

**DRAFT ENVIRONMENTAL ASSESSMENT
VILLAGE OF NILES STORMWATER IMPROVEMENT PROJECT – PHASE 3
NILES, COOK COUNTY, ILLINOIS
SECTION 219, WRDA 1992, AS AMENDED**

May 2025



U.S. Army Corps of Engineers Chicago District
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DRAFT FINDING OF NO SIGNIFICANT IMPACT

VILLAGE OF NILES STORMWATER IMPROVEMENT PROJECT – PHASE 3 PROJECT

NILES, COOK COUNTY, ILLINOIS

The U.S. Army Corps of Engineers (USACE), Chicago District has conducted an environmental analysis in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended. The Draft Environmental Assessment (EA) dated May 2025, for the Village of Niles Stormwater Improvement Project, addresses storm sewer improvement opportunities and feasibility in the Village of Niles, Cook County, Illinois. The recommendation is contained in the Draft Letter Report, dated May 2025.

The Draft EA, incorporated herein by reference, evaluated a “No Action Alternative” and two alternatives that would expand the storm sewer system in the study area. The recommended plan is Alternative 2, which includes:

- 800 LF of storm sewer, ranging from 12-inch to 54-inch diameter would be installed along North Harlem Avenue (between West Mulford Street and West Harvard Street) and West Mulford Street (between North Harlem Avenue and North Oconto Avenue) to reestablish positive drainage from depressional areas. Approximately 200 LF of existing 30-inch diameter sanitary sewer would be removed and replaced and approximately 300 LF would be abandoned in place.
- The storm sewers would be constructed entirely with open cut methods under the roadway, which would reduce impacts to the trees in the parkway. Due to the deep trenches in the road right-of-way (ROW) and the existing conditions of the road, 800 LF of roadway restoration with curb and gutter rehabilitation would occur.

For the No Action and two design alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

Table 1: Summary of Potential Effects of the Recommended Plan

| | Insignificant effects | Insignificant effects as a result of mitigation* | Resource unaffected by action |
|--|-------------------------------------|--|-------------------------------------|
| Aesthetics | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Air quality | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Aquatic resources/wetlands | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Invasive species | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fish and wildlife habitat | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Threatened/Endangered species/critical habitat | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Historic properties | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other cultural resources | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Floodplains | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Hazardous, toxic & radioactive waste | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Hydrology | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Land use | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Navigation | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Noise levels | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Public infrastructure | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Socioeconomics | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| At-risk communities | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Soils | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Tribal trust resources | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Water quality | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. Best management practices (BMPs) as detailed in the Draft Letter Report and Draft EA would be implemented, if appropriate, to minimize impacts.

No compensatory mitigation is required as part of the recommended plan.

Public review of the Draft EA and FONSI was initiated on May 23, 2025. The draft documents were posted on the USACE webpage and notices of availability were distributed to federal, state, and local agencies; elected officials; and local libraries. All comments submitted during the public review period will be responded to in the Final EA and FONSI.

Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, USACE accessed the USFWS IPaC website on April 8, 2025, to determine whether endangered, threatened, proposed, or candidate species could potentially be present in the action area, and if the action area overlapped with any designated or proposed critical habitat. Based on the information in the species list and the actions proposed under the recommended plan, USACE determined that the recommended plan would have “no effect” on federally listed species or their designated critical habitat.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, USACE determined that no historic properties would be affected by the proposed undertaking. In a letter dated, March 31, 2025, the Illinois State Historic Preservation Office concurred with this determination.

Pursuant to regulations for Section 106 (36 CFR § 800) of the National Historic Preservation Act (54 USC § 306108), USACE has consulted with the Citizen Potawatomi Nation of Oklahoma, the Forest County Potawatomi Community of Wisconsin, Hannahville Indian Community of Michigan, Kickapoo Tribe of Oklahoma, Little Traverse Bay Bands of Odawa Indians of Michigan, Menominee Indian Tribe of Wisconsin, Miami Tribe of Oklahoma, and the Prairie Band Potawatomi Nation. In a letter dated July 3, 2024, the Prairie Band Potawatomi Nation indicated that they were unaware of any potential resources or sites affected by the Proposed Action but requested to be notified and consulted if any cultural artifacts or remains are located during the project.

Pursuant to Sections 401 and 404 of the Clean Water Act of 1972, as amended, USACE determined that this law does not apply to the proposed infrastructure project since the project does not involve any discharge or placement of fill into waters of the U.S.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed.

FINDING

Technical, environmental, and economic criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on this report, the reviews by other federal, state and local agencies, tribes, input of the public, and the review by my staff, it is my determination that the recommended plan would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

Date

Kenneth P. Rockwell
Colonel, U.S. Army
Commanding

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1. PURPOSE AND NEED

1.1. Purpose

The purpose of the proposed project is to expand storm sewer infrastructure within the Village of Niles.

The U.S. Army Corps of Engineers (USACE), Chicago District is evaluating support to the Village of Niles, Cook County, Illinois through planning and construction assistance for the proposed project.

1.2. Need for Action

The Lawrencewood Gardens and Oasis neighborhoods within the Village of Niles have experienced frequent flooding in low-lying areas since 2008, resulting in road inundation and structure damages (Figure 1). The proposed project would provide relief to 45 properties and 24 structures at risk of flooding during the “100-year storm event” (1% annual exceedance probability) and is the third phase of a larger effort by the Village of Niles to address flooding in the neighborhoods. The first phase of the project constructed a storm sewer outfall to the North Branch of the Chicago River and was completed in 2019. The second phase, to be constructed with non-federal funds, will construct storm sewers between North Nordica Avenue and North Harlem Avenue. Federal funding would expand storm sewer service west of North Harlem Avenue, which most heavily impacted by recurring inundation during storm events (Figure 1).

1.3. Authority

The project is authorized under Section 219(f)(54) of the Water Resources Development Act of 1992, Public Law 102-580, as amended by Section 108(d) of the Consolidated Appropriations Act of 2001, Public Law 106-554; Section 142 of the Energy and Water Appropriations Act of 2004, Public Law 108-137; and Section 1157 of the Water Infrastructure Improvements for the Nation Act (WIIN Act) of 2016, Public Law 114-322. These amended authorities allow USACE to provide planning, design, and construction assistance for water-related environmental infrastructure projects.

1.4. Local Sponsor

The project’s non-federal sponsor is the Village of Niles, Illinois.

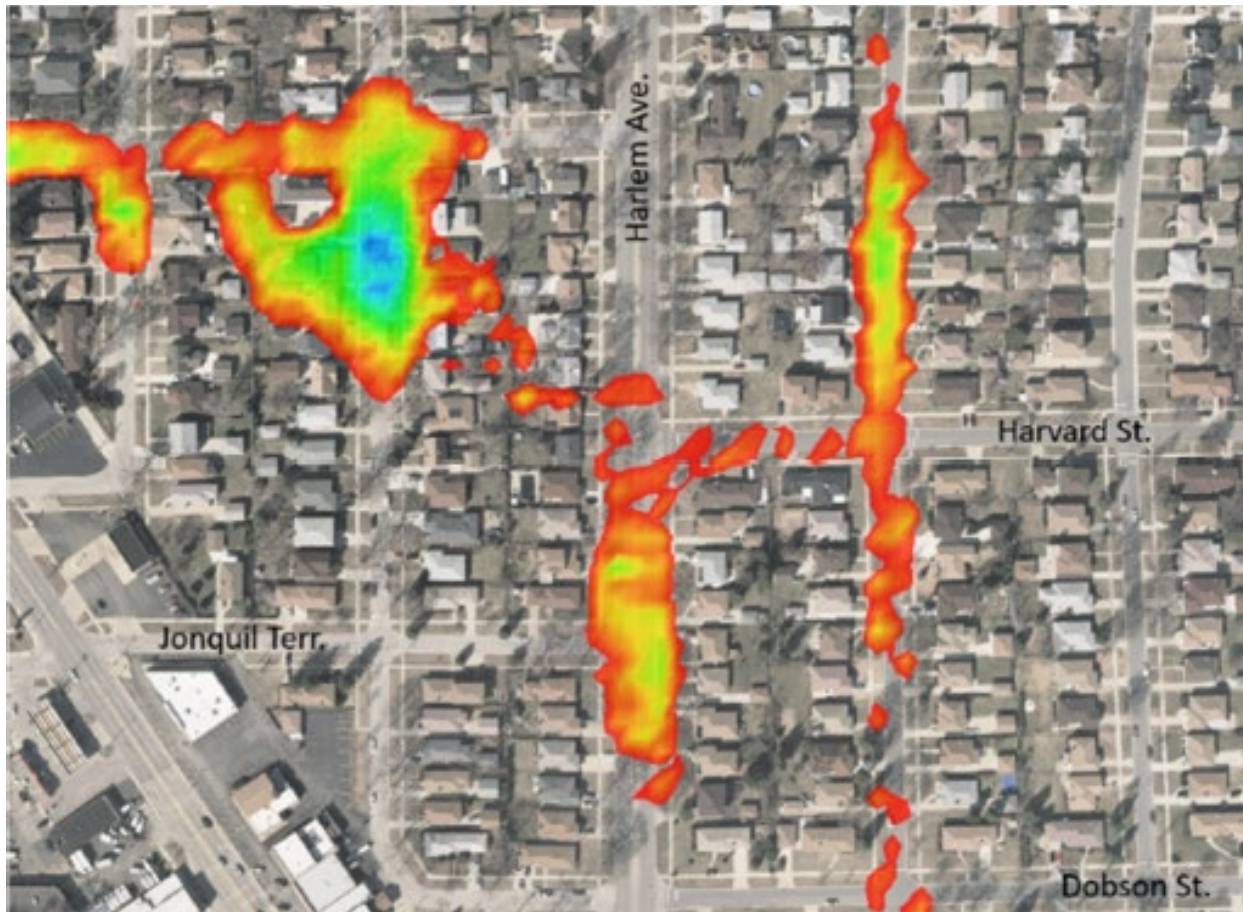


Figure 1: 100-year annual exceedance probability inundation model of North Harlem Avenue at Jonquil Terrace.

2. ALTERNATIVES, INCLUDING THE RECOMMENDED PLAN

2.1. List of Alternatives

Three alternatives were initially considered to improve storm sewer infrastructure in the Village of Niles and flooding issues described in Section 1.2 above. These alternatives include:

- **No Action Alternative** – Under this alternative, USACE would not provide federal assistance and storm sewer expansion would not occur. This alternative would result in more frequent and severe localized flooding within the project limits.
- **Alternative 1** – Under this alternative, 800 linear feet (LF) of storm sewer, ranging from 12-inch to 54-inch diameter would be installed along North Harlem Avenue (between West Mulford Street and West Harvard Street) and West Mulford Street (between North Harlem Avenue and North Oconto Avenue) to reestablish positive drainage from depressional areas. Approximately 200 LF of existing 30-inch diameter sanitary sewer would be removed and replaced, and approximately 300 LF would be abandoned in place.

The 54-inch diameter storm sewer along North Harlem Avenue would be installed with trenchless methods, while all other storm sewer would be installed with open cut methods. Trenchless installation would require three 15-foot by 40-foot jacking pits and two 15-foot by 20-foot receiving pits.

- **Alternative 2** – Under this alternative, 800 LF of storm sewer, ranging from 12-inch to 54-inch diameter would be installed along North Harlem Avenue (between West Mulford Street and West Harvard Street) and West Mulford Street (between North Harlem Avenue and North Oconto Avenue) to reestablish positive drainage from depressional areas. Approximately 200 LF of existing 30-inch diameter sanitary sewer would be removed and replaced and approximately 300 LF would be abandoned in place.

The storm sewers would be constructed entirely with open cut methods under the roadway, which would reduce impacts to the trees in the parkway. Due to the deep trenches in the road right-of-way (ROW) and the existing conditions of the road, 800 LF of roadway restoration with curb and gutter rehabilitation would occur.

2.2. Recommended Plan (Proposed Action)

The recommended plan is Alternative 2 as shown in Figure 2. Alternative 2 would include the construction of 800 LF of storm sewer, ranging from 12-inch to 54-inch diameter, on North Harlem Avenue and West Mulford Street using only open cut methods. The recommended plan would effectively eliminate flooding during up to the 100-year event (1% annual exceedance probability). Work is scheduled to begin in fall 2025 with completion anticipated in fall 2026.

