

November 25, 2023

Tina Lancaster
U.S. Department of the Treasury
Acting Director, Office of Civil Rights and Equal Employment Opportunity
1500 Pennsylvania Ave, N.W.
Washington, DC 20220
crcomplaints@treasury.gov

Dear Acting Director Lancaster,

On behalf of Centreville Citizens for Change, we submit this written complaint against St. Clair County, Illinois for violating Title VI of the Civil Rights Act of 1964 and the Department of the Treasury's Title VI implementing regulations at 31 C.F.R. Part 22.

The residents of Centreville, Illinois¹—a majority-Black community in the city of Cahokia Heights in St. Clair County—have been forced to live with deteriorated and collapsed wastewater and floodwater infrastructure for decades and are in dire need of improvements to those systems. The community is prone to severe flooding events every time it rains for a sustained period. Floodwaters have eroded the foundations of many residents' homes, and these floods often cause raw sewage containing urine and feces to flow onto the properties and into the homes of Black Centreville residents, with devastating impacts on their health and well-being.

St. Clair County knew about and had an opportunity to remedy this endemic problem with the approximately \$50.4 million in federal funding that it received under the American Recovery Plan Act's State Local Fiscal Recovery Fund program ("ARPA funds"). With these funds, the County could have contributed toward ending decades of neglect the County has shown towards Centreville, restored the city's water and sewage infrastructure, repaired the homes of its residents, and improved the quality of life of tens of thousands of Black Centreville residents. Instead, the County made a deliberate and discriminatory choice to ignore these failing infrastructure issues. It opted to spend 98% of its ARPA funds on projects in predominantly white communities that were less urgent and important, including fixing flooding issues in an

¹ As noted elsewhere in this complaint, *see supra* Section III.A, Centreville was a municipality in its own right before its incorporation into the city of Cahokia Heights in 2021. Accordingly, the municipality of Cahokia Heights is now the operative organ of local government for Centreville residents. We refer throughout this complaint to Centreville rather than Cahokia Heights based on the Complainant's connection to that community and its particular history of underinvestment by St. Clair County.

animal shelter, rather than fixing flooding issues for Black residents. The County's knowing disregard for what can only be described as a crisis represents a stark demonstration of intentional discrimination against Black Centreville residents, who were disparately impacted by the choice and will continue to suffer from its consequences for years.

Title VI of the Civil Rights Act of 1964 prohibits entities that receive federal funding from engaging in activities that subject individuals to discrimination based on race and the U.S. Department of the Treasury has a legal obligation to prevent its funds from being used in a discriminatory way. St. Clair County receives federal financial assistance from the Treasury and is thus bound by this prohibition against racial discrimination. We request that the Treasury's Office of Civil Rights accept this Complaint, investigate these allegations, and take all necessary steps to ensure that St. Clair County eliminates racial discrimination from its continuing allocation and spending of American Rescue Plan Act funding.

I. Parties

The Complainant, Centreville Citizens for Change (CCC), is a community organization comprised of approximately 40 residents of the former city of Centreville, Illinois, which was incorporated into the city of Cahokia Heights, Illinois, in May 2021. Cahokia Heights is located in St. Clair County, Illinois. Centreville Citizens for Change was formed in August 2019 to advocate for improvements to Centreville's severely deficient wastewater and stormwater infrastructure. Most CCC members have experienced significant damage to their properties and negative health effects as a result of sewage backups or stormwater flooding.

The subject of this Complaint is St. Clair County, Illinois, which received approximately \$50.4 million in funding from the Department of the Treasury through the American Rescue Plan Act's State and Local Fiscal Recovery Fund program.

II. Treasury Funding Source

The American Rescue Plan Act of 2021 (H.R. 1319) (ARPA) establishes the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) to provide state, local, and tribal governments funds to respond to the COVID-19 pandemic. Under the SLFRF, St. Clair County, Illinois received \$50,440,961 in funding.² The U.S. Department of the Treasury is responsible for distributing and overseeing grants from the SLFRF.

² St. Clair County, Illinois, *ARPA Interim Recovery Plan 1* (July 31, 2023), <https://www.co.st-clair.il.us/webdocuments/notices/St%20Clair%20County%20%20ARPA%20Interim%20Recovery%20Plan%207-31-23.pdf> [hereinafter *2023 ARPA Recovery Plan*].

