said exceptions shall be paid by the District to the County at closing. In the event that the title commitment shows encroachments or exceptions not acceptable to the County, the District shall have said exceptions removed prior to closing, or alternatively, obtain a policy of insurance to insure over said exceptions. If the District is unable to either remove said exceptions or have said exceptions insured over, the County may terminate this Agreement at no expense to either the County or the District
18. In the event that the County can not obtain title insurance over any Schedule "B" exceptions (except those provided in paragraph 16 above), any amount sufficient to secure the release of said exceptions shall be paid by the County to the District at closing. In the event that the title commitment shows encroachments or exceptions not acceptable to the District, the County shall have said exceptions removed prior to closing, or alternatively obtain a policy of insurance to insure over said exceptions. If the County is unable to either remove said exceptions or have said exceptions insured over, the District may terminate this Agreement at no expense to either the County or the District.
19. General real estate taxes shall not be prorated. Any rents, deposits or other assessments shall be prorated.
20. The District agrees to leave the Right of Way in clean and orderly condition. All refuse and personal matter on the Right of Way shall be removed at the District's expense prior to the date of possession. The County agrees to leave the Replacement Property in clean and orderly condition. All refuse and personal matter on the Replacement Property shall be removed at the County's expense prior to the date of possession.
21. The District represents that no notice has been received of any zoning, building, fire or health code violations, environmental regulation or of any pending special assessment proceedings affecting the Right of Way. The County represents that no notice has been received of any zoning, building, fire or health code violations, environmental regulation or of any pending special assessment proceedings affecting the Replacement Property.
22. Any and all notices given pursuant to this Agreement shall be in writing and signed by the attorney for the District and the attorney for the County and shall be given by certified mail or in person at the addresses hereinbelow. Notice to any one of a multiple person party shall be notice to all.
23. The date of this Contract shall be the last date of acceptance of this Agreement as provided herein below.

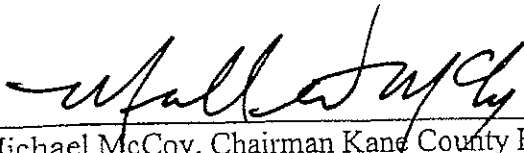
24. If the District defaults hereunder, the County may elect either to (i) terminate the District's obligations under this Agreement by written notice to the District, or alternatively (ii) the County may file an action for specific performance of this Agreement to compel the District to convey the Right of Way subject to the Permitted Exceptions and Survey Matters with a set off for liens of a definite and ascertainable amount and with the District being liable for all litigation costs, fees and expenses incurred by the County in pursuing that remedy, if the County prevails in such action. If the County defaults hereunder, the District may elect either to (i) terminate the County's obligations under this Agreement by written notice to the County, or alternatively (ii) the District may file an action for specific performance of this Agreement to compel the County to convey the Replacement Property subject to the Permitted Exceptions and Survey Matters with a set off for liens of a definite and ascertainable amount and with the County being liable for all litigation costs, fees and expenses incurred by District in pursuing that remedy, if the District prevails in such action.
25. District hereby represents and warrants to the County as follows, which representations and warranties shall be deemed remade by District to County at the closing, and which shall survive the closing:
- (a) To District's knowledge, there is no pending or threatened litigation affecting the Right of Way nor to the best knowledge and belief of District is any such litigation contemplated by any party;
  - (b) The District has received no notice of, and has no actual knowledge of, any change that is contemplated with respect to the zoning of the Right of Way, the availability of utility services to the Right of Way, violation of any existing law, municipal ordinance or other governmental regulation, contemplated or threatened condemnation, or any other matter which would affect the Right of Way;
  - (c) The District has the authority to execute and perform the terms of this Agreement; and,
  - (d) The District has not received notice of any violations of local, state or federal laws including environmental laws, rules or regulations concerning the Right of Way.
26. The County hereby represents and warrants to the District as follows, which representations and warranties shall be deemed remade by the County to the District at the closing, and which shall survive the closing:
- (a) To the County's knowledge, there is no pending or threatened litigation affecting the Replacement Property, nor to the best knowledge and belief of County is any such litigation contemplated by any party;
  - (b) The County has received no notice of, and has no actual knowledge of, any change that is contemplated with respect to the zoning of the Replacement Property, the availability of utility services to the Replacement Property, violation of any existing law, municipal ordinance or other governmental regulation, contemplated or threatened condemnation, or any other matter which would affect the Replacement Property;
  - (c) The County has the authority to execute and perform the terms of this Agreement ; and,
  - (d) The County has not received notice of any violations of local, state or federal laws including environmental laws, rules or regulations concerning the Replacement Property.

27. From and after the date hereof and so long as this Agreement is in effect, the District shall not, without County's prior written consent, execute any lease, license, contract or other agreement affecting the Right of Way that will survive the Closing. From and after the date hereof and so long as this Agreement is in effect, the County shall not, without the District's prior written consent, execute any lease, license, contract or other agreement affecting the Replacement Property that will survive the Closing.
28. This Agreement may be amended only in writing upon the signatures of all the parties hereto.
29. This Agreement is executed and submitted by the District as of the date set forth below. A duplicate original of this Contract, duly executed by the District shall be delivered to the County not later than 5 business days from such date.
30. This Agreement shall be effective upon approval by the respective legislative bodies of the County and the District.
31. The parties hereto acknowledge and agree that in the event that any section, paragraph, subdivision or sentence of this Agreement shall be for any reason held invalid or to be unconstitutional, such decision or holding shall not affect the validity of the remainder of this Agreement.

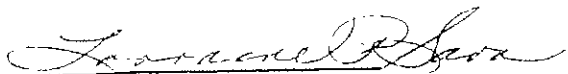
IN WITNESS WHEREOF, the County of Kane has executed this Agreement as of the \_\_\_\_ day of June 2000 at Geneva, Illinois.



COUNTY OF KANE


BY:   
Michael McCoy, Chairman Kane County Board  
719 South Batavia Avenue  
Geneva, Illinois 60134

ATTEST:

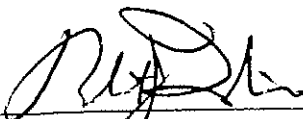
  
Lorraine Sava, County Clerk

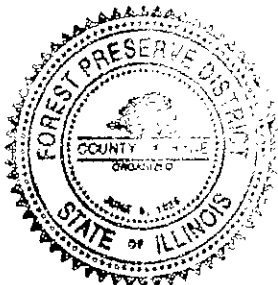
IN WITNESS WHEREOF, the District has executed this Agreement as of the \_\_\_ day of Sept.  
2000 at Geneva, Illinois

KANE COUNTY FOREST PRESERVE DISTRICT

BY:   
Jack Cook, President  
719 South Batavia Avenue  
Geneva, Illinois 60134

ATTEST:

  
Bob Quinlan, Secretary





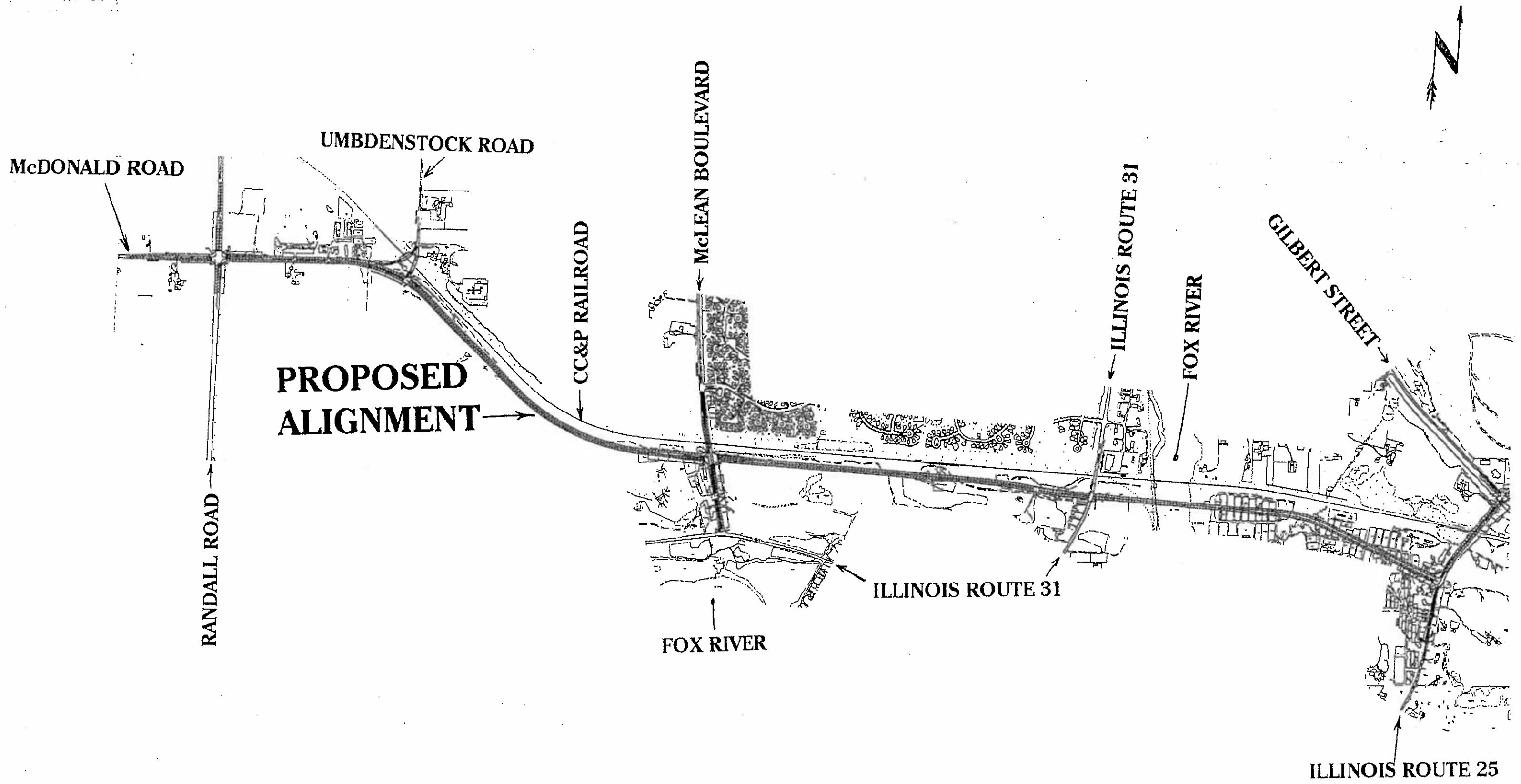


EXHIBIT "A"



# ROW ACQUISITION EXHIBIT

09-02-326-008

**LEGAL DESCRIPTION REMAINDER**

THAT PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF STATE ROUTE NO. 31 PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 788123 WITH A LINE THAT IS 97.00 FEET SOUTHERLY OF (MEASURED PERPENDICULAR THERETO AND PARALLEL WITH THE CENTER LINE OF THE EXISTING TRACK OF THE CHICAGO CENTRAL AND PACIFIC RAILROAD COMPANY (FORMERLY THE ILLINOIS CENTRAL RAILROAD COMPANY AND THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY); THENCE SOUTH 87 DEGREES 36 MINUTES 27 SECONDS EAST, ALONG SAID PARALLEL LINE AND ALONG THE SOUTHERLY LINE OF LAND CONVEYED TO THE ILLINOIS CENTRAL RAILROAD COMPANY BY WARRANTY DEED RECORDED ON AUGUST 30, 1898 AS DOCUMENT NO. 35887, A DISTANCE OF 323.08 FEET TO THE SOUTHWESTERLY LINE, AS MONUMENTED, OF LAND CONVEYED TO THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY BY WARRANTY DEED RECORDED ON APRIL 11, 1896 AS DOCUMENT NO. 23511; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE, AS MONUMENTED, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 857.92 FEET AND A CHORD BEARING OF SOUTH 62 DEGREES 04 MINUTES 38 SECONDS EAST, AN ARC DISTANCE OF 134.70 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 11 DEGREES 30 MINUTES 12 SECONDS WEST, A DISTANCE OF 286.71 FEET; THENCE NORTH 79 DEGREES 25 MINUTES 25 SECONDS WEST, A DISTANCE OF 444.76 FEET TO THE AFORESAID CENTER LINE OF STATE ROUTE NO. 31 PER DOCUMENT NO. 788123; THENCE SOUTHERLY, ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1685.42 FEET AND A CHORD BEARING OF SOUTH 20 DEGREES 43 MINUTES 18 SECONDS WEST, AN ARC DISTANCE OF 294.78 FEET; THENCE SOUTH 25 DEGREES 43 MINUTES 56 SECONDS WEST, ALONG SAID CENTER LINE AND TANGENT TO THE LAST DESCRIBED CURVE, 158.12 FEET TO A LINE DRAWN PARALLEL WITH AND 792.00 FEET SOUTHERLY OF (MEASURED PERPENDICULAR THERETO) THE NORTH LINE OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 2; THENCE NORTH 89 DEGREES 57 MINUTES 08 SECONDS EAST, ALONG SAID PARALLEL LINE, 1047.77 FEET TO THE WESTERLY LINE, AS MONUMENTED, OF LAND CONVEYED TO THE CARPENTERSVILLE, ELGIN AND AURORA RAILWAY COMPANY BY DEED RECORDED IN BOOK 356 OF MISCELLANEOUS RECORDS, PAGE 167 AS DOCUMENT NO. 23512; THENCE NORTH 05 DEGREES 26 MINUTES 35 SECONDS WEST, ALONG SAID WESTERLY LINE, AS MONUMENTED, 135.35 FEET TO THE AFORESAID SOUTHWESTERLY LINE, AS MONUMENTED, OF LAND CONVEYED BY DOCUMENT NO. 23511; THENCE NORTHWESTERLY, ALONG SAID SOUTHWESTERLY LINE, AS MONUMENTED, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 857.92 FEET AND A CHORD BEARING OF NORTH 36 DEGREES 39 MINUTES 56 SECONDS WEST, AN ARC DISTANCE OF 626.30 FEET TO THE POINT OF BEGINNING. ALSO THAT PART OF THE WEST HALF OF AFORESAID SECTION 2, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE RIGHT-OF-WAY OF THE CHICAGO, CENTRAL AND PACIFIC RAILROAD COMPANY (FORMERLY THE ILLINOIS CENTRAL RAILROAD COMPANY AND THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY) WITH THE WESTERLY LINE, AS MONUMENTED, OF LAND CONVEYED TO THE CARPENTERSVILLE, ELGIN AND AURORA RAILWAY COMPANY BY DEED RECORDED IN BOOK 356 OF MISCELLANEOUS RECORDS, PAGE 167 AS DOCUMENT NO. 23512; THENCE SOUTH 05 DEGREES 26 MINUTES 35 SECONDS EAST, ALONG SAID WESTERLY LINE, AS MONUMENTED, 387.98 FEET TO THE NORTHEASTERLY LINE, AS MONUMENTED, OF LAND CONVEYED TO THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY BY WARRANTY DEED RECORDED APRIL 11, 1896 AS DOCUMENT NO. 23511; THENCE NORTHWESTERLY, ALONG SAID NORTHEASTERLY LINE, AS MONUMENTED, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 907.92 FEET AND A CHORD BEARING OF NORTH 45 DEGREES 26 MINUTES 14 SECONDS WEST, AN ARC DISTANCE OF 582.48 FEET TO THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO, CENTRAL AND PACIFIC RAILROAD COMPANY; THENCE SOUTH 87 DEGREES 36 MINUTES 27 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 371.43 FEET TO THE POINT OF BEGINNING; ALL THE ABOVE BEING SITUATED IN ST. CHARLES TOWNSHIP, KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM A 160 FEET WIDE STRIP OF LAND OF THAT PART OF THE PARCEL OF LAND RECORDED SEPTEMBER 11, 1996 AS DOCUMENT NUMBER 95K007026 AT THE KANE COUNTY RECORDER'S OFFICE, BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL; THENCE SOUTH 79 DEGREES 25 MINUTES 25 SECONDS EAST A DISTANCE OF 444.76 FEET; THENCE NORTH 11 DEGREES 30 MINUTES 12 SECONDS EAST A DISTANCE OF 158.71 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 300 FEET TO THE EAST LINE OF SAID PARCEL; CONTAINING 9.57 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION ROW ACQUISITION**

A 160 FEET WIDE STRIP OF LAND OF THAT PART OF THE PARCEL OF LAND RECORDED SEPTEMBER 11, 1996 AS DOCUMENT NUMBER 95K007026 AT THE KANE COUNTY RECORDER'S OFFICE, BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL; THENCE SOUTH 79 DEGREES 25 MINUTES 25 SECONDS EAST A DISTANCE OF 444.76 FEET; THENCE NORTH 11 DEGREES 30 MINUTES 12 SECONDS EAST A DISTANCE OF 158.71 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 300 FEET TO THE EAST LINE OF SAID PARCEL; CONTAINING 1.11 ACRES, MORE OR LESS.

AREA TOTAL 10.68 ACRES  
ROW ACQUISITION 1.11 ACRES  
REMAINDER 9.57 ACRES



SCALE 1" = 100'

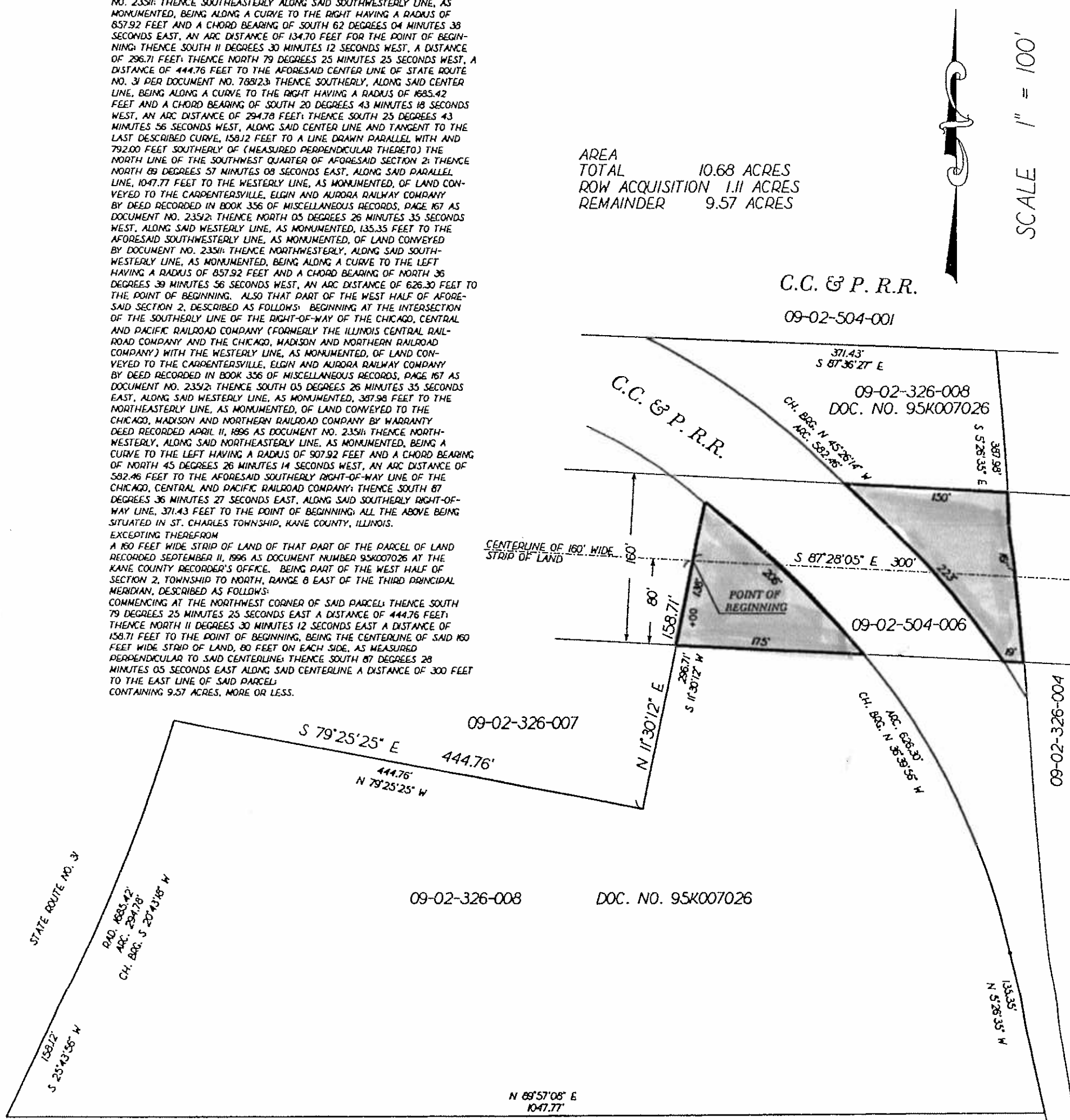


EXHIBIT "B"

1 of 2



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# ROW ACQUISITION EXHIBIT

09-02-326-006

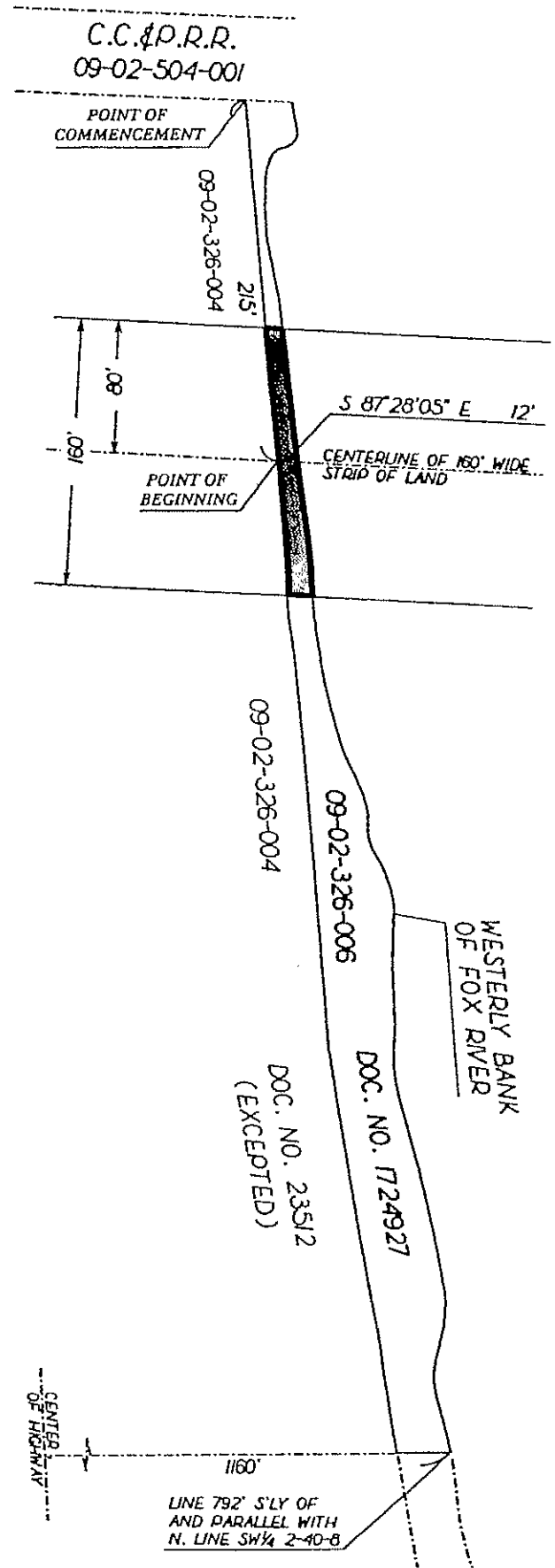
SCALE  
1" = 100'

**LEGAL DESCRIPTION ROW ACQUISITION**

A 160 FEET WIDE STRIP OF LAND OF THAT PART OF LAND RECORDED AS DOCUMENT NUMBER 1724927 AT THE KANE COUNTY RECORDER'S OFFICE; BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID PARCEL A DISTANCE OF 215 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE, SAID STRIP ALSO BEING BOUND BY THE EASTERLY AND WESTERLY LINE OF SAID PARCEL; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 12 FEET, MORE OR LESS TO THE WEST LINE OF SAID PARCEL, CONTAINING 0.04 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION REMAINDER**

THAT PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF STATE HIGHWAY ROUTE 31 WITH THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE ILLINOIS CENTRAL RAILROAD COMPANY (FORMERLY THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY); THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID RAILROAD RIGHT OF WAY TO THE WESTERLY BANK OF FOX RIVER; THENCE SOUTHERLY ALONG SAID WESTERLY BANK TO A LINE DRAWN PARALLEL WITH AND 792 FEET SOUTHERLY OF (MEASURED AT RIGHT ANGLES THERETO) THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE WEST ALONG SAID PARALLEL LINE 1160 FEET TO THE CENTER LINE OF STATE HIGHWAY ROUTE 31; THENCE NORTHERLY ALONG SAID CENTER LINE TO THE POINT OF BEGINNING; (EXCEPT THAT PART CONVEYED TO THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY BY DEED DATED APRIL 3, 1896 AND RECORDED APRIL 11, 1896 IN BOOK 356, PAGE 166 AS DOCUMENT 23511; ALSO EXCEPT THAT PART CONVEYED TO THE CARPENTERSVILLE, ELGIN AND AURORA RAILWAY COMPANY BY DEED DATED NOVEMBER 2, 1895 AND RECORDED APRIL 11, 1896 IN BOOK 356, PAGE 167 AS DOCUMENT 23512; ALSO EXCEPT THAT PART CONVEYED TO THE ILLINOIS CENTRAL RAILROAD COMPANY BY DEED DATED AUGUST 10, 1898 AND RECORDED AUGUST 30, 1898, IN BOOK 383, PAGE 173, AS DOCUMENT 35887); IN THE TOWNSHIP OF ST. CHARLES, KANE COUNTY, ILLINOIS, AND ALSO EXCEPTING THEREFROM A 160 FEET WIDE STRIP OF LAND OF THAT PART OF LAND RECORDED AS DOCUMENT NUMBER 1724927 AT THE KANE COUNTY RECORDER'S OFFICE; BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL A DISTANCE OF 215 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 12 FEET, MORE OR LESS, TO THE WEST LINE OF SAID PARCEL; CONTAINING 0.48 ACRES, MORE OR LESS.



AREA	
TOTAL	0.52 ACRES
ROW ACQUISITION	0.04 ACRES
REMAINDER	0.48 ACRES

EXHIBIT "B"

2 of 2

05/27/2000

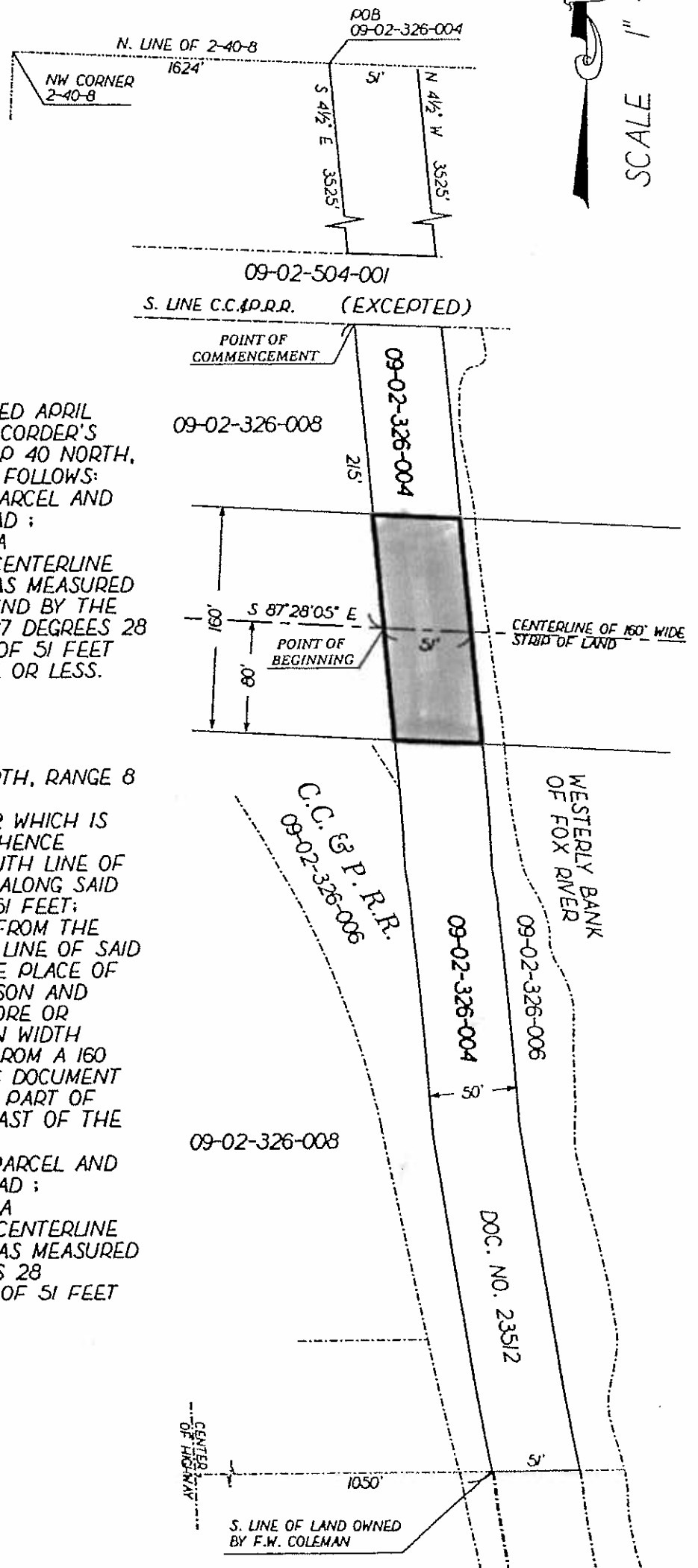
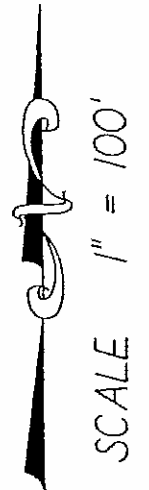


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# ROW ACQUISITION EXHIBIT

09-02-326-004



**LEGAL DESCRIPTION ROW ACQUISITION**

A 160 FEET WIDE STRIP OF LAND OF THAT PART OF LAND RECORDED APRIL 4TH 1896 AS DOCUMENT NUMBER 23512 AT THE KANE COUNTY RECORDER'S OFFICE; BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID PARCEL AND THE SOUTH LINE OF THE CHICAGO CENTRAL AND PACIFIC RAILROAD; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL A DISTANCE OF 215 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE, SAID STRIP ALSO BEING BOUND BY THE EASTERLY AND WESTERLY LINE OF SAID PARCEL; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 51 FEET TO THE EAST LINE OF SAID PARCEL, CONTAINING 0.19 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION REMAINDER**

THAT PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF SAID SECTION 2 WHICH IS 1624 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION, THENCE SOUTH 4.5 DEGREES EAST 3525 FEET, MORE OR LESS, TO THE SOUTH LINE OF LAND OWNED BY F W COLEMAN, WHICH POINT IS 1050 FEET EAST ALONG SAID SOUTH LINE FROM THE CENTER OF THE HIGHWAY; THENCE EAST 51 FEET; THENCE NORTH 4.5 DEGREES WEST, PARALLEL TO AND 50 FEET FROM THE FIRST DESCRIBED LINE 3525 FEET, MORE OR LESS TO THE NORTH LINE OF SAID SECTION; THENCE WEST 51 FEET ALONG SAID SECTION LINE TO THE PLACE OF BEGINNING EXCEPTING THE RIGHT OF WAY OF THE CHICAGO, MADISON AND NORTHERN RAILWAY COMPANY AND CONTAINING 393/100 ACRES, MORE OR LESS, IT BEING INTENDED TO CONVEY A RIGHT OF WAY 50 FEET IN WIDTH ACROSS THESE LANDS OF SAID F W COLEMAN; EXCEPTING THEREFROM A 160 FEET WIDE STRIP OF LAND OF THAT PART OF LAND RECORDED AS DOCUMENT NUMBER 81007 AT THE KANE COUNTY RECORDER'S OFFICE; BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID PARCEL AND THE SOUTH LINE OF THE CHICAGO CENTRAL AND PACIFIC RAILROAD; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL A DISTANCE OF 215 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 51 FEET TO THE EAST LINE OF SAID PARCEL; CONTAINING 0.71 ACRES, MORE OR LESS.

AREA	
TOTAL	0.90 ACRES
ROW ACQUISITION	0.19 ACRES
REMAINDER	0.71 ACRES

EXHIBIT "C"

05/27/2000



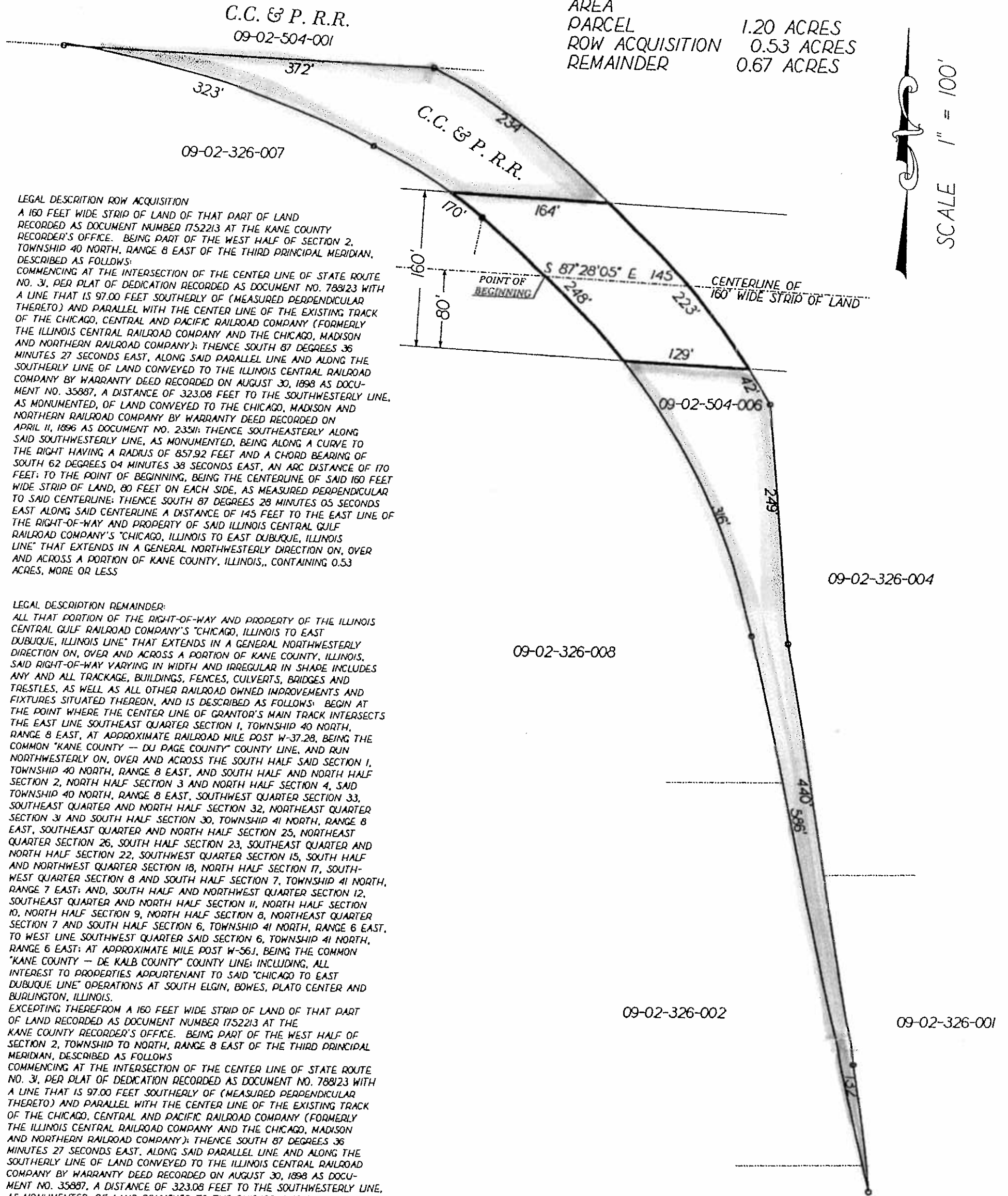
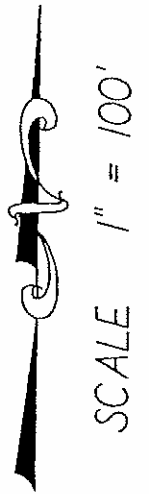
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# ROW ACQUISITION EXHIBIT

09-02-504-006

AREA  
PARCEL 1.20 ACRES  
ROW ACQUISITION 0.53 ACRES  
REMAINDER 0.67 ACRES



**LEGAL DESCRIPTION ROW ACQUISITION**

A 160 FEET WIDE STRIP OF LAND OF THAT PART OF LAND RECORDED AS DOCUMENT NUMBER 1752213 AT THE KANE COUNTY RECORDER'S OFFICE. BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF STATE ROUTE NO. 31, PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 788123 WITH A LINE THAT IS 97.00 FEET SOUTHERLY OF (MEASURED PERPENDICULAR THERETO) AND PARALLEL WITH THE CENTER LINE OF THE EXISTING TRACK OF THE CHICAGO, CENTRAL AND PACIFIC RAILROAD COMPANY (FORMERLY THE ILLINOIS CENTRAL RAILROAD COMPANY AND THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY); THENCE SOUTH 87 DEGREES 36 MINUTES 27 SECONDS EAST, ALONG SAID PARALLEL LINE AND ALONG THE SOUTHERLY LINE OF LAND CONVEYED TO THE ILLINOIS CENTRAL RAILROAD COMPANY BY WARRANTY DEED RECORDED ON AUGUST 30, 1898 AS DOCUMENT NO. 35887, A DISTANCE OF 323.08 FEET TO THE SOUTHWESTERLY LINE, AS MONUMENTED, OF LAND CONVEYED TO THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY BY WARRANTY DEED RECORDED ON APRIL 11, 1896 AS DOCUMENT NO. 23511; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE, AS MONUMENTED, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 857.92 FEET AND A CHORD BEARING OF SOUTH 62 DEGREES 04 MINUTES 38 SECONDS EAST, AN ARC DISTANCE OF 170 FEET; TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 145 FEET TO THE EAST LINE OF THE RIGHT-OF-WAY AND PROPERTY OF SAID ILLINOIS CENTRAL GULF RAILROAD COMPANY'S "CHICAGO, ILLINOIS TO EAST DUBUQUE, ILLINOIS LINE" THAT EXTENDS IN A GENERAL NORTHWESTERLY DIRECTION ON, OVER AND ACROSS A PORTION OF KANE COUNTY, ILLINOIS,, CONTAINING 0.53 ACRES, MORE OR LESS

**LEGAL DESCRIPTION REMAINDER:**

ALL THAT PORTION OF THE RIGHT-OF-WAY AND PROPERTY OF THE ILLINOIS CENTRAL GULF RAILROAD COMPANY'S "CHICAGO, ILLINOIS TO EAST DUBUQUE, ILLINOIS LINE" THAT EXTENDS IN A GENERAL NORTHWESTERLY DIRECTION ON, OVER AND ACROSS A PORTION OF KANE COUNTY, ILLINOIS, SAID RIGHT-OF-WAY VARYING IN WIDTH AND IRREGULAR IN SHAPE INCLUDES ANY AND ALL TRACKAGE, BUILDINGS, FENCES, CULVERTS, BRIDGES AND TRESTLES, AS WELL AS ALL OTHER RAILROAD OWNED IMPROVEMENTS AND FIXTURES SITUATED THEREON, AND IS DESCRIBED AS FOLLOWS: BEGIN AT THE POINT WHERE THE CENTER LINE OF GRANTOR'S MAIN TRACK INTERSECTS THE EAST LINE SOUTHEAST QUARTER SECTION 1, TOWNSHIP 40 NORTH, RANGE 8 EAST, AT APPROXIMATE RAILROAD MILE POST W-37.28, BEING THE COMMON "KANE COUNTY - DU PAGE COUNTY" COUNTY LINE, AND RUN NORTHWESTERLY ON, OVER AND ACROSS THE SOUTH HALF SAID SECTION 1, TOWNSHIP 40 NORTH, RANGE 8 EAST, AND SOUTH HALF AND NORTH HALF SECTION 2, NORTH HALF SECTION 3 AND NORTH HALF SECTION 4, SAID TOWNSHIP 40 NORTH, RANGE 8 EAST, SOUTHWEST QUARTER SECTION 33, SOUTHEAST QUARTER AND NORTH HALF SECTION 32, NORTHEAST QUARTER SECTION 31 AND SOUTH HALF SECTION 30, TOWNSHIP 41 NORTH, RANGE 8 EAST, SOUTHEAST QUARTER AND NORTH HALF SECTION 25, NORTHEAST QUARTER SECTION 26, SOUTH HALF SECTION 23, SOUTHEAST QUARTER AND NORTH HALF SECTION 22, SOUTHWEST QUARTER SECTION 15, SOUTH HALF AND NORTHWEST QUARTER SECTION 18, NORTH HALF SECTION 17, SOUTHWEST QUARTER SECTION 8 AND SOUTH HALF SECTION 7, TOWNSHIP 41 NORTH, RANGE 7 EAST; AND, SOUTH HALF AND NORTHWEST QUARTER SECTION 12, SOUTHEAST QUARTER AND NORTH HALF SECTION 11, NORTH HALF SECTION 10, NORTH HALF SECTION 9, NORTH HALF SECTION 8, NORTHEAST QUARTER SECTION 7 AND SOUTH HALF SECTION 6, TOWNSHIP 41 NORTH, RANGE 6 EAST, TO WEST LINE SOUTHWEST QUARTER SAID SECTION 6, TOWNSHIP 41 NORTH, RANGE 6 EAST; AT APPROXIMATE MILE POST W-56J, BEING THE COMMON "KANE COUNTY - DE KALB COUNTY" COUNTY LINE; INCLUDING, ALL INTEREST TO PROPERTIES APPURTENANT TO SAID "CHICAGO TO EAST DUBUQUE LINE" OPERATIONS AT SOUTH ELGIN, BOWES, PLATO CENTER AND BURLINGTON, ILLINOIS.