While Alternative 1 would limit roadway and driveway disturbance, it was not recommended due to increased construction costs from installation of the storm sewer pipe on North Harlem Avenue using trenchless methods; Alternative 1 would be almost twice as expensive to construct as Alternative 2. Additionally, Alternative 1 would result in longer lane closures on North Harlem Avenue due to the need for jacking and receiving pits. The No Action Alternative would not address flooding issues within the Lawrencewood Gardens and Oasis neighborhoods, resulting in continued roadway inundation and property and structure damage.



Figure 2: Project location map

3. EXISTING CONDITIONS AND ALTERNATIVE IMPACTS

3.1. Level of Environmental Impact Significance

This section discusses the existing conditions by resource category and any potential environmental impacts associated with the No Action Alternative as well as with implementation of Alternative 1 or Alternative 2.

USACE evaluated the potentially affected environment and the degree of effects to consider whether the Proposed Action's effects are significant. In considering the potentially affected environment, USACE considered the affected area and its resources. USACE defined effects to mean changes to the human environment from the Proposed Action or alternatives that are reasonably foreseeable. In considering the degree of the effects, USACE considered short- and long-term effects; beneficial and adverse effects; any effects to public health and safety; and whether the action threatens to violate federal, state, or local laws established for the protection of the human and natural environment. USACE considered the severity of an environmental impact as follows:

- None/negligible – No measurable impacts are expected to occur.
- Minor – A measurable adverse or beneficial effect to a resource. A slight impact that may not be readily obvious and is within accepted levels for permitting, continued resource sustainability, or human use. Adverse minor impacts should be avoided and minimized if possible but should not result in a mitigation requirement.
- Significant – A measurable adverse or beneficial effect to a resource. A major impact that is readily obvious and is not within accepted levels for permitting, continued resource sustainability, or human use. Significant adverse impacts likely result in the need for mitigation.
- Adverse – A measurable and negative effect to a resource. May be minor to significant, resulting in reduced conditions, sustainability, or viability of the resource.
- Beneficial – A measurable and positive effect to a resource. May be minor to significant, resulting in improved conditions, sustainability, or viability of the resource.
- Short-Term – Temporary in nature and does not result in a long-term beneficial or adverse effect to a resource. For example, temporary construction-related effects (such as, an increase in dust, noise, traffic congestion) that no longer occur once construction is complete. May be minor, significant, adverse or beneficial in nature.
- Long-Term – Permanent (or for most of the project life) beneficial or adverse effects to a resource. For example, permanent conversion of a wetland to a parking lot. May be minor, significant, adverse or beneficial in nature.

USACE used quantitative and qualitative analyses, as appropriate, to determine the reasonable and foreseeable effects of the proposed alternatives. USACE analyzed ecological, aesthetic, historic, cultural, economic, social, and health effects, as

applicable. Based on the results of the analyses, this Environmental Assessment (EA) identifies whether a particular potential impact would be adverse or beneficial, and to what extent.

3.2. Project Area

The project area is within the Village of Niles, Cook County, Illinois. The storm sewer enhancement is located on North Harlem Avenue between West Mulford Street and Harvard Street and West Mulford Street between North Harlem Avenue and North Oconto Avenue (Figure 2).

3.3. Alternative Impacts

This chapter discusses the existing conditions by resource category and any potential environmental impacts associated with implementation of Alternative 1, Alternative 2, and the No Action Alternative.

3.4. Physical Resources

3.4.1. Climate

Existing Condition

The climate of the study area is predominantly continental with some modification by Lake Michigan. The National Oceanic and Atmospheric Administration's (NOAA) Online Weather Data was queried for the O'Hare International Airport Station, located approximately 5.5 miles southwest of the project area. Monthly and annual average temperatures and precipitation was queried (NOAA, 2024) (Table 1). The mean average annual temperature is 51.3 °F, with a mean maximum and minimum of 59.5 °F and 43.0 °F, respectively. Average yearly precipitation between 1991 and 2020 is 37.86 inches.

Table 1: Temperatures and precipitation for O'Hare International Airport between (NOAA, 2024)

| Month | Total Precipitation Normal (inches) | Mean Max Temperature Normal (°F) | Mean Min Temperature Normal (°F) | Mean Avg Temperature Normal (°F) |
|-----------|-------------------------------------|----------------------------------|----------------------------------|----------------------------------|
| January | 1.99 | 31.6 | 18.8 | 25.2 |
| February | 1.97 | 35.7 | 21.8 | 28.8 |
| March | 2.45 | 47.0 | 31.0 | 39.0 |
| April | 3.75 | 59.0 | 40.3 | 49.7 |
| May | 4.49 | 70.5 | 50.6 | 60.6 |
| June | 4.10 | 80.4 | 60.8 | 70.6 |
| July | 3.71 | 84.5 | 66.4 | 75.4 |
| August | 4.25 | 82.5 | 65.1 | 73.8 |
| September | 3.19 | 75.5 | 57.1 | 66.3 |
| October | 3.43 | 62.7 | 45.4 | 54.0 |
| November | 2.42 | 48.4 | 34.1 | 41.3 |
| December | 2.11 | 36.6 | 24.4 | 30.5 |
| Annual | 37.86 | 59.5 | 43.0 | 51.3 |

Alternative Impacts

Construction of either Alternative 1 or Alternative 2 would have no short-term or long-term impacts to climate. Additional fossil fuels associated with the operation of construction vehicles (e.g., excavator, dump truck, flatbed delivery truck, forklift, etc.) would be needed to construct the improvements, haul the materials to the site, and haul away equipment from the area under either Alternative 1 or Alternative 2. However, there would be no measurable impact on climate for Alternative 1 and Alternative 2.

No impacts to climate are expected under the No Action Alternative.

3.4.2. Geology & Soils

Existing Condition

Geology – Glaciation in northern Illinois ended about 13,000 years ago when the glaciers receded from the area for the last time. In northern Illinois the most common type of bedrock is a magnesium-rich limestone called dolomite that was originally deposited on reefs set in shallow seas during the Silurian period about 400 million years ago. The youngest bedrock in northern Illinois dates from the Pennsylvania period about 300 million years ago. Surface features in the region are all made of material deposited by the glaciers or by the lakes that appeared as the glaciers melted. In some places, these deposits are nearly 400 feet thick.

Soils – The U.S. Department of Agriculture Natural Resource Conservation Service's web soil survey was queried for soils present within the project areas. According to the web soil survey for the project area, the soil type present is predominantly urban land with orthents, clayey, nearly level, and similar soils (USDA, 2024). No prime or unique soils are present in the project area (USDA , 2024).

Alternative Impacts

Alternative 1 would install the storm sewer pipe on North Harlem Avenue using trenchless methods, which would limit the amount of excavation and ground disturbing activities compared to open cut methods, though some limited excavation would be necessary to create jacking and receiving pits. Alternative 2 would entail excavation and ground disturbing activities in the road ROW along North Harlem Avenue and West Mulford Street. The project area has been disturbed previously and it is confined public road ROW within an urban area. Construction of either Alternative 1 or Alternative 2 would not impact any unique local geologic features as none are present within the area and the existing soils can be found throughout the region. Therefore, neither Alternative 1 nor Alternative 2 would have any short-term or long-term adverse impacts to local geological features or soils.

No impacts to geology and soils would be expected under the No Action Alternative.

3.4.3. Water Resources

Existing Condition

Northern Cook County, Illinois is located above the Silurian-Devonian Aquifer System, the principal bedrock aquifer within the county. In most areas, the aquifer is overlain with approximately 50 to 200 feet of unconsolidated material. More locally, there is groundwater present within the project area starting approximately 2 to 4 feet below grade within a layer of poorly graded fine sand.

There are no waterways or aquatic resources found directly within or immediately adjacent to the project area (Figure 3). The project area is in a residential neighborhood and entirely within paved road ROW. Areas adjacent to the ROW are mowed grass lawns.

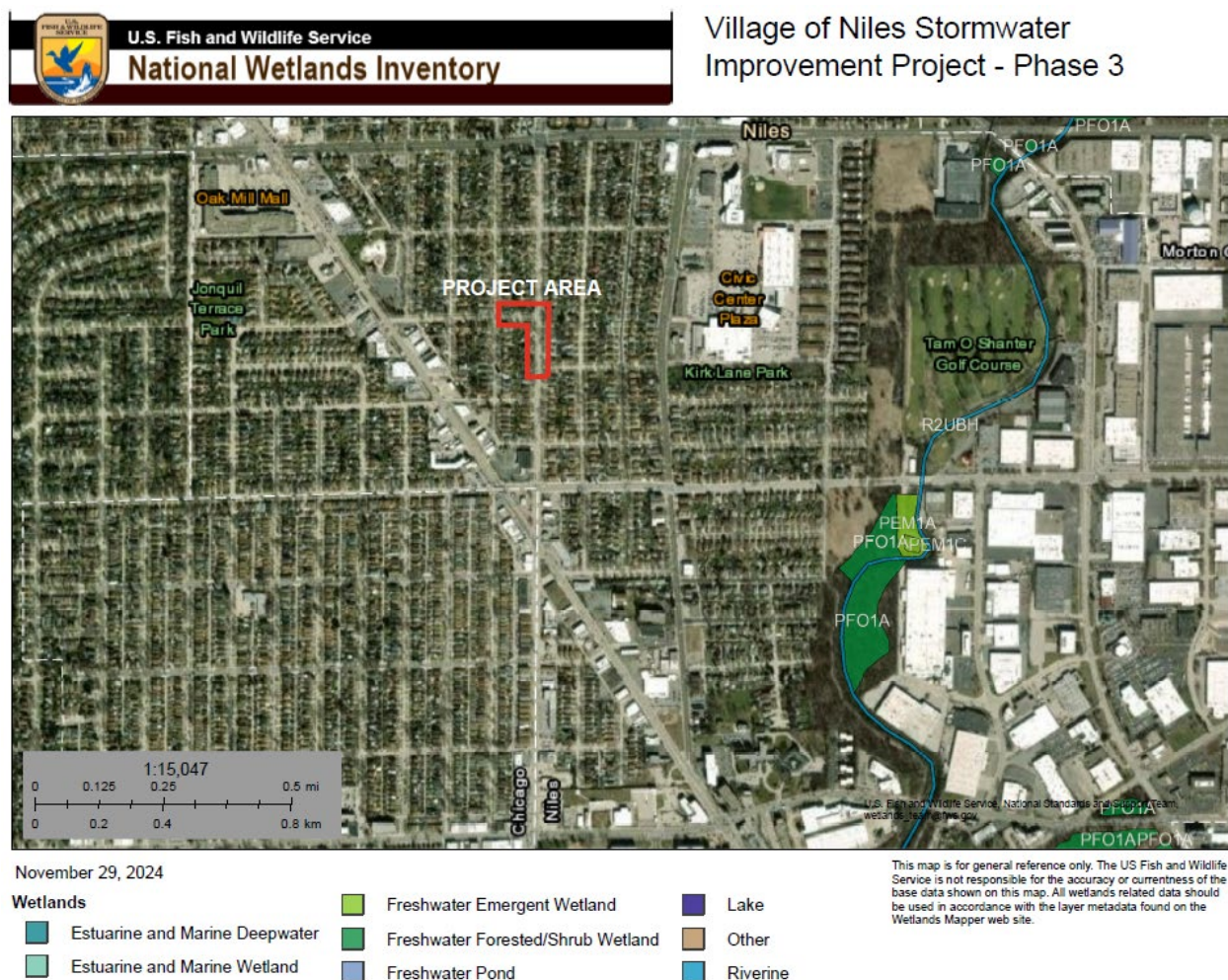


Figure 3: USFWS National Wetland Inventory map of aquatic resources in the project area

Alternative Impacts

There are no short-term or long-term adverse impacts to water resources under

Alternative 1 or Alternative 2. Section 10 of the Rivers and Harbors Act of 1899 does not apply because the project does not include construction of any structure in or over any navigable waters. Executive Order 11988 (Floodplain Management) does not apply as the project will not promote development in the floodplain (FEMA, 2024). Executive Order 11990 (Protection of Wetlands) does not apply as there are no known wetlands within or immediately adjacent to the project area (Figure 3). The Clean Water Act does not apply, because the project does not involve any discharge of dredged or fill material to Waters of the U.S. The project is not expected to have any impact on the Silurian Aquifer System.

