

August 13, 2007



George Ryan, P.E.
Deputy Director of Highways
Regional Engineer
Illinois Department of Transportation
District 3
700 East Norris Drive
Ottawa, IL 61350

RE: Prairie Parkway Road Closure and Corridor Protection Revision

Dear Mr. Ryan:

The 47+ Coalition hereby comments on the Illinois Department of Transportation's ("IDOT") Prairie Parkway Draft Grade Separation/Road Closure, Corridor Protection Revision and Preferred Alternative Reports. 47+ is a coalition of environmental, agricultural, and public interest organizations that have joined together to promote the improvement of the existing road and transit system in Kane, Kendall, and Grundy Counties as a more effective, less expensive, and environmentally preferable alternative to the proposed Prairie Parkway.

I. Introduction

As 47+ coalition members explained in their joint comments on the Draft Environmental Impact Statement, the significant environmental impacts and nearly \$1 billion cost of the Prairie Parkway are not warranted by the "quite small" transportation benefits the highway would provide. In addition, a Local Road and Transit Alternative focused on long-needed upgrades to Illinois 47, construction of the WiKaDuKe Trail and the Eldamain Road bridge and extension, and other improvements to the existing road and transit infrastructure would provide a greater transportation benefit while saving money and avoiding significant environmental impacts. The simple fact is that residents of Kane, Kendall and Grundy County would be better served if limited transportation dollars were spent on improving the existing road and transit system in the area, rather than dedicating vast sums of money on a single, ineffective expressway.

II. Negative Impact of Road Closures on Local Transportation

The Road Closure Report further demonstrates the folly of IDOT's Prairie Parkway proposal. Not only would the project take up limited money needed for local road and transit improvements, it would also lead to the closure of 13 local roads over which thousands of cars drive every day. By closing these roads, IDOT will further shift traffic away from populated areas, and run contrary to the sensible goal of creating a comprehensive network of roads where local government planned for growth.

A. Inadequate and Late Consideration of Levels of Service on Local Roads

The Road Closure Report also highlights the significance of IDOT's failure to provide information in the Draft EIS on the impact of the Prairie Parkway on local traffic levels. **As**

explained in our Draft EIS comments, the Prairie Parkway will greatly increase traffic on local roads by inducing unmanaged growth, cutting off 13 local roads, and funneling motorists to a handful of interchanges. This will lower the Levels of Service “LOS” on local roads in the project area. *See* Coalition’s “Comments on the Draft Environmental Impact Statement for the Prairie Parkway Study in Grundy, Kendall, and Kane Counties, Illinois (FHWA-IL-EIS-06-02-D), February 27, 2007(Citizens’ Draft EIS Comments), p. 10. Information about these impacts is critical to making an informed judgment as to the best way to address transportation needs in the project area, but is completely missing from the Draft EIS.

B. Flawed Analysis of Levels of Service on Local Roads in Road Closure Report

IDOT claims in its response to comments (pp. 8-9) and its Draft Separation / Road Closure Report (Road Closure Report)(pp. 3-4) that local road impacts are not important because only one local road adjacent to the Prairie Parkway would have a “mid-LOS” of D in 2030. This response is flawed for a number of reasons. First, it is inconsistent with IDOT’s usual policy of ensuring an LOS of B on two-lane rural principal arterials and an LOS of C on two-lane rural minor arterials and collectors. (Prairie Parkway Draft EIS at pp.1-12). No explanation is provided for why IDOT is now abandoning these policies and focusing on an LOS of D. If IDOT initially reasoned that the Prairie Parkway is needed because local roads cannot handle the strain of future growth, it is counterintuitive to now state that 13 local roads should be closed due to a lack of projected traffic.

Second, IDOT’s own data demonstrates that there would be significant increases in average daily traffic (ADT) on most of the roads crossing the Prairie Parkway. For example, in comparison to the no build alternative, the Road Closure Report claims that 2030 ADT levels at crossings with the Prairie Parkway would increase as follows:

- IL 47 – from 13,300 to 21,500
- IL 71 – from 9,300 to 16,300
- US 34 – from 24,800 to 30,800
- US 30 – from 23,600 to 35,300
- O’Brien Road – from 2,239 to 5,114
- Brisbin Road – from 4,140 to 8,605
- Platville Road – from 4,452 to 6,986
- Fox Road – from 4,807 to 7,888
- River Road – from 4,858 to 7,939
- Grainart Road – from 1,916 to 4,772
- Scott Road – from 2,672 to 5,115

IDOT must provide information about the impacts that these and other traffic increases will have on the levels of service on the local road network.