ARPA authorizes SLFRF funds to be used (1) “To respond to the [COVID-19] public health emergency or its negative economic impacts;” (2) “To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;” (3) “For the provision of government services to the extent of the reduction in revenue due to the COVID–19 public health emergency;” and (4) “To make necessary investments in water, sewer, or broadband infrastructure.”³ Moreover, Treasury regulations place certain reporting requirements on the use of SLFRF funds. Among them, SLFRF recipients must provide written justification to the Treasury for all capital expenditure projects of greater than \$1 million.⁴

III. Factual Background

Unlike nearby majority-white towns, predominantly-Black Centreville has suffered for decades from government neglect, most apparent in the appalling state of its wastewater and stormwater infrastructure. Uncontrolled flooding and sewage system failures, which continue to this day, have made residents sick and have repeatedly damaged their properties. When St. Clair County received \$50.4 million in ARPA funds, which specifically authorize spending on water infrastructure, it had an opportunity to address the ongoing public health crisis. Instead, the County chose to ignore Centreville’s struggles and fund a variety of projects in whiter, well-resourced areas.

A. Demographics of Centreville and Surrounding Communities

Prior to its incorporation into the city of Cahokia Heights, Centreville was a small town of its own near the Illinois-Missouri border located in St. Clair County, Illinois.⁵ According to the most recent U.S. Census data available, Centreville’s population of 4,232 people is over 93% Black.⁶ As of 2021, the median household income in Centreville was \$24,088, and approximately 30% of all Centreville residents lived below the poverty line.⁷ Centreville has been highlighted in the media on more than one occasion as one of the poorest towns in the

³ Coronavirus State and Local Fiscal Recovery Funds, 88 Fed. Reg. 64986, 64986 (Sept. 20, 2023); *see also* U.S. DEP’T OF THE TREASURY, CORONAVIRUS STATE & LOCAL FISCAL RECOVERY FUNDS: 2022 OVERVIEW OF THE FINAL RULE 4-5 (Jan. 2022), <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf> [hereinafter OVERVIEW OF THE FINAL RULE].

⁴ 35 C.F.R. § 35.6(b)(4).

⁵ *See* Exhibit A for maps highlighting the location of St. Clair County and Centreville within Illinois.

⁶ *Centreville City, Illinois - Race*, UNITED STATES CENSUS BUREAU, <https://data.census.gov/table?q=Centreville+city,+Illinois+Populations+and+People> (last visited Nov. 12, 2023).

⁷ *Centreville City, Illinois - Income in the Past 12 Months (in 2021 Inflation-Adjusted Dollars)*, UNITED STATES CENSUS BUREAU, <https://data.census.gov/table/ACSST5Y2021.S1901?g=160XX00US1712203> (last visited Nov. 12, 2023); *Centreville city, Illinois - Poverty Status in the Past 12 Months*, UNITED STATES CENSUS BUREAU, <https://data.census.gov/table/ACSST5Y2021.S1701?g=160XX00US1712203> (last visited Nov. 12, 2023).

United States.⁸ In May 2021, Centreville merged with the cities of Alorton and Cahokia to form Cahokia Heights. The newly combined city's population of approximately 17,894 people is around 70% Black and has an estimated median income of \$20,587.⁹

These demographics set Centreville apart from St. Clair County as a whole, which is wealthier and has a far greater percentage of white residents: only 30.8% of residents are Black and the median income is \$63,017.¹⁰ In addition, Centreville has a greater share of Black residents than neighboring cities that have received funding from the County. In neighboring Belleville, 31.3% of the 41,295 residents are Black and the median income is \$56,404.¹¹ And in neighboring Caseyville, 11.3% of the 4,400 residents are Black.¹²

B. History of Flooding and Infrastructure Neglect in Centreville

Decades of government neglect of both basic sewage and stormwater infrastructure in Centreville has created an ongoing humanitarian crisis for the overwhelmingly Black town. Centreville's wastewater system has functionally collapsed. Deteriorating pipes, broken lift stations, and severe inflow and infiltration problems plague residents of the neighborhood, allowing stormwater and groundwater to enter the sewage system through manholes and broken pipes.¹³ Raw sewage containing urine and feces pools in yards and basements, bubbles out of manholes, and backs up into bathtubs, toilets, and sinks across Centreville. On one residential street, North 82nd Street, a fountain of raw sewage spews from an opening on a nearly daily basis, even during dry weather conditions.¹⁴ Raw sewage has soaked into the walls, basements, floors, and furniture of homes in Centreville.

