

Section 4(f) *De Minimis* Determination
IDOT District 6 Group 2 Complex Crossings Project
City of Lawndale to Chatham
Logan and Sangamon Counties
9/21/2015

This section 4(f) *de minimis* determination was completed for the High Speed Rail Corridor – Lawndale to Chatham IDOT District 6 Group 2 Complex Crossings (Logan and Sangamon Counties) Project (herein referred to as the “proposed Project”). As required by the National Environmental Policy Act (NEPA), the Federal Railroad Administration (FRA) is developing a Categorical Exclusion (CE) for this project and this Section 4(f) *de minimis* determination supplements the CE document.

The proposed Project occurs primarily at four at-grade road crossings along the existing Union Pacific Railroad (UPRR) alignment from Milepost (MP) 150.07 to MP 194.90 between the community of Lawndale and Village of Chatham, Illinois. One of the four at-grade road crossings is at 1010th Avenue in Logan County. As documented in the CE, new permanent right-of-way (ROW) and temporary easements would be required to accommodate the shift of 1010th Avenue roadway approximately 0.45 miles south along the UPRR ROW and maintain access to the Edward R. Madigan State Fish and Wildlife Area (Madigan State Park). A small parcel of land owned by Illinois Department of Natural Resources (IDNR) as part of Madigan State Park is included in the proposed ROW. Because the Madigan State Park is a Section 4(f) resource, potential impacts from the proposed project are reviewed and assessed.

The proposed improvements at 1010th Avenue grade crossing would provide new safety crossing protection devices that are required in order to accommodate an increase of train speed as stated in the Purpose and Need Section of the CE document. Intersection design improvements to adjacent roadways are also needed to meet geometric and safety requirements. The small parcel of land required is estimated to be 0.054 acre and is located between Old Route 66 and 1010th Avenue. It does not affect the features, attributes, or public use activities qualifying the Madigan State Park under Section 4(f). Because the parcel of land is not associated with any recreational use of the Madigan State Park, a *de minimis* impact finding is determined to address this use. Coordination with IDNR regarding the purchase of ROW required for the proposed improvements are ongoing.

Section 4(f) of the US Department of Transportation (USDOT) Act of 1966 governs the use of land from publicly owned parks, recreation areas, wildlife or waterfowl refuges, and public or private historic and archaeological sites for federal transportation projects. Madigan State Park is a Section 4(f) resource as a publicly owned park and recreation area. When a proposed project would need to use a minor amount of Section 4(f) protected property, the FRA can make a *de minimis* impact determination. A *de minimis* impact is one that would not adversely affect the features, attributes, or activities qualifying the property under Section 4(f).

I. Description of Edward R. Madigan State Fish & Wildlife Area

Previously known as Railsplitter State Park, the Edward R. Madigan State Fish & Wildlife Area is a 974-acre property owned by the Illinois Department of Natural Resources (IDNR) located along Salt Creek in Logan County at the south edge of Lincoln, Illinois. One of the park's primary assets is a 2.5 mile (4km) section of Salt Creek, a major tributary of central Illinois' Sangamon River. The Park is characterized by a mixture of bottomland forest (along Salt Creek) and relatively flat upland area comprised of native grass plantings, tree-shrub savanna-like habitats, brush and crop fields.

The Madigan State Park provides public open space for a variety of recreational uses, including bicycling, hiking, fishing, and boating, camping, nature viewing, and picnicking. A variety of trees, birds, fish, and wildlife can be viewed while enjoying the park's quiet and peaceful environment. Limited hunting is also allowed at 220 acres within the park. Madigan State Park is a principal pheasant hatchery for IDNR producing 80,000 to 100,000 hatchlings annually. The general park public access areas, hunting areas and other recreation facilities are illustrated in Exhibit A.

