

RECEIVED JUN 22 2017

DETERMINATION OF LEVEL OF CDBG ENVIRONMENTAL REVIEW

PART A

Grantee/Applicant Community: CITY OF HERRIN

Grant # or Program Year: 16-242013

Project Name: PI – 12th Street Lift Station

Project Location (City, State): HERRIN, ILLINOIS

Project Description

The replacement of an existing sewage lift station, an existing manhole and existing sanitary collection piping located on the SW corner of 12th Street and Chittyville Road.

PART B

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58—*Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities*, and the following determination with respect to the project, and its component activities, is made (more than one level of review may apply, depending on project's activities):

- Exempt** from NEPA review requirements per 24 CFR 58.34(a)(1)(3)(8)(10)
*See attached Finding of Exempt Activity
- Categorically Excluded NOT Subject** to §58.5 authorities per 24 CFR 58.35(b) () () ()
*See attached Finding of Categorical Exclusion Not Subject to §58.5
- Categorically Excluded Subject** to §58.5 authorities per 24 CFR 58.35(a) () () ()
*See attached Finding of Categorical Exclusion Subject to §58.5
- An **Environmental Assessment** (EA) is required to be performed
- An **Environmental Impact Statement** (EIS) is required to be performed (*Contact DCEO ERO to confirm*)

Grantee Environmental Reviewer

Completed by (signature):



Name, Title, Organization:

Celeste Sollers, Director, WC Economic Dev

Date:

5/8/17

FINDING OF EXEMPT ACTIVITY [24 CFR 58.34(A)]

- 1. Environmental and other studies, resource identification and the development of plans and strategies [58.34(a)(1)]
- 2. Information and financial services [58.34(a)(2)]
- 3. Administrative and management activities [58.34(a)(3)]
- 4. Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs [58.34(a)(4)]
- 5. Inspections and testing of properties for hazards or defects [58.34(a)(5)]
- 6. Purchase of insurance [58.34(a)(6)]
- 7. Purchase of tools [58.34(a)(7)]
- 8. Engineering or design costs [58.34(a)(8)]
- 9. Technical assistance and training [58.34(a)(9)]
- 10. Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration [58.34(a)(10)]
- 11. Payment of principal and interest on loans made or obligations guaranteed by HUD [58.34(a)(11)]
- 12. Any of the categorical exclusions listed in §58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in §58.5 [58.34(a)(12)]

CDBG Environmental Workflow Process (For Grantee Use)

Type of Project: **(PI)** EPI, ED, DF, HR (circle one)

Grantee Name CITY OF HERRIN City _____
 Grant #1 16-242013 Grant #2 _____

ERR Prepared By: Celeste Sollers WC Economic Development
 (Printed Name) (Organization)
 Signature: *Celeste Sollers* 6/14/17 RECEIVED JUN 22 2017
 (Signature) (Date)

PROCESS/REQUIRED DOCUMENTATION

<input checked="" type="checkbox"/>	HUD LEVEL OF REVIEW INDICATED (may be more than one depending on Grant/Leverage fund activities) and associated Finding form	
<input checked="" type="checkbox"/>	Determination of Level of Environmental Review form	
<input checked="" type="checkbox"/>	Exempt per 28 CFR 58.34(a) (1)(3)(8)(10)()	
	Categorically Excluded per 58.35 () () () () ()	
	Environmental Assessment	
<input checked="" type="checkbox"/>	DCEO / HUD CERTIFICATION FORMS	Date
<input checked="" type="checkbox"/>	Signature Date of CDBG Environmental Workflow Process sheet	6/14/17
<input checked="" type="checkbox"/>	Signature Date of Environmental Review for Activity/Project that is Exempt or Categorically Excluded (Not Subject to 58.5)	6/14/17
	Signature Date of Environmental Review for Activity/Project that is Categorically Excluded (Subject to 58.5)	
	Does this review convert to Exempt? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate date	
	Signature Date of Environmental Assessment – Determinations and Compliance Findings for HUD-assisted Projects	
	NOTE: All boxes and fields on all eight pages must be completed. Omissions may require re-publication.	
<input checked="" type="checkbox"/>	EIGHT STEP FLOOD PLAIN (FP) REVIEW LOCAL COMMENT PERIODS	Date
	Required if FEMA Firmette Indicates 100-Year Flood Plain in Project Area and not protected by an accredited levee system or flood wall. Must be completed prior to signature of either Categorical Exclusion or Environmental Assessment	
	Date of FP Early Warning Publication	
	Publisher's/Posting Certification	
	Local Comment Period (Starts one day after date of publication; lasts 15 full days)	
	Start Date	End Date
	THEN AT LEAST ONE FULL DAY AFTER END OF FLOOD PLAIN EARLY WARNING COMMENT PERIOD	
	Date of FP Findings Publication	
	Publisher's/Posting Certification	
	Local Comment Period (Starts one day after date of publication; lasts 7 full days)	
	Start Date	End Date
<input checked="" type="checkbox"/>	LOCAL AND STATE PUBLIC COMMENT PERIODS	Date
	For Categorical Exclusion (Subject to 58.5) not converting to Exempt.	
	NOI/RROF Publication/Posting (Must be at least 1 day later than CE (Subject to 58.5) Signature Date above)	
	Publisher's/Posting Certification	
	Local Comment Period Start Date (At least one day after date of publication/posting)	
	Local Comment Period End Date (Count 7 full days for publication, 10 full days for posting)	
	For Environmental Assessment	
	FONSI NOI/RROF Publication/Posting (Must be at least 1 day later than Environmental Assessment Signature Date above)	
	Publisher's/Posting Certification	
	Local Comment Period Start Date (At least one day after date of publication/posting)	
	Local Comment Period End Date (Count 15 full days for publication, 18 full days for posting)	
	Does Publication/Posting Reference Presidential-Declared Disaster/Combined Comment Period and that Funding is for Disaster Recovery Activities? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, Local/State Public Comment Period may be combined.	
	DATE OF RROF (i.e., 7015.15) Signature (must be at least one day after last day of local comment period)	6/15/17
	NOTE: The (up to four) State Environmental Agency Clearance Letters are listed on the "Compliance Documentation Checklist for Categorically Excluded (subject to 58.5) or Environmental Assessment (EA)"	
	Please scan and email color version of completed ERR to DCEO CDBG ERO. You may mail a colored COPY – Originals will not be returned.	



