



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: February 6, 2017

MEMO TO: Carol Calabresa, Chair
Planning Committee

FROM: Alex Ty Kovach
Executive Director

REQUEST: Provide policy direction regarding a request from the Waukegan Port District (WPD) to consider transfer of fee simple and permanent easement interests in a portion of Waukegan Savanna Forest Preserve to WPD for the construction of a new, longer runway at Waukegan National Airport and to authorize the drafting of a Letter of Intent between the WPD and the District.

STRATEGIC DIRECTIONS SUPPORTED: Leadership, Public Access and Connections

FINANCIAL DATA: There is no financial impact at this time.

BACKGROUND: The WPD has been working for more than a decade on the proposed replacement of its Runway 5/23 with a new, longer runway that would allow larger airplanes to utilize the airport, enabling direct flights to Europe without refueling stops (the “Runway Project”). In addition, according to WPD, the existing 6,000 foot runway is near the end of its usable life, and the Federal Aviation Administration now requires 7,000 foot runways to meet safety requirements. WPD and IDOT are both seeking to ascertain whether the District is willing to consider the transfer of land rights to accommodate the Runway Project. IDOT’s highway division needs this confirmation because it is planning improvements to Green Bay Road (State Route 131), including the potential lowering of the road under the new, longer runway. IDOT’s Aeronautics Division needs this confirmation because it is primarily responsible for administering federal funds for airport improvements in Illinois and it wants to ascertain whether the airport construction project is feasible; if it is not feasible, then IDOT would allocate its available funds to a different project, which would (according to WPD) effectively “shelve” the Runway Project for the foreseeable future.

The WPD is requesting rights in approximately 52.3 acres of District property within Waukegan Savanna Forest Preserve to accommodate the Runway Project. According to the WPD, existing FAA standards require that the WPD acquire (i) fee-simple title to 38.7 acres of District property and (ii) a permanent aviation easement in 13.6 acres of District property. The WPD is in discussions with the FAA regarding the possibility of obtaining only easement rights over both the 38.7- and 13.6-acre parcels.

Because the WPD is a governmental agency, the District has the legal authority to grant the easement and/or fee simple rights requested by the WPD. If the District were to grant such rights, it would do so pursuant to a future intergovernmental agreement. The WPD would also need to acquire other private land adjacent to the airport to complete the Runway Project.

Staff is seeking approval from the Committee to draft a Letter of Intent outlining the elements of any future intergovernmental agreement between the District and WPD related to the transfer of land rights. The draft Letter of Intent would be considered for recommendation at the March 6th, 2017 Planning Committee and for approval at the March 14th Board of Commissioners meeting.

The Letter of Intent is not a contract and as such it is non-binding. If the parties approve a Letter of Intent, and if they are then able to negotiate a mutually acceptable intergovernmental agreement, that agreement would be effective only if and when it is approved by the corporate authorities of both the District and WPD at some future date.

REVIEW BY OTHERS: Chief Operations Officer, Director of Planning and Land Preservation,
Corporate Counsel