II. Impacts to Edward R. Madigan State Fish and Wildlife Area; Avoidance, Minimization, and Mitigation Measures; and Why Impacts are Considered *De Minimis*

A right-of-way parcel is required within the Madigan State Park for roadway improvements due to the shifting of 1010th Avenue south along the UPRR ROW. The existing 1010th Avenue is the main roadway entrance to Madigan State Park, Logan Correctional Center, the Lincoln Correctional Center and Development Center Cemetery from US Highway 66/Lincoln Parkway. The proposed roadway improvement includes moving the 1010th Avenue road crossing (access to the park and centers) approximately 0.45 miles south of the existing road crossing. Due to safety improvements and geometric constraints at the site, the proposed relocation of the 1010th Avenue crossing is the most reasonable option to accommodate the improvements. The small parcel of land required for roadway ROW is located between Old Route 66 and 1010th Avenue, and is not associated with any recreational use of Madigan State Park. Reference Exhibit B illustrating the location of the proposed ROW in relation to the Park.

The ROW acquisition would affect 0.0055 percent of the approximately 974 acres of Madigan State Park's spaces for public use.

There are no federal encumbrances on the ROW location affected on Madigan State Park, such as Section 6(f) of the Land and Water Conservation Act.

Erosion control Best Management Practices (BMPs) would be used during construction.

Therefore due to the location of the proposed ROW (small 0.054 acre parcel) in between two existing roadways and no changes to the recreational uses of the Madigan State Park under Section 4(f), a *de minimis* impact can be determined. The effect on features, attributes, or activities qualifying the State Park under Section 4(f) would be negligible and considered *de minimis*.

III. Public Outreach and IDNR Concurrence

Public notice and an opportunity for public review and comment concerning the effects on the protected activities, features, or attributes of Madigan State Park property were provided. Notice was posted in the IDOT High Speed Rail web site on Tuesday, September 22, 2015 for a public review period of 10 days.

IDNR officials were given the findings of this *de minimis* determination and a written concurrence of no adverse impacts to Madigan State Park was issued by IDNR (Reference Exhibit C- IDNR concurrence letter dated 9/8/2015).

