improvements and their possible conflicts with controlled air space. Because of the magnitude of this project, FAA has agreed to conduct early review with the objective of achieving a project design that is compatible with airspace and airfield operations. See subsection 3.4.1.3 for a discussion of the results of FAA's airspace review.

3.20.11 Federal Highway Administration Section 129 Compliance and Approval

The Build Alternative proposes that the new Elgin O'Hare and West Bypass corridors be constructed and operated as tolled facilities, and that the existing Elgin-O'Hare Expressway section between US 20 and Meacham Road be widened and subsequently converted to a tolled facility. If federal-aid funds are used for construction of or improvements to a toll facility, or if a state plans to reconstruct and convert a free highway previously constructed with federal-aid funds to a toll facility, a toll agreement between FHWA, IDOT, and the Illinois Tollway under Section 129(a)(3) must be executed. A Section 129 toll agreement would be required since federal-aid funds have been used for several activities, including construction of the existing Elgin-O'Hare Expressway, as well as for the ongoing preliminary engineering and advance right-of-way acquisition activities. The agreement would stipulate requirements for use of toll revenues along the EO-WB corridors related to prior and ongoing federal funding investments.

3.20.12 Federal Highway Administration Access Justification Report

The Build Alternative requires modifications in access at I-290, a federal-aid interstate highway. Title 23, United States Code, Highways Section 111 (23 U.S.C. 111) stipulates that the Secretary of the U.S. Department of Transportation shall approve plans for access modifications along the Interstate System. The Secretary has delegated the authority to administer 23 U.S.C. 111 to the Federal Highway Administrator pursuant to 49 CFR 1.48(b)(10). The FHWA's decision to approve new or revised access points to the Interstate System should be supported by substantiated information justifying and documenting that decision in the form of an Access Justification Report. Proposals to modify interstate highway access must:

- Consider the planning, environmental, design, safety and operational effects of the proposed change.
- Support the intended purpose of the Interstate System.
- Avoid adverse impacts on safety and operations on of the Interstate System and connecting transportation system.
- Be designed to acceptable standards.

A Final Access Justification Report documenting proposed access modifications at I-290 will be prepared and processed for FHWA approval after the Tier Two ROD is signed.

3.21 Environmental Commitments

This subsection summarizes the many mitigation measures and commitments that have been identified during development of the project. More detailed descriptions of each are contained in their respective discipline discussions in this document. In general, the project will adhere to all federal, state, and local laws and regulations that pertain to the varied

aspects of this project. Following are more specific commitments to be addressed in future phases of the project.

- Frontage roads will be provided along the east-west corridor at locations noted in the preliminary plans.
- Sustainable practices have been incorporated in the Tier One and Tier Two phases of the project, and will likely be applied to all remaining phases (i.e., final design, construction, operation). Both IDOT's I-LAST sustainable process and the goals and recommendations stemming from the Governor's Advisory Council have guided the process in Tier One and Tier Two, and will serve to guide the process in future phases of development.
- Plans detailing maintenance of traffic during each phase of construction will be developed to specify how traffic flow and access to businesses and other destinations will be maintained.
- Plans will be developed by the Illinois Tollway with emergency service agencies and school systems to ensure that emergency service will not be adversely impacted during construction and that school busing impacts are minimized.
- Construction of the West Bypass will be coordinated with O'Hare Airport, CP railroad's Bensenville Yard, and MWRDGC's Touhy flood control reservoir per memoranda of agreements developed between the Illinois Tollway and each agency.
- The FAA's 7460 (airspace compliance) have been performed in both Tier One and Tier Two, and recommendations from those evaluations will be incorporated into the advancing design of the roadway improvements. As final design approaches 90 percent for roadway improvements that are located near or on airport property, an updated 7460 submittal will be prepared for FAA review and evaluation. Based on the recommendations from those reviews, aspects of the improvements will be adjusted, as needed, to maintain compliance with airspace regulations.
- Relocation of businesses and residences will be performed in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and IDOT's *Land Acquisition Procedures Manual* (IDOT, 2011a), and the Illinois Tollway's land acquisition policies, as applicable, to all residents and businesses displaced by the proposed improvements. Relocations will be performed sufficiently ahead of construction so that major businesses avoid extended closures or gaps in their operations.
- Preservation of space for a transit improvement in the Elgin O'Hare corridor will be provided.
- The north leg of the West Bypass corridor will be designed so as not to preclude the inclusion of transit.
- The design guidelines developed by the CAAT will be applied where possible.
- The EO-WB project has preserved space for bicycle and pedestrian facilities, and a shared use bicycle/pedestrian facility would be provided for all primary routes crossing over or under the mainline facility.