EXCEPTING THEREFROM A 160 FEET WIDE STRIP OF LAND OF THAT PART OF LAND RECORDED AS DOCUMENT NUMBER 1752213 AT THE KANE COUNTY RECORDER'S OFFICE. BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF STATE ROUTE NO. 31, PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 788123 WITH A LINE THAT IS 97.00 FEET SOUTHERLY OF (MEASURED PERPENDICULAR THERETO) AND PARALLEL WITH THE CENTER LINE OF THE EXISTING TRACK OF THE CHICAGO, CENTRAL AND PACIFIC RAILROAD COMPANY (FORMERLY THE ILLINOIS CENTRAL RAILROAD COMPANY AND THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY); THENCE SOUTH 87 DEGREES 36 MINUTES 27 SECONDS EAST, ALONG SAID PARALLEL LINE AND ALONG THE SOUTHERLY LINE OF LAND CONVEYED TO THE ILLINOIS CENTRAL RAILROAD COMPANY BY WARRANTY DEED RECORDED ON AUGUST 30, 1898 AS DOCUMENT NO. 35887, A DISTANCE OF 323.08 FEET TO THE SOUTHWESTERLY LINE, AS MONUMENTED, OF LAND CONVEYED TO THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY BY WARRANTY DEED RECORDED ON APRIL 11, 1896 AS DOCUMENT NO. 23511; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE, AS MONUMENTED, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 857.92 FEET AND A CHORD BEARING OF SOUTH 62 DEGREES 04 MINUTES 38 SECONDS EAST, AN ARC DISTANCE OF 170 FEET; TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 145 FEET TO THE EAST LINE OF THE RIGHT-OF-WAY AND PROPERTY OF SAID ILLINOIS CENTRAL GULF RAILROAD COMPANY'S "CHICAGO, ILLINOIS TO EAST DUBUQUE, ILLINOIS LINE" THAT EXTENDS IN A GENERAL NORTHWESTERLY DIRECTION ON, OVER AND ACROSS A PORTION OF KANE COUNTY, ILLINOIS; CONTAINING 0.67 ACRES, MORE OR LESS.

**EXHIBIT "D"**



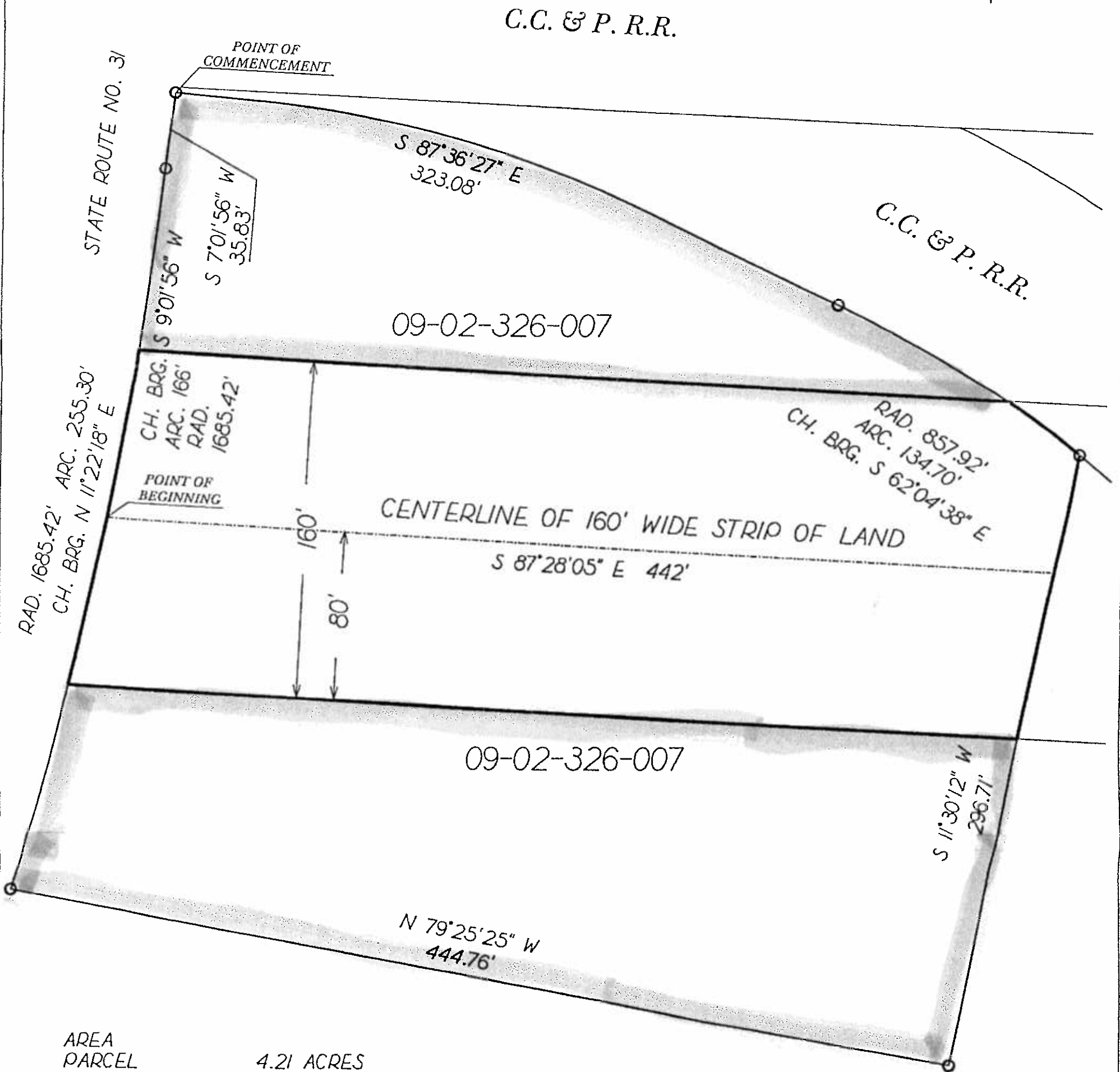
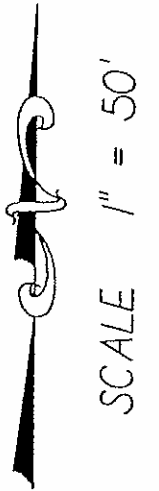
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05/30/2000

# ROW ACQUISITION EXHIBIT

09-02-326-007



AREA	
PARCEL	4.21 ACRES
ROW ACQUISITION	1.62 ACRES
REMAINDER	2.59 ACRES

## EXHIBIT "D"

2 of 3

05/17/2000



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205 NORTH MICHIGAN AVENUE, CHICAGO, ILLINOIS 60601

SHEET 1 OF 2

LEGAL DESCRIPTION ROW ACQUISITION

A 160 FEET WIDE STRIP OF LAND OF THAT PARCEL OF LAND RECORDED SEPTEMBER 11, 1996 AS DOCUMENT NUMBER 96K 06 5066 AT THE KANE COUNTY RECORDER'S OFFICE; BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL; THENCE SOUTH 07 DEGREES 01 MINUTE 56 SECONDS EAST ALONG THE CENTERLINE OF STATE ROUTE 31, PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 788123, A DISTANCE OF 35.83 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1685.42 FEET; THENCE ALONG THE ARC OF SAID CURVE; WHICH CHORD BEARS SOUTH 09 DEGREES 01 MINUTE 56 SECONDS WEST A DISTANCE OF 166 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 442 FEET TO THE EAST LINE OF SAID PARCEL, CONTAINING 1.62 ACRES, MORE OR LESS.

LEGAL DESCRIPTION REMAINDER:

THAT PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF STATE ROUTE NO. 31, PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 788123 WITH A LINE THAT IS 97.00 FEET SOUTHERLY OF (MEASURED PERPENDICULAR THERETO) AND PARALLEL WITH THE CENTER LINE OF THE EXISTING TRACK OF THE CHICAGO, CENTRAL AND PACIFIC RAILROAD COMPANY (FORMERLY THE ILLINOIS CENTRAL RAILROAD COMPANY AND THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY); THENCE SOUTH 87 DEGREES 36 MINUTES 27 SECONDS EAST, ALONG SAID PARALLEL LINE AND ALONG THE SOUTHERLY LINE OF LAND CONVEYED TO THE ILLINOIS CENTRAL RAILROAD COMPANY BY WARRANTY DEED RECORDED ON AUGUST 30, 1898 AS DOCUMENT NO. 35887, A DISTANCE OF 323.08 FEET TO THE SOUTHWESTERLY LINE, AS MONUMENTED, OF LAND CONVEYED TO THE CHICAGO, MADISON AND NORTHERN RAILROAD COMPANY BY WARRANTY DEED RECORDED ON APRIL 11, 1896 AS DOCUMENT NO. 23511; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE, AS MONUMENTED, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 857.92 FEET AND A CHORD BEARING OF SOUTH 62 DEGREES 04 MINUTES 38 SECONDS EAST, AN ARC DISTANCE OF 134.70 FEET; THENCE SOUTH 11 DEGREES 30 MINUTES 12 SECONDS WEST, A DISTANCE OF 296.71 FEET; THENCE NORTH 79 DEGREES 25 MINUTES 25 SECONDS WEST, A DISTANCE OF 444.76 FEET TO THE AFORESAID CENTER LINE OF STATE ROUTE NO. 31 PER DOCUMENT NO. 788123; THENCE NORTHERLY, ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1685.42 FEET AND A CHORD BEARING OF NORTH 11 DEGREES 22 MINUTES 18 SECONDS EAST, AN ARC DISTANCE OF 255.30 FEET; THENCE NORTH 07 DEGREES 01 MINUTE 56 SECONDS EAST, ALONG SAID CENTER LINE AND TANGENT TO THE LAST DESCRIBED CURVE, 35.83 FEET TO THE POINT OF BEGINNING BEING SITUATED IN ST. CHARLES TOWNSHIP, KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM

A 160 FEET WIDE STRIP OF LAND OF THAT PARCEL OF LAND RECORDED SEPTEMBER 11, 1996 AS DOCUMENT NUMBER 96K 06 5066 AT THE KANE COUNTY RECORDER'S OFFICE; BEING PART OF THE WEST HALF OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL; THENCE SOUTH 07 DEGREES 01 MINUTE 56 SECONDS EAST ALONG THE CENTERLINE OF STATE ROUTE 31, PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 788123, A DISTANCE OF 35.83 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1685.42 FEET; THENCE ALONG THE ARC OF SAID CURVE; WHICH CHORD BEARS SOUTH 09 DEGREES 01 MINUTE 56 SECONDS WEST A DISTANCE OF 166 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF SAID 160 FEET WIDE STRIP OF LAND, 80 FEET ON EACH SIDE, AS MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE SOUTH 87 DEGREES 28 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 442 FEET TO THE EAST LINE OF SAID PARCEL, CONTAINING 2.59 ACRES, MORE OR LESS.

## EXHIBIT "D"

3 of 3



alfred benesch & company  
CONSULTING ENGINEERS

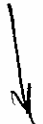
205 NORTH MICHIGAN AVENUE, CHICAGO, ILLINOIS 60601

05/17/2000

SHEET 2 OF 2



Illinois State Route 31



# EXHIBIT "E"

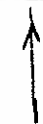
Bike Trail from  
Prairie Path to  
Illinois Route 31



Bike Trail Loop  
Through Black Hawk  
Forest Preserve



Illinois State Route 25







## MEETING MINUTES

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Date: March 1, 2001  
Date of Meeting: February 28, 2001  
Time of Meeting: 2:30 PM  
Meeting Location: Kane County Division of Transportation Office

Regarding: CC&P/Stearns Road Corridor  
Our Project No. 3533

### Participants

<u>Name</u>	<u>Representing</u>	<u>Phone</u>	<u>email address</u>
Tom Rickert	KDOT	(630) 584-1170	
Dick Young	KCFPD		
Dan Kirk	IDNR	(630) 553-1372	<a href="mailto:dkirk@dnrmail.state.il.us">dkirk@dnrmail.state.il.us</a>
Steve Hamer	IDNR	(217) 785-5500	<a href="mailto:shamer@dnrmail.state.il.us">shamer@dnrmail.state.il.us</a>
Barry Hart	IDNR	(815) 675-2385	<a href="mailto:bhart@dnrmail.state.il.us">bhart@dnrmail.state.il.us</a>
Mark Bagherpour	KDOT	(630) 584-1170	
Jon J. Duerr	KCFPD	(630) 232-5980	
Mike Okrent	AB&C	(312) 565-0450	<a href="mailto:mokrent@bensch.com">mokrent@bensch.com</a>

### General

The purpose of the meeting was to discuss how the proposed bike path associated with the CC&P/Stearns Road corridor would impact IDNR property and how it would interact with proposed bike paths to be developed by IDNR and DuPage County to the east. Another purpose was to review any outstanding issues the EIS has with IDNR.

We discussed some proposals for how the bicycle path from south of the CNIC at the Illinois Prairie path would proceed north, connect to proposed paths from the east along Stearns Road, and then proceed to the north to connect to the Illinois Prairie path to the north and to the north side of IL 25 so it can proceed west to cross the Fox River, while maintaining grade separations from the proposed new roads. After much discussion, we were unable to develop a suitable option that creates no additional wetland impacts, does not adversely affect groundwater nor could be free draining without a pump station, especially with the potential proximity of numerous detention ponds.

AB&C will review if underpasses can be moved closer to the intersection of Dunham and Stearns without creating adverse impacts. Another option may be two bridges (one crossing Stearns and one crossing Dunham) close to the intersection connecting elevated with a 'T' so the extension can also proceed to the east to connect to the IDNR/DuPage path (Aside: IDOT generally opposes overpasses close to a controlled intersection). Only minimal radii could be provided on the structure resulting in an almost stopped condition (an overlook at this point to the Tri-County Park would be desirable). It was acknowledged that this issue may not be resolved before the EIS is completed, but will be completed with the Design Report to follow. The EIS will commit to developing a bicycle path that satisfies the above mentioned criteria.

Meeting Minutes

Date of Meeting: February 28, 2001

Page 2

We discussed the required right-of-way from Tri\_County State Park (IDNR property) to construct the eastern limit of the Stearns Road project - approximately 0.5 acre. The project could potentially provide approximately 2.0 acres of replacement property from the residential lot to be acquired in DuPage County. IDNR indicated that in the absence of Land and Water Conservation funding, replacement property is not a major concern. Their concern is the net benefit and impacts to their holdings. If this project enhances bicycle routes, wetlands and water quality in exchange for a small parcel of land, they would view this as an enhancement. They would rather see a buffer detention system provided in roadway right-of-way than additional IDNR property without the buffer.

IDNR cannot sell property fee simple without an act of the State Legislature. They do have the authority to grant a transportation and construction easement for the construction of a new road.

Steve Hamer has received the package for the Land and Water Conservation Fund property conversion for the Bolz Road corridor and Jan Nation of Grants is reviewing it. [On March 1 in follow-up conversation with Steve Hamer and Jan Nation they indicated that the package covers all the requirements for the conversion. With Dundee Township Park District approving the deal, IDNR will also and then finally so will the US Park Service. Additional work, including final approval, is not needed until the conversion becomes imminent.]

Action List

- AB&C will continue to explore options and work with IDNR for the development of the bicycle path.
- The EIS will indicate that the Land and Water Conservation Fund conversion is acceptable as proposed and that the approvals will be sought as conversion become imminent.

Closure

We believe the above to be an accurate summary of the major items discussed. Please forward any comments or corrections to the attention of the writer within 5 working days of receipt of these minutes.

Sincerely,  
Alfred Benesch & Co.



M. Michael Okrent

cc: Steve Hamer, IDNR  
Mark Bagherpour, Kane County



**Concurrent NEPA/404 Process Coordination**





State of Illinois  
**DEPARTMENT OF AGRICULTURE**

State Fairgrounds / P.O. Box 19281 / Springfield 62794-9281

Bureau of Environmental Programs  
217/ 785-2427

Bureau of Farmland Protection  
217/ 782-6297

Bureau of Soil and Water Conservation  
217/ 782-6297

May 24, 1993

Mr. Nadi Fakroddin, Director  
Kane County Division of Highways  
41W011 Burlington Road  
St. Charles, Illinois 60175

Re: Fox River Bridge Crossings  
Kane and Kendall Counties  
Scoping Process

ATTN: Thomas Gieslica

Dear Mr. Fakroddin:

The Illinois Department of Agriculture (IDOA) received your letter dated May 12, 1993 inviting the IDOA to a scoping meeting on the above-referenced project. The IDOA will be unable to send a representative to this meeting, but we do want to express our desire to be a participant in the scoping process. The IDOA is providing you with the enclosed list of agricultural issues that we would ask to be addressed in the project's Environmental Impact Statement (EIS).

We noticed that the NEPA packet that you forwarded to us on May 17, 1993 indicates that the bridge crossings will be located in urban, semi-urban, and rural areas. The potential exists for impacting agricultural land, not only in the fee acquisition of farmland, but also in the taking of agricultural land for the mitigation of wetland and woodland impacts, and in the taking of agricultural land for borrow areas and floodplain compensatory storage areas.

Neither the Scoping packet nor the NEPA packet mentions farmland as a segment of the environment that will be studied as to the extent to which it will be impacted. In terms of natural resource impacts, the direct and indirect agricultural impacts could be the most significant impacts of the project.

We request that the EIS that will be prepared for the project give due consideration to the assessment and mitigation of the project's agricultural impacts. Should you have questions regarding our concerns or the information we are requesting, please contact us.

Sincerely,

James R. Hartwig  
Bureau of Farmland Protection

JRH:mdg

Enclosure

cc: William Barbel, IDOT  
John Rowley, IDOT  
Kevin Rund, Illinois Farm Bureau  
Kane-DuPage County SWCD  
Kendall County SWCD



AGRICULTURAL RELATED ISSUES  
to be addressed in the  
ENVIRONMENTAL IMPACT STATEMENT  
for the  
FOX RIVER BRIDGE CROSSINGS  
Kane and Kendall Counties

The Illinois Department of Agriculture asks that the Fox River Bridge Crossings Environmental Impact Statement address the following agricultural related issues.

1. Consideration of Prime and Important farmland as a natural resource and not as a "land use" alone.
  2. The acres of land to be purchased in fee acquisition and in easements (listed separately) for the following:
    - A. Prime and Important farmland (acres of each)
    - B. Soil mapping units (acres of each soil mapping unit)
    - C. Class I-VIII lands (acres of each land class)
    - D. Land use (acres of each: cropland, pastureland, hayland, other agricultural land, and non-agricultural land)
- Note: The Kane-DuPage and the Kendall County Soil and Water Conservation Districts can assist in identifying which soils are Prime and Important, and in identifying the land classes of the various soils. The Districts' addresses and telephone numbers are: Kane-DuPage County SWCD, 545 South Randall Road, St. Charles, Illinois 60174, 708-584-7961 and Kendall County SWCD, 7775A Route 47, Yorkville, Illinois 60560, 708-553-5457.
3. The acreage, existing use, and location of all land to be acquired for:
    - A. Borrow materials
    - B. Wetland mitigation
    - C. Woodland mitigation
    - D. Floodplain compensatory storage
  4. The identification of routings of new and/or relocated highways, railroads, and utility lines, as well as their impact to the agricultural land on which they may be constructed.
  5. The likely impact (type and magnitude) the project will have on the secondary development of farmland in the vicinity of the project.



6. The social impacts of the project on the displacement of farm families and other rural residents, including but not limited to:
  - A. The number of farm units affected.
  - B. The number of rural families displaced who are not actively engaged in farming.
  - C. The number of rural families displaced who are actively engaged in farming.
  - D. The number of farming units reduced in size enough to make them uneconomical for continued operation, forcing the family (or corporation) to discontinue the farming enterprise.
  - E. The affect on the rural character of the area.
  - F. What will be done to relocate and/or retrain displaced farmers.
7. The effects of the proposed facility on adjacent surface and subsurface field drainage systems and on downstream flooding.
8. The effects of the proposed facility on erosion-prone land within and adjacent to the facility.
9. The number and acreage of Centennial Farms to be acquired via fee simple acquisition. For information on Centennial Farms, contact Ms. Delayne Holsapple, Illinois Department of Agriculture, Bureau of Market Development and Information, State Fairgrounds, P.O. Box 19281, Springfield, IL 62794-9281, 217-782-6675.
10. The conformity with the site's zoning, including:
  - A. How the land to be purchased in fee is zoned.
  - B. What governmental entity(s) has the zoning jurisdiction.
  - C. Whether the current zoning is compatible with the intended land use.
11. The conformity with the site's planned land use(s) based upon officially adopted county and/or municipal comprehensive land use plans. Please state:
  - A. How the land to be purchased in fee is planned.
  - B. What governmental entity(s) has the planning jurisdiction.
  - C. Whether the planned land use(s) is compatible with the intended land use.
12. Specific actions that will be taken to mitigate the project's adverse agricultural impacts, including but not limited to the following:
  - A. Actions that will be taken to minimize the fee simple acquisition of agricultural land.

- B. Reduction of off-site impacts relating to drainage, soil erosion, flooding, farm severances, adverse travel, creation of uneconomical remnants and land-locked parcels.
  - C. Avoidance of the purchase of Prime and Important farmland for the purpose of wetland, woodland, noise impact mitigation, and for the creation of floodplain compensatory storage areas.
13. Compliance with state and federal statutes protecting farmland from governmental actions that may contribute to the unnecessary conversion of farmland to non-agricultural uses, and which may incur adverse secondary agricultural impacts. The statutes include:
- A. The Illinois Farmland Preservation Act (505 ILCS 75/1).
  - B. The federal Farmland Protection Policy Act (7 USC 4201-4209).

## DEFINITIONS

- ADVERSE TRAVEL - The length of additional travel which a farmer must drive to reach his/her fields due to the closure and/or rerouting of roads customarily traversed in reaching the fields.
- AGRICULTURAL LAND - All land in farms including cropland, hayland, pastureland, forestland, gardens, orchards, land used for farmyards and corrals, pens, waste lagoons, feedlots, farmstead or feedlot windbreaks, ponds, commercial feedlots, greenhouses, nurseries, broiler facilities, and farm landing strips.
- CLASS I-VIII LAND - Eight classes of land as defined in the USDA Land Capability Classification System.
- CROPLAND - Land used for growing row crops, small grains, specialty crops, and hay; includes land that was formerly used as cropland, but is currently in a government set-aside program.
- FARMLAND - Same as agricultural land.
- FARMING OPERATION - The on-going management of a farm unit.
- FARM SEVERANCE - The separation of one or more parcels from other parcels within the same farm unit, usually but not always resulting in adverse travel for the farmer.
- FARM UNIT - One or more parcels of land, not necessarily contiguous or under the same ownership, that are farmed as a single operation.
- IMPORTANT FARMLAND - Land that is nearly Prime farmland, can economically produce high yields of crops when treated and managed according to acceptable farming methods, and may be able to produce as high a yield as Prime farmland if conditions are favorable.
- LAND-LOCKED PARCEL - A parcel of agricultural land that is no longer accessible by road or easement due to construction of the airport or any of its ancillary facilities.
- PRIME FARMLAND - The best land for farming purposes; is relatively flat or gently rolling and therefore less susceptible to soil erosion; is the most energy efficient and productive land for producing food, feed, fiber, forage, and oilseed crops with the least amount of fuel, fertilizer, and labor; possesses the soil quality, growing season, and moisture supply to assure a continuously high productivity without degrading the environment; supports a variety of uses including, but not limited to cropland, pastureland, hayland, and forestland.
- SOIL MAPPING UNIT - Number or combination of numbers and letters representing an individual soil type on a detailed soil survey map.
- UNECONOMICAL REMNANT - Parcel of agricultural land that is no longer feasible to retain in agricultural production or otherwise continue owning by the original owner due to its reduction in size.

June 21, 1993

Memo To: File No. 2974

From: M. Michael Okrent and David P. Albers

Subject: Kane County Division of Transportation  
Fox River Bridge Crossings  
Scoping Meeting Minutes

A meeting was held at the IDOT District 1 office on May 26, 1993 to identify the major issues that need to be addressed in the Environmental Impact Statement. Representatives from Kane County DOT, IDOT, FHWA, cooperating Federal Agencies, other involved Federal and State agencies, and the project co-consultants, as well as their sub-consultants were present. The list of attendees is attached.

#### I. Introduction

##### A. Purpose and Need "Preliminary Discussion"

Mr. Tom Cieslica, Kane County Deputy Director of Transportation, explained that the project is funded through Demonstration Funding included within the 1991 Intermodal Surface Transportation Act (ISTEA). The legislation provides funding toward up to seven bridges crossing the Fox River between the limits of IL Route 62 in Algonquin and IL Route 47 in Yorkville.

Three of these crossings are being advanced by separate agencies:

Orchard Road in Yorkville by Kendall County  
Sullivan Road in Aurora by Aurora  
North End Bridge in Elgin by Elgin

An Environmental Impact Statement is to be prepared addressing the proposed crossings within the entire study area including the secondary and cumulative impacts.

Two public information meetings have been held; an additional meeting will be held on June 3, 1993.

Local governmental agencies have been invited to a separate coordination meeting held prior to each public meeting.

A brief history of the bridge corridor identification efforts since 1969 was given, especially noting the efforts by the Kane County Policy Advisory Committee; the CATS 1990 Kane County Transportation Study and Fox River Bridge Traffic Study; and the 1992 Alfred Benesch & Company Bridge Crossing Feasibility Study.

A Purpose and Need statement was provided to each attendee. The reasons cited as the purpose for these crossings are as follows:

- To improve east-west access across Kane County
- To relieve existing and projected traffic congestion
- To promote desired land use patterns

B. Traffic Study Parameters

The traffic study parameters were provided to define the corridors and termini to be analyzed for traffic impacts. Eighty-six scenarios are proposed to be analyzed by CATS. The traffic projections will be developed assuming both build and no action alternatives for the Fox Valley Freeway.

C. Tentative Schedule

This is to be an expedited project. The tentative schedule was presented as follow:

Start of study	4/1/93
Traffic study completion	9/1/93
Draft Purpose and Need chapter and corridor secondary impact analysis	12/1/93
Selection of reasonable corridor for alternate alignment variations	4/1/94
Circulate Draft EIS	10/1/96
Record of Decision (ROD)	4/1/97
Design approval	10/1/97

The date for design approval is critical due to the time limitations of the demonstration funding legislation.

## II. Video Presentation

The video presentation that was developed for the initial series of public meetings was shown to explain the specific project.

## III. Viewing Exhibits

Time was allocated to allow viewing of the Study Area, "Crossing Corridor", and Traffic/Capacity Exhibits.

## IV. Identification of significant and important issues to be addressed in the EIS process:

### A. Social Issues

1. Individual communities are to be consulted, especially since many of the issues involved will be of local and not regional interest.
2. The following issues must be addressed:
  - a. Changes in travel patterns, including direct, secondary, and cumulative impacts.
  - b. Changes in land use (and in planned land use) due to the new crossings by introducing development, accelerating development, or displacing planned growth.
  - c. Compatibility with county and municipal comprehensive land use plans.
  - d. Tie-ins and impacts to public facilities and services.
  - e. Anticipated community, park district, or school district plans that may affect or be affected by traffic patterns.
  - f. Compatibility with NIPC land use plans, including open space and agricultural preservation.

- g. Pedestrian, bicycle, and equestrian needs and appropriate accommodation.
- h. Recreational boating, including horizontal and vertical clearance needs.
- i. Relocations of residents, businesses, and public facilities.
- j. The capability of the existing roadway system to handle added traffic created by the new crossings.

B. Economic Issues

- 1. Effects from changes in land use
- 2. Impacts of changes in tax base
- 3. Cost of possibly new or increased community services that may be required.
- 4. Impacts to community central business districts from widening existing routes.
- 5. Impacts on employment - short-term from construction and long-term from new development.

C. Agricultural Issues

- 1. The area of these corridor crossings has not been defined in NIPC's plan for agricultural set-aside property.
- 2. Much of the farmland within the corridor may be held in trusts for speculative economic gain for land development. This combined with development being compatible with NIPC and Kane County land use plans would reduce the significance of impacts to agriculture.
- 3. Therefore, agriculture issues may not be significant within the study area.

Note: Subsequent to the scoping meeting a Illinois Department of Agriculture response was received outlining agricultural issues to be addressed, especially including loss of prime farm land and severance.

D. Cultural Resources

1. Kane County is a certified governmental unit for historic preservation and has compiled a list of historic sites. Though it must be recognized, this list is not complete.

IDOT District 1 has included the entire Kane County data base of known resources into the District 1 data system. Photos of structures over 40 years old, while useful, will not be enough to determine historic significance. It may be effective to hire a specialist to walk the corridors to inspect for historic preservation. This is especially true since some properties may be historic in relation to out buildings. Kane County has such an expert on staff.

2. Preliminary approval has been granted to a new historical district in Elgin which includes a portion crossed by the proposed alignments.
3. The following cultural issues must be addressed:
  - a. Cumulative effects on cultural resources
  - b. Direct physical effects
  - c. Known and Unknown resources
  - d. The aesthetic nature of each bridge and roadway should reflect the historic nature of its surroundings, when it is significant.
4. The Illinois Archaeological Survey will do the archeological survey. However, until the alignments are more defined, they will not proceed with this work.

E. Air Quality

1. Conformity to the 1990 Clean Air Act and state implementation plan
2. A micro-analysis will be required for each corridor after an alignment is selected.



F. Noise

1. "Constructive use" impacts, i.e., impacts without actual physical contact must be addressed for 4 (f) properties as affects usage, including habitat and serenity.
2. Micro-scale impacts are to be modeled for each corridor once an alignment is selected.

G. Energy

1. This is not an important issue for this project.

H. Water Quality/Water Resources

1. The quality of highway surface water runoff into the Fox River and its tributaries
2. Control of construction runoff and sedimentation
3. Individual and cumulative water quality analysis cannot indicate violation of the standard of 500 mg/l for sodium
4. Verification of Fox River as a Public Water Supply; note location of any water intakes.
5. Instream work, including turbidity and/or hazardous sediments
6. Groundwater impacts to wells
7. Presence of sole source aquifer for central region corridors (Kane County Planning Department has information Also contact state geological society). Short-term and long-term impacts.
8. Short-term (construction) and long-term erosion.
9. Possible changes in hydrology of sub-surface water flow or surface flows due to diversion and acceleration.

I. Floodplains

1. A floodway permit will be required to cross the Fox River. Affected tributaries will have to be evaluated relative to defined floodplains and floodways.
2. FEMA floodway and floodplain boundaries must be delineated.
3. Avoid longitudinal encroachments of floodplains in conformance with 1989 executive order.
4. Provide effective compensatory storage for 10 year and 100 year floodway displacement.
5. Design and locate piers to minimize problems with ice jams. There is a history of ice problems upstream of I-90.
6. Recognize appropriate land uses of floodplain by identifying potential positive impacts of removing structures in the floodplain.

J. Wetlands

1. A map showing the National Inventory of Wetlands is available from IDOT and Kane County Planning.
2. In alternative development and evaluation for impacts the proper sequencing is avoidance, minimization and only finally mitigation.
3. To do mitigation, we must explain "why minimization and avoidance does not meet the established purpose and need" and is not practicable. Mitigation does not work for bogs and fens. Two identified fens are the Algonquin fen and the South Elgin fen.
4. Specific issues to be addressed:
  - a. wetland functions
  - b. wetland quality
  - c. unique wetlands
  - d. habitats of concern
  - e. secondary and cumulative impacts to be assessed.

5. Local ordinances to protect wetlands.

K. Natural Resources

1. Habitats of all kinds
2. Illinois Nature Preserves
3. Threatened and endangered species - A map of natural areas and known locations of threatened and endangered species was provided by IDOT.
4. Quality of the natural areas (<sup>Swink</sup>Swink and Wilhelm have authored a widely-used quality rating system).
5. Functions of the natural areas
6. The effect of the roads on landscapes
  - a. Planned open space corridor and linkages.
  - b. NIPC open lands and green way plans for the study area.
  - c. Existing and proposed trail systems within the corridors and the potential to link trails.
  - d. Short-term and long-term impacts.
  - e. Fragmentation of habitat.
7. Operating mines and quarries

L. Hazardous Waste/Non-Hazardous Special Waste identified and potential

1. CERCLIS (Superfund) sites are often a fatal flaw unless a governmental jurisdiction is willing to take on the liability of such a site.
2. Identify landfill sites.

3. Identification of potentially affected hazardous waste sites to the extent of defining the extent of remediation that would be required or limits of area to be avoided. Also cost of determining limits versus avoidance of general area.
4. The hauling and disturbance of contaminated soil as contributing to migration and dispersion to receptors.
5. Potentially hazardous sediments in or beneath the Fox River streambed.

M. Special Lands

1. The compiled list of Lawcon lands has been updated through 1992. Mr. Bill Barbel will provide the updated list.
2. Discussions with Kane County and DuPage County Forest Preserve Districts and the involved Park Districts to identify property ownerships and possible future acquisitions along with values. This also includes trail systems.
3. Constructive Use

N. Recap Fatal Flaws - Those items for which mitigation for impacts are generally not possible and will so severely adversely affect the environment potentially making the project infeasible.