Third, the Road Closure Report and Draft EIS fail to provide data regarding the local road traffic impacts of a Local Road and Transit Alternative. The Road Closure Report compares the 2030 ADT on local roads for the Prairie Parkway only with the 2030 levels of the No Build Alternative. Road Closure Report at Table 4. As explained in our previous comments, the No

Action Alternative does not reflect the full range of projects that are included in the Local Road and Transit Alternative. Citizens' Draft EIS Comments at pp.7-10. IDOT needs to provide quantifiable data for a complete local alternative so that an objective and informed comparison of alternatives can be made.

II. Unresolved Environmental Impacts

IDOT has left several environmental issues unresolved in its Preferred Alternative Report, Road Closure Report and Corridor Protection Report. In the instances where IDOT responded to concerns raised by local residents, government agencies and members of the 47+ coalition, it did not cure several of these deficiencies before choosing to build the B5 route. The NEPA reporting process was established so that government agencies analyze and consider the best project alternatives. It was created to improve and coordinate federal projects, in relevant part to "encourage productive and enjoyable harmony between man and his environment; [and] to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man. . . ." 42 USC § 4321 (2006). Reporting additional findings in a Draft EIS without evaluating what effect they have on the project defeats one of the main purposes of the statutory review process. IDOT should assess whether the environmental issues raised in Draft EIS comments warrant choosing a better alternative.

A. Failure to Consider Environmental Impact of Road Closures

IDOT did not consider environmental impacts caused by closing 13 roads in its Draft EIS and subsequent Road Closure Report. IDOT discloses that it anticipates spending \$10,000 for tree removal, approximately \$2 million in excavation and embankments and \$36,900 in drainage for 176 foot and 80 foot culverts. However, it does not specify what impacts these practices will have on the surrounding environment. In addition to impacts from grading and constructing crossings, funneling local traffic to interchanges and remaining local roads will increase impacts from vehicles on natural areas in the vicinity of those routes. As part of the NEPA process, IDOT should have incorporated the environmental costs into both its road closure assessment and the cost/benefit analysis to determine the best road alternative. The coalition includes the following examples of potential impacts:

1. Closing Chicago Road routes more people to the US-52 interchange, near crossings over Lisbon Creek and West Aux Sable Creek. There is no information about how increased traffic will impact these waterways.
2. Immanuel and Helmar Road closures reroute people onto Caton Farm Road where it parallels Welch Creek for approximately 4,000 feet (according to the scale provided by IDOT in Draft EIS Exh. 5c).
3. Closing Schaefer Road will increase traffic on River Road, which runs parallel to the Fox River. Rerouted traffic passes Wetlands 45 and 46, as well as forest stand #6 before intersecting the Prairie Parkway. Added traffic from closing Schaefer would also take Blackhawk Road, crossing Rob Roy Creek, and traveling east adjacent to wetland 44. (See Draft EIS, Exh. 5c.)

4. IDOT included no information on impacts from constructing a new frontage road for Faxon Road. It is unclear whether the frontage road would impact wetlands 43 and 115. (See Draft EIS, Exh. 5d.)
5. Closing Sears Road will reroute traffic to alternate routes. This may increase traffic on Henning Road and Rock Creek Road. The Draft EIS and Road Closure Report should discuss potential impacts to adjacent natural areas, such as Big Rock Creek, a pristine Class A waterway, wetlands 29, 31, 32, 34 and 35, and Forest Stand #3. IDOT should also report whether increased traffic along alternate routes will adversely impact (directly, indirectly and cumulatively) any state listed species. (See Draft EIS, Exh. 5d).
6. Closing Wheeler Road redirects traffic onto Dauberman Road, which could either go to Scott Road or cross at the US-30 interchange. It is unclear how much increasing eastbound traffic on Dauberman Road to US-30 would additionally impact wetlands 10 and 114 and Welch Creek.
7. IDOT does not specify how much traffic would be rerouted from Lasher Road onto Dauberman Road, or what impact the increased load will have on the stretch of Welch Creek that runs parallel to Dauberman Road for approximately 2,000 feet.
8. IDOT does not state whether building a frontage road between Budd Road and Route 71 will pose any environmental impacts.
9. IDOT does not specify whether proposed culverts will impact aquatic habitats, and if it plans to utilize “fish friendly” culverts in these crossings.