No impacts to water resources are expected under the No Action Alternative.

3.4.4. Air Quality

Existing Condition

Air quality in the project area is typical of a populated urban area outside of a major metropolitan city as shown by the U.S. Environmental Protection Agency's (USEPA) Air Quality Index (AQI). Most of the impacts to air quality in this area are due to the large number of cars and trucks driven on the extensive road system in this region. Additionally, the Clean Air Act requires the USEPA to set national ambient air quality standards (NAAQS) for six criteria pollutants (carbon monoxide, lead, nitrogen dioxide, particulate matter, ozone, and sulfur oxides) which are considered harmful to public health and the environment (Table 2). Areas not meeting the NAAQS for one or more of the criteria pollutants are designated as "nonattainment" areas by the USEPA. Cook County, IL is classified as nonattainment for 8-hour ozone (2015), categorized as moderate (USEPA, 2025). Cook County is in maintenance status for 8-hour ozone (2008) and PM-2.5 (1997) (USEPA, 2025). Smaller parts of Cook County are also in maintenance for other NAAQS parameters; these areas do not include the project area.

The USEPA's Mandatory Reporting Rule of Greenhouse Gases (MRR-GHG) applies to direct GHG emitters, fossil fuel suppliers, industrial gas suppliers, and facilities that inject carbon dioxide (CO₂) underground for sequestration (containment) or other reasons. The State of Illinois aims to reduce GHG emissions to net zero by 2050.

Table 2: Cook County, IL status for NAAQS criteria pollutants (USEPA, 2025)

| NAAQS | Area Name | Most Recent Year of Nonattainment | Current Status | Classification | Whole or Part of County |
|---------------------|------------------------------|-----------------------------------|--------------------------|----------------|-------------------------|
| 8-Hour Ozone (2008) | Chicago-Naperville, IL-IN-WI | 2021 | Maintenance (since 2022) | Serious | Whole |
| 8-Hour Ozone (2015) | Chicago, IL-IN-WI | 2025 | - | Moderate | Whole |
| Lead (2008) | Chicago, IL | 2017 | Maintenance (since 2018) | - | Part* |
| Carbon | - | - | - | - | - |

| NAAQS | Area Name | Most Recent Year of Nonattainment | Current Status | Classification | Whole or Part of County |
|-----------------------|---------------------------------|-----------------------------------|--------------------------|------------------|-------------------------|
| Monoxide (1971) | | | | | |
| PM-10 (1987) | SE Chicago, IL | 2004 | Maintenance (since 2005) | Moderate | Part* |
| PM-2.5 (1997) | Chicago-Gary-Lake County, IL-IN | 2011 | Maintenance (since 2012) | Former Subpart 1 | Whole |
| Sulfur Dioxide (2010) | Lemont, IL | 2019 | Maintenance | - | Part* |

* Part of Cook County under designated as nonattainment or in maintenance status does not include the project area.

Alternative Impacts

The project area in Cook County, Illinois is currently within a non-attainment area for one of the criteria pollutants for which standards have been established in the NAAQS, 8-hour ozone (2015). During implementation of Alternative 1 or Alternative 2, construction equipment would cause negligible, temporary air quality impacts. All equipment used would be compliant with current air quality control requirements for diesel exhaust, fuels, and similar requirements. Long-term, once constructed, the project would be neutral in terms of air quality, with no features that either emit or sequester air pollutants or greenhouse gases to a large degree. Therefore, construction of Alternative 1 or Alternative 2 would have a negligible short-term impact and no long-term adverse impacts on air quality within Cook County. Due to the short and temporary nature of any air quality impacts, a general conformity analysis was not conducted.

No short-term impacts to air quality are expected under the No Action Alternative.

USACE analyzed GHG emissions under the No Action Alternative, Alternative 1, and Alternative 2. Construction of Alternative 1 or Alternative 2 would take approximately one month and the average working day is anticipated to be 8 hours (see Appendix A for machinery and vehicle usage estimates for Alternative 1 and Alternative 2). The tables below (Table 3) provide the total amount of GHG emissions that are expected to result from construction for each final array alternative. Emissions were calculated using the Fuel Volume Analysis Method Calculator (Air Quality and GHG Sub-CoP SOP). The Fuel Volume Emissions Method is used for projects with low to intermediate emissions anticipated and makes assumptions to simplify the quantification of emissions. This model assumed 25 gallons of fuel/hour and all equipment fuel to be Distillate Fuel Oil No.2 (diesel). Emissions Factors were acquired from the USEPA Emission Factors for Greenhouse Gas Inventories. To determine the sum of total GHG emissions, the emissions for each type of GHG were standardized to a common unit. This standard unit is the carbon dioxide equivalent (CO₂e), which is calculated by multiplying the GHG emissions for each gas by their respective Global Warming Potential (GWP). It is anticipated that GHG emissions from operation and maintenance of either Alternative 1

or Alternative 2 would be minimal and do not have enough significance to be quantified.

Table 3: GHG emission calculations for alternatives

| Metric | No Action Alternative | Alternative 1 | Alternative 2 |
|--------------------------------------|------------------------------|----------------------|----------------------|
| Total CO ₂ e ¹ | 0 | 308.3 | 392.2 |
| Total Net Emissions ^{1,2} | 0 | 308.3 | 392.2 |

¹ Metric Tons ² Action Alternative - No Action Alternative

Under the No Action Alternative, GHG emissions were assumed to be zero as no construction would occur.

Alternative 1 and Alternative 2 would have similar GHG emissions (Table 3). No alternative would sequester carbon. No alternatives would impact the ability of the State of Illinois from meeting their emissions goals. Implementation of any alternative would result in no significant short-term or long-term impacts.

3.4.5. Land Use

Existing Condition

Existing land use within the project area in Niles is entirely comprised of single-family residential dwellings. The adjacent land use around the project area is also primarily single-family residential; non-residential land use in the adjacent area includes commercial retail, offices, and several small parks.

Alternative Impacts

Construction of Alternative 1 or Alternative 2 would not change land use within or adjacent to the project area. The construction of Alternative 1 or Alternative 2 would reduce flooding but would not promote further development or land use change. Therefore, neither Alternative 1 nor Alternative 2 would have a significant short- or long-term impact on land use within or adjacent to the project area.

No impacts to land use are expected under the No Action Alternative.

3.5. Biological Resources

3.5.1. Aquatic Communities

Existing Condition

No aquatic communities are present in the project area. The project area entirely consists of paved road ROW surrounded by mowed lawns (Figure 2).

Alternative Impacts

Construction of Alternative 1 or Alternative 2 would have no short-term or long-term adverse impacts to aquatic communities as they are not present within or immediately

adjacent to the project area.

No impacts to aquatic communities are expected under the No Action Alternative.

3.5.2. Terrestrial Communities

Existing Condition

There is suitable habitat in the project area for common “urban” wildlife species, including fox, gray squirrel, opossum, cottontail rabbit, striped skunk, mice, bats, and eastern moles. Typical resident birds include English sparrow, starling, robin, herring gull, Canada goose, mallard, pigeon, cardinal, red winged blackbird, and blue jay. No known bald eagles’ nests are within or immediately adjacent to the project area. Suitable habitat for migratory bird species protected by the Migratory Bird Treaty Act (MBTA) is not present within the project area.

Vegetation within the project area is typical of an urbanized and residential area. Vegetation surrounding the paved road and sidewalk is primarily composed of mowed grass lawns. Several mature trees are adjacent to the project area, including Norway maple, red maple, silver maple, honey locust, and London plane tree. Other vegetation is typical of ornamental trees, shrubs, and herbaceous plants used in residential landscaping. Significant populations of invasive animal and vegetation species are not present within the project area as it is primarily paved ROW.

Alternative Impacts

Construction of Alternative 1 or Alternative 2 would occur along a residential street with low quality habitat for wildlife. Under Alternative 1 or Alternative 2, disturbance from trenchless or open cut storm sewer installation would be limited to the road ROW. No trees would be removed under either Alternative 1 or Alternative 2. Construction of Alternative 1 or Alternative 2 would have minor short-term impacts to the terrestrial habitat in the immediate project area through general disturbances from construction equipment. No long-term adverse impacts are anticipated. Invasive vegetation or animal species would not be introduced or proliferated by either Alternative 1 or Alternative 2.

No impacts to terrestrial communities, including invasive species and migratory birds and bald eagles, are expected under the No Action Alternative.

3.5.3. Threatened and Endangered Species

Existing Condition

A query of the U.S. Fish and Wildlife Service’s (USFWS) Environmental Conservation Online System Information for Planning and Consultation (ECOS-IPaC) on April 8, 2025 resulted in an official list of threatened and endangered species that may be present within the project area (Appendix B). Obtaining the official species list from ECOS-IPaC fulfills the requirement for federal agencies to “request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present

in the area of a proposed action". Five federally listed threatened or endangered species were identified through the IPaC query as potentially occurring within the project area (Table 4). Additionally, the IPaC query identified two species designated as either experimental population or proposed species (Table 4). There are no critical habitats within the project area for any species listed below.

Table 4: Federally listed species potentially occurring within the project area

| Species Name | Federal Status | Habitat | Potential to Occur |
|---|--|---|--|
| Rufa red knot (<i>Calidris canutus rufa</i>) | Threatened | Muddy or sandy coastal areas, specifically, bays and estuaries, tidal flats, and unimproved tidal inlets | Not expected to occur; lack of suitable habitat. |
| Whooping crane (<i>Grus americana</i>) | Experimental population, non-essential | Coastal marshes and estuaries, inland marshes, lakes, open ponds, shallow bays, salt marsh and sand or tidal flats, upland swales, wet meadows and rivers, pastures and agricultural fields | Not expected to occur; lack of suitable habitat. |
| Eastern massasauga (<i>Sistrurus catenatus</i>) | Threatened | Shallow wetlands and surrounding upland areas to forage, breed, shelter and hibernate. Marshy grasslands, lake edges, fens, dry prairie and woodland, and forested swamp land. | Not expected to occur; lack of suitable habitat. |
| Hine's emerald dragonfly (<i>Somatochlora hineana</i>) | Endangered | Wetlands dominated by graminoid, or grass-like plants, and fed primarily by water from a mineral source or fens. Slow-moving aquatic systems provide appropriate habitat for larval development | Not expected to occur; lack of suitable habitat. |
| Monarch butterfly (<i>Danaus plexippus</i>) | Proposed Threatened | Prefer grassland ecosystems with native milkweed and nectar plants. | Not expected to occur; lack of suitable habitat. |
| Eastern prairie fringed orchid (<i>Platanthera leucophaea</i>) | Threatened | A wide variety of habitats, from wet to mesic prairie, to wetland communities, including sedge meadow, fen, marsh and marsh edge. | Not expected to occur; lack of suitable habitat. |

| Species Name | Federal Status | Habitat | Potential to Occur |
|--|----------------|--|--|
| Leafy prairie-clover (<i>Dalea foliosa</i>) | Endangered | Open habitat of limestone cedar glades, limestone barrens, and thin-soiled mesic dolomite prairies | Not expected to occur; lack of suitable habitat. |

Alternative Impacts

USACE determined that the construction and operation of Alternative 1 or Alternative 2 would have “no effect” on federally listed species. Suitable habitat for the above species is not present within the project area. The project area is entirely within a paved road ROW in an urbanized area; specialized habitats to support the above species such as mudflats, wetlands, meadows, or prairies are not present. Therefore, neither Alternative 1 nor Alternative 2 would have short- or long-term impacts to threatened and endangered species.

No impacts to threatened and endangered species are expected under the No Action Alternative.

3.6. Cultural & Social Resources

3.6.1. Cultural Resources

Existing Condition

Prior to European settlement in the early-1800s, the area that would become the Village of Niles was inhabited by Potawatomi Indians. The first European settlers were mainly German, which were attracted to the area due to the rich farmland and low cost. The Village of Niles was incorporated in 1850 and had a population of 200 by 1884. By 1930, the village’s population was 2,135. In the 1950s the village annexed an area at the northwest corner of the village, and construction of a commercial complex began soon afterward. By the end of the 20th century, the village’s population exceeded 30,000.