1. Fens
2. CERCLIS sites
3. Dedicated nature preserves
4. Threatened and endangered species (especially federally listed)

O. Other Matters

1. Following completion of the public meetings, a summarization of issues identified by the public should be compiled.
2. The Environmental Survey requests should be forwarded to Springfield along with of arials delineating potential construction areas.

Memo To: File No. 2974  
June 21, 1993  
Page 10

3. A pre-draft of the Purpose and Need chapter is scheduled for completion by July 1, prior to receipt of traffic information from CATS (since revised to August 1, 1993).
4. Future scoping meetings are likely to be held by corridor rather than overall.
5. Cooperating agencies are:
  - U.S. Fish and Wildlife Service
  - U.S. Army Corps of Engineers
  - U.S. Environmental Protection Agency
  - National Park Service
6. All participants in this process should provide any further comments they may have and indicate how they want to be involved in the process.

MMO:mde  
2974.job

cc: All participants

# Fox River Bridge Crossings Public Meeting Registration

Location: IDOT - Classroom - Scoping Meeting

Date: 5/26/93

**Please Print**

Name	Address	Representing
Kathleen Ames	2300 S. Dirksen Parkway Springfield, IL 62764	IDOT - Design & Environment
Charles Perino	2300 S. Dirksen Parkway Springfield, IL 62764	IDOT - BDE
RICHARD NOWACK	2300 S. DIRKSEN PARKWAY Rm 330 SPRINGFIELD, ILL. 62764	IDOT - Design & Environment
K.T. DESAI	2300 So DIRKSEN PKY Rm 207 Local Rds.	IDOT - Local Rds
Tony Karam	205 N. Michigan Chicago 60601	Alfred Benesch & Co.
RON ABRANT	US ARMY CORPS OF ENGINEERS REGULATORY BRANCH 111 N CANAL STREET CHICAGO, IL 60606-7206	USACE Chicago District
Steve Ravanesi	McDonough Asso Inc. 224 S. Michigan Ave Chicago 60604	MAI
Alan Swanson	McDonough Assoc. Inc. 224 S. Michigan Ave. Chicago, IL 60604	MAI
Bill CAHILLAN	IL. HISTORIC PRESERVATION AGENCY (SHPO)	OLD STATE CAPITOL SPFLD 62707
ANN COLTRANE	PLANNING Resources Inc 615 Front Street Wheaton, IL 60187	Sub- Alfred Benesch
Michael Goldberg	Planning Resources Inc 615 Front St. Wheaton, IL 60187	Sub- Alfred Benesch
Bill Bond	IDOT - Schaumburg	Division of Water Resources

# Fox River Bridge Crossings Public Meeting Registration

Location: *IDOT Classroom - Scoping Meeting*

Date: *5/26/93*

**Please Print**

Name	Address	Representing
Steven Byers	IL Nat Preserves Comm 914 S. River Rd, Mchenry, IL 60050	INPC
Edward Lisowski	INHS/Biodiversity 607 E. Peabody Dr. Champaign IL 61820	IL Nat Hist Survey
Chuck Tokarski	Du Page County Division of Transportation P.O. Box 298 Wheaton, IL 60189-0298	Du Page County DOT
Mary Velle Smith	NIPC 400 W. Madison-2nd Fl. Chicago 60606	NIPC
Kenneth L. Litchfield	IDOC 524 S. 2nd St. Springfield, IL.	ILL. Dept. Cons.
ANDY HAUBERT	STS CONSULTANTS LTD 111 PINGSTON RD NORTHBROOK IL 60062	STS CONSULTANTS
RA Miller	IDOT	LR & S
Jeff Mengler	U.S. Fish & Wildlife Service 1000 Hart Road, Suite 180 Barrington, IL 60010	USFWS
JOHN WALTHALL	IDOT - Springfield	Design + Environment
GRACE DYBICO	IDOT	LR & S DEPT. ONE
Thomas Cieslica	K DOT	K DOT
MARK BAGHERPOUR	IDOT	IDOT, LR & ST.

# Fox River Bridge Crossings Public Meeting Registration

Location: IDOT Classroom - Scoping Meeting

Date: 5/26/93

**Please Print**

Name	Address	Representing
Phyllis L. Bannon	65 E. Peabody Dr. Champaign, IL	ISGS
Jim DAVM	220 S State St Chicago IL 60604	TENG'S ASSOC.
Jim Paulson	512 W. BURLINGTON LAGRANGE, IL	HUFF & HUFF, INC.
Bruce A. Whitten	300 W. Adams St. CATS	CATS
YONG D. KIM	220 S. STATE Chicago, IL 60604	Teng & Assoc.
Steve Moulton	600 N. Commons Drive Suite 107 Aurora, IL 60504	CRAWFORD MURPHY + TILLY, INC.
Bill Boyd	IDOT Schaumburg	Division of Water Resources
Mary Cele Smith	NIPC 400 W. Madison 60606	NIPC
Steven Byers	INPC 914 S. River Rd, McHenry 60050	INPC
Gary Jerab	IDOT/DOWR Schaumburg	
WILLIAM BARBEL	IDOT DIST #1	IDOT
NANCY MAGNUS	IDOT, DIST #1, SCHAUMBURG	IDOT LOCAL ROADS



# Fox River Bridge Crossings Public Meeting Registration

Location: *IDOT Classroom - Scoping Meeting*

Date: *5/26/93*

**Please Print**

Name	Address	Representing
David Niemann	Schaumburg - District 1	IDOT
Ted Frostman	111 <del>111</del> Pfingsten Rd. NORTHBROOK IL 60062	STS CONSULTANTS
Fred Ellis	1003 W. Rutledge Pawnee, IL	CMT
Laura Neels	2750 W. Washington Spfld. IL. E	CMT
P.J. FITZPATRICK	600 N. Columbus Suite 107 Aurora, IL 60504	CMT
Michael Ayers	1713 Hunter Ridge Springfield, IL.	CMT
RICHARD BERGGREEN	111 Pfingsten Rd Northbrook, IL 60062	STS CONSULTANTS
Mike Okrent	205 N. Michigan Chicago, IL 60601	Alfred Beresch
David Albers	205 N. Michigan Chicago, IL 60601	Alfred Beresch

# Fox River Bridge Crossings Public Meeting Registration

Location: *IDOT Classroom - Scoping Meeting*  
 Date: *5/26/93*

**Please Print**

Name	Address	Representing
Dennis Schusen	3250 Executive Park Dr. Springfield, IL 62703	FHWA
Jon J Duerr	119 Batavia A. Geneva, IL 60134	Kane Co. For Pres.
EARL SCHROEDER	2300 S. DIRKSEN SPRINGFIELD, ILL 62704 217-782-0127	IDOT LOCAL ROADS & ST
JENNIFER KRAWCZYK	IDOT BR#5 DIST 1	
Peter Rogers	US EPA RS 77 W. Jackson Blvd Chicago	



**SYNOPSIS OF THE DECEMBER 1, 1993  
SCOPING MEETING**

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<u>Transcript Page</u>	<u>Summary of Discussion</u>
1-4	Introduction by Nancy Magnus/Bureau Chief, District 1 Local Roads and Streets
5-7	Overview of project by Nabi Fakroddin/Director, Kane County Division of Transportation
8-10	Audience introductions
11-15	Project update by Mark Bagherpour/ Project Manager, District 1 Local Roads and Streets
15-27	Purpose and Need presentation and screening by Mike Okrent, Project Manager, Alfred Benesch & Company. There were no comments or questions on this section of the presentation.
28-92	Steve Ravanesi/McDonough Associates presents the North Region corridors for environmental screening.
28-33	<b>County Line Road discussion. Earl Schroeder asks about traffic impacts with alignment variations. No other comments or questions.</b>
33-61	<b>Bolz Road discussion.</b>
35	John Duerr/Kane County Forest Preserve indicates that they have discussed purchasing the wooded strip along the west bank of the river in this corridor.
38	Earl Schroeder asks if the park district property near the eastern terminus could be avoided. Mr. Ravanesi responds that avoiding it would have major impacts to residences north of the park district property.
39	Steve Byers/Illinois Nature Preserves Commission asks about access control and bridge profile near the river.

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Transcript Page

Summary of Discussion

- 43-47 Mr. Byers expresses concern about preserving landscape linkage and continuity of wildlife habitat along the western edge of the river with the construction of a new bridge. Mr. Duerr seconds his concerns.
- 47-48 Mike Okrent asks for clarification that Mr. Duerr and Mr Byers wish to see the trees under the new bridge preserved. Mr. Byers confirms this.
- 48- Discussion continues about alignments which avoid impacts to the west bank of the river. Messrs. Duerr, Byers, Ravanese, Schroeder, Lyle Hyde/FHWA, Jeff Menger/US Fish & Wildlife, and Bob Miller/District 1, Local Roads contribute to the discussion. The interested resource agencies agree to meet with the McDonough to outline their areas of concern.
- 58-60 Mr. Duerr asks Mr. Fakroddin about access control.
- 62-70 **Mr. Ravanese presents the Boncosky corridor.**
- 66-67 Mr. Byers points out that the ravine at the western terminus of the Boncosky corridor is part of the Illinois Natural Area Inventory.
- 68-69 Mr. Duerr clarifies that Jelkes Creek and the bluff area is not a dedicated nature preserve. The property is in private ownership and the Kane County Forest Preserve District has an easement agreement for the area at the river's edge.
- 70-93 **Mr. Bagherpour requests comments on the North Region from each resource agency present.**
- 72 Mr. Bagherpour mentions that the resource agencies will have the next couple of weeks to respond in writing to Kane County.
- 72-73 Janice Cheng/US EPA asks about indirect impacts to wetlands on the Bolz Road corridor.

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Transcript Page

Summary of Discussion

- 76 Ms. Smith/NIPC asks about plans to study changes in land use plans. Mr. Bagherpour clarifies that these changes will be addressed as part of the EIS.
- 78-80 Erik Johnson/Kane County Development states that they prefer a Bolz Road alignment which avoids the large farm on the west side of the river.
- 81 Jeff Mengler/US Fish & Wildlife states that they support the decision to drop Boncosky because of the Max McGraw holdings.
- 83-84 Bill Boyd/Division of Water Resources stated that any new crossing of the Fox River will require a permit which meets the new 608 rules. The new rules state that any work in a waterway must demonstrate a public benefit.
- 86-87 Brian Wilm/Illinois Natural History Survey states that the Boncosky Road corridor is by far the most sensitive and concurs with the decision to drop the corridor from further study.
- 87-88 Mr. Bagherpour asks Mr. Wilm to comment on the environmental feasibility of the Miller/Lake Marion corridor. Mr Wilm states that the corridor had some sensitive wetland areas, particularly along the western edge of the river but the biggest area of concern was the large sedge meadow on the western edge of the river. Mr. Bagherpour states that even though the corridor failed the purpose and need screening, it would have failed the environmental screening.
- 88-91 Rick Bemm/Dundee Township Park District asked why the Bolz Road corridor extended east beyond Illinois Route 25 (a four-lane arterial with direct Tollway access) to Illinois Route 62 (a two-lane arterial). Mr. Bagherpour responded that it extended to Illinois Route 62 in order to provide east/west continuity and to connect to an SRA. Mr. Bagherpour asked Kermit Wies/Chicago Area Transportation Study to explain what would happen to the system if the Bolz Road corridor ended at Illinois Route 25. Mr. Wies said that 25 and 62 will be heavily travelled with or without this bridge.

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Transcript Page

Summary of Discussion

- 92-93 Tom Cieslica/Deputy Director Kane County Division of Transportation and scoping meeting moderator summarizes the conclusions reached in the North Region.
- 94-108 Jim Daum/Teng & Associates presents the Mooseheart corridor.
- 108 Mr. Bagherpour asks if there are any sensitive resources on Illinois Route 31 and what the engineering impacts are of the use of Illinois Route 31 with the Mooseheart/Butterfield alignment. Mr. Daum states that the turn is a disadvantage. Also, 31 has quite a number of older homes and trees. Mr. Bagherpour asks if the impacts on Mooseheart/Butterfield are comparable to Oak Street/Butterfield. Mr. Daum says he believes it is.
- 110 Earl Schroeder/Springfield, Local Roads asks if a similar routing problem is created for west-bound travelers on Oak Street. Mr. Daum points out that Oak Street currently goes directly to Orchard as a two lane roadway. If the Oak Street/Butterfield alignment was selected, it could eventually be widened to four-lanes all the way to Orchard.
- 112-115 Scott Palmer/Congressman Hastert's Chief of Staff asked for clarification about comparable impacts to Illinois Route 31 and Oak Street. Mr. Daum says that it is not clear at this time but that it appears the impacts would be comparable since they both have established housing. Mr. Palmer points out that Oak Street has a frontage road on the south side. He asks whether this will remain to serve the homes south of Oak. Mr. Daum says it is not clear at this time but that it appears it could remain.
- 115 Lyle Hyde/FHWA asks what the impacts to Oak Street would be if the Mooseheart/Illinois Route 31/Butterfield alignment was constructed. Mr. Daum says that this will need to be evaluated. Mr. Bagherpour asks Kermit Wies/CATS to comment. Mr. Wies says that Oak Street would become jammed and states that the Mooseheart/Illinois Route 31/Butterfield alignment appears to be a contrivance. Mr. Wies stated that he didn't think the Mooseheart/Illinois Route 31/Butterfield alignment met the spirit of the purpose and need.

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Transcript Page

Summary of Discussion

- 118-119 Mr. Bagherpour brings up the point that the jurisdiction of Oak Street would have to be resolved if the Oak Street/Butterfield alignment was selected.
- 120 Mr. Palmer states that Orchard Road is becoming an important access road for the East/West Tollway. He asks if there are plans to extend Mooseheart Road west of Randall to Orchard Road. Mr. Cieslica states that it is planned for 1994.
- 121 Dennis Johnson/FHWA points out that if the Oak Street/Butterfield alignment is chosen, the western terminus would be Orchard Road.
- 121 Mr. Daum points out that the Oak Street/Butterfield alignment would have an at grade crossing of the Burlington Northern Railroad track whereas the Mooseheart alignment would not.
- 122 Mr. Bagherpour requests comment on the Mooseheart corridor from the resource agencies.
- 123 Bill Donnell/Fox Valley Park District states that the Park District is on record as opposing the Mooseheart alignment. Mr. Donnell clarifies the important role the Red Oak Nature Center serves. He points out that the Highlands park on Oak Street also belongs to the Park District but that he didn't believe the Board would object to the Oak Street/Butterfield alignment going to the EIS.
- 126-127 Brian Wilm/Illinois Natural History Survey mentions that the Greater Redhorse, a state threatened or endangered fish, was collected in the river at Mooseheart. Mr. Wilm also mentions that there are wetlands impacted by the Mooseheart alignment.
- 127 Jeff Mengler/US Fish & Wildlife states that their primary concern in this area is the Greater Redhorse and indicated that the Oak Street alignment would be preferable over the Mooseheart alignment.
- 127 Janice Cheng/US EPA concurred with Mr. Mengler.



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Transcript Page

Summary of Discussion

- 128 Bill Boyd/Division of Water Resources states that the Oak Street alignment would appear to have a greater potential impact on water recreation than the higher level Mooseheart bridge.
- 128-130 Bill Donnell/Fox Valley Park District says that he has never seen a power boat on this stretch of the river. Lyle Hyde asks if the desire to keep the area near the Red Oak Nature Center in a pristine environment is written in the stated park plan. Mr. Donnell believes that it is. The Park District has discourages boat ramps and jet skiers in the past.
- 130 Bill Barbel/District 1, Environmental Studies mentions that the Park District owns an island in the river. Mr Donnell and Mr. Daum confirm this.
- 130-131 John Duerr/Kane County Forest Preserve District mentions that the Indian Creek area is on some concern. The Department of Waterways has been involved with a control structure project downstream. He states that a new bridge in the Mooseheart corridor will have to coordinate with this project.
- 131-132 Earl Schroeder/Springfield Local Roads comments on the at grade railroad crossing on the Oak Street/Butterfield alignment. Mr. Daum mentions that a grade separation would have impacts on the connection at Illinois Route 25 and Illinois Route 31.
- 132-133 Mr Cieslica summarizes the discussion on the Mooseheart corridor. Mr. Donnell asks whether the Mooseheart alignment is being dropped. Mr Schroeder clarifies that the entire Mooseheart corridor will be advanced to the EIS and that all possible alignments will be evaluated. Break for lunch.
- 134 Mr. Cieslica reconvenes the meeting. Mr. Donnell asks whether the Corridor Analysis Document will be revised to reflect that the Mooseheart alignment will be evaluated in the EIS. Mr. Cieslica says that it will and that the resource agencies will receive a revised copy prior to the next public meeting which he guesses will be held in February.

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<u>Transcript Page</u>	<u>Summary of Discussion</u>
135-141	<b>Mike Okrent/Project Manager, Alfred Benesch &amp; Company presents the Chicago Central &amp; Pacific/Stearns Road corridor.</b>
141	Mr. Duerr points out that Mr. Okrent forgot to mention the nature trail in his discussion.
142	Earl Schroeder questions why an at grade connection to Illinois Route 31 was not considered on this corridor. Mr. Okrent explains that the sharp crest to 31 precludes it.
143	Mark Bagherpour/District 1, Local Roads points out that Stearns Road is an SRA and DuPage County is contemplating improvements to the facility.
143	Chuck Tokarski/DuPage County Division of Transportation confirms that this corridor would be compatible with DuPage County's long range plan.
144	Steve Byers/Illinois Nature Preserve Commission asks for clarification on the location of the roadway in relation to the South Elgin Fen.
145-149	Jeff Mengler/US Fish & Wildlife wants to know why this corridor was carried forward when Boncosky, which appears to him to have similar sensitive areas, was dropped. Mr. Okrent explains that they differ in that the sensitive areas on the CC&P/Stearns corridor can be avoided with careful engineering. Mr. Mengler argues that they will still be affected indirectly. Salt spray impacts and construction related impacts are major concerns. Mr. Mengler questions whether the white fringed prairie orchid was found in the area. It is not clear from the discussion whether it was. Mr. Bagherpour reiterates that this is only the initial screening of the corridors and that more will fall out as information is made available.
152-155	John Duerr/Kane County Forest Preserve District asks about an alignment north of the sensitive areas. Mr. Okrent points out the socio-economic and environmental impacts associated with a northern alignment.

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Transcript Page

Summary of Discussion

- 156-157 Lyle Hyde/FHWA points out that some of the confusion may be caused by the fact that the exhibit shows a thin yellow line which would seem to indicate a specific alignment rather than a corridor. Dennis Johnson/FHWA suggests that the exhibit be changed if the corridor is advanced.
- 159-160 Dennis Johnson clarifies that an northern alignment which impacts Chicago Elmhurst Stone should be considered. Mr. Okrent concurs.
- 160 Mr. Bagherpour asks each resource agency for comment.
- 161 Jeff Menger/US Fish & Wildlife asks that ground water modeling of the vicinity be done to ascertain the indirect impacts to the fens. Brian Wilm/Illinois Natural History Survey points out that the fen is connected to Brewster Creek and that any indirect impacts to the creek can affect the fen.
- 162 John Duerr mentions that the Newark Valley Aquifer is fairly close to the surface and may be related to these sensitive areas.
- 163-173 Discussion between Jeff Mengler, Mark Bagherpour, and others as to why Boncosky was dropped and CC&P/Stearns was not. Mr. Bagherpour's main point is that the Boncosky corridor had cumulative impacts including engineering constraints and the presences of 3 T&E animal species. Mr. Mengler points out that CC&P/Stearns has 2 T&E plant species and feels that the plants are not being considered as seriously as the animals. Steve Ravanese points out that Boncosky has direct impacts whereas CC&P/Stearns appears to have only indirect impacts if any. Mr. Mengler points out that indirect impacts to the plants can be just as damaging as direct impacts to wildlife habitat. The discussion ends with Mr. Mengler agreeing that some of his concerns have been addressed.
- 174-180 **Kevin Nelson/Project Manager, Crawford, Murphy & Tilly presents the Red Gate/Army Trail corridor**

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Transcript Page

Summary of Discussion

- 181-184 Mark Bagherpour clarifies that widening of Army Trail Road is not compatible with DuPage County's long range plan. He also mentions that the State has granted enhancement funding for the creation of historical Army Trail Road within the Village of Wayne. Chuck Tokarski/DuPage County Division of Transportation confirms the incompatibility but clarifies that the DuPage County Board has taken no official position on a new bridge in this area.
- 184 Mr. Tokarski expresses concern about the amount of traffic that will use Army Trail Road regardless of the connection point.
- 186-187 **Mike Okrent/Project Manager, Alfred Benesch & Company discusses the CC&P/Stearns & Red Gate/Illinois Rte 25/Stearns 2-lane combinations.**
- 188-192 Chuck Tokarski, Mike Okrent, Kermit Wies, and Dennis Johnson discuss what happens to this combination if CC&P/Stearns drops out for environmental concerns. Mr. Okrent states that the environmental concerns at CC&P/Stearns would also kill the Red Gate/Illinois Route 25/Stearns alignment. Mr. Johnson states that if Stearns is eliminated we would go with a four-lane bridge at Red Gate. Mr. Wies is asked to comment on the impact to Army Trail Road.
- 192-196 Mr. Tokarski states that DuPage County would be interested in considering the Smith Road bypass in the event that the Red Gate/Illinois Route 25/Stearns alignment was eliminated. Mr. Bagherpour mentions that Karl Fry of DuPage County had indicated a reluctance to take over maintenance and jurisdiction of Smith Road as a county highway within DuPage County. Mr. Tokarski says he thinks it should be evaluated regardless. Mr. Bagherpour feels that the option should be dropped for lack of a sponsor. Mr. Tokarski states that whether or not it has a sponsor depends on the future of the CC&P/Stearns alignment. Earl Schroeder feels it should be carried to the EIS without a sponsor.

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Transcript Page

Summary of Discussion

- 197 Mr. Johnson asks if two four-lane bridges in the area are justified. Mr. Okrent explains the projected volume. Mr. Johnson asks if Red Gate is needed if CC&P/Stearns goes as a four lane. Mr. Okrent points out that each corridor provides relief to different areas.
- 199 Steve Moulton/Crawford, Murphy & Tilly states that an unimproved Army Trail through Wayne would be an deterrent for travelers to use it and that travelers would prefer to use Illinois Route 25 and Stearns if it is upgraded to a four-lane facility. Mr. Moulton also asks why sponsorship is only an issue in this corridor and not on others. Mr Cieslica points out that all of the other corridors have eastern termini within Kane County.
- 200 Mr. Bagherpour requests comment from the resource agencies.
- 200-202 John Duerr/Kane County Forest Preserve District comments that there are a lot of District holdings in the corridor and mentions that the current board President and the past President have expressed grave concern about the crossing of the Red Gate Forest Preserve.
- 202 Jeff Mengler/US Fish & Wildlife commented that there are some high quality natural areas with the Pratts Wayne Woods Forest Preserve.
- 203 Scott Palmer/Congressman Hastert's Chief of Staff expresses concern that about a direct connection to Army Trail Road.
- 208-209 Edward Lisowski/Illinois Natural History Survey points out that all of the environmental problems associated with CC&P/Stearns are also present in the Red Gate/Illinois Route 25/Stearns alignment. Mr. Okrent acknowledges this.
- 209-214 Erik Johnson/Kane County Development Department questions why the Red Gate alignment terminates at Crane on the west. Dennis Johnson/FHWA and Earl Schroeder clarify that Randall Road was the western terminus on all of the corridors because the purpose is to provide access to the east.

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Transcript Page

Summary of Discussion

- 210-212 Chuck Tokarski/DuPage County Division of Highways suggests that the link between Illinois Route 59 and Army Trail Road on the Smith Road (Wayne Bypass) alignment might not be necessary.
- 214-216 Nabi Fakroddin/Director, Kane County Division of Transportation expresses concern with continuing to discuss a direct connection to Army Trail when the county board has voted against it and it appears infeasible for environmental and political reasons. Mr. Fakroddin asks that the issue be discussed.
- 217 Scott Palmer echoes Mr. Fakroddin's frustration. Mr. Palmer feels that a direct connection to Army Trail is out of the question and supports the county board recommendation.
- 218 Dennis Johnson asks what the county board recommendation was. This is the first he has heard of it.
- 219 Mr. Fakroddin says that the county board approved a resolution in 1991 which recommended a two lane facility from Red Gate to Illinois Route 25, south of Army Trail. The resolution also recommended a two-lane CC&P/Stearns alignment from McDonald to the Chicago Central. As part of this resolution, St. Charles made the commitment to build a bridge at Prairie Street.
- 220 John Duerr/Kane County Forest Preserve District expresses the opinion that the Red Gate/Illinois Route 25 & CC&P/Stearns two-lane combination should proceed with an northern alignment that impacts the Elmhurst Chicago Stone.
- 222-225 **Kevin Nelson/Crawford, Murphy & Tilly presents the Chicago & North Western Corridor.**
- 225 Mr. Okrent clarifies that C&NW has been noncommittal as to whether they would share the right-of-way with a road. Without a commitment from them, there is no right of way.

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Transcript Page

Summary of Discussion

- 226 Dennis Johnson states that right-of-way would be purchased for all of the proposed corridors. Mr. Nelson clarifies that right-of-way acquisition along the full length of the alignment would have other major impacts such as the need to relocate a historic house and impacts to Pottawatomie Park.
- 228 Mr. Fakroddin asks about business impacts with this corridor. Mr. Nelson states that five businesses would be directly affected.
- 229-230 Mr. Fakroddin points out that there are two ornamental bridges in the immediate area which would be impacted by a new bridge. He then mentions a meeting approximately four years ago with C&NW, General Mills, Siegle's, and Hines Lumber regarding railroad abandonment. At that time, C&NW indicated that this particular railroad is the only one in the country that makes money. The businesses were also not receptive to using the four-lane roadway.
- 230-232 Dennis Johnson/FHWA, Kevin Nelson, and Nabi Fakroddin engage in a conversation about whether this corridor is being dropped or tabled. The decision by Kane County is to table the corridor unless and until the railroad abandoned the right-of-way. Mr. Johnson points out that, should this occur, it could set back the EIS by a year or more. Mr. Fakroddin acknowledges this and thinks the possibility of it happening is negligible.
- 231 Mr. Palmer asks about traffic impacts to Illinois Route 64. Mr. Nelson responds that it has not be evaluated as part of this project.
- 232 Mark Bagherpour asks the resource agencies for comment.
- 233 Bill Boyd/Division of Water Resources points out that this is an area of heavy boat traffic and any new bridge would need to be high enough to accommodate this.

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Transcript Page

Summary of Discussion

- 234-235 Edward Lisowski/Illinois Natural History Survey asks about hazardous waste concerns when using abandoned railroad right-of-way. Mr. Bagherpour tells him that there are special guidelines and requirements for the use of abandoned railroad right-of-way and that all of the corridors selected have to be evaluated for hazardous waste. Mr. Cieslica points out that there was also a foundry adjacent to the railroad which would be of some concern.
- 235-236 Mr. Fakroddin summaries the County's proposal for the Central Region:
1. Two-lane facility at CC&P/Stearns, and
  2. Two-lane facility at Red Gate/Illinois Route 24 **without a direct connection to Army Trail.**
  3. Table the C&NW corridor until such time as the right-of-way becomes available.
- 236-237 Dennis Johnson ask for clarification about the County's position. He wants to know why Mr. Fakroddin stresses avoiding a connection to Army Trail Road on the Red Gate corridor. Mr. Johnson says that this is an EIS decision which can not be ruled out at this point since it appears to be a logical connection.
- 238 Mr. Bagherpour makes that point that this is only the initial screening to get that corridors down to a manageable number. He then asks the resource agencies for comment.
- 239 Chuck Tokarski/DuPage County Division of Highways says that he would be interested to see projected traffic on Army Trail without a direct connection to Army Trail. Mr. Bagherpour says that this will be provided in later reports.



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Transcript Page

Summary of Discussion

- 240-241 Mr. Palmer asks for clarification about the direct connection to Army Trail. Mr. Okrent responds that the issue at hand is corridors not alignments and that the mechanics of a connection should be determined in the EIS. It would be premature to eliminate a direct connection at this point. 4(f) considerations with other connections may force a direct connection at Army Trail.
- 242 Mr. Johnson reiterates that a direct connection is still viable.
- 242 Mr. Palmer asks what it would make to make it not viable. He points out that, at one point, the County proposed cul-de-sacking Army Trail Road at Illinois Route 25.
- 243 Mr. Bagherpour points out that a direct connection to Army Trail may have indirect impacts to the historic districts.
- 244 Mr. Fakroddin says that he knows that a direct connection to Army Trail is not politically feasible.
- 244 Mr. Palmer states his belief that traffic which crosses Red Gate wants to go south to St. Charles not east on Army Trail. Mr. Bagherpour points out that this might become evident in detailed traffic analysis. He asks Kermit Wies/CATS to respond.
- 245 Mr. Wies tries to clarify Mr. Johnson's position by saying that he is not asking anyone to endorse a direct connection but that it can not be precluded. Mr. Wies asks what the harm is in letting it go to the EIS where it can be eliminated.
- 246 Mr. Johnson agrees with Mr. Wies. He feels the political reality is a valid reason to drop a direct connection to Army Trail as long as it is fully disclosed in the EIS.
- 247 Lyle Hyde/FHWA points out that this opens up the EIS to challenges. Mr. Johnson concurs but states that it is a risk that must be accepted.
- 247 Mr. Palmer asks if a direct connection would require improvements to Army Trail Road. Mr. Okrent responds that it would not.

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Transcript Page

Summary of Discussion

- 248-249 Mr. Bagherpour tries to clarify the County's position.
- 249-251 Mr. Palmer says that the County Board will never approve a direct connection to Army Trail and that by continuing to discuss it we are risking years of work. Mr. Palmer asks if the connection could be eliminated if the discussion was "beefed up" in the Corridor Analysis Document
- 251 Mr. Johnson wants to know Mr. Palmer's justification for dropping the connection.
- 252 Mr. Okrent states the opinion that a connection south of Army Trail would not conform to the purpose and need statement. Mr. Bagherpour disagrees.
- 253 Mr. Cieslica terminates the discussion of a direct connection to Army Trail and closes the meeting. He reminds the resource agencies that they have two weeks to give formal comment to the County.





State of Illinois  
**DEPARTMENT OF AGRICULTURE**

State Fairgrounds / P.O. Box 19281 / Springfield 62794-9281

Bureau of Environmental Programs  
 217/ 785-2427

Bureau of Farmland Protection  
 217/ 782-6297

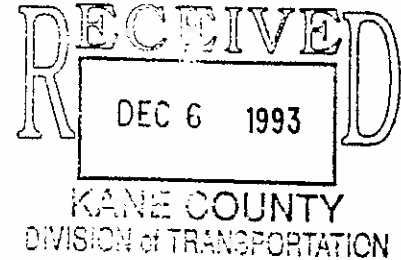
Bureau of Soil and Water Conservation  
 217/ 782-6297

December 1, 1993

Mr. Nabi Fakroddin, Director  
 Kane County Division of Transportation  
 41W011 Burlington Road  
 St. Charles, Illinois 60175

Re: Fox River Bridge Crossings  
 Kane County  
 Scoping Process

ROUTE	INFO	ACTION
NF		
TLC		
FR		
DC		
PH		
DP		
TMP		
PE		



Dear Mr. Fakroddin:

The Illinois Department of Agriculture (IDOA) is unable to attend the December 1, 1993 scoping meeting for the Fox River Bridge crossings. However, we have reviewed the Corridor Analysis Document (dated November 15, 1993) and want to relay the following comments for consideration in the scoping process.

From the aerial photographs in the Corridor Analysis Document, it appears that most of the river crossings will negatively impact some agricultural land, though many of the crossings are located in developing/urbanized areas. There are three crossings that the IDOA wants to comment on for the County and IDOT's consideration.

In the Northern Region, the Bolz Road curved alignment (the alternate alignment) will incur significant land conversion and secondary agricultural impacts. We feel it should be avoided and priority given to minimizing the impacts to the residences, farmstead, and horse farm on the straight alignment. If this cannot be done, perhaps this river crossing alternative should be avoided, as it appears the County Line Road and the Boncosky alternatives will incur less of an impact to the agricultural environment.

In the Central Region, the South Bypass (Wayne Bypass) to the Red Gate Road/Army Trail Road alignment is of concern. The South Bypass will incur significant land conversion and secondary agricultural impacts that exceed the other alternatives for this alignment. The IDOA would recommend that the South Bypass alternative not be considered if another alternative is feasible.

In the South Region, Alternative 2 (the curvilinear alternative) to the Mooseheart Road alignment does not appear to be the best alternative based on its impact to the agricultural environment. The curving nature of Alternative 2 will create additional agricultural impacts that far exceed those of Alternative 1 (the straight alignment). If the nonagricultural impacts associated with Alternative 1 are significant, the IDOA would recommend that some other be chosen for the South Region.

Mr. Fakroddin  
Page 2  
December 1, 1993

The various Fox River crossing alignments all have the potential for incurring wetland impacts. In mitigating the wetland impacts (and the impacts to woodlands and floodplains), the IDOA would expect Kane County and the IDOT to comply with the IDOA-IDOT Cooperative Working Agreement that states in part, "*The IDOT will place a high priority on selecting lands which are not Prime farmlands for wetland mitigation purposes in devising wetland compensation plans.*" The IDOT Agricultural Land Preservation Policy Statement and Cooperative Working Agreement document also state that consideration will be given to mitigating wetland impacts on publicly owned land. We would suggest that the County and the IDOT seek to mitigate all wetland impacts on forest preserve land or other publicly owned park land.

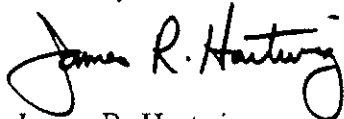
Because there are many alternatives for accomplishing the objectives of the Fox River crossings, the IDOA would ask that the County and the IDOT give special attention to selecting crossings that minimize the impacts to the area's agricultural resources in order to comply with the intent of the state's Farmland Preservation Act. In addition, the federal Farmland Protection Policy Act (FPPA) requires that consideration be given to selecting alternative actions, as appropriate, that could lessen farmland conversion impacts.

The IDOA mailed you a letter dated May 24, 1993 (copy enclosed) identifying various concerns the IDOA had regarding the project as well as agricultural issues the IDOA asked to be addressed in the project's Environmental Impact Statement (EIS). We continue to ask that these concerns and issues be addressed in the EIS.

Even though many of the proposed alternatives for crossing the Fox River may be exempt from the IDOA's indepth study of their agricultural impacts due to their proximity to municipalities, their exempt status does not eliminate the alternatives' agricultural impacts. There will still be a need to thoroughly assess each alternative's agricultural impacts as well as the manner in which those impacts will be mitigated.

Please contact the IDOA if you have questions regarding our review of this project.

Sincerely,



James R. Hartwig  
Bureau of Farmland Protection

JRH:mdg

Enclosure

cc: William Barbel, IDOT  
John Rowley, IDOT  
Kevin Rund, IFB  
Kane-DuPage County SWCD



# Illinois Department of Transportation

Division of Aeronautics  
One Langhorne Bond Drive/Capital Airport  
Springfield, Illinois 62707-8415

December 1, 1993

Mr. Nabi Fakroddin, County Engineer  
Kane County  
Division of Transportation  
41A011 Burlington Road  
St. Charles, Illinois 60175

Re: Fox River Bridge Crossing  
Kane County, Illinois

Dear Mr. Fakroddin:

Thank you for your invitation to the Corridor Analysis Document Scoping Meeting for the Fox River Bridge Crossings Environmental Impact Statement. The proposed corridors, as depicted do not pose any major concern. We would note, however, that an existing Restricted Landing Area Seaplane Base is located on the Fox River approximately 5,000 feet north of the CC&P/Stearns Road Corridor. If this alternative is chosen as the Sponsor's Proposed Action, appropriate consideration to approach clearances should be considered. Please keep us informed as to the final proposed corridor chose and development action.

If you have any further questions, please feel free to contact this office.

Sincerely,

Roger H. Barcus  
Chief Engineer

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RECEIVED  
DEC. 6 1993  
KANE COUNTY  
DIVISION OF TRANSPORTATION

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ALFRED BENESCH & COMPANY



IN REPLY REFER TO:

FWS/AES-CIFO

# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Chicago Metro Wetlands Office  
1000 Hart Road - Suite 180  
Barrington, Illinois 60010

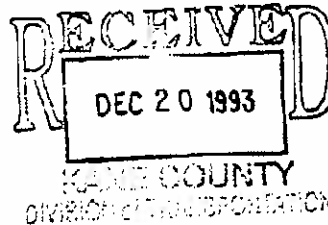
708-381-2253

*AE  
Tom C.  
File*



December 13, 1993

Mr. Duane Carlson, District Engineer  
Illinois Department of Transportation, District 1  
201 West Center Court  
Schaumburg, IL 60196-1096  
ATTN: Mark Bagherpour



Dear Mr. Carlson:

This is as a follow-up to the meeting held on December 1, 1993 at your offices concerning the proposed Fox River bridge crossings in Kane County. The purpose of this meeting was to discuss the corridors to be advanced to the Environmental Impact Statement phase.

The Fox River bridge crossings proposed for Kane County have been divided into three regions. Each crossing within each region has been evaluated as to its ability to satisfy the purpose and need. Those corridors which did not satisfy the purpose of providing regional east-west traffic flow across the river were eliminated. Subsequently, the corridors were evaluated for adverse environmental impacts. A single corridor is being advanced in both the north and south regions respectively. The U. S. Fish and Wildlife Service does not have major concerns with either of these corridors.

