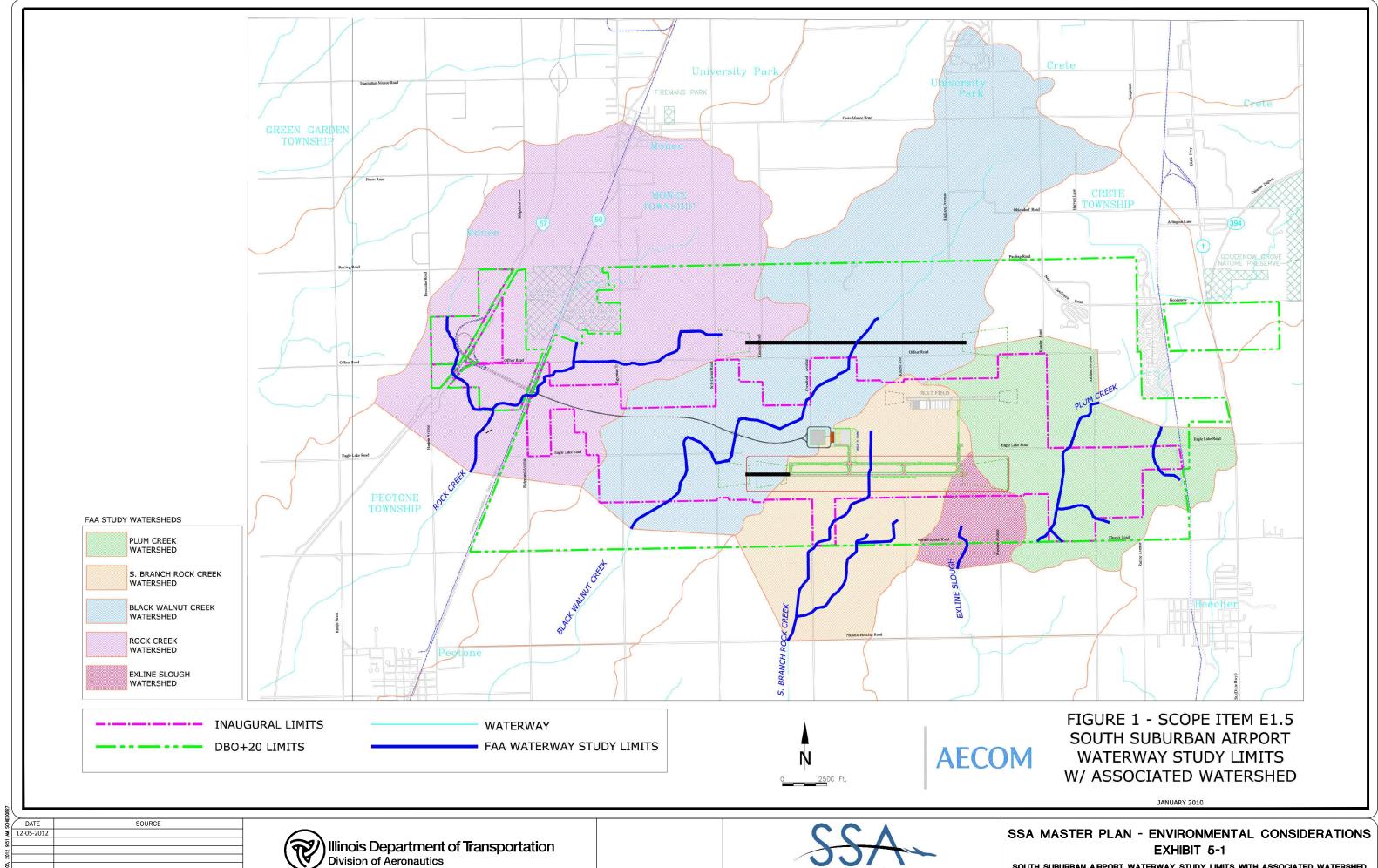
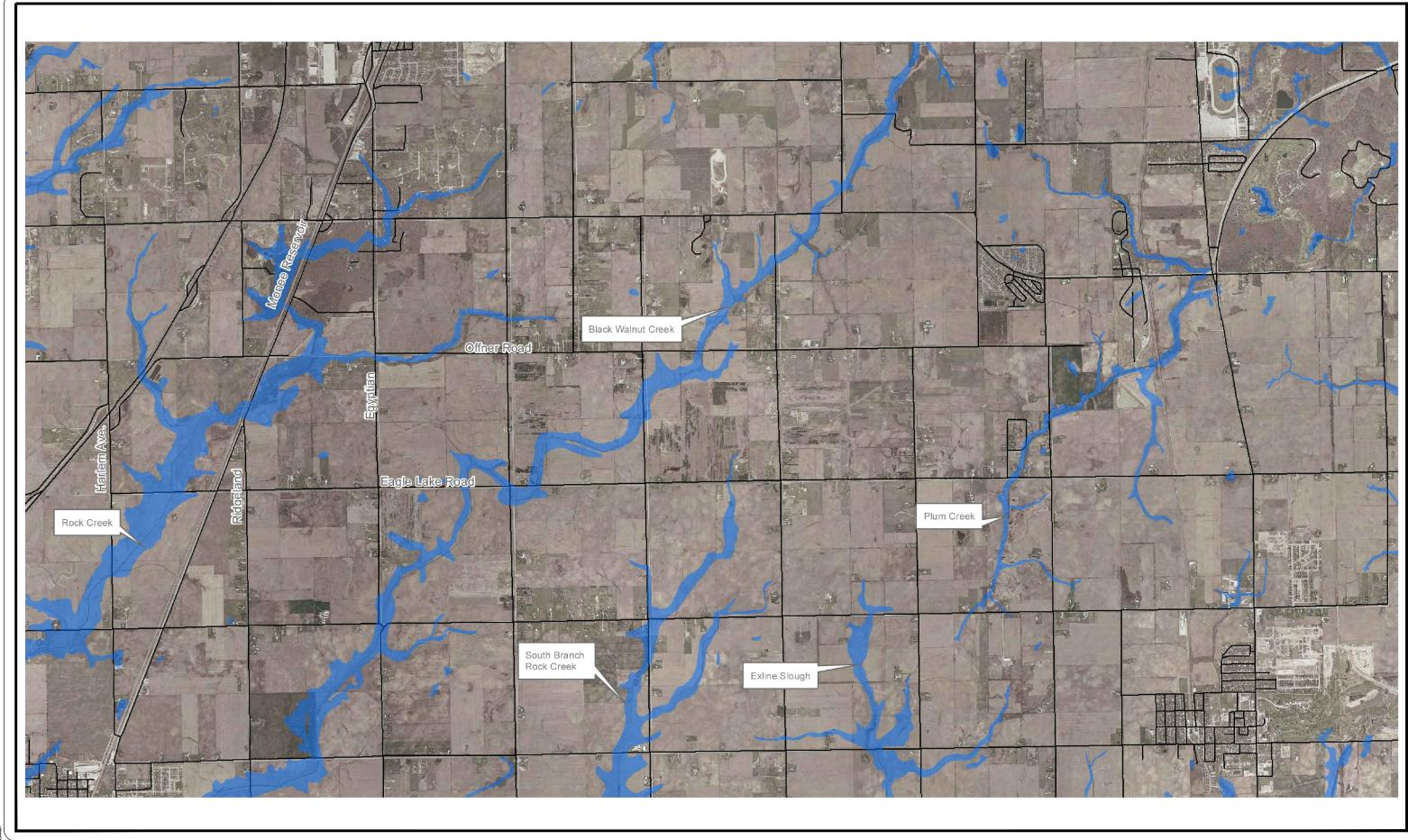


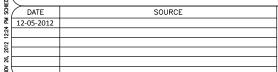
SouthSuburbanAirport



SouthSuburbanAirport

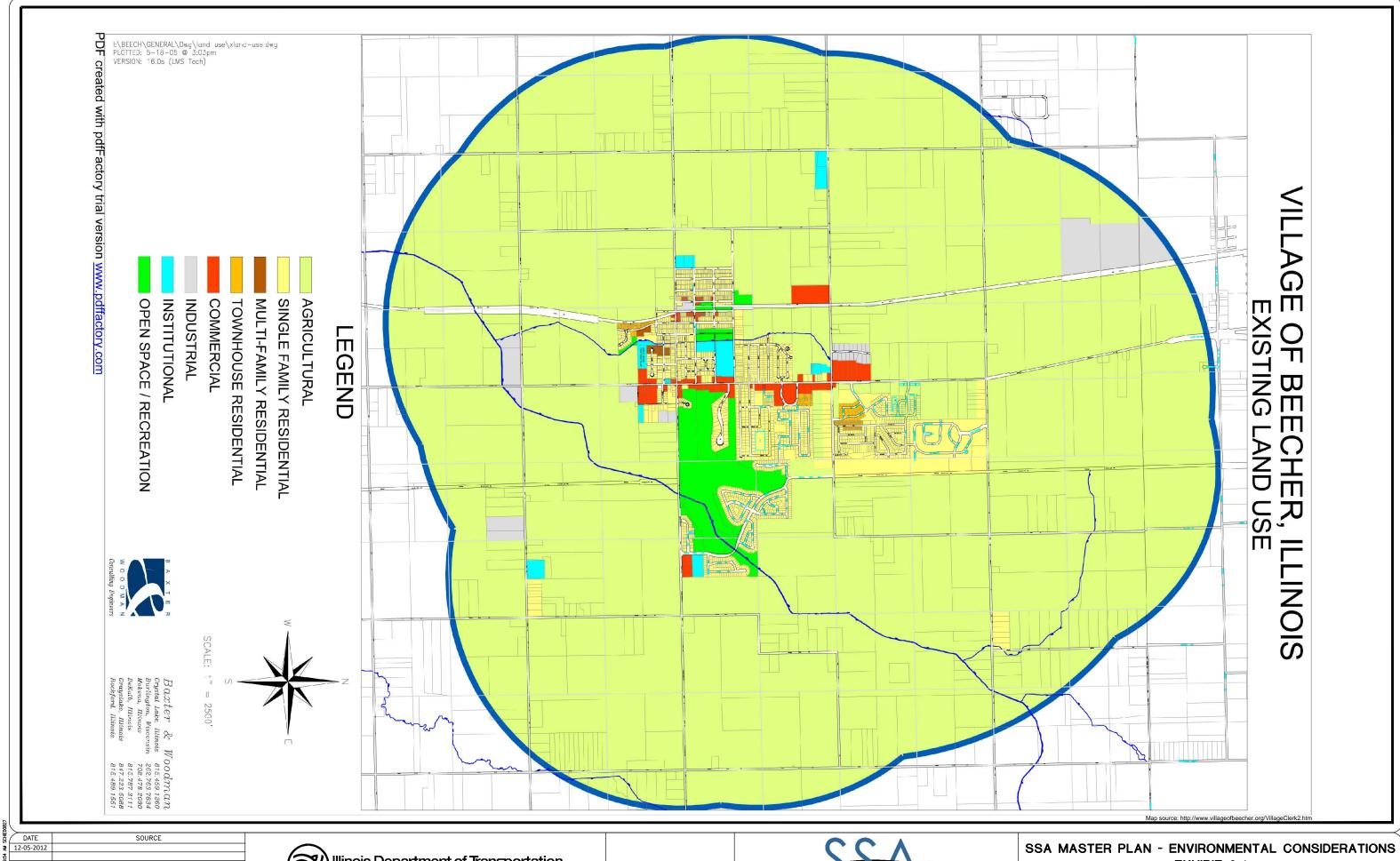
SOUTH SUBURBAN AIRPORT WATERWAY STUDY LIMITS WITH ASSOCIATED WATERSHED











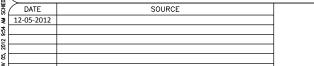
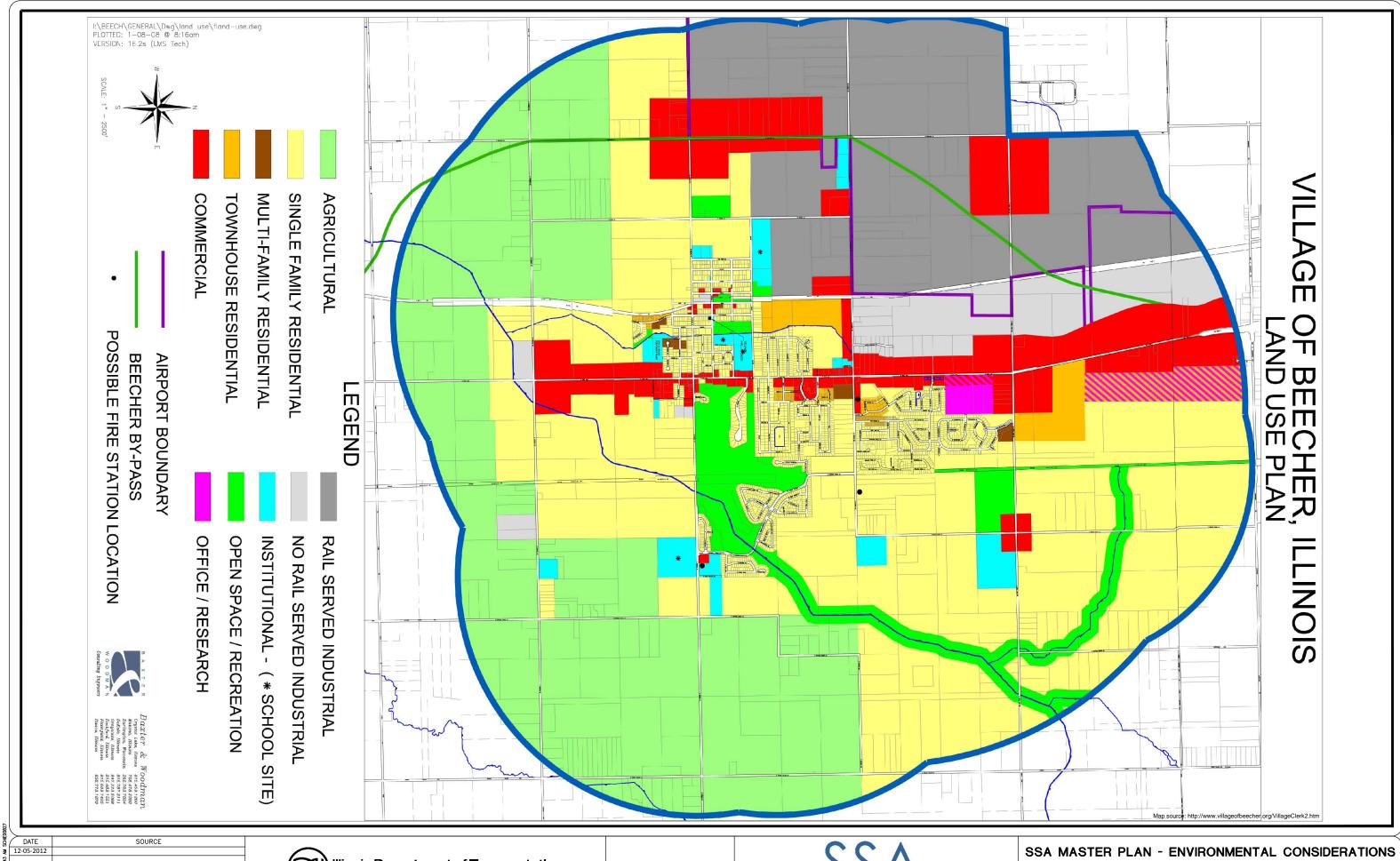