RECEIVED JUN 22 2017

U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Environmental Review
for Activity/Project that is Exempt or
Categorically Excluded Not Subject to Section 58.5
Pursuant to 24 CFR Part 58.34(a) and 58.35(b)**

Project Information

Project Name: Herrin 12th Street Lift Station Improvements

Responsible Entity: City of Herrin

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: 16-242013

Preparer: Celeste Sollers, Director, Williamson County Economic Development

Certifying Officer Name and Title: Steve Frattini, Mayor

Consultant (if applicable):

Project Location: City of Herrin, Williamson County, Herrin Township T.8S-R.2E, Section 18

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

The replacement of an existing lift station, existing manhole, and existing sanitary collection piping located on the SW corner of 12th Street and Chittyville Road (Lat: N37.833226 Lon: W89.024670)

Level of Environmental Review Determination:

Activity/Project is Exempt per 24 CFR 58.34(a): (1)(3)(8)(10)

Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):

Funding Information

Grant Number	HUD Program	Exempt Amount	Categorically Excluded Amount
16-242013	State CDBG	\$450,000.00	

Estimated Total HUD Funded Amount: \$450,000.00

This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable):

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$640,548 is the total project cost, with \$450,000 from State CDBG for sewer lift station construction costs and \$190,548 from the City of Herrin funds, with \$113,048 for construction costs, \$46,000 for Construction Engineering and \$31,500 for Activity Delivery costs.

Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6		
Airport Runway Clear Zones and Accident Potential Zones 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	No sale or acquisition of property will occur.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<i>Illinois is not a covered state under these Acts.</i>
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<i>The project is exempt pursuant to Section 58.6(a)(3), because it is funded through a HUD formula grant made to a state.</i>

Mitigation Measures and Conditions (40 CFR 1505.2(e))

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the relevant regulatory authorities and their rules. These measures and conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

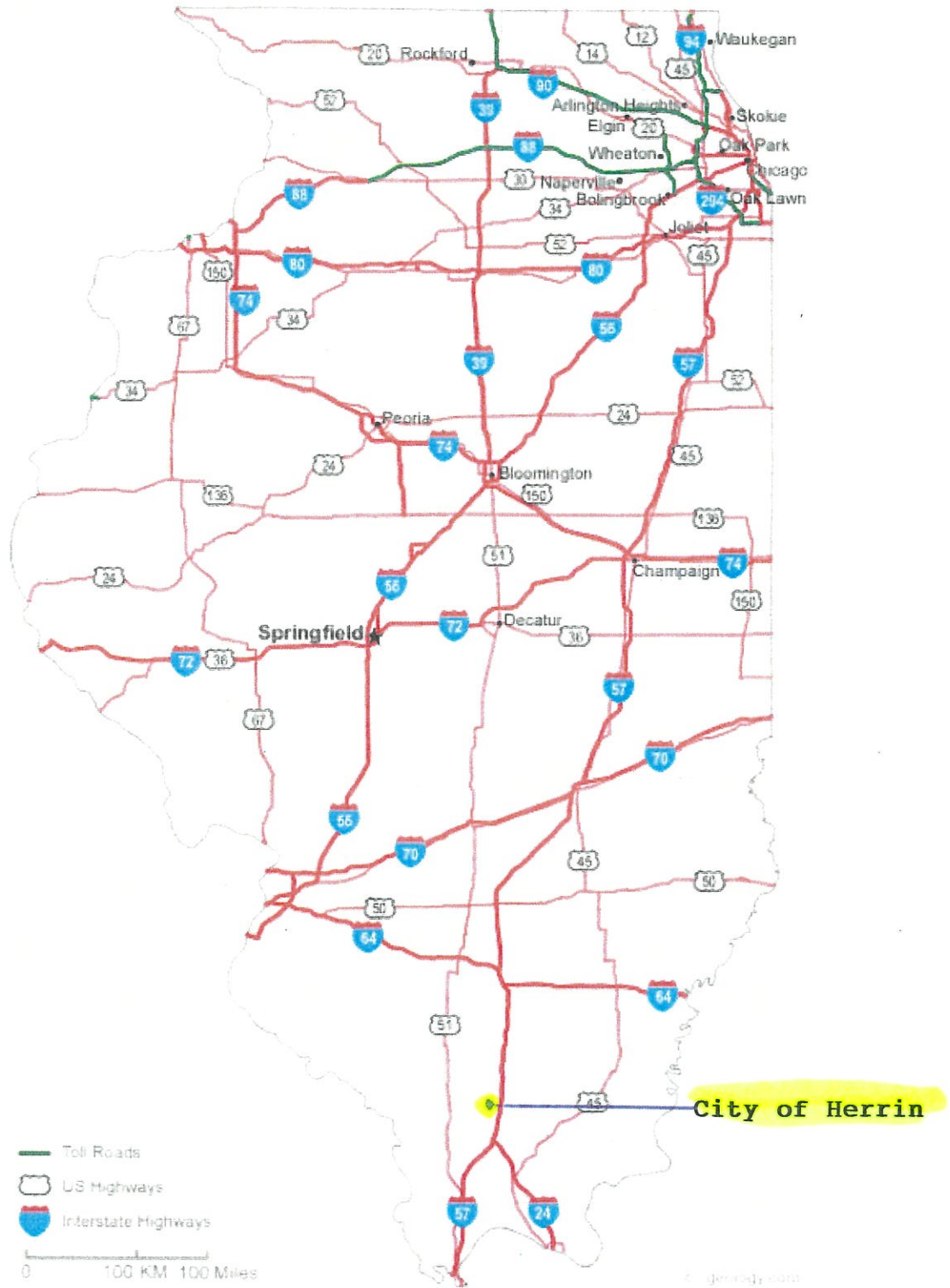
Preparer Signature: [Signature] Date: 6/21/17