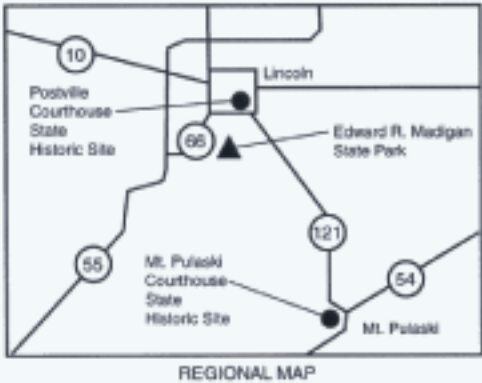
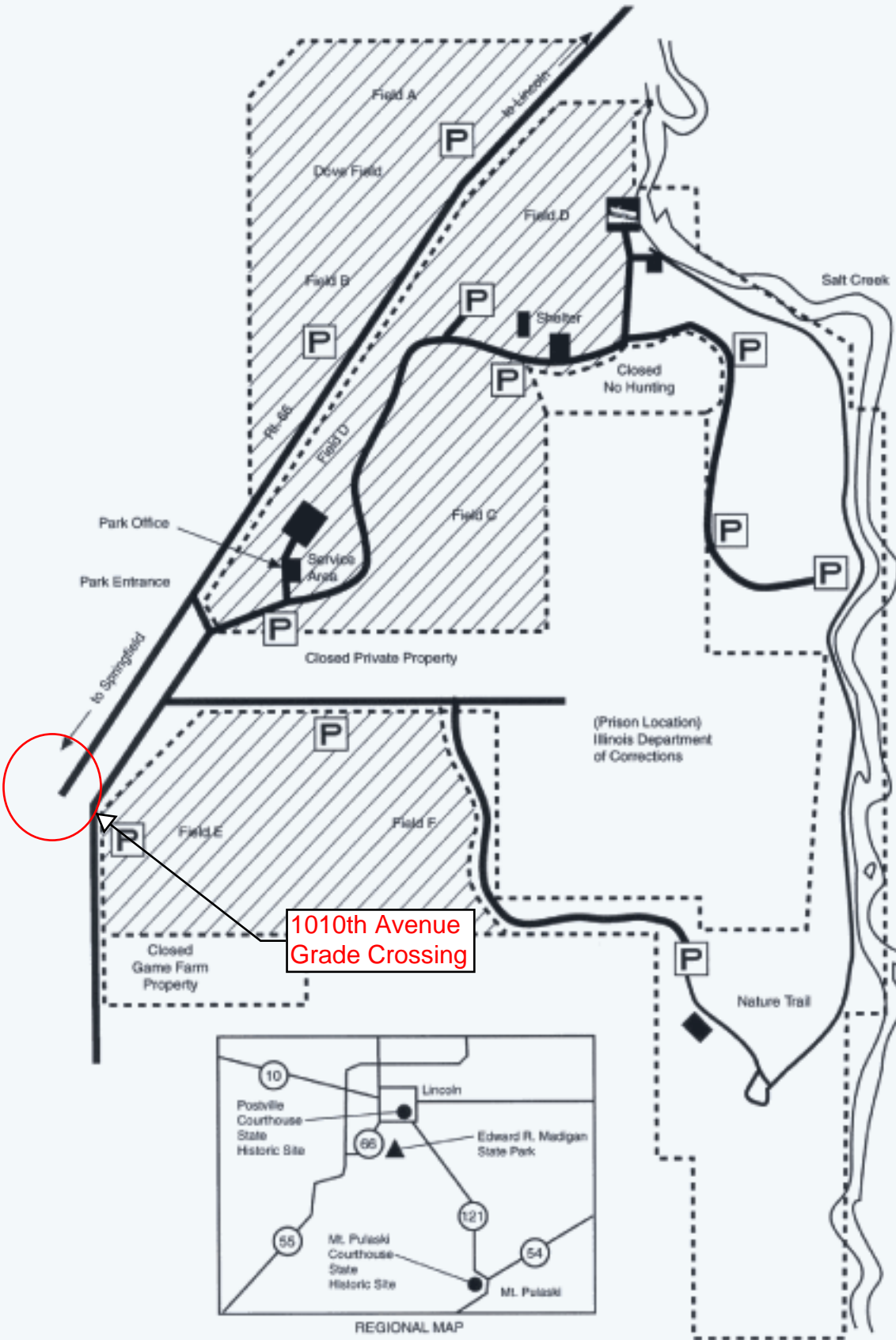
IV. Approval

Based upon IDNR concurrence, and the approval of the CE supplementing this Section 4(f) impact analysis, the FRA would determine that the proposed Project at 1010th Avenue would have negligible effect on the features, attributes, or activities of Madigan State Park and thus considered *de minimis* as defined in 23 CFR 774.17.

Exhibit A
Madigan State Park General Map

Exhibit A: Edward R. Madigan State Park

State of Illinois Department of Natural Resources



Map Legend

Boundary	-----
Roads	————
Gravel Roads	-----
Hunting Area	▨▨▨▨
Headquarters	★
Hunter Parking	P
No Hunting	□
Boat Launch	⚓
Waterfowl Blinds	200
Check Station	▲
State Boundary	-----
Grade Crossing	○