B. Environmental Issues were Unresolved Prior to Selecting Route and Revising Corridor

47+ strongly urges IDOT to cure deficiencies in its environmental analysis and reconsider whether the B5 route provides the most well-balanced transportation alternative. IDOT should assess the following concerns raised previously by government agencies and the coalition prior to spending any more time and funding on what it may find to be an inferior option.

1. *Insufficient Water Quality Data / Antidegradation Analysis*

IDOT must still collect water quality data and determine whether the levels are in compliance with Illinois standards. As requested by the United States Environmental Protection Agency (USEPA), IDOT should “provide a more substantive evaluation of construction and operational impacts (e.g. sedimentation, runoff, groundwater flow changes, removal of adjacent forest) on Big Rock Creek, Welch Creek, Rob Roy Creek and the Fox River.” Road Closure Report, p. A-30. In addition, this analysis should be performed on Aux Sable Creek and other affected tributaries to these waterways.

Illinois antidegradation rules under Section 302 of the state water quality standards require waterbodies to be maintained in their present high quality state unless lowering such is necessary to accommodate important economic or social development. *See* 35 Ill. Adm. Code § 302.105(c)(1). No increases in pollutant loading can occur unless “all technically and economically reasonable measures to avoid or minimize the pollution have been incorporated into the proposal.” *See* 35 Ill. Adm. Code § 302.105(c)(2)(B)(iii). In other words, IDOT must protect existing uses, maintain water quality at current levels when streams exceed standards, and allow for degradation only when necessary and no less harmful alternative exists. IDOT still has not sufficiently addressed these requirements.

a. Incorrect IBI / BSC Ratings Could Mean Lower Protections

The 47+ coalition is concerned that IDOT will not protect the high quality streams impacted by the Prairie Parkway in accordance with ratings most recently assigned by the Illinois Department of Natural Resources (IDNR). This issue was raised by the USEPA in its comment letter, stating that “[a]ccording to a March 2004 IDNR report, results from an August 2002 sampling show five main stem stations of the [Big Rock] creek, and three tributary stations qualify for a Class A (Unique Aquatic Resource) [rating].” Preferred Alternative Report, p. A-29. As stated in our earlier comments, even with a shift to a new Biological Stream Characterization (BSC) rating system, the most up to date Index of Biotic Integrity (IBI) figures are the best and most accurate ratings provided by the authorities on the topic. By using data that is seriously out of date, IDOT fails to ensure the pristine waterways in the project area do not fall below the more stringent thresholds. The Citizens’ Draft EIS Comments specifically address this issue for each affected stream.

In addition, Ecowatch Riverwatch performed water quality studies in the Aux Sable Creek and tributaries for the last six years. They have documented sensitive macroinvertebrate species, such as Mayfly, in areas nearby the planned road closures for Chicago Road and Church Road. These intolerant species are indicative of high water quality in the Aux Sable Creek, which could be degraded by highway construction and operating activities. The macroinvertebrate study will be published by the National Great Rivers Research and Education Center in early 2008.

b. Failure to Show Compliance with 303(d) for the Fox River

IDOT has also not addressed the specific concern that the Fox River is listed as an impaired stream under Section 303(d) of the Clean Water Act. As stated by the USEPA, “among the primary causes for its impaired designation is sedimentation, which may be associated with and aggravated by construction and highway operations.” Preferred Alternative Report, p. A-29. IDOT responded that it will include information in its Final EIS as to how it intends to *minimize* impacts on the Fox River. Preferred Alternative Report, p. 24. It later added that “potential changes in stream water quality will be estimated using projected land use changes, local planning requirements, and a watershed pollutant analysis.” Preferred Alternative Report, p. 25.