Name Title Organization: Steve Sellers, Director, Williamson County Economic Dev.

Responsible Entity Agency Official Signature: [Signature] Date: 6/24/17

Name Title: _____ Signature: _____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in its Environmental Review Record (ERR) for the activity proposed (24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



AU VASE RD

E 148

Spur

15

CHERRY
6TH AVE

FREEMANSPUR RD

FREEMANSPUR RD

N PARK AVE

PROJECT AREA

STIRI

CHITTYVILLE RD

MINE B RD

FOCH ST

Herrin

PARK AVE

13TH ST

CARROL ST

3RD ST

HERRIN RD

HERRIN ST

E HERRIN ST

PAINEVILLE ST
LION ST
TIGER ST
CIRCUS ST

CHERRY ST

BANDYVILLE RD

TRAVIS CT

OAK ST

POPLAR ST

ALLEN RD
HIDDEN ACRES LN

STOTLAR RD

STOTLAR ST

STOTLAR RD

CLARK TR

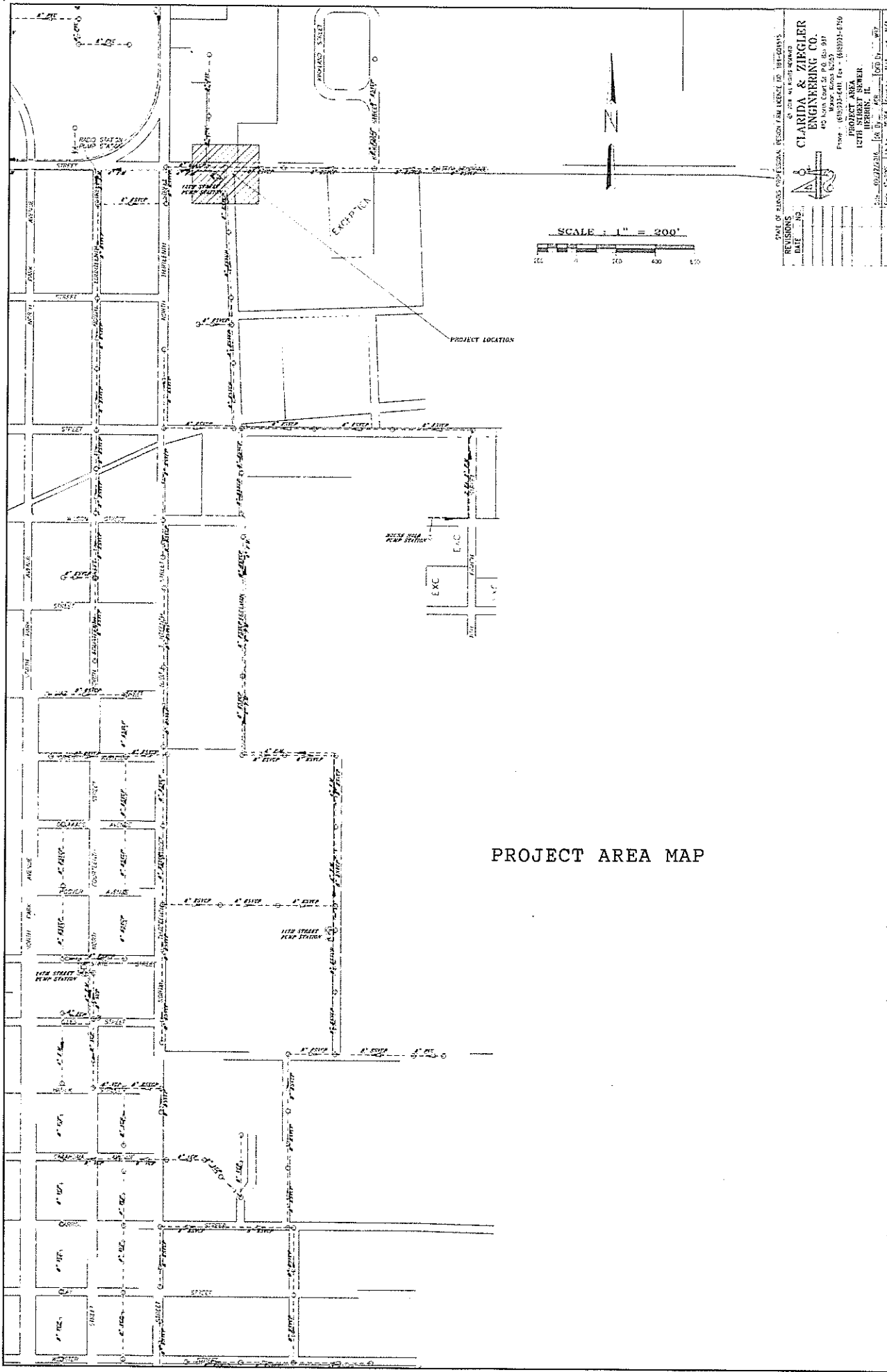
22ND ST

CLARK TRAIL

BREWSTER RD

Energy

E RD



STATE OF ILLINOIS PROFESSIONAL ENGINEER REGISTRY REGISTRATION NO. 128-031212-001
 REVISIONS: NO. DATE
 CLARIDA & ZIEGLER ENGINEERING CO.
 410 North Court St. P.O. Box 917
 Naperville, Illinois 60563
 Phone: (630) 331-1100 Fax: (630) 331-4750
 PROJECT NO. 128-031212-001
 12TH STREET IMPROVEMENT
 IBERHARR, IL
 DATE: 12/15/11
 DRAWN BY: [Signature]

PROJECT AREA MAP

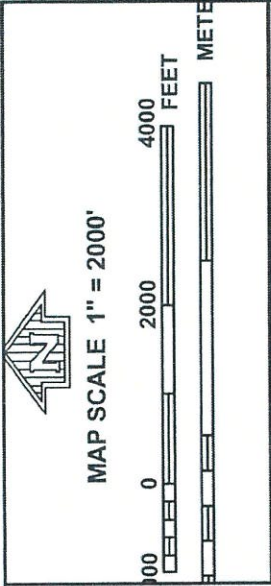
PROJECT SUMMARY CITY OF HERRIN

The City of Herrin has received a violation from the Illinois IEPA related to sewer overflows on the North side of town. The project area affected is east of Park Avenue from East Carroll Street, north to Chittyville Road and extends east to the City limits. One of the lift stations that contributes to this flow is the 12th Street sewage lift station. The 12th Street lift station has been settling over the last 12 to 18 months and is becoming significantly worse. The lift station is now tilting to one side and is failing. Several borings that were conducted this year show poor soils in the area as the cause for the settlement. It is suspected that the larger than normal rainfall this year has accelerated the problem. If the rate of subsoil failure increases the lift station will completely fail leaving hundreds of residents on the NE side of the City without sewer service. This settlement has also had adverse effects on the road and sanitary system in the area. The sanitary manhole at the center of the intersection has settled enough to cause a break in the influent collection piping to the sanitary sewer lift station. The