

FINDING OF NO SIGNIFICANT IMPACT

**Environmental Assessment for the
North Chicago Storm Sewer Project
Lake County, Illinois
Pre-Disaster Mitigation Grant Program
Federal Emergency Management Agency, Department of Homeland Security
Project # LPDM-PJ-05-IL-2022-002**

The Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) proposes to provide funding to Lake County Stormwater Management Commission (Lake County, Subapplicant) to implement stormwater conveyance improvements and increase flood storage along Skokie Highway (US-41) south of Buckley Road (IL-137) in North Chicago, Illinois. Lake County applied to FEMA through the Illinois Emergency Management Agency (IEMA) for a grant under FEMA's Pre-Disaster Mitigation (PDM) Grant Program. The PDM grant program is authorized by Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974. 42 U.S.C. § 5133. The PDM funds were made available through Congressionally directed spending in the 2022 Department of Homeland Security Appropriations Act (Public Law No. 117-103). Under the PDM grant program, federal funds pay 75 percent of the project cost, and the remaining 25 percent comes from nonfederal funding sources.

The project area is in the City of North Chicago, Lake County, Illinois. General project coordinates are 42.304952, -87.880071 (western limit); 42.308601, -87.872299 (northern limit); 42.290143, -87.866721 (eastern limit); and 42.289536, -87.868582 (southern limit). The project area is approximately 14 acres and is directly south of Buckley Road near US-41.

The Proposed Action would reduce flood hazards at the Strawberry Condominiums, at Navy housing, and along US-41. The Proposed Action would include the removal and replacement of undersized storm sewers, installation of a new 60-inch relief storm sewer and restrictor plate, removal of existing culverts, installation of a box culvert, and construction of a two-stage channel to provide 12 acre-feet of additional flood storage capacity. Stormwater conveyance improvements would occur at five sites, including Strawberry Condominiums, Shore Crest Estates Pond/Bittersweet Avenue, US-41 at Naval Station Great Lakes (NSGL), Virginia Drive at NSGL, and Alabama Avenue at NSGL. Additionally, the existing Skokie River within the project area would be widened into a two-stage channel to increase flood storage capacity. The channel improvements would extend along the Skokie River from Buckley Road south to Virginia Avenue and from Alabama Avenue south to the Elgin, Joliet, and Eastern Railway. Construction would avoid Land Use Controls sites and a Superfund site along the Skokie River. The Proposed Action area would require earthwork and grading over approximately 14 acres. The maximum depth of disturbance for construction of the conveyance improvement sites and the two-stage channel would be approximately 15 feet and 6 feet, respectively.

FEMA prepared the Environmental Assessment (EA) pursuant to the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. §§ 4321 to 4370h, President's Council on Environmental Quality regulations to implement NEPA (40 Code of Federal Regulations [C.F.R.] Parts 1500 to 1508); U.S. Department of Homeland Security (DHS) Directive No. 023-01; rev. 1, *Implementation of the National Environmental Policy Act* (October 31, 2014); DHS Instruction Manual 023-01-001-01, rev. 1, *Implementation of the National Environmental Policy Act* (November 6, 2014); FEMA Directive 108-1, *Environmental Planning and Historic Preservation Responsibilities and Program Requirements* (October 10, 2018), and FEMA Instruction 108-01-1, *Instruction on Implementation of the Environmental and Historic Preservation Responsibilities and Program Requirements* (October 10, 2018). The purpose of the EA was to analyze the potential individual and cumulative environmental impacts of the construction of the proposed project and to determine whether to prepare an Environmental Impact Statement or this Finding of No Significant Impact (FONSI).