As stated in our earlier comment letter, this response fails to address the prohibition of new discharges that will cause or contribute to violations of water quality standards. According to federal regulations, “[n]o new permit may be issued to a new source or new discharger, if the

discharge from its construction or operation will cause or contribute to the violation of water quality standards.” 40 CFR 122.4(j).

c. Reducing Impact on the Fox River is Technically Feasible

IDOT did not include all technically and economically reasonable measures to avoid impacts of the highway on the Fox River in its Draft EIS. The United States Department of the Interior (USDO I) stated it “would prefer to see no structures within the bed and banks of the river that would affect its free-flowing condition.” Preferred Alternative Report, p. A-20. It expressed that the proposal for a new six-lane freeway bridge across the Fox River has the potential to adversely affect its free-flowing or natural state. *Id.* As described by USDO I, the 25-mile log stretch of the Fox River was nominated to the Nationwide Rivers Inventory in 1982 because of its remarkable scenic, geologic, and recreational value. It is the only Class I stream in the area, with high bluffs and wooded banks that are home to state-listed threatened and endangered species, such as the Greater Redhorse, River Redhorse, Bald Eagle and Osprey. The Fox River is Category II, III and IV INAI site in part because of its proximity to two Illinois Nature Preserves and its unusual concentration of vascular plants along its banks. The part of the river in the project area is generally a free-flowing, quiet stream with many islands and outstanding scenic beauty.

IDOT responded to the USDO I request by stating that changing the bridge structure across the river would cost two and a half to three times the current estimate of \$28 million. Preferred Alternative Report, p. A-22. Since the Fox River is a unique and valuable resource, and IDOT has shown no way around sedimentation prohibitions under Section 303(d), it should at least consider in the Draft EIS an alternate bridge structure that does not involve sinking piers into the river, or better yet, avoid the impact altogether by directing the investment toward improving local roads.

2. *Inadequate Study of Wetland Impacts*

IDOT still only considers impacts to part of the wetlands directly within the project corridor. It claims it will only affect 2.71 acres of the 57 jurisdictional wetlands in the path of the highway. This excludes any impact on wetlands that will be partially paved or graded as a part of the project. This defies the main principles of hydrology. IDOT must take into account how these water systems are interconnected to protect or mitigate loss of portions of remaining wetlands that will be degraded by the B5 build alternative. *See Citizen’s Draft EIS Comments*, pp. 15-16. As stated in our comment letter, water pollution and decreased circulation from disrupted hydrological conditions can cause eutrophication, loss of native vegetation and other damage to nearby wetlands. *Wetlands*, 3rd Ed., William J. Mitch and James G. Gosselink (2000), pp. 622, 625.

Similarly, the USEPA called upon IDOT to reexamine effects to ADID Wetlands 10 and 21. They are hydrologically connected to Welch Creek and Big Rock Creek respectively, which are waterways of special significance. The USEPA raises the point that “[d]irect and indirect impacts to ADID wetlands may adversely affect wildlife which uses the habitat. Such impacts could also degrade the sensitive aquatic habitat of hydrologically connected streams, described above.” Preferred Alternative Report, p. A-29. IDOT responded by stating it will avoid impacts to

Wetland 10, and minimize impact to Wetland 21. Preferred Alternative Report, p. 22. In lieu of mitigation, IDOT should incorporate the suggestion by USEPA to implement wetland avoidance measures, such as roadway realignment, steeper side slopes and bridging for both ADID wetlands. Preferred Alternative Report, A-29.

In addition, the USEPA recommended a more rigorous evaluation of indirect salt spray impacts to wetlands in the project area. Preferred Alternative Report, p. A-28. The effects of salt exposure are described in the Draft EIS: “The symptoms of salt injury are similar to those of drought: inhibited growth, browning and falling of leaves and needles, and sometimes dying limbs and premature plant death.” Draft EIS at p. 4-66. IDOT only committed to study this further for ADID wetlands. Preferred Alternative Report, p. A-38. Since bioswales cannot effectively remove salt from highway runoff, IDOT should extend its study to effects on all affected wetlands from infiltration of salt runoff, as well as salt splash and spray. According to the Forest Preserve District of DuPage County, over half of soil samples from wetlands near I-355 suffered from excessively high salt contents, which “severely restricted the types of plants that could become established in the wetlands.” Letter from Mr. Gooch, Executive Director, DuPage County Forest Preserve District, to Mr. Kos, District Engineer, Illinois Department of Transportation, p. 5 (Feb. 28, 2001).