break has allowed rainwater, sand/silt and debris to migrate into the wet well of the lift station causing damage to the pump impellers which will result in complete failure if not addressed soon. This has also resulted in large inflows of groundwater into the sanitary sewer system. Additionally, the existing pipe culvert has failed and is causing a unique problem in that the failure is allowing significant storm water flows to migrate directly into the existing lift station during rain events thus impacting the pumping capacity of the station and causing the sewer collection piping to become charged and overflow. These inflows contribute greatly to the sewer overflow problem the City has received an IEPA violation notice for.

The proposed project is to remove and replace the 12th Street sewage lift station, an existing sewer manhole and the existing sanitary collection piping tributary to the lift station. Further the project requires excavation of significant quantities of unstable soils, incidental road surface repairs and the replacement of an existing drainage culvert that has failed due to the surrounding unstable soils. Large stone will be used to support the road, manhole and lift station. To accomplish this a substantial amount of shoring will be required due to the small right-of-way area.

Overflows from sanitary sewers for whatever reason are expressly prohibited by USEPA and IEPA and are a violation of various rules and regulations. Sanitary sewer overflows in this area allow untreated sewage to discharge on the existing ground. When these events occur the general public could come into contact with untreated domestic wastewater which contains pathogens that can spread disease thus creating a significant health and safety risk to our residents. Sewer customers upstream from the 12th Street lift station could experience disruption of service and potential overflows/backups during heavy rain events. During a heavy rain the pumps become overwhelmed by the storm flows thus allowing potential sewer overflows to upstream connections.

The City of Herrin is unable to complete this project without funding assistance. During their last fiscal year, the revenue from their operations account was a loss of \$33,800. The City has outstanding debt of \$4,789,000. It is necessary to obtain additional funding to complete this project to avoid failure of the lift station and a disruption of service.