Exhibit B
1010th Avenue and Madigan State Park Impacts

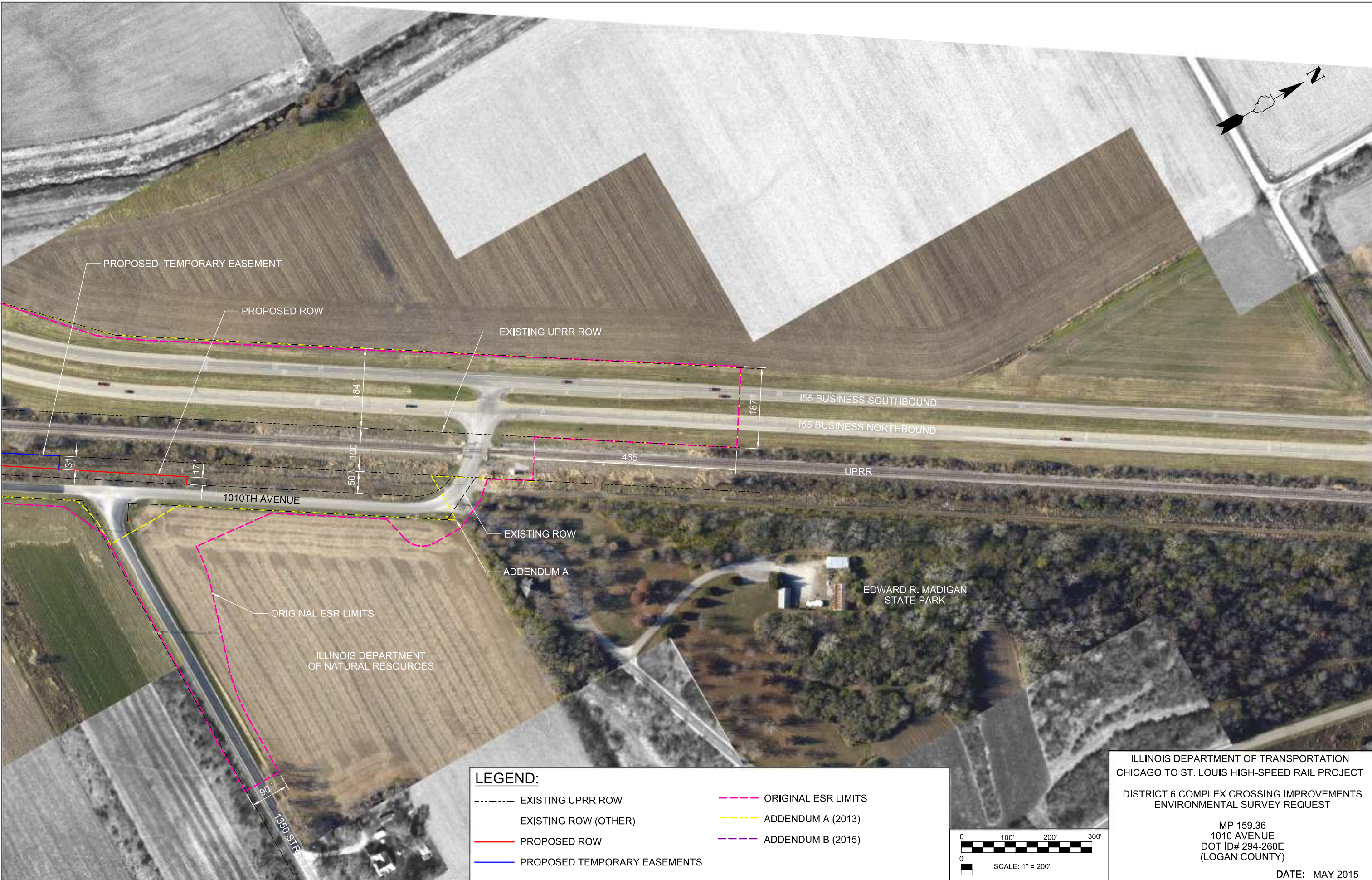
Exhibit B: 1010th Avenue



Chicago to St. Louis High Speed Rail
District 6 Group 2 Complex Grade Crossings
1010 Avenue



Date: 06/17/2015



MATCH LINE

PROPOSED TEMPORARY EASEMENT

PROPOSED ROW

EXISTING UPRR ROW

155 BUSINESS SOUTHBOUND

155 BUSINESS NORTHBOUND

UPRR

1010TH AVENUE

EXISTING ROW

ADDENDUM A

EDWARD R. MADIGAN STATE PARK

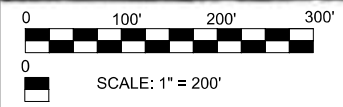
ORIGINAL ESR LIMITS

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

1350 STREET

LEGEND:

- EXISTING UPRR ROW
- EXISTING ROW (OTHER)
- PROPOSED ROW
- PROPOSED TEMPORARY EASEMENTS
- ORIGINAL ESR LIMITS
- ADDENDUM A (2013)
- ADDENDUM B (2015)