IDOT also failed to incorporate sufficient protections for Wetland 50. IDOT must still analyze impacts from construction (i.e. invasive species, intrusion of equipment) and operation of the highway. Although IDOT has agreed to pipe stormwater across the Fox River Bridge into detention basins, this does not completely address direct, indirect and cumulative impacts from salt infiltration, splash and spray. Particular care should be given to determining how salt and other contaminants will impact the endangered American Brooklime.

The 47+ coalition is encouraged that IDOT considered working with IDNR to acquire or place a conservation easement over Wetland 50. Regardless, IDOT should still specify how it will prevent damage as traffic grows heavier and creates increasing pressure on this valuable resource. This should also include a more in-depth analysis of infiltration loss, as requested by IDNR, since the previous study was only for a short duration. Preferred Alternative Report, p. A-49. As stated by the USEPA, Wetland 50 is a “rare natural resource in the study area, and any impacts to it would be difficult, if not impossible, to mitigate adequately.” Preferred Alternative Report, p. A-28. IDOT additionally should weigh the effectiveness of mitigation as a cost in analyzing whether to continue developing plans for B5.

3. *Forest Impacts / Neo-Migratory Tropical Birds*

IDOT has not sufficiently addressed the effects of forest fragmentation, and impacts on neo-migratory tropical birds. Both the USEPA and IDNR raised concerns about this issue. Results from IDOT’s studies should be integrated into its cost/benefit analysis. The 47+ coalition agrees with the premise of creating natural connections, and planting Rock Elm seeds at tree mitigation sites. However, these measures do not adequately compensate for lost interior species habitat. Decreasing the size of forest stands will stress neo-migratory birds that need large blocks of forested habitat to nest. The seven types of interior bird species affected by the project will be more prone to nest predation and brood parasitism. It is also unclear how much connectivity IDOT plans to create.

IDNR recommended that tree removal be done outside when birds nest and migrate through the project area. Twenty-seven species of neo-tropical migrants were counted in the vicinity of the proposed highway. Draft EIS, p. 2-62. IDNR specified that “no tree removal should be done during any year from April 15th through August 15th.” Preferred Alternative Report, p. A-50. It cited to the Migratory Bird Treaty Act, which “prohibits the taking, killing, possession, of migratory birds, their nests, eggs or parts of.” 16 U.S.C. §703-712. In response, IDOT stated that it would “make every effort to *minimize* tree clearing activities during this period.” Preferred Alternatives Report, p. A-52 (emphasis added). This stance runs contrary to both the positions taken by IDNR (p. A-50) and USEPA (p. A-31), and potentially violates the mandate of the Migratory Bird Treaty Act.

4. *Failure to Sufficiently Analyze Threats to Sensitive, Rare and Listed Species*

IDOT has not adequately analyzed threats to sensitive, rare and state listed species. The previous survey for aquatic species was performed during a 2005 drought. IDOT never explained how the circumstances surrounding the study impacted its results.

a. Recent recording of Greater Redhorse in Big Rock Creek

The Illinois Natural History Survey (INHS) recently found a Greater Redhorse fish upstream from the Henning Road Bridge, north of Plano, in close proximity to where the Prairie Parkway would cross over Big Rock Creek. INHS recorded the location of the State-endangered species earlier this year. IDOT should both weigh this discovery in its cost/benefit analysis of the project, and state how it intends to prevent damage to the aquatic habitat for this species at the nearby crossing. It should also consider conducting new studies under more normal conditions to find and record threatened and endangered species in the corridor.