EXHIBIT 6-1 VILLAGE OF BEECHER, ILLINOIS EXISTING LAND USE

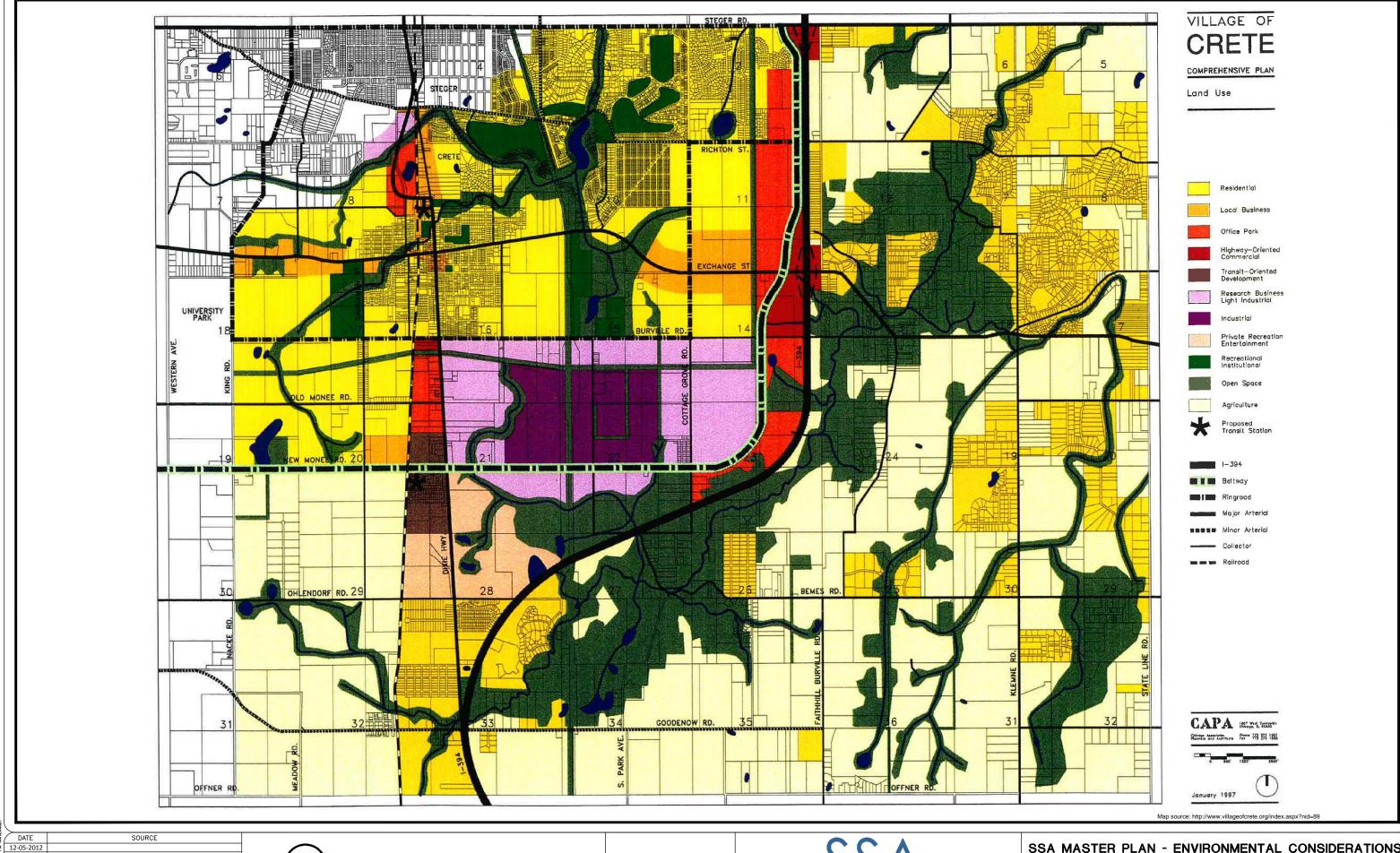


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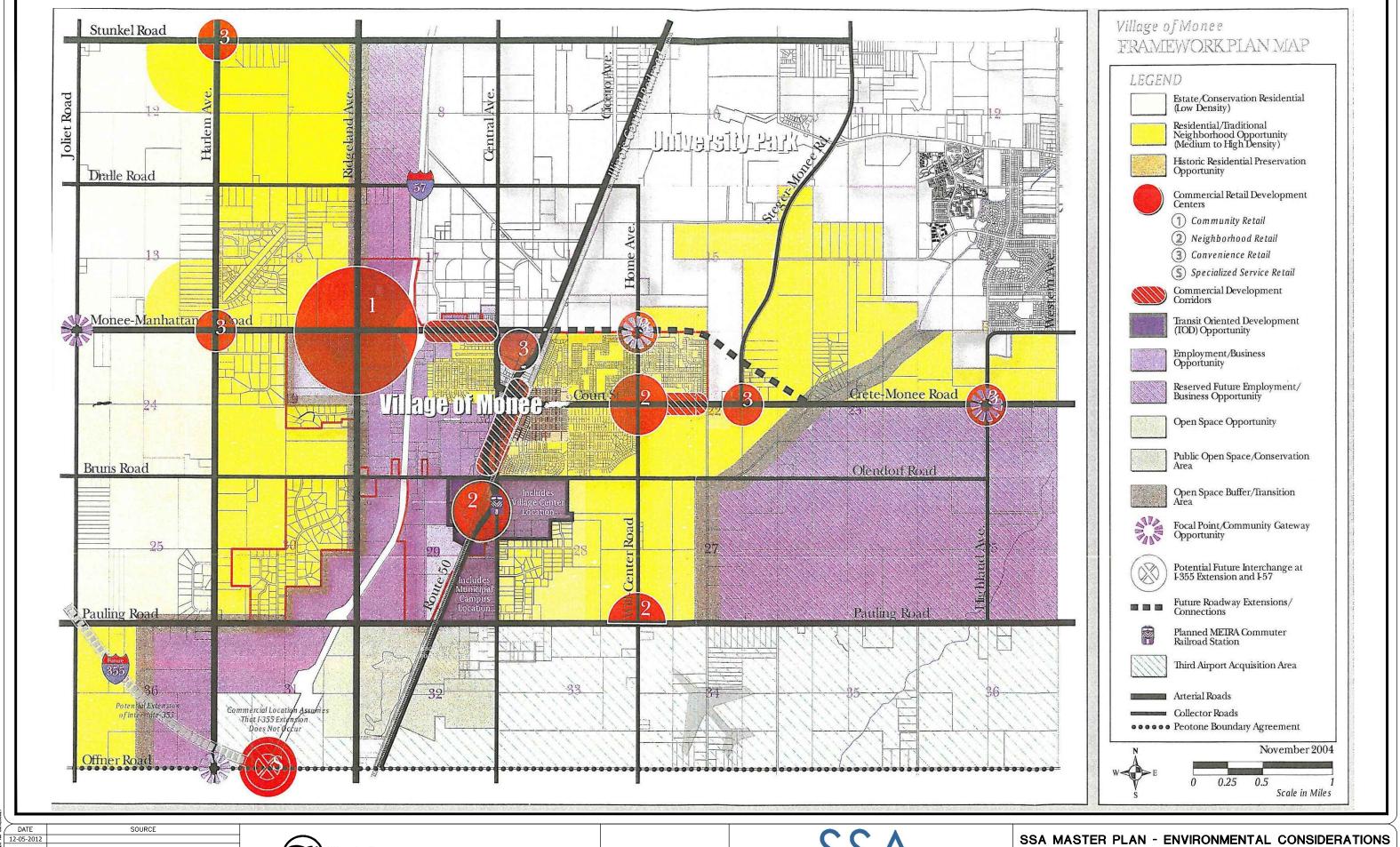


SSA MASTER PLAN - ENVIRONMENTAL CONSIDERATIONS EXHIBIT 6-2 VILLAGE OF BEECHER, ILLINOIS LAND USE PLAN



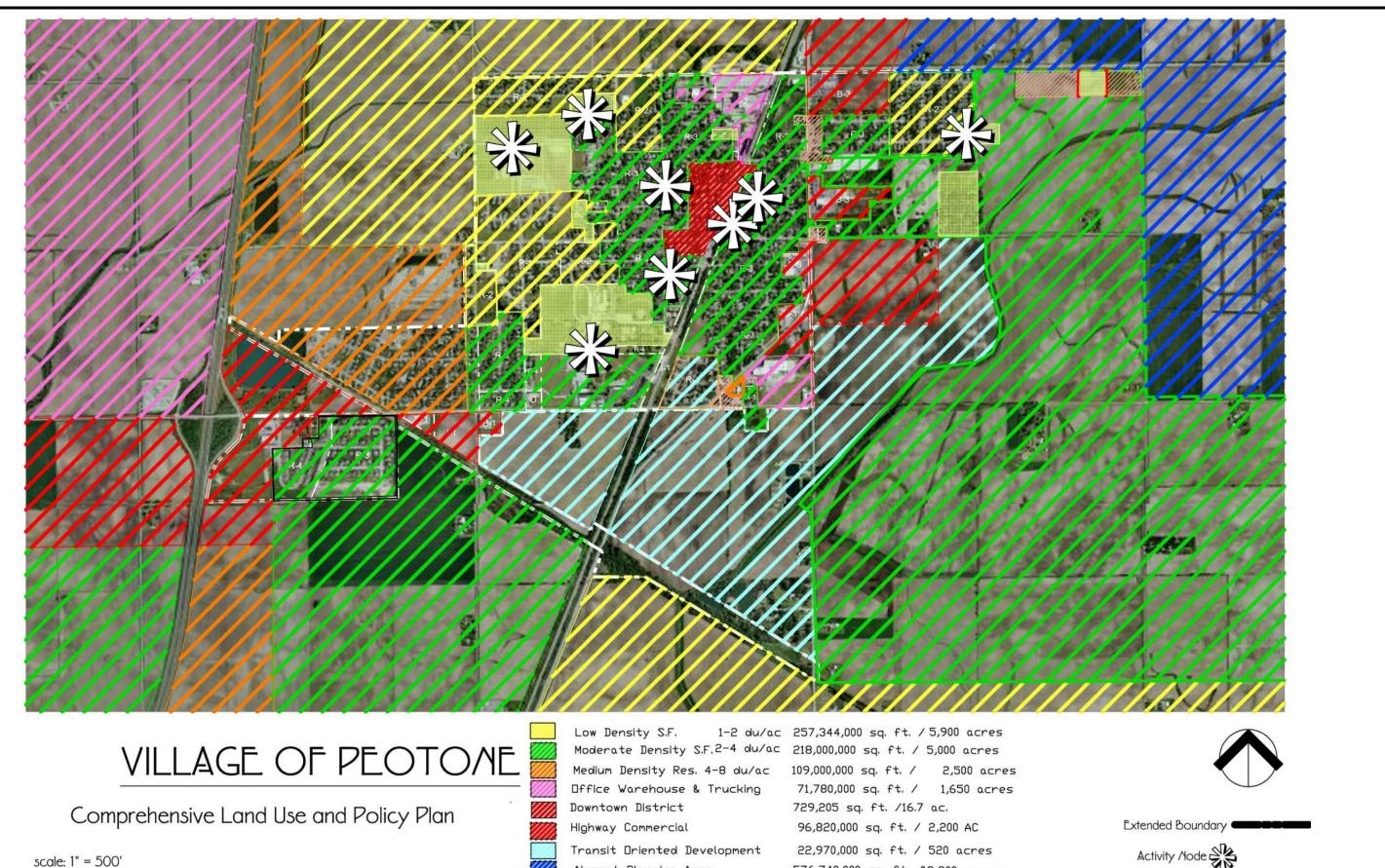


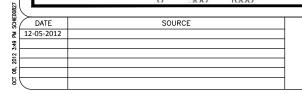














Airport Planning Area Public/Quasi Public

576,740,000 sq. ft. /13,200 acres 3,298,485 sq. ft. / 76 acres



Map source: http://www.villageofpeotone.com/Planning.htm

SSA MASTER PLAN - ENVIRONMENTAL CONSIDERATIONS **EXHIBIT 6-5**

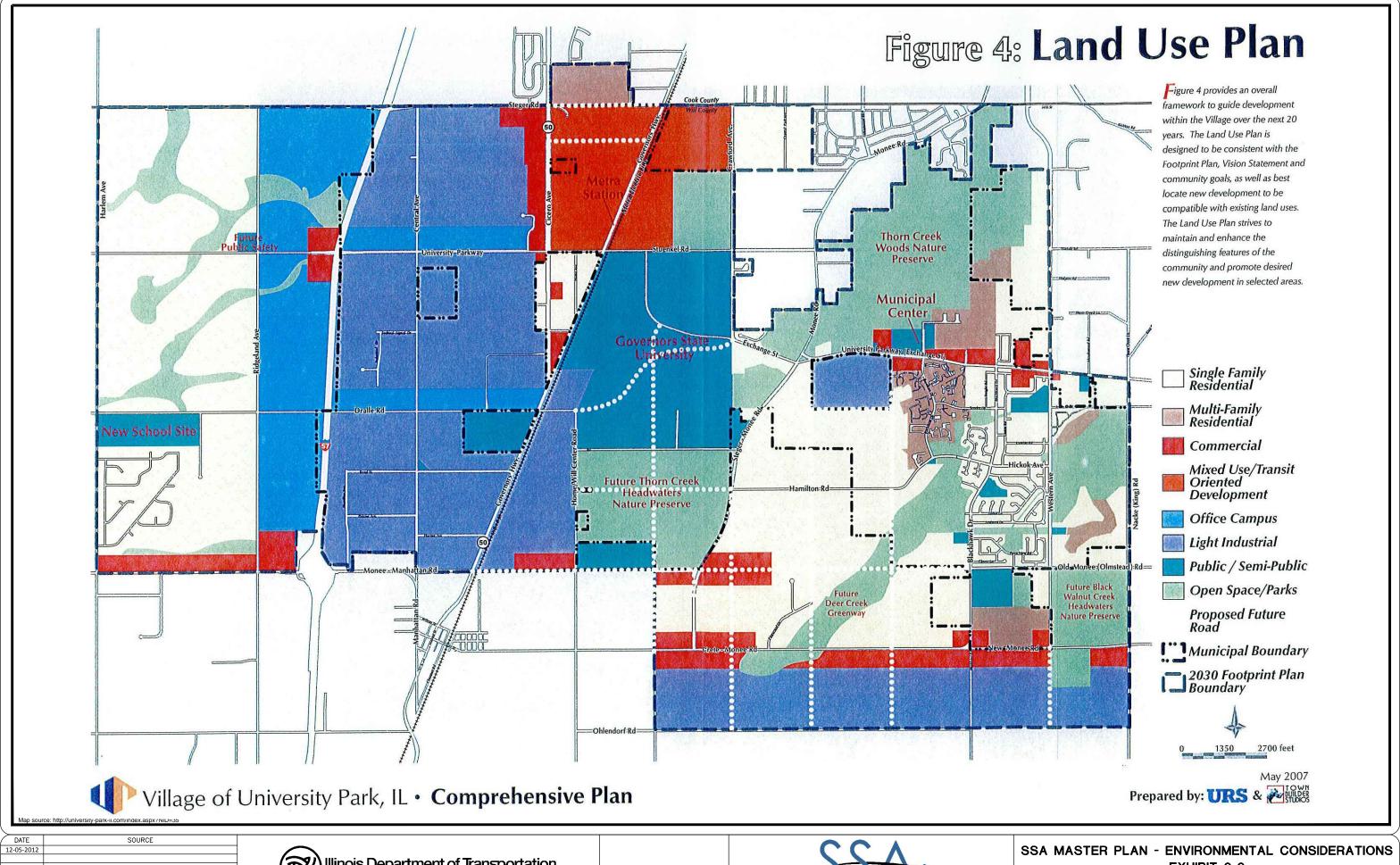






EXHIBIT 6-6

Illinois County Distribution Federally Endangered, Threatened, and Candidate Species

