



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: May 6, 2019

MEMO TO: John Wasik, Chair
Planning Committee

FROM: Alex Ty Kovach
Executive Director

REQUEST: Provide Policy Direction on the request by Waukegan Port District (WPD) for an extension to a Letter of Intent between the Lake County Forest Preserve District (District) and WPD concerning negotiation of an Intergovernmental Agreement, pending the results of an environmental assessment on the proposed expansion of the runway at Waukegan National Airport and Federal Aviation Administration input on such assessment.

STRATEGIC DIRECTIONS SUPPORTED: Leadership; Public Access and Connections.

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

BACKGROUND: The WPD owns and operates Waukegan National Airport. 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 the 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.

In 2016 and 2017, WPD and IDOT asked the District whether it would consider transferring land rights to WPD to accommodate the Runway Project. IDOT’s highway division needed 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 needed this confirmation because it is primarily responsible for administering federal funds for airport improvements in Illinois and it wanted to ascertain whether the airport construction project is feasible.

To indicate its support for the Runway Project to WPD and other relevant agencies, the District’s Board approved a Letter of Intent (LOI) at its April 11, 2017 meeting. The LOI outlined the terms and conditions of a proposed Intergovernmental Agreement (IGA) between the WPD and the District. The LOI provides that the District would convey to WPD fee simple ownership of approximately 38.7 acres and grant perpetual easement rights over an additional approximately 45.45 acres. On June 26, 2017, at WPD’s request, the Planning Committee gave policy direction to reduce the approximate 45.45 acres of easement rights to 13.6 acres of fee simple ownership.

The LOI provides that the WPD and District would participate in good faith negotiations towards an IGA for a period of not less than 180 days following the LOI’s April 17, 2017 approval and that, thereafter, either party may unilaterally terminate the LOI.

In November 2017, the District forwarded a draft IGA to the WPD and the WPD has acknowledged receipt of the IGA, but is not yet ready to negotiate the IGA, because the environment assessment (EA) process for the project is taking longer than the WPD initially estimated when the LOI was approved, thus slowing the process. The draft EA is now expected by January 2020.

Neither party has expressed a desire to terminate the LOI. Nevertheless, to provide it comfort in its continued planning process, WPD would like the parties to approve a formal extension of the “good faith negotiations” period set forth in the LOI, as WPD works through the EA . If the LOI is amended to provide for such an extension, it would also be appropriate to update the LOI to reflect the Planning Committee’s June 26, 2017, direction, i.e., to reduce the approximate 45.45 acres of easement rights to 13.6 acres of fee simple ownership.

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

WAUKEGAN PORT DISTRICT

AIRPORT . MARINA . PORT

13 December 2018

Mr. Ty Kovach
Executive Director
Lake County Forest Preserves
1899 West Winchester Road
Libertyville, IL 60048

Subject: Extension to the LOI deadline to execute the IGA

Dear Mr. Kovach,

As the result of an executed Letter of Intent (LOI) dated 21 March 2017, the Waukegan Port District (WPD), owner and operator of the Waukegan National Airport, is in receipt of Lake County Forest Preserve District's (LCFPD) Draft Intergovernmental Agreement (IGA) regarding the proposed Replacement Runway 5/23 Program and its impact on the Waukegan Savanna Forest Preserve.

WPD's acceptance of the Draft IGA acknowledges the spirit of cooperation between the LCFPD and WPD in seeing their respective projects move forward. As it becomes available, WPD will continue to provide the LCFPD with information regarding environmental resources that may be impacted by the Replacement Runway 5/23 Program for inclusion in the IGA.

The environmental assessment (EA) process is taking much longer than initially estimated when the LOI was written and executed. WPD is requesting an extension to the LOI deadline to execute the IGA pending the results of an environmental assessment and FAA input. A draft EA is expected by January 2020, by which time specific IGA parameters will be defined. A timeline of the EA is attached.



Skip Goss
General Manager
Waukegan National Airport

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