In the central region, the situation apparently becomes more complex. Two corridors are being recommended for advancement. Both corridors result in traffic being routed onto Stearns Road east of the river. Both corridors would result in direct and indirect impacts to the South Elgin Fen, the Brewster Creek Fen, and other known natural areas in the Brewster Creek valley. These impacts include changes in the run-off and ground water, salt spray, and the direct impacts associated with the construction of a major roadway. Fens are increasingly rare in northern Illinois and it is reportedly proposed IDOT policy not to impact fens. Fens are dependant on clear, mineral rich ground water near the surface for their survival. Thus, we cannot see at this time why this corridor is being advanced.

The Smith Road alternative alignment to the Red Gate Road corridor would seem to be a feasible option. It impacts less wetlands and other natural features, while avoiding impacts to the historic preservation districts of the Village of Wayne. It was not clear during the meeting why this alternate was not recommended for advancement, and we urge you to reconsider this option. As pointed out during the meeting, it seems inconsistent to advance

LTC David M. Reed, District Engineer

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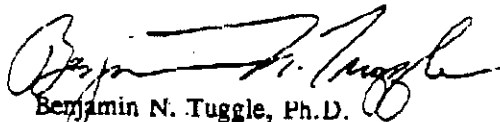
the Stearns Road corridors with impacts to a candidate dedicated nature preserve, while eliminating the Boncosky Road corridor due to impacts to Max McGraw Wildlife Foundation. We understand the need to document reasons for elimination, and the need to satisfy the purpose and need, however, a consistent standard of evaluation needs to be applied.

We also wish to point out that the Corps of Engineers permit regulations state that a Section 404 permit will be denied if the discharge authorized by such a permit would not comply with the USEPA's Section 404(b)(1) guidelines. A key provision of the guidelines is the practicable alternatives requirement, which prohibits a discharge if there is a practicable alternative to the proposed discharge that would have less adverse impact on the aquatic ecosystem. We note that while alternatives to impacting Land and Water Conservation Fund (LAWCON) properties were discussed, passing an alternatives test under the 404(b)(1) guidelines of the Clean Water Act was not mentioned. We suggest that you discuss 404(b)(1) considerations directly with the Corps of Engineers prior to advancing an alternative in the central region.

We appreciate the opportunity to provide input throughout this planning process. We urge you to continue the open dialogue. We also assume that you will be merging the NEPA and 404 processes, in accordance with ISTEA. Under the currently proposed mechanism for merging this process, concurrence points must be reached at key times during the process. We believe that all agencies involved should reach a concurrence on alternatives carried forward before proceeding with the EIS.

If you have any questions, please contact Mr. Jeff Mengler at 708/381-2253.

Sincerely,

  
Benjamin N. Tuggle, Ph.D.  
Field Supervisor

cc: Kane Co. DOT, Fakroddin  
FHWA, Johnson  
USACOE, Abrant  
USRPA, Cheng







UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 14 1993

BUREAU OF PROGRAMMING REPLY TO THE ATTENTION OF

RECEIVED

DEC 17 1993

ME-19J

DISTRICT #1

Mr. Nabi Fakroddin  
Director of Transportation  
Kane County-Division of Transportation  
41W011 Burlington Road  
St. Charles, Illinois 60175

Dear Mr. Fakroddin:

This is in response to your request for our Agency's scoping comments to be used in the preparation of an Environmental Impact Statement (EIS) for a number of potential new bridge crossings of the Fox River.

The project's forthcoming EIS should clearly and fully describe the existing and future levels of service (LOS), with and without new bridge crossings. In addition, the ability of Traffic System Management and Minimal System Upgrade alternatives to abate congestion and to result in an acceptable LOS should also be described and evaluated in the EIS. The "No-Build" and each of the project's feasible alternatives should be evaluated for their noise, air quality, water quality, socio-economic, cultural, threatened/endangered species, and wetlands impacts.

In accordance with the Section 404 (b) (1) Guidelines, the feasible alternative(s) with the least amount of adverse impacts on the area's wetlands, without more serious adverse impacts on other components of the area's environment, must be recommended for implementation. To this end, an analysis of the functions, values, types, and acreages of wetlands to be impacted by each feasible alternative must be provided in the EIS. In this regard, all project-related adverse impacts to the area's wetlands must also be demonstrably avoided and/ or minimized to the maximum extent possible, and all such clearly unavoidable impacts must be adequately compensated.

In terms of a potentially acceptable wetlands compensation plan for "Build" alternatives recommended for implementation in the forthcoming EIS, our Agency frequently finds that a minimum of 1.5 acres of compensatory wetlands must be provided for each acre of project-impacted wetlands. ~~In addition, our Agency prefers~~ on-site, in-kind compensation designed to replicate as closely as possible the mix of functions and values provided by the area's project-impacted wetlands. The compensatory wetlands should be provided, where feasible, by the process of restoration. If restoration proves infeasible, compensation by the process of

wetlands creation would likely be acceptable.

In recognition of our Agency's pollution prevention strategy, we recommend that the forthcoming EIS address the use of construction and/or demolition debris, when and as determined feasible for any construction activity associated with project implementation. Use of such material will conserve landfill space, and it may also reduce construction costs. In addition, our Agency also recommends that the EIS describe the potential for inclusion of rubber tire pieces or recycled, low-density polyethylene with conventional pavement materials to increase roadway strength, durability, and flexibility, while potentially reducing traffic noise. Finally, we also recommend that the EIS commit to the installation of energy efficient lighting wherever feasible along the project routes.

There are a total of eight potential crossings of the Fox River which have been studied to date. These crossings have been evaluated in the project's "Corridor Analysis Report" dated November 15, 1993. We have the following comments on each of the potential corridors.

1. County Line Road.

The County Line Corridor is approximately 3.8 miles in length, and it is situated on the Kane/McHenry County Line within the Village of Algonquin. Implementation of this corridor alternative would result in the displacement of 40-60 homes, and it would bisect an existing 600 home subdivision. The alignment is not compatible with the adopted land use plans of Kane County and the Village of Algonquin. Connection with Illinois Route 31 is not practical from an engineering standpoint due to the existing grades. In recognition of the foregoing, our Agency will not object if this alternative is not carried forward into the project's forthcoming EIS.

2. Bolz Road.

The Bolz Road corridor is approximately 5.4 miles in length, and it is located between the Villages of Algonquin and Carpentersville in unincorporated Kane County. This corridor appears to involve no unacceptable adverse impacts. One wetland on the western end of the corridor may be impacted by project implementation due to run-off from the road. Accordingly, our Agency suggests that if this project is implemented, run-off controls such as drainage swales and/or detention basins should be provided to fully protect the wetland's water quality. Our Agency concurs that this corridor alternative should be carried into the project's forthcoming EIS.

3. Bocosky Road.

The Bocosky Road corridor is approximately 5.1 miles in length, and it is located in unincorporated Kane County between the Villages of Sleepy Hollow, East Dundee, West Dundee, and the City of Elgin. The corridor's western terminus is at Randall Road near Interstate 90. Implementation of this alternative would adversely impact the Max McGraw Wildlife Foundation, including approximately ten acres of high quality wetlands. In addition, dozens of threatened/endangered/watch species sighted in the Max McGraw Foundation would be impacted. In recognition of the foregoing, our Agency will not object if this alternative is not carried into the project's forthcoming EIS.

4. Chicago Central & Pacific/Stearns Road

This proposed alignment begins on the west at Randall Road and proceeds east, generally following the CC&P railroad tracks past the Village of South Elgin. The alignment crosses the Fox River through Kane County, into the Village of Wayne and DuPage County. The corridor terminates at Illinois Route 59. If this corridor alternative is carried into the project's forthcoming EIS, no discernable adverse impacts on the South Elgin and the Brewster Creek fens would be acceptable to our Agency. In this regard, the forthcoming EIS should provide a thorough analysis of the surface and subsurface hydrology in and around the fens, and the impacts that implementation of this project corridor could have on the fens. We also note that two State-listed species have been recorded at the South Elgin Fen.

5. Red Gate/Army Trail.

The Red Gate Road corridor is located predominantly in unincorporated Kane County. The proposed corridor alignment originates at Randall Road, advances along Red Gate Road, and crosses the Fox River. The alignment then continues along Army Trail Road to its terminus at Illinois Route 59 in DuPage County. Implementation of this corridor alternative would adversely impact several sites on the National Register of Historic Places. In addition, several threatened and endangered species could also be impacted by the project. Finally, this alternative is not consistent with the Comprehensive Transportation Plans of DuPage and Kane Counties. In recognition of the foregoing, our Agency will not object if this alternative is not carried forward into the project's forthcoming EIS.

6. Red Gate/Illinois Route 25.

The proposed corridor alignment originates at Randall Road, and it proceeds along Red Gate Road and crosses the Fox River. The alignment then intersects Illinois Route 25 to run north to Stearns Road and Illinois Route 59. This project appears consis-

tent with DuPage County's Comprehensive Transportation Plan, and the alignment does not, at this stage of development, appear to present any unacceptable adverse impacts. Our Agency concurs that this alternative should be carried forward for discussion and analysis within the forthcoming EIS.

7. Red Gate/Smith Road (Wayne Bypass).

The proposed corridor originates at Randall Road, proceeds along Red Gate Road, crosses the Fox River, and continues along Army Trail Road to The Kane/DuPage County Line. The corridor then continues east of the Dunham Road/Army Trail intersection to join Smith Road where it intersects Powis Road. The alignment terminates east of Illinois Route 59. According to the Corridor Analysis Document, this alignment is incompatible with the DuPage County Comprehensive Transportation Plan. Based upon the foregoing, our Agency will not object if this corridor alignment is not carried forward into the forthcoming EIS.

8. Chicago and Northwestern Railroad/Dean Street.

This alignment alternative is located predominately in the City of Saint Charles. The proposed alignment originates at Illinois Route 64 and proceeds along Dean Street to Randall Road. The alignment then follows the C&NW tracks and terminates at the east end of Illinois Route 64. This corridor will not be carried into the forthcoming EIS because of operational and safety conflicts associated with maintaining an active railroad operation concurrent with a four-lane urban roadway.

9. Mooseheart Road.

This alignment originates at Randall Road and Mooseheart Road and proceeds easterly to Illinois Route 31. Thereafter, the roadway proceeds over portions of the Red Oak Nature Center to its terminus past Kirk Road at Butterfield Road (State Route 56). According to the Corridor Analysis Document, this alternative would result in significant adverse environmental impacts, and it is undesirable from a traffic engineering perspective. In recognition of the foregoing, our Agency will not object if this alternative is not carried forward into the forthcoming EIS.

10. Oak Street/Butterfield Road.

This alignment originates at Randall Road and Oak Street, proceeds easterly along Oak Street to Illinois Route 31, and it terminates at Illinois Route 56. This alignment will be considered in the forthcoming EIS. In this regard, the EIS must fully describe this alternative's potential to result in bisecting and otherwise adversely impacting a good quality wetlands complex in the area.

We appreciate the opportunity to provide our comments on the Corridor Analysis Document. If you have any questions on our comments, please contact Mike Mac Mullen of my staff at 312/886-7342.

Sincerely yours,

William D. Franz, Acting Chief  
Planning and Assessment Branch  
Planning and management Division.

cc: Paul Quinn, FHWA, Homewood, Illinois.  
William Barbel, IDOT, Schaumburg, Illinois.  
Janice Chang, USEPA, WQW-16J, Chicago, Illinois.



February 1, 1994

Memo To: File No. 2974  
From: Peter R. Vas  
Subject: Fox River Bridge Crossings Study  
Kane County, Illinois  
Minutes of Mini Scoping Meeting

On January 19, 1994 at 9:00 a.m., a meeting was held at IDOT offices in Schaumburg to review the January 12, 1994 edition of the Corridor Analysis document, including the recommendations for the corridors that should be promoted to the EIS. This meeting was necessary because of personnel from cooperating agencies who were unable to attend the December 1, 1993 scoping meeting and to further resolve some issues. A list of those in attendance is attached.

Mr. M. Michael Okrent began the meeting by highlighting the following: In the December 1, 1993 meeting, two of the eight corridors were dropped (Miller/Lake Marian and Country Club/Crane corridors) because they did not satisfy regional continuity. All eight were included in today's environmental screening to ensure consistency in analysis and because of problems with the definition of purpose and need. Beginning at the north, each corridor was discussed, establishing the constraints and providing a recommendation:

1. County Line: Approximately 50 houses would be displaced and a 600-home subdivision split. Another contributing factor for dropping this corridor was that it did not comply with the Algonquin Land Use Plan. All agreed that this corridor could be dropped without further environmental screening.
2. Bolz Road: No major environmental constraints were identified. All agreed that this corridor can be advanced for further study into the EIS. It was noted per the December 1, 1993 meeting that habitat continuity should be maintained on the west bank of the Fox River by lengthening the bridge and providing vegetation under it. This action should be considered wherever applicable.
3. Miller Road/Lake Marian: Direct impact to the wet sedge meadow on the west bank of the Fox River is unavoidable. Since this is a high-quality wetland that cannot be mitigated, all agreed that this corridor should be dropped without further study.



4. Boncosky: The U.S. Army Corps of Engineers and USEPA emphatically stated that the hillside seeps in the Max McGraw Wildlife Foundation are high-quality wetlands that cannot be mitigated. Max McGraw represents a major activity that would be adversely affected by a new road. Also, due to the proximity of the tollway interchange, there is no location for a connection to Randall Road that would not cause safety and operational problems. All agreed that this corridor can be dropped from further review in the EIS process.
5. CC&P/Stearns: This corridor was recognized as having some serious environmental constraints. Between Illinois Route 25 and Dunham Road north of the tracks there are:
  - The South Elgin sedge meadow
  - Woodlands landfill
  - Tri-county landfill (a CERCLIS site)
  - Monarch Disposal
  - Elmhurst Chicago Stone (an active business)
  - Brewster Creek floodplain and wetlands

South of the tracks are:

- Brewster Creek fen
- A prairie remnant (the result of recolonization of railroad excavation)
- Lamp Light Stable fens (Identified as part of the permit to build on Lamp Light. Further information available from Corps of Engineers upon request.)
- Little Wood Cemetery
- Brewster Creek flood plain and wetlands

Considering the hydrology of the area, there are probably other unidentified high-quality wetlands.

While it appears difficult, it is not conclusive that there is not feasible alignment in this corridor. Kane County views this as an important corridor. Therefore, they are willing to commit to determine the cost of additional environmental studies to determine probable impacts.

Mr. Michael MacMullen stated that he, working with the other resource agency personnel, would develop a work plan of the environmental studies (e.g., delineation, groundwater monitoring over two hydrologic cycles and biological inventories). The

studies will not be cheap and it may well be inconclusive. Considering the value of the fens and associated wetlands without conclusive findings of no impacts, permits will not be issued.

These additional studies could delay the study of this corridor past the 18-month schedule for completion of the EIS. This corridor could probably be broken out, if necessary, from the rest of the EIS later and re-incorporated via a supplement to the EIS. The Environmental Protection Agency (EPA) and Federal Highway Administration (FHWA) could work together on the details.

This corridor was recommended to go forward into the EIS for further study, with the understanding that it will require additional effort, with no guarantee that it would ever be permitted.

6. Red Gate: This corridor has many alignment options due to a number of constraints. One option would widen Army Trail Road to four lanes through the Village of Wayne. Due to adverse impacts to the Wayne Village Historic District, Kane County stated and all agreed that this option is unacceptable. Red Gate Road connection to a two-lane Army Trail Road is still a viable option. Other options provide connections to Illinois Route 25, directing traffic to the north then proceeding east on Stearns Road, or the St. Charles and Wayne compromise that runs to the south and Country Club Road, a new road and Smith Road to the east. The option to the north shares the problems of the CC&P/Stearns Road corridor. The corridor to the south has no known environmental constraints. It appears there is an environmentally feasible option available, and this corridor could proceed to the EIS.
7. Country Club/Crane: Kane County stated that the economic impacts of intersecting Arthur Anderson's Center for Professional Development are unacceptable. Since there is no feasible avoidance option, it was agreed that this corridor could be dropped without further study.
8. Dean/C&NW Railroad: This corridor was originally proposed on the assumption that the railroad would abandon the corridor and a roadway could occupy it. However, the railroad has no interest in allowing a roadway in the corridor, so there is no alignment. It was agreed to drop this corridor from further study unless the status of the railroad right-of-way changes.

Memo To: File No. 2974  
February 1, 1994  
Page 4

9. Mooseheart/Illinois 56: This is presented as one corridor with two major alignment options. The first alignment along Mooseheart Road has problems because of the Greater Redhorse in the Fox River nearby, a wetland system east of the Fox River, the Mooseheart orphanage, Marmion Academy and the Red Oak Nature Center. The Illinois 56 to Oak Street corridor has Section 4(f) involvement with a neighborhood park, bike paths and housing displacements. It was agreed that there appears to be a feasible corridor here to promote to the EIS.

This selection process was agreed to be valuable, defensible and efficient in producing alternatives for further study. This process should be documented in the EIS. If the corridors recommended for inclusion into the EIS later prove impractical, it can always be eliminated.

Conformity with the Clean Air Act will have to be addressed in the EIS. The EIS will also have to address secondary and cumulative impacts.

EPA will provide a letter regarding the study requirements for the CC&P/Stearns corridor. Kane County can request information on the Lamp Light wetland permit from the Army Corps of Engineers.

PRV:cc  
Attachment  
2974-2.job

cc: All attendees

# ATTENDANCE ROSTER

BUREAU OF LOCAL ROADS AND STREETS

PROJECT/TOPIC: FOX RIVER CROSSINGS , E. I. S.

COOPERATING AGENCIES SCOPING MEETING

DATE: JANUARY 19, 1994

TIME: 9:00 AM

LOCATION: IDOT DIST 1, SCHAUMBURG

ROOM: \_\_\_\_\_

	NAME (Please Print)	REPRESENTING	PHONE NUMBER
1	MARK BAGHERPOUR	IDOT , LR&ST.	(708) 705-4406
2	Mike MacMullen	USEPA- PAB	(708) 886-7342
3	Jeff Monger	USFWS	(708) 381-2253
4	Mike Okrent	Alfred Benesch	(312) 565-0450
5	Peter Vas	"	( ) "
6	Liz Cirrellino	"	( ) "
7	RON ABRANT	USACE Chicago	(312) 353-4117
8	WILLIAM BARBEL	IDOT ENVIRONMENTAL	(708) 705-4122
9	David Niemann	IDOT Environmental	(708) 705-4626
10	Tom Cieslick	Kane Co Div of Trans	(708) 584-1170
11	DEAN MENTJES	FHWA	(217) 492-4625
12	lyle Hyde	FAWA - Illinois Div	(217) 492-4629
13			( )
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FYI w/ Mini-scoping



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Chicago Metro Wetlands Office  
1000 Hart Road - Suite 180  
Barrington, Illinois 60010

IN REPLY REFER TO:

FWS/AES-CIFO

708-381-2253

January 20, 1994

Mr. Nabi Fakroddin  
Director of Transportation  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 61074

Dear Mr. Fakroddin:

This is as a follow-up to the "mini-scoping" meeting held on January 19, 1994 at IDOT's district offices concerning the proposed Fox River bridge crossings in Kane County. The purpose of this meeting was to further discuss the corridors to be advanced to the Environmental Impact Statement phase.

The Fox River bridge crossings proposed for Kane County have been divided into three regions. As our previous letter of December 13, 1993 indicated, we do not have any major concerns with the corridors being advanced in the north and south regions. The more controversial corridors occur in the central region.

At the January 19 meeting it was clarified that corridors affecting the Brewster Creek vicinity have significant environmental problems. However, due to the traffic benefits afforded by the SRA designation of Stearns Road and the political support for the Stearns Road corridor it appears necessary to conduct further studies to document the resources and potential adverse impacts. At the request of IDOT and your representative, we are herein providing our input as to the content of these studies.

There are several known wetlands in the Stearns Road corridor that could be described as fens or seeps. These are areas where the wetland hydrology is provided by calcareous groundwater that seeps out of the ground. A groundwater monitoring study would be necessary to determine direct and indirect impacts of roadway construction to the groundwater maintaining these wetlands.

This study should include strategically placed groundwater monitoring wells at various depths. These wells should be positioned to provide an assessment of the connection to the deeper aquifer and the regional geology, to assess any perched or near-surface conditions, and to assess the gradients that are present. The study should be designed such that the impacts of the proposed project may be assessed. We need to assess what the impact of the roadway will be on the hydrology of the wetland. Four monitoring wells would be the

Mr. Nabi Fakroddin

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minimum acceptable for such a study. Such a study could be completed over a time period of a growing season at a minimum. Such a study should be conducted by a qualified hydrogeologist, geologist, or soil scientist. A typical geotechnical investigation would not satisfy our concerns. To ensure that the study will satisfy our concerns, we request the opportunity to review a detailed study plan before implementation. Surface stormwater information should also be addressed in this study.

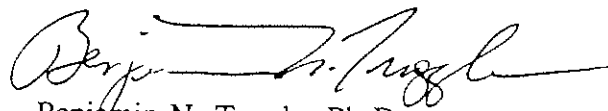
In addition, the exact limits of all wetlands within this corridor should be determined during the growing season. Detailed floristic surveys should also be conducted to allow plant community assessment and classification. These surveys should include searches for state or federal threatened or endangered plant species. Breeding season wildlife surveys should also be conducted. Some wetlands in the Brewster Creek area are known to support state-listed bird species.

Salt spray from the proposed roadway is also of concern. Studies conducted at the Morton Arboretum have shown that salt spray can travel great distances and is very harmful to both landscaping plants and native vegetation. While detailed road design is still some distance in the future, consideration should be given as to whether adequate protection can be given to the nearby natural areas.

Finally, while it is not of direct concern to us, we suggest that you investigate IDOT's willingness and ability to acquire land that has been placed in a permanent conservation easement, dedicated as an Illinois Nature Preserve, or is involved in a Superfund clean up and natural resource damage assessment. We believe that such obstacles to right-of-way acquisition may exist in this corridor.

We appreciate the opportunity to provide input throughout this planning process. We urge you to continue the open dialogue. If you have any questions, please contact Mr. Jeff Mengler at 708/381-2253.

Sincerely,



Benjamin N. Tuggle, Ph.D.  
Field Supervisor

cc: IDOT, Bagherpour  
FHWA, Hyde  
USACOE, Abrant  
USEPA, MacMullen  
Benesch, Okrent



550 West Algonquin Road, Arlington Heights, Illinois 60005-4412 (708) 364-8130

Joseph DiJohn  
Executive Director

March 13, 1995

Mr. Nabi Fakroddin, P.E., S.E.  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 60175

RE: Concurrence Point #1 for Fox River Bridges Purpose and Need Statement

Dear Mr. Fakroddin:

As per the guidelines for the Interagency Task Group's Concurrent NEPA/404 Process, Pace has reviewed the draft Purpose and Need Statement for the Fox River Bridges Project in Kane County, Illinois. Pace has concluded that the information provided in the project's draft purpose and need statement (dated February 13, 1995) and presented at the March 2, 1995 scoping meeting is adequate to agree that the project can be advanced to the next stage of project development (i.e., Alternatives to be Carried Forward).

Please note that, as identified in our *Comprehensive Operating Plan*, Pace wishes to pursue bus priority (signal pre-emption) along the following corridors generally described as: IL 25 from Chicago Ave to IL 62 in the Elgin-East Dundee vicinity; IL 31 from Galena Blvd to IL 56 in the Aurora vicinity; and Galena Blvd from Orchard to IL 59 in the Aurora-Naperville vicinity. We wish to go on record early in this process to signify the importance of these projects and to encourage continued close coordination between Pace and other agencies involved in the Fox River Crossing Study.

This concurrence is given with the understanding that the alternatives under consideration must address and be based upon the accepted purpose and need statement. Concurrence does not imply that the project has been approved by Pace nor does it preclude Pace from issuing editorial comments at any time in the project development process. If substantial new information is brought forward during the project development process, this concurrence will be rescinded until the new information is evaluated. However, the intent of the concurrence point is to preclude the routine revisiting of the decisions that have been agreed to early in the process and to encourage early participation by the agency. Therefore, mere refinement of the purpose and need statement, without substantive change, will not be cause for a reevaluation of Concurrence Point #1.

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MAR 16 1995  
ALFRED BENESCH & CO



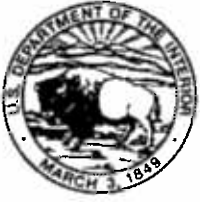
March 13, 1995  
Fox River Bridges  
Concurrence Point #1  
Page 2

If you have any questions regarding Pace involvement in this process, please contact me directly at (708) 228-4287.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Dal Santo". The signature is fluid and cursive, with a prominent flourish at the end.

Dennis Dal Santo  
Transportation Engineer  
Strategic Planning Department



IN REPLY REFER TO:

# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Chicago Metro Wetlands Office  
1000 Hart Road - Suite 180  
Barrington, Illinois 60010

FWS/AES-CIFO

708-381-2253

March 27, 1995

Mr. Nabi Fakroddin  
Director of Transportation  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 61075

Dear Mr. Fakroddin:

This is reference to the Fox River bridges demonstration project and the meeting held of March 2, 1994. Specifically, as per the guidelines for the Interagency Task Group's concurrent NEPA/404 review process, the U. S. Fish and Wildlife Service has reviewed the draft Purpose and Need Statement for the project. We apologize for the delay in our comments but we wish to raise the following concerns relative to the purpose and need statement. We will be available at the April 18, 1994 meeting to further discuss these issues, but wanted to give you the opportunity to develop a response prior to that meeting.

In general, the revised purpose and need statement provides a good historic perspective and extensive supporting data. The narrative contains a great deal of information related to the purpose and need, but it would be helpful if the driving purpose for the project could be summarized as bullet points. In its current form, the actual purpose for the project seems to be lost in the supporting information.

It is our understanding that the primary purpose of this project is to reduce traffic congestion on existing Fox River bridges and to provide regional east-west access. This needs to be emphasized. Further, it is stated that "*new bridges without good roadway continuity to that bridge are not part of the purpose of this Environmental Impact Statement*". We believe this is an important point and observe that it was more strongly stated in the previous draft. It could be more broadly stated that the project purpose is to reduce congestion associated with crossing the Fox River. Thus, we should not trade one form of congestion (on bridges) for another (backups on approach roads). It is our opinion that this should be more adequately addressed in the revised purpose and need statement.

We are disturbed that the revised purpose and need statement includes the notion that a purpose of the project is to encourage development. Specifically, it is argued that by providing these new east-west travel routes, it will "*encourage the compact and contiguous growth of existing communities at sewerable densities by providing the access appropriate to higher density development*". Intuitively, it would seem that new Fox River crossings would

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**MAR 26 1995**

**ALFRED BENESCH & CO**

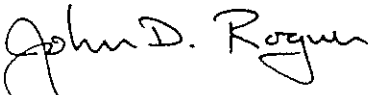
simply promote further residential development anywhere west of the river, by facilitating travel to employment and commercial centers located east of the river. In short, it may promote urban sprawl. Furthermore, it would seem that growth and development are secondary effects of a transportation project. For most transportation projects this secondary growth is considered an impact and not a purpose and need.

Preservation of historic districts is also mentioned as a purpose and need. Again, this may be a secondary benefit of a transportation project but we have difficulty understanding how it can be a purpose and need. If this preservation were the primary purpose and need, then the no action alternative would satisfy that purpose and need.

**In summary, we do not concur with adoption of the revised purpose and need statement. We recommend more clearly identifying the primary purpose of this project and separating those potential secondary effects from the primary purpose.**

We appreciate the opportunity to continue to provide input throughout this planning process. If you have any questions, please contact Mr. Jeff Mengler at 708/381-2253.

Sincerely,

  
for Benjamin N. Tuggle, Ph.D.  
Field Supervisor

cc: IDOT, Bagherpour  
FHWA, Johnson  
USACOE, Abrant  
USEPA, MacMullen  
Benesch, Okrent



547 W. Jackson Boulevard

Chicago, Illinois 60661

Phone: 312 322-6900

TDD# 312 322-6774

March 28, 1995

Mr. Nabi Fakhroddin, P.E., S.E.  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 60175

RE: Concurrence Point #1 for Fox River Bridges Purpose and Need Statement

Dear Mr. Fakhroddin:

With regard to the Interagency Task Group's Concurrent NEPA/404 Process, we have reviewed the draft Purpose and Need Statement for the Fox River Bridges Project in Kane County, Illinois. Metra has concluded that the version of the Project's Statement dated February 13, 1995 is acceptable, and we agree that the Project can be advanced to the next stage of development.

Concurrence does not imply that the Project has been approved by Metra. Also, it does not preclude other comments at any other time during the Project development process. We reserve the right to rescind this concurrence if new information regarding the purpose and need is brought forward.

If you have any questions, please contact me at (312) 322-6972.

Sincerely,

J. Patrick McAtee, Senior Director  
Planning & Real Estate Development

cc: M. Okrent, Benesch

P:\ROSANNE\GARY\FOXBRDG1\035

**RECEIVED**

**MAR 30 1995**

**ALFRED BENESCH & CO**





## MEETING MINUTES

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DATE: March 10, 1995 xc: Participants  
F/2.3/2135

DATE OF MEETING: The Afternoon of March 2, 1995

MEETING HELD AT: IDOT District One  
4th Floor Executive Conference Room

REGARDING: Illinois Route 56/Mooseheart Step II  
Teng Project No. 2135  
Fox River Crossing Project Afternoon Meeting

### PARTICIPANTS

See Attached Roster

A scoping agencies coordination meeting was held for the Fox River Crossing Project. The following are items discussed and conclusions reached:

1. Mr. Mark Bagherpour of IDOT opened the meeting by explaining the purpose of the meeting, which was to review the new Purpose and Need documentation and the alternatives carried forward up to this point in time for each corridor.
2. Ms. Liz Challinor of Benesch presented the reasons for developing a new format for Purpose and Need documentation and also described the differences between the previous format and the new one. The reasons and differences are as follows:
  - a. The previous format centered around each corridor. The main issue was the capacity deficiency and its related congestion due to the inability of the existing river crossing facilities to meet the future traffic demand. It consisted of one overall Purpose and Need and five sub-sections of a separate Purpose and Need for each corridor. In result, the documentation included a great amount of repetition and redundancy.
  - b. The new format addresses three specific regions, North, Central and South, and mainly focuses on the land use patterns of the influential areas within the regions as discussed on page #6 of the Purpose and Need documentation, rather than dealing with the congestion issue within the corridors as with the previous format. As shown on the Kane County Land Use Strategy Map, the County designates three specific areas: an agricultural area in the western portion of the County, a buffer zone in the middle of the County and a developed urban area

in the eastern portion of the County. Kane County adopted a policy of compact and contiguous growth at sewerable densities. The map shows Randall Road as the western boundary for the urban corridor, with big and small employment centers and residential homes located in this corridor.

- c. As the only County to have a historic preservation program certified by the Illinois Historic Preservation Agency (IHPA), the County has demonstrated a commitment to preserving the historic values of the area. Providing the necessary transportation links without adversely affecting historic areas is a goal of the project. System linkage of the new bridge crossings was also highlighted in the new format.
  - e. In addition, the new format creates the concept of a "wait period" for trips on the existing roadway, which will establish a link between the the capacity deficiency and trip length. The "wait period" evaluates existing queue length at bridge approach intersections for the duration of the peak travel period. With or without the new bridge crossings, congestion on the existing bridge crossings will continue. Projected redistribution of the traffic to a new crossing could have an effect on the "wait period." Areas of congestion are far enough apart that no single bridge crossing within the study region could have an effect on all areas.
3. Ms. Caroline Quinlan from Kane County Development Department clarified that the Kane County Land Use Strategy Map is being reviewed but not adopted as yet. Regardless of Fox River crossing alternatives, the County will have one land use strategy as shown on the map. Many issues were considered in developing the map. Among the issues considered, the soil type of the areas and transportation plan are considered as the most important tools for land use strategy. Soil type was the determining factor in establishing the boundary between the agricultural area and the buffer zone. In addition, Randall Road is the western boundary of the urban area and becomes the boundary between the buffer zone and the urban area. The County is planning to obtain public input this spring. Approval by the County Board is targeted by the end of 1995.
  4. Representatives from CATS and NIPC indicated that the Kane County Land Use Strategy Map is compatible with their policies. This land use plan must be recognized by each agency as the common land use strategy for the EIS. It must be identical for the build and the no-build alternatives.
  5. Mr. Mike Okrent distributed a sample sign-off letter concerning Purpose and Need documentation and mentioned that any comment will be welcome for modifications. He also mentioned that a concurrence letter will be documentation for completing Concurrence Point #1. He reminded every agency involved of a 30 day review period for the Purpose and Need documentation. During the upcoming public meeting in May of 1995, alignment options will be presented. Unless definite results could be achieved

concerning the no build with CMS option, it will not be presented during public meeting.

6. Scheduling of a Meeting

Mr. Bagherpour informed the agencies involved that the next Concurrence Point #1 meeting will be held on Wednesday April 5, 1995 at 1:30 p.m. in the same room as today's meeting.

7. P&N structure comments

Mr. John Rogner from US Fish and Wildlife Service provided a comment on the structure of the Purpose and Need documentation indicating that no single statement of purpose and need is shown. He suggested a summary of the purpose and need at the beginning of each region.

General Discussion of Study Regions

8. North Region (presented by Mr. Steve Ravanese of McDonough Associates):

The region is generally bounded by the Kane/McHenry County line on the north and Interstate Route 90 (Northwest Tollway) on the south. One study corridor, Bolz Road Corridor, has been carried forward to present date from the four possible corridors in the beginning of the study

Several municipalities are located within the region. Some municipalities are currently expanding their boundaries by annexing additional areas and developing a plan for many residential units.

Within the region, there are several east-west roadway crossings over the Fox River. Typically, the eastbound traffic experiences congestion in the morning rush hour and the westbound traffic in the evening peak period resulting in a long "wait period" for the motoring public. Lengthy queues generally occur on almost every bridge crossing.

In the west, there is a large agricultural area surrounded by developed areas as shown on the Kane County Land Use Strategy Map and has probably remained undeveloped due mainly to the lack of bridge crossings over the river in the region.

- a. A comment was made regarding an area of void (a large agricultural area) within the region and that secondary and cumulative impacts to the general areas should be included in the EIS discussion.



9. Central Region (presented by Mr. Kevin Nelson of Crawford, Murphy & Tilly):

The region is generally bounded by the Village of South Elgin on the north and downtown St. Charles on the south at present. Three study corridors, Stearns Road/Chicago Central & Pacific Railroad, Red Gate Road, Chicago & Northwestern Railroad/Dean Street have been carried forward from the four possible corridors at the beginning of the study.

Three municipalities are located within the region: South Elgin, St. Charles and Wayne. South Elgin is currently planning a major development. In addition, a local school district has initiated the construction of a new middle school on Red Gate Road near Illinois Route 31.

As in the north region, the eastbound traffic experiences congestion in the morning rush hour and the westbound traffic in the evening peak period. This is mainly due to the fact that major employment centers are located on the east side of the river.

In downtown St. Charles, a historic district, Illinois Route 64 and other bridge crossings provide a linkage between the east and west, but the existing crossings are experiencing queues at bridge approach intersections and a long peak travel wait period. Due to the congestion on the existing crossings, there appears to be a tendency for the motoring public to travel to I-88 for longer trips.

10. South Region (presented by Mr. Wayne Swafford of Teng & Associates, Inc.):

The region is generally bounded by the Wilson Street bridge in the City of Batavia on the north and Interstate Route 88 (East-West Tollway) on the south. There has been only one study corridor, Mooseheart Road/Illinois Route 56 Corridor, from the beginning of the study.

Three municipalities are located within the region: Batavia, North Aurora and Aurora. Aurora has recently completed annexation of large areas in the eastern end of the region.

11. The following are comments made at the completion of the presentations:

- a. Ms. Tracy Sculle from the Illinois Historic Preservation Agency indicated that specifically for the historic issues, it appears some efforts were made to address the related issues; however, more detailed discussion such as audible and visual impacts should be included in the report.
- b. Ms. Elizabeth Challiner responded that a detailed discussion of historic issues will be included in the EIS. Mr. Mark Bagherpour added that IDOT will use the services of consultants to obtain both archaeological and structural surveys. Survey results will be beneficial for discussion of the historic issues. Mr.

Bagherpour also stated the importance for each agency to submit written comments for the record.

- c. Ms. Caroline Quinlan of Kane County Development Department pointed out that there appears to be a conflicting message in the first paragraph of page 7, and clarification would be needed for page 12 as to whether a new bridge or widening of the existing bridge is necessary to manage the congestion.
- d. Ms. Mary Cele Smith of NIPC mentioned that clarification would be needed for page 11 regarding congestion, trip elimination and economic impacts.
- e. Mr. Randall Collins from the Illinois Department of Conservation indicated that the Purpose and Need documentation appears acceptable and additional written comments will be submitted shortly.
- f. The Kane County Forest Preserve District, Metra, DuPage County, US Army Corp. of Engineers, FHWA and U S Fish and Wildlife Service were not ready to make any comments at this meeting, but written comments are coming shortly.
- g. Mr. Okrent mentioned that the Purpose and Need statement will be revised if any comments received are considered to be significant in content and consistent with the intent.

### Alignment Presentations

12. North Region (presented by Steve Ravanese of McDonough Associates):

#### Bolz Road Alignment

The Bolz Road alignment generally follows along existing Bolz Road. It is aligned in an east-west direction beginning at Huntley Road in the west and extending to Illinois Route 62 (Algonquin Road) in the east.

There are three variations of the alignment where it crosses Illinois Route 31. In this area, a major business establishment is located. In order to avoid the possible impact to the business, the alignment veers either to the north, further north or to the south.

A small housing development community is located to the west of Illinois Route 31 and future development is imminent in the surrounding areas. To the east of Illinois Route 31, there is a large tract of Forest Preserve District property. Wetland involvement is anticipated in this area.