NFP

FIRM
FLOOD INSURANCE RATE MAP
WILLIAMSON COUNTY,
ILLINOIS
AND INCORPORATED AREAS

PANEL 50 OF 375
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BUSH, VILLAGE OF	170784	0050	D
FREEMAN SPUR, VILLAGE OF	170953	0050	D
HERRIN, CITY OF	170717	0050	D
WILLIAMSON COUNTY	170934	0050	D

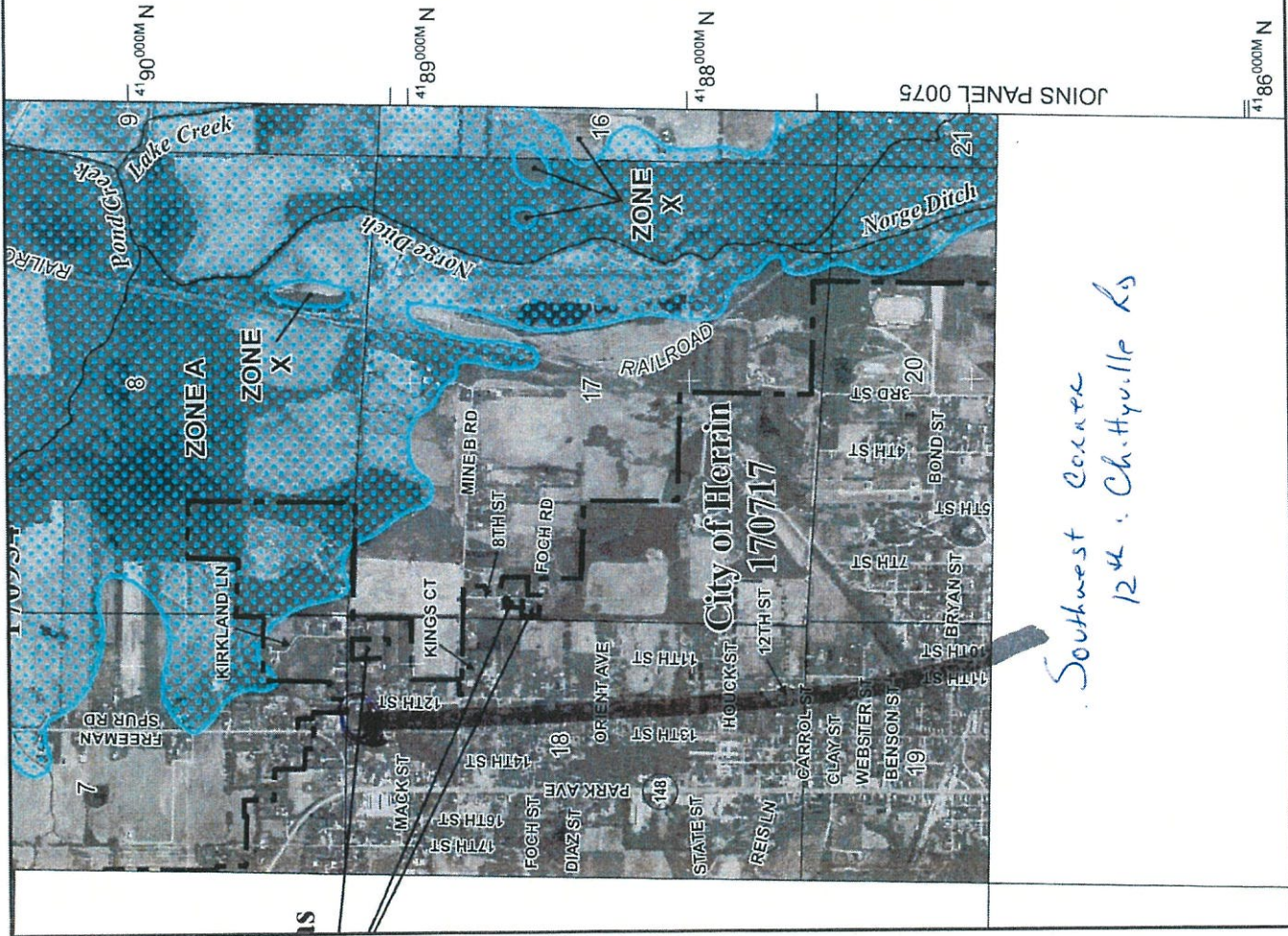
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

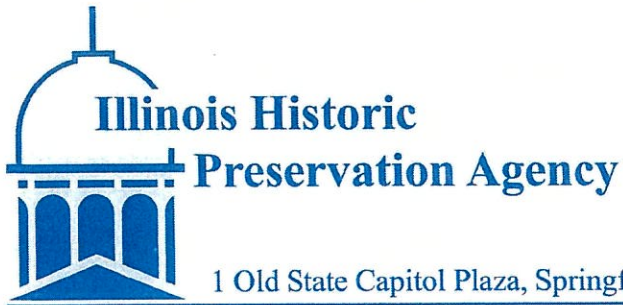
MAP NUMBER
17199C0050D

EFFECTIVE DATE
AUGUST 4, 2008

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov





FAX 217/524-7525
www.illinoishistory.gov

Williamson County
Herrin
SW of Chittyville Road & 12th Street
Section:18-Township:8S-Range:2E
CDAP-16-242013
Sanitary sewer lift station systems improvements

PLEASE REFER TO: IHPA LOG #003042517

May 11, 2017

Celeste Sollers
Williamson County Community & Economic Development
407 N. Monroe
Williamson County Courthouse
Marion, IL 62959

Dear Ms. Sollers:

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 (2) 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 Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,

Rachel Leibowitz, Ph.D.
Deputy State Historic
Preservation Officer

When to Consult with Tribes Under Section 106

Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property or religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in underdeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, and transfer, lease or sale of properties of the types listed above.

If a project includes any of the types of activities below, invite tribes to consult.