Alternative Impacts

Neither Alternative 1 nor Alternative 2 would have short-term or long-term effects on cultural resources. The undertaking is in Section 30, Township 41 North, Range 13 East in Cook County, Illinois. The Area of Potential Effects (APE) for the undertaking encompasses the project area, including staging and access routes, and totals approximately 0.02 acres. USACE believes that the APE is sufficient to identify and consider potential effects of the Proposed Action. USACE has conducted a records search and literature review of the project APE on the Illinois Inventory of Archaeological Sites and the National Register of Historic Places (NRHP). The literature review and records search revealed that there are no previously known archaeological sites or historic properties listed in the NRHP within the project APE. Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the USACE determined that no historic properties would be affected by the proposed undertaking. In

a letter dated, March 31, 2025, the Illinois State Historic Preservation Office (SHPO) concurred with this determination (Appendix B). There are no treaties with resident Tribes in the State of Illinois that protect Tribal Trust resources. Tribes with interests in the project area were contacted during the scoping period, no concerns were identified (see Section 4.2.2). Therefore, there would be no impact to Tribal Trust resources under either Alternative 1 or Alternative 2.

No impacts to cultural resources are expected under the No Action Alternative.

3.6.2. Recreation

Existing Condition

Recreation resources are not present within the project area. Kirk Lane Park, Jonquil Terrace Park, and facilities operated by the Niles Park District and Forest Preserves of Cook County along the North Branch of the Chicago River are within one mile of the project area.

Alternative Impact

As no recreation resources are present within the project area, therefore, no short- or long-term impacts to recreation would be expected under Alternative 1 or Alternative 2. Access to adjacent recreation resources, such as parks, nature/forest preserves, or schools would not be affected by Alternative 1 or Alternative 2.

No impacts to recreation are expected under the No Action Alternative.

3.6.3. Socioeconomics

Existing Condition

Niles has a population of 29,513 (2023) people according to the U.S. Census Bureau (USCB). Median household income is \$75,783 (2022). The noise and aesthetic environments are typical for a suburban village or town in northeast Illinois. Table 5 shows summary census data for the Village of Niles, Cook County, and Illinois. The Chicago District conducted an evaluation of potential impacts to at-risk communities using minority and low-income populations as criteria. This evaluation was conducted to ensure that no minority and/or low-income populations in the area would be disproportionately affected due to activities from this project.

Niles has a lower minority population (33.7%) than Cook County (34.8%) and the national average (38.3%), but a higher average than the state of Illinois (24.0%). Niles has a lower poverty rate (7.7%) compared to Cook County (13.7%), Illinois (11.6%), and the nation (12.5%). This indicates that the Proposed Action would not occur in a historically at-risk community.

Table 5: U.S. census data for Park Forest, Cook County, and Illinois. (USCB, 2024)

| Category | Niles | Cook County | Illinois |
|--|----------|-------------|------------|
| Total Population | 29,513 | 5,087,072 | 12,549,689 |
| Under 18 years | 17.5% | 20.7% | 21.6% |
| Under 5 years | 4.7% | 5.2% | 5.3% |
| White | 66.3% | 65.2% | 76.0% |
| Black or African American | 2.1% | 23.3% | 14.6% |
| American Indian and Alaska Native | 0.6% | 0.8% | 0.6% |
| Asian | 21.4% | 8.3% | 6.3% |
| Native Hawaiian and Other Pacific Islander | 0.1% | 0.1% | 0.1% |
| Hispanic or Latino of any race | 12.0% | 27.0% | 19.0% |
| High School Graduate or Higher | 89.4% | 88.2% | 90.1% |
| Bachelor's Degree or Higher | 40.1% | 41.3% | 36.7% |
| Median Household Income | \$75,783 | \$78,304 | \$78,433 |
| Below Poverty Level | 7.7% | 13.7% | 11.6% |

Alternative Impacts

Alternative 1 or Alternative 2 would have no short-term or long-term adverse impacts to socioeconomics within and adjacent to the project area. There would be temporary and insignificant impacts to noise and the aesthetic environment during construction of either Alternative 1 or Alternative 2. Alternative 1 and Alternative 2 are expected to have a beneficial impact on the Niles community, since the project would expand storm sewer infrastructure within the Lawrencewood Gardens and Oasis neighborhoods that have experienced frequent flooding in low-lying areas since 2008.

There would be long-term adverse effects to socioeconomics under the No Action Alternative from continued flooding during large storm events.

USACE analyzed whether construction of either Alternative 1 or Alternative 2 would have a disproportionate impact on at-risk communities. To evaluate potential disproportional impacts to these communities, socioeconomic data from Cook County, the State of Illinois, and nationwide was compared to socioeconomic data for the Village of Niles. The Proposed Action would not occur in a historically at-risk community. Therefore, no short-term or long-term effects to at-risk communities are expected for Alternative 1 or Alternative 2.

No short-term or long-term effects to at-risk communities are expected for the No Action Alternative as the project area is not within an at-risk community.

3.6.4. Public Utilities and Infrastructure

Existing Condition

The project area is serviced by standard utilities such as water, sanitary sewer, gas, and

electric. The transportation system in the Niles area is comprised of U.S. Highway, state, and local road systems. Niles is served by the Union Pacific Northwest Line and Milwaukee District North Line of the regional Metra rail system; the closest stations are approximately one mile northeast and southwest of the project area. Niles is served by the Pace regional bus system and a free bus service that runs within the Village of Niles.

Within the project area, most roadways are local roads or streets (Illinois DOT, 2024); only North Harlem Avenue is a principal arterial road, maintained by the State of Illinois as State Route 43 (Illinois DOT, 2024). Pace bus service runs on North Harlem Avenue and West Mulford Street within the project area.

Alternative Impact

Alternative 1 and Alternative 2 would have beneficial long-term effects on utilities within the project area by reducing the frequency and severity of inundation during large storm events. Under Alternative 1 and Alternative 2, there would be insignificant short-term impacts to the sanitary sewer system due to limited removal and replacement, but no long-term impacts. Construction of Alternative 1 or Alternative 2 would occur in the road ROW where other utilities are present, but standard construction practices would include locating other utilities before construction to avoid impacts. No utility conflicts are anticipated.

Alternative 1 and Alternative 2 would have short-term minor impacts to transportation and traffic circulation within the area from construction activities. Alternative 1 and Alternative 2 would require lane closures on North Harlem Avenue and West Mulford Street for approximately 20 to 30 days, resulting in minor short-term impacts. Under either alternative, transportation and traffic circulation impacts would be limited to the project area. Both Alternative 1 and Alternative 2 would have long-term beneficial impacts to transportation by reducing the extent and frequency of roadway inundation during large storm events.

The No Action Alternative would have long-term significant adverse impacts to utilities and transportation and traffic circulation through continued inundation during large storm events.

3.7. Hazardous, Toxic, and Radioactive Waste (HTRW)

Existing Condition

A Phase I Hazardous, Toxic, and Radioactive Waste (HTRW) Environmental Site Assessment (ESA) was completed for the project area in accordance with ASTM Practice E 1527-21 and USACE Engineer Regulation 1165-2-132. The investigation relied on user provided information, site reconnaissance, and a review of reasonably ascertainable environmental records to determine the likelihood that the project area contains a recognized environmental condition (REC) or HTRW. The Phase I ESA was conducted in accordance with ASTM Standard Practice E-1527-21 and constitutes “all

appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice,” as defined at 42 USC §9601(35) (B). The Phase I ESA did not identify any RECs at the subject property, or any offsite property likely to impact the project.

Alternative Impacts

In accordance with ER 1165-2-132, *Hazardous Toxic, and Radioactive Waste for USACE Civil Works Projects*, construction of civil works projects in HTRW contaminated areas would be avoided where practicable. Where HTRW-contaminated areas or impacts cannot be avoided, response actions, including excavation and disposal of contaminated soils, would be implemented in accordance with USEPA and applicable state regulatory agency requirements. All HTRW response actions, including off-site disposal of materials containing elevated concentrations of contaminants, is a 100% non-federal project sponsor responsibility. Excess soil management and/or waste disposal would be conducted in accordance with federal, state, and local laws and regulations.

No impacts to HTRW contaminated areas are expected under Alternative 1, Alternative 2, or the No Action Alternative as the Phase I ESA did not identify any RECs within or immediately adjacent to the project area that would be likely to impact the project.

3.8. Irreversible and Irretrievable Commitment of Resources

Alternative 1 and Alternative 2 would not entail significant irretrievable or irreversible commitments of resources. Long-term sustainability actions were included for the benefit of environmental resources.

3.9. Short-Term Uses of Man’s Environment and Long-Term Productivity

Alternative 1 and Alternative 2 would repair the aging and deteriorating storm sewers in the project area, which would reduce the potential for flooding and failure. Under the No Action Alternative, no project would be implemented. Therefore, the potential for failure of water mains would increase over time and the potential for service disruptions would not be reduced in the project area vicinity.

3.10. Probable Adverse Effects Which Cannot Be Avoided

There are no probable adverse effects which cannot be avoided from the implementation of the recommended plan.

4. COORDINATION AND COMPLIANCE

4.1. Regulatory Requirements

Upon implementation, the Proposed Action will comply with appropriate statutes, executive orders, and regulations, including but not limited to the National Historic Preservation Act, as amended, Fish and Wildlife Coordination Act, as amended, Endangered Species Act of 1973, as amended, Section 10 of Rivers and Harbors Act of 1899, Clean Air Act, as amended, National Environmental Policy Act of 1969, as amended, Executive Order 11990 (Protection of Wetlands), Executive Order 11988 (Floodplain Management), Migratory Bird Treaty Act of 1918, the Bald and Golden Eagle Protection Act of 1940, as amended, and the Clean Water Act, as amended.

During preparation of this Draft EA, numerous federal and state agencies were consulted, including the USFWS, Illinois SHPO, Illinois Department of Natural Resources (DNR), and Tribes. The NEPA scoping process extended from June 3, 2024 through July 6, 2024. An additional NEPA scoping process occurred between January 30, 2025 through March 1, 2025 after the scope and location of the project changed in fall 2024. Public review of this Draft EA and FONSI is ongoing. The public was notified of the Draft EA via notices to identified project stakeholders and postings on the district's webpage. For documentation of coordination, refer to Appendix B. Refer to Appendix C for the project distribution list.

The Final EA will be made available for access by the general public on the USACE Digital Library¹ and will be linked to from the USACE Great Lakes and Ohio River Division webpage².

4.1.1. National Historic Preservation Act

Section 106 of the National Historic Preservation Act (16 USC § 470) requires federal agencies to consider the effects of proposed federal undertakings on historic properties included or eligible for the National Register of Historic Places. The implementing regulations for Section 106 (36 CFR § 800) require federal agencies to consult with various parties, including the Illinois SHPO, and Indian Tribes, to identify and evaluate historic properties, and to assess and resolve effects to historic properties. USACE determined that there would be no historic properties affected by the proposed undertaking. In a letter dated, March 31, 2025, the Illinois SHPO concurred with this determination. Tribal coordination is described in Section 4.2.2 below.

4.1.2. Endangered Species Act

Section 7 of the Endangered Species Act requires USACE to ensure their activities are not likely to jeopardize the continued existence of federally listed species or destroy or adversely modify designated critical habit. USACE accessed the USFWS IPaC website

¹ <https://usace.contentdm.oclc.org/>

² <https://www.lrd.usace.army.mil/>

on April 8, 2025, to determine whether endangered, threatened, proposed, or candidate species could potentially be present in the project area, and if the project area overlapped with any designated or proposed critical habitat. The results of the IPaC search are shown in Section 3.5.3. Using the list provided by IPaC, the Chicago District used best available information to evaluate whether the species on the IPaC list would be potentially affected by the Proposed Action. Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, USACE determined the Proposed Action would have “no effect” on federally listed species or their designated critical habitat due to the projects occurring in areas where there is no suitable habitat present for the identified species.

4.1.3. Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act requires consultation with the state and USFWS for recommendations to minimize impacts on fish and wildlife resources. Because the project would not affect or modify surface waters, including wetlands, consultation under the Fish & Wildlife Coordination Act (FWCA), 16 USC § 661 et seq., is not required.

4.2. Public Review and Agency Coordination

4.2.1. Illinois State Historic Preservation Office

USACE consulted with the Illinois SHPO to identify and evaluate historic properties, and to assess and resolve effects to historic properties pursuant to regulations for Section 106 (36 CFR § 800) of the NRHP (16 USC § 470). USACE has determined that no historic properties would be affected by the proposed undertaking. The Illinois SHPO concurred with this determination in a letter dated March 31, 2025 (Appendix B).