b. Impacts of Chlorides on Sensitive and State-Listed Species

IDOT has not extended adequate protection to salt-intolerant flora and fauna in the project corridor. Although it has agreed to requests by the USEPA and IDNR to further study the effects of salt on the endangered Rock Elm and American Brooklime, which are both within 100 and 150 feet respectively of the highway, IDOT has not agreed to adequate measures to protect these state-listed species from runoff, splash and spray. In addition, IDOT has only agreed to compare chloride concentrations in areas with sensitive species to general use water quality standards. In analyzing impacts on pollution intolerant fish, such as the Mottled Sculpin, Greater Redhorse and River Redhorse, IDOT should discuss not only substrate, temperature and stream clarity, but also tolerance to salt and other pollutants that will increase from runoff in waterways. Preferred Alternative Report, p. 23. As stated in earlier comments by the coalition, fish and mussels can have thresholds well below general use water quality standards. *See* Citizens Draft EIS Comments, pp. 12-14, 27.

c. Mussel Relocation Program

Streams within the project area contain several species of mussels, including state-threatened Slippershell and Spike mussels and the rare Ellipse mussel. IDOT stated that if protected species are identified in the 2007 mussel survey, then a mussel relocation plan will be developed, submitted to IDNR for approval, and implemented prior to construction. Preferred Alternative Report, p. 22. The purpose of the Endangered Species Act is to protect existing aquatic habitat for listed species, rather than to transport them to an alternate location. IDOT also qualified that they will evaluate mussels associated with each stream crossing and planned construction areas to determine potential sedimentation impacts. IDOT should broaden their study to evaluate potential impacts from salt, temperature and other pollutants in runoff, and should widen the vicinity of their search to include areas where mussels will be impacted by constructing and operating the highway. This could foreseeably extend farther downstream from the proposed crossing. IDOT should also take into account previous findings by INHS and IDNR of protected species in the project area.

5. *Evaluation of alternatives*

IDOT must still evaluate the environmental impact of its local road alternative and weigh its findings against the environmental cost of the B5 route. This should be a part of the overall assessment of what alternative best meets the needs of the region. The analysis should include more than an individual assessment of IL-47 north from Caton Farm Road to I-88 and the WiKaDuKe Trail. The Draft EIS should present a clear comparison of the environmental impacts of a true comprehensive local road alternative to its current B5 choice.

III. Unresolved Agricultural Impacts

IDOT has failed to address and adequately weigh direct, indirect and cumulative impacts to agriculture caused by the Prairie Parkway. The B5 route would initially take 2,514 acres of prime farmland and farmland of statewide importance. Preferred Alternative Report, p. 20. The highway would destroy 726 acres of Class 1 soils, 1,750 acres of Class 2 soils and 36 acres of Class 3 soils, permanently removing these valuable resources from the shrinking number of viable high yield areas. Unmanaged growth will claim an additional 5,400 acres, as the highway pulls development south and west of where local governments have planned. (*Id.*) The induced population growth will result in a substantial loss of 12% more farmland in the area above and beyond current projections. IDOT estimates that the highway will initially affect 189 farms. With numerous unregistered centennial and sesquicentennial farms in the region, it is still unknown how many are in the path of the corridor. Despite the magnitude of the impact by the highway, IDOT failed to release Land Evaluation Site Assessment (LESA) scores for farmland in the project corridor prior to closing the Draft EIS public comment period, and did not consider the cost to agriculture in its road closure analysis.

A. Untimely Release of LESA Scores Prevented Local Governments from Using Results in Choosing a Road Alternative

IDOT did not give local governments in the project area a fair opportunity to consider LESA scores in deciding whether to support the B2 or B5 highway alternative. The LESA system is an important tool in assessing the quality of an agricultural area. It provides an objective measurement of the level of protection for farmland. Scores range from zero to 300 points.

“The higher the point value a site or corridor alternative receives, the greater the probability that alternative should remain in agricultural use.” See Illinois LESA System, Land Evaluation Site Assessment, Illinois Department of Agriculture (2001), p. 3. Farmland scoring between 226 and 300 should be retained for agricultural use and an alternative alignment should be considered. Id.; Draft EIS, p. 4-17.