- Significant ground disturbance (digging)**
Examples: new sewer lines, utility lines (above and below ground), foundations, footings, grading, access roads
- New construction in undeveloped natural areas**
Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas.
- Incongruent visual changes**
Examples: construction of a focal point that is out of character with the surrounding natural area, impairment of the vista or viewshed from an observation point in the natural landscape, or impairment of the recognized historic scenic qualities of a rea.
- Incongruent audible changes**
Example: increase in noise levels above an acceptable standard in areas known for their quiet contemplative experience.
- Incongruent atmospheric changes**
Example: introduction of lights that create skyglow in an area with a dark night sky.
- Work on a building with significant tribal association**
Examples: rehabilitation, demolition or removal of a surviving ancient tribal structure or village, or a building or structure that there is a reason to believe was the location of a significant tribal event, home of an important person, or that served as a tribal school or community hall.
- Transfer, lease or sale of a historic property of religious and cultural significance**
Examples: transfer, lease or sale of properties that contain archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, plant and animal communities, or buildings and structures within significant tribal association.
- None of the above apply**

Project: City of Herrin #16-242013 (Community Name/Grant #s)

Reviewed By: Celeste Sollers, Director (Printed Name, Title)

Signature: Celeste Sollers Date: 5/9/17

Tribal Directory Assessment Information

Contact Information for Tribes of Williamson County, Illinois



Tribal Name	County Name
Peoria Tribe of Indians of Oklahoma	Williamson

This tribe's contact information:

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
John Froman	Chief	PO Box 1527 Miami, OK 74355	(918) 540-2535	(918) 540-2538		jfroman@peoriatribe.com	http://www.peoriatribe.com

Miami Tribe of Oklahoma

This tribe's contact information:

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Douglas Lankford	Chief	PO Box 1326 Miami, OK 74355	(918) 542-1445	(918) 542-7260		dlankford@miamination.com	http://www.miamination.com
Diane Hunter	THPO	PO Box 1326 Miami, OK 74355	(918) 542-1445	(918) 542-7260		dhunter@miamination.com	http://www.miamination.com

Menominee Indian Tribe of Wisconsin

This tribe's contact information:

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Gary Besaw	Chairman	PO Box 910 Keshena, WI 54135	(715) 799-5114	(715) 799-3373		gbesaw@mitw.org	http://www.menominee-nsn.gov/
David Gignon	Tribal Historic Preservation Officer	PO Box 910 Keshena, WI 54135-0910	(715) 799-5258	(715) 799-5295		dgignon@mitw.org	http://www.menominee-nsn.gov/

Shelly Huggins, *City Clerk*

David Shoemake
Sheila Ahlgren
ALDERMEN WARD 1

Paul York
Deon McGuire
ALDERMEN WARD 2



CITY OF HERRIN

STEVE FRATTINI, MAYOR
300 N. PARK AVE • HERRIN, IL 62948
(618) 942-6166 Fax (618) 942-2296

Carl Goodwin, *City Treasurer*

Steve Miller
Scott Kinley
ALDERMEN WARD 3

Bill Sizemore
Marilyn Ruppel
ALDERMEN WARD 4

May 5, 2017

Chief John P. Froman
Peoria Tribe of Indians of Oklahoma
P.O. Box 1527
Miami, Oklahoma 74355

Re: Herrin, Illinois
CDBG /DCEO Public Infrastructure

Dear Chief Froman:

The City of Herrin is undertaking a public infrastructure project utilizing federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Herrin, Illinois has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Herrin has initiated a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

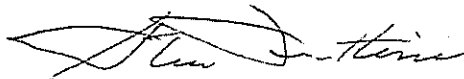
If you would like to be a consulting party on this project we are requesting that we receive a response from you within 30 days from the date of this notice to meet the project timeframe. Your response should note if you have any interest in the project or any initial concerns with impacts of the project on religious or cultural properties.

I have attached a summary of the project scope of work and a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project area is confined to the southwest corner of 12th Street and Chittyville Road in the City of Herrin at the location of the existing lift station to be replaced.

More information on the Section 106 HUD Tribal Consultation is described in a Notice available at <https://www.hudexchange.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58/>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Frattini". The signature is fluid and cursive, with a large initial "S" and "F".

Steve Frattini, Mayor
City of Herrin

Celeste Sollers

From: Celeste Sollers
Sent: Tuesday, May 09, 2017 9:44 AM
To: 'jfroman@peoriatribe.com'
Subject: Consultation Request
Attachments: Peoria Tribe of Indians Oklahoma.pdf; Herrin Project Summary and Location.pdf

Honorable Chief Froman,

The City of Herrin, Illinois has received Public Infrastructure CDBG grant funds from the State of Illinois Department of Commerce and Economic Opportunity. The purpose of the project is to replace an existing sanitary lift station, an existing manhole and existing sanitary collection piping located on the SW corner of 12th Street and Chittyville Road that is failing due to unstable soils. The site is located in Williamson County, Herrin Township, T.8S-R.2E, section 18.

A condition of the Environmental Review Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Therefore, Williamson County is submitting this information to you as an invitation to consult on the project. I have enclosed the formal invitation to consult from the Mayor of the City, a project summary and maps of the project area.

We thank you for your input and look forward to hearing from you soon.

Thank you for your assistance.