4.2.2. Tribal Coordination

Pursuant to regulations for Section 106 (36 CFR § 800) of the National Historic Preservation Act (54 USC § 306108), USACE has consulted with the Citizen Potawatomi Nation of Oklahoma, the Forest County Potawatomi Community of Wisconsin, Hannahville Indian Community of Michigan, Kickapoo Tribe of Oklahoma, Little Traverse Bay Bands of Odawa Indians of Michigan, Menominee Indian Tribe of Wisconsin, Miami Tribe of Oklahoma, and the Prairie Band Potawatomi Nation (Appendix B). In a letter dated July 3, 2024, the Prairie Band Potawatomi Nation indicated that they were unaware of any potential resources or sites affected by the Proposed Action but requested to be notified and consulted if any cultural artifacts or remains are located during the project.

4.2.3. Illinois Department of Natural Resources

Coordination with the Illinois DNR occurred during the second scoping effort. In a letter dated February 28, 2025, the agency stated that while “the natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action”, the agency “has evaluated this information and concluded that adverse effects are unlikely.”

The project area is outside the boundaries of Illinois DNR's Coastal Management Program (CMP); therefore, coordination with the CMP did not occur for this project.

4.2.4. U.S. Fish and Wildlife Service

USACE made a "no effect" determination pursuant to Section 7 of the Endangered Species Act. No further coordination is required under this act. Full discussion of USFWS coordination leading up to this determination is discussed in Section 4.1.

5. REFERENCES

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Appendix A – Vehicle and Equipment Usage for Design Alternatives

Draft Environmental Assessment Village of Niles Stormwater Improvement Project - Phase 3

Alternative 1: Trenchless Installation (3 Jacking Pits and 2 Receiving Pits)

Excavate and Backfill Jacking and Receiving Pits

Medium excavator (CAT 335) – 8 hours per day for 6 days.

Skid steer (CAT 249) - 4 hours per day for 6 days.

Semi dump trucks – 6 trucks per day for 6 days.

Excavate and Install 2 Manholes not at Receiving Pits

Medium excavator (CAT 335) – 8 hours per day for 2 days.

Small wheel loader (CAT 926) – 8 hours per day for 2 days.

Skid steer (CAT 249) - 4 hours per day for 2 days.

Semi dump trucks – 3 trucks per day for 2 days.

Bore and Jack 48” and 54” Storm Sewers

Engine Driven Boring Machine – 8 hours per day for 14 days.

Truck-Mounted Crane (National Crane 600E2) – 8 hours per day for 14 days.

Small wheel loader (CAT 926) – 4 hours per day for 14 days.

Semi dump trucks – 2 trucks per day for 14 days.

Open-Cut 18” Storm and Laterals

Medium excavator (CAT 325) – 8 hours per day for 3 days.

Small wheel loader (CAT 926) - 8 hours per day for 3 days.

Skid steer (CAT 249) - 4 hours per day for 3 days.

Semi dump trucks – 5 trucks for 8 hours per day for 3 days.

Restoration of Road

Paver (AP455) – 8 hours per day for 2 days.

Roller (CB4.4) – 2 rollers for 8 hours per day for 3 days.

Skid steer (CAT 249) – 8 hours per day for 3 days.

Semi dump trucks – 4 trucks for 8 hours per day for 3 days.

Alternative 2: Open-Cut

Install 18", 48" and 54" Storm Sewers and Manholes (Including 12" laterals)

Medium excavator (CAT 335) – 8 hours per day for 11 days.

Small wheel loader (CAT 926) – 8 hours per day for 11 days.

Skid steer (CAT 249) – 2 hours per day for 11 days.

Semi dump trucks –13 trucks for 8 hours per day for 11 days.

Remove and Replace 30" Sanitary Sewer

Medium excavator (CAT 335) – 8 hours per day for 2 days.

Small wheel loader (CAT 926) – 8 hours per day for 2 days.

Skid steer (CAT 249) – 2 hours per day for 2 days.

Semi dump trucks –7 trucks for 8 hours per day for 2 days.

Restoration of Road

Paver (AP455) – 8 hours per day for 2 days.

Roller (CB4.4) – 2 rollers for 8 hours per day for 3 days.

Skid steer (CAT 249) – 8 hours per day for 3 days.

Semi dump trucks –4 trucks for 8 hours per day for 3 days.

No Action Alternative

No project would occur under the No Action Alternative. Therefore, no equipment would be needed, and no emissions would occur.



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Appendix B – Coordination

Draft Environmental Assessment Village of Niles Stormwater Improvement Project - Phase 3

- Scoping Responses
- Resource Coordination



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Scoping Responses



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT
231 SOUTH LASALLE STREET, SUITE 1500
CHICAGO IL 60604

June 4, 2024

Planning Branch
Planning, Programs and Project Management

Dear Recipient:

The U.S Army Corps of Engineers, Chicago District (USACE) will be preparing a National Environmental Policy Act (NEPA) document on the impacts associated with a proposed environmental infrastructure project in the Village of Niles, Cook County, Illinois pursuant to Section 219 of the Water Resources Development Act of 1992, as amended.

The Village of Niles is working with USACE to improve the storm sewer system in the Lawrencewood Gardens and Oasis neighborhoods (Enclosure 1). Approximately 2,800 linear feet (LF) of new 54-inch diameter storm sewer pipe would be installed between North Nordica Avenue and North Harlem Avenue to reestablish positive drainage from depressional areas. This would be the second phase of the project; the first phase, completed in 2019, installed 1,000 LF of 54-inch diameter storm sewer along West Howard Avenue between the North Branch of the Chicago River and North Nordica Avenue.

As part of the NEPA scoping process, USACE is seeking comments or concerns regarding potential impacts from the proposed project. Enclosure 2 is a list of state and federal agencies, tribal nations, and elected officials receiving this request. If you have any comments or concerns, please provide them in writing by July 6, 2024 to Mr. Andrew Miller, Landscape Architect, via email at andrew.j.miller2@usace.army.mil.

Sincerely,

BUCARO.DAVID
.F.1245178677


Digitally signed by
BUCARO.DAVID.F.1245178677
Date: 2024.06.04 13:14:26
-05'00'

David F. Bucaro, P.E., PMP, WRCP
Chief, Planning Branch
Chicago District


Enclosures
1 – Project Map
2 – Distribution List




Scope: Construction of a new 54-inch diameter storm sewer, approximately 2,800 feet in length.



Legend

 Storm Sewer



0 25 50 100 150 200

Feet

Village of Niles
Lawrencewood Gardens and
Oasis Neighborhood Stormwater
Improvement Project

For Official Use Only
May 2024

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Mr. Ronnie Strzelecki

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Village of Niles Lawrencewood Gardens and Oasis Neighborhood Stormwater Improvement Project
Enclosure 2 – Distribution List

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**The Honorable Kenneth Meshigaud,
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Village of Niles Lawrencewood Gardens and Oasis Neighborhood Stormwater Improvement Project
Enclosure 2 – Distribution List

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July 3, 2024

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Chicago, IL 60604
312-846-5571
andrew.j.miller2@usace.army.mil

Re: NEPA Scoping - Village of Niles Lawrencewood Gardens and Oasis Neighborhood Stormwater Improvement Project

Dear Mr. Miller,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Prairie Band Potawatomi, a Federally Recognized Native American Tribe, reserves the right to comment on Federal undertakings, as defined under the act.

This response pertains to the project mentioned above. Based on your description, we are unaware of any potential resources or sites affected. This is not to say that such a site may not exist, just that this office does not have any available information of the area(s) at this time. Should there be any findings the Tribe reserves the right to consider the new evidence. Second, in the event that human remains or archaeological materials are exposed as a result of project activities then work must halt and the Tribe must be included in any further discussion regarding treatment and disposition of the findings prior to its removal. We would also like to request any archeological surveys or documents from the SHPO that you have on file.

Tara Mitchell, Deputy Tribal Historic Preservation Officer, will be the primary contact. Her contact information is 785-966-3984 or email TaraMitchell@pbpnation.org. Please CC myself as a secondary contact.

Your interest in protecting PBPB's cultural and historic properties is appreciated. If you have any questions or concerns, please contact me at the email or number listed below.

Respectfully,

Raphael J Wahwassuck
Tribal Council Member
Tribal Historic Preservation Officer
16281 Q Road, Mayetta, KS 66509



Office: 785-966-4048

Cell: 785-581-2517

RaphaelWahwassuck@pbpnation.org



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT
231 SOUTH LASALLE STREET, SUITE 1500
CHICAGO IL 60604

January 30, 2025

Planning Branch
Planning, Programs and Project Management

Dear Recipient:

The U.S. Army Corps of Engineers, Chicago District (USACE) will be preparing a National Environmental Policy Act (NEPA) document on the impacts associated with a proposed environmental infrastructure project in the Village of Niles, Cook County, Illinois pursuant to Section 219 of the Water Resources Development Act of 1992 ("Section 219"), as amended. This letter updates a previous notice sent on June 6, 2024 because the scope of the proposed project changed slightly, as described below.

The Village of Niles is working with USACE to improve the storm sewer system in the Lawrencewood Gardens and Oasis neighborhoods. Approximately 800 linear feet (LF) of storm sewer ranging from 12 to 54 inches in diameter would be installed along North Harlem Avenue (between West Mulford Street and West Harvard Street) and West Mulford Street (between North Harlem Avenue and North Oconto Avenue) to reestablish positive drainage from depressional areas (Enclosure 1). Approximately 200 LF of 30-inch diameter sanitary sewer would be removed and replaced. Approximately 300 LF of existing sanitary sewer pipe would be abandoned in place. Additionally, approximately 800 LF of roadway restoration with curb and gutter rehabilitation would occur in the public road right of way.

This would be the third phase of the project. Phase 1, completed in 2019, installed 1,000 LF of 54-inch diameter storm sewer along West Howard Avenue between the North Branch of the Chicago River and North Nordica Avenue. Phase 2 involves installation of 2,800 LF of 54-inch diameter storm sewer pipe between North Nordica Avenue and North Harlem Avenue. The Village of Niles originally planned to use Section 219 funding to complete Phase 2 as outlined in a NEPA scoping letter dated June 6, 2024. Instead, the Village of Niles will use non-federal funds to complete Phase 2 and use Section 219 funding to complete Phase 3.

As part of the NEPA scoping process, USACE is seeking comments or concerns regarding potential impacts from the proposed project. Enclosure 2 is a list of state and federal agencies, tribal nations, and elected officials receiving this request. If you have any comments or concerns, please provide them in writing by March 1, 2025 to Mr. Andrew Miller, Landscape Architect, via email at andrew.j.miller2@usace.army.mil.