Results released by the Illinois Department of Agriculture (IDOA) on February 27, 2007, the day before IDOT closed its public comment period, indicate that farmland in the path of the B5 route scored an incredible **281 out of 300**. The public did not have this information before it had to submit its decision as to which alternative it supported. For example, Kane-DuPage Soil and Water Conservation District requested information about LESA scores in its comment letter on January 15, 2007.

By rushing its decision, IDOT defeated the purpose of LESA, which is designed to select the alternative that least damages agricultural resources. Municipalities were not given the opportunity to determine if their farmland was too valuable to destroy prior to committing to an option. Consequently, IDOT should afford those affected by its decision a true opportunity to assess whether they prefer B2, B5 or a true local alternative in light of these staggering results. IDOT should re-evaluate its proposal based upon both the import of these unusually high scores and communities’ responses to these publicized figures.

B. Impacts From Contaminants on Farmland Excluded from Draft EIS

Despite requests by coalition members, IDOT has failed to account for how air emissions and roadside contaminants will degrade the quality of soil and crops in the vicinity of the highway. As expressed above, highway runoff, splash and spray containing salt, petroleum, heavy metals and other contaminants will be introduced onto adjacent farmland. Bioswales are not effective at removing salt, which can infiltrate into Class I and II soils, changing their composition. IDOT has not evaluated whether cumulative exposure to runoff would impose any restrictions on Class I and II soils, and if so, how much farmland this would impact.

C. Impacts to Agricultural Industry Downplayed in Draft EIS and Subsequent Study

Agriculture is the primary land use in Kane and Kendall Counties. Illinois farm marketing generates approximately \$6.8 billion annually in cash receipts. Despite the importance of agricultural business to the region, IDOT failed to appropriately weigh losses to this industry. According to the Grundy County Soil and Water Conservation District, “since farming is the main income in the area it will impact the economy as the farmers will have to find other sources of income to supplement their losses. This will especially affect the older generation of farmers who may not be able to go back to receive education for an alternative occupation.” Preferred Alternative Report, p. A-64.

Kendall County Soil and Water Conservation District (SWCD) also expressed their concern that C-2000 contracts in the area may be affected by the B2 or B5 routes. Preferred Alternative Report, p. A-72. The C-2000 program “provides cost-share assistance to landowners for the construction of conservation practices that can include filter strips, grassed waterways, terraces, water and sediment control basins, and grade stabilization structures.” Id. In response, IDOT

merely stated that it will consider existing agreements governing the use of farmland at the time of appraisal.

Similarly, in its analysis of the impact of the highway on the agricultural protection program in Kane County, IDOT failed to analyze what effect the route may have on the area as a whole. In addition to induced growth in an area that Kane County explicitly set aside for agriculture, it could lead to more reluctance by farmers to purchase agricultural easements.

D. Agricultural Impacts not Weighed in Road Closure Cost/Benefit Analysis

IDOT failed to consider any impacts to farmsteads from road closures in its cost/benefit analysis. Almost all of the roads to be closed are adjacent to or surrounded by farmland. These roads are used by farmers during production. Dave Braden, a local resident, underscores this point in his comments about the effects of closing Helmar Road:

There are also numerous farmers who use these roads to haul farm equipment on instead of using highly traveled Rt. 47 to get to the Grain Elevator to and from their fields. By closing parts of these roads farmers would be forced to use Rt. 47, considerably slowing down traffic and making other drivers take dangerous chances by trying to pass them. Preferred Alternative Report, “Meeting Minutes / Public Petitions / Village Resolutions”, p. 14.

The letter by Mr. Braden is accompanied by a petition from 130 residents, opposing the Helmar Road closure. IDOT did not appear to take the loss of revenue and increased difficulty in farming into account when determining whether to close Helmar Road. IDOT should reconsider the financial and logistical hardship road closures will cause to farmsteads in the area, and weigh this in its cost/benefit analysis.

IV. Failure to Sufficiently Integrate Public Opinion and Analysis into Decision to Designate Corridor and Build the Prairie Parkway

An additional concern with the Road Closure Report is that it repeats the technically true but substantively inaccurate statement that “extensive stakeholder and public involvement activities were and will continue to be a significant part of the Prairie Parkway study.” (Report at 5). As we have previously noted, IDOT identified its “solution” of building a north-south highway connecting I-80 and I-88, reserved a corridor for the highway, and obtained significant federal earmarks for the highway long before the NEPA and public participation process began. While IDOT has held numerous public hearings and meetings, the critical decision to build a north-south highway rather than improve the existing road and transit system had already been made. Therefore, meaningful public participation in identifying transportation problems and developing solutions has not occurred here.

