

U.S. Department of Homeland Security
Federal Emergency Management Agency
536 S. Clark St., 6th Floor
Chicago, Illinois 60605-1521



FEMA

March 4, 2013

Melissa Cook, Tribal Historic Preservation Officer
Forest County Potawatomi Community of Wisconsin
Cultural Center, Library & Museum
8130 Mishkoswen Drive, PO Box 340
Crandon, Wisconsin 54520

Re: Storm Water Management Project in Cook County, Illinois

Dear Ms Cook:

In accordance with the National Historic Preservation Act and other legislation, the Federal Emergency Management Agency (FEMA) has determined that the captioned activity will constitute a federally-assisted undertaking, requiring a Section 106 Review under the National Historic Preservation Act of 1966, as amended.

The federal actions involve the installation of sewers, valves, high capacity inlets and other infrastructure to improve the existing storm water management system in Bartlett, Illinois. In addition, the city proposes construction of two water storage facilities. These basins will be constructed on parcels which had drainage tiles installed in the early 1900s to a depth of five feet. All other work will be done in previously-disturbed road right-of-ways or existing utility corridors.

The undertaking's location is noted on the enclosed maps, which include historic topographic maps, maps from the Illinois Historic Preservation Agency's HARGIS system, and a plan of the early 20th century tile installations. Based on the information available, FEMA's finding of "no historic properties affected" has been forwarded to the Illinois State Historic Preservation Office (SHPO) for review. As with all FEMA undertakings, the project will be conditioned so that in the event that human remains are discovered, all applicable state and federal requirements will be met.

FEMA recognizes the special and unique legal relationship that exists between the Federal Government and federally-recognized Indian Tribes (Tribes). FEMA also recognizes that Tribes may attach religious and cultural significance to historic properties located on ancestral, aboriginal or ceded lands that are not contiguous with reservation lands. As part of the review process, FEMA consults with Tribes regarding the possible effects of disaster recovery efforts on cultural properties of historic or traditional significance, referred to as Traditional Cultural Properties (TCPs).

We invite your comments on the potential impacts these activities may have on lands traditionally used by or sacred to the Forest County Potawatomi Community of Wisconsin or other Native American groups. We understand the sensitive nature of much of the information regarding TCPs and assure you in advance that any information you provide will be considered privileged and confidential. In order to safeguard cultural resources or TCPs of interest to Native Americans, we are also contacting the following Tribes requesting information regarding their interests in Cook County.

- Citizen Potawatomi Nation
- Hannahville Indian Community
- Prairie Band of Potawatomi Nation
- Ho-Chunk Nation

Receiving information from you regarding any areas of interest to the Forest County Potawatomi Community of Wisconsin, or notice of Tribes other than those listed above that may have an interest in Cook County would improve FEMA's efforts to protect resources that may exist in the areas noted on the enclosed maps.

If you have questions or information that will help us protect TCPs, don't hesitate to contact me at 312-408-5438 or nicholas.mueller@fema.dhs.gov. We would appreciate a response by mail or email from your office within thirty (30) days. If we receive no response within that time, we will assume that this undertaking has no impact to TCPs of interest to the Forest County Potawatomi Community and will move forward with the project.

Sincerely,



Nicholas Mueller,
Regional Environmental Officer
FEMA, Region V

enclosures



Forest County Potawatomi

Cultural Center and Museum

March 7, 2013

Nicholas Mueller, Regional Environmental Officer
FEMA
536 S. Clark Street, 6th Floor
Chicago, IL 60605-1521

Re: Bartlett Storm Water Management Project, Cook County, Illinois, (HMGP Application 1935.16.R)

Dear Nicholas Mueller:

Thank you for your notice of intent for the proposed project referenced above, as provided in your letter dated March 4, 2013. As this project occurs within Potawatomi ancestral and previously occupied lands, we would like to express our concerns with any impacts to historic and cultural properties located within the project area of potential effect for the project mentioned above.

We appreciate receiving results of an archival review, cultural resource investigation studies, and archaeological reports. Should there be an impact or effect to cultural or historic properties as a result of this project, we will request consultation pursuant to Section 106 of the National Historic Preservation Act, as amended.