⁸ See, e.g., Carolyn P. Smith, *Centreville Is Poorest Town in America, Report Says*, BELLEVILLE NEWS-DEMOCRAT (June 20, 2018), <https://www.bnd.com/news/local/article213530454.html>; Samuel Stebbins, *These Are the Poorest Cities in Every State in the US*, USA TODAY (May 7, 2019), <https://www.usatoday.com/story/money/2019/05/07/poorest-cities-in-every-state-in-the-us/39431283/>.

⁹ ILL. DEP'T OF HUM. SERVS., CAHOKIA HEIGHTS COMMUNITY DATA PROFILE, 1, 5, <https://www.dhs.state.il.us/OneNetLibrary/27897/documents/FVP/RPSA/Cahokia-Heights-Community-Data-Profile.pdf> (last visited Nov. 12, 2023). Since 2020 U.S. Census Data was unavailable for Cahokia Heights as of January 2022, this report consolidates data from the Census and American Community Survey Estimates (ACS) for the former cities of Alorton, Cahokia, and Centreville.

¹⁰ *Quick Facts: St. Clair County, Illinois*, UNITED STATES CENSUS BUREAU, <https://www.census.gov/quickfacts/fact/table/stclaircountyillinois/PST045222> (last visited Nov. 12, 2023).

¹¹ *Quick Facts: Belleville City, Illinois*, UNITED STATES CENSUS BUREAU, <https://www.census.gov/quickfacts/fact/table/bellevillecityillinois/PST045222> (last visited Nov. 12, 2023).

¹² *Caseyville Village, Illinois - Race*, UNITED STATES CENSUS BUREAU, <https://data.census.gov/table/DECENNIALPL2020.P1?q=Caseyville+village,+Illinois> (last visited Nov. 14, 2023).

¹³ See U.S. Env't Prot. Agency Region 5, *Commonfields of Cahokia – SSO Recon Inspection Trip Report* at 1 (Jan. 26, 2021), available at <https://www.epa.gov/il/communities-east-st-louis-area-and-sanitary-sewer-overflows>.

¹⁴ See Env't Prot. Agency Region 5, *Administrative Order on Consent In the Matter of City of Cahokia Heights* at 6 (Aug. 16, 2021) (finding 82nd Street sanitary sewage overflow violated the Clean Water Act).

Throughout this ongoing humanitarian disaster, St. Clair County has refused to take action, subjecting Black families to enormous financial burdens, physical illness, and psychological trauma. The wastewater system failures have caused property damage to residents' homes, stopped toilets from flushing, and prevented residents from conducting simple activities such as sitting in their yard, inviting friends and family over, and fishing in their community. These conditions have also harmed the health of Centreville residents. Sewage water brings mold, bacteria, parasites and viruses from human waste into homes. In a recent study, researchers found that more than 40% of adults out of an initial sample of 42 Centreville residents had *H. pylori* bacterial infections, which left some residents unable to eat or drink without nausea and vomiting.¹⁵

In addition to failing to fix derelict wastewater infrastructure, the government has failed to maintain the existing stormwater infrastructure to ensure it channels water away from residential homes. Streets begin to flood after just thirty minutes of light rain. Almost any rainfall, mild or severe, creates lake-like conditions across the town. These floods enter residents' yards and homes and destroy crawl spaces, floors, and household appliances such as furnaces and hot water heaters. The floodwaters often take days to recede and sit underneath some residents' homes, rotting their foundations. Floodwaters trap residents in their homes, sometimes requiring rescue by boat. These conditions attract fish, ducks, snakes, and mosquitos into residents' houses. Even after the water recedes from homes and yards, the ditches in front of residents' homes trap stagnant wastewater. Repetitive floods and standing water destroys their homes.