Due to the rapid growth in this area, developers are requested to preserve the right-of-way along the corridor; however, it is expected that development will occur.

It is anticipated the facility will be a four-lane facility.

- a. Mr. Jon Duerr of Kane County Forest Preserve District (FPD) indicated that the Bolz Road alignment will have little involvement with forest preserve lands east of the river. However, the proposed alignment will create involvement of a large tract of land located west of the river. The tract in concern is the largest piece of the open land along the Fox River. The FPD did have IdOC grant to purchase the property, but let it lapse. The County FPD's major concern would be the division of the land by the roadway. Currently the FPD is planning to acquire the shoreline of the river for public recreational purposes. Mr. Jon Duerr also mentioned that the possible effect of the new roadway on the watershed, soil and water conditions are major concerns for the County FPD. Mr. Jon Duerr stated that the Bolz Road corridor and the proposed alignment plan give an opportunity help alleviate some of these problems if investigated and studied properly.
- b. Ms. Tracey Sculle of IHPA reminded everyone that the land along the Fox River is a high probability area for archaeology. Mr. Earl Schroeder said that the archaeological survey will begin shortly.
- c. Mr. Ron Abrant US Army Corp. of Engineers asked whether the wetlands were identified based only on the National Wetland Inventory (NWI) Map. Mr. Bagherpour responded that the wetland information was not only based on the NWI map but also on the information supplied by the IDOT Central Offices. The Illinois Natural History Survey (INHS) conducted a survey for fen and bog at the west end of the corridor.

13. Central Region:

Stearns Road/CC&P RR Alignment (presented by Mike Okrent of Alfred Benesch):

The four lane facility originates at the intersection of Randall Road and McDonald Road in the west and generally follows the CC & P RR tracks along the southern side. The alignment proceeds east to intersect with Mclean Boulevard and is grade separated from Illinois Route 31. The alignment crosses the river, continues easterly to the intersection of Stearns Road and Dunham Road and then follows the existing Stearns Road alignment to Illinois Route 59. The Fox River Trolley Museum, a new FPD property, Commonwealth Edison Company transmission tower, a nursery, a bike path and the Illinois Prairie Path will likely be involved. It is anticipated that wetland involvement will be a major issue.

Neighboring DuPage County currently has a plan to widen Stearns Road to a four-lane facility extending to U. S. Route 20 in DuPage County.

- a. Mr. Dennis Johnson of FHWA made an inquiry concerning the resolution of outstanding issues such as additional right-of-way acquisition, relocation of the Commonwealth Edison tower and the relocation of businesses. Mr. Okrent responded that those issues must still be resolved.
- b. Mr. Ron Abrant of U.S. Army Corp. of Engineers indicated that the navigable water issue should be addressed and that a permit will be required for the roadway to cross the river.
- c. Mr. Jon Duerr of the County FPD indicated that the County's main concern is the alignment's effect on the fen and hydrology. Mr. Mark Bagherpour indicated that the Illinois Geology Survey will be conducting a two year well monitoring study. Mr. Jon Duerr also mentioned concern regarding the bike paths in the area; he offered his concurrence when informed that the plan will indeed provide access for bike paths.

14. Red Rate Corridor (presented by Kevin Nelson of CMT):

The four lane facility originates at Randall Road and follows existing Red Gate Road . The alignment passes through the Red Gate Forest Preserve, crosses the river and connects to Army Trail Road in the east. It passes by Dunham Castle and the downtown Village of Wayne, a historic district.

In order to avoid the FPD property, two variations were developed to the north and south with a two-lane facility. The north variation follows the same alignment as the Red Gate-Army Trail Road alignment to a point approximately 609 meters ( 2000 feet) west of Illinois Route 31. The alignment then turns northward to the end of the north boundary line of an existing residential subdivision, turns easterly proceeding along the north property line of the Red Gate Forest Preserve and crosses the river following the north edge of the Severson Forest Preserve. The alignment then intersects with Weber Road and connects to Illinois Route 25 meeting Stearns Road at the eastern end. This alternative will not involve wetlands or natural areas.

The south variance follows the same alignment as the north to a point approximately 609 meters ( 2000 feet) west of Illinois Route 31. The alignment then turns south to meet the westerly extension of the south property line of the Red Gate Forest Preserve, turns easterly proceeding along the south property line of the Red Gate Forest Preserve and crosses the river. The alignment then follows the south edge of the Morton Creek Forest Preserve and eventually meets the existing Country Club Road alignment.

- a. Mr. Dennis Johnson of FHWA made an inquiry concerning the possibility of concentrating on the northern alignment while dropping the Wayne By-Pass Option. He questioned whether a two-lane Army Trail Road Option to Illinois Route 59 will be presented at the upcoming public meeting. DuPage County feels that there should be a provision for a Stearns Road connection in the

future; however, the option of dropping the Stearns Road alignment should be addressed. He also mentioned that the Alternatives documentation should discuss both a two-lane and four-lane facility for the Red Gate alignment.

- b. Mr. Jon Duerr of the County FPD indicated that the County's main concern is the alignment's effect on the Red Gate Forest Preserve. Interruption to the existing recreation facility, scenic and historic values of the Forest Preserve property need to be considered. Mr. John Duerr also mentioned concern regarding the bike paths in the area; he offered his concurrence when informed that the plan will indeed provide access for bike paths. Some FPD properties in the area involve LAWCON funds.
- c. Ms. Tracey Sculle of IHPA mentioned that historic issues in this region should be discussed.

15. Chicago & North Western Railroad(CNW RR)/Dean Street Corridor (presented by Mike Okrent of Benesch):

The two-lane facility originates at the intersection of Illinois Route 64 and Dean Street. The alignment follows the existing Dean Street alignment to the intersection of Randall Road. It then follows along the north side of the CNW RR tracks, crosses the Fox River and meets at the intersection of CNW RR and Illinois Route 64. Requests to abandon these tracks were rejected by the Interstate Commerce Commission and Illinois Commerce Commission. This alignment will involve park property, foundry and hazardous material sites. Currently, various typical cross sections are being developed at the railroad.

- a. No comments were made.

16. Mooseheart Road/Illinois Route 56 Corridor (presented by Wayne Swafford of Teng):

Within the corridor, three possible four-lane alignments are being considered. The first option is the Mooseheart Road alignment. The alignment originates at Randall Road and Mooseheart Road, proceeds easterly to Illinois Route 31 and then crosses the Fox River. It crosses over a bike path on either side of the river and passes near the Devil's Cave. The alignment continues over portions of the Red Oak Nature Center property owned and managed by the Fox Valley Park District, the Burlington Northern Railroad and Illinois Route 25. The alignment then continues easterly through Pine Creek Subdivision and portions of the Marmion Military Academy's Christmas Tree Farm as it proceeds easterly to Kirk Road. East of Kirk Road, the alignment turns southward to meet Illinois Route 56 at a point approximately 610 meters (2000 feet) west of the Kane /DuPage County line.

The second option is the Illinois Route 56 /Oak Street alignment. The alignment originates at Orchard Road in the west, follows the existing Oak Street alignment along

residential areas and intersects Illinois Route 31. The alignment then proceeds easterly across the river over a bike path on either side of the river to intersect Illinois Route 25. The alignment meets Illinois Route 56 on the east side of the river, follows the existing Illinois Route 56 alignment, and terminates at Kirk Road.

The third alignment is a combination of the first and second alignments. The alignment originates at Randall Road in the west and follows the existing Mooseheart Road alignment to intersect Illinois Route 31. The alignment then turns south, follows the existing Illinois Route 31 alignment to Oak Street and turns east across the river to meet Illinois Route 56 on the east side of the river. The alignment then follows the existing Illinois Route 56 alignment and terminates at Kirk Road.

- a. Mr. Jon Duerr of the County FPD stated that each of the alignments will impact the visual and scenic qualities of the park. He mentioned his preference for the Oak Street/Butterfield Road alignment.


The meeting was adjourned at approximately 4:45 p.m.

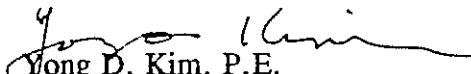
The foregoing is the writer's understanding of the matters discussed and the conclusions reached in summary form. This will become part of the project record and is the basis upon which we will proceed. Concurrence is presumed unless prompt notice of additions or corrections is received by the writer.

Very truly yours,

TENG & ASSOCIATES, INC.

Originated by:

  
C. Wayne Swafford, P.E., S.E.  
Project Manager

  
Yong D. Kim, P.E.  
Project Engineer



# NEPA/404 PROCESS MEETING ATTENDANCE ROSTER

Fox River Bridges Project

Illinois Department of Transportation - District One, 201 West Center Court, Schaumburg, Illinois

Date: March 2, 1995

Time: 1:30 P.M.

PLEASE PRINT

NAME	ADDRESS			Agency, Organization or Public Affiliation
	P.O Box or No. & Street	City	Zip Code	
Caroline Quinlan	Kane Co. Development	Geneva IL		
Tracey Scutte	1 Old State Capitol Plaza	Springfield	62701	IL Historic Preservation Agency
Steve Hamer	Impact Analysis 534 S. 2nd St. Springfield, IL	Springfield, IL	62701	IL Dept. of Comm.
Mike Okrent	205 N. Michigan Ave Natural Heritage (IDOC)	Chicago	60601	Alfred Benesch
Randall Collins	524 S. Second St	Spfld	62701	IL Dept of Conservation
Steve Ravanesi	180 N. State St Suite 3300 C	Chicago	60601	McDonough Assoc. Inc
Alan Swanson	180 N. State St	Chicago	60601	McDonough Assoc.
Kevin Nelson	600 N. Commons Suite 107	Aurora	60504	Crawford, Muehr & Tilly
Yong D. Kim	205 N. Michigan	CHICAGO	60601	Teng & Associates
SUZETTE LORENZ	"	"	"	"
PETE GARCIA	(708)-283-3534	Olympia Fields		FHWA



# NEPA/404 PROCESS MEETING ATTENDANCE ROSTER

Fox River Bridges Project

Illinois Department of Transportation - District One, 201 West Center Court, Schaumburg, Illinois

Date: March 2, 1995

Time: 1:30 P.M.

PLEASE PRINT

NAME	ADDRESS			Agency, Organization or Public Affiliation
	P.O Box or No. & Street	City	Zip Code	
MARK BAGHERPOUR	201 W. CENTER CT.	SCHAUMBURG	60196	IDOT
DENNIS DAL SANTO	550 W ALCONQUIN	ARLINGTON HTS	60005	PACE
PETE FRANTZ	2300 S. Dirksen Pkwy Rm 330	Springfield IL	62764	IDOT - Design & Environment
KATHY AMES	2300 S. Dirksen Pkwy Rm 330	Springfield IL	62764	IDOT - BDE
Sue Dees	2300 S. Dirksen Pkwy, Rm 330	Springfield, IL	62764	IDOT - BDE
Dennis Johnson	3520 Exec. Pk. Dr.	" "	62703	FHWA
TAMI UKISH	1000 N. COMMONS SUITE 107	AURORA IL	60504	CMST
SEAN P. BLODY	1000 N. COMMONS, SUITE 107	AURORA IL	60504	Crawford, Murphy & Tilly I.
WAYNE SWAFFORD	205 N. MICHIGAN AVE STE 3600	CHICAGO IL	60601	TENK ASSOCIATES
PETER POINTNER	615 W. FRONT ST.	WHEATON, IL	60187	PLANNING RESOURCES INC.

FYE



# United States Department of the Interior

NATIONAL PARK SERVICE  
Midwest Region  
1709 Jackson Street  
Omaha, Nebraska 68102-2571

IN REPLY REFER TO:  
L7619 (MWR-PQ)  
IL 1620

MAR 21 1995

Mr. M. Michael Okrent, P.E.  
Alfred Benesch and Company  
205 North Michigan Avenue  
Chicago, Illinois 60601

Dear Mr. Okrent:

This is in response to your request to provide input in the scoping process for the Fox River Bridges Project in Kane County, Illinois.

Based on the information in your February 15, letter and attachments, and our general knowledge of the area, it does not appear that implementation of the proposed project will adversely affect any unit of the National Park System. However, the proposed project may impact other programs for which the National Park Service has responsibility.

### NATIONWIDE RIVERS INVENTORY

The proposed project may adversely affect the qualities for which the Fox River was included on the final list of rivers on the Nationwide Rivers Inventory (NRI). The project proposes the construction of up to 8 bridges across the Fox River between Illinois Route 62 in Algonquin and Illinois Route 47 in Yorkville. This area includes a segment of the Fox River which is listed on the NRI. The listed segment is from Elgin to the West Dundee Dam.

The NRI includes rivers selected on the basis of the degree to which they are free-flowing, the degree to which the rivers and their corridors are undeveloped, and the outstanding natural and cultural characteristics of the rivers and their immediate environments. The purposes of the inventory are several, including the identification of rivers which could round out the National Wild and Scenic Rivers System. The Fox River was included in the inventory because of its outstanding recreational values.

In the President's August 2, 1979, environmental message Federal agencies were directed to take care, as part of their normal planning and environmental review process, to avoid or mitigate adverse effects on rivers identified in the NRI. Therefore, the proposed project should be planned so as to avoid or minimize adverse impacts to the values of the Fox River.

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The environmental impact statement (EIS) for this project should address the potential impact of the bridge crossings on the Fox River and immediate environs. The impact analysis should include a discussion of the potential effect of the project on the free-flowing quality and recreational values of the Fox River. In addition, the EIS should describe the potential impact of enhanced development potential in the Fox River corridor.

#### LAND AND WATER CONSERVATION FUND SITES

The proposed project could impact sites acquired or developed with Land and Water Conservation Fund (LWCF) monies. The following LWCF projects are located within or near the project area:

##### **Kane County - Bolz Road Corridor**

1. Project Number 17-00066, Dundee Land Acquisition, Dundee Township Park District. This project included acquisition of approximately 50 acres of land at three sites. The proposal could impact Site 3, Hickory Hills. This is 20 acres of land in the Fox River Valley near the village of Carpentersville. There is a school on the south side and Illinois Route 62 on the east side of the site.

2. Project Number 17-00584, Helms Woods Acquisition, Kane County Forest Preserve District. This project included acquisition of approximately 200 acres of wooded land for nature preservation. There is a neighborhood park on the west side and Illinois Route 25 approximately 1/4 mile west of the site, near the village of Barrington Hills.

3. Project Number 17-00826, Fox River Glen Acquisition, Kane County Forest Preserve District. This project included acquisition of approximately 15 acres of land on the east bank of the Fox River between the villages of Algonquin and Carpentersville.

##### **DuPage County - Red Gate Road Corridor**

1. Project Number 17-00386, Pratts Wayne Woods Addition, DuPage County Forest Preserve District. This project included acquisition of approximately 88 acres of land bounded on the north by the existing Pratts-Wayne Woods Forest Preserve, on the west by the Chicago & North Western Railroad (C&NW RR), and on the east by Powis Road in the village of Wayne and city of St. Charles.

##### **Kane County - C&NW RR/Dean Street Corridor**

1. Project Number 17-00777, D/Fox River Trail/Park Dev., St. Charles Park District. This is a combination project that acquired approximately 7 acres of wooded land adjacent to an existing park, developed a trail along an abandoned railroad right-of-way, and

placed interpretive signs on a bike route along city streets linking Mt. St. Mary's Park (also developed with LWCF money), in the city of St. Charles, and the Fox River Trail with the Great Western Trail.

**Kane County - Mooseheart Road/Illinois Route 56 Corridor**

1. Project Number 17-00761, D/Fox River Shoreline and Trail Acquisition, Kane County Forest Preserve District. This project included acquisition of 12 parcels totaling approximately 100.6 acres of land (including approximately 9 acres of donated land) running from Illinois Avenue along the Fox River and adjacent to Waubensee Lake Park in the city of Aurora, north to Fabyan Parkway in the city of Batavia.
2. Project Number 17-00890, Red Oak Trail, Fox Valley Park District. This project included development of a 2.7-mile asphalt trail with pre-fabricated bridges, culverts, guard rails and fencing. It serves as a spur to the Fox River Trail on the east side of the village of North Aurora.
3. Project Number 17-00902, Chief Waubensee Nature Center, Kane County Forest Preserve District. This project included development of a riverside recreation area at a forest preserve with nature trails, a group picnic shelter, a tot lot, an interpretive center, a comfort station, roads and parking, signs, fishing access sites, and restored wetland and woodland habitats. The site is bordered by Mill Creek and the Fox River north of the village of North Aurora.

The Federal Highway Administration should contact the official who administers the LWCF program in the State of Illinois to determine whether potential conflicts exist with Section 6(f)(3) of the LWCF Act (Public Law 88-578, as amended). Section 6(f)(3) of the LWCF Act states:

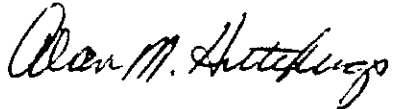
**"No property acquired or developed with assistance under this section shall, without the approval of the Secretary (of the Interior), be converted to other than public outdoor recreation uses."**

The official to contact is:

Mr. Brent Manning  
Director, Department of Conservation  
Lincoln Tower Plaza  
524 South Second Street  
Springfield, Illinois 62701

These comments are provided as informal technical assistance and are not intended to reflect our probable response to any document which may be prepared in this matter to comply with the Department of Transportation Act or any other applicable environmental protection mandate. If you have any questions, please contact Ms. Jill Medland of my staff at 402-221-3481.

Sincerely,



Alan M. Hutchings  
Acting Associate Regional Director  
Planning and Resource Preservation

cc:

Mr. Brent Manning  
Director, Department of Conservation  
Lincoln Tower Plaza  
524 South Second Street  
Springfield, Illinois 62701



IN REPLY REFER TO:

# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Chicago Metro Wetlands Office  
1000 Hart Road - Suite 180  
Barrington, Illinois 60010



FWS/AES-CIFO

708-381-2253

March 27, 1995

Mr. Nabi Fakroddin  
Director of Transportation  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 61075

Dear Mr. Fakroddin:

This is reference to the Fox River bridges demonstration project and the meeting held of March 2, 1994. Specifically, as per the guidelines for the Interagency Task Group's concurrent NEPA/404 review process, the U. S. Fish and Wildlife Service has reviewed the draft Purpose and Need Statement for the project. We apologize for the delay in our comments but we wish to raise the following concerns relative to the purpose and need statement. We will be available at the April 18, 1994 meeting to further discuss these issues, but wanted to give you the opportunity to develop a response prior to that meeting.

In general, the revised purpose and need statement provides a good historic perspective and extensive supporting data. The narrative contains a great deal of information related to the purpose and need, but it would be helpful if the driving purpose for the project could be summarized as bullet points. In its current form, the actual purpose for the project seems to be lost in the supporting information.

It is our understanding that the primary purpose of this project is to reduce traffic congestion on existing Fox River bridges and to provide regional east-west access. This needs to be emphasized. Further, it is stated that "*new bridges without good roadway continuity to that bridge are not part of the purpose of this Environmental Impact Statement*". We believe this is an important point and observe that it was more strongly stated in the previous draft. It could be more broadly stated that the project purpose is to reduce congestion associated with crossing the Fox River. Thus, we should not trade one form of congestion (on bridges) for another (backups on approach roads). It is our opinion that this should be more adequately addressed in the revised purpose and need statement.

We are disturbed that the revised purpose and need statement includes the notion that a purpose of the project is to encourage development. Specifically, it is argued that by providing these new east-west travel routes, it will "*encourage the compact and contiguous growth of existing communities at sewerable densities by providing the access appropriate to higher density development*". Intuitively, it would seem that new Fox River crossings would

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**MAR 28 1995**

**ALEEN DENECOUR & CO**

Mr. Nabi Fakroddin

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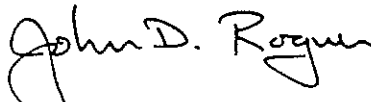
simply promote further residential development anywhere west of the river, by facilitating travel to employment and commercial centers located east of the river. In short, it may promote urban sprawl. Furthermore, it would seem that growth and development are secondary effects of a transportation project. For most transportation projects this secondary growth is considered an impact and not a purpose and need.

Preservation of historic districts is also mentioned as a purpose and need. Again, this may be a secondary benefit of a transportation project but we have difficulty understanding how it can be a purpose and need. If this preservation were the primary purpose and need, then the no action alternative would satisfy that purpose and need.

**In summary, we do not concur with adoption of the revised purpose and need statement. We recommend more clearly identifying the primary purpose of this project and separating those potential secondary effects from the primary purpose.**

We appreciate the opportunity to continue to provide input throughout this planning process. If you have any questions, please contact Mr. Jeff Mengler at 708/381-2253.

Sincerely,

  
for Benjamin N. Tuggle, Ph.D.  
Field Supervisor

cc: IDOT, Bagherpour  
FHWA, Johnson  
USACOE, Abrant  
USEPA, MacMullen  
Benesch, Okrent

April 24, 1995

Memo To: File 3142.01

From: Elizabeth A. Challinor



Subject: Response to U.S. Fish and Wildlife Service letter of March 27, 1995

A video teleconference meeting was held on Friday, April 7, 1995 at 10:00 a.m. Present from the IDOT Headquarters in Springfield were:

Federal Highway Administration - Mr. Dennis Johnson

IDOT - Bureau of Local Roads and Streets - Messrs. Earl Schroeder and K.T. Desai

Present from the IDOT District One office in Schaumburg were:

Kane County Division of Transportation - Mr. Thomas L. Cieslica

IDOT Bureau of Local Roads and Streets - Mr. M. Mark Bagherpour

U.S. Fish and Wildlife Service - Mr. Jeff Mengler

Alfred Benesch & Company - Mr. M. Michael Okrent and Ms. Elizabeth Challinor

The objective of the meeting was to address the U.S. Fish and Wildlife Service's comments on the Purpose and Need Chapter.

Mike Okrent reviewed the history and evolution of the Purpose and Need Statement and outlined the main points. Mr. Okrent explained that while the early versions of the Purpose and Need Statement emphasized the reduction of traffic congestion on existing bridges, further evaluation revealed that this was really a symptom of a larger problem (i.e., current and projected land use trends). The revised Purpose and Need's main objective is to shape and serve land use trends to conform with Kane County's Draft 2020 Land Use Plan. The other primary needs, Socioeconomic Factors and Transportation System Improvement, are brought about by the existing land use trends.

One of the U.S. Fish and Wildlife Service's concerns was that the project would encourage development west of the river. Mr. Okrent explained that the existing trends and growth



Memo To: File 3142.01

April 24, 1995

Page 2

projections show that development west of the river will continue regardless of the project. The proposed project aims to shape that development in ways that are consistent with Kane County's land use plans (i.e., compact and contiguous growth of *existing* Fox River communities as opposed to linear development along existing east/west arterials, especially tollways). The project will also serve the transportation demand that already exists. Dennis Johnson confirmed that the FHWA has approved this approach.

Jeff Mengler conceded that this helped to clarify the Purpose and Need. Mr. Mengler suggested that the fact that the development is expected to occur regardless should be emphasized more in the document. Mr. Mengler also felt that the Kane County Land Use Plan should be included as an exhibit as soon as it is finalized. Everyone concurred.

The other concerns/comments in the U.S. Fish and Wildlife Service letter were discussed.

- The need for bridges with roadway continuity needs to be emphasized more. For example, simply T-ing into Illinois Route 25 or Illinois Route 31 will not be acceptable. Everyone strongly agreed with Mr. Mengler.
- For clarification, the introduction to the Purpose and Need Chapter should include the basic elements as bullet points. Everyone concurred.
- The preservation of historic central business districts should be downgraded to a secondary benefit rather than a primary element of Purpose and Need. Everyone concurred.

This concluded the discussion of the U.S. Fish and Wildlife Service's concerns. The Land Use goal in the Purpose and Need was clarified to Mr. Mengler's satisfaction. The remaining concerns were all considered valid by the meeting participants and the Purpose and Need Chapter will be revised accordingly. In the interest of efficiency, it was agreed that Benesch should wait to incorporate the U.S. Fish and Wildlife comments until the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency have commented. Mr. Johnson reminded Mr. Mengler that a NEPA/404 Process concurrence letter will be required after the U.S. Fish and Wildlife Service has approved the revisions.

The comment period for NEPA/404 Process Concurrence Point #1: Purpose and Need officially ended on April 3, 1995 without comment from U.S. EPA and U.S. ACOE. Mr. Cieslica and Mr. Bagherpour instructed Mr. Okrent to follow up with these agencies so that Concurrence Point #1 could be concluded by the April 18, 1995 meeting.

Memo To: File 3142.01

April 24, 1995

Page 3

Mr. Cieslica and Mr. Bagherpour instructed Mr. Okrent to prepare an agenda for the April 18th meeting. Mr. Cieslica commented that the scoping meetings were unnecessarily long which may discourage resource agency participation. Mr. Okrent agreed. The alignment discussions at the April 18th scoping meeting will be limited to ten minutes (fifteen minutes for Red Gate). This should allow the meeting to end by 12:30 p.m.

Mr. Cieslica asked Dennis Johnson about the County's ability to pursue improvement of the Dunham/Stearns intersection while this project is underway. This intersection is a documented high accident area and previous studies have shown a need for the improvement. However, Mr. Cieslica was concerned that the improvement may appear to foreclose options on the CC&P/Stearns Road corridor. Mr. Johnson agreed that this was a problem and suggested that the County wait until the Fox River Bridges study is completed.

The meeting ended at 11:30 a.m.

*postscript*

*A meeting has been scheduled with representatives of the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency for Thursday, April 27, 1995 to discuss the Purpose and Need Chapter.*

EAC:ec

040795.ec

cc: All Participants  
Ron Abrant/U.S. Army Corps of Engineers  
Mike MacMullen/U.S. Environmental Protection Agency





CHICAGO AREA TRANSPORTATION STUDY 300 West Adams Street Chicago, Illinois 60606 (312) 793-3456 Fax (312) 793-3481

April 17, 1995

Mr. Nabi Fakhroddin, P.E., S.E.  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, Illinois 60175

Re: Fox River Bridges Purpose and Need Statement

Dear Mr. Fakhroddin:

In response to your Consultants' request, our technical staff has reviewed the draft Purpose and Need Statement (dated February 13, 1995) for the Fox River Bridges Project in Kane County, Illinois. In general, we feel it adequately addresses the land use, socio-economic and transportation issues that are causing traffic congestion at the crossings of the Fox River.

Our only substantive comment was verbally transmitted to Mr. Okrent of Alfred Benesh last month. It has to do with the definition of roadway capacity. The capacities coded in the CATS models are LOS D capacities, not absolute capacities. It is feasible for assigned volumes to exceed these capacities by up to 40 percent, but the resulting LOS would be F. As currently written, the document presents the LOS D capacity as absolute capacity; the capacity deficiency discussions on pages 9, 20, 28 and 34 should be revised accordingly.

Should you have any questions, please contact Mark Fialkowski at (312)-793-3464.

Sincerely,

Aristide E. Biciunas  
Executive Director





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McDonough Associates Inc.

## MINUTES OF MEETING

**DATE:** April 18, 1995

**LOCATION:** IDOT District One  
4th Floor Conference Room

**REGARDING:** Alternative Status Meeting  
Fox River Bridge Study

**ATTENDEES:** See Attachment

A resource agency coordination meeting was held to discuss Concurrence Point #2 Alternatives to be carried forward. A copy of the Alternatives Status Report had been mailed to all of the Resource Agencies. The following discussion took place:

Mark Bagherpour opened the meeting and provided background on the development of the Fox River Crossing Study. The NEPA/404 Study Process represents the first project of this type to be reviewed in Illinois. Mr. Bagherpour stated that the purpose of the meeting is to initiate Concurrence Point #2: Alternatives to be carried forward.

Mike Okrent provided a status of Concurrence Point #1: Purpose and Need. He mentioned that comments had been received by several agencies including U.S. Fish & Wildlife, Metra, Pace and CATS. He requested that written comments be provided by the reviewing agencies as soon as possible. Mr. Okrent emphasized that an agreement must be reached on the Purpose and Need and to go to the public with the study.

Mr. Okrent stated that the primary goal of the Purpose and Need Statement is to serve and shape land use in conformance with the County draft 2020 Land Use Plan. A subset of the Purpose and Need is the relief of traffic congestion. This is in agreement with the Kane County Draft 2020 Land Use Plan. Concurrence Point #2 seeks agreement that the range of alternatives are adequate to proceed to the next stage of project development.



Dennis Johnson reminded those present that decisions in the NEPA/404 process are based on the best information available. Concurrence does not imply endorsement of the project by the reviewing agencies. It does, however, signify that the agency will not object to purpose and need at a later date without significant new information. Public meetings showing the alternatives are scheduled in May. The results of these public meetings and additional studies of the alternatives will be reviewed again at a coordination meeting to be scheduled in June. This meeting will allow the resource agencies to provide their input in the NEPA/404 process so that the Environmental Impact Statement (EIS).

No other comments were made on Concurrence Point #1: Purpose and Need. All agencies and organizations involved were encouraged to provide written comments to Mike Okrent.

## **ALTERNATIVES NO-BUILD**

Liz Challinor described the No-Build Alternative. Her discussion reflected points made in the draft Alternatives Status Report dated April 3, 1995. The conclusion is that the No-Build Alternative does not represent a prudent and feasible alternative in addressing the Purpose and Need. This alternative will continue to be included in the documentation to serve as a benchmark to the other alternatives.

Ms. Challinor emphasized that the study of all available alternatives is on-going and that the report represents the best information to date.

## **CONGESTION MANAGEMENT SYSTEM (CMS)**

Ms. Challinor summarized the findings of an analysis of CMS alternatives. Travel Demand Reduction (TDR) Strategies, High Occupancy Vehicle (HOV) Facilities, Improved/New Transit, and Operational Improvements to Existing Facilities were studied as part of the CMS alternatives.

Comments on these findings included the following:

- Earl Schroeder suggested that the discussion be expanded to demonstrate why for example improving existing bridges is not a viable alternative to satisfying Purpose and Need. For example, many downtown businesses which surround these bridges would suffer if parking were eliminated or lanes added to front doors. Additionally, improving existing bridges contradicts the shaping development goal.



- Mark Fialkowski, CATS, brought up the point that similar dollar investment placed in TDR strategies versus the cost of construction of the proposed facilities may reduce congestion. He suggested that a more positive spin be placed on the content of the TDR description. He also suggested that the report mention the CATS ride share program.
- Dennis Johnson stated that some reference to a established engineering guideline be included to rule out the HOV alternative.
- As a result of the discussion of the CMS alternatives, the draft EIS will state that CMS features will be incorporated in the project. Coordination with agencies involved in CMS will continue as well.
- Erik Johnson, Kane County Development Department, provided editorial comments to pages 1 and 5 of the draft EIS. These comments were given to Mike Okrent.

## **CORRIDORS BOLZ ROAD**

Steve Ravanese, McDonough Associates, gave a presentation on the location and impacts of the Bolz Road corridor. This corridor is in the North Region.

Discussion and comments on the Bolz Road Corridor are as follows:

- The procedure for purchasing right-of-way from the Dundee Township Park District (land designated 6(f)) was discussed. The Park District should be contacted as soon as possible to determine where the LAWCON money was used site.
- Earl Schroeder asked when a decision on one alignment will be determined. The response was that after the public meetings a single alignment will be set based on public input.
- Dennis Johnson asked why the preliminary EIS concludes with one alignment recommendation. Mike Okrent explained that they wanted to go to the public with the position that some progress has been made in finalizing this study and that we are not wasting public resources, especially since one alignment seems to have noticeably more impact.
- Jeff Mengler of U.S. Fish and Wildlife pointed out the possible impact to wetlands located west of the western terminus at Huntley Road.





- Bill Barbel, IDOT, suggested that some description of wetlands mitigation be included since there may be opportunity for this along Bolz Road.
- Steve Hamer, Illinois Department of Conservation, suggested some mention of the impacts of avoidance and some emphasis on the sequence of avoidance.
- Jon Duerr, Kane County Forest Preserve, discussed items involved in the Forest Preserve's development plans along this corridor. Earl Schroeder discussed the possibility of joint acquisition of property to serve the plans of the County and Forest Preserve. Mr. Duerr also mentioned the KCFPD interest in purchasing land west of Huntley Road. He stated that there are no immediate plans for purchasing additional land.
- Potential wetlands, including mitigation, will be identified on all the corridor studies to ensure no new development in these areas is planned.
- Erik Johnson asked if any future plans for the Brunner property are known. No plans have been made known by Mr. Brunner to date.

### MOOSEHEART CORRIDOR

Wayne Swafford, Teng & Associates, presented their study of two alignments located in the South Region labeled Mooseheart and Oak Street/IL 56.

Discussion and comments were as follows:

- Mr. Swafford stated that due to the many impacts associated with the Mooseheart alternative, the Oak Street/IL 56 alignment will probably be the likely corridor selected of the two.
- Mark Bagherpour emphasized that all the consultants should be sure that the most up-to-date development is reflected on exhibits prior to the public meetings. He said that we don't want to miss anything as far as homes are concerned.
- Earl Schroeder asked if the other alignments considered in the study should be mentioned. The response was that they will be included in the draft EIS.
- Dennis Johnson mentioned that the Mooseheart Alignment would have impacts on property on the Red Oak Nature Center (4(f)) and should be indicated in the text.



- Newly completed improvements to Orchard Road should be shown for the public meetings.
- Erik Johnson pointed out that the Mooseheart owns land within the proposed Mooseheart right-of-way. Mike Okrent stated that this organization has raised objections to this corridor.

### C & NW/DEAN STREET

Mike Okrent gave a presentation on the features associated with this corridor located in the Central Region.

Discussion and Comments were as follows:

- Dennis Johnson asked if this is a viable alternative. Mike answered that the expense is high, but that it is viable.
- A discussion on the condition of hazardous waste located in the corridor took place. This issue may effect whether this is a viable alternative. As a result of the discussion the following actions should be explored:
  - Hazardous waste removal cost estimate
  - Option of shifting alignment more south
  - Ownership of site
  - Effects of release of hazardous material
  - Determine rules for acquisition of R.O.W. in CERCLIS site
  - Establish limits of contamination

### CC&P/STEARNS

Mike Okrent gave a presentation on the features of this alignments which is also located in the Central Region.

Discussion and comments were as follows:

- Jon Duerr stated that this corridor is attractive to the Forest Preserve because the right-of-way will allow linking of bike trails in the area. This could become a functional part of the Tri-County Park District. The Forest Preserve is also exploring options of purchasing additional right-of-way for making new connections for the bike trails.



- Erik Johnson informed Mike that the Upper Fox Valley Reclamation District is looking to expand storm/sewerage systems to this corridor area. Mike said he will contact the Reclamation District regarding this issue.

## RED GATE

Kevin Nelson, Crawford, Murphy & Tilly, gave a presentation on their study of several alignments in the Central Region.

Discussion and comments on this alternative were are follows:

- Dennis Johnson brought up the issue of traffic capacity of this alternative. The decision on which alignment is viable in this area is dependent on whether the CCN & NP alternative is constructed. Traffic flow patterns are codependent. The traffic analysis has shown that any new independent facility crossing Fox River area will be at capacity.
- Discussion on the improvements proposed on Army Trail Road took place. The conclusion was that a connection must be made between Illinois Route 25 and Dunham Road. Making IL Route 25 the eastern terminus would not satisfy the purpose and need of the project.
- Jon Duerr stated that the selection of an alignment in this and other areas will be mostly driven by geopolitics, not environmental concerns.
- Steve Hamer asked if aquatics for mussels, fish, etc. are to be incorporated into the Environment Survey which is taking place. Mark Bagherpour indicated that they are.

## OVERALL COMMENTS

Dennis Johnson requested that better explanations of logical termini locations be provided. In the description of the bridges, bikeway accommodations should be mentioned. Claims regarding noise and air quality made in the No Build discussion for the North Region must either be demonstrated in the analysis or the statements deleted must be demonstrated physically in the No-Build discussions. Additional written comments will be given to Mike Okrent.



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McDonough Associates Inc.

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Mark Bagherpour thanked everyone for attending and requested that technical comments from all agencies involved be provided as soon as they can. When the County authorizes the State to go to the public with the study, agency comments and information gathered at these public meetings will be incorporated into a revised preliminary EIS. This will be distributed to all the reviewing agencies. Public meeting are scheduled to occur in May. Therefore, a meeting for concurrence will be scheduled sometime in mid to late June for all agencies and organizations to review the results.

Prepared by:

*S. M. Ravanesi*

Richard Cassin  
Steve Ravanesi

McDONOUGH ASSOCIATES INC.