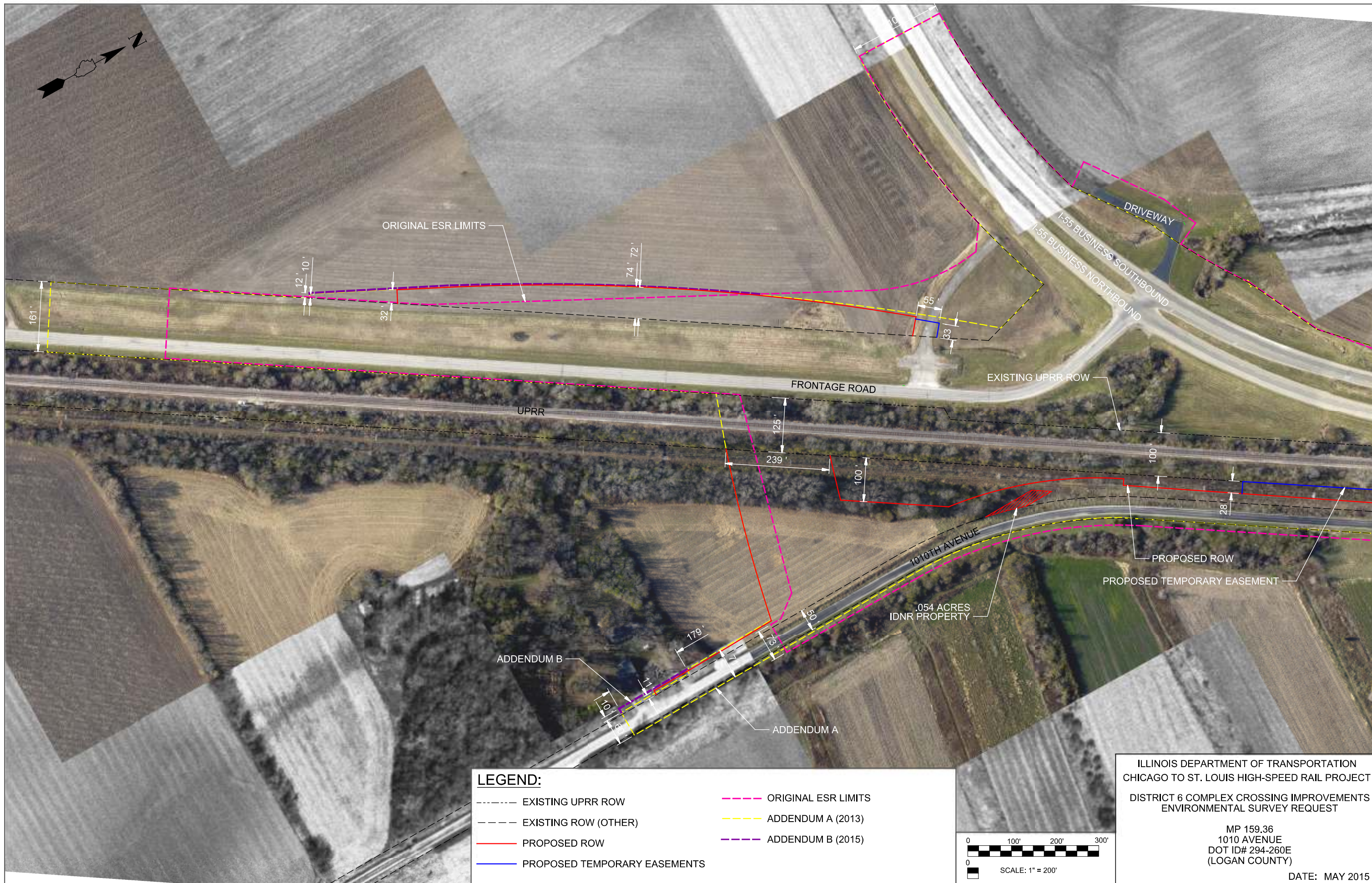


ILLINOIS DEPARTMENT OF TRANSPORTATION
CHICAGO TO ST. LOUIS HIGH-SPEED RAIL PROJECT

DISTRICT 6 COMPLEX CROSSING IMPROVEMENTS
ENVIRONMENTAL SURVEY REQUEST

MP 159.36
1010 AVENUE
DOT ID# 294-260E
(LOGAN COUNTY)