Revised October 2012

County	Species	Status	Habitat
Adams Field Office to Contact: U.S. Fish and Wildlife Service Rock Island Illinois	<u>Indiana bat (Myotis</u> sodalis)	Endangered	Caves, mines (hibernacula); small stream corridors with well developed riparian woods; upland forests (foraging)
Field Office 1511 47th Avenue	Higgins eye pearlymussel (Lampsilis higginsi)	Endangered	Mississippi River; Rock River to Steel Dam
Moline, Illinois 61265 (309) 757-5800 e:mail RockIsland@fws.gov FAX: 309-757-5807	Eastern prairie fringed orchid (Platanthera leucophaea)	Threatened	Mesic to wet prairies
Alexander Field Office to	<u>Gray bat</u> (Myotis grisescens)	Endangered	Caves and mines; rivers & reservoirs adjacent to forests
Contact: U.S. Fish and Wildlife Service Marion Illinois Sub- Office 8588 Route 148 Marion, Illinois 62959	<u>Indiana bat (Myotis</u> sodalis)	Endangered	Caves, mines (hibernacula); small stream corridors with well developed riparian woods; upland forests (foraging)
Phone: (618) 997- 3344, ext. 340	<u>Least tern</u> (Sterna antillarum)	Endangered	Bare alluvial and dredged spoil islands
FAX: (618) 997-8961 e:mail <u>Marion@fws.gov</u>	Pallid sturgeon (Scaphirynchus albus)	Endangered	Large rivers
	Rabbitsfoot (<i>Quadrula cylindrica</i> <i>cylindrica</i>)	Proposed as Threatened	Ohio River
	Sheepnose mussel (Plethobasus cyphyus)	Endangered	Shallow areas in larger rivers and streams
Field Office to Contact: U.S. Fish and Wildlife Service Marion Illinois Sub-	<u>Indiana bat</u> (Myotis sodalis)	Endangered	Caves, mines (hibernacula); small stream corridors with well developed riparian woods; upland forests (foraging)
Office 8588 Route 148	<u>Piping plover</u> Charadrius melodus	Endangered	May be present in Bond County during migration.
Marion, Illinois 62959 Phone: (618) 997- 3344, ext. 340 FAX: (618) 997-8961 e:mail Marion@fws.gov	<u>Eastern massasauga</u> (Sistrurus catenatus)	Candidate	Graminoid dominated plant communities (fens, sedge meadows, peatlands, wet prairies, open woodlands, and shrublands)
	Eastern prairie fringed orchid (Platanthera leucophaea)	Threatened	Mesic to wet prairies

County	Species	Status	Habitat
Whiteside Field Office to Contact: U.S. Fish and Wildlife Service Rock Island Illinois Field Office	<u>Indiana bat</u> (Myotis sodalis)	Endangered	Caves, mines (hibernacula); small stream corridors with well developed riparian woods; upland forests (foraging)
1511 47th Avenue Moline, Illinois 61265	<u>Higgins eye pearlymussel</u> (Lampsilis higginsi)	Endangered	Mississippi River; Rock River to Steel Dam
(309) 757-5800 e:mail	Sheepnose mussel (Plethobasus cyphyus)	Endangered	Shallow areas in larger rivers and streams
RockIsland@fws.gov FAX: 309-757-5807	Eastern prairie fringed orchid (Platanthera leucophaea)	Threatened	Mesic to wet prairies
Will	Hine's emerald dragonfly (Somatochlora hineana)	Endangered	Spring fed wetlands, wet meadows and marshes
Field Office to Contact: USFWS Chicago Illinois FO 1250 South Grove,	Hine's emerald dragonfly (Somatochlora hineana)	Critical Habitat Designated	Go here for a map and written description of the areas designated as Critical Habitat (PDF)
Suite 103 Barrington, Illinois 60010 (847) 381-2253 e:mail Chicago@fws.gov	Eastern massasauga (Sistrurus catenatus)	Candidate	Graminoid dominated plant communities (fens, sedge meadows, peatlands, wet prairies, open woodlands, and shrublands)
Cathy Pollack@fws.gov	Sheepnose mussel (Plethobasus cyphyus)	Endangered	Shallow areas in larger rivers and streams
	<u>Snuffbox</u> (<i>Epioblasma triquetra</i>)	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Eastern prairie fringed orchid (Platanthera leucophaea) Go here for specific guidance on how to determine whether this species is present on a site.	Threatened	Moderate to high quality wetlands, sedge meadow, marsh, and mesic to wet prairie
	<u>Lakeside daisy</u> (Hymenopsis herbacea)	Threatened	Dry rocky prairies
	<u>Leafy-prairie clover</u> (Dalea foliosa)	Endangered	Prairie remnants on thin soil over limestone
	<u>Mead's milkweed</u> (Asclepias meadii)	Threatened	Late successional tallgrass prairie, tallgrass prairie to hay meadow, and glades or barrens with thin soil

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hanson professional services inc.

Rodger H. Anderson Contact: 1525 South Sixth Street Address:

Springfield, IL 62703

Project: South Suburban Airport

Address: 5710 West Eagle Lake Road, Peotone

Description: Construction and operation of the Inaugural Airport Program.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project regulations is required.

IDNR Project #:

Alternate #:

1209728

11A0141

02/28/2012

Peotone Railroad Prairie INAI Site Raccoon Grove INAI Site

Raccoon Grove Nature Preserve Barn Owl (Tyto alba)

Wetland Review (Part 1090)

The National Wetlands Inventory shows wetlands within 250 feet of the project location.

An IDNR staff member will evaluate this information and contact you within 30 days to request additional information or to terminate consultation if adverse effects are unlikely.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Will

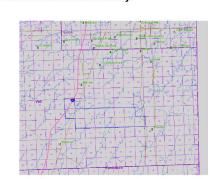
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Township, Range, Section:

33N, 13E, 1 33N, 13E, 2 33N, 13E, 3 33N, 13E, 4 33N, 13E, 5 33N, 13E, 6 33N, 13E, 7 33N, 13E, 8 33N, 13E, 9 33N, 13E, 10 33N, 13E, 11 33N, 13E, 12 33N, 14E, 4 33N. 14E. 5 33N, 14E, 6 33N, 14E, 7 33N, 14E, 8 33N, 14E, 9 34N, 12E, 25 34N, 12E, 36 34N, 13E, 30 34N, 13E, 31

SOURCE



Page 1 of 2

IDNR Project Number: 1209728

34N, 13E, 32 34N, 13E, 33 34N, 13E, 34 34N, 13E, 35 34N, 13E, 36

IL Department of Natural Resources Contact

Steve Hamer 217-785-5500

Division of Ecosystems & Environment

Local or State Government Jurisdiction IL Department of Transportation Schaddel, Terrence L Division of Aeronautics 1 Langhorne Bond Drive Springfield, Illinois 62707-8415

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a -substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to

- 1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.
- 2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure
- 3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law. Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

Illinois Department of Natural Resources One Natural Resources Way Springfield, Illinois 62702-1271

Pat Quinn, Governor

http://dnr.state.il.us

Marc Miller, Acting Director

March 1, 2012

Mr. Rodger H. Anderson Hanson Professional Services 1525 South Sixth St Springfield, Illinois 627603

IDNR # 1209728

RE: South Suburban Airport

Dear Mr. Anderson,

The Department of Natural Resources (DNR) has reviewed the above referenced project which was submitted through the Eco-cat review program. Based on further review and information received from your office, the project has potential for impact to a listed species, the Barn Owl, which according to the database is located along Kedzie Ave. near the north end of your project boundary. This is a record of 2006 when last observed. A survey will be needed to determine the potential for possible adverse impact to the species. Should a survey for this having been done in the past and the results known, please coordinate that information if available, thus based on that info, it is possible no survey would be needed. Consultation remains open pending results of the information requested.

If you have any questions on the above, please contact me at 217-785-4862.

Steve Name

Steve Hamer

Transportation Review Program Division of Ecosystems and Environment

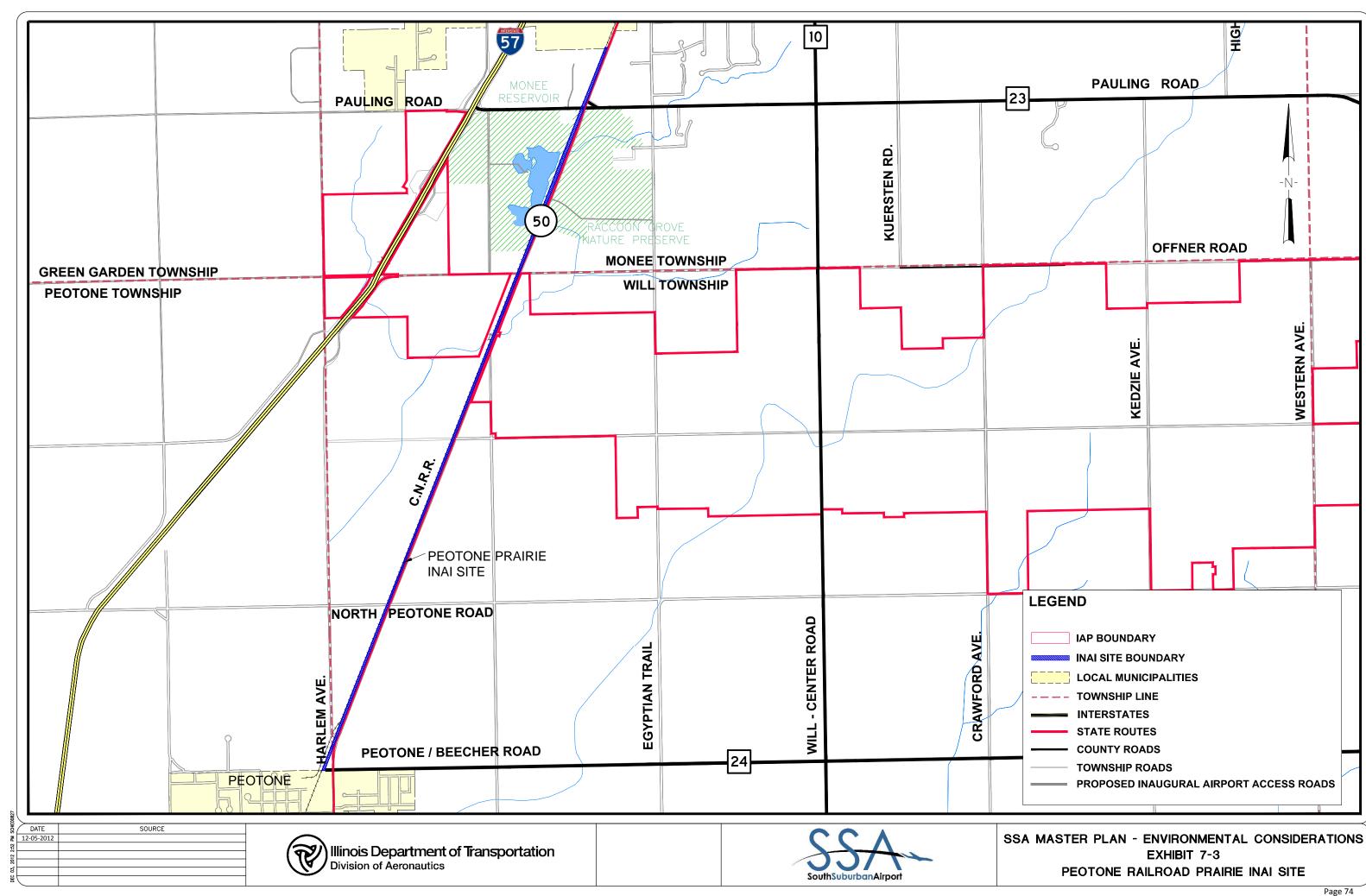
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Hanson Professional Services Inc. SPRINGFIELD, ILLINOIS

Page 2 of 2









June 11, 2001

Will County South Suburban Airport Land Acquisition Project

FEDERAL 106 PROJECT

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

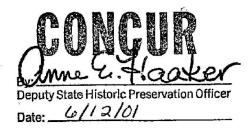
Dear Ms. Haaker:

Attached is a copy of a Cultural Resources Implementation Plan for the project referenced above. This plan outlines procedures that the Illinois Department of Transportation will follow, as parcels of land are acquired, in order to comply with relevant federal cultural resources regulations. The document contains a treatment plan for cultural resources which may be impacted by the proposed construction of the South Suburban Airport, including archaeological resources and standing architectural structures.

