

FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment for the Loran Road Relocation Project Florence Township, Stephenson County, Illinois Public Assistance Grant Program

Federal Emergency Management Agency, Department Of Homeland Security

The Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) proposes to provide funding to Florence Township, Stephenson County Illinois (subrecipient), to relocate a section of Loran Road away from the bank of the Yellow Creek. The subrecipient applied for funding from FEMA's Public Assistance (PA) Program to underwrite the proposed project. The PA Program is authorized by Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law [P.L.] 93-288), 42 U.S.C. §§ 5121-5207. FEMA's PA grant program provides federal assistance to government organizations and certain private nonprofit (PNP) organizations following a Presidential disaster declaration.

The proposed project is in Florence Township, Stephenson County, Illinois. The site is approximately 700' west of the intersection between Loran Road and Bolton Road (CTH17), and approximately 2 miles southwest of the city limits of Freeport, Illinois.

The Proposed Action has two components: (1) Relocate a section of Loran Road and (2) stabilize the bank of the Yellow Creek. The bank stabilization of Yellow Creek would allow for the restoration of that section of Loran Road as a useful buffer to the Yellow Creek. The project is designed to allow these two components to proceed on somewhat independent schedules. The benefits for proceeding with each component on its own schedule include reopening the closed road to traffic as soon as possible, while other work on the project continues.

The first component of the project would relocate a 1,000-foot segment of Loran Road approximately 60 feet south onto property currently used as agricultural farmland. This new alignment is generally parallel to the existing alignment through the length of the project.

The elevation of the relocated road would be similar to the existing roadway's elevation. However, the relocation would allow for a 4:1 H/V (Horizontal to Vertical) drop to Yellow Creek, as opposed to the 2:1 drop that currently exists. It would also put the roadway outside the currently evident failure circle in the slope, which has a kickout toe close to the existing bank of Yellow Creek. The Road Relocation component will occur in the following sequence:

- **Staging:** Equipment is to be staged in the existing right-of-way on the closed portion of Loran Road to the east and to the west of the damaged portion of Loran Road.
- **Erosion Control:** Erosion control measures are to be installed, with specific focus on the expected stockpile areas at the west end of the site, allowing the primary access at the east end of the site to remain unobstructed. This project is designed to have a net-zero haul off, so little, if any material will be moved offsite.
- **Demolition:** The existing length of Loran Road will be removed, providing suitable fill for the new roadbed.

- Preliminary earthwork: The proposed length of Loran Road will be stripped and stockpiled for suitable stockpile restoration.
- Final earthwork: The proposed length of Loran Road will be filled and compacted. Roadstone will be supplied and installed.
- Roadway finishing: Final drainage infrastructure will be installed. The road will be paved, and shoulders and ditches will be finished and stabilized.

Project phasing will allow the contractor the flexibility to reopen the roadway as soon as possible.

The embankment adjacent to Yellow Creek continues to collapse. It will not be possible to adequately stabilize the existing right-of-way of Loran Road until this collapse is halted. A primary part of this operation is to stabilize the bank at the toe of the slope.

The Streambank and Slope Stabilization component will occur in the following sequence:

- Install erosion control measures.
- Clear trees to allow access to the bank.
- Install a stabilized construction entrance between Loran Road and the work area.
- Install stone toe (rip rap) bank protection.
- Complete any required fill and stabilization on the upstream bank.
- Remove temporary erosion control and construction access measures will be removed in the appropriate season, and complete permanent seeding and landscaping.

Along with a detailed description of the project, the Environmental Assessment (EA) describes the equipment, staging, and sequencing of construction.

FEMA prepared the EA pursuant to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321–4347 (2000), as implemented by the regulations promulgated by the President’s Council on Environmental Quality (40 Code of Federal Regulations [C.F.R.] 30 §§ 1500–1508) and in accordance with FEMA Directive 108-1, *Environmental Planning and Historic Preservation Responsibilities and Program Requirements* and DHS Instruction Manual 023-01-001-01, *Implementation of the National Environmental Policy Act*. 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.

The Proposed Action, as described in the EA, would not result in any significant adverse impacts on geology, soils, topography, water resources, floodplains, air quality, coastal resources, biological resources, wetlands, hazardous materials, zoning and land use, traffic and circulation, public services and utilities, environmental justice populations, historic structures, archaeological resources, or tribal and religious sites. Based on a preliminary screening of resources and the project’s geographic location, the EA found that the following resources were not present in the project area and did not require a detailed assessment: coastal barrier resources, Coastal Zone management Areas, seismic hazards, sole source aquifers, essential fish habitat, wild and scenic rivers, and Great Lakes Water Quality Agreement areas.