Celeste Sollers, Director
Community & Economic Development
Williamson County
618-998-2247
csollers@williamsoncountyil.gov



Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355
Ph: (918) 541-1300 • Fax: (918) 542-7260
www.miamination.com



May 23, 2017

Steve Frattini
Mayor, City of Herrin
300 N. Park Ave.
Herrin, IL 62948

Re: Herrin, Illinois, CDBG/DCEO Public Infrastructure – Comments of the Miami Tribe of Oklahoma

Dear Mr. Frattini:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this capacity, I am the Miami Tribe's point of contact for all Section 106 issues.

The Miami Tribe offers no objection to the above-mentioned project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this site is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at dhunter@miamination.com to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

Diane Hunter
Tribal Historic Preservation Officer
Miami Tribe of Oklahoma

Shelly Huggins, *City Clerk*

David Shoemake
Sheila Ahlgren
ALDERMEN WARD 1

Paul York
Deon McGuire
ALDERMEN WARD 2

May 5, 2017



CITY OF HERRIN
STEVE FRATTINI, MAYOR
300 N. PARK AVE • HERRIN, IL 62948
(618) 942-6166 Fax (618) 942-2296

Carl Goodwin, *City Treasurer*

Steve Miller
Scott Kinley
ALDERMEN WARD 3

Bill Sizemore
Marilyn Ruppel
ALDERMEN WARD 4

Chief Douglas Lankford
Miami Tribe of Oklahoma
P.O. Box 1326
Miami, Oklahoma 74355

Re: Herrin, Illinois
CDBG /DCEO Public Infrastructure

Dear Chief Lankford:

The City of Herrin is undertaking a public infrastructure project utilizing federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Herrin, Illinois has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Herrin has initiated a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

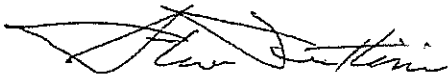
If you would like to be a consulting party on this project we are requesting that we receive a response from you within 30 days from the date of this notice to meet the project timeframe. Your response should note if you have any interest in the project or any initial concerns with impacts of the project on religious or cultural properties.

I have attached a summary of the project scope of work and a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project area is confined to the southwest corner of 12th Street and Chittyville Road in the City of Herrin at the location of the existing lift station to be replaced.

More information on the Section 106 HUD Tribal Consultation is described in a Notice available at <https://www.hudexchange.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58/>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Frattini", written in a cursive style.

Steve Frattini, Mayor
City of Herrin

Celeste Sollers

From: Celeste Sollers
Sent: Tuesday, May 09, 2017 9:46 AM
To: 'dlankford@miamination.com'
Cc: 'dhunter@miamination.com'
Subject: Consultation request
Attachments: Miami Tribe of Oklahoma.pdf; Herrin Project Summary and Location.pdf

Honorable Chief Lankford,

The City of Herrin, Illinois has received Public Infrastructure CDBG grant funds from the State of Illinois Department of Commerce and Economic Opportunity. The purpose of the project is to replace an existing sanitary lift station, an existing manhole and existing sanitary collection piping located on the SW corner of 12th Street and Chittyville Road that is failing due to unstable soils. The site is located in Williamson County, Herrin Township, T.8S-R.2E, section 18.

A condition of the Environmental Review Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Therefore, Williamson County is submitting this information to you as an invitation to consult on the project. I have enclosed the formal invitation to consult from the Mayor of the City, a project summary and maps of the project area.

We thank you for your input and look forward to hearing from you soon.

Thank you for your assistance.

Celeste Sollers, Director
Community & Economic Development
Williamson County
618-998-2247
csollers@williamsoncountyil.gov

Shelly Huggins, *City Clerk*

David Shoemake
Sheila Ahlgren
ALDERMEN WARD 1

Paul York
Deon McGuire
ALDERMEN WARD 2



CITY OF HERRIN
STEVE FRATTINI, MAYOR
300 N. PARK AVE • HERRIN, IL 62948
(618) 942-6166 Fax (618) 942-2296

Carl Goodwin, *City Treasurer*

Steve Miller
Scott Kinley
ALDERMEN WARD 3

Bill Sizemore
Marilyn Ruppel
ALDERMEN WARD 4

May 5, 2017

Chairman Gary Besaw
Menominee Indian Tribe of Wisconsin
P.O. Box 910
Kenshena, WI 54135

Re: Herrin, Illinois
CDBG /DCEO Public Infrastructure

Dear Chairman Besaw:

The City of Herrin is undertaking a public infrastructure project utilizing federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Herrin, Illinois has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Herrin has initiated a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

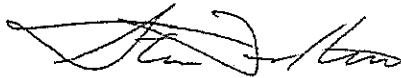
If you would like to be a consulting party on this project we are requesting that we receive a response from you within 30 days from the date of this notice to meet the project timeframe. Your response should note if you have any interest in the project or any initial concerns with impacts of the project on religious or cultural properties.

I have attached a summary of the project scope of work and a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project area is confined to the southwest corner of 12th Street and Chittyville Road in the City of Herrin at the location of the existing lift station to be replaced.

More information on the Section 106 HUD Tribal Consultation is described in a Notice available at <https://www.hudexchange.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58/>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Frattini".