# ALTERNATIVES STATUS MEETING

Fox River Bridges Study  
 IDOT District One, 201 West Center Court, Schaumburg, Illinois

Date: April 18, 1995

PLEASE PRINT

NAME	ADDRESS			Company, Organization or Public Affiliation
	P.O Box or No. & Street	City	Zip Code	
MIKE OKRANT	205 N. Michigan Ave	Chicago	60601	Alfred Bens. L.
TOM GIESLICK	414011 Burlington Rd	St. Charles	60175	Kane DOT
IZETTE LORENZ	207 N MICHIGAN	CHICAGO	60601	TENNY & DETAIL, INC
YONG KIM	"	"	"	"
WAYNE SWAFFORN	"	"	"	"
LIZ CHALLINOR				
Steve Ravanasi	180 N. Stetson	Chicago	60601	McDonough Assoc.
Dean Mentjes	3250 Exec. Park Dr.	Spfld. IL	62701	FHWA
Jeff Mengler	10001st Rd, Suite 180	Barrington, IL	60010	FWS
MARK FIALKOWSKI	303 WEST ADAMS	CHICAGO	60606	CATS
MARK BAGHERPOOR	201 W. CENTER CT.	SCHAUMBURG	60196	IDOT
EARL SCHROEDER	Room 205 2360 S. Dirksen St	Springfield	62764	IDOT LOCAL ROAD
RICH CASSIN	180 N. Stetson #3300	Chicago	60601	McDonough Associates.
Tom Duann	719 Batavia Ave.	Geneva	60134	Kane C. F.P
Sam Zimmerman	421 N. County Farm Rd	Whosaton	60185	DePage County planning Dept
Nancy Magnus	201 W. CENTER CT.	SCHAUMBURG	60196	IDOT

# ALTERNATIVES STATUS MEETING

Fox River Bridges Study  
 IDOT District One, 201 West Center Court, Schaumburg, Illinois

Date: April 18, 1995

PLEASE PRINT

NAME	ADDRESS			Company, Organization or Public Affiliation
	P.O. Box or No. & Street	City	Zip Code	
K. T. DESAI	2300 So. Dickinson Pkwy	Springfield	62764	IDOT. L. P. C. Sp. Pl.
Rick Drumm	3200 Executive Park Dr	Springfield		FHWA
ELIC O. JOHNSON	719 PALANA AVE	GENEVA	60134	KC DEN.
Dennis Johnson	3250 Executive Park Dr	Springfield	62703	FHWA
Steve Hamer	524 So. 2 <sup>nd</sup> St	Springfield	62701	IDOC
Mack Buiwen	201 W. Center Ct	Schaumburg	60196	IDOT - BLR&S
DENNIS DAL SANTO	550 W ALGONQUIN	ARLINGTON HTS	60005	PAVE
KEVIN NELSON	600 N Commons	Aurora, Ill	60504	CMT
SEAN R. BRADY	600 N. COMMONS, STE. 107	Aurora IL	60504	CMT
Michael Goldberg	1615 W. Front St.	Wheaton	60187	Planning Resources
Pete Pointner	"	"	"	"
WILLIAM BARBEL	201 W CENTER CT.	SCHAUMBURG	60196	IDOT



# Illinois Department of Conservation

LINCOLN TOWER PLAZA • 524 SOUTH SECOND STREET • SPRINGFIELD 62701-1787 CHICAGO OFFICE • ROOM 4-360 • 100 WEST RANDOLPH • CHICAGO 60601  
Brent Manning, Director      John W. Comerio, Deputy Director      Bruce F. Clay, Assistant Director

April 24, 1995

Mr. Nabi Pakroddin, P.E., S.E.  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 60175

Re: Concurrence Point #1 for Fox River Bridges Purpose and Need Statement.

Dear Mr. Pakroddin:

As per the guidelines for the Interagency Task Group's Concurrent NEPA/404 Process, the Illinois Department of Conservation has reviewed the draft Purpose and Need Statement for the Fox River Bridges Project in Kane County, Illinois. The Illinois Department of Conservation has concluded that the information provided in the project's draft purpose and need statement (dated February 13, 1995) and presented at the March 2, 1995 scoping meeting is adequate to agree that the project can be advanced to the next stage of project development (i.e., Alternatives to be Carried Forward).

This concurrence is given with the understanding that the alternatives under consideration must address and be based upon the accepted purpose and need statement. Concurrence does not imply that the project has been approved by the Illinois Department of Conservation.

If substantial new information regarding the purpose and need is brought forward during the project development process, this concurrence will be rescinded until the new information is evaluated.

If you have any questions, please contact me at (217) 785-5500.

Sincerely,

Steve Hamer  
Transportation Review Program  
Impact Analysis Division

**RECEIVED**  
APR 27 1995  
KANE COUNTY  
DIVISION of TRANSPORTATION

ROUTE	INFO	SECTION
RF	N	
ILC	✓	
FB		
BGS		
PH		
BP		
TR		
PE		

Illinois Department of Conservation





# MEETING MINUTES

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Date: April 27, 1995  
Date of Meeting: April 27, 1995  
Time of Meeting: 10:45 A.M.  
Meeting Location: Illinois Department of Transportation Videoconference facilities in Schaumburg and in Springfield

Regarding: Fox River Bridge Crossings Study  
Kane County, Illinois  
Our Project No 3142

## Participants

### Schaumburg

Mr. Ron Abrant-US Army Corps of Engineers  
Mr. Tom Cieslica-Kane County Division of Transportation  
Mr. Mark Bagherpour-Illinois Department of Transportation  
Mr. K. T. Desai-Illinois Department of Transportation  
Mr. Bill Barbel-Illinois Department of Transportation  
Mr. Mike Okrent-Alfred Benesch & Co.  
Mr. Pete Pointner-Planning Resources, Inc.

### Springfield

Mr. Mike MacMullen-US Environmental Protection Agency  
Mr. Dennis Johnson-Federal Highway Administration  
Mr. Earl Schroeder-Illinois Department of Transportation

## Minutes

Mike Okrent explained that the purpose of the meeting was to provide information to and solicit input from Messrs. Abrant and MacMullen on the draft Purpose and Need Statement. Their input and ultimate agreement with the Purpose and Need statement is part of Concurrence Point #1 under the Concurrent NEPA/404 Process. This concurrence is essential if the project is to stay on schedule. The meeting was also held to review the Alternatives Status Report. Acceptance of the alternatives to be studied represents Concurrence Point #2.

Mr. MacMullen indicated that we should expect his comments on Purpose and Need some time within the next week. He expressed his opinion that the Purpose and Need statement is proceeding properly and that most of his comments would be editorial.

## Meeting Minutes

Date: April 27, 1995

Page 2

Mr. Abrant stated that he will also be in a position to prepare his comments soon. His concerns echoed those expressed in the letter of March 27, 1995 from US Fish and Wildlife Service and he did not want to simply repeat them. Otherwise, he will review the draft Purpose and Need and then issue a statement.

We reviewed the short term schedule for the project. A series of public information meetings are scheduled for May 15, 18, and 24. We intend to have available the Purpose and Need Statement and to present the alternatives. Since the last scoping meeting was on April 18, not all agencies will have had a chance to formalize their comments to the Alternatives Status Report before the public information meetings. However, we hope to have all comments to the Purpose and Need Statement prior to the May 24 meeting so the revised documents will be available for public review. FHWA, US FWS, US ACOE, and US EPA must agree with the revisions prior to release. Therefore, it essential that comments be received as soon as possible if they are to be incorporated.

In June, we will prepare and distribute to the scoping agencies a summary of the Public Information Meeting findings. These findings and other comments received will be incorporated into a revised Alternatives Status Report. Shortly thereafter, another scoping meeting will be held for Concurrence Point #2. In response to comments received on April 18, an alternative of improving existing facilities will be added to the Alternatives Status Report.

Dennis Johnson expressed concern about the handling of the No-Build Alternative. Mike MacMullen said he would review it. Mr. MacMullen also wanted assurance that the No-Build will be discussed sufficiently to establish that it does not meet the purpose and need (specifically how it does not) or that the impacts from it are unacceptable. Furthermore, the No-Build Alternative will be carried throughout the analysis in the EIS as a benchmark for the other alternatives being carried forward.

Since land use issues are critical to the Purpose and Need Statement, everyone agreed that as the County Land Use Plan is expected to be completed within the next three months, the final plan would be included in the EIS. One problem with the County's ability to implement their land use plan is that municipalities control land use within their limits.

The County plan seeks more compact and contiguous development in the east side of the County and the preservation of rural land uses on the west. This type of development would result in more efficient uses of natural and manmade resources.

This project attempts to complement that plan by enhancing access on the east side of the County. This improved access will make those areas more attractive to development which infills between existing development. Under current conditions, the trend is for development

## Meeting Minutes

Date: April 27, 1995

Page 3

to follow the existing linear access that extends into Kane County (e.g., the Huntley Outlet Mall off of the Northwest Tollway). Also, enhancing access on the east side of the county helps serve existing resources efficiently and takes maximum advantage of the existing infrastructure. This enhancement can take the form of reducing congestion to downtowns or providing more direct access to parks and employment. Finally, the ever increasing traffic congestion is a sign of the growth occurring. The congestion has associated negative impacts (e.g., wasted time and fuel and the reduction in the attractiveness of facilities accessible by congested roads).

The No-Build alternative encourages development to proceed along the existing roadways further west into Kane County. It discourages infilling and encourages travel to be made to newer facilities and from newer homes further west into the County. This means existing infrastructure usage is not maximized and more infrastructure is needed to support the development. Rural land is consumed, trips become more dispersed, and ultimately congestion worsens. Improving the existing facilities does not densify the roadway network. Instead, it encourages more trips and developments to follow the existing improved roads further west. Additionally, the impacts in many cases would be major (e.g., widening Illinois Route 64 through St. Charles would cause major displacement severely impacting businesses and the historic aspects of the downtown. In discussion with the transit operators, they agreed that transit alone cannot address the need for the project. Instead, the project provides opportunities to enhance transit and, possibly, slow down the growth in new automobile trips.

The discussion of the alternative alignments pointed out there was little new since the March meeting. A new 4(f) avoidance/minimization option appears to be the favored alignment for the Red Gate Corridor. We are still investigating the cleanup requirements for the CERCLIS listed Moline foundry along the CNW/Dean Street corridor. Also, due to ongoing development in Aurora along the Mooseheart corridor and the 4(f) involvement with the Red Oak Nature Center, the Mooseheart alignment is beginning to look less feasible.

Mike MacMullen indicated that the approach we are taking on purpose and need and on alternatives appears very reasonable. Ron Abrant concurred. Mr. MacMullen expanded that the alternatives discussion must include alternatives that were dismissed early with sufficient explanation of why they do not satisfy purpose and need or have impacts that render them unacceptable. The range of reasonable alternatives are those that satisfy purpose and need, are feasible, and do not have impacts that would render them unacceptable. Not every minor variation needs to be presented.

Ron Abrant expressed concern that we use the most recent data, including aerial photos and that all photo exhibits carry the date of the aerial photography. Messrs. MacMullen and Abrant had no further comments. They will send us their written comments shortly.

Meeting Minutes

Date: April 27, 1995

Page 4

Tom Cieslica asked about a proposed improvement to the Illinois Route 25, Stearns Road and Dunham Road intersection. This is a high accident location and with the proposed improvement of Stearns Road by DuPage County, there is increased pressure to improve that intersection. Dennis Johnson stated the County could improve it, especially using their own funds. However, they would have to ensure that the improvement would not influence the decisions on the CC&P/Stearns Road corridor. Also, any improvement or proposed improvement would distort the baseline for the hydrogeology study for the CC&P/Stearns Road corridor and may delay or invalidate that study. Furthermore, since the proposed improvement probably has wetland involvement (excavating, filling or draining), delineation would be necessary and would likely require the same hydrogeology studies. Therefore, nothing would be expedited.

We believe the above to be an accurate summary of the major items discussed. Please forward any comments or corrections to the attention of the writer within 10 working days of receipt of these minutes.

Sincerely,

Alfred Benesch & Co.



M. Michael Okrent

cc: All participants  
Jeff Mengler, US Fish and Wildlife

Record of Conversation

**Subject:** Fox River Bridge Crossings  
Kane County, Illinois

**Job No.:** 3142

**Date:** May 25, 1995      **Time:** 9:00 AM

**Contact:** Mike MacMullen  
(312) 886-7342

**Follow-up Required:** Yes \_\_\_\_\_ No \_\_\_\_\_


**Follow-up Completed:** Yes \_\_\_\_\_ No \_\_\_\_\_

**INSTRUCTIONS OR DATA  
OBTAINED OR TRANSMITTED:**

Mike called me to let me know that with the addition of the comments received at our April 27 videoconference, he concurs with our draft Purpose and Need chapter and our draft Alternatives chapter.

Due to time constraints, this record of conversation is the formal concurrence.

Copies To: Mike MacMullen, US EPA  
Tom Cieslica, Kane County Division of Transportation  
Mark Bagherpour, Illinois Department of Transportation  
Dennis Johnson, Federal Highway Administration

By: 

M. Michael Okrent





✓ Send to all on  
Sign-in sheet  
8-15-95

MINUTES OF MEETING

DATE: July 19, 1995

LOCATION: IDOT District One  
Lower Level Training Room

REGARDING: Fox River Bridge Study  
Kane County Division of Transportation

ATTENDEES: See Attached List

Mark Bagherpour opened the meeting. The purpose of the meeting was to obtain closure of concurrence point 1: Purpose and Need and 2: Alternative of the NEPA/404 Concurrence Progress be carried forward. During the NEPA 404 Process, input is received early and acceptance of the purpose and need is achieved before developing design alternatives. The range of alternative is also agreed upon early to avoid inefficiencies and to maintain schedule. Issues without significance will not be revisited. The closure will come after comments and concerns from the resource agencies are recorded and addressed.

Mike Okrent explained that little or no new information was obtained from the three public meetings held in May 1995. Over 1400 people attended, many of whom were affiliated with organized opposition groups, especially in the Central corridor. An overwhelming number of comments acknowledged the need for additional Fox River Bridge crossings as long as they were constructed away from the individual making the comment. As a result, the public input gathered at the public meetings will have a minor affect on Chapters 1 and 3 of the draft EIS.

Mike Okrent also mentioned that misinformation was spread among the public. Many individuals supported a bridge that was "not in my backyard" without realizing that demand and need warrant the construction of all proposed bridges and not only one.

Tom Cieslica has held several special meetings subsequent to the May 1995 public meetings to discuss specific details of the design. Meetings have been held with St. Charles Park District, Timber Ridge Subdivision, and the St. Charles School District.

At this time the meeting was opened to comments from the resources agencies. Everyone in attendance has received a revised copy of draft EIS Chapters 1 & 3 with exhibits. It was mentioned that the Chapters were revised but all of the changes were editorial type revisions and did not change the content of the report.





SPECIFIC COMMENTS INCLUDE:

Mike MacMullen - USEPA: No problem with structure on substance of report. Will forward editorial comments at a later date.

Agree with CMS discussion and contents.

Mark Fialkowski - CATS: Clarify the separate non-motorized trail. It is multi use, pedestrian, bikes?

*Hammer*

Steve Hammer - IDNR: Looks alright. Cannot comment on details until data is received from environmental analysis.

Dennis DalSanto - PACE: Looks good. Will provide maps of any region for use as exhibits if needed.

Earl Schroeder - IDOT: Comments

page 3-5 Travel Demand Reduction  
Clarify that strategies will not satisfy capacity problems

page 3-12 No recommendations should be given this early in the EIS process (Aside: Was explained this will be pulled with next draft)

General Red Gate Road alternatives need a better explanation. Elaborate on alignments rejected, 2 lane vs. 4 lane options, reasons for choosing alternatives in text.

Dennis Johnson - FHWA: Comments

Dennis wants to include a general discussion on the capacity of Army Trail Road. The capacity of the facility will be limited by number of lanes, bridge widths and intersection capacity.

Dennis wants a clearer discussion on the limited build alternative vs. number of lanes vs. those alignments which have dropped out.



Dennis wants to ensure the report is a full disclosure of impacts. This includes full disclosure of traffic impacts to town of Wayne. If we place a 2-lane road at Army Trail will we cause traffic pressure or congestion through Wayne? Our actions should clarify congestion through Wayne but does not mean will build 4 lanes - may be design variances.

Erik Johnson - Kane County Planning Dept: Comments

- page 1-4: revise population growth estimate up to 6.0% from 4.1%
- page 1-5: clarify text with NIPC
- page 1-7: final draft comprehensive plan almost complete
- page 1-8: purpose of project is to build more bridges across the Fox River not to encourage development at sewerable densities. New bridges over River may or may not encourage compact growth rather than linear growth.

Ron Abrant - U.S. Army Corps of Engineers

No further comments or changes.

Jeff Mengler - U.S. Fish and Wildlife Service

Purpose and Need has been clarified more on contiguous growth not linear. Discussion stronger for overall rather than regional

T & E Analysis and Wetland Studies are not completed. Therefore there is no comment.

Illinois Geological Survey (IGS) has halted work on this project. Someone should call to clarify their scope of work. The IGS has already lost approximately 6 months. Full monitoring program should start soon or else we may lose another observation season.

Concurrence received - appear to be in good shape.



CLOSURE ON CONCURRENCE POINTS 1 and 2 with the obligation to address the previously mentioned concerns.

In general it was noted that impacts were included in Chapter 3 at this time to facilitate evaluations. The impact discussion will be taken from Chapter 3 and placed in Chapter 4.

Dennis Johnson noted that any additional comments will be received until August 7, 1995. Dennis stressed that we can not afford to backtrack on this project. We are moving forward to the preparation of chapters 2 & 4. Dennis reiterated that we are not seeking endorsement of the project, only approval of structure and content. If new facts lead to a major problem, a scoping meeting will be held.

The drafts EIS will be completed by Fall 1996. Another scoping meeting will be held at that time.

Meeting closed at 10:34 am.

MINUTES PREPARED BY:

*Steve Ravanesi*  
Steve Ravanesi

# AGENDA

Wednesday, July 19 1995  
Alternatives Status Meeting  
Fox River Bridges Study

- I. Purpose of Meeting-Closure of Concurrence Points 1 and 2
- II. Review Public Meetings
- III. Revisions to Chapter 1 & 3  
Clarification of Basic Purpose & Need  
Addition of Improvements to Existing  
Clarification of CMS
- IV. Questions and Clarifications
- V. Follow-up- Either comments now or prior to August 7
- VI. Next Step



# SCOPING MEETING

Fox River Bridge Crossings Study  
 IDOT District One, 201 West Center Court, Schaumburg, Illinois

Date: July 19, 1995

Please Print

NAME	ADDRESS	PHONE	REPRESENTING
Mike Okrent	205 N. Michigan / Suite 2400 / Chicago 60601	(312) 565-0450	Alfred Benesch
Tom Giesling	41 W 011 Burlington Rd St. Charles	708 741 3729	KDOT
Steve Ravanese	180 N. Stetson Suite 3300 Chic 60601	312-946-7119	MAI
KEVIN NELSON	600 N Commons Suite 107 Ave, In 60504	708 820-1027	CRAWFORD, MUNDY & UTLEY
LAURA NEELS	2750 W WASHINGTON, SPFLD. IL 62702	217-787-8050	CMT
YONG D. KIM	205 N. Michigan Ave. Suite 3600 Chicago 60601	(312) 616-0000	Teng & Associates
WAYNE SNAFFATO	205 N. Michigan Ave Ste 3600 Chicago 60601	(312) 616-0000	Teng & Associates
MARK FIALKOWSKI	300 WEST ADAMS, 2ND FLOOR, CHICAGO, IL 60606	(312) 793-3964	CHATS
PETE FRANTZ	IDOT - Design & Environment Springfield	217 782 4770	IDOT
KATNY AMES	IDOT - Design & Environment Springfield	(317) 245-0103	IDOT
MIKE MAC MULLEN	USEPA (ME-198) 77 W. Jackson, Chicago	312-886-7347	US EPA
WILLIAM BARBEL	IDOT DIST #1 ENVIRONMENT	708.705.4122	IDOT
RON ABRANT	111 N. CANAL ST. CHICAGO IL 60606-7206	312-353-4117	US ACE
Jeff Mengler	1000 Hart Pl, Suite 180, Barrington, IL 60010	708-391-2253	US FWS



RECEIVED  
JUL 28 1995

KANE COUNTY  
DIVISION of TRANSPORTATION

CHICAGO AREA TRANSPORTATION STUDY 300 West Adams Street Chicago, Illinois 60606 (312) 793-3466 Fax (312) 793-3481

July 25, 1995

Mr. Nabi Fakroddin, P.E., S.E.  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, Illinois 60175

Re: Fox River Bridges - Alternatives to be Carried Forward

Dear Mr. Fakroddin:

ROUTE	INFO	ACTION
NF		
ILC		
FR		
EC		
PH		
LP		
MSH		
PE		
ST		

In response to your Consultants' request, our technical staff has reviewed the draft Alternatives Status Report (dated July 5, 1995) for the Fox River Bridges Project in Kane County, Illinois. In general, we feel it adequately identifies the range of reasonable alternatives available to address the issues in the Purpose and Need Statement.

Our only substantive comments were transmitted to Mr. Okrent of Alfred Benesh at the July 19th meeting. The first consisted of editorial changes to the TDR Strategies section. The second was a request to identify the "multi-use lane" on the bridge alternatives as reserved for non-motorized traffic. We would also like a discussion added on connections between the bridges' non-motorized lanes and the Fox River Trail.

We appreciate the opportunity to comment on this document and look forward to our continuing involvement in the study. Should you have any questions, please contact Mark Fialkowski at (312)-793-3464.

Sincerely,

Aristide E. Biciunas  
Executive Director

POLICY COMMITTEE: KIM BROWN-CHAIRMAN, Secretary, Illinois Department of Transportation JACK B. WILLIAMS-VICE CHAIRMAN, President, Village of Herkin Park, Representing Council of Mayors LAURA A. JIMBLEN, Executive Director, Representing Regional Transportation Authority STELLA E. SCHULTZ, Commissioner, Representing Northcentral Illinois Planning Commission J.J. BOYLI, JIL, Commissioner, Department of Transportation, Representing City of Chicago AL FRED GIBERTI, Chief Administrative Officer, Representing Cook County DONALD ZEDENGA, Director of Transportation, Representing DuPage County NABI FAKRODDIN, Director, Division of Transportation, Representing Kane County EDUARD W. TRIPKE, Chairman, Lake County MICHAEL P. MAGNUSON, County Engineer, Representing McHenry County ROY D. COLEMAN, Chief Highway Engineer, Representing Will County MARTIN JOHNSON, Vice President, Representing Chicago Transit Authority MICHAEL W. PAYETTE, Vice President, Chicago & North Western Railway Company, Representing Class I Railroad Companies JEFFREY R. LADD, Chairman, Commuter Rail Board (Metra) JOHN D. KITA, Vice Chairman, South Suburban Mass Transit District, Representing Mass Transit Districts JOSEY MCKERTY, President, Continental Air Transport, Representing Private Transportation Provider FLORENCE H. BOONE, Chairman, Suburban Bus Board (Pace) KENNETH L. DEMARETT, Chief Engineer, Representing Illinois State Toll Highway Authority MICHAEL A. COOK, Division Administrator, Representing Peoria Highway Administration JOSE P. KTYNIAK, Regional Administrator, Representing Federal Transit Administration ARISTIDE E. BICIUNAS SECRETARY, Executive Director, Chicago Area Transportation Study







547 W. Jackson Boulevard

Chicago, Illinois 60661

Phone: 312 322-6900

TDD# 312 322-6774

July 26, 1995

Mr. Nabi Fakroddin, P.E., S.E.  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 60175

Dear Mr. Fakroddin:

This is in response to the request for comments to revised drafts of Chapters 1 and 3 for the Fox River Bridges Project in Kane County. We acknowledge the text changes made in response to our input submitted earlier. We concur with the stated purpose and need as well as the range of alternatives being considered. We ask that we continue to be apprised of study progress and that as work advances, opportunities to enhance Metra facilities be considered with all build alternatives.

If you or your consulting team have any questions, please contact me at (312) 322-6972.

Sincerely,

J. Patrick McAtee, Senior Director  
Planning & Real Estate Development

cc: M. Okrent, Benesch

P:\ROSANNE\GARY\FOXBRDG3.JPM



# northeastern illinois planning commission

222 South Riverside Plaza • Suite 1800 • Chicago, Illinois 60606 • (312) 454-0400 • FAX (312) 454-0411

August 11, 1995

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Mr. M. Michael Okrent, P.E.  
Project Manager  
Alfred Benesch and Company  
205 North Michigan Avenue  
Chicago, Illinois 60601

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- Appointment Pending

ppointed by the Board of the Metropolitan Water Reclamation District of Greater Chicago

- Appointment Pending

RE: Draft EIS - Fox River Bridge Crossing, Kane County, Illinois

Dear Mr. Okrent:

The Northeastern Illinois Planning Commission is pleased to provide comments regarding the revised chapters I (Purpose and Need) and 3 (Alternatives Status Report) for the draft Fox River Bridges Environmental Impact Statement.

These revised chapters present information in a well-organized, clear and concise format. The Purpose and Need statement quickly establishes the appropriate focus on supporting Kane County's draft 2020 Land Use Plan, which encourages compact and contiguous growth; conforming to local land use plans; and, providing an enhanced transportation network. The draft also puts a well-placed emphasis on the preservation of established downtowns and on pedestrian and bicycle access across the bridges.

As the EIS is further revised, the Commission does recommend that it examines coordination with PACE bus service for enhanced transportation access and provides more specific information on possible impacts, as well as potential connections, to existing and proposed trails cited in the *Regional Greenways Plan*.

The Commission does offer one specific revision. Since the Commission's initial review of the draft EIS statement, NIPC's 1990 Land Use Inventory was completed. The conclusions from the inventory differ slightly from earlier Commission estimates. Consequently, in Chapter One, on Page 4, please change the phrase "...while the land devoted to residential use increased by 46 percent" to "...while the land devoted to urban uses increased by 35 percent."

Mr. M. Michael Okrent, P.E.

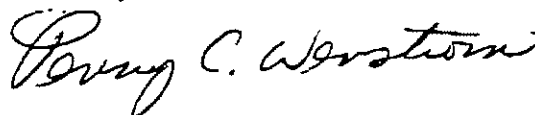
-2-

August 11, 1995

The Commission commends the Federal Highway Administration (FHWA), the Illinois Department of Transportation (IDOT) and the Kane County Division of Transportation for undertaking this evaluation of the potential environmental impacts associated with the proposed new bridge crossings.

We hope these comments are useful to you in completing the draft EIS. Please continue to include the Commission in this process.

Sincerely,



Penny C. Wenstrom  
Associate Planner  
Project Review Department

cc: Mary Cele Smith, Senior Planning Analyst, NIPC





U.S. Department  
of Transportation

Federal Highway  
Administration

Illinois Division

3250 Executive Park Drive  
Springfield, Illinois 62703

February 25, 1999

HA-IL

Mr. James C. Slifer, Director of Highways  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, Illinois 62764

Attention: Mr. Darrell McMurray, Chief  
Bureau of Local Roads and Streets

Dear Mr. Slifer:

Subject: Fox River Bridge Crossings Environmental Impact Statement (EIS)  
Red Gate Road Corridor  
Kane County, Illinois

In a recent meeting with representatives from the District One office and Kane County, we were asked by County officials to clarify our position regarding the Red Gate Road corridor. Based on current information, the Red Gate Road corridor is no longer considered a reasonable alternative.

The Red Gate Road corridor was initially discussed as a two-lane facility in the "Corridor Analysis Document" and considered "viable" based on data at the time. However, based on the latest available information relative to year 2020 traffic projections, we have determined that a four-lane facility would be required at this location. A four-lane facility in the Red Gate Road corridor would have unmitigable significant impacts and will not be carried forward as a reasonable alternative in the Final EIS.

If you have any questions or wish to discuss this issue further, please contact me in the Chicago Metropolitan Office at (312) 886-1606.

Sincerely yours,

/s/ J.D. Stokes, P.E.

J.D. Stokes, P.E.  
Transportation Engineer

For: Ronald C. Marshall, P.E.  
Division Administrator





# Illinois

## Department of Natural Resources

<http://dnr.state.il.us>

524 South Second Street, Springfield, Illinois 62707-1787

George H. Ryan, Governor • Brent Manning, Director

February 6, 2001

M. Michael Okrent  
Alfred Benesch & Company  
205 North Michigan Avenue  
Boulevard Towers South  
Chicago, Illinois 60601

RE: Fox River Bridges EIS  
Threatened & Endangered  
Species Coordination &  
Wetland comments  
Proj. Code: 100941

Dear Mr. Okrent:

### Endangered and Threatened Species

Thank you for sending the above project to this office for an updated review for the presence of endangered or threatened species, Illinois Natural Areas Inventory (INAI) sites, and dedicated Illinois Nature Preserves. The database review did not find any new resource occurrences that would need consideration for review. Attached are maps for the three corridor alignments with the most recent database information. The CCP/Stearns Road Corridor which has the most sensitive resources for potential impact is being mitigated for with an extensive commitment by the county to implement the Brewster Creek Greenway Corridor Plan. The implementation of this plan will protect the existing resources from future adverse impacts. Consultation is now closed on the three selected alignments which were submitted for an updated review.

### Wetland Review

The Wetlands Program Manager (Pat Malone) has reviewed the three selected alignments for compliance with the Interagency Wetlands Policy Act. The review resulted in concurrence of the wetland impact evaluations provided by IDOT. The avoid and minimize criteria required by the IWPA rules has been met on all the crossings, the North, South and Central. Utilization of a wetland bank as an option for the North and South crossings is approved under the IWPA rules. The wetland mitigation plan, referred to as the Brewster Creek Greenway Corridor Plan, developed by the agencies working in conjunction with IDOT, for the CCP/Stearns Road Corridor meets the requirements of the IWPA rules. Continued efforts by our agency will be ongoing to insure wetland mitigation for these projects is correctly implemented.

If you need additional information or have questions, please do not hesitate to contact me at 217-785-5500.

Sincerely,

Steve Hamer  
Transportation Review Program  
Division of Natural Resource Review and Coordination







UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

Mike

**COPY**

Jeffrey S. Dailey, Director  
Kane County Division of Transportation  
41 W011 Burlington Road  
St. Charles, Illinois 60175

MAR 06 2001

REPLY TO THE ATTENTION OF

**B-19J**

Dear Mr. Dailey:

This is in response to your recent letter concerning proposed changes to the existing content of the Draft Environmental Impact Statement (DEIS) for the Fox River Bridges project. These revisions were proposed to reflect the findings of additional technical studies undertaken on behalf of the CC&P/Stearns Road Corridor. This project has had the benefit of a substantial interagency coordination effort in accordance with the NEPA/404 Merger process.

Of critical importance to the discussion of environmental impacts potentially associated with implementation of the CC&P/Stearns Road Alternative is adequately compensating for the roadway's minimized impacts by implementation of the CC&P/Stearns Road Environmental Corridor Plan. The comprehensive mitigation strategy identified in the Plan has been developed over time, as a direct result of the frequent discussions undertaken by the project's Technical Advisory Group. Based upon our review, we find the Environmental Corridor Plan to be innovative, comprehensive, and acceptable. Accordingly, this Plan should be detailed and committed to in the project's forthcoming Final EIS as well as in its Record of Decision.

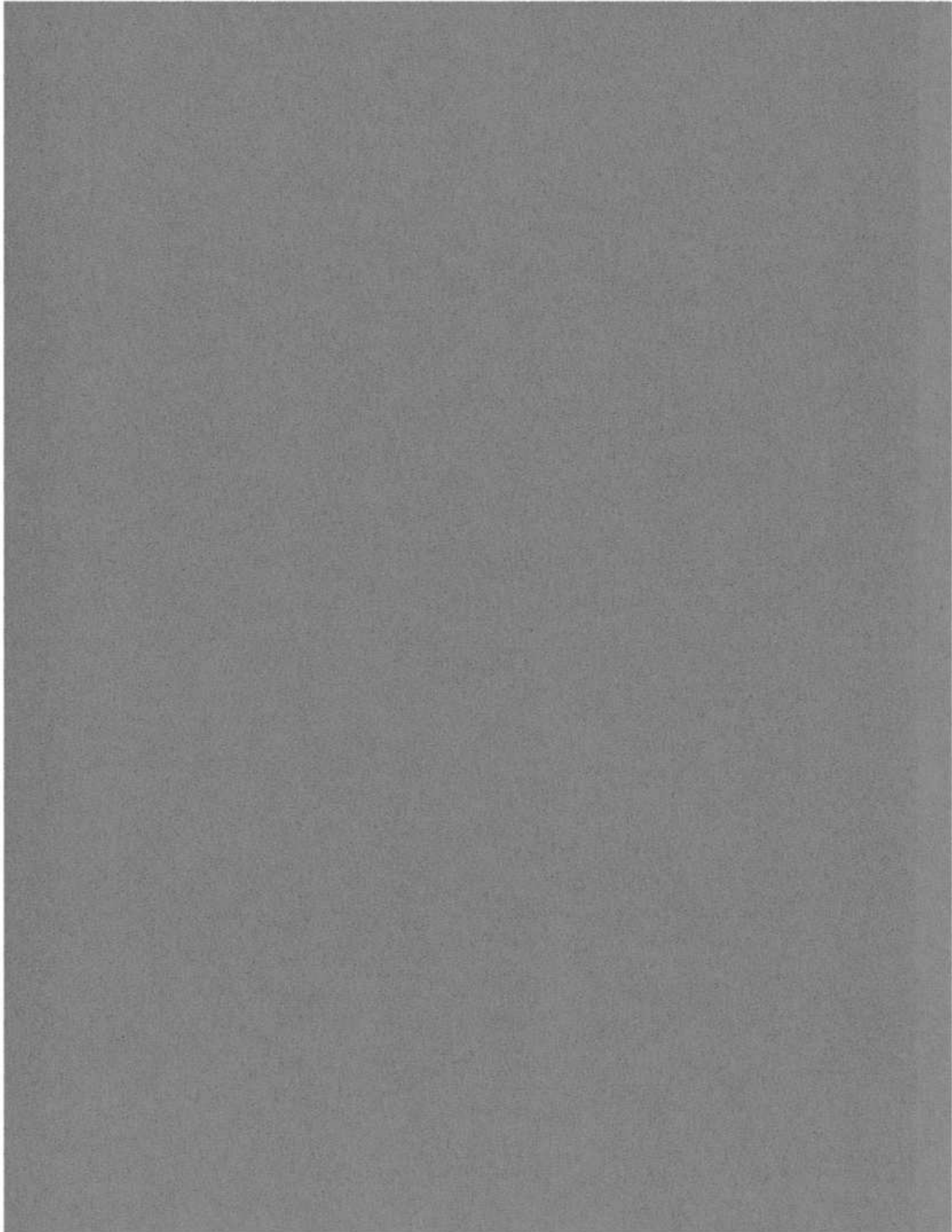
We appreciate the opportunity to provide these comments. If you have any questions, please feel free to contact me directly. I can be reached either by phone at: 312/886-7342 or by e-mail at: [macmullen.michael@epa.gov](mailto:macmullen.michael@epa.gov)

Sincerely yours,

Michael W. MacMullen  
Senior Environmental Scientist  
Environmental Planning and Evaluation Branch  
Office of Strategic Environmental Analysis

cc: Michael Okrent, Alfred Benesch & Company, Chicago, Illinois  
John-Paul Kohler, FHWA, Springfield, Illinois  
Brian Smith, ACOE, Chicago, Illinois  
Jeffrey Mengler, USF&WLS, Barrington, Illinois





**Land Use Plan Consistency**



# Kane County Regional Planning Commission

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PHILLIP BUS, SECRETARY

(630) 232-3480  
FAX: (630) 232-3411

June 18, 1997

Earl Schroeder  
Senior Project Development Engineer  
Illinois Department of Transportation  
2300 S. Dirksen Parkway  
Springfield, IL 62764

The Kane County Regional Plan Commission appreciates the opportunity to review the Fox River Bridge Crossing Draft Environmental Impact Statement (DEIS). The Regional Plan Commission recognizes the importance of integrating land use planning with transportation planning if we are to achieve balanced growth and preserve Kane County's unique sense of place. It is with this intent that the Regional Plan Commission submits the following comments based on the Kane County 2020 Land Resource Management Plan adopted June 11, 1996. The Commission's comments will first address the cumulative impacts of the river crossings, followed by individual corridor comments.

From a general perspective, the Fox River Bridge Crossing DEIS compliments the land use strategy of the Kane County 2020 Land Resource Management Plan. That strategy calls for infill and higher intensity development and redevelopment in the eastern Urban Corridor of the county, well-planned development respective of open space, water quality and natural features in the central Critical Growth Area of the County, and limited growth in the Ag/Village region to the west.

## Northern Region Bolz Road

Although the Bolz Road route does transverse proposed open space areas, the route is not inconsistent with the Urban Corridor. Designed with the view shed and open space in mind, the route could be done as a parkway supporting the Fox River Greenway with grade separated bike and pedestrian links. To the west of Randall Road the route leads into the Resource Management Area and is consistent with the strategy of the plan for the Critical Growth Area.

Central Region

CC & P Sterns Road

This route would function as a true regional bridge, moving traffic from the rapidly developing section of Randall Road to the east and is very consistent with the urban development goals of our adopted plan. This route could be coordinated with a proposed Metra station to the west tying together other land use and transportation components of the 2020 Plan. There may be some wetland issues on the east side but it appears that this could be addressed without compromising water quality objectives and policies. The eastern end of this route can be realigned to eliminate grade separation crossing and improve the flow of traffic.

Red Gate A

A substantial number of homes would be displaced by this route, having direct negative impact on existing residential neighborhoods. This negative impact is inconsistent with the objectives and policies and of the 2020 Plan for preserving neighborhoods in the Urban Corridor. This route provides only marginal support for the strategies of the 2020 Plan for the Urban Corridor, functioning as a sub-regional bridge.

Red Gate B

The route, located just south of Red Gate A, has significantly less negative impact on the existing residential neighborhoods and is consistent with the strategies of the 2020 Plan for the Urban Corridor as it pertains to the Valley View area. This route will impact existing open space. Any loss of existing open space should be mitigated with the addition of open space at a two to one ratio adjoining the impacted open space.

Red Gate C

This route is the only route that is clearly inconsistent with the strategies for the Urban Corridor. In addition, this route is also inconsistent with 2020 Plan objectives and policies and in the areas of residential development, historic preservation, and transportation. The majority of this route runs through a non urban, rural estate area, having little local benefit while negatively impacting neighborhoods and the area's community and scenic character. Further, this route goes through or past two historic districts listed both on the National Register of Historic



Places and by the Village of Wayne, one farmstead listed on the Kane County Register of Historic Places, and one site that has been nominated to the Kane County Register and is proceeding through the designation process. The negative impacts on these sites would be inconsistent with the policies and objectives of the 2020 Plan for historic preservation. Finally, the road improvements that would be required along this route would be inconsistent with the policies and objectives of the 2020 Plan for protecting the county's rustic roads. Army Trail Road has almost all of the features of rustic roads listed in the 2020 Plan, features that would be lost or substantially altered.