In accordance with the established procedure for coordination of proposed Illinois Department of Transportation projects, we request the concurrence of the State Historic Preservation Officer in our determination that the attached Cultural Resources Implementation Plan will adequately insure the proper treatment of historic properties, subject to protection under Section 106 of the National Historic Preservation Act of 1966 as amended, which may be affected by land acquisition activities and future construction.

Very truly yours

John A. Walthall, PhD Cultural Resources Unit



SOUTH SUBURBAN AIRPORT LAND ACQUISITION PROJECT CULTURAL RESOURCES IMPLEMENTATION PLAN

The Illinois Department of Transportation, herein known as the Department, has initiated land acquisition for the project referenced above. The Department, in cooperation with the Illinois State Historic Preservation Officer, herein known as the SHPO, proposes the following treatment plan for cultural resources which may be impacted by the proposed construction of the South Suburban Airport. As each parcel of land is acquired the following procedures will be implemented to ensure compliance with the National Historic Preservation Act of 1966, as amended.

A. ARCHAEOLOGICAL RESOURCES

- 1. As each parcel of land is acquired a records search will be conducted using GIS applications to confirm the archaeological survey status of the property in question. If the property has been previously surveyed a letter report will be sent to the SHPO which will contain one of the following recommendations: 1) surveys recorded no sites, no further work required; 2) prior surveys recorded sites, but the sites do not meet the requirements for National Register eligibility, no further work required; 3) prior surveys recorded sites which may meet the requirements for eligibility. In this situation, Phase II evaluation of the property will be recommended and will be conducted as soon as conditions allow. A report of the findings of this site evaluation work will be submitted to the SHPO for coordination and review.
- 2. If the property has not been surveyed, or only partially surveyed, a pedestrian survey will be conducted as soon as conditions allow. The results of this survey

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will be forwarded to the SHPO along with recommendations as outlined in paragraph 1 above (1-3).

3. Should archaeological properties be located on the purchased properties within the designated area known as the Inaugural Site and meet the criteria for eligibility, such properties will be evaluated in terms of potential post Tier 1 construction impacts. If the site or sites are not to be impacted by construction activities, a preservation plan will be formulated by the Department in cooperation with the SHPO and the Federal Aviation Administration. If, in subsequent environmental tiered actions, the historic property will be impacted by proposed construction, the site will be protected and preserved until a Memorandum of Agreement for data recovery has been submitted and approved by the SHPO, the Federal Aviation Administration and, if required, by the Advisory Council on Historic Preservation. If the site or sites to be purchased are located within the designated area known as the Ultimate Site, but outside of the area designated as the Inaugural Site, the Department will enter into an agreement with SHPO that prepares a preservation plan. This plan will be in effect until airfield development requires data recovery and SHPO approval.

B. STANDING STRUCTURES

A total Historic Standing Structure Resource Survey has been conducted for the Will County alternative. The SHPO agreed (letter of August 26, 1996) with the recommendation made by the Department that eight farm complexes require further study in order to fully assess their potential for National Register eligibility. As each parcel of land is acquired the following steps will be taken:

1. A records check will be made to ascertain if the property contains one of the properties requiring further evaluation. In the historic standing structure report these properties were identified as #s 2, 9, 11, 12, 17, 27, 32, and 37. If the purchased property does not contain one of these farm complexes a letter will be

forwarded to the SHPO stating that no further work is required concerning standing structures for the parcel in question.

- 2. If the purchased parcel does contain one of the eight properties to be further studied the SHPO will be notified. Evaluation for National Register eligibility will be conducted soon after purchase. A report of the findings of this work will be submitted with recommendations for SHPO review. If the SHPO concurs that the property does not meet the criteria for eligibility, no further work will be required.
- 3. If the SHPO concurs that the purchased property is eligible for the National Register the property will be preserved and protected until all historic properties to be purchased are evaluated according to the steps outlined in this Cultural Resources Plan. Each eligible historic property will then be included in a Memorandum of Agreement which will recommend one of three alternate treatments: preservation in place, relocation of the historic property, or recordation and demolition of the property. These alternate treatments will be implemented on a case by case basis based upon the nature of the historic property and project construction requirements.

The Department shall ensure that the potentially eligibility properties enumerated in Section B-1 are properly secured during the period they are unoccupied and protected from vandalism, fire, and weather damage until the property is determined to not be eligible for the National Register or until the measures agreed upon in a Memorandum of Agreement have been implemented following the guidelines set forth in Preservation Brief #31 (Department of the Interior, National Park Service, 1993).

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PROGRAMMATIC AGREEMENT AMONG

THE FEDERAL AVIATION ADMINISTRATION,
THE ILLINOIS DEPARTMENT OF TRANSPORTATION, AND
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER
FOR THE PROPOSED SOUTH SUBURBAN AIRPORT, ILLINOIS

WHEREAS, the Federal Aviation Administration (FAA) is considering site-approval for a potential, future air carrier airport in the south suburban Chicago area as described in the Tier 1 Environmental Impact Statement (EIS) dated April 2002; and

WHEREAS, the need for site-approval as described in the Tier 1 EIS is to protect the airspace and to preserve a technically feasible site from encroachment by suburban development; and

WHEREAS, the Tier 1 EIS does not contemplate the use of Federal funds, or approval of an airport layout plan or construction, rather it will be determined at a later date if a new air carrier airport is needed to address regional aviation capacity needs; and

WHEREAS, the Tier 1 EIS considered the potential significant environmental impacts of two alternative sites, Will County and Kankakee, including potential effects to historic properties; and

WHEREAS, the FAA and the Illinois Department of Transportation (State) have conducted, in consultation with the Illinois State Historic Preservation Officer (SHPO) (Illinois Historic Preservation Agency), archaeological and historic architectural investigations of the Will County site and have determined that the site may contain archaeological and historic architectural resources that are eligible for listing in the National Register of Historic Places; and

WHEREAS, the results of the Will County archaeological and historic architectural investigations were extrapolated to the Kankakee site in terms of the types of historic properties present in the study area; and

WHEREAS, the FAA, the State and the Illinois SHPO have concurred that the level of investigation conducted to date is sufficient to evaluate the alternatives studied in detail in the Tier 1 EIS and that no further archaeological or historic architectural investigations are warranted for the Tier 1 EIS; and

WHEREAS, Native American groups historically tied to the Will County site area have been contacted and provided a reasonable and good faith opportunity to consult about the undertaking; and

WHEREAS, the FAA has determined that the proposed actions described in the Tier 1 EIS will not directly affect historic properties included in or eligible for inclusion in the National Register of Historic Places; and

WHEREAS, if, in the future, it is determined that the regional aviation capacity needs in the greater Chicago region will be met by construction of a new air carrier airport, and such a proposal is presented to the FAA, a Tier 2 environmental review process will be conducted to analyze potential significant impacts of the proposed action, including potential effects to historic properties; and

WHEREAS, the FAA has chosen to proactively provide for a phased process to comply with Section 106 of the National Historic Preservation Act as authorized by 36 CFR 800.4(b)(2) and 800.14(b), and has negotiated and executed this Agreement to govern Tier 2 or other future environmental documentation so that an agreed- upon process will be in place if needed in the future; and

Page 1 of 8

WHEREAS, the FAA has made no commitment or obligation to prepare a subsequent Tier 2 or other environmental documentation; and

WHEREAS, the FAA will not prepare such documentation unless it is determined that an air carrier airport is necessary and appropriate to meet future aviation capacity needs in the greater Chicago region; and

WHEREAS, the FAA has consulted with the Illinois SHPO on this undertaking, pursuant to 36 CFR 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f); and

WHEREAS, the State has participated in this consultation and is to be a signatory to this Agreement; and

WHEREAS, the Advisory Council on Historic Preservation pursuant to 36 CFR 800.6(a)(1)(iii) has concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of their regulations does not apply to this undertaking and therefore will not participate in the consultation;

NOW THEREFORE, the FAA, the State and the Illinois SHPO agree that execution and implementation of this Agreement will complete Section 106 consultations for the Tier 1 EIS; and, establish an agreed upon consultation procedure for subsequent Tier 2 or other environmental documentation should it be determined that an air carrier airport at the preferred site is necessary and appropriate to meet future aviation capacity needs in the greater Chicago region and such a proposal is presented to the FAA by a project sponsor.

STIPULATIONS

The FAA will ensure that the following measures are carried out.

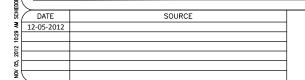
I. INTERIM MAINTENANCE AND PRESERVATION

If and when properties are acquired by the State within the Will County site, the State shall ensure that all structures and archaeological sites eligible for listing in the National Register within these properties are maintained and protected against damage. If the survey and evaluation of structures or archaeological sites within these acquired properties have not been completed, and State activities within these acquired properties would result in surface or subsurface disturbance or the removal, demolition, deterioration, or abandonment of structures, the State will complete the survey and evaluation following the procedures presented in Stipulations II, III.A. and IV.A prior to any such activities. If the State cannot maintain or protect all structures and archaeological sites eligible for listing in the National Register within the acquired properties, the State will follow the procedures described under Stipulations III.B and C and IV.B. C and D.

II. PROPERTIES OF TRADITIONAL CULTURAL SIGNIFICANCE

Native American tribes with historical ties to the area have been contacted and offered the opportunity to consult on the Tier 1 EIS. Inquiries concerning places of traditional religious or cultural significance within the area did not yield any information on such properties or indications that such properties exist within the two alternative sites evaluated for the Tier 1 EIS. Should a Tier 2 or other environmental documentation, Section 106 identification and evaluation efforts become necessary, FAA will contact these tribes again and offer them the opportunity to consult about the Tier 2 or other environmental documentation activities and potential effects to properties of religious and cultural significance to them. Native American tribes will also be consulted

Page 2 of 8







concerning the eligibility of and effects on archaeological sites to which they ascribe religious or cultural significance as provided in Stipulation III.

III. ARCHAEOLOGY

Should future aviation capacity needs require development of a regional airport:

A. Survey and Evaluation

- 1. The State will conduct an archaeological reconnaissance survey (Phase I) of all areas within the Tier 1 preferred alternative not previously surveyed; including existing cemeteries within the boundary of the preferred alternative, or, the State will conduct the survey within areas not previously surveyed when and if the areas are both acquired for the airport and will be the location of proposed airport infrastructure development that will result in ground disturbance. The State will consult with the Illinois SHPO on the schedule and approach of the archaeological reconnaissance survey. The State shall submit a report of the survey(s) to the Illinois SHPO, and to any Native American tribes requesting a copy of the report, for review and comment. An archaeological intensive survey (Phase II) will be performed at all archaeological sites within the project area, that may be eligible for listing in the National Register, in order to fully evaluate their National Register eligibility. Phase II intensive survey methodologies shall be formulated in consultation with the Illinois SHPO. A report of the Phase II findings shall be submitted by the State to the Illinois SHPO, and to any Native American tribes requesting a copy of the report, for review and comment.
- 2. The Phase I and II surveys will be conducted in a manner consistent with the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44720-23) and taking into account the National Park Service publication "The Archaeological Survey: Methods and Uses" (1978) and the Illinois State Historic Preservation Office's "Guidelines for Archaeological Reconnaissance Surveys/Reports." The Phase I and II surveys will be implemented by the State and monitored by the Illinois SHPO. The State will also adhere to the tenets of the Human Skeletal Remains Protection Act 20 ILCS 3440.
- In consultation with the Illinois SHPO and taking into account any comments received from Native American tribes, the State shall evaluate properties identified through the Phase II intensive survey against the National Register Criteria (36 CFR Part 60.4).
 - a. For those properties which the State and the Illinois SHPO agree are not eligible for inclusion in the National Register, no further archaeological investigations will be required, and the proposed project may proceed in those areas.
 - b. If the State and the Illinois SHPO do not agree on National Register eligibility, the State shall request a determination of eligibility from the FAA. If the FAA and the Illinois SHPO do not agree on National Register eligibility, the FAA shall request a formal determination of eligibility from the Keeper of the National Register, National Park Service, whose determination shall be final.
 - c. The results of the determinations of eligibility shall be transmitted by the State to any Native American tribes that comment on the survey reports.

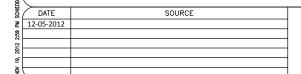
d. If the survey results in the identification of properties that the State and the Illinois SHPO agree are eligible for the National Register, preservation in place is the preferred treatment; however, such properties shall be treated in accordance with Part B below if preservation in place is not an option.

B. Data Recovery (Phase III)

- Those sites which the State and the Illinois SHPO agree are eligible for the National Register and cannot be preserved in place, will be treated in the following manner:
 - a. The State shall develop, in consultation with the Illinois SHPO, a data recovery plan addressing substantive research questions for the recovery of relevant archaeological data. The plan shall be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37) and take into account the Council's publication, "Treatment of Archaeological Properties". It shall specify, at a minimum, the following:
 - the property, properties, or portions of properties where data recovery is carried out;
 - the research questions to be addressed through the data recovery, with an explanation of their relevance and importance;
 - the methods to be used, with an explanation of their relevance to the research questions;
 - proposed methods of disseminating results of the work to the interest of the public; and
 - a proposed schedule for the submission of reports to the Illinois SHPO.
 - b. The data recovery plan shall be submitted by the State to the Illinois SHPO and to any Native American tribes that request a copy of the data recovery plan, for thirty (30) days review and comment. The State shall take into account comments from the Illinois SHPO and Native American tribes and shall ensure that the data recovery plan is implemented. The Illinois SHPO shall monitor this implementation.
- The State shall ensure that the data recovery plan is carried out by or under the direct supervision of an archaeologist who meets, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9).
- The State shall ensure that adequate laboratory time and space are available for analysis of osteological, cultural, and biological materials recovered from the excavations.
- 4. To the best of the FAA's and the State's knowledge and belief, no Native American human remains, associated funerary objects or sacred objects, or objects of Native American cultural patrimony are expected to be encountered during the archaeological work, but should such remains be encountered, the State will also adhere to the tenets of the Human Skeletal Remains Protection Act 20 ILCS 3440.

Page 3 of 8

Page 4 of 8







 The State shall ensure that an adequate program of site security from vandalism during data recovery is developed in consultation with the Illinois SHPO, and then implemented by the State.

C. Curation And Dissemination Of Information

- In consultation with the Illinois SHPO, the State shall ensure that all
 materials and records resulting from archaeological survey and data
 recovery conducted for the South Suburban Airport project are curated at
 the University of Illinois and in accordance with 36 CFR Part 79. If human
 remains are recovered, the signatories to this Agreement shall consult
 further to determine the appropriate disposition of the remains.
- 2. The State shall ensure that all final archaeological reports resulting from actions pursuant to this agreement are provided in a format acceptable to the Illinois SHPO and the National Park Service for possible peer review and submission to the National Technical Information Service (NTIS). The agency official shall ensure that all such reports are responsive to contemporary standards, and to the Department of the Interior's Format Standards for Final Reports of Data Recovery Program (42 FR 5377-79). Precise locational data may be provided only in a separate appendix if it appears that its release could jeopardize archaeological data. The State shall provide copies of all reports of archaeological excavations to all Native American tribes that request copies of these reports.