DATE: MAY 2015



MATCH LINE

Exhibit C
IDNR Concurrence Letter



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

September 8, 2015

Ms. Andrea E. Martin
Environmental Protection Specialist
Federal Railroad Administration
1200 New Jersey Ave, SE Mail Stop 20, W-38-215
Washington, DC 20590

RE: Concurrence on No Adverse Impacts at
Edward R. Madigan State Fish and Wildlife Area

Dear Ms. Martin:

The Illinois Department of Natural Resources (IDNR) reviewed the Section 4(f) *de minimis* impact assessment for Edward R. Madigan State Park at the 1010th Avenue grade crossing in Logan County. The Section 4(f) assessment was prepared for the Chicago to St. Louis High Speed Rail Corridor – IDOT District 6 Group 2 Complex Crossings Project as required by the National Environmental Policy Act (NEPA). The proposed project includes new safety crossing protection devices and intersection design improvements required to accommodate an increase of passenger train speed at the UPRR corridor and 1010th Avenue roadway crossing. The proposed improvement includes relocating the 1010th Avenue road crossing approximately 0.45 miles south of the existing road crossing. Due to safety improvements and geometric constraints at the site, the proposed relocation of the 1010th Avenue crossing is the most reasonable option to accommodate the improvements. A permanent right-of-way acquisition of 0.054 acre located between Old Route 66 and 1010th Avenue would be required from the Edward R. Madigan State Park property. Reference enclosed exhibits.

Under Section 4(f) of the U.S. Department of Transportation Act of 1966, the Edward R. Madigan State Park property is considered a Section 4(f) resource. A review of the project impacts and proposed construction show that the impacts to the park will be minimal and will not alter or affect the use of the park. As the official with jurisdiction over Edward R. Madigan State Park, IDNR concurs with the recommendation of the 1010th Avenue crossing proponents that the use and impacts associated with this project along with the identified avoidance, minimization, and mitigation measures, will not adversely affect the activities, features, and attributes that qualify the property for protection under section 4(f).

If you have any questions, please contact me or Pat Brannan at 217/782-7940.