**C & NW/Dean Street**

This route is located totally within municipal boundaries and would have minimal impact on the 2020 Plan.

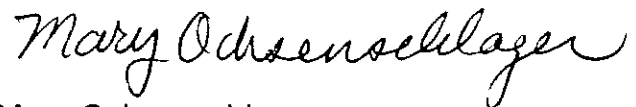
Southern Region

**IL/56 Oak Street**

This route has a strong relationship with the Urban Corridor. In order to be consistent with the 2020 Plan in creating a transition to agricultural land, the route should end at Orchard Road and not extend to Deerpath Road. This route would provide for grade separations for the Fox River Greenway.

Thank you for soliciting and reviewing these comments by the Kane County Regional Planning Commission. If you have any questions regarding these comments or require additional information, please write or contact me or Sam Santell, Planning Director at (630) 208-5116.

Sincerely,



Mary Ochsenschlager  
Regional Plan Chair.

cc Michael McCoy, Kane County Board Chairmen  
Nabi Fakroddin, KDOT  
Mike Okrent, Alfred Benesch & Co.





# City of Aurora

RECEIVED

JUL 31 1997

TENG & ASSOC., INC.

Community Development Department • 44 E. Downer Place • Aurora, Illinois 60507-2067 • (708) 844-3627

Rusty Erickson  
Director

July 28, 1997

Mr. C. Wayne Swafford  
Teng & Associates Inc.  
205 N. Michigan Avenue  
Chicago, IL 60601-5924

Subject: Illinois Route 56/Mooseheart Step II  
Teng Project No. 10-2135-01

Dear Mr. Swafford:

In response to your July 21, 1997 letter, Illinois Route 56, Butterfield Road, is designated as an arterial road on the City of Aurora's comprehensive land use and circulation plan. The plan location is the same as the existing Butterfield Road alignment. It traverses the city from the EJ&E railroad tracks on the east to Mitchell/Hart Road on the west. West of the Mitchell/Hart Road intersection, Butterfield Road is within the Village of North Aurora's jurisdiction.

The proposed cross section is east of the Mitchell/Hart Road intersection and is consistent with the City of Aurora plan for Butterfield Road to be a divided four lane street with a raised median and an adjacent bike path. It is City policy to include a bike path wherever possible along arterial streets.

The City further believes the intersections cited will need improvement. The City further believes that signals should be identified for Mitchell/Hart Road, Raddant Road, and Church Road. For current and further traffic safety, these signals are probably needed today.

If you have any questions please call.

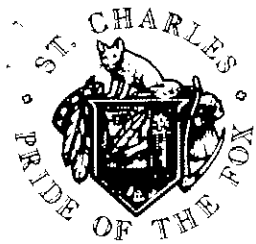
Very truly yours,

Rusty Erickson  
Director

Community Development Department

LRE/cdm





# CITY OF ST. CHARLES

TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174 - 1984

DEPARTMENT: Planning

TELEPHONE: (630)377-4443

August 4, 1997

Mr. Michael Okrent  
Alfred Benesch & Company  
205 North Michigan Ave.  
Chicago IL 60601

Re: Fox River Bridge Crossings  
Kane County Illinois

Dear Mr. Okrent:

In accordance with your request, this letter provides my comments as to the compatibility of potential Fox River Bridge alignments with St. Charles' Comprehensive Plan. The Comprehensive Plan, revised in May 1996, is the basis for planning in the City of St. Charles. It encompasses the area within the present City, as well as areas outside the present boundaries but within the 1 1/2 mile jurisdictional area. Since the City's jurisdiction does not extend into the area of the CC&P/Stearns Road corridor, I will not comment on that corridor.

C&NW/Dean Street Corridor: This corridor is not compatible with the St. Charles Comprehensive Plan, for the following reasons:

1. The roadway will disrupt existing residential neighborhoods. Several factors would be responsible for this disruption. Right of way acquisition for widening and for the intersection with existing Route 64 will require the removal of residences and will reduce usable yard areas. In addition, there will be direct and indirect impacts from the reconstruction and lengthening of the Second, Third, and Fifth Avenue (Route 25) bridges.

Neighborhoods straddling the corridor will be divided more than they are now because of the introduction of a busy highway, as well as the increased ROW width and the introduction of a vertical barrier between the rails and the roadway. According to the preliminary study, six homes will be removed, and 25 homes front on the alignment. The character of the adjoining neighborhoods will be vastly altered by the presence of a busy highway where no road now exists. (The impact of existing rail traffic within the alignment is negligible because it consists of a few trains per week made up of a few cars, moving very slowly.)

Because the alignment design provides no local access, there will be no intra-community or local neighborhood traffic benefit from the alignment.

This conflicts with the following Goals and Objectives of the Comprehensive Plan:

- “A. Protect and enhance the housing stock and mix of St. Charles.**
- C. Promote high quality residential environments in well defined neighborhoods.**
  - 1. Protect residential areas from the intrusion of inappropriate land uses.
  - 2. While maintaining individual neighborhood identity, provide for the interconnection of neighborhoods through street, pedestrian/bicycle path and/or open space/greenway connections.
- D. Promote the physical harmony of neighborhoods.**
- A. Preserve and strengthen the integrity of residential, commercial and industrial neighborhoods.”**

The following selection from the Findings section of Chapter 8, “Housing” of the St. Charles Comprehensive Plan discusses some of these issues in greater depth. I have underlined the most pertinent items:

“A neighborhood's physical setting is vital to creating a sense of place. That physical setting includes well defined boundaries and prominent landmarks such as schools or parks. Arterial streets can often define the perimeter of a neighborhood. Other facets of a cohesive neighborhood include:

- a. Strong linkages among the residential areas within the neighborhood, and with parks, schools, etc.
- b. Specific landscaping for a given neighborhood; i.e., a certain type of parkway tree, street light or street signage. Neighborhood themes may be appropriate.
- c. Protection from intrusions of inappropriate land uses.
- d. The relationship between dwelling units, creating a sense of scale and continuity without being monotonous.

Neighborhood recognition and cohesiveness does not mean that neighborhoods should be isolated from one another. An interconnecting street system between neighborhoods is important for public health and safety reasons, provided that such interconnections are planned so that streets are properly designed and sized to avoid overburdening neighborhood streets. Street, pedestrian/bicycle path and/or open space greenway connections also enable social interaction which promotes strong community identity and contributes to the hometown image of the City.”

2. The roadway will cause removal of several businesses, involving a total of 100 to 300 employees according to the draft EIS. This conflicts with the following Goals of the Comprehensive Plan:
  - “A. Through wise land use practices, maintain and enhance the economic well being of St. Charles.**
  - B. Enhance the functional and visual quality of the Main Street Corridors.**
  - D. Maintain a strong commercial base within St. Charles.”**
3. The roadway will have a negative impact on St. Charles’ Central Historic District. The alignment splits the Central Historic District, locally designated by the City of St. Charles, and will impact the Weisel House, a National Register property. The impact on the residential portion of the historic district parallels the impact on the neighborhood discussed in item 1 above. Negative impacts on the historic resources of St. Charles relate to the following goals and objectives of the Comprehensive Plan:
  - “B. Preserve the Community Heritage of St. Charles.**
  - D. Provide for future growth and appropriate land use while maintaining and enhancing the Home Town atmosphere of St. Charles.**
  - B. Provide a balanced land use mix insuring the economic vitality and preservation of the Home Town character of St. Charles.”**
4. The visual impact of a highway bridge on downtown St. Charles, Pottawatomie Park, and residential neighborhoods is largely unknown because a design has not been presented.
5. The alignment will negatively impact the following Public Facilities that are mentioned in the Comprehensive Plan:
  1. Pottawatomie Park: Taking for right of way; traffic noise impact
  2. City water reservoir and electric substation north of Municipal Center
6. C&NW RR alignment feeds directly into Route 64 at its east and west ends. As traffic on Route 64 increases, the C&NW RR alternative will be less and less viable because Route 64 will reach capacity east and west of its connection with the bypass.

It is not reasonable to define the eastern terminus of the project at Route 64. Currently, with the numerous business and access locations, Route 64 is in need of an improvement to enhance safety and facilitate existing traffic volumes. The Comprehensive Plan suggests that the City "encourage the state to consider a bi-directional turn lane from Fieldgate Drive to 7th Avenue". Improper project limits will cause severe adverse traffic impacts to Route 64, adjoining land uses, and St. Charles generally.

There will also be an impact on air quality resulting from vehicles that will be slowed or stopped where the traffic from the parallel roadways of the C&NW bypass and Route 64 would merge back into one roadway (Route 64 on the east and Dean Street on the west).

Red Gate Corridor: This corridor is compatible with the St. Charles Comprehensive Plan, for the following reasons:

1. The Red Gate corridor is included as an appropriate river crossing in the St. Charles Comprehensive Plan, and is compatible with the goals and objectives of the Plan. A precise alignment is not shown; the map depiction indicates an alignment closest to but slightly northerly of alignment "C". The Plan states  

"Strongly encourage Kane County to construct a regional bridge connecting Red Gate Road with Route 25 north of Army Trail Road with connections to Bolcum Road on the west and Stearns Road on the east to connect with the Elgin-O'Hare Expressway. This route will provide a needed and effective additional arterial highway to Route 64."
2. In terms of land use, much of the proposed Red Gate corridor, particularly alignment "C", traverses rural, semirural, low density residential or undeveloped areas. These areas often include arterial roads, also shown in the Comprehensive Plan, such as Randall Road and Kirk Road/Dunham/Route 25. By showing these existing roads and by indicating Red Gate as an acceptable river crossing, the Comprehensive Plan considers major roadways to be an acceptable element in less densely developed areas.
3. In general, negative impacts occur whenever there are residential or commercial areas adjoining a new or widened roadway; the difference is in the nature and extent of the impact. Any impact on residences or businesses in any location is contrary to the same goals and objectives of the Comprehensive Plan as are listed above in relation to the C&NW corridor. However, the nature and extent of the impact and therefore its acceptability depends on a number of factors.

The impact on homes or businesses that would be displaced is straightforward: They are gone, and the impact can be measured by how many residents, employees, or dollars will be



Mr. Michael Okrent

August 4, 1997

Page 5

displaced. By this measure, the Red Gate "C" alignment is more desirable and compatible than the Red Gate "A" or "B" alignments.

The impact on the homes and businesses that remain will vary depending on their configuration and surroundings. For example, where an existing road is widened through an area of larger lots or undeveloped land, the impact of the widening is buffered and diminished by the distance between the roadway and the homes or businesses on adjoining property. This is supported by the Comprehensive Plan's call for substantial setbacks and landscaping along arterial streets (Chapter 9, East and West Gateways Policies for Development). Where there are smaller lots and smaller setbacks, such as in an urbanized area, the impact on each property is greater, as is the collective impact on the neighborhood. The only way to avoid this impact is to plan ahead, and St. Charles has done so within its jurisdiction.

The Red Gate PUD residential development was planned to accommodate widening of Red Gate Road, with a dedication of 50 feet southerly of the centerline for current improvements (now under construction) and an additional 33 ft. buffer zone between the dedicated right of way and the residential lots that is available for future additional right of way without taking any homes or lots or infringing on required setbacks.

4. Any of the three Red Gate alignments will allow for the development of one additional fire station site to serve the St. Charles Fire Protection District and the City, as compared to two. As stated in the Community Facilities chapter of the Comprehensive Plan,

"If a bridge across the Fox River is constructed in the vicinity of Red Gate Road, four stations will be enough; the fourth station should be located near Red Gate Road and Route 31. If no bridge is built near Red Gate Road, a fifth station will be needed on the east side of the river."

The City has acquired title to a parcel on the south side of Red Gate Road immediately west of Wredling Middle School for a fire station site. The bridge location issue, therefore, also relates to the following Comprehensive Plan objective: "Design land use and transportation systems to enhance access for emergency medical services, fire fighting, and management of disaster situations."

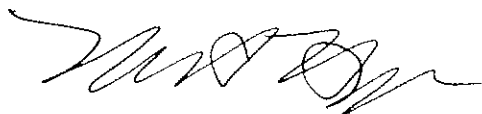
5. The facilities of Community Unit School District 303 are located such that a river crossing is important for all grade levels, but particularly for junior high and high schools.

For purposes of examining compatibility with the Comprehensive Plan, this letter does not consider those areas on the east side of the Fox River within the Village of Wayne, where St. Charles does not have jurisdiction.

Mr. Michael Okrent  
August 4, 1997  
Page 6

If you have any questions about this information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert A. Hupp', with a stylized flourish at the end.

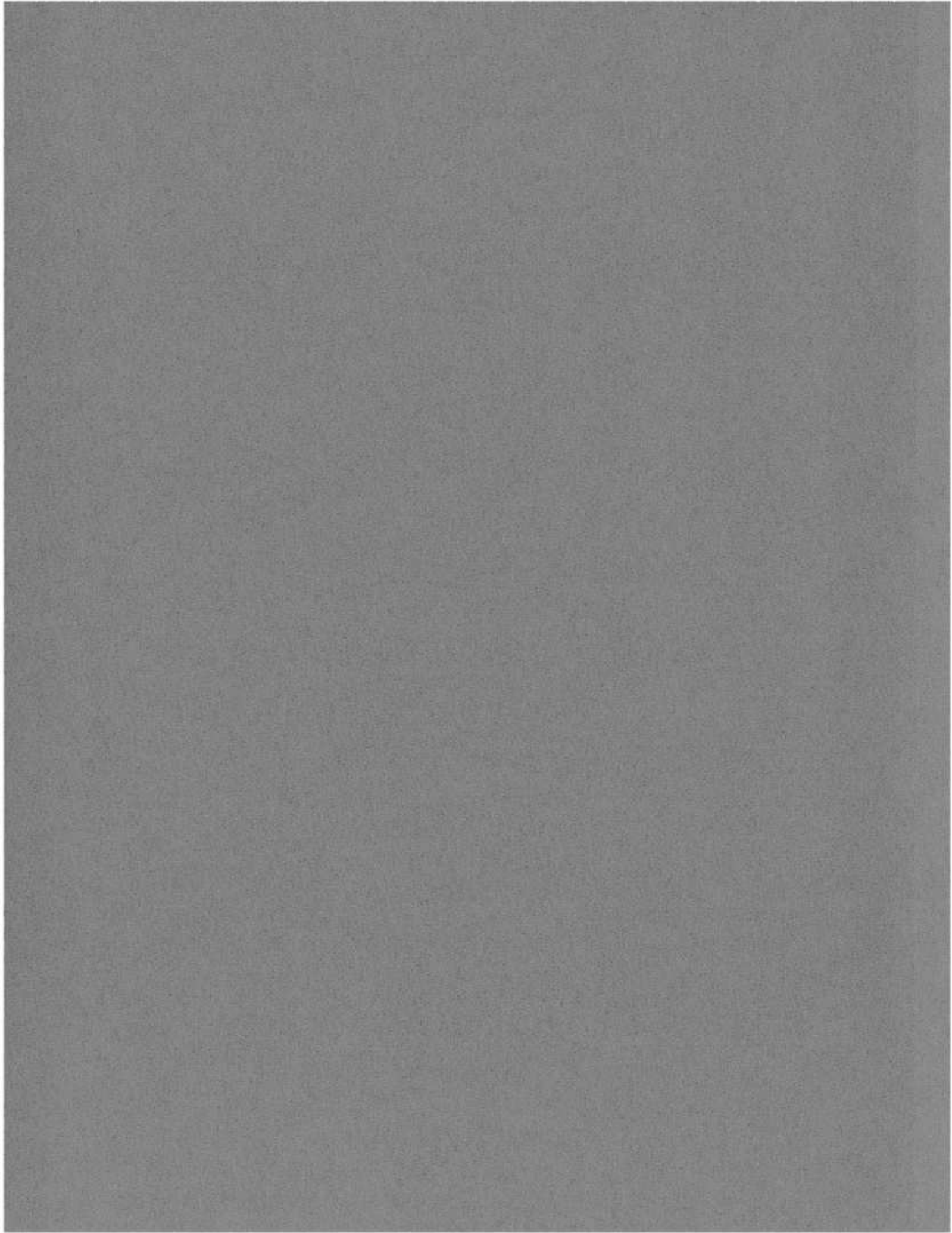
Robert A. Hupp  
Director of Planning & Development

cc: Mayor Klinkhamer  
Mark Koenen, Dir. of Public Works

**MOTION  
VILLAGE OF NORTH AURORA  
AUGUST 25, 1997**

**To inform TENG and Associates, the firm preparing the Environmental Impact Statement for the Fox River Crossings Study, that the proposed Oak Street/Illinois Route 56 bridge is inconsistent with the Village's Comprehensive Plan, adopted August 26, 1996.**





**Historic Preservation**





# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

July 8, 1997

Ms. Anne E. Haaker, Deputy  
State Historic Preservation Officer  
Historic Preservation Agency  
500 East Madison  
Springfield, IL 62702

RE: Fox River Bridge Crossing Study  
Kane County

Dear Ms. Haaker:

Enclosed is a report on four sites in or adjacent to potential bridge crossing locations. The report concludes that of the four, only the Moline Malleable Iron Company Historic District is potentially eligible for listing in the National Register of Historic Places. We agree with that finding and request that after reviewing the report, you will concur.

Very truly yours,

W. T. Sunley, Engineer of  
Design & Environment

A handwritten signature in cursive script, appearing to read "John A. Walthall".

By: John A. Walthall, Manager  
Cultural Resources Unit

Enclosure

JAW/jdf

xc: D. Carlson/N. Magnus  
R. L. Hinton/D. W. McMurray







Illinois Historic  
Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

October 15, 1997

Mr. John Walthall  
Cultural Resources Unit  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

Re: Review of National Register Eligibility Assessment and Proposed Alignments for  
the Fox River Bridge Crossings, IHPA Log #10022195

Dear John:

We have reviewed the evaluation of four sites (Site 1/12: Crabtree Country House--  
ancillary structure; Site 1/22-27: Pinelands Summer Camp Historic District; Site 3/8:  
Croushorn's Hotel and Site 4/1-2: Moline Malleable Iron Works Historic District)  
prepared by Heritage Research, LTD. We concur with the findings of the report that only  
the Moline Iron Works is eligible for listing on the National Register of Historic Places  
(NRHP).

We have also reviewed the following additional information provided to our office as a  
result of the bimonthly IHPA/IDOT coordination meeting at the District 1 offices in  
Schaumburg:

1. Perry Lathrop House, Impact Summary, Bolz Road Corridor.
2. Aerial map showing proposed alignment along CCP/Stearns Road Corridor.
3. Oaklawn Historic District Impact Summary Report and Plan Profile Sheets for  
Existing/Proposed Alignments on Red Gate Road, West of Illinois Route 31.
4. Aerial maps showing proposed alignment along CNW/Dean Corridor.
5. Aerial maps showing proposed alignment for six properties along the IL Route  
56/Mooseheart Step II Corridor.

After driving portions of the corridors, reviewing the information provided and reading the May 21, 1997 "Summary List of Historic Properties Impacts", we have the following comments:

1. Bolz Road Corridor:

The Perry Lathrop House (19N 045 Illinois Route 31, Site 5/1). By letter on October 2, 1996 we concurred with the recommendation that this structure required further evaluation. Since the alignment, as currently proposed, would constitute an adverse effect, we still agree that further work is necessary in order to determine if this property is eligible for listing on the National Register of Historic Places (NRHP).

2. CC&P/Stearns Road Corridor:

Farmstead at 37W 103 McDonald Road, Elgin Township (Site 1/1,2). By letter on October 2, 1996 we concurred with the recommendation that further evaluation should be conducted at this farmstead to determine eligibility for the NRHP. This work should be conducted so that the boundary of this possible historic property is determined before we comment on the potential impacts to this site. Additionally, are the buildings located across the road to the north associated with this site?

3. Red Gate Road Corridor:

House at 36W 927 Red Gate Road, St. Charles Township (Site 1/12). We agree with the conclusion of Heritage Research, LTD that the ancillary building at this site is non-contributing. However, further evaluation as recommended in October 1996 at this site, as well as the estate at 36W 788 Red Gate (Site 1/13-15), the house at 36W 612 Red Gate (Site 1/16), Red Gate Farm (36W 368 Red Gate, Site 1/17), and Silver Fox Farm (5N 754 Illinois Route 31, Site 1/18) will need to be conducted to determine eligibility for the NRHP. Then we will be able to more accurately comment on the potential impacts to these sites.

Pinelands Summer Camp (5N 375-658 & 35W 405-423 Pinelands, Site 1/22-41). We concur that this site is not eligible for listing on the NRHP.

Oak Lawn Farm Historic District (Dunham Road/Army Trail Road). The proposed improvement at the intersection of Army Trail Road and Dunham road would constitute an adverse effect. Consultation should begin between our office and IDOT to seek alternatives that would avoid or reduce the adverse effect.

Wayne Historic District. The secondary impacts of the proposed alignment on the Wayne Historic District have not been assessed. This needs to be done in order to understand the full impacts (physical, visual, audible) of this proposed corridor.

#### 4. C&NW/Dean Street Corridor:

Moline Corporation (Dean Street, St. Charles, Site 4/1,2). We concur that the Moline Malleable Iron Works is eligible for listing on the NRHP. Therefore the alignment, as proposed, would constitute an adverse effect. Consultation should begin between our office and IDOT to seek alternatives that would avoid or reduce the adverse effect. Additionally, if the buildings on the west side of 17th Street (James and Kirtland Plant) will be impacted by the proposed alignment, they will need to be assessed for NRHP eligibility.

The bridge (Site 4/3) at CNW RR tracks and 12th Streets. More detailed plans of this modification are needed to determine the proximity and design issues involved.

It appears from the information provided that there will be no effect to the brick garage (5th and Mark Streets, Site 4/5), the house (2nd and Park Avenues, Site 4/7), the house (304 2nd Avenue, Site 4/14) and the house (514 State Street, Site 4/22).

A site plan showing the location of the structures and the proposed alignment and sidewalk/landscape modifications should be provided for both the house at 416 2nd Street (Site 4/12) and the National Register Andrew Weisel House (Site 4/13).

#### 5. Illinois Route 56/Oak Street Corridor:

The farmstead at 4S 335 Deerpath Road, Aurora Township (Site 3/3). The alignment, as proposed, will have no effect on this site.

Croushorn's Hotel (3 Oak Street, North Aurora, Site 3/8). We concur that this structure is not eligible for the NRHP.

NE corner Illinois Route 56 and Illinois Route 31, North Aurora (Site 3/15). Since the proposed alignment does not require any additional right-of-way and does not appear to be larger than the extent of the existing road surface there will be no effect to this property.

D.R. Sperry Factory (112 Grant Street, North Aurora, Site 3/19) and the farmstead at 35W 117 South Butterfield Road (Site 3/35,36). Further evaluation as recommended in

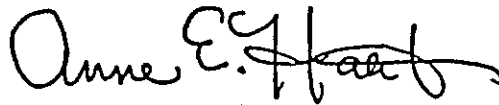
October 15  
Fox River Bridges  
Page 4

October 1996 should be conducted at these sites to determine NRHP eligibility and the extent of these sites before our office comments on potential impacts.

The house at 131 Illinois Route 25, North Aurora (Site 3/24,25). The alignment, as proposed, will have no effect on this building.

If you have any questions, please call Ms. Tracey A. Sculle, at 217/785-3977.

Sincerely,

A handwritten signature in black ink that reads "Anne E. Haaker". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Anne E. Haaker  
Deputy State Historic  
Preservation Officer

AEH:TAS

c: Rocco Zucchero, IDOT, District 1  
Mark Baghepour, IDOT, District 1  
Mike Okrent, Alfred Benesch

## MEETING MINUTES

---

Date: November 16, 1997  
 Date of Meeting: November 6, 1997  
 Time of Meeting: 10:30 a.m.  
 Meeting Location: IDOT District 1 Office

Regarding: IHPA Coordination Meeting  
 Fox River Bridge Crossings  
 Kane County, Illinois

### General

This meeting was held in response to the October 15, 1997 letter from IHPA indicating additional information will be needed before a Determination of Effect can be issued for this project. The property impacts were discussed by corridor.

**Bolz Road corridor.** The Lathrop House for purposes of this project will be deemed eligible for inclusion on the National Register of Historic Places (NRHP). A widening onto the yard is an adverse effect. Avoidance is not practical because the intersection with Bolz Road and Illinois Route 31 must be widened for this project. Widening to the west rather than the east will destroy the Lathrop animal export business. A section 4(f) and a section 106 evaluation will be required for this site. The evaluations will include discussions of avoidance and mitigation. Anne Haaker will be involved in discussions regarding mitigation.

**CC&P/Stearns Road corridor.** Frontage will be required from the farmstead at 37 W103 McDonald Road as part of the improvement. It does not appear that the property on the north side of McDonald Road is associated with this farmstead. Dr. Walthall will have this possibility investigated. He will also direct further study of the property for eligibility on the NRHP. Once that is completed, then the impacts can be judged for adverse effect.

**Red Gate corridor.** While the Red Gate Farm is eligible for National Register listing, the extent of the property and the contributing elements that are eligible have not been determined. The fence was noted as contributory in the nomination form. Again, the extent needs to be determined. More work will be done exploring this. Also, more work is required for determination of eligibility and extent of eligible property for the various farmsteads involved. A determination will also be needed for the Silver Fox farm.

The Oak Lawn Historic District and the Wayne Historic District are on the National Register. The proposed intersection improvements from Alignment C will have an adverse effect on the Oak Lawn Historic District because preservation of the surrounding open space is specifically mentioned in the National Register listing as contributing to the District's character.

Meeting Minutes

Date of Meeting: November 6, 1997

Page 2

Evaluation of the impacts of increased traffic on the Oak Lawn Historic District and Wayne Historic District will require more evaluation. Detailed evaluation is not needed until a preference for an alignment has been established for the Final EIS. The impacts of traffic do not involve use. Therefore, it is a Section 106, not 4(f) issue. Ms. Tracey Sculle reaffirmed that the proposed crossing will have no effect on the Pinelands Camp due to the lack of historic significance associated with the property.

C&NW/Dean Street corridor. The Moline property is eligible. Therefore, the project will produce an adverse effect. Avoidance does not appear possible because a shift of the railroad is inadequate to eliminate the impact and a shift of the road to the other side would cause displacements of a power substation, a plastics plant and many houses. While the Kirtland plant still needs an eligibility determination, the discussion for this property would be identical.

The proposed project will not impact the 12th Street bridge. IHPA would like more details, in the form of typical sections illustrating the work, to demonstrate the landscape impacts to the Andrew Weisel House and the house at 416 2nd Street.

Illinois Route 56/Oak Street. The D.R. Sperry building will not be affected. The change to the lot will be the construction of a replacement driveway to serve the facility. The building on the farmstead at 35W 117 South Butterfield Road will not be affected and no right-of-way will be required. For both of these properties Ms. Sculle stated there will be no effect.

Dr. Walthall will be responsible for the remaining studies to determine eligibility and the extent of the contributory property. He intends to complete this work by December 1, 1997.

cc: Nabi Fakroddin, Kane County Division of Transportation  
Wayne Swafford, Teng  
Steve Ravanese, McDonough  
Kevin Nelson, CMT



**Illinois Historic  
Preservation Agency**

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

KANE COUNTY  
Fox River Bridges  
six proposed bridge crossings

PLEASE REFER TO:  
IHPA LOG #961010004M-K  
Sites: 117; Acres: 1263; ITARP

December 2, 1997

Dr. John A. Walthall  
IDOT - Bureau of Location & Environment  
Cultural Resources Unit  
2300 South Dirksen Parkway  
Springfield, Illinois 62764

Dear Sir:

Thank you for requesting comments from our office concerning the possible effects of the project referenced above on cultural resources. Our comments are required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties".

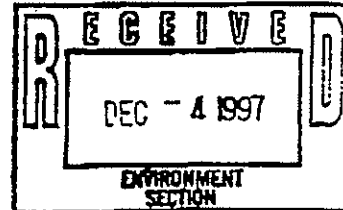
Our staff has reviewed the draft report for the above referenced project entitled "The Fox River Bridges: Phase I Archaeological Investigations for Six Proposed Bridge Crossings Across the Fox River, Kane County, Illinois" by Madeleine G. Evans and Wendy G. Harris. Our comments are enclosed. Except as noted in our comments, we concur with the recommendations in the draft report. We look forward to seeing the final version.

Sincerely,

Anne E. Haaker  
Deputy State Historic  
Preservation Officer

AEH:MEE:FRK

Enclosure



Postmark	Date	# of pages
Fax Note R7673	12/16/97	
To	Mike Akrent	
From	K. T. Olson	
Phone#		







# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

May 20, 1998

**Kane County  
Fox River Bridge Crossings  
Evaluation of Historic Properties**

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

Dear Ms. Haaker:

Enclosed are two copies of a report entitled "Evaluation of Historic Resources: Volume 2, Fox River Bridge Crossing Study" submitted by Heritage Research, Ltd. personnel concerning historical properties and sites potentially to be impacted by the proposed project referenced above. Documentary research and architectural survey indicate that two of the properties, the farmstead at 37W103 McDonald Road (site 1/1,2) located in the CC&P/Stearns Road Corridor, and the Janes & Kirtland Plant located in the CNW/Dean Street Corridor, do not meet the criteria for inclusion on the National Register of Historic Places and require no further work.

The Perry Lathrop House located in the Bolz Road Corridor does appear eligible under Criterion C as an excellent architectural example of an early Greek Revival farmhouse. Likewise, the property at 36W 368 Red Gate Road, and associated period structures, appear eligible 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 if these properties subject to protection under Section 106 of the National Historic Preservation Act of 1966, as amended, will be impacted by proposed construction, a Memorandum of Agreement will be submitted to your office for review and concurrence prior to final design approval.

Very truly yours,

William T. Sunley, Engineer of  
Design and Environment

By: John A. Walthall  
Cultural Resources Unit

**CONCUR**

By: Anne E. Haaker  
Deputy State Historic Preservation Officer

Date: 6/2/98

1 HPA Log # 100 22195





Illinois Historic  
Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

June 25, 1998

Mr. John P. Kos, P.E.  
District Engineer, District One  
Illinois Department of Transportation  
201 W. Center Court  
Schamburg, IL 60196-1096

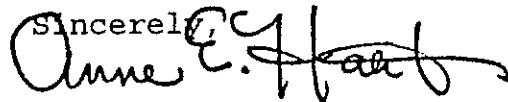
Re: DEIS for Fox River Bridge Crossings  
Federal Document No.: FHWA-IL-EIS-93-01-D/4(f)  
IHPA Log #10022195, 961010004M-K

RECEIVED  
JUN 25 1998  
STATE HISTORIC PRESERVATION OFFICE  
201 WEST CENTER STREET

Dear Mr. Kos:

Our office has reviewed the Draft Environmental Impact Statement and Section 4(f) Evaluation (DEIS) for the construction of new bridges across the Fox River in Kane County, Illinois. Recently, our office received additional survey information from the Illinois Department of Transportation regarding the eligibility of certain structures (see attached letter dated May 20, 1998). The results of this evaluation should be incorporated into the document. The statement under 4.4.5, Cultural Resources, page #4-112 regarding the Andrew Weisel House (312 2nd Avenue) and the property at 416 2nd Avenue is not accurate. Our office will require more detailed cross-sections before we are able to determine the effect of the project on these properties. Any references in the DEIS regarding archaeology should adequately reflect the information contained in our December 2, 1997 and attached reviewer's comments. A copy of this letter and attachment are enclosed.

Thank you for the opportunity to review and comment on the DEIS. If you have any questions, please contact Ms. Tracey A. Sculle, Cultural Resources Manager, 217/785-3977.

Sincerely,  


Anne E. Haaker  
Deputy State Historic  
Preservation Officer

enclosures: May 20, 1998 letter  
December 7, 1997 letter w/ attachments

AEH:TAS



# Illinois Historic Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

## REVIEWER'S COMMENTS

IHPA Log #961010004M-K

SIX FOX RIVER BRIDGES

pg. iv and v -- 11-K-424 is listed under Oak Street and Red Gate Road Corridors. Should one entry be 11-K-426?

pg. v -- Under Red Gate Corridor, 11-K-13 should be emboldened

pg. 28, Figure 7 -- This illustration pertains to only the southern corridors. Can you also supply that portion of the map for the northern corridors.

pg. 47, Methods

a) Can you briefly elaborate on the difference between the corridors and the ROWs? It was initially confusing to me how the two differed; I thought the terms were being used interchangeably. Also, can you elaborate briefly on corridor widths, perhaps in the description of each corridor in Survey Results.

b) What procedures/definitions did you use for prehistoric and historic artifact analyses? Did NIU-CAP or ITARP conduct the analyses?

pg. 51, 1st para. -- We request below survey for additional parcels. In general, all parcels must be surveyed if they will be constructed on, do not occur in low-lying areas, are not previously disturbed, are not extremely small in size, or some combination of the above.

pg. 66, 11-K-424 -- Is this site on Figure 9? You have a duplicate site 11-K-424 on page 105. The descriptions on the pages do not agree and suggest one site is misidentified. Should this be 11-K-426?

pg. 71, 11-K-41 -- a) Does additional work need to be conducted to determine whether the prehistoric scatter identified during survey is indeed part of 11-K-41? b) On Figure 12, 11-K-41 appears to be outside the study corridor. Is this correct? The site description is vague on this point. c) Do available site records indicate on what evidence (e.g. human bone, mounds, etc.) this site was identified as a burial location? Is bone curated; if so, is it human? If presence or absence of human bone cannot be verified in collections, additional work should be recommended to evaluate whether human remains are present at this site and whether human remains will be impacted by construction. The presence of burials does not automatically make a site significant in National Register terminology. However, any burials present are protected under the Human Skeletal Remains Protection Act regardless.

pg. 81 -- disagree with your recommendation that 11K399 needs further work ; the site does not appear to warrant additional investigation

pg. 82 -- disagree with your recommendation that 11K410 needs further work; the site



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does not appear to warrant additional investigation

pg. 94 -- Disagree that low priority parcels do not need survey. Your coverage and sites located maps suggest all the parcels designated low priority potentially contain archaeological resources. Survey is requested for all unsurveyed parcels.

pg. 102, 11-K-13 -- Why couldn't the northern and eastern site limits be determined? If present, any burials are protected under the Human Skeletal Remains Protection Act.

pg. 103 -- disagree with your recommendation for further work at 11K371; the site does not appear to warrant additional investigation

pg. 108, 11-K-444 -- a) 8th line -- where is "here"? b) disagree with your recommendation for further work at 11K444; the site does not appear to warrant additional investigation

pg. 109 - 110, 11-K-452 -- Why couldn't the east and west site boundaries be accurately assessed? Despite the unplowed condition of 11-K-452, I am inclined to disagree with your recommendation for further work at 11-K-452 due to the limited quantity of artifacts. The site does not appear to warrant further investigation.

pg. 111, Table 17 -- a) For Property Number 10, you should indicate the priority level as low for prehistoric, high for historic. This will more accurately reflect your text on page 113, lines 1-3.

pg. 113, line 1 -- agree the parcels listed as low priority do not require further work.

pg. 113, line 2-3 -- If this is an unregistered cemetery, the burials are protected under Human Skeletal Remains Protection Act.

pp. 117-118, 11-K-221 -- a) Knight also reports a Middle Archaic stemmed biface for this site. b) This portion of the Rees map is not portrayed in Figure 7.

c) I disagree with this report's interpretation of 11-K-221 as short term, confined to a pre-1860s affiliation, and as the P.O. and home of Edward Brewster as it is depicted on the 1851 Rees map.

Some facts -- 1: 11-K-221 is located on the east side of Rte. 125 in NW & NE of SE SW NE S1 (Knight, 1991 IAS site form), on the north bluff of Brewster Creek. A mid to late 19th century affiliation (IAS site form) and an 1850s affiliation (this report) are attributed to the artifact scatter from 11-K-221. -- 2: The 1851 Rees map shows a road approaching S1 from the southwest, curving northwest and traversing the SE 1/4, then curving and aligned N/S through the NW S1, and north through the W 1/2 of S36 (above S1). The 1860 and subsequent atlases show a similar orientation, but shifted approximately .25 miles to the east, passing through the NE S1. The points of inflection differ between 1851 and later, and the points where they enter and leave S1 differ. The alignment of the 1860 road closely corresponds with the current Dunham Road/Rte. 125



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alignment. -- 3: The 1851 map shows a structure in SE NW S1, on the east side of the 1851 road. The structure is indicated as a P.O., with the notation E.W. Brewster. The 1851 map does not show a structure in the SW NE S1, the location of 11-K-221. The 1860 atlas shows a structure in SW NE S1, on the west side of the 1860 road. This structure also appears on the 1872, 1892, and 1904 atlases and the 1932 15' topographic quad. The structure location is directly opposite the 11-K-221 artifact scatter. The 1860 atlas does not show a structure at the 1851 location of the P.O. and E.W. Brewster. -- 4: Land purchase records document E.W. Brewster purchased the NE S1 (location of the 1860 atlas structure, location of 11-K-221) in 1842, whereas David Webb purchased the NW S1 (location of 1851 map structure and attributed location of P.O., E.W. Brewster). The 1860 atlas indicates neither individual owned his tract; Joseph Hurst owned both the NE and NW S1. We thus know the tracts changed ownership at least once before 1860, but we do not know who owned the tracts between the original purchase date and 1860 nor the dates of conveyance.