Sincerely,


BUCARO.DAVID
.F.1245178677

Digitally signed by
BUCARO.DAVID.F.1245178677
Date: 2025.01.28 07:05:37
-06'00'

David F. Bucaro, P.E., PMP, WRCP
Chief, Planning Branch
Chicago District


Enclosures
1 – Revised Project Map
2 – Distribution List

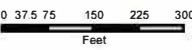




**U.S. Army Corps
Of Engineers®**
Chicago District

Legend
Storm Sewer
— Phase 2
▨ Phase 3





**Village of Niles
Lawrencewood Gardens and
Oasis Neighborhood Stormwater
Improvement Project**

----- Federal Agencies -----

Mr. Bobb A. Beauchamp

Federal Aviation Administration
Chicago Airports District Office, CHI-ADO-600
bobb.beauchamp@faa.gov

Ms. Deb Bartell

Federal Aviation Administration
deb.bartell@faa.gov

Mr. Johnathan Walls

USDA APHIS Wildlife Services
Johnathan.Walls@usda.gov

Mr. Shawn Cirton

U.S. Fish and Wildlife Service
Chicago Field Office
shawn_cirton@fws.gov

Mr. Kraig McPeck

U.S. Fish and Wildlife Service
Chicago Field Office
kraig_mcpeek@fws.gov

Elizabeth Pelloso

NEPA Implementation Section USEPA, Region 5
Pelloso.Elizabeth@epa.gov

USEPA

Region 5
R5NEPA@epa.gov

----- Federal Elected Officials -----

Senator Tammy Duckworth

U.S. Senate
Lizzy_Olsen@duckworth.senate.gov
Loren_Harris@duckworth.senate.gov

Senator Dick Durbin

U.S. Senate
clarisol_duque@durbin.senate.gov
Alyssa_Fisher@durbin.senate.gov

Representative Jan Schakowsky

U.S. House of Representatives
Jan.schakowsky@house.mail.gov

----- State Agencies -----

Director Natalie Phelps Finnie

Illinois Department of Natural Resources
natalie.finnie@illinois.gov

Mr. Bradley Hayes

Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Bradley.Hayes@illinois.gov

Mr. Loren Wobig

Illinois Department of Natural Resources
Office of Water Resources
loren.wobig@illinois.gov

Director John J. Kim

Illinois Environmental Protection Agency
john.j.kim@illinois.gov

Mr. James Jennings

Illinois Environmental Protection Agency
Bureau of Water
james.m.jennings@illinois.gov

----- State Elected Officials -----

Governor J.B. Pritzker

Office of the Governor
governor@state.il.us
nancy.huynh@illinois.gov

Senator Ram Villivalam

Illinois General Assembly
senator@senatorram.com

Representative Michael J. Kelly

Illinois General Assembly
district@repkelly.com

----- Local Agencies -----

Mr. Toni Dati

Village of Niles - Department of Public Works
aad@vniles.com

Mr. Ronnie Strzelecki

Village of Niles - Department of Public Works
rjs@vniles.com

Village of Niles Lawrencewood Gardens and Oasis Neighborhood Stormwater Improvement Project
Enclosure 2 – Distribution List

Mr. Joseph La Margo
Village of Niles - Administration
manager@vniles.com

Ms. Valerie Marshall
Niles-Maine District Library
vmarshal@nileslibrary.org

----- Local Elected Officials -----

Commissioner Josina Morita
Cook County Board of Commissioners
Josina.Morita@cookcountyil.gov

Commissioner Samantha Steele
Cook County Board of Review
BORDistrict2@info.cookcountyil.gov

Mayor George D. Alpogianis
Village of Niles
Mayor@vniles.com

Ms. Danette O'Donovan Matyas
Village of Niles Board of Trustees
Public Works Committee
dom@vniles.com

----- Tribal Nations -----

The Honorable John Barrett, Chairman
Citizen Potawatomi Nation, Oklahoma
jbarrett@potawatomi.org

Mr. Blake Norton
Tribal Historic Preservation Officer
cpnthpo@potawatomi.org

The Honorable James Crawford, Chairman
Forest County Potawatomi
Community of Wisconsin
james.crawford@fcp-nsn.gov

Ms. Olivia Nunway
Assistant Tribal Historic Preservation Officer
Olivia.Nunway@fcp-nsn.gov

The Honorable Kenneth Meshigaud, Chairperson
Hannahville Indian Community, Michigan
tyderyien@hannahville.org

The Honorable Darwin Kaskaske, Chairman
Kickapoo Tribe of Oklahoma
darwin.kaskaske@okkt.net

Ms. Pam Wesley
NAGPRA Representative
pamwesley@kickapootribeofoklahoma.com

The Honorable Regina Gasco-Bentley, Chairperson
Little Traverse Bay Bands of Odawa Indians of Michigan
tribalchair@ltbbodawa-nsn.gov

Ms. Melissa Wiatrolik
Tribal Historic Preservation Officer
MWiatrolik@LTBBODAWA-NSN.GOV

The Honorable Gena Kakkak, Chairman
Menominee Indian Tribe of Wisconsin
chairman@mitw.org

Mr. David Grignon
Tribal Historic Preservation Officer
dgrignon@mitw.org
mitwadmin@mitw.org

The Honorable Douglas Lankford, Chief
Miami Tribe of Oklahoma
dlankford@miamination.com

Mr. Logan York
Tribal Historic Preservation Officer
THPO@MiamiNation.com

The Honorable Joseph Rupnick, Chairperson
Prairie Band Potawatomi Nation
josephrupnick@pbnation.org

Ms. Tara Mitchell
Deputy Tribal Historic Preservation Officer
taramitchell@pbnation.org

Mr. Raphael Wahwassuck
Tribal Historic Preservation Officer
raphaelwahwassuck@pbnation.org

Village of Niles Lawrencewood Gardens and Oasis Neighborhood Stormwater Improvement Project
Enclosure 2 – Distribution List



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

JB Pritzker, Governor

Natalie Phelps Finnie, Director

February 28, 2025

Andrew Miller
Chicago District USACE
231 S. LaSalle Street, Suite 1500
Chicago, IL 60604

**RE: Village of Niles Lawrencewood Gardens and Oasis Neighborhood Stormwater Improvement Project,
Phase 3**

Project Number(s): 2510134
County: Cook

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

However, the Department recommends the following conservation measures:

If tree clearing is necessary, the Department recommends removing trees between November 1st and March 31st to avoid impacts to bats and birds.

Good housekeeping practices should be implemented and maintained during and after construction to prevent trash and other debris from inadvertently blowing or washing into nearby natural areas.

Soil erosion and sediment control BMPs should be implemented and properly maintained. Wildlife-friendly plastic-free blanket should be used to prevent the entanglement of native wildlife.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, 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, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Alex Davis

Alex Davis
Division of Ecosystems and Environment
217-785-5500

Applicant: Chicago District USACE
Contact: Andrew Miller
Address: 231 S. LaSalle Street, Suite 1500
Chicago, IL 60604

IDNR Project Number: 2510134
Date: 02/28/2025

Project: Village of Niles Lawrencewood Gardens and Oasis Neighborhood Stormwater
Address: Improvement Project, Phase 3
North Harlem Ave, Niles

Description: The Village of Niles is working with USACE to improve the storm sewer system in the Lawrencewood Gardens and Oasis neighborhoods. Approximately 800 linear feet (LF) of storm sewer ranging from 12 to 54 inches in diameter would be installed along North Harlem Avenue (between West Mulford Street and West Harvard Street) and West Mulford Street (between North Harlem Avenue and North Oconto Avenue) to reestablish positive drainage from depressional areas (Enclosure 1). Approximately 200 LF of 30-inch diameter sanitary sewer would be removed and replaced. Approximately 300 LF of existing sanitary sewer pipe would be abandoned in place. Additionally, approximately 800 LF of roadway restoration with curb and gutter rehabilitation would occur in the public road right of way.

Natural Resource Review Results

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Clayton F. Smith Woods INAI Site
St. Paul's Forest Preserve INAI Site

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

Location

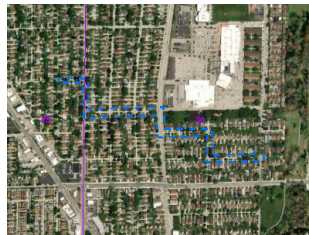
The applicant is responsible for the accuracy of the location submitted for the project.

County: Cook

Township, Range, Section:

41N, 12E, 25

41N, 13E, 30



IL Department of Natural Resources

Contact

Alex Davis
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction

U.S. Army Corps of Engineers

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 regulations is required.

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 use the website.

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 Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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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.

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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.



US Army Corps of Engineers®

Chicago District
Planning Branch
231 South La Salle Street
Suite 1500
Chicago, Illinois 60604
312-353-6400

Resource Coordination



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Chicago Ecological Service Field Office

1511 47th Ave

Moline, IL 61265-7022

Phone: (309) 757-5800



In Reply Refer To:

04/08/2025 21:59:47 UTC

Project Code: 2025-0021646

Project Name: 219 - Niles Stormwater Improvements

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

Additionally, please note that on March 23, 2022, the Service published a proposal to reclassify the northern long-eared bat (NLEB) as endangered under the Endangered Species Act. The U.S. District Court for the District of Columbia has ordered the Service to complete a new final listing

determination for the NLEB by November 2022 (Case 1:15-cv-00477, March 1, 2021). The bat, currently listed as threatened, faces extinction due to the range-wide impacts of white-nose syndrome (WNS), a deadly fungal disease affecting cave-dwelling bats across the continent. The proposed reclassification, if finalized, would remove the current 4(d) rule for the NLEB, as these rules may be applied only to threatened species. Depending on the type of effects a project has on NLEB, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective (anticipated to occur by December 30, 2022). If your project may result in incidental take of NLEB after the new listing goes into effect this will first need to be addressed in an updated consultation that includes an Incidental Take Statement. If your project may require re-initiation of consultation, please contact our office for additional guidance.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and

their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chicago Ecological Service Field Office

1511 47th Ave

Moline, IL 61265-7022

(309) 757-5800

PROJECT SUMMARY

Project Code: 2025-0021646

Project Name: 219 - Niles Stormwater Improvements

Project Type: Wastewater Pipeline - New Constr - Below Ground

Project Description: The recommended plan includes the construction of approximately 3,500 linear feet (LF) of storm sewer ranging from 12-inch to 54-inch in diameter and 3,100 LF of roadway restoration with curb and gutter rehabilitation in the public right of way (ROW) along Harlem Avenue, Mulford Street, Nora Avenue, Oconto Avenue, Octavia Avenue, and Odell Avenue. New storm sewers would connect depressional areas prone to flooding on Harlem Avenue, Oconto Avenue, and Mulford Street to a 54-inch relief storm sewer at the intersection of Harlem Avenue and W. Harvard Street. The storm sewers would be constructed with open cut methods under the roadway, which would reduce impacts to the trees in the parkway.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.021019749999994,-87.80745124671526,14z>



Counties: Cook County, Illinois

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

| NAME | STATUS |
|---|--|
| <p>Rufa Red Knot <i>Calidris canutus rufa</i></p> <p>There is proposed critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1864</p> | Threatened |
| <p>Whooping Crane <i>Grus americana</i></p> <p>Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY)</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/758</p> | Experimental Population, Non-Essential |

REPTILES

| NAME | STATUS |
|--|------------|
| <p>Eastern Massasauga (=rattlesnake) <i>Sistrurus catenatus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/2202</p> | Threatened |

INSECTS

| NAME | STATUS |
|--|---------------------|
| <p>Hine's Emerald Dragonfly <i>Somatochlora hineana</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/7877</p> | Endangered |
| <p>Monarch Butterfly <i>Danaus plexippus</i></p> <p>There is proposed critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/9743</p> | Proposed Threatened |

FLOWERING PLANTS

| NAME | STATUS |
|--|------------|
| <p>Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> Follow the guidance provided at https://www.fws.gov/midwest/endangered/section7/s7process/plants/epfos7guide.html <p>Species profile: https://ecos.fws.gov/ecp/species/601</p> | Threatened |
| <p>Leafy Prairie-clover <i>Dalea foliosa</i></p> <p>Population:</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/5498</p> | Endangered |

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Army Corps of Engineers
Name: Andrew Miller
Address: 231 S La Salle St
Address Line 2: Suite 1500
City: Chicago
State: IL
Zip: 60604
Email: andrew.j.miller2@usace.army.mil
Phone: 3128465571

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT
231 SOUTH LASALLE STREET, SUITE 1500
CHICAGO IL 60604

March 6, 2025

Environmental & Cultural Resources Section
Planning Branch

SUBJECT: Village of Niles Stormwater Improvement Project, Cook County, Illinois

Ms. Natalie Phelps Finnie
State Historic Preservation Officer
Old State Capitol Building
One Old State Capitol Plaza
Springfield, IL 62701

Dear Ms. Phelps Finnie:

The U.S. Army Corps of Engineers, Chicago District (USACE) proposes to replace storm sewers (undertaking) in the Village of Niles, Cook County, Illinois (Figure 1). The purpose of the project is to replace storm sewers in the Lawrencewood Gardens and Oasis neighborhoods to improve drainage. As part of our review under Section 106 of the National Historic Preservation Act, USACE has determined that the proposed federal action is an undertaking that has the potential to affect historic properties. This letter provides a brief project description, documents the area of potential effect (APE), summarizes the efforts to identify historic properties, and provides agency findings as provided at 36 C.F.R. § 800.4. We request your agreement with our finding that there will be no historic properties affected by the proposed undertaking.