Based on a preliminary screening of resources and the Proposed Action's geographic location, the EA found that the following resources were not present in the project area and did not require a detailed assessment: seismic hazards, farmland soils, coastal resources, sole-source aquifers, essential fish habitat, and wild and scenic rivers. Further, the Proposed Action was not expected to affect land use and zoning. The following resources required a detailed assessment; however, the Proposed Action would not result in any significant adverse impacts to them: geology, topography, soils, water resources and water quality, floodplains, air quality and climate, biological resources (i.e., terrestrial and aquatic environment, wetlands, threatened and endangered species, and migratory birds and bald and golden eagles), hazardous materials, noise, public services and utilities, traffic and circulation, environmental justice, safety and security, historic structures, archaeological resources, and tribal and religious sites.

During construction, temporary impacts are anticipated on the following resources: geology, topography, soils, water resources and quality, floodplains, air quality and climate, biological resources (i.e., terrestrial and aquatic environment, wetlands, threatened and endangered species, and migratory birds) hazardous materials, noise, public services and utilities, traffic and circulation, environmental justice, and safety and security. Potential temporary impacts require conditions, noted below, designed to avoid, minimize, and/or mitigate impacts. Temporary impacts on environmental justice populations would not be disproportionate and adverse.

In the long term, the Proposed Action would have beneficial effects on several resources including soils, topography, water resources and quality, floodplains, climate, biological resources (i.e., terrestrial and aquatic environment, wetlands, threatened and endangered species, and migratory birds), hazardous materials, public services and utilities, traffic and circulation, environmental justice, and safety and security. With the implementation of conditions, mitigation, and treatment measures, none of the potential impacts of the Proposed Action are considered significant.

FEMA coordinated with the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, U.S. Housing and Urban Development, NSGL, Illinois Commerce Commission, Illinois Department of Natural Resources, Illinois Department of Transportation, Illinois Emergency Management Agency, Illinois Environmental Protection Agency, and the Illinois State

Historic Preservation Office, and federally recognized Indian tribes with interests in the area. FEMA also coordinated with local agencies and entities, including Lake County Stormwater Management Commission, Lake County Division of Transportation, Lake County Emergency Management Agency, City of North Chicago, Skokie Consolidated Drainage District, Union Pacific Railroad Company, ComEd, and Exelon Corporation. The public information process included a public notice with information about the Proposed Action. The Draft EA was available for agency and public review and comment for a period of 30 days. No responses were received from the public and/or agency reviewers.

PROJECT CONDITIONS

Lake County is responsible for compliance with federal, state, and local laws and regulations, including obtaining any necessary permits prior to beginning construction activities, and adhering to any conditions laid out in these permits. Any substantive change to the scope of work would require re-evaluation by FEMA for compliance with NEPA and any other laws or Executive Orders.

Lake County must adhere to the following conditions should the Proposed Action be implemented. Failure to comply with FEMA grant conditions may jeopardize federal funding. FEMA requires the following standard conditions for the Proposed Action:

GENERAL PROJECT CONDITIONS

1. Lake County is responsible for obtaining and complying with all required local, state, and federal permits and approvals.
2. If deviations from the proposed scope of work result in substantial design changes, the need for additional ground disturbance, additional removal of vegetation, or any other unanticipated changes to the physical environment, Lake County must contact FEMA so that the revised project scope can be evaluated for compliance with NEPA and other applicable environmental laws.

SOILS, WATER RESOURCES AND QUALITY, FLOODPLAIN MANAGEMENT, TERRESTRIAL AND AQUATIC ENVIRONMENT, AND WETLANDS

3. During construction, soils within the two-stage channel project area would be tested for contamination. Contaminated soils would be excavated in their entirety and properly disposed of at a licensed waste facility for handling such material in accordance with applicable federal, state, and local regulatory requirements.
4. All construction activities under the Proposed Action would follow the requirements in the SWPPP and TESC plan.
5. Excavated materials, excess fill, and debris generated by the Proposed Action would not be disposed of in surface waters, wetlands, or in the floodplain or floodway.
6. Activities that would occur within the floodplain will be conducted in accordance with Lake County's Floodplain Management Regulations. Lake County will coordinate with the local floodplain administrator and IDNR about any necessary permits to conduct activities within the floodplain.