D. Discovery Of Archaeological Resources

In accordance with 36 CFR Section 800.13(a)(1), if previously undetected archaeological resources are discovered during project activities, the State will cease, or cause to stop, any activity having an effect on the resource and consult with the Illinois SHPO to determine if additional investigation is required. If the discovered resources would potentially be of religious or cultural significance to Native American tribes, the State shall contact those tribes and ask them to provide their views. The State may request comments on an expedited schedule if necessary. If, after reviewing the comments of the tribes, the State and SHPO find that further archaeological investigations are required any data recovery will be performed in accordance with Stipulations III.B and III.C of this Agreement. If the State and the Illinois SHPO determine that further investigation is not necessary, activities may resume with no further action required. Any disagreement between the State and the Illinois SHPO concerning the need for further investigations will be handled in accordance with Stipulation VII.

IV. HISTORIC STRUCTURES

Should future aviation capacity needs require development of a regional airport:

A. Evaluation of Structures

- The State will prepare additional documentation regarding the history and significance of structures located within the project area to assist in evaluating whether any of the properties are eligible for listing on the National Register of Historic Places. This information will be provided to the Illinois SHPO for review and concurrence.
- 2. If the State and the Illinois SHPO do not agree on National Register eligibility, the State shall request a determination of eligibility from the

eligibility, the FAA shall request a formal determination of eligibility from the Keeper of the National Register, National Park Service, whose determination shall be final.

FAA. If the FAA and the Illinois SHPO do not agree on National Register

B. Treatment

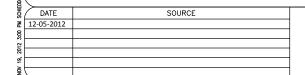
- 1. Should the State and the Illinois SHPO determine that any of the properties are eligible for listing in the National Register, and the properties will be adversely affected by an action covered by this Agreement, the State, in consultation with the SHPO, will identify measures to avoid, minimize, or mitigate the adverse effect. Measures to minimize or mitigate the adverse effect may include, but will not be limited to, retaining the structure for use within the proposed airport, relocation of the structure outside of the area to be impacted by the action, and/or recordation followed by demolition. If preservation in place is not possible, the State will prepare a report on the property that evaluates its structural integrity and the feasibility of relocating the structure to another location, if moving the structure is warranted.
- The State will forward a copy of the report(s) and its recommendations for the treatment of the properties to the Illinois SHPO for review and approval. Any disagreement between the State and the Illinois SHPO concerning treatment will be handled in accordance to Stipulation VII.

C. Marketing Plan

- If the State determines that any of the structures determined eligible for the National Register can be relocated, the State will consult with the Illinois SHPO to develop a marketing plan for the relocation and rehabilitation of the properties. The Illinois SHPO shall approve the marketing plan prior to its implementation by the State. This plan will, at a minimum, include the following information:
 - a. Photographs of the property, a parcel map and information on the property's historic significance;
 - Information on the property's purchase price, if any; a good faith
 estimate of the cost of properly moving the structure to another site;
 and a statement regarding which party will be responsible for the
 various costs associated with the move;
 - Information on the possible financial assistance, including Federal tax benefits, for the rehabilitation of historic buildings;
- d. Notification that the recipient will be required to move the building in accordance with the recommended approaches to moving outlined in the Department of the Interior's Moving Historic Buildings, and utilizing the services of a professional mover who has the capability to move historic buildings properly;
- Notification that the recipient will be required to rehabilitate and maintain the property in accordance with the recommended approaches in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings;

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- f. Notification of the requirement to include a preservation covenant or easement in the transfer documents that will be recorded in the County's official property records.
- Prior to the acceptance of any offer, the State shall review all offers in consultation with the Illinois SHPO and shall identify a preferred offer. The Illinois SHPO shall be afforded 30 days to review and comment on the preferred offer, and, if appropriate, the new site proposed for relocation of the property.
- If the State receives no acceptable offers to the marketing plan, the State may, after written notice to the Illinois SHPO and the Advisory Council, demolish the properties once they are recorded in accordance with Stipulation IV.D.

D. Recordation and Salvage

- 1. Prior to the relocation or demolition of any of the structures determined eligible for listing on the National Register, the State shall contact the Illinois Historic American Building Surveys (ILHABS) at the Illinois Historic Preservation Agency, 500 East Madison Street, Springfield, Illinois 62701-1028, to determine what level and kind of recordation is required for the property. Unless otherwise agreed to by the National Park Service, the State shall ensure that all documentation is completed and accepted by ILHABS prior to the relocation or demolition of the properties, and copies of this documentation are made available to the Illinois SHPO and any appropriate local archives designated by the Illinois SHPO.
- Prior to the demolition of any historic structure determined eligible for the National Register, the State shall consult with the Illinois SHPO to determine if the building contains architectural elements which could be salvaged for curation or reuse in new construction. The State shall ensure that the selected items are removed in a manner that minimizes damages and delivered to the Will County Historic Commission.

V. PUBLIC PARTICIPATION

The FAA and the State have provided the public with opportunities to participate in the identification, evaluation, and treatment of historic properties during information meetings, workshops, and public hearings associated with the Tier 1 EIS public involvement process. For Tier 2 or other future environmental documentation, the FAA and the State shall, through the National Environmental Policy Act (NEPA) public involvement process associated with this future documentation, continue to seek information from the public on historic properties within the project area and provide the public an opportunity to express their views on the effects of the undertaking on historic properties.

VI. ADDITIONAL CONSULTING PARTIES

Should future aviation capacity needs require development of a regional airport, additional consulting parties may ask or be requested by FAA to join consultations concerning Tier 2 or other environmental documentation. FAA may invite such parties to become signatories to this agreement subject to approval of existing signatory parties.

VII. DISPUTE RESOLUTION

The State and the Illinois SHPO shall attempt to resolve any disagreement arising from implementation of this Agreement. If the State determines that the disagreement cannot be

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resolved, the State and Illinois SHPO shall consult with the FAA to resolve the disagreement. If the disagreement cannot be resolved, then the, FAA shall request the further comments of the Council in accordance with 36 CFR Part 800.7. FAA in accordance with 36 CFR Part 800.7 will take any Council comment provided in response into account, with reference only to the subject of the dispute. FAA's responsibility to carry out all other actions under the terms of this Agreement that are not the subject of the dispute will remain unchanged.

VIII. AMENDMENT AND TERMINATION

Any signatory to this agreement, including additional consulting parties who join the consultations and become signatories as provided in Stipulation VI, may request that the agreement be amended, whereupon the signatories will consult to reach a consensus on the proposed amendment. Where no consensus can be reached, the agreement will not be amended.

Any signatory to this agreement may terminate it by providing thirty (30) days notice to the other parties, provided that the signatories and concurring parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination.

In the event of termination, FAA shall comply with 36 CFR part 800 for all remaining phases of the undertaking.

Execution and implementation of this Agreement evidence that the FAA has satisfied its Section 106 responsibilities for the Tier 1 EIS; and, for subsequent environmental documentation, if and when FAA determines other environmental documentation is warranted.

FEDERAL AVIATION ADMINISTRATION

By: Jefi Alles, Manager, Great Lakes Region Airports Division	Date: July 11, 'Oa
ILLINOIS HISTORIC PRESERVATION AGENCY	

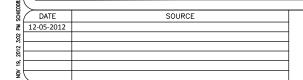
Anne Haaker, Deputy State Historic Preservation Officer

Date: 7/10/62

ILLINOIS DEPARTMENT OF TRANSPORTATION

By: JUL 1 0 2002

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DRAFT PROGRAMMATIC AGREEMENT AMONG

THE FEDERAL AVIATION ADMINISTRATION,
THE ILLINOIS DEPARTMENT OF TRANSPORTATION, AND
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER
FOR THE SOUTH SUBURBAN AIRPORT, LOCATED IN WILL COUNTY ILLINOIS

WHEREAS, the Federal Aviation Administration (FAA) is considering approval for the construction and operation of an air carrier airport in the south suburban Chicago area as described in the South Suburban Airport (SSA) Master Plan; and

WHEREAS, the need for approval as described in the SSA Airport Master Plan is to allow for the construction and operation of the South Suburban Airport; and

WHEREAS, it is FAA's intent to conduct a Tier 2 Environmental Impact Statement (EIS) to assess the impacts of the construction and operation of the South Suburban Airport utilizing Federal Aviation Funds; approval of an airport layout plan and construction; and

WHEREAS, the FAA and the Illinois Department of Transportation (State) have consulted with the Illinois State Historic Preservation Officer (SHPO) (Illinois Historic Preservation Agency), pursuant to 36 CFR 800.6(a)(1)(iii) and have determined that the site may contain archaeological and historic architectural resources that are eligible for listing in the National Register of Historic Places; and

WHEREAS, the FAA has notified (ADD DATE of Letter) the Advisory Council on Historic Preservation (ACHP) of the proposed undertaking and the Advisory Council responded on (ADD DATE OF RETURN LETTER) declining their participation.

WHEREAS, American Indian groups with an expressed interest in Will County have been contacted and provided a reasonable and good faith opportunity to consult about the undertaking; and The Miami Tribe of Oklahoma has expressed an interest in the project;

WHEREAS, the FAA has determined that the proposed actions described in the Tier 2 EIS may adversely affect historic properties included in or eligible for inclusion in the National Register of Historic Places; and

WHEREAS, the FAA has chosen to proactively provide for a phased process to comply with Section 106 of the National Historic Preservation Act as authorized by 36 CFR 800.4(b)(2) and 800.14(b), and has negotiated and executed this Agreement to govern Tier 2 or other future environmental documentation so that an agreed-upon process will be in place if needed in the future; and

WHEREAS, the FAA has consulted with the Illinois SHPO on this undertaking, pursuant to 36 CFR 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f); and

WHEREAS, the State has participated in this consultation and is to be a signatory to this Agreement; and

NOW THEREFORE, the FAA, the State and the Illinois SHPO agree that execution and implementation of this Agreement will initiate Section 106 consultations for the Tier 2 EIS.

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STIPULATIONS

The FAA will ensure that the following measures are carried out.

INTERIM MAINTENANCE AND PRESERVATION

If and when properties are acquired by the State within the Will County site, the State shall ensure that all structures and archaeological sites eligible for listing in the National Register within these properties are maintained and protected against damage. If the survey and evaluation of structures or archaeological sites within these acquired properties have not been completed, and State activities within these acquired properties would result in surface or subsurface disturbance or the removal, demolition, deterioration, or abandonment of structures, the State will complete the survey and evaluation following the procedures presented in Stipulations II, III.A., and IV.A prior to any such activities. If the State cannot maintain or protect all structures and archaeological sites eligible for listing in the National Register within the acquired properties, the State will follow the procedures described under Stipulations III.B and C and IV.B, C and D.

II. PROPERTIES OF TRADITIONAL CULTURAL SIGNIFICANCE

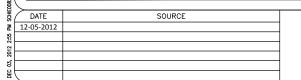
American Indian tribes with historical ties to the area have been contacted and offered the opportunity to consult on the Tier 2 EIS. Inquiries concerning places of traditional religious or cultural significance within the area did not yield any information on such properties or indications that such properties exist within the two alternative sites evaluated for the Tier 1 EIS. American Indian tribes will also be consulted concerning the eligibility of and effects on archaeological sites to which they ascribe religious or cultural significance as provided in Stipulation III.

III. ARCHAEOLOGY

A. Survey and Evaluation

- 1. The State will conduct an archaeological reconnaissance survey (Phase I) of all areas within the Tier 2 preferred alternative not previously surveyed. This work will be undertaken by the Illinois State Archaeological Survey (ISAS) and will include existing cemeteries within the boundary of the preferred alternative. The State will conduct the survey within areas not previously surveyed when and if the areas are both acquired for the airport and will be the location of proposed airport infrastructure development that will result in ground disturbance. The State will consult with the Illinois SHPO on the schedule and approach of the archaeological reconnaissance survey. The State shall submit a report of the survey(s) to the Illinois SHPO, and to consulting party American Indian tribes requesting a copy of the report, for review and comment. An archaeological intensive survey (Phase II) will be performed at all archaeological sites within the project area, which may be eligible for listing in the National Register, in order to fully evaluate their National Register eligibility. Phase II intensive survey methodologies shall be formulated in consultation with the Illinois SHPO. A report of the Phase II findings shall be submitted by the State to the Illinois SHPO, and to consulting party tribes requesting a copy of the report, for review and
- 2. The Phase I and II surveys will be conducted by ISAS in a manner consistent with the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44720-23) and taking into account the National Park Service publication "The Archaeological Survey: Methods and Uses" (1978) and the Illinois State Historic Preservation Office's "Guidelines for Archaeological Reconnaissance Surveys/Reports." The Phase I and II surveys will be implemented by the State and monitored by the Illinois SHPO. The State will also adhere to the tenets of the Human Skeletal Remains Protection Act 20 ILCS 3440.

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- 3. In consultation with the Illinois SHPO and taking into account comments received from consulting party tribes, the State shall evaluate properties identified through the Phase II intensive survey against the National Register Criteria (36 CFR Part 60.4).
 - a. For those properties which the State and the Illinois SHPO agree are not eligible for inclusion in the National Register, no further archaeological investigations will be required, and the proposed project may proceed in those areas.
 - b. If the State and the Illinois SHPO do not agree on National Register eligibility, the State shall request a determination of eligibility from the FAA. If the FAA and the Illinois SHPO do not agree on National Register eligibility, the FAA shall request a formal determination of eligibility from the Keeper of the National Register, National Park Service, whose determination shall be final.
 - c. The results of the determinations of eligibility shall be transmitted by the State to consulting party tribes that comment on the survey reports.
 - d. If the survey results in the identification of properties that the State and the Illinois SHPO agree are eligible for the National Register, preservation in place is the preferred treatment. National Register eligible sites that can be preserved will be protected through a Cultural Resources Covenant (see Appendix A); however, such properties shall be treated in accordance with Part B below if preservation in place is not an option.