The proposed project is Phase 3 of a broader stormwater improvement project in Niles. Phase 3 is also the only portion of the project cost-shared by USACE under Section 219 of the Water Resources Development Act of 1992. Phase 1 was completed in 2019, and Phase 2 will be completed using non-federal funding only. Phase 3 involves the removal and replacement of approximately 200 linear feet of 30-inch diameter sanitary sewer, the abandonment in place of approximately 300 linear feet of sanitary sewer, and the rehabilitation of approximately 800 linear feet of roadway, curbs, and gutters on North Harlem Avenue and West Mulford Street. Phase 2 involves the installation of approximately 2,800 linear feet of 54-inch diameter storm sewer pipe on streets between North Nordica Avenue and North Harlem Avenue (Figure 2). The maximum width of the excavation area for Phases 2 and 3 would be approximately 19 feet and the maximum depth would be 20.5 feet. All work would be conducted in previously disturbed soil of the public rights-of-way for both phases.

Phase 3 of the undertaking is located in Section 25, Township 41 North, Range 12 East and Phase 2 is located in Section 30, Township 41 North, Range 13 East. Both are in Cook County, Illinois (Figure 3). The APE for the undertaking encompasses the

project area, including staging and access routes, and totals approximately 0.76 acres for Phase 3 and 2.52 acres for Phase 2. USACE believes that the APE is sufficient to identify and consider potential effects of the proposed project.

USACE has conducted a records search and literature review of the project APE on the Illinois Inventory of Archaeological Sites and the National Register of Historic Places (NRHP). The literature review and records search revealed that there are no previously known archaeological sites or historic properties listed in the NRHP within the project APE. A historic habitation site (11CK1404) sits adjacent to the Phase 2 APE but would not be impacted by the undertaking (Figure 4).

USACE is making a good faith effort to gather information from affected Tribes identified pursuant to 36 C.F.R. § 800.3(f). We have notified the Citizen Potawatomi of Oklahoma, the Forest County Potawatomi Community of Wisconsin, the Hannahville Indian Community of Michigan, the Kickapoo Tribe of Oklahoma, the Little Traverse Bay Bands of Odawa Indians of Michigan, Menominee Indian Tribe of Wisconsin, the Miami Tribe of Oklahoma, and the Prairie Band Potawatomi Nation to assist in identifying properties which may be of religious and cultural significance.

USACE has made a reasonable and good faith effort to identify historic properties that may be affected by this undertaking. As the project APE is entirely within the existing footprint of the roads in the Lawrencewood Gardens and Oasis neighborhoods, this precludes the presence of any intact archaeological deposits. For this reason and based on the results of the archival research, USACE has determined that there would be no historic properties affected by the proposed undertaking.

USACE requests your review and agreement with our finding of No Historic Properties Affected within 30 days of receipt of this letter. If you have any questions or desire additional information, please contact the project archaeologist, Ms. Alexis Jordan, at alexis.m.jordan@usace.army.mil or (312) 846-5445.

Sincerely,

A handwritten signature in black ink that reads "Alex Hoxsie". The signature is written in a cursive, flowing style.

Alex Hoxsie
Chief, Environmental & Cultural Resources
Planning Branch

Enclosures:

Figure 1: Project Vicinity Map

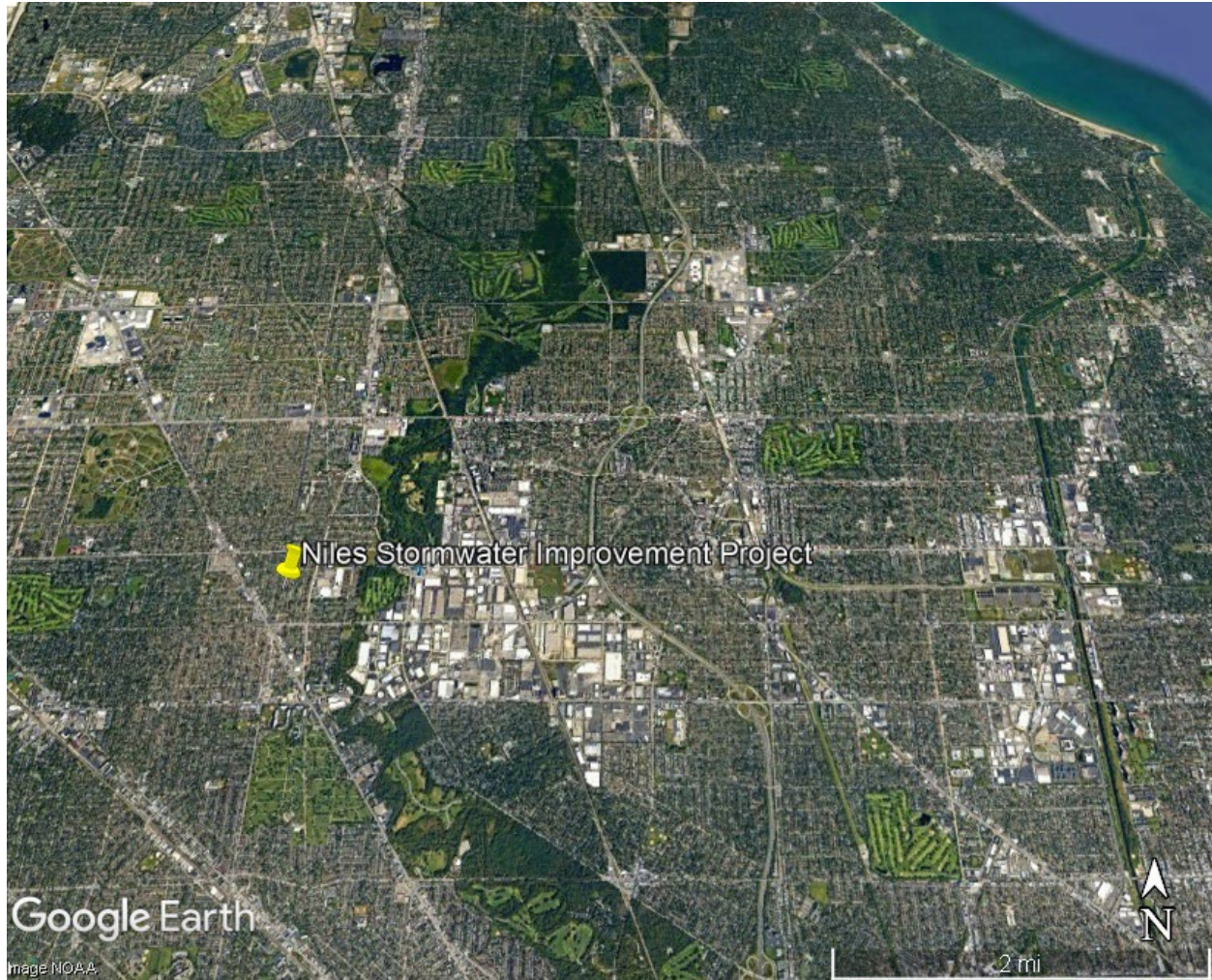


Figure 2: Project Location



Figure 4: Project APE & Adjacent Archaeological Sites

Village of Niles Stormwater Improvement Project
Federally & Non-Federally Funded Project Areas & Adjacent Archaeological Sites





Illinois
Department of
**Natural
Resources**

JB Pritzker, Governor • Natalie Phelps Finnie, Director
One Natural Resources Way • Springfield, Illinois 62702-1271

www.dnr.illinois.gov

**Cook County
Niles**

**Lawrencewood Gardens and Oasis Storm Sewer Replacement, Phase 3
Harlem Ave. between Harvard St. and Mulford St., Mulford St. between Harlem Ave. and Oconto Ave.
BAXTER-221551
SHPO Log #008021225**

March 31, 2025

**Alexis Jordan
U.S. Army Corps of Engineers, Chicago District
231 S. LaSalle St., Suite 1500
Chicago, IL 60604**

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with Section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Remains Protection Act (20 ILCS 3440).

If you have any further questions, please contact Rita Baker, Cultural Resources Manager, at (217) 785-4998 or at Rita.E.Baker@illinois.gov.

Sincerely,

**Carey L. Mayer, AIA
Deputy State Historic Preservation Officer**



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT
231 SOUTH LASALLE STREET, SUITE 1500
CHICAGO IL 60604

March 7, 2025

Environmental & Cultural Resources Section
Planning Branch

**Sample Tribal
coordination letter. See
Appendix C for list of all
recipients. No Tribal
responses received.*

SUBJECT: Village of Niles Stormwater Improvement Project, Cook County, Illinois

The Honorable John Barrett, Chairman
Citizen Potawatomi Nation, Oklahoma
1601 South Gordon Cooper Dr.
Shawnee, OK 74801

Dear Chairman Barrett,

The U.S. Army Corps of Engineers, Chicago District (USACE) proposes to replace storm sewers (undertaking) in the Village of Niles, Cook County, Illinois (Figure 1). The purpose of the project is to replace storm sewers in the Lawrencewood Gardens and Oasis neighborhoods to improve drainage. To assist in our review, we are requesting your assistance in gathering information you might have to identify properties which may be of religious or cultural significance that may be affected by the project, as specified by the implementing regulations for Section 106 as provided by the National Historic Preservation Act (36 C.F.R. § 800.4(a)(4)). Additionally, USACE would appreciate any comments, concerns, or modifications you might have about any potential environmental or social impacts from this proposed project. We request that you provide your comments by April 7, 2025.

The proposed project is Phase 3 of a broader stormwater improvement project in Niles. Phase 3 is also the only portion of the project cost-shared by USACE under Section 219 of the Water Resources Development Act of 1992. Phase 1 was completed in 2019, and Phase 2 will be completed using non-federal funding only. Phase 3 involves the removal and replacement of approximately 200 linear feet of 30-inch diameter sanitary sewer, the abandonment in place of approximately 300 linear feet of sanitary sewer, and the rehabilitation of approximately 800 linear feet of roadway, curbs, and gutters on North Harlem Avenue and West Mulford Street. Phase 2 involves the installation of approximately 2,800 linear feet of 54-inch diameter storm sewer pipe on streets between North Nordica Avenue and North Harlem Avenue (Figure 2). The maximum width of the excavation area for Phases 2 and 3 would be approximately 19 feet and the maximum depth would be 20.5 feet. All work would be conducted in previously disturbed soil of the public rights-of-way for both phases.

Phase 3 of the undertaking is located in Section 25, Township 41 North, Range 12 East and Phase 2 is located in Section 30, Township 41 North, Range 13 East. Both are in Cook County, Illinois (Figure 3). The APE for the undertaking encompasses the project area, including staging and access routes, and totals approximately 0.76 acres

for Phase 3 and 2.52 acres for Phase 2. USACE believes that the APE is sufficient to identify and consider potential effects of the proposed project.

USACE has conducted a records search and literature review of the project APE on the Illinois Inventory of Archaeological Sites and the National Register of Historic Places (NRHP). The literature review and records search revealed that there are no previously known archaeological sites or historic properties listed in the NRHP within the project APE. A historic habitation site (11CK1404) sits adjacent to the Phase 2 APE but would not be impacted by the undertaking (Figure 4). As the project APE is entirely within the existing footprint of the roads in the Lawrencewood Gardens and Oasis neighborhoods, this precludes the presence of any intact archaeological deposits.

If you have information, comments, or concerns regarding properties which may be of religious or cultural significance that you believe may be affected by this project, please contact Alexis Jordan, Project Archaeologist at alexis.m.jordan@usace.army.mil or (312) 846-5445. A copy of this letter with enclosures will be furnished to Blake Norton, Tribal Historic Preservation Officer.

Sincerely,

A handwritten signature in black ink that reads "Alex Hoxsie". The signature is written in a cursive, slightly slanted style.