AIR QUALITY, CLIMATE, AND ENVIRONMENTAL JUSTICE

7. Implement applicable BMPs from EPA's Construction Emission Control Checklist (included in Appendix B of the EA).
8. Establish and design hauling routes to minimize the effect of short-term emissions on homes, schools, daycare centers, and playgrounds.

THREATENED AND ENDANGERED SPECIES

9. Minimize removal and trimming of native trees preferred by the northern long-eared bat to the maximum extent practicable.
10. The timing of tree removal and thinning would be scheduled to comply with the seasonal restrictions outlined in the Available Conservation Measures section in the November 30, 2022, ruling (87 FR 73503) for northern long-eared bat (i.e., tree removal and thinning would be performed during the northern long-eared bat hibernation period, from November 1 through March 30) to the maximum extent practicable.

MIGRATORY BIRDS AND BALD AND GOLDEN EAGLES

11. Obtain necessary permits to comply with federal (Migratory Bird Treaty Act) and state laws for the protection of birds prior to initiating work.

HAZARDOUS MATERIALS AND ENVIRONMENTAL JUSTICE

12. During construction, soils within the two-stage channel project area will be tested for contamination. Contaminated soils will be excavated in their entirety and properly disposed of at a licensed waste facility for handling such material in accordance with applicable federal, state, and local regulatory requirements. Handle and dispose of any hazardous materials in accordance with applicable local, state, and federal regulations.

NOISE AND ENVIRONMENTAL JUSTICE

13. Keep heavy machinery and equipment well maintained. Use sound-control devices and mufflers.
14. Comply with Lake County's noise ordinance.

PUBLIC SERVICES AND UTILITIES

15. Coordinate with Naval Station Great Lakes (NSGL) on utility relocation and installation within easements on NSGL property.

TRAFFIC AND CIRCULATION

16. Use traffic control devices, such as flag people and signs, to mitigate and guide traffic as needed during construction. Placement and maintenance of traffic control devices would be in accordance with the State of Illinois specifications and standards.

SAFETY AND SECURITY

17. Complete all construction activities with qualified personnel trained in the proper use of equipment, including all safety precautions.
18. Install appropriate signage and barriers prior to construction activities to alert pedestrians and motorists of project activities.

ARCHAEOLOGICAL RESOURCES AND TRIBAL AND RELIGIOUS SITES

19. Lake County will monitor ground disturbance during the construction phase. Should human skeletal remains or historic or archaeological materials be discovered during construction, all ground-disturbing activities on the project site shall cease and Lake County will notify the coroner's office (in the case of human remains), the recipient (IEMA), and FEMA. FEMA will notify the SHPO and the Office of the State Archaeologist. FEMA will then notify the Forest County Potawatomi Community of Wisconsin, Miami Tribe of Oklahoma, and Pokagon Band of Potawatomi Indians Tribal Historic Preservation Offices.
20. All borrow or fill material must come from pre-existing stockpiles or commercially procured material from a pre-existing source. If this is not the case, the subrecipient shall inform FEMA of the fill source so required agency consultations can be completed and FEMA approval will be required prior to beginning ground disturbing activities.

FINDINGS

Based upon the conditions and information contained in the EA and in accordance with FEMA Directive 108-1, *Environmental Planning and Historic Preservation Responsibilities and Program Requirements*, and Executive Orders 11988 (Floodplain Management), 11990 (Protection of Wetlands), and 12898 (Environmental Justice), FEMA has determined that the Proposed Action will not have any significant impacts on the quality of the natural and human environment. As a result of this FONSI, an Environmental Impact Statement will not be prepared.

APPROVAL

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Duane Castaldi
Regional Environmental Officer, FEMA Region 5

Date

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Megan Hart
Hazard Mitigation Assistance Branch Chief, FEMA Region 5

Date