Finally, with regards to the revisions to the corridor that IDOT protected for the Prairie Parkway, we note our continued belief that, in this case, IDOT has unfairly impacted the rights of people living in the corridor. Through the initial corridor process in 2002, IDOT restricted property rights in the corridor without identifying a need for a highway or engaging in an objective evaluation of alternatives. IDOT now claims that it is revising the corridor to make it consistent

with the results of the NEPA process. (IDOT Corridor Protection Synopsis at p. 2). It is clear, however, that the NEPA process followed the results of the initial corridor protection analysis, rather than the other way around. Therefore, the minor changes being proposed to the corridor now cannot be used to retroactively justify the fundamentally flawed initial corridor protection decision.

Conclusion

For the reasons stated above and in comments previously submitted by the 47+ coalition members, we urge IDOT to withdraw the road closure and corridor protection proposals, reject the Prairie Parkway, and make the needed improvements to the local road and transit infrastructure in the project area.

Thank you for your consideration of these concerns. If you have any questions, please contact Stacy Meyers-Glen (312-863-6265), Jan Strasma (630-863-6669), or Shannon Fisk (312-780-7431).

Sincerely,

AMERICAN FARMLAND TRUST



Anita M Zurbrugg
Assistant Director
American Farmland Trust
Center for Agriculture in the Environment
P.O. Box 987
DeKalb, IL 60115
815.753.9686
azurbrugg@niu.edu

AUX SABLE CREEK WATERSHED GROUP

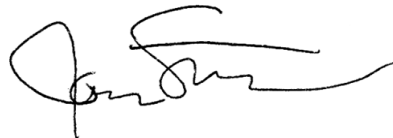
Joan Kathryn Soltwisch
Aux Sable Creek Watershed Group
22 West Chestnut Street
Hinsdale, IL 60521
(630) 323-4044
jksoltwischblue@yahoo.com

CENTER FOR NEIGHBORHOOD TECHNOLOGY



Jacky Grimshaw
Vice President of Transportation Policy
Center for Neighborhood Technology
2125 W. North Ave.
Chicago, IL 60647

CITIZENS AGAINST THE SPRAWLWAY



Jan Strasma
Chairman
Citizens Against the Sprawlway
P.O. Box 334
Big Rock, IL 60511


CITIZENS AGAINST THE SPRAWLWAY

Mike McCoy
Citizens Against the Sprawlway
P.O. Box 334
Big Rock, IL 60511

FRIENDS OF THE FOX RIVER

Tom Schraeder
Friends of the Fox River
Vice President
Friends of the Fox River
P.O. Box 1314
Crystal Lake, IL 60039

NATIONAL RESOURCES DEFENSE COUNCIL



Shannon Fisk
National Resources Defense Council
Midwest Regional Office
101 North Wacker Drive, Suite 609
Chicago, Illinois 60606
312.780.7431
sfisk@nrdc.org

ENVIRONMENTAL LAW AND POLICY CENTER



Jessica Dexter
Staff Attorney
Environmental Law and Policy Center
35 East Wacker Drive, Suite 1300
Chicago, Illinois 60601-2110
312.795.3747
jdexter@elpc.org

KENDALL CITIZENS FOR FARMLAND PROTECTION

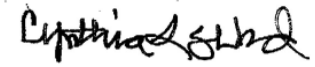
Tim Gerk
Chairman
Kendall Citizens for Farmland Protection

OPENLANDS



Stacy Meyers-Glen
Openlands
Policy Coordinator
25 E. Washington, Suite 1650
Chicago, IL 60602

SIERRA CLUB – ILLINOIS CHAPTER



Cindy Skrukud

Clean Water Advocate

Sierra Club, Illinois Chapter

70 East Lake Street, Suite 1500

Chicago, Illinois 60606

Cynthia.skrukud@sierraclub.org