B. Data Recovery (Phase III)

- 1. Those sites which the State and the Illinois SHPO agree are eligible for the National Register and cannot be preserved in place, will be treated in the following manner:
 - a. The State shall utilize standard data-recovery plans (see Appendix B) in consultation with the Illinois SHPO. If warranted, resource specific data-recovery plans addressing substantive research questions for the recovery of relevant archaeological data will be developed in consultation with the Illinois SHPO. The plans shall be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37) and take into account the Council's publication, "Treatment of Archaeological Properties". It shall specify, at a minimum, the following:
 - 1) the property, properties, or portions of properties where data recovery is carried out:
 - 2) the research questions to be addressed through the data recovery, with an explanation of their relevance and importance;
 - 3) the methods to be used, with an explanation of their relevance to the research questions;
 - 4) proposed methods of disseminating results of the work to the interest of the public; and
 - 5) a proposed schedule for the submission of reports to the Illinois SHPO.
 - b. The data recovery plan shall be submitted by the State to the Illinois SHPO and to consulting party tribes that requests a copy of the data recovery plan, for thirty (30) days review and comment. The State shall take into account comments from the Illinois SHPO and American Indian tribes and shall ensure that the data recovery plan is implemented. The Illinois SHPO shall monitor this implementation.

- 2. The State shall ensure that the data-recovery plan is carried out by ISAS under the direct supervision of an archaeologist who meets, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9).
- 3. The State shall ensure that ISAS has adequate laboratory time and space available for analysis of osteological, cultural, and biological materials recovered from the excavations.
- 4. To the best of the FAA's and the State's knowledge and belief, no American Indian human remains, associated funerary objects or sacred objects, or objects of American Indian cultural patrimony are expected to be encountered during the archaeological work, but should such remains be encountered, the State will also adhere to the tenets of the Human Skeletal Remains Protection Act 20 ILCS 3440.
- 5. The State shall ensure that an adequate program of site security from vandalism during data recovery is developed in consultation with the Illinois SHPO, and then implemented by the State.

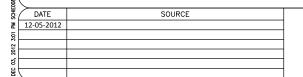
C. Curation And Dissemination Of Information

- 1. In consultation with the Illinois SHPO, the State shall ensure that all materials and records resulting from archaeological survey and data recovery conducted for the South Suburban Airport project are curated at the ISAS at the University of Illinois and in accordance with 36 CFR Part 79.
- 2. The State shall ensure that all final archaeological reports resulting from actions pursuant to this agreement are provided in a format acceptable to the Illinois SHPO and the National Park Service for possible peer review and submission to the National Technical Information Service (NTIS). The agency official shall ensure that all such reports are responsive to contemporary standards, and to the Department of the Interior's Format Standards for Final Reports of Data Recovery Program (42 FR 5377-79). Precise locational data may be provided only in a separate appendix if it appears that its release could jeopardize archaeological data. The State shall provide copies of all reports of archaeological excavations to consulting party tribes that request copies of these reports.
- D. Unanticipated Discovery Of Human Remains and Archaeological Resources During Construction

In accordance with 36 CFR Section 800.13(a)(1), if previously undetected human remains or archaeological resources are discovered during project construction activities, the State will cease, or cause to stop, any activity having an effect on the resource and consult with the Illinois SHPO to determine if additional investigation is required. If the discovered remains or resources would potentially be of religious or cultural significance to American Indian tribes, the State shall contact those tribes with an expressed interest in Will County for the comments and the tenets of the Human Skeletal Remains Protection Act 20 ILCS 3440 will be followed. The State may request comments on an expedited schedule if necessary. If, after reviewing the comments of the tribes, the State and SHPO find that further archaeological investigations are required any data recovery will be performed in accordance with Stipulations III.B and III.C of this Agreement. If the State and the Illinois SHPO determine that further investigation is not necessary, activities may resume with no further action required. Any disagreement between the State and the Illinois SHPO concerning the need for further investigations will be handled in accordance with Stipulation VII.

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IV. HISTORIC STRUCTURES

A. Evaluation of Structures

- The State has prepared a survey of cultural resources at the South Suburban Airport (dated 11/1/1996). The State will prepare additional documentation regarding the history and significance of structures located within the amended area project effect to assist in evaluating whether any of the properties are eligible for listing on the National Register of Historic Places. This information will be provided to the Illinois SHPO for review and concurrence.
- 2. If the State and the Illinois SHPO do not agree on National Register eligibility, the State shall request a determination of eligibility from the FAA. If the FAA and the Illinois SHPO do not agree on National Register eligibility, the FAA shall request a formal determination of eligibility from the Keeper of the National Register, National Park Service, whose determination shall be final.

B. Treatment

- 1. Should the State and the Illinois SHPO determine that any of the properties are eligible for listing in the National Register, and the properties will be adversely affected by an action covered by this Agreement, the State, in consultation with the SHPO, will identify measures to avoid, minimize, or mitigate the adverse effect. If the National Register eligible properties can be preserved, they will be protected through a Cultural Resources Covenant (see Appendix A). Measures to minimize or mitigate the adverse effect may include, but will not be limited to, retaining the structure for use within the proposed airport, relocation of the structure outside of the area to be impacted by the action, and/or recordation followed by demolition. If preservation in place is not possible, the State will prepare a report on the property that evaluates its structural integrity and the feasibility of relocating the structure to another location, if moving the structure is warranted.
- 2. The State will forward a copy of the report(s) and its recommendations for the treatment of the properties to the Illinois SHPO for review and approval. Any disagreement between the State and the Illinois SHPO concerning treatment will be handled in accordance to Stipulation VII.

C. Marketing Plan

- 1. If the State determines that any of the structures determined eligible for the National Register can be relocated, the State will consult with the Illinois SHPO to develop a marketing plan for the relocation and rehabilitation of the properties. The Illinois SHPO shall approve the marketing plan prior to its implementation by the State. This plan will, at a minimum, include the following information:
 - a. Photographs of the property, a parcel map and information on the property's historic significance;
 - b. Information on the property's purchase price, if any; a good faith estimate of the cost of properly moving the structure to another site; and a statement regarding which party will be responsible for the various costs associated with the move;
 - c. Information on the possible financial assistance, including Federal tax benefits, for the rehabilitation of historic buildings;
 - d. Notification that the recipient will be required to move the building in accordance with the recommended approaches to moving outlined in the Department of the

Interior's Moving Historic Buildings, and utilizing the services of a professional mover who has the capability to move historic buildings properly;

- e. Notification that the recipient will be required to rehabilitate and maintain the property in accordance with the recommended approaches in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; and,
- f. Notification of the requirement to include a preservation covenant or easement in the transfer documents that will be recorded in the County's official property records.
- 2. Prior to the acceptance of any offer, the State shall review all offers in consultation with the Illinois SHPO and shall identify a preferred offer. The Illinois SHPO shall be afforded 30 days to review and comment on the preferred offer, and, if appropriate, the new site proposed for relocation of the property.
- 3. If the State receives no acceptable offers to the marketing plan, the State may, after written notice to the Illinois SHPO and the Advisory Council, demolish the properties once they are recorded in accordance with Stipulation IV.D.

D. Recordation and Salvage

- 1. Prior to the relocation or demolition of any of the structures determined eligible for listing on the National Register, the State shall contact the Illinois Historic American Building Surveys (ILHABS) at the Illinois Historic Preservation Agency, to determine what level and kind of recordation is required for the property. Unless otherwise agreed to by the National Park Service, the State shall ensure that all documentation is completed and accepted by ILHABS prior to the relocation or demolition of the properties, and copies of this documentation are made available to the Illinois SHPO and any appropriate local archives designated by the Illinois SHPO.
- 2. Prior to the demolition of any historic structure determined eligible for the National Register, the State shall consult with the Illinois SHPO to determine if the building contains architectural elements which could be salvaged for curation or reuse in new construction. The State shall ensure that the selected items are removed in a manner that minimizes damages and delivered to the Will County Historic Preservation Commission.

V. PUBLIC PARTICIPATION

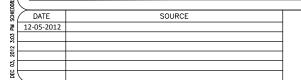
The FAA and the State have provided the public with opportunities to participate in the identification, evaluation, and treatment of historic properties during information meetings, workshops, and public hearings associated with the Tier 1 EIS and Airport Master Plan public involvement process. For Tier 2 the FAA and the State shall, through the National Environmental Policy Act (NEPA) public involvement process associated with this future documentation, continue to seek information from the public on historic properties within the project area and provide the public an opportunity to express their views on the effects of the undertaking on historic properties.

VI. ADDITIONAL CONSULTING PARTIES

Consulting parties may ask or be requested by FAA to join consultations concerning Tier 2 or other environmental documentation. FAA may invite such parties to become signatories to this agreement subject to approval of existing signatory parties.

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VII. DISPUTE RESOLUTION

The State and the Illinois SHPO shall attempt to resolve any disagreement arising from implementation of this Agreement. If the State determines that the disagreement cannot be resolved, the State and Illinois SHPO shall consult with the FAA to resolve the disagreement. If the disagreement cannot be resolved, then the FAA shall request the further comments of the Council in accordance with 36 CFR Part 800.7. FAA in accordance with 36 CFR Part 800.7 will take any Council comment provided in response into account, with reference only to the subject of the dispute. FAA's responsibility to carry out all other actions under the terms of this Agreement that are not the subject of the dispute will remain unchanged.

VIII. AMENDMENT AND TERMINATION

Any signatory to this agreement, including additional consulting parties who join the consultations and become signatories as provided in Stipulation VI, may request that the agreement be amended, whereupon the signatories will consult to reach a consensus on the proposed amendment. Where no consensus can be reached, the agreement will not be amended.

Any signatory to this agreement may terminate it by providing thirty (30) days notice to the other parties, provided that the signatories and concurring parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination.

In the event of termination, FAA shall comply with 36 CFR part 800 for all remaining phases of the undertaking.

Execution and implementation of this Agreement evidence that the FAA has satisfied its Section 106 responsibilities for the Tier 2 EIS; and, for subsequent environmental documentation, if and when FAA determines other environmental documentation is warranted.

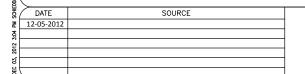
IX DURATION

This agreement shall be in effect for 5 years from the date of execution, unless an extension is agreed by all signatory parties in writing.

FEDERAL AVIATION ADMINISTRATION	
By: Susan M. Schalk, Manager, Great Lakes Region Airports Division	Date:
ILLINOIS HISTORIC PRESERVATION AGENCY	
By:Anne E. Haaker, Deputy State Historic Preservation Officer	Date:
ILLINOIS DEPARTMENT OF TRANSPORTATION	
By:Ann L. Schneider, Secretary	Date:

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APPENDIX A DRAFT PRESERVATION COVENANT LANGUAGE

In consideration of the conveyance of certain real property, [address of property] in the city of () of the County of Will, State of Illinois and legally defined as (insert legal description):

- (1) The grantee hereby covenants on behalf of itself, its heirs, successors and assigns at all time to restore, maintain and preserve this property in accordance with the recommended approaches of the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic buildings" (National Park Service, 1989) in order to preserve those qualities that make this property eligible for listing on the National Register of Historic Places.
- (2) No construction, alteration or rehabilitation shall be undertaken or permitted to be undertaken that would affect the historic features of the property without consultation with and the express permission of the Illinois Historic Preservation Agency (IHPA) or a fully authorized representative thereof.
- (3) The IHPA shall be permitted at all reasonable times to inspect the property in order to ascertain if the above conditions are being met.
- (4) In the event of a violation of this covenant, and in addition to any remedy now or hereafter provided by law, the IHPA may, following reasonable notice to the grantee, institute suit to enjoin said violation or to require the restoration of the property.
- (5) This covenant is binding on the grantee, its heirs, successors and assigns in perpetuity. All stipulations and covenants contained herein shall be inserted by the grantee verbatim or by express reference in any deed or other legal instrument by which the grantee divests itself of any interest in the property or any part thereof.
- (6) The failure of the IHPA to exercise any right or remedy granted under this instrument shall not have the effect of waiving or limiting the exercise of any other right or remedy or use of such right or remedy at any other time.
- (7) This covenant shall be a binding servitude upon the property and shall be deemed to run with the land. Execution of this covenant shall constitute conclusive evidence that the grantee agrees to be bound by the foregoing conditions and restrictions and to perform to obligations herein set forth.
- (8) The IHPA may, for good cause, modify or cancel any or all of the foregoing restrictions upon application of the grantee, its heirs, successors or assigns.

ATTACHEMENT B PART 1: STANDARD DATA RECOVERY PLAN FOR PREHISTORIC SITES

Introduction

The Illinois State Archaeological Survey (ISAS), a joint program of the University of Illinois at Urbana-Champaign (UIUC) and the Illinois Department of Transportation (IDOT), prepared this data recovery plan for the archaeological mitigation of prehistoric habitation sites. This plan was developed in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716), and "The Treatment of Archaeological Properties" published in 1980 by the Advisory Council on Historic Preservation. All procedures outlined in this plan are implemented using standard ISAS techniques, which are outlined in ISAS Field Manual 2005: Standard ISAS Field Procedures for Phase I, II and III Archaeological Investigations.

The IDOT and the Illinois State Historic Preservation Officer have jointly determined that the prehistoric sites to be investigated with this recovery plan are eligible for the National Register of Historic Places under Criterion D and that these sites may not be avoided by the proposed project.

Natural Setting

The natural setting for archaeological sites excavated under this data recovery plan will be examined (prior to conducting further excavation) in the appropriate existing documentation (such as the Geological Survey Soil Survey) and in the field. A verbal description of the natural setting will accompany maps and photographs in the final reporting of the site.

Summary of Previous Investigations

In general, sites to be investigated under this data recovery plan were recorded by ISAS personnel during the Phase I survey of the proposed project area. When necessary, existing archaeological and historical property lists will be consulted and oral histories conducted to fully develop a site's history and aid in locating possible features and an understanding of a site's stratigraphy and distribution across the landscape. Phase I testing at the site will have revealed the presence of intact cultural material and the site's potential to significantly contribute to our understanding of the prehistory of this area in order to warrant additional investigation.

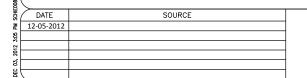
Research Design

The data generated by excavations at the prehistoric site(s) will be used to examine at least three topics: (1) chronology; (2) technology; and (3) subsistence practices. Insights into changing patterns of community organization may also be granted, as may insights into changes in social organization. The data recovered will then be compared to data from other regional sites.

- <u>Chronology</u>. It is expected that the recovered artifact assemblage at the prehistoric site(s) will suggest the presence of at least one cultural component (such as the Mississippian or Late Woodland). Insights into more precise time spans at both sites can be gained through analysis of point and ceramic styles, as well as the acquisition of charcoal samples for radiocarbon analysis.
- 2. <u>Technology</u>. The lithic artifacts recovered from the prehistoric site(s) are expected to reflect the inhabitant's use of this material for a variety of tasks involved in procuring and processing resources. Analysis of the lithic assemblage will identify raw materials,

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heating stage, overall stages of tool manufacture, and lithic reduction strategies. Analysis of the ceramics, if ceramics are recovered, may also aid in the identification of pottery manufacturing processes.