Sincerely,

Connie Waggoner, Director
Office of Realty & Environmental Planning

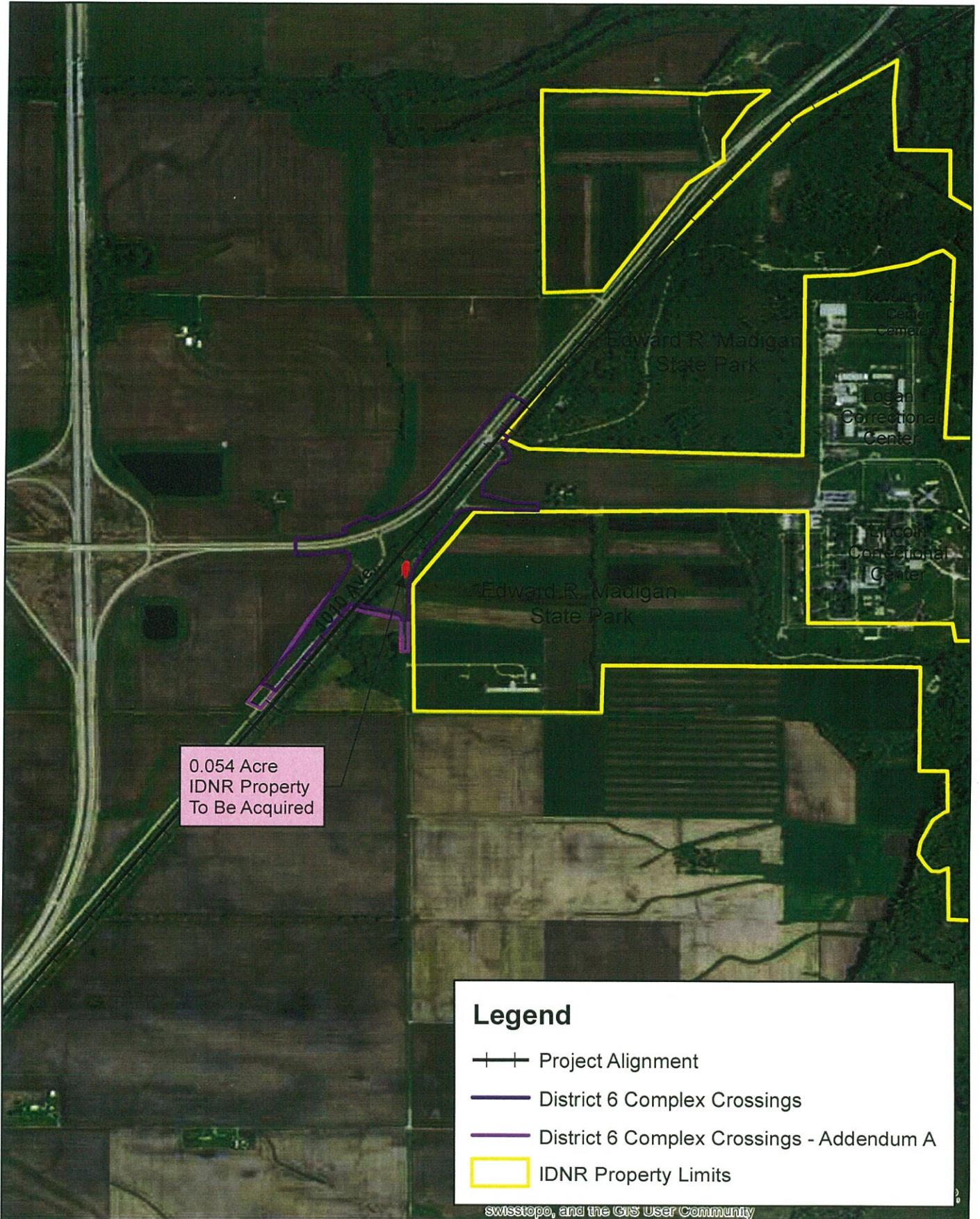
CW:PB

CC: John Oimoen

John Baranzelli

Francesco Bedini Jacobini

Exhibit B: 1010th Avenue



Chicago to St. Louis High Speed Rail
District 6 Group 2 Complex Grade Crossings
1010 Avenue



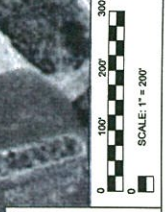
Date: 06/17/2015



ILLINOIS DEPARTMENT OF TRANSPORTATION
 CHICAGO TO ST. LOUIS HIGH-SPEED RAIL PROJECT
 DISTRICT 6 COMPLEX CROSSING IMPROVEMENTS
 ENVIRONMENTAL SURVEY REQUEST

MP 159.36
 1010 AVENUE
 DOT DIF 284-260E
 (LOGAN COUNTY)