- The implementation of the proposed noise barriers will be carried forward into future phases of the project. Noise barriers that will be implemented include B2, C1, C2, C3, C4, D1, D3, E1, E2, E3, E4, and E6. A final decision on the installation of abatement measure(s) will be made upon completion of the project's final design and the public involvement process.

- Contaminated soil or water will be managed as follows:
  - The PESA and PSI work will be used to characterize the nature and extent of contamination for specific properties, and preferred methods of removal. Information will be compiled for inclusion in bid documents to guide perspective bidders. Depending on the degree of contamination, onsite management may be possible for some materials.
  - Contamination encountered during construction will be managed to avoid unintended migration of contaminants and protect against potential worker exposures. Impacted material will be screened and characterized on a case-by-case basis and further investigations and remediation determined.

- Waters of the U.S., including wetlands, that are impacted as a result of the proposed improvements will be mitigated at prescribed ratios in locations agreeable to federal and state agencies. Attempts will be made to provide compensation for DuPage County wetland impacts within DuPage County and/or the specific affected watersheds. Coordination with the DRSCW is taking place to investigate local sites within the Salt Creek Watershed. During final design, efforts will be made to reduce impacts on wetlands and surface waters. Opportunities for stream enhancements (e.g., streambank stabilization, installing rock riffles, etc.) within the project corridor watersheds will be investigated with the mitigation.

- Advanced wetland mitigation strategies (i.e., with the goal of having a wetland mitigation site that meets performance standards prior to receipt of requisite wetland permits) will be considered for this project.

- Compliance with soil erosion and sediment control requirements will consider the use of the Kane-DuPage and North Cook County SWCDs (via agreements) for soil erosion and sediment control plan review and site inspection during construction.

- Stormwater management strategies that benefit both the roadway and community needs will be considered.

- Identified flooding complaints will be investigated and solutions for drainage concerns will be recommended, as practicable. The IDOT's *Illinois Drainage Manual* (2004), Illinois Tollway's *Drainage Design Criteria* (2008), American Council of Engineering Companies of Illinois/IDOT 2006 Drainage Seminar and local Stormwater Management Ordinances will be used to guide the preparation of Location Drainage Study and Hydraulic Report. As practical and feasible, stricter requirements will be followed to complete all drainage tasks.

- The proposed improvements will comply with FAA AC No. 150/5200-33B, *Hazardous Wildlife Attractants on or near Airports* (dated August 28, 2007), to the extent practicable. Specific requirements pertaining to stormwater management facilities, wetland mitigation, and landscaping are being coordinated with and confirmed by FAA.