3. <u>Subsistence</u>. If plant and animal remains are recovered at the prehistoric site(s), standardized flotation samples will be collected and analyzed from excavated feature fills to identify patterns of plant and animal use by the site inhabitants. These data will be used in the interpretation of seasonality and site function.

Mitigation Plan

Investigations will be conducted in compliance with the National Historic Preservation Act of 1966, as amended, and will be carried out by ISAS archaeologists who meet the Secretary of the Interior's professional qualification standards (48 FR 447838-9). In designing and carrying out the work, ISAS staff will also take into account the Advisory Council on Historic Preservation's publication on the "Treatment of Archaeological Properties."

Standard ISAS methods (as outlined in the ISAS Field Manual 2005) will be employed in all aspects of the data recovery. Portions of the plow zone at the site(s) will be removed; if warranted, a backhoe with a smooth-bladed bucket will likewise be utilized to carefully remove the plow zone at the site(s) in test trenches to recover artifacts, reveal features, and more fully investigate site stratigraphy.

If features are encountered, the archaeological studies will be conducted following the standard ISAS excavation techniques described in the ISAS Field Manual 2005. Any features encountered will be mapped by hand and tied into the site maps with an electronic transit. After plan mapping, features will be bisected along their long axis with hand tools (shovels and trowels). The subsequent profile will be mapped and photographed. Generally, the first half of each pit feature will be excavated as a single unit, with all artifacts bagged together; flotation samples generally will not be collected from the first halves of features. The second half of each pit will be excavated by fill zones identified in profile, with artifacts and flotation samples collected accordingly and screened with ¼-inch hardware cloth as appropriate. At least one 10-liter flotation sample will be collected from each zone. Charcoal-rich zones will be more intensively sampled.

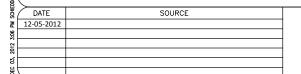
Human remains are not expected to be found during the excavations; however, if encountered, the remains will be mapped and removed in accordance with all procedures and guidelines associated with the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440, 17 IAC 4170). Disposition of the human remains and any burial artifacts will be accomplished under the provisions of the Act.

In the laboratory, all lithic artifacts will be washed, labeled and analyzed by ISAS personnel at the appropriate Survey Division office. Botanical, zoological and human remains will be analyzed by specialists at ISAS's main office at the University of Illinois or by qualified consultants.

All archaeological reports resulting from the project will comply with contemporary standards, including the Secretary of the Interior's "Standards for Final Reports of Data Recovery Programs" (42 FR 5377-79). The ISAS will also insure that all final archaeological reports are presented in a format acceptable to the Illinois State historic Preservation Officer (SHPO) following Illinois SHPO guidelines on report preparation, and that all such reports are presented in a format acceptable to the National Park Service for possible peer review and submission to the National Technical Information Service (NTIS). This report will be submitted to the Illinois DOT and IHPA in a timely manner after the completion of all field and laboratory investigations.

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Curation

All artifactual materials, records, photographs and other data associated with this project will be curated at the University of Illinois at Urbana-Champaign and managed by ISAS in accordance

with federal standards as outlined in 36 CFR Part 79

PART 2: STANDARD DATA RECOVERY PLAN FOR HISTORIC SITES

Introduction

The Illinois State Archaeological Survey (ISAS), a joint program of the University of Illinois at Urbana-Champaign (UIUC) and the Illinois Department of Transportation (IDOT), prepared this data recovery plan for the archaeological mitigation of historic sites. This plan was developed in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716), and "The Treatment of Archaeological Properties" published in 1980 by the Advisory Council on Historic Preservation. All procedures outlined in this plan are implemented using standard ISAS techniques, which are outlined in ISAS Field Manual 2005: Standard ISAS Field Procedures for Phase I. II. and III Archaeological Investigations.

The IDOT and Illinois State Historic Preservation Officer have jointly determined that the historic sites to be investigated with this recovery plan are eligible for the National Register of Historic Places (NRHP) under Criterion D and that these sites may not be avoided by the proposed project.

Natural Setting

The natural setting for archaeological sites excavated under this data recovery plan will be examined (prior to conducting further excavation) in the appropriate existing documentation and in the field. A verbal description of the natural setting will accompany maps and photographs in the final reporting of the site. Midwestern archaeological studies have noted a preference among early Euro-American pioneers to build their first homes along timber-prairie borders. Environmental factors, such as protection from the elements and proximity to timber, water, and wild animal resources, and cultural factors, such as origin of the settler and proximity to roads, both affect the placement of early settlement homes and farms. General Land Office survey and plat maps, coupled with native vegetation information from county soil surveys, assist in the reconstruction of local environments during the early settlement era. In much of the State, survey maps were created prior to and immediately following the initial Euro-American settlement. Government land transfer and original land entries/patents provide information about locations of early settlements. Further information from county history books, census data, and assorted primary source documents such as letters and diaries can also assist in reconstruction of the environmental and cultural factors affecting individual and group settlement. Aerial photographs and modern maps (US Geological Survey, USDA soil survey, etc.) provide documentation of more recent environmental conditions.

Summary of Previous Investigations

In general, sites to be investigated under this data recovery plan were recorded by ISAS personnel during the Phase I survey of the proposed project area. When necessary, existing archaeological and historical property lists will be consulted and oral histories conducted to fully develop a site's history and aid in locating possible features and an understanding of a site's stratigraphy and distribution across the landscape. Phase I testing at the site will have revealed the presence of intact cultural material and the site's potential to significantly contribute to the history of this area in order to warrant additional investigation.

Research Design

The data generated by excavations at the historic site(s) will be used to examine at least three broad topics: (1) settlement patterns and land distribution; (2) architecture; and (3) subsistence practices. Insights into changing patterns of community organization may also be gained, as may

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insights into changes in social organization and subscription to mass-produced goods. The data recovered will then be compared with that from other regional sites.

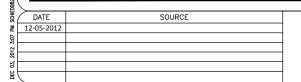
- Settlement Patterns and Land Distribution. The mitigation of historic sites requires the study of patterns of settlement by the pioneers who came to Illinois. The types of sites, their location, number and distribution, all provide important information on early settlement patterns and how they influenced later land development and settlement. In order to understand these settlement patterns, detailed artifact and archival information is required to determine the age, type, and function of specific sites. In addition, data indicating when specific features originated and any transformations in function through time is also needed. Inter- and intra-spatial orientation of structures and features must also be studied.
- Architecture. Building techniques and architectural forms can reflect ethnic identity, stylistic concerns, economic status, and the relative availability of local and imported construction materials. Intact structures dating from the era of earliest Euro-American settlement are comparatively scarce, as many buildings have been abandoned, dismantled, or otherwise destroyed and/or replaced by more recent construction. Early structures are generally poorly documented and specific details regarding their construction are not available. Intact subsurface remains provide information on dwelling size and shape and details of cellar and footing construction. The distribution of hardware, wood, glass, and other structural items within and around the foundation fill offers clues to the appearance of the superstructure. Exposure and detailed mapping of complete foundations is necessary to document the size, orientation, and shape of the dwelling. The construction materials employed need to be identified along with their likely places of origin. Measured plan views, profiles, and photographs of structural features will provide details on construction techniques. Horizontal and vertical provenience data on other structural remains will aid in the interpretation of aspects of the building superstructure.
- Subsistence. Subsistence in early Euro-American farmsteads was based largely on foods produced directly for household consumption. With limited transportation systems and access to processed flour, wheat was an important crop. Water-powered gristmills were among the earliest important industries. Hogs were important sources of meat, cattle provided milk and butter, and chickens were commonly kept for eggs. Fruit trees and vegetable gardens were also important sources of food on many nineteenth century farms. In addition to these homegrown foods, wild plants and animals supplemented the diet. Deer, various small game mammals, fish, waterfowl, and wild turkey were common, along with wild nuts and fruits, which were seasonally available. Flotation samples taken from feature contexts should provide abundant evidence of subsistence. Identification of carbonized and uncarbonized plant remains will document the range of wild, domestic, and exotic plant species present. Wild, domesticated, and imported animal resources will be identified through the analysis of faunal remains recovered from flotation samples, as well as larger specimens recovered through standard excavation procedures.

Mitigation Plan

Investigations will be conducted in compliance with the National Historic Preservation Act of 1966, as amended, and will be carried out by ISAS archaeologists who meet the Secretary of the Interior's professional qualifications standards (48-FR-447838-9). In designing and carrying out the work, ISAS staff will also take into account the Advisory Council on Historic Preservation's publication on the "Treatment of Archeological Properties."

Standard ISAS methods (as outlined in the ISAS Field Manual 2005) will be employed in all aspects of the data recovery. A standard controlled surface collection grid (generally comprised of 10x10m collection units) will also be used, where possible, as the basis for a gridded metal

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detector survey to recover that class of artifacts. These individual grid cells will also form the parameters for subsequent machine-aided excavation units, which will be removed in an incremental fashion to increase the artifact sample from the site. Experience indicates that a significant percentage of the historic artifacts from a given site are located in the plow zone and this material, if collected systematically, can provide information about the location of activity loci that are generally not represented by subsurface features (i.e. barnyard activities).

Given this type of systematic plow zone sampling approach, hand excavated units will be used more sparingly on 19th century historic period sites, because intact subsurface deposits are generally rare outside the limits of subterranean facilities. Thus, adequate artifact samples can typically be derived from surface collection, metal surveys, feature excavation, and systematically collected, standard sized machine excavation blocks. However, more rigorous plow zone and A-Horizon sampling, including dry or water screening and bulk flotation sample collection, will be undertaken on sites believed to be attributable to historic Indian, French, and very early British/American period components to amass adequate samples and recover micro-artifacts, such as glass beads.

Due to the large size of many historic cellars and the extremely deep nature of some water collection facilities, standard ISAS excavation protocols allow these features to be sampled as opposed to completely excavated. The cellars will be excavated in quarters (similar to prehistoric structures) so that both the long and short axis profiles can be mapped and documented. Deeper features, such as wells and cisterns, will typically only be sampled to a reasonable depth (ca. one to two meters) because their absolute limits often cannot be established through hand excavation given personal safety considerations. The overall depths of these features may be assessed through additional hand probing or machine trenching once the hand-excavated samples have been removed. Such sampling strategies, however, must obtain an adequate artifact assemblage and other forms of information to determine the feature's temporal placement and construction techniques. In addition, historic posts will be mapped in plan view, but only a subset may be formally excavated depending upon the number encountered and their relationship to other site features. Any posts that are not excavated will be hand-probed to assess their overall depth.

While not expected, should historic mortuary sites or features be encountered, the remains will be mapped and removed in accordance with all procedures and guidelines associated with the Illinois Human Skeletal Remains Protection Act (HSRPA, 20 ILCS 3440, 17 IAC 4170) and detailed in the ISAS excavation manual (ISAS 2005). Disposition of the human remains and any burial artifacts will be accomplished under the provisions of the Act.

In the laboratory, all artifacts will be washed, cleaned, labeled, and sorted by ISAS personnel at the appropriate Survey Division office, following standard ISAS procedures (ISAS 2005). Botanical, zoological, and historical materials will then be analyzed by ISAS specialists at the University of Illinois or by qualified consultants.

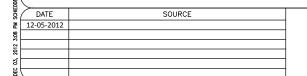
All archaeological reports resulting from the project will comply with contemporary standards, including the Secretary of the Interior's "Standards for Final Reports of Data Recovery Programs" (42-FR-5377-79). The ISAS will also insure that all final archeological reports are presented in a format acceptable to the Illinois State Historic Preservation Officer (SHPO), following Illinois SHPO guidelines on report preparation, and that all such reports are presented in a format acceptable to the National Park Service for possible peer review and submission to the National Technical Information Service (NTIS). These reports will be submitted to the Illinois DOT and the IHPA in a timely manner after the completion of all field and laboratory investigations.

Curation

All artifactual materials, records, photographs, and other data associated with this project will be curated at the University of Illinois at Urbana-Champaign and managed by the ISAS in accordance with federal standards as outlined in 36 CFR, Part 79.

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Section 700 Section 700

ADMINISTRATIVE CODE

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER q: SOIL AND WATER CONSERVATION
PART 700 FARMLAND PRESERVATION ACT
SECTION 700.APPENDIX I ILLINOIS DEPARTMENT OF TRANSPORTATION'S
AGRICULTURAL LAND PRESERVATION POLICY STATEMENT AND
COOPERATIVE WORKING AGREEMENT

Section 700.APPENDIX I Illinois Department of Transportation's Agricultural Land Preservation Policy Statement and Cooperative Working Agreement

PREFACE

The Farmland Preservation Act (Ill. Rev. Stat. 1991, ch. 5, par. 1301 et seq.) [505 ILCS 75] requires the Department of Transportation (DOT) and nine other State agencies to develop a policy statement specifying the agency's policy toward farmland preservation. The following statement has been prepared in response to that requirement. A working agreement has also been prepared to describe the administrative process that will be used to implement the policy. The Agricultural Land Preservation Policy prepared in response to Executive Order 80-4, signed by Governor James R. Thompson on July 22, 1980, will also remain in effect in accordance with Section 4 of the Farmland Preservation Act.

POLICY

Recognizing that its transportation objectives must be in concert with the overall goals of the State, it is the policy of the DOT, in its programs, procedures, and operations, to preserve Illinois farmland to the extent practicable and feasible, giving appropriate consideration to the state's social, economic, and environmental goals.

BACKGROUND/PERSPECTIVE

Highways, rail systems, airports, and port terminals by their nature, occupy land. The extent that transportation facilities will occupy today's farmland in the future primarily will depend on the DOT's programs, safety and operational requirements, and the degree to which a responsible balance is established among the various development and preservation interests of the State of Illinois.

With the existence of a comprehensive and largely complete transportation system in Illinois, the DOT's major program emphasis is directed toward preservation and rehabilitation of existing facilities, rather than expansion. Rehabilitation of the system for full and effective use, however, will require some additional land acquisitions to satisfy current safety and operational requirements. A limited number of new or expanded transportation facilities will be required in order to attract business and industry and improve service and access to Illinois markets.

Expansion efforts must be carefully managed to preserve the agricultural community while serving the rural areas of the State.

In the past, new transportation facilities often were constructed on farmlands. This was due, in part, to a number of Federal laws and regulations pertaining to the protection of other sensitive areas, such as flood plains, wetlands, wildlife habitats, etc. Special protection is also provided for parks and historic sites. Federal law requires that such lands not be used for Federal-aid highway purposes, unless no feasible and prudent alternative is available. Executive Order 80-4 and the Farmland Preservation Act increase the protection afforded farmland, so that it is commensurate with the importance of the resource.