Alex Hoxsie
Chief, Environmental & Cultural Resources
Chicago District

Enclosures

Figure 1: Project Vicinity Map

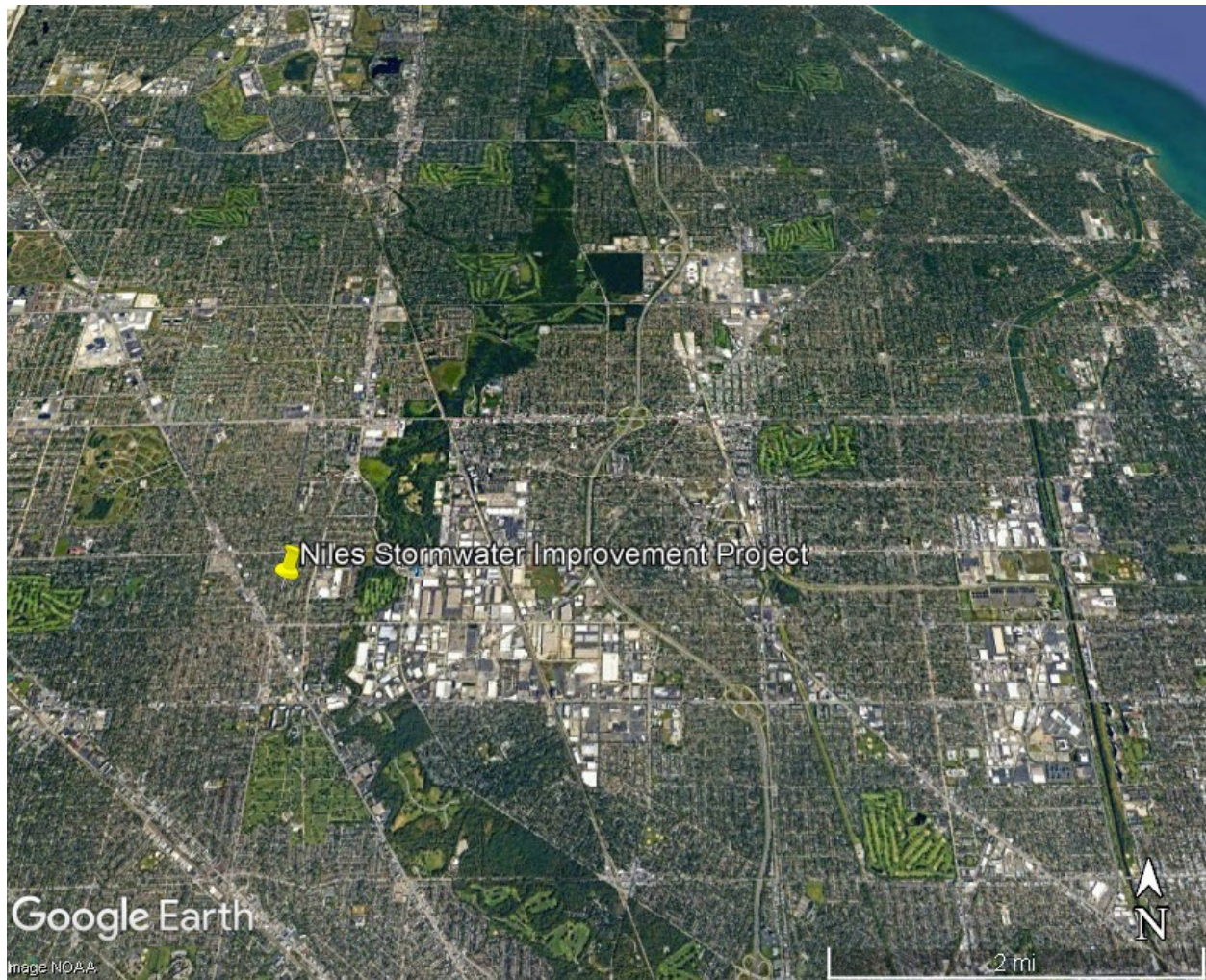


Figure 2: Project Location



Village of Niles Lawrencewood Gardens and Oasis Neighborhood Stormwater Improvement Project

Enclosure 1 – Revised Project Map

Figure 3: Project APE

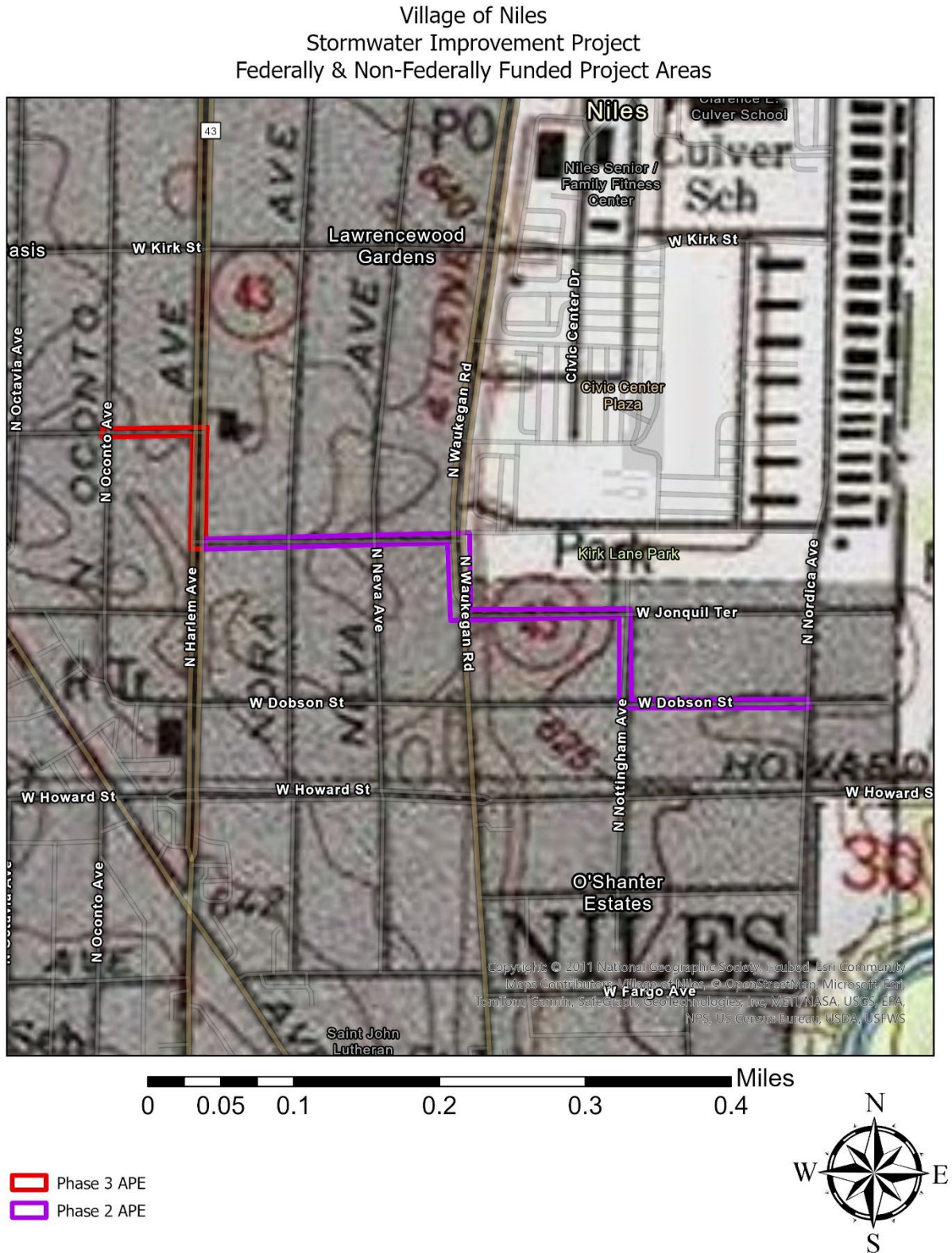


Figure 4: Project APE & Adjacent Archaeological Sites

Village of Niles Stormwater Improvement Project
Federally & Non-Federally Funded Project Areas & Adjacent Archaeological Sites





US Army Corps of Engineers®

Chicago District
Planning Branch
231 South La Salle Street
Suite 1500
Chicago, Illinois 60604
312-353-6400

Appendix C– Draft EA Distribution List

Draft Environmental Assessment Village of Niles Stormwater Improvement Project- Phase 3

----- Federal Agencies -----

Mr. Bobb A. Beauchamp

Federal Aviation Administration
Chicago Airports District Office, CHI-ADO-600
bobb.beauchamp@faa.gov

Ms. Deb Bartell

Federal Aviation Administration
deb.bartell@faa.gov

Mr. Johnathan Walls

USDA APHIS Wildlife Services
Johnathan.Walls@usda.gov

Mr. Shawn Cirton

U.S. Fish and Wildlife Service
Chicago Field Office
shawn_cirton@fws.gov

Mr. Kraig McPeck

U.S. Fish and Wildlife Service
Chicago Field Office
kraig_mcpeek@fws.gov

Elizabeth Pelloso

NEPA Implementation Section USEPA, Region 5
Pelloso.Elizabeth@epa.gov

USEPA

Region 5
R5NEPA@epa.gov

----- Federal Elected Officials -----

Senator Tammy Duckworth

U.S. Senate
Lizzy_Olsen@duckworth.senate.gov
Loren_Harris@duckworth.senate.gov

Senator Dick Durbin

U.S. Senate
clarisol_duque@durbin.senate.gov
Alyssa_Fisher@durbin.senate.gov

Representative Jan Schakowsky

U.S. House of Representatives
Jan.schakowsky@house.mail.gov

----- State Agencies -----

Director Natalie Phelps Finnie

Illinois Department of Natural Resources
natalie.finnie@illinois.gov

Mr. Bradley Hayes

Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Bradley.Hayes@illinois.gov

Mr. Loren Wobig

Illinois Department of Natural Resources
Office of Water Resources
loren.wobig@illinois.gov

Director John J. Kim

Illinois Environmental Protection Agency
john.j.kim@illinois.gov

Mr. James Jennings

Illinois Environmental Protection Agency
Bureau of Water
james.m.jennings@illinois.gov

----- State Elected Officials -----

Governor J.B. Pritzker

Office of the Governor
governor@state.il.us
nancy.huynh@illinois.gov

Senator Ram Villivalam

Illinois General Assembly
senator@senatorram.com

Representative Michael J. Kelly

Illinois General Assembly
district@repkelly.com

----- Local Agencies -----

Mr. Toni Dati

Village of Niles - Department of Public Works
aad@vniles.com

Mr. Ronnie Strzelecki

Village of Niles - Department of Public Works
rjs@vniles.com

Mr. Joseph La Margo
Village of Niles - Administration
manager@vniles.com

Ms. Valerie Marshall
Niles-Maine District Library
vmarshal@nileslibrary.org

----- Local Elected Officials -----

Commissioner Josina Morita
Cook County Board of Commissioners
Josina.Morita@cookcountyil.gov

Commissioner Samantha Steele
Cook County Board of Review
BORDistrict2@info.cookcountyil.gov

Mayor George D. Alpogianis
Village of Niles
Mayor@vniles.com

Ms. Danette O'Donovan Matyas
Village of Niles Board of Trustees
Public Works Committee
dom@vniles.com

----- Tribal Nations -----

The Honorable John Barrett, Chairman
Citizen Potawatomi Nation, Oklahoma
jbarrett@potawatomi.org

Mr. Blake Norton
Tribal Historic Preservation Officer
cpnthpo@potawatomi.org

The Honorable James Crawford, Chairman
Forest County Potawatomi
Community of Wisconsin
james.crawford@fcp-nsn.gov

Ms. Olivia Nunway
Assistant Tribal Historic Preservation Officer
Olivia.Nunway@fcp-nsn.gov

The Honorable Kenneth Meshigaud, Chairperson
Hannahville Indian Community, Michigan
tyderyien@hannahville.org

The Honorable Darwin Kaskaske, Chairman
Kickapoo Tribe of Oklahoma
darwin.kaskaske@okkt.net

Ms. Pam Wesley
NAGPRA Representative
pamwesley@kickapootribeofoklahoma.com

The Honorable Regina Gasco-Bentley, Chairperson
Little Traverse Bay Bands of Odawa Indians of Michigan
tribalchair@ltbbodawa-nsn.gov

Ms. Melissa Wiatrolik
Tribal Historic Preservation Officer
MWiatrolik@LTBBODAWA-NSN.GOV

The Honorable Gena Kakkak, Chairman
Menominee Indian Tribe of Wisconsin
chairman@mitw.org

Mr. David Grignon
Tribal Historic Preservation Officer
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mitwadmin@mitw.org

The Honorable Douglas Lankford, Chief
Miami Tribe of Oklahoma
dlankford@miamination.com

Mr. Logan York
Tribal Historic Preservation Officer
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The Honorable Joseph Rupnick, Chairperson
Prairie Band Potawatomi Nation
josephrupnick@pbnation.org

Ms. Tara Mitchell
Deputy Tribal Historic Preservation Officer
taramitchell@pbnation.org

Mr. Raphael Wahwassuck
Tribal Historic Preservation Officer
raphaelwahwassuck@pbnation.org