- Best management practices will be implemented in conjunction with the project's drainage conveyance and detention system to minimize impacts to receiving waters. Detention facilities, grassed ditches, and vegetated buffers will be installed where practicable to minimize transport of sediment, heavy metals, and other pollutants to surface waters. Additional stormwater best management practices (such as bioswales and infiltration basins/trenches) will be evaluated as engineering details progress and will be installed where practicable and feasible. Best management practices will be developed and reviewed in coordination with resource agencies such as the USACE, USEPA, USFWS, and FAA.
- Special consideration regarding water quality best management practices will be provided at the proposed system interchange at I-290. As practicable and feasible, stormwater runoff will be treated by stormwater best management practices prior to leaving the proposed right-of-way outlet to the Devon Avenue Tributary ponds.
- It is the intent, to drain surface runoff from bridge decks and roadways to ditches or detention ponds via scuppers and storm sewers, prior to discharge to off-site drainageways. As practical and feasible, stormwater runoff from the proposed bridge over Salt Creek will be routed to a stabilized outlet and through additional best management practices, where it can receive treatment prior to discharge into the creek.
- Current deicing practices will be evaluated and additional deicing best management practices will be considered, as necessary, to minimize impacts to receiving waters during winter maintenance activities with the goal of achieving chloride water quality standards. Chloride concentration reduction options will include promoting deicing material application best management practices in the project corridor watersheds, reviewing the anticipated road-salt application rate for future operating conditions, and evaluating chloride reduction implementation plan recommendations for chloride TMDLs within the watersheds affected by the project.

  In addition, the following practices will also be used:
  - Implementing stormwater best management practices to reduce peak chloride concentrations.
  - Promoting weather-related data sharing with local communities.
  - Strengthening watershed collaboration with the DRSCW by exploring opportunities for sponsoring research and assisting in regional capital improvements for the reduction of chloride concentrations within the sub-watershed areas.
- Prudent and practicable stormwater and road salting best management practices will be used to the extent that public safety is not compromised.
- Where new bridges will be installed (e.g., Salt Creek, Higgins Creek), final bridge design will accommodate terrestrial wildlife movement, to the extent practical.
- The bottom of new box or pipe culverts will be buried below streambed elevations to maintain a more natural appearance. Bottomless culverts will be considered, when feasible based on size of the span, geometry, skew, potential environmental impact associated with its installation, and cost.

- Plant species listed in the *OMP Master Specifications*, "Section 02905: Sustainable Airport Landscaping" (CDA, 2011), will be considered when preparing Landscape Plans to address FAA AC guidelines.
- Efforts will be made to preserve specimen trees, as practical and feasible. Tree and vegetation replacement will be guided by IDOT's *Preservation and Replacement of Trees* policy and Chapter 59 ("Landscape Design") of the *BDE Manual* for free roads (IDOT, 2011b). Along the proposed toll facility, tree and vegetation replacement will follow the Illinois Tollway's "Criteria for Removal and Replacement of Trees" section and other applicable sections of the *Erosion and Sediment Control, Landscape Design Criteria* manual (Illinois Tollway, 2012).
- No varieties of ash trees (*Fraxinus* spp.) will be planted in the project corridor to mitigate for tree loss as part of this project. The removal and disposition of ash trees will comply with USDA/IDOA quarantine restrictions (IDOA, 2006; 7 CFR 301.53, as amended).
- Efforts will be made to conduct construction activities that will minimize impacts to customers entering and leaving the Salt Creek Golf Course between November 1 and April 1.

3.22 Summary of Environmental Consequences

Table 3-54 summarizes the consequences that the Build Alternative would have on resources in the project corridor. One Build Alternative exists; however, two alternate interchange configurations are under consideration at the I-90 and Elmhurst Road interchange, and four intersection alternates are under consideration at the IL 72 and Elmhurst Road intersection. Both interchange alternates provide comparable traffic operations and interchange capacity while limiting construction impacts to Higgins Creek. The range of impacts between the interchange alternates is small and present for only a few resources. Traffic operations and impacts vary between the intersection alternates. All impacts are presented in Table 3-54.

The ability to design a set of improvements that are compatible with existing land use resulted in an overall minimization of environmental and socioeconomic impacts. The project corridor is highly urbanized and built-up. Therefore, impacts to sensitive resources are minimized. Impacts to socioeconomic resources are also reduced because the proposed improvements would occur primarily to existing facilities, thereby limiting right-of-way needs. The impacts that would occur would be minimized to the greatest extent possible using design modifications and alternative techniques, construction methods, and mitigation measures as described in this document.