You may send the results of the archival review, cultural resource assessments, and archaeological report to:

Forest County Potawatomi Community
Attn: Melissa Cook, Tribal Historic Preservation Officer
8130 Mish ko swen Drive
P.O. Box 340
Crandon, WI 54520
Melissa.Cook@fcpotawatomi-nsn.gov (for digital format)

If you have any questions or concerns, please contact me at 715-478-7248 or email at Melissa.Cook@fcpotawatomi-nsn.gov.

Respectfully,

Melissa Cook
Tribal Historic Preservation Officer

From: Mueller, Nicholas
To: ["Cathy_Pollack@fws.gov"](mailto:Cathy_Pollack@fws.gov)
Subject: Informal Consultation: Bartlett Stormwater Detention Basin
Date: Monday, May 20, 2013 1:38:00 PM
Attachments: [03. Maps.pdf](#)
[02.Summary Document USFWS.docx](#)
[USFWS Section 7 review memo.1.pdf](#)
[USFWS Section 7 review memo.2.pdf](#)

Good afternoon Cathy,

FEMA Region V is currently finalizing a draft of an environmental assessment for a stormwater project located within the Village of Bartlett in Cook County, Illinois. Portions of the project include the conversion of a low-grade wetland into a stormwater detention basin and other elements (full project description included in summary document). An independent contractor completed species analysis of the proposed stormwater detention basins and found that no listed threatened or endangered species are present at the proposed project areas. FEMA has made a determination that the presence of federally listed species is unlikely based on the contractor's assessment as well as the site conditions (urban environment) and previous ground disturbances in the area. The main project site was previously agricultural land until drainage tiles were broken in the mid-1950's which lead to the creation of the wetland as shown on USGS historic maps. FEMA would like a confirmation that USFWS does not know of any listed species on the project parcel and would agree with our determination of no impact to listed species. Please let me know if you can provide that to our agency.

Thanks for your assistance,
Nicholas Mueller
Regional Environmental Officer
FEMA Region V
312-408-5438



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chicago Ecological Services Field Office
1250 South Grove Avenue, Suite 103
Barrington, Illinois 60010
Phone: (847) 381-2253 Fax: (847) 381-2285



IN REPLY REFER TO:
FWS/AES-CIFO/2013-I-0014

June 6, 2013

Mr. Nicholas Mueller
Regional Environmental Officer
FEMA Region V

Dear Mr. Mueller:

This responds to your emailed documents dated May 20, 2013, with additional information sent on May 28, 2013, regarding your determination that the potential effects of the proposed stormwater detention project located within the Village of Bartlett, Cook County, Illinois will have no effect to federally listed species.

In order to improve flood water management and alleviate future flood events within the Village of Bartlett, the proposed project consists of converting a low quality wetland (native FQI = 10.1 and native Mean C = 2.4) into a stormwater detention basin with the associated infrastructure (berm construction with the installation of high capacity inlets, sewer pipes, flapgates, and Tideflex valves). These proposed activities are restricted to a residential property that is subject to artificial drainage and is dominated by a lawn consisting of mowed turf grass.

Under the Endangered Species Act of 1973, it is the responsibility of the Federal agency which either authorizes, funds, or carries out the proposed action, to determine whether or not the project "may affect" or will have "no effect" on listed species. If the Federal action agency determines that the project will have no effect on listed species, that determination should be documented in agency files, and no further correspondence with the U.S. Fish and Wildlife Service is required. This project, in which construction is proposed at an already developed site and where no habitat exists for federal listed species, is a good example of reasonable rationale for a no effect determination.

In cases where the Federal agency determines that a project may affect one or more listed species, the project and effects determination should be forwarded to the U.S. Fish and Wildlife Service for our review and concurrence or further consultation.

Mr. Nicholas Mueller

2

This letter provides comment under the authority of, and in accordance with, the provisions of the National Environmental Policy Act of 1969 (83 Stat. 852, as amended P.L. 91-190, 42 U.S.C. 4321 *et seq.*), the Endangered Species Act of 1973 (82 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the Fish and Wildlife Coordination Act of 1956 (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*), and the Migratory Bird Treaty Act (40 Stat. 775, as amended; 16 U.S.C. 703 *et seq.*).

If you have any questions, please contact Ms. Cathy Pollack at 847-381-2253, ex. 28.

Sincerely,



Acting

Louise Clemency
Field Supervisor