Interpretation: You indicate the scale of the 1851 map is questionable. It's not specified on what you base this statement, but I assume you infer that the 1851 road and the 1860 road are the same, thus, should have the same eastern alignment as that depicted in 1860 and later. On this basis, and knowing Brewster purchased the NE S1 but not the NW S1, you interpret the 11-K-221 artifact scatter, on the east side of the road, as the structure present in 1851 on the east side of its road and indicated as P.O. and E.W. Brewster. The disappearance by 1860 of the 1851 structure apparently is the basis for interpreting 11-K-221 as a short-term, 1850s occupation. The fact that between 1851 and 1860 the structure shifts from the east side of a road to the west side may also be the basis for the short-term, 1850s interpretation, but this is unclear.

I disagree that the 1851 map scale is questionable and the road alignment misplaced. This would be an approximate .25 mile error in placement. Roads, especially early roads, were moved through time. It is entirely possible the 1851 alignment was abandoned and a new alignment routed through the E 1/2 of S1 by 1860. Support for this is three-fold. First, as noted above, the roads' orientations are similar, but their alignments differ substantially in where and how they cross section and internal lines. These differences extend beyond S1. Second, four 1860 structures aligned in a linear, N/S pattern in the W 1/2 S36 and S line of S25 (to the north) are some distance west of the 1860 road. Their placement and patterning, however, suggests they were built next to a road. Placement and patterning is consistent with the 1851 road alignment through the W 1/2 S1 and suggests the alignment is correct as mapped. Third, I note a railroad grade shown on the 1904 atlas as well as the 1932 15' and current 7.5' USGS quads closely corresponds with the 1851 road alignment in W 1/2 S1. This seems more than a coincidence and may represent the railroad following the earlier roadbed.

If the realignment scenario is accepted, then 11-K-221 cannot represent E.W. Brewster and P.O. as depicted in 1851, despite both locations on the east side of a road. Instead, Brewster's P.O. would have been about .25 miles west of 11-K-221. The artifact scatter, then, as stated by Knight, is not depicted on atlases. However, the scatter likely is associated with the structure indicated in 1860 in SW NE S1, west of the road and directly opposite the scatter. Based on the atlases, this structure's inception postdates



# Illinois Historic Preservation Agency

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1851 but predates 1860; occupation continued into the 20th century. This inception date is consistent with the mid 19th century affiliation reported here and by Knight. Knight, however, also assigns a temporal affiliation into the late 19th century, a point not accounted for in this report. The short-term, 1850s affiliation proposed in this report is not consistent with reported artifact dates. Association with the long-term structure across the road seems more likely. This inference is strengthened by noting the atlases indicate a single individual owned the acreage on both sides of the road in 1860, 1892, and 1904, thus had access to the 11-K-221 location. Different individuals owned the acreages in 1872. Differences in 1872 ownership may account for a temporal affiliation ending in the late 19th century and the apparent lack of 20th century artifacts. In sum, a road alignment shift to the east between 1851 and 1860 coupled with a change in landowners by 1860 could easily explain the demise of the 1851 P.O. structure as well as the inception between 1851 and 1860 of a long-term structure across from mid to late 19th century 11-K-221, with which 11-K-221 is associated.

Despite these objections, 11-K-221 has an early component. Additional field work is warranted to better assess temporal affiliation, function, association with the structure across the street, and the potential for features. Additional documentary work should minimally address ownership history and residents. It would be enlightening to investigate whether Brewster ever owned the NW S1, and if so, when. Such investigation may provide evidence for whether or not the 1851 road and P.O. structure are correctly portrayed.

pg. 120, 4th para. -- You note sixteen tracts of land remain unsurveyed, but list 17 tracts in Table 19. Recommend survey for three low priority tracts (2, 9, and 14). Other low priority tracts do not require survey.

pp. 121-122/Figure 21 & Table 19 -- a) Property Number 17 does not appear to be on Figure 21. b) Properties 2, 9, and 14 should be surveyed.

pg. 126, 11-K-382 -- Given the 20 m distance separating 11-K-382 and 11-K-388, the small quantity of historic artifacts at 11-K-382, and the same original purchaser, the historic scatters could easily represent the same occupation (perhaps dispersed by plowing?) rather than 2 separate occupations or structures. Further work may clarify this issue.

pg. 127, 2nd para., 4th line -- 11-K-387 appears to be an incorrect site number; should this be 11-K-388? If so, there is an inconsistency in dates on this line with that noted 3 lines below under 11-K-388.

pg. 129, 2nd para. & Table 20 -- Text indicates that, for multicomponent sites, the component recommended for Phase II will be italics. No italics are noted in Table 20.

pg. 131, Table 20 -- For 11-K-402, it would be useful to note under "Recommendation" that Avoidance is recommended due to presence of a potential mound (see 11-K-13 entry).





# Illinois Historic Preservation Agency

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pg. 135, 2nd para. -- Text needs revision to reflect recommended survey of additional parcels.

The ASSR forms received 18 November 1997 have been treated as a draft Appendix.

Bolz Road, Comments -- The ASSR states survey is recommended for four unsurveyed parcels but the report recommends survey of seven parcels. We also recommend survey for an additional three parcels (2, 9, 14). See comments above for pg. 120, 4th para.

CC&P/Stearns Road, USGS map -- plot sites on USGS map

#### Red Gate Corridor

- a) Sites Located -- 11-K-424 is listed here and under Mooseheart Road/Oak Street. There is no IAS site form for 11-K-424 in Red Gate Corridor. 11-K-424 appears on Red Gate Corridor USGS map. There is an IAS form for 11-K-426 in Red Gate Corridor, but the site is not listed. See comments above for pg. 66, 11-K-424.
- b) Comments -- Request survey of all unsurveyed parcel, not just the six (unspecified) parcels noted.
- c) Comments -- Disagree with your recommendation of additional work at 11-K-371, 11-K-444, and 11-K-452. These sites do not appear to warrant additional investigations.
- d) the USGS map showing the project area is incomplete

#### Mooseheart Road/Oak Street

- a) The original site form for 11-K-354 is omitted (only the revisit form is included).
- b) Sites Located -- 11-K-424 is listed here and under Red Gate Corridor. Site form is included in Mooseheart Road/Oak Street ASSR. Site is not shown on USGS map. Should Mooseheart Road/Oak Street 11-K-424 be 11-K-426?
- c) Comments -- Disagree with your recommendation for additional work at 11-K-399 and 11-K-410. These sites do not appear to warrant further investigations.

# MEETING MINUTES

---

Date: October 30, 1998  
Date of Meeting: October 22, 1998  
Time of Meeting: Noon  
Meeting Location: IDOT District 1 Office

Regarding: IHPA Coordination Meeting  
Fox River Bridge Crossings  
Kane County, Illinois

## Participants

See attached

## General

This meeting is a follow-up to the meeting of November 6, 1997 to review unresolved issues for this project. Since that time Heritage Research, Ltd. had submitted to IHPA "Evaluation of Historic Resources: Volume 2, Fox River Bridge Crossing Study." IHPA reviewed this report and in their April 20, 1998 letter concurred with the findings (see attached letter). Specifically, the farmstead at 37W103 McDonald Road located in the CC&P/Stearns Road Corridor and the Janes & Kirtland Plant located in the C&NW/Dean Street corridor do not meet the criteria for inclusion on the National Register of Historic Places.

At the November 6 meeting it was decided that the project has an adverse effect on the Lathrop House in the Bolz Road corridor due to the widening of the road onto the property. Mr. Dennis Johnson of FHWA asked if the historic boundary for the property could be established so the widening is outside the boundary. The effect would still stand but it would not be a Section 4(f) issue. Ms. Sculle indicated she could review this with the aid of Kane County's nomination of the property. Possible mitigation measures could include landscaping to restore the trees removed and to buffer (not hide) the house from the road and recordation. Mr. Ravanese was directed to prepare some additional cross-sections to illustrate the impacts and possible treatments to minimizing those impacts.

The farmsteads along Red Gate Road that were part of the E. J./ Baker estate/farmstead are eligible for inclusion on the National Register; the only question is are they collectively, as well as individually eligible. Any frontage used for the project represents an adverse effect. The impacts appear unavoidable with the proposed improvements because affected properties are on opposite sides of the proposed widening of Red Gate Road. The impacts include safety enhancements to correct deficient geometry. The Section 106 documentation and the Memorandum of Agreement (MOA) for these improvements will need to proceed. Documentation will include details to show the impacts and measures to minimize those impacts.

## Meeting Minutes

Date of Meeting: October 22, 1998

Page 2

The project proposes to improve the intersection of Dunham Road and Army Trail Road by right-of-way acquisition from the Oak Lawn Historic District. In fact, intersection improvements, including signalization, are warranted now and Kane County has been trying to implement them; these improvements would also require right-of-way. Any right-of-way acquisition is an adverse effect and requires Section 106 documentation and a MOA.

Mr. Okrent noted that a bridge connecting Red Gate Road and Army Trail Road would result in an increase in traffic through the Wayne Historic District above the increase in traffic expected with the No-Build Scenario. This increase in traffic would result in increased congestion and possible pressure for improvements to Army Trail Road. Ms. Sculle noted that the Section 106 evaluation does consider secondary impacts and increased traffic could be classified as a secondary impact. Mr. Johnson noted that under the terms of the project any widening or "loaded guns" to widen Army Trail Road would be a "fatal flaw."

There are a number of approaches available to mitigate the increased traffic. Analysis indicates that construction of the nearby CC&P/Stearns Road corridor would reduce proposed traffic back to the No-Build scenario. Various traffic restrictions could also be implemented to reduce traffic to a No-Build or lower volume. Ms. Sculle indicated that if the proposed measures could be shown to produce traffic comparable to the No-Build scenario then there would be no effect.

The Section 106 documentation will be submitted to IHPA separately from the EIS for their review and for the Advisory Council. The Advisory Council almost always agrees with the SHPO on the basis of the documentation submitted. Whether one Section 106 document will be submitted for the project or one for each of the two corridors still under evaluation will be determined later.

### Action Items

- Mr. Okrent is to pursue the IHPA comments to the DEIS, especially for comments to archaeology. This may clarify what remains to complete this task.
- Mr. Ravanese is to prepare additional cross-sections and illustrations demonstrating possible impacts and minimization approaches to impacts to the Perry-Lathrop House.
- Mr. Nelson is to prepare similar exhibits regarding impacts to the farmsteads along Red Gate Road and to the Oak Lawn Historic District
- Mr. Okrent is to prepare traffic exhibits illustrating the impacts to the Wayne Historic District from the proposed Red Gate Road/Army Trail Road connection and the potential mitigation approaches.

attachments

# ATTENDANCE ROSTER

## BUREAU OF PROGRAMMING

PROJECT/TOPIC:

IHPA

DATE: Oct. 22, 1998

TIME: 12 pm

LOCATION: IDOT - 4th Floor Conference Room

ROOM: -

	NAME (Please Print)	REPRESENTING	PHONE NUMBER
1	Mike Okrent	Alfred Benesch	(312) 565-0450
2	Terry Heffron	Trans/Lead	(630) 443-9811
3	KEVIN NELSON	CMT	(630) 820-1022
4	THOMAS RICKERT	KANE D.O.T	(630) 584-1170
5	Steve Ravanese	McDonough Assoc Inc	(312) 946-7119
6	JEFF DAILEY	KANE COUNTY	(630) 584-1170
7	Carol Van Dermeiren	Kane County Bd.	(630) 208-5133
8	JOHN HOSCHETT	KANE COUNTY BOARD	(630) 513-8700
9	EARL SCHROEDER	IDOT LOCAL ROADS	(817) 782-0127
10	Dick Young	Kane Forest Preserve	( )
11	MARK BAGHERPOUR	IDOT	(847) 705-4406
12	WILLIAM BARBEL	IDOT ENVIRONMENT	(847) 705 4122
13	Stacey Scully	IHPA	(217) 785-3977
14	Tony Karam	Benesch & Co.	(312) 565-0450
15	Rocio Zamora	IDOT - ENVIRONMENTAL	(847) 705-4401
16	Deann Johnson	KAWA - Env. Eng	(217) 492-4625
17			( )
18			( )
19			( )
20			( )



*Mark*



# Illinois Department of Transportation

## Memorandum

---

To: John P. Kos Attn: Nancy L. Magnus  
From: Darrell W. McMurray  
Subject: IHPA Concurrence  
Date: October 30, 1998

---

Kane County  
Section 93-00209-00-ES

The concurrence from the Illinois Historic Preservation Agency concerning archaeological resources affected by the Fox River bridges is attached. A copy of this letter should be included in the Final Environmental Impact Statement.

Engineer of Local Roads and Streets

*Larry Houser*

By: Larry D. Houser  
Local Project Implementation Engineer





# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

*ITARP  
Final Report report for  
current alignment  
CONCUR MS  
10-30-98*

October 29, 1998

**Kane County  
Fox River Bridges  
IHPA Log # 961010004M-K**

Mr. William L. Wheeler  
State Historic Preservation Officer  
ATTENTION: Anne Haaker  
Illinois Historic Preservation Agency  
Springfield, Illinois 62701

Dear Mr. Wheeler:

In response to your letter of December 2, 1997 concerning your review of a draft report for the archaeological studies conducted in conjunction with the project referenced above, we attach a revised report from the Illinois Transportation Archaeological Research Program. Further engineering studies have now reduced the number of potential crossings to four. Based upon our original recommendations and on your review of the draft archaeological report, the following archaeological sites will require subsurface testing prior to construction:

- Oak Street: 11-K-354, 362, 367 and 430.
- Red Gate: 11-K-13, 263, 402, 424, and 448.
- Stearns: 11-K-13, 97, and 221.
- Bolz Road: 11-K-365, 382, 387, and 388.

The results of the testing of these prehistoric and historic habitation sites will be reported to your office in a timely manner, as will the results of any further pedestrian survey required. Should any of these sites prove eligible for the National Register a plan of data recovery and appropriate documentation will be submitted to your office in compliance with Section 106 of the National Historic Preservation Act of 1966 as amended.

Very truly yours,

William T. Sunley, Engineer of  
Design and Environment

*John A. Walthall*  
By: John A. Walthall  
Cultural Resources Unit

**CONCUR**

By: *Anne E. Haaker*  
2987 State Historic Preservation Officer  
Date: 10-30-98







Illinois Historic  
Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

March 3, 1999

W. T. Sunley, Engineer  
Illinois Department of Transportation  
Attn: John Walthall  
2300 South Dirksen Parkway  
Springfield, IL 62764

Re: Red Gate Road Corridor (Army Trail Road) and Oaklawn Historic District and Wayne Historic District; IHPA Log #10022195

Dear Mr. Sunley:

We have received a memorandum dated February 5, 1999 from Mr. Mike Okrent, Alfred Benesch and Compnay, regarding the proposed Red Gate Road (Army Trail Road) Corridor and impacts to the Oaklawn Historic District and the Wayne Historic District. Mr. Okrent has requested that our office write a letter for the official record which states our concerns regarding this corridor and impacts to these historic properties.

Our office has indicated in various meetings with the Illinois Department of Transportation and their consultants that we have concerns regarding the proposed Red Gate Road corridor and its possible impacts on the Oaklawn Historic District and the Wayne Historic District. In October and November 1997, we reviewed a proposed intersection improvement (alignment C) at Army Trail Road and Dunham Road which was determined to have an adverse effect on the Oaklawn Historic District. Additionally, the potential for increased traffic with the Red Gate Road Corridor will cause adverse impacts either directly or indirectly to the Wayne Historic District.

If you have any questions, please contact Ms. Tracey A. Sculle, Cultural Resources Manager, at 217/785-3977.

Sincerely,

Anne E. Haaker  
Deputy State Historic  
Preservation Officer

AEH:TAS

c: Mike Okrent  
Cindee Walsh, IDOT-District 1



# Illinois Historic Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

*From KM ✓*  
Local Roads

Kane County  
Algonquin

Fox River Bridge Crossings-Bolz Road Corridor, Road Widening of Existing Road  
Il. Rte. 31 at Lathrop Lane, Perry Lathrop House, 3 mi. S. of Rte. 62  
IHPA LOG #0101190037W-K

February 6, 2001

Michael Hine  
Illinois Department of Transportation  
2300 S. Dirksen Parkway  
Springfield, IL 62764

RECEIVED  
FEB - 8 2001  
DISTRICT #1

Dear Mr. Hine:

We have reviewed the documentation provided by McDonough Associates for the referenced project in the submittal forwarded to this office by Jane Farrington, IDOT District 1, on January 19, 2001.

This office previously concurred with the adverse effect of the above referenced project on the Perry Lathrop House in December, 1998. The property is considered eligible for listing on the National Register of Historic Places. Possible mitigation measures had been suggested by this office at the IHPA Coordination Meeting on October 22, 1998. These measures could include landscaping to restore trees proposed for removal and to buffer (not hide) the house from the road, and IL HABS recordation on the property.

This most recent submittal does not adequately address these proposed mitigation measures. We look forward to reviewing any plans your office may wish to submit that will address mitigation of the adverse effect on the Perry Lathrop House.

If you have any questions, please contact Cody Wright, Cultural Resources Manager, Illinois Historic Preservation Agency, 1 Old State Capitol Plaza, Springfield, IL 62701, 217/785-3977.

Sincerely,

*Anne E. Haaker*

Anne E. Haaker  
Deputy State Historic  
Preservation Officer

AEH: CW

Cc: Jane Farrington, IDOT 1

**Okrent, Michael**

---

**From:** Jacobson, Jerry [JACOBSONJ@nt.dot.state.il.us]  
**Sent:** Friday, March 16, 2001 2:33 PM  
**To:** 'foxriverbridges@aol.com'; Desai, K. T.  
**Subject:** FW: Fox River Bridges

As per your request.--JJ

> -----Original Message-----  
> From: Wright,Cody  
> Sent: Monday, March 05, 2001 3:43 PM  
> To: Jacobson, Jerry  
> Subject: Re: Fox River Bridges  
>  
> Jerry:  
>  
> Per our meeting with Mark Bagherpour, please incorporate these  
> "commitments" regarding Cultural Resources to the Fox River Bridges  
> project Draft EIS:  
>  
> As planning progresses and prior to final project approval,  
> consultation will take place with SHPO in accordance with  
> Section  
> 106 of the NHPA to take into account archaeological resources  
> identified in preliminary planning.  
>  
> As plans are developed for Bolz Road Corridor, consultation will  
> occur with SHPO concerning the Perry-Lathrop House (add address)  
> to  
> ensure adverse effects are avoided in accordance with Section  
> 106  
> of the NHPA and implementing regulations.  
>  
> Thanks,  
>  
> Cody







## **Miscellaneous Coordination**





# County of Kane

WARREN KAMMERER, JR.  
Chairman

OFFICE OF COUNTY BOARD  
Kane County Government Center  
719 Batavia Avenue  
Geneva, Illinois 60134

Telephone:  
708-232-5930  
Fax:  
708-232-9188

March 21, 1994

Ms. Connie Szorc  
35W460 Maple Lane  
St. Charles, IL 60174

RE: FOX RIVER BRIDGES STUDY

Dear Ms. Szorc:

We had discussed your concern about exacerbating flooding problems by constructing additional bridges across the river with our consultants. They had assured us that the design of any piers in the waterway would include ice breakers and life ups on the upstream side of the piers. You can rest assured that this condition will be addressed when any bridge is designed in Kane County in the Fox River.

The County appreciates your involvement in this matter of great concern to all of the County residents. The County government also has a great concern for residents living in flood prone areas because of the health risks during the flooding period. Naturally, each of us wants to minimize these occurrences.

I urge you to continue to be informed and involved in the bridge studies. There are many decisions to be made and citizen participation is important.

**RECEIVED**

MAR 24 1994

**ALFRED BENESCH & CO.**

Sincerely,



Warren Kammerer  
Chairman - Kane County Board

ma  
cc: M. Okrent (Alfred Benesch & Co.) ✓  
T. Cieslica (KDOT)  
M. McCoy, Chairman - Transportation Committee



## **Miscellaneous Coordination**



# COUNTY OF KANE



## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Timothy Harbaugh, Director  
Gary Mielke, Recycling Coordinator  
Steve Garrison, Manager Landfill Operations

### County Government Center

719 Batavia Avenue  
Geneva, Illinois 60134  
Phone: (708) 208-5118  
Fax: (708) 208-2189

July 17, 1995

Mike Okrent  
Alfred Benesch  
205 N. Michigan Ave., Suite 2400  
Chicago, IL 60601

Dear Mr. Okrent:

In response to your recent request, the recycling facility operated by Monarch Disposal on Dunham Road near South Elgin is one of only two such facilities in Kane County. These facilities are used to separate loads of recyclable material that is collected from residential and commercial sources. Following separation, the recyclables are baled and then shipped to markets.

These facilities make important contributions to our efforts in Kane County to reduce the amount of waste we send to landfills by at least 47 percent. The Kane County Board has mandated recycling in residential and commercial buildings, and separation facilities are essential for our recycling initiatives to proceed.

These types of facilities are very difficult to "site" or locate. Jurisdictionally they fall under either local zoning (if it handles only recyclables), or the statutory process for obtaining siting approval for "Pollution Control Facilities". Local siting approval, via either method, has been extremely difficult to obtain for these facilities anywhere in Illinois, and it is not expected that the approval process will become any easier in the future.

Sincerely,

Gary Mielke  
Recycling Coordinator



# COUNTY OF KANE

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Timothy Harbaugh, Director  
Maureen Anderson, Admin. Mgr.  
Gary Mielke, Recycling Coordinator  
Karen Kosky, Watershed Engineer  
Steve Garrison, Mgr. of Landfill  
and Stormwater Field Programs



**County Government Center**  
719 Batavia Avenue  
Geneva, Illinois 60134

[www.co.kane.il.us](http://www.co.kane.il.us) (website and e-mail)  
Stormwater Mgmt: (630) 208-8665  
Recycling: (630) 208-3841  
Solid Waste: (630) 208-5117  
General: (630) 208-5118  
FAX: (630) 208-5137

May 2, 2001

M. Michael Okrent  
Alfred Benesch & Company  
205 North Michigan Avenue  
Chicago, IL 60601

Dear Mr. Okrent:

In your letter dated April 25, 2001, you asked for information regarding the impact of the CC&P/Stearns bridge and possible displacement of the Alliance Waste facility on the County's recycling efforts.

My understanding is that the Alliance facility is currently used as a recycling transfer station. Recyclable items that have been collected from residential and commercial sources are delivered to this facility and transferred to larger trucks for shipment to sorting facilities.

This type of facility does not employ any specialized equipment, nor are there any regulatory barriers to establishing these facilities. Alliance would have to establish a replacement facility to continue to provide current levels of recycling service.

Relocation or replacement of the facility appears to be strictly a business transaction that, with appropriate financing, should not materially affect the collection, processing, or transportation of recyclable items in Kane County.

Sincerely,

Gary Mielke  
Recycling Coordinator





# COUNTY OF KANE

**DEVELOPMENT DEPARTMENT**  
Planning & Projects Division  
Sam Santell, Director



**County Government Center**  
719 Batavia Avenue  
Geneva, Illinois 60134  
Phone: (630) 232-3484  
Fax: (630) 761-6919

## Memorandum:

**To:** Mike Okrent, Alfred Benesch & Company  
**From:** Sam Santell, Director of Kane County Planning Division  
**Date:** August 1, 2001  
**Re:** Peter Orum, Midwest Groundcovers, July 25, 2001

Question: How many employees do you currently have at your Rt. 25 site?  
Answer: Approximately 200.

Question: How many of the 200 employees are seasonal?  
Answer: Approximately 140.

Question: What is your turnover rate for employees?  
Answer: 5%.

Question: Of your seasonal employees, what percent are hired back each season?  
Answer: A large number of them are the same.

Question: What is your employment season?  
Answer: From Spring to Fall.

Question: How many or what percent of your employees are minority?  
Answer: Approximately 5% white male, 15 % women and 80% Hispanic.

Question: What skill level is the majority of your employees?  
Answer: 100% of the employees are trained workers, they are technicians.

Questions: To the best of your knowledge, where do most of your employees live?  
Answer: The general Elgin area.

Question: To the best of your knowledge, how do most of your employees get to work?  
Answer: Automobile, they tend to carpool.

Question: Generally, how much do your employees earn, example, how many earn under \$25,000, how many over \$25,000?

Answer: 60% of the employees earn over \$25,000, 40% earn under \$25,000.

Question: If the CCIP/Stearns River crossing proceeds, will this impact the number of employees at your Rt. 25 site?

Answer: It depends on a number of factors, including the timeframe of the project and the season. If it is a fast timeframe (one year) then 50 to 100 jobs could be lost. Also, the operation can only be moved during certain times of the season.

Question: If employees lose their job, will it be easy for them to find other jobs?

Answer: It depends on the market.

Question: Will any of your employees shift to another location?

Answer: That depends on the timing of the move, the season and if they want to or can drive farther to work.

Question: Do you think your employees would take advantage of some type of subsidized public transportation for a relocated site?

Answer: That would be interesting to look into, they might.

Additional comments from Peter:

If 90 acres of land were taken for the River Crossing, a few things would help his operation; (see attached drawing).

1. A road connection along the north end of Hickory subdivision providing a connection between the westside and eastside of the remaining operations.
2. Maybe the creek could be used as the southern property line for the River Crossing corridor boundary.
3. Concern for the natural areas along the creek.
4. The groundcover operation would need to continue to draw water from the creek.

# MIDWEST GROUNDCOVERS

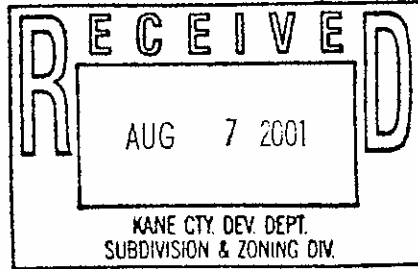
Propagators, Growers and Wholesalers of QUALITY Nursery Stock

POST OFFICE BOX 748

Tel: (847) 742-1790

ST. CHARLES, ILLINOIS 60174

Fax: (847) 742-2655



August 6, 2001

Mr. Ken Anderson  
Kane County Development Department  
719 Batavia Avenue  
Geneva, IL 60134

**RE: Midwest Groundcovers' Application for Map Revision  
and Special Use for the Virgil Property - 0009**

Dear Ken:

Enclosed with this letter is a piece of correspondence I am forwarding for inclusion in our upcoming public hearing. I want to make sure that this information is shared with both the Plan Commission members, and representatives of the County Board.

Thank you in advance for your cooperation in this regard.

Very truly yours,



Peter Orum

PO:jlc

Enclosure

*The Groundcover Specialists*

NURSERIES LOCATED ON ROUTE 25 NORTH OF ST. CHARLES

# MIDWEST GROUNDCOVERS

Propagators, Growers and Wholesalers of QUALITY Nursery Stock

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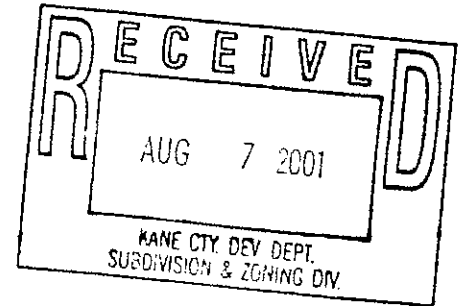
Fax: (847) 742-2655



August 6, 2001

Mr. Ken Anderson  
Kane County Development Department  
719 Batavia Avenue  
Geneva, IL 60134

**RE: Midwest Groundcovers Application for Map Revision  
and Special Use for the Virgil Property - 0009**



Dear Mr. Anderson:

On August 20, 2001, Midwest Groundcovers will present its request for a change of zoning from the F District Farming to the F-2 Special Use, for a 5 acre piece of land in the middle of the F- District Farming, and request to zone a five (5) acre parcel to F-1 Single-Family Residential. The presentation will be made to the Plan Commission that evening, and this letter is intended to be part of the package for the public hearing.

The Orum Family is the owner of a large parcel of property along Illinois Route 25 in unincorporated Kane County. The parcel is adjacent to the Fox River, and is targeted for the extension and construction on the proposed \$70,000,000 Stearns Road Regional Bridge.

We have had considerable repore with the County and Regional authorities over the last several years. We have been notified of public hearings, and engineering studies have been completed on our parcel of property. The County has been good enough to provide us with copies of the plans and we know a significant portion of our current production facilities will be eliminated in order to make this public improvement. We also know that with the County's recent approval of \$55,000,000 in bondings that the project is very close to commencement.

We have been advised that Illinois law provides that Midwest Groundcovers will be entitled to receive the fair cash market value for the property which is taken for the bridge. We have also been advised that we will be able to recover damage to the remainder real estate which is left behind at the Stearns Road location. In additional to the just compensation for the part taken, and damage to the remainder compensation, we understand that the County will be able to negotiate a suitable relocation package to fairly assist us in moving and relocating our production and processing facilities. Relocation assistance will be critical to Midwest Groundcovers in transferring to the Virgil facility.

*The Groundcover Specialists*

NURSERIES LOCATED ON ROUTE 25 NORTH OF ST. CHARLES



Our businesses, Midwest Groundcovers, Midwest Trading, and Midwest GROmaster will be severely impacted by the proposed taking, and bridge construction. Most of our production and propagation facilities will be destroyed by the targeted acquisition. These facilities will have to be recreated from scratch, at the new land in Virgil, Illinois. The Virgil facility has no wind protection, and the microclimate needed for plant propagation and growth does not exist. It will be necessary for Midwest Groundcovers to recreate these important facilities, and to do so at tremendous cost. It will also take Midwest Groundcovers a considerable amount of time and effort to relocate and reconstruct the project and processing facilities at a new location.


Despite the fact that we will be entitled to receive just compensation, and despite the fact that we will be able to negotiate a fair relocation package, it is clear that some of the losses we will confront will simply fall in the cracks between these two means of compensating Midwest Groundcovers. The pending petition is an effort to decrease some of the business related impacts associated with the Stearns Road Regional Bridge, and mitigate the losses that will not be compensable by the County of Kane.

Our pending litigation applies to property intended for relocation facilities for Midwest Groundcovers, Midwest Trading and Midwest GROmaster. Average construction costs for the production and processing improvements located at the Route 25 property exceed \$150,000 per acre in today's dollars. Just examining the office, warehousing, material storage facilities and parking facilities within the area the bridge and road requires, we currently have in access of \$2,000,000 in construction costs in today's dollars. Furthermore, the Virgil property does not contain a natural water source nor any windprotection, and the reservoir facility and wells are necessary for our production facilities, and creation of wind protection, and will require earthwork, planting and construction expenditures of \$30,000 to \$40,000 per acre.

This is a substantial undertaking, and we ask for whatever expedience you can provide in order to minimize the detrimental impact to the business of Midwest Groundcovers, Midwest Trading and Midwest GROmaster.

On behalf of Midwest Groundcovers and our family companies, I want to thank you and the Board Members for any consideration you can give us in this regard.

Very truly yours,



Peter Drum

PO:jlj

TO: KANE COUNTY ZONING BOARD OF APPEALS  
KANE COUNTY DEVELOPMENT COMMITTEE  
Phil Bus Sam Santell  
Jon Duerr Jeffrey Dailey  
County Board Member District

Petitioner  
Mollie Millen  
Mark VanKerkhoff

ZONING REQUEST REPORT

Report No. 1043

Date 8/16/01

GENERAL INFORMATION

APPLICANT: NB & Trust Comapany of Sycamore

(Midwest Ground Cover)

c/o Christopher Lannert

215 Fulton Street

Geneva, IL 60134

PURPOSE: To establish a nursery sale display yard and  
a single family residence

EXISTING ZONING: F District-Farming

REQUESTED ACTION: F-1 District Rural-Residential and F-2  
District-Agricultural Related Sales, Service,  
Processing, Research, Warehouse, & Marketing

SIZE: 10.07 acres (5.12 acres F-1; 4.959 acres F-2)

LOCATION: Southeast corner of Route 64 and Fabris Road,  
Sections 8, 9, 16, & 17, Virgil Township

SURROUNDING:	ZONING:	USE:
NORTH	<u>F District-Farming</u>	<u>Ag. &amp; Resid.</u>
SOUTH	<u>F District-Farming</u>	<u>Ag. &amp; Resid.</u>
EAST	<u>F District-Farming</u>	<u>Ag. &amp; Resid.</u>
WEST	<u>F District-Farming</u>	<u>Ag. &amp; Resid.</u>

EXISTING LAND USE: Agriculture

LAND USE PLAN  
DESIGNATION: Agriculture

ZONING HISTORY: No previous zoning requested for this site.

APPLICABLE LAND  
USE REGULATION: Article VIII, Sections 8.2 & 8.3 of the Kane  
County Zoning Ordinance.

National Bank and Trust of Sycamore  
*(Midwest Ground Cover)*  
F to F-2 and F-1

**Special Information:** Midwest Groundcover is a container Nursery. It has two affiliate companies with it: Midwest Trading that specializes in soils composting, processing, and packaging and Midwest Growmaster, an irrigation company. They are owned and operated by the Orum family. The Midwest companies currently operate on Route 25 in St. Charles Township. The F-2 area is located in the center of the property and will house the main office. The growing areas will be situated around the F-2. A large lake/storm water detention area will be located on the center of the property. They need to capture and reuse as much water at this location as they can for irrigation. Midwest Groundcover is a wholesale nursery. They do some retail sales but do not advertise as such. They do not wish to compete with the people they supply products to. The F-1 will be for Peter Orum's daughter. She will oversee the operations at this location. Midwest Groundcovers has also requested two sign variations. They would like to locate two 32 square foot signs at the entrance of the property.

**Analysis:** The Kane County 2020 Land Resource Management Plan designates this area as Agriculture. The 2020 Plan recognized the need and importance of agribusiness. Midwest Groundcovers is an established business looking to relocate. They are currently located in an area designated as Rural Residential. Development in that area is what is driving the relocation to an area designated Agriculture. The F-1 is for a family member involved in the farming operation.

**Recommendation:** The Kane County Technical Staff recommends approval of the Rezoning request with the following stipulation:

1. Right-of-way dedication for 33 feet from the existing centerline along Fabris Road. (Such right-of-way shall be conveyed at no cost to Virgil Township)

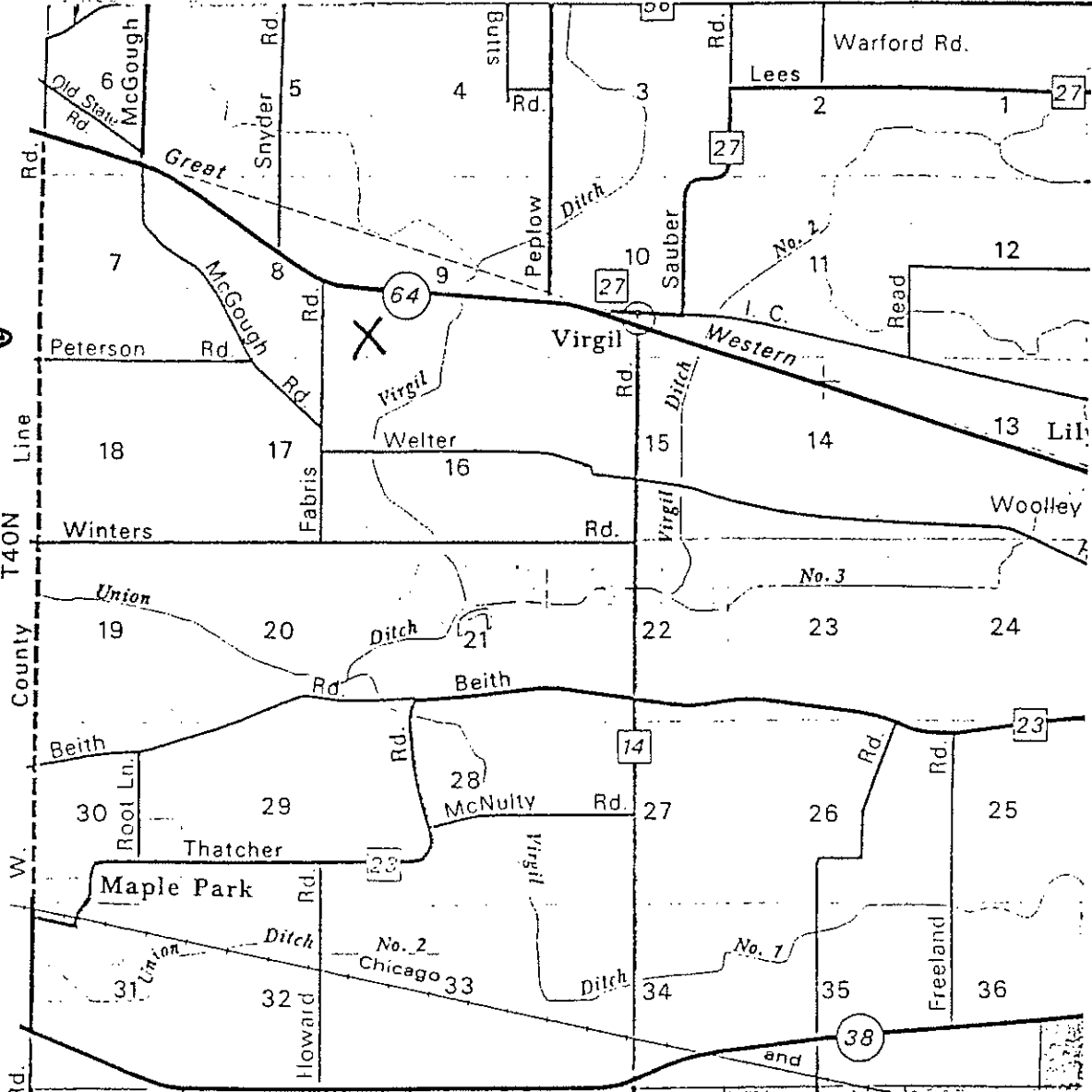
Attachments: Location Map  
Township Map



VIRGIL twp.  
T.40N - R.6E

map 7

SITE →



1"-MILE