During the construction period, short-term impacts on soils, water resources, floodplain, wetlands, air quality, biological resources, noise, hazardous materials, safety and security, and archeological,

tribal, and religious sites are anticipated. All potential short-term impacts require conditions to avoid, minimize, and mitigate impacts. With the implementation of these conditions, none of the potential impacts will be significant. In the long-term, the project will have beneficial effects on several resources. FEMA coordinated with the Illinois State Historic Preservation Office, US Fish and Wildlife Service, the National Resource Conservation Service, and federally recognized Indian tribes with interests in the area.

PROJECT CONDITIONS

The subrecipient 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.

The subrecipient 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:

1. The subrecipient 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, the subrecipient must contact FEMA so that the revised project scope can be evaluated for compliance with NEPA and other applicable environmental laws.
3. Prior to beginning work, the subrecipient will coordinate with the Illinois Environmental Protection Agency (IEPA) to secure an issued Notice of Intent (NOI) to Construct.
4. At the conclusion of the work, the subrecipient will coordinate with the Illinois Environmental Protection Agency (IEPA) to secure a Notice of Termination (NOT).
5. The subrecipient is responsible for compliance with all conditions required by the following permits, as well as any others required by this project:
 - USACE CEMVR-OD-P-2020-0691 (Regional Permit 16)
 - IEPA Conditional Water Quality Certification, Log # C-0162-20, dated September 30, 2020.
 - IDNR-OWR Statewide Permit 6, Statewide Permit 9.
6. The subrecipient will obtain written approval or a local floodplain development permit from the Stephenson County floodplain manager and the subrecipient must follow all conditions of approval.
7. Construction staging and access will occur outside the mapped floodplain to the extent practical.

8. No trees 3 inches in diameter or greater at breast height may be cut between April 1 and September 30 of any year. If this time restriction cannot be met, the applicant will contact the IEMA and FEMA or additional consultation with USFWS.
9. The subrecipient will implement EPA recommendations for mitigation included in Appendix X to the extent practical.
10. To reduce the emission of criteria pollutants, construction equipment engine idling will be minimized to the extent practicable, and engines will be kept properly maintained.
11. Open construction areas will be minimized and watered as needed to minimize particulates such as fugitive dust.
12. The subrecipient will minimize noise impacts by limiting construction activities to allowable construction noise to daylight hours.
13. The project is subject to IDOT Bureau of Design and Environment (BDE) Special Provisions, file 80407, checklist item 1, Removal and Disposal of Regulated Substances.
14. Vegetation removal should be avoided during the migratory bird nesting season to the extent practicable.
15. The contractors will ensure that any seed and mulch landscaping complies with state regulations.
16. The contractors will wash soil and plant material off all equipment tires and treads each time before leaving the project site.
17. To minimize risks to safety and human health, construction activities will be performed using qualified personnel trained to use the required equipment properly.
18. The construction site will be secured from public access.
19. All construction activities will be conducted in accordance with the standards specified in the Occupational Safety and Health Administration (OSHA) regulations and LARA Construction and Safety Standards.
20. The subrecipient will monitor ground disturbance during the construction phase. Per FEMA standard project condition, should human skeletal remains or historic or archaeological materials be discovered during construction, all ground-disturbing activities on the project site shall cease and the subrecipient will notify the coroner's office (in the case of human remains), the recipient (Illinois Emergency Management Agency), and FEMA. FEMA will notify the SHPO and the Office of the State Archaeologist.
21. All borrow or fill material must come from pre-existing stockpiles, material reclaimed from maintained roadside ditches (provided the designed width or depth of the ditch is not increased), or commercially procured material from a source existing prior to the event. For any FEMA-funded project requiring the use of a non-commercial source or a commercial source that was not permitted to operate prior to the event (e.g. a new pit, agricultural fields, road ROWs, etc.) in whole or in part, regardless of cost, the Applicant must notify FEMA and the Recipient prior to extracting material. FEMA must review the source for compliance with all applicable federal environmental planning and historic

preservation laws and executive orders prior to a sub-recipient or their contractor commencing borrow extraction. Consultation and regulatory permitting may be required. Non-compliance with this requirement may jeopardize receipt of federal funding. Documentation of borrow sources utilized is required at closeout.

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



Duane Castaldi
Regional Environmental Officer, FEMA Region V

August 2, 2021

Date

AMANDA C RATLIFF

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Amanda Ratliff
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Date