Steve Frattini, Mayor
City of Herrin

Celeste Sollers

From: Celeste Sollers
Sent: Tuesday, May 09, 2017 9:47 AM
To: 'gbesaw@mitw.org'
Cc: 'dgrignon@mitw.org'
Subject: Consultation Request
Attachments: Menominee Indian Tribe of Wisconsin.pdf; Herrin Project Summary and Location.pdf

Honorable Chairman Besaw,

The City of Herrin, Illinois has received Public Infrastructure CDBG grant funds from the State of Illinois Department of Commerce and Economic Opportunity. The purpose of the project is to replace an existing sanitary lift station, an existing manhole and existing sanitary collection piping located on the SW corner of 12th Street and Chittyville Road that is failing due to unstable soils. The site is located in Williamson County, Herrin Township, T.8S-R.2E, section 18.

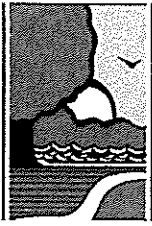
A condition of the Environmental Review Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Therefore, Williamson County is submitting this information to you as an invitation to consult on the project. I have enclosed the formal invitation to consult from the Mayor of the City, a project summary and maps of the project area.

We thank you for your input and look forward to hearing from you soon.

Thank you for your assistance.

Celeste Sollers, Director

Community & Economic Development
Williamson County
618-998-2247
csollers@williamsoncountyil.gov



Illinois Department of Natural Resources

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

Bruce Rauner, Governor

Wayne Rosenthal, Director

April 24, 2017

Celeste Sollers
City of Herrin
300 North Park Avenue
Herrin, IL 62948

RE: Herrin Public Infrastructure
Project Number(s): 1709647 [16-242013]
County: Williamson

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 and 1090 is terminated.

Consultation for Part 1075 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. Consultation for Part 1090 (Interagency Wetland Policy Act) is valid for three years.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database and the Illinois Wetlands Inventory 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.

Sheldon Fairfield
Division of Ecosystems and Environment
217-785-5500

Applicant: City of Herrin
Contact: Celeste Sollers
Address: 300 North Park Avenue
Herrin, IL 62948

IDNR Project Number: 1709647
Date: 04/19/2017
Alternate Number: 16-242013

Project: Herrin Public Infrastructure
Address: 300 N Park Avenue, Herrin

Description: Replacement of existing lift station, manhole and corresponding pipe.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Wetland Review (Part 1090)

The Illinois Wetlands Inventory shows wetlands within 250 feet of the project location.

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: Williamson

Township, Range, Section:

8S, 2E, 7

8S, 2E, 18



IL Department of Natural Resources
Contact
Sheldon Fairfield
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
IL Department of Commerce and Economic
Opportunity
Kirk Kumerow
500 E Monroe
Springfield, Illinois 62701

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.



U.S. Fish and Wildlife Service

National Wetlands Inventory

12th Street Lift Station - Wetlands

PROJECT LOCATION



April 19, 2017

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

April 26, 2017

Community & Economic Development

Celeste Sollers, Director

Williamson County Courthouse

407 N. Monroe

Marion, IL 62959

RE: City of Herrin

Dear Ms. Sollers:

The Agency has reviewed this submission and has no comments or objections to the proposed project at this time, however, please contact the Agency if the lift station design includes increased pumping rated capacity. Also, please be advised that any solid or hazardous waste must be properly disposed of or recycled.

Sincerely,

A handwritten signature in cursive script that reads "Alec Messina".

Alec Messina

Director



Bruce Rauner, Governor
Raymond Poe, Director

Bureau of Land and Water Resources

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/782-6297 • TDD 866/287-2999 • Fax 217/557-0993

April 27, 2017

Ms. Celeste Sollers, Director
Economic Development
Williamson County Courthouse
407 North Monroe
Marion, Illinois 62959

Re: City of Herrin (Williamson) Grant # 16-242013
Waste Water System Improvements
2016 DCEO CDBG Public Infrastructure Grant Funds

Dear Ms. Sollers:

Thank you for notifying the Illinois Department of Agriculture (IDOA) of Herrin's request for Community Development Block Grant (CDBG) funds from the Illinois Department of Commerce and Economic Opportunity (DCEO). The Illinois Department of Agriculture (IDOA) has examined the above-referenced project for its potential impact to agricultural land in order to determine its compliance with the Illinois Farmland Preservation Act (505 ILCS 75/1 et seq.). Our analysis also relates to the federal Farmland Protection Policy Act (7 USC 4201 et seq.) which specifies that federal actions affecting farmland conversion shall be consistent with state and local programs to protect farmland.

The City of Herrin is currently experiencing problems on the north side of town at the 12th Street lift station due to poor soil conditions, settling/tilting of the wet well and the breaking of the influent collection pipe. Pipe failure has caused sewage overflow and has resulted in violation notices of rules and regulations from both USEPA and IEPA. The City proposes to use DCEO CDBG Grant funds to remove and replace the 12th Street sewage lift station, an existing manhole and the existing collection piping tributary to the lift station. Construction also includes excavation of significant quantities of unstable soil, incidental road surface repairs and replacement of an existing drainage culvert. Large stones will be used to support the road, manhole and lift station.

Because all improvements will occur within Herrin's corporate boundaries, the project is exempt from the IDOA's further review in accordance with Section 2 of the IDOA-DCEO Cooperative Working Agreement on the protection of Illinois farmland.

We have determined the project meets the intent of DCEO's Agricultural Land Preservation Policy and complies with the Illinois Farmland Preservation Act.

Sincerely,

A handwritten signature in cursive script that reads "Steven D. Chard".

Steven D. Chard, Acting Chief
Bureau of Land and Water Resources

SDC:JL

cc: Kirk Kumerow, DCEO
Agency project file