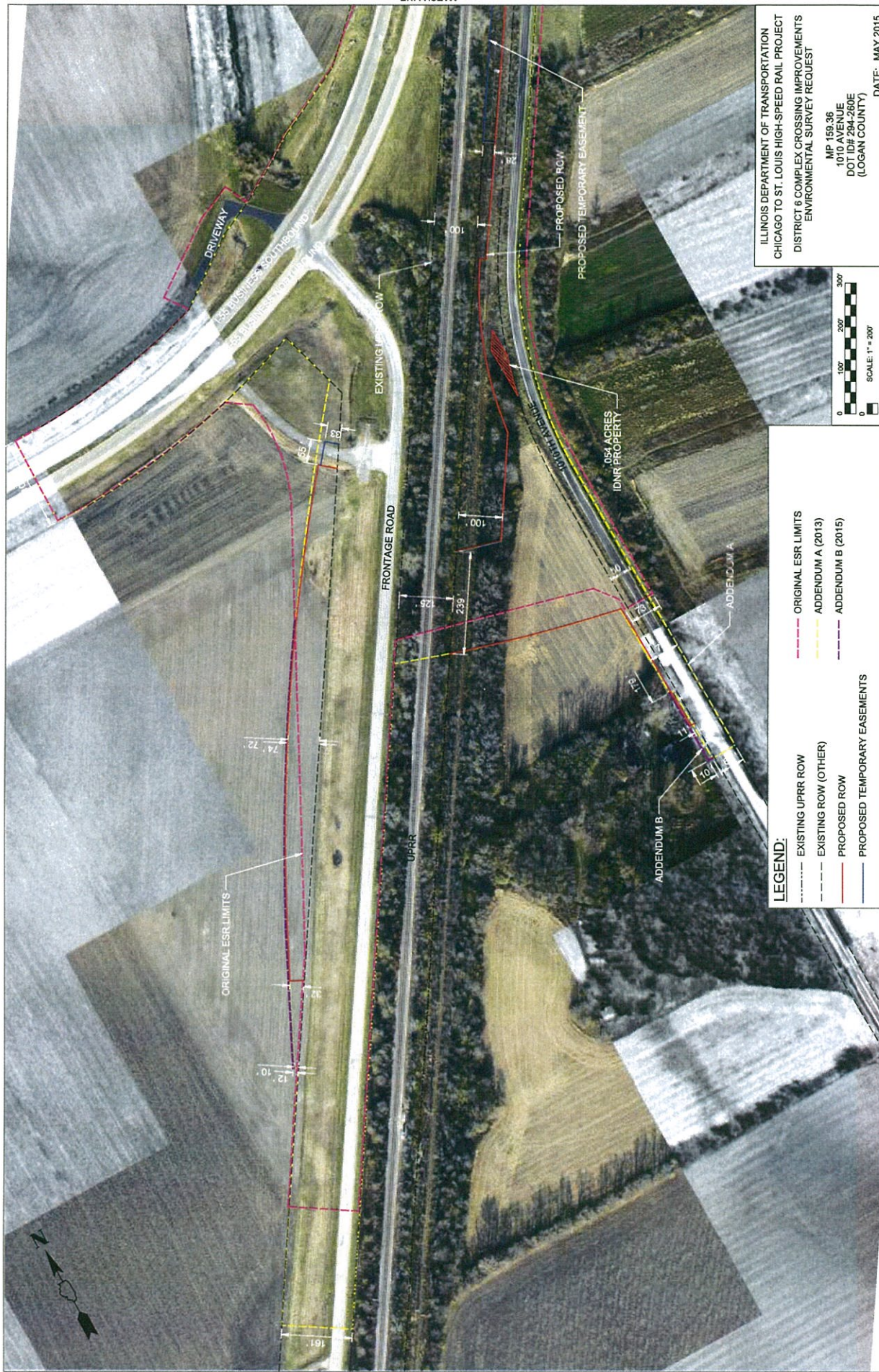
DATE: MAY 2015



LEGEND:

- EXISTING UPRR ROW
- EXISTING ROW (OTHER)
- PROPOSED ROW
- PROPOSED TEMPORARY EASEMENTS
- ORIGINAL ESR LIMITS
- ADDENDUM A (2013)
- ADDENDUM B (2015)

MATCH LINE



ILLINOIS DEPARTMENT OF TRANSPORTATION
CHICAGO TO ST. LOUIS HIGH-SPEED RAIL PROJECT
DISTRICT 6 COMPLEX CROSSING IMPROVEMENTS
ENVIRONMENTAL SURVEY REQUEST

MP 155.36
1010 AVENUE
DOT DF 284-260E
(LOGAN COUNTY)



- LEGEND:**
- EXISTING UPRR ROW
 - EXISTING ROW (OTHER)
 - PROPOSED ROW
 - PROPOSED TEMPORARY EASEMENTS
 - ORIGINAL ESR LIMITS
 - ADDENDUM A (2013)
 - ADDENDUM B (2015)

DATE: MAY 2015
SHEET 2 OF 2