AGRICULTURAL IMPACTS OF HIGHWAY CONSTRUCTION

During FY 92, approximately 280 acres of agricultural land were purchased for the State highway system. This represents slightly less than 1 percent of the total farmland acquired or impacted during that period by the 10 State agencies regulated by the Farmland Preservation Act. It is anticipated that future conversions of farmland for highway purposes will average less than 1,000 acres per year.

The rate of farmland conversion for highway usage is expected to remain near current levels for three reasons. First, the current emphasis on rehabilitation of the existing system is expected to continue in the future. Because much of today's system was constructed in the 1920's and 1930's, an extensive and continuing program is necessary to rehabilitate and replace narrow and deteriorated bridges and pavements. Such a program is not expected to require significant land acquisitions. Secondly, certain mitigating factors for reducing adverse agricultural impacts already have been introduced into highway designs, and more are expected. For example, current design practices now encourage use of narrower medians and smaller interchanges. The third reason is the increased importance given agricultural conversions in decisions regarding highway projects.

AGRICULTURAL IMPACTS OF AIRPORT DEVELOPMENT

The publicly owned State airport system currently consists of 79 airports, serving 51 air carrier or commuter airlines and thousands of private pilots. The public airports outside Chicago occupy 39, 089 acres. Since 1983, public airports have acquired 4,433 acres, often without State financial support.

With a few exceptions, the system of airports envisioned in the State Airport System Plan is in place. Scott Air Force Base near Belleville, Illinois will be expanded within the immediate future to accommodate joint military-civilian operations. Studies are in progress for a third major airport to serve the Chicago area and its environs. In addition, construction of four or five new small airports is anticipated over the next 20 years. Limited expansion of existing airports will also be undertaken. Safety requirements of proposed airport projects will be balanced with an analysis of farmland impacts as required by Executive Order 80-4, the Farmland Preservation Act, and this Departmental Policy Statement.

AGRICULTURAL IMPACTS OF RAILROADS

The Illinois railroad system is a mature network of approximately 7,900 route miles (as of January 1, 1992) which includes mainlines and branchlines. This system has been gradually shrinking over the years as light density lines are abandoned and traffic is concentrated on fewer lines. Occasionally, the net result of branchline abandonment has been an increase in the amount of land

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in agricultural production since abandoned right-of-way can be restored to farmland usage.

The DOT does not own or operate railroad lines and does not exercise jurisdiction over most railroad projects which might affect farmland. However, in those instances where future Departmental decisions regarding railroad projects might impact the State's farmland resources, due consideration will be given to preserving agricultural land and minimizing adverse impacts on its productive capacity.

AGRICULTURAL IMPACTS OF WATER RESOURCES PROJECTS

Water resources projects, such as reservoirs, waterways, levees, and flood channels, involve land taking and damages and may cause production losses through conversion of farmland. However, the DOT's projects in recent years have concentrated on urban flood control. Where farmland is involved, a special evaluation will be made of the related impacts.

Some projects requiring DOT permits have the potential to cause increased flood damages on adjacent farmland. Flood impacts on adjacent farmland uses are considered, and permits are conditioned or denied in order to minimize such damages.

IMPACT MITIGATION

The DOT is committed to initiating special measures when transportation projects affect agricultural lands. Design standards are periodically reviewed and revised, and the new standards tend to favor minimal land acquisition, taking only those lands needed for construction and maintenance. For example, standardized right-of-way requirements for certain types of highways have been eliminated in favor of flexible requirements that stipulate acquisition of only those lands essential for construction and maintenance. The DOT will place a high priority on selecting lands which are not Prime farmlands for wetland mitigation purposes in devising wetland compensation plans. Consideration will also be given to mitigating wetland impacts on publicly owned lands (State or federal lands). Where land is purchased to prevent developments incompatible with transportation system safety or noise standards, such as land adjacent to airports, the DOT will give priority to acquiring easements on its own projects and will encourage other agencies to acquire only the development rights in the surrounding areas, so that the acreage can continue in agricultural use.

Planning studies for transportation or water resources projects will include an early determination of the potential for farmland impacts. The DOT will carefully consider the impacts of farmland conversion on the agricultural economy of the State.

Studies conducted in conjunction with transportation and water resources projects will include coordination and consultation with the Illinois Department of Agriculture and, when appropriate, other agricultural representatives. This interdisciplinary approach should assure that the impacts of DOT projects on the agricultural community are adequately and accurately assessed.

Although the DOT's mitigation measures will not necessarily eliminate the conversion of farmland to non-agricultural purposes, impact analysis and coordination will assure that a given conversion is consistent with our programmatic responsibilities, Executive Order 80-4, and the Farmland Preservation Act.

Illinois Department of Transportation – Illinois Department of Agriculture Cooperative Working Agreement

Pursuant to Section 4 of the Farmland Preservation Act, the Illinois Department of Transportation ("DOT") and the Illinois Department of Agriculture ("DOA") hereby mutually agree to the following:

- . This Cooperative Working Agreement ("AGREEMENT") sets the guidelines for the implementation of the DOT's Agricultural Land Preservation Policy.
- This AGREEMENT shall apply to those projects which the DOT authorizes, or in which it participates, except the following:
 - a) Those non-linear (spot) projects acquiring 10 acres or less of land;
 - b) Those linear projects acquiring 3 acres or less of land per project mile;
 - Those projects located within the boundary of an incorporated municipality;
 - Those projects located within the official one and one-half mile planning area of the comprehensive plan, if one exists, of an incorporated municipality;
 - e) Current projects as described by Section 7 of the Farmland Preservation Act.
- 3. The DOT agrees to notify, in writing, the DOA of projects that will have an impact on farmland in Illinois. The notice from the DOT should always be sent to the DOA within the location and environmental study phase and prior to the holding of any public hearings related to the project. This notice may be accomplished by the transmission of documents such as, but not limited to, the following:
 - a) proposed airport layout plans,
 - b) draft and final environmental analyses,
 - c) Illinois Rail Plan,
 - d) FY __ Highway Improvement Plan,
 - e) Water Resources Planning Reports, and
 f) documents containing project descriptions.
- The DOA shall determine, within 10 days, whether a Study of Agricultural Impacts
 is needed or not. When DOA finds that such study is necessary, the study shall be
 conducted as provided in paragraph 8 below.
- The DOT will update its notices of farmland impacts as plans are changed and new information becomes available.
- 6. The DOT will cooperate in DOA's preparation of its annual report to the Governor and to the General Assembly on the amount of farmland converted to non-agricultural uses as a result of State action. The DOA will attempt to advise the DOT of the type of information needed a year in advance of the request for that information.
- 7. The DOT will mitigate the agricultural impacts of its projects covered by this AGREEMENT as provided in the Illinois Department of Transportation Agricultural Land Preservation Policy and its subsequent amendments. Minimum median widths and compressed diamond interchanges are representative of the mitigative measures that reduce the adverse impacts of highway construction on agricultural resources. The DOT will place a high priority on selecting lands which

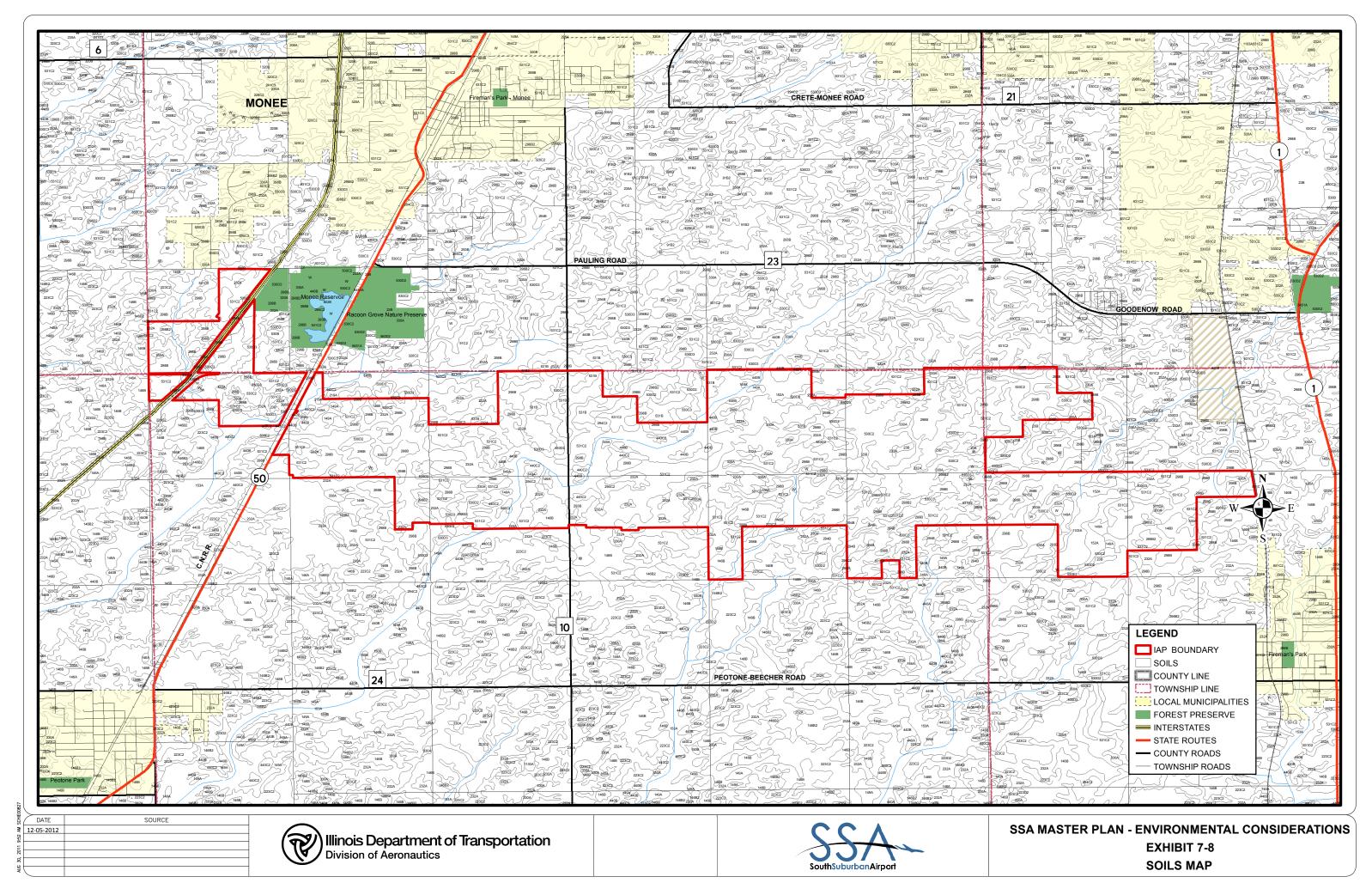
- are not Prime farmlands for wetland mitigation purposes in devising wetland compensation plans. Consideration will also be given to mitigating wetland impacts on publicly owned lands (State or federal lands). In accordance with Sections 2 and 3 of this AGREEMENT, wetland compensation plans will be furnished to the DOA for review to determine compliance with the Farmland Preservation Act.
- 8. The DOA further agrees to the following:
 - To follow its project review process contained in its "Agricultural Land Preservation Policy" as amended, or other procedures upon which the parties have agreed, in carrying out its reviews under this AGREEMENT;
 - To complete its review of DOT projects within 30 days after notice with all required project information from the DOT;
 - To provide information and assistance to the DOT and its consultants upon request; and
 - d) To provide its comments in accordance to the procedures specified in the relevant documents or as otherwise agreed between it and the DOT.
- The Illinois Departments of Agriculture and Transportation further agree that this AGREEMENT shall bind each only to the other and creates no rights in third parties.
- All changes to this AGREEMENT shall be made after consultation with, and concurrence by, both parties.
- This AGREEMENT shall become effective upon its signature by the Secretary of Transportation and the Director of Agriculture and shall remain in effect until 30 line 1996

(Source: Amended at 17 III. Reg. 19469, effective October 29, 1993)

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PART II (To be completed by NRCS) Date F			ounty and State Will County, Illinois ate Request Received By Person Completing Form:					
Does the site contain Prime, Unique, Statewide	or Local Important Farmland?	NRCS YE	ES NO	Acres I	rrigated	Average	Farm Size	
(If no, the FPPA does not apply - do not comple		l r	X		Ü			
Major Crop(s)	Farmable Land In Govt. J	urisdiction		Amount of F	armland As	L Defined in FP	PA	
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Name of Land Evaluation System Used	Name of State or Local S	Site Assessment System Date Land Evaluation Returned by NRCS			RCS			
PART III (To be completed by Federal Agency	1				Alternative	Site Rating		
	/			Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly				5,797.3				
B. Total Acres To Be Converted Indirectly				0				
C. Total Acres In Site				5,797.3				
PART IV (To be completed by NRCS) Land Evaluation Information								
A. Total Acres Prime And Unique Farmland								
B. Total Acres Statewide Important or Local Im	portant Farmland							
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted								
D. Percentage Of Farmland in Govt. Jurisdiction	n With Same Or Higher Relati	ve Value						
PART V (To be completed by NRCS) Land Ex Relative Value of Farmland To Be Conv		s)						
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)			Maximum Points	Site A	Site B	Site C	Site D	
Area In Non-urban Use			(15)					
2. Perimeter In Non-urban Use			(10)					
3. Percent Of Site Being Farmed			(20)					
Protection Provided By State and Local Government			(20)					
5. Distance From Urban Built-up Area			(15)					
6. Distance To Urban Support Services			(15)					
7. Size Of Present Farm Unit Compared To Av	verage		(10)					
8. Creation Of Non-farmable Farmland			(10)					
9. Availability Of Farm Support Services			(5)		7			
10. On-Farm Investments			(20)					
11. Effects Of Conversion On Farm Support Services			(10)					
12. Compatibility With Existing Agricultural Use			(10)					
TOTAL SITE ASSESSMENT POINTS			160					
PART VII (To be completed by Federal Age	ncy)						<u> </u>	
Relative Value Of Farmland (From Part V)			100					
Total Site Assessment (From Part VI above or	local site assessment)		160					
TOTAL POINTS (Total of above 2 lines)			260)A/a = A ! =	al Cita A	mant IIIIC	L	
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Site Selected: Da	ate Of Selection			1 -	.5 Ш			

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, http://fppa.nrcs.usda.gov/lesa/.
- Step 2 Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at http://offices.usda.gov/scripts/ndlSAPI.dll/oip_public/USA_map, or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM (For Federal Agency)

Part I: When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

- 1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
- 2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

Part VI: Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

- 1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighted a maximum of 25 points and criterion #11 a maximum of 25 points.
- 2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160. Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

 $\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

DATE SOURCE

12-05-2012