The combination of mismanaged stormwater infrastructure and broken wastewater systems further compounds the destruction wrought by each alone. Floodwaters become a vehicle for spreading overflowing sewage and odors throughout yards and inside homes. The broken wastewater system also allows the excessive stormwater to enter the wastewater systems, which adds pressure to the systems and leads to more sewage overflows. These connected failures have created a vicious cycle of pollution and flooding that endangers members of the community, contaminates public waters, and leaves destroyed property in its wake. The U.S. Army Corps of Engineers estimates the expense of stormwater repairs alone (exclusive of wastewater sewer reconstruction costs) in just *part* of Centreville to range from \$58,527,000 to \$76,982,000.¹⁶ And

¹⁵ See Lexi Cortes, *Illinois health officials fail to help desperate residents as sewage floods their homes*, BELLEVILLE NEWS-DEMOCRAT (Nov. 13, 2023), <https://www.bnd.com/news/local/article281094103.html>.

¹⁶ U.S. ARMY CORPS OF ENG'RS, *Cahokia Heights & East St. Louis Flood Hazard Analysis* at 58 (Aug. 2023), <https://www.mvs.usace.army.mil/Portals/54/docs/pm/Cahokia%20Heights/CahokiaHeightsandESTL%20Final%20Report.pdf>. \$76,982,000 represents the combined cost of full repairs in the Parkside and Ping-Pong neighborhoods of Centreville, along with the replacement of an essential pump station. *Id.* The U.S. Army Corps of Engineers also offers an estimate of less comprehensive repairs, at \$58,527,000. *Id.* This "intermediate" repair program, however, would rely on a system of open-air ditches to act as gutters, thus substantially failing to alleviate the exposure of Centreville residents to contaminants, pollution, and sewage swept up in the stormwater. *See id.* (containing line-item expenses for culverts, asphalt, and area inlet structures in only the most comprehensive estimate, while the

the city of Cahokia Heights has estimated that repairing the separate wastewater sewer system would require an additional \$30-40 million.¹⁷ Existing funding for the repair of these systems do not come close to covering the total costs of repair.

This crisis has been widely publicized¹⁸ and well documented across government bodies. At every turn, the government has failed to allocate the necessary resources to effectively address the crisis. Residents have formally complained about sewage problems since at least 2003, and the Illinois EPA has investigated sewage overflow since at least 2010. On April 17, 2013, the Illinois EPA inspected the sewage system and discovered “breaks/separation in sewer lines, dropped manholes, temporary bypasses and sewage bubbling up ... at various points along the system.” After years of failure, in July 2020, U.S. Senators Tammy Duckworth and Dick Durbin sent a letter to the U.S. Environmental Protection Agency asking the agency to propose solutions to the sewage and flooding issues in Centreville, ensure enforcement of environmental laws and investigate the condition of the drinking water.¹⁹ In August 2021, the U.S. Environmental Protection Agency ordered the city to repair its wastewater sewer system.²⁰ Today, over two years later, the residents of Centreville continue to suffer from chronic sewage and flooding.

C. St. Clair County’s Use of ARPA Funds

Despite the ongoing environmental crisis occurring in majority-Black Centreville, St. Clair County has historically allocated almost no money—received from the Treasury or any other source—to address the issue. Its use of SLFRF funds is no exception. As of November 2023, the County has publicly reported \$47.9 million in planned and/or executed expenditures of its \$50,440,961 million in ARPA funds. Of those funds, the County has allocated \$32 million to projects located in municipalities with majority white populations and \$15.1 million to projects for the County, which is majority white overall. In all, more than 98% funds has been allocated to majority white jurisdictions. More specifically, the funds have been allocated to the following projects:²¹

“intermediate” estimate consists of “Open Channel Improvements” and “Clean Existing Pipes,” without any installation of new underground pipes).

¹⁷ City of Cahokia Heights, *Sanitary Sewer System Operation and Maintenance Program 4* (Apr. 3, 2023), <https://epa.illinois.gov/content/dam/soi/en/web/epa/topics/community-relations/sites/cahokia-heights/documents/o-and-m-approved-final.pdf>.

¹⁸ See, e.g., Catherine Smith, *‘If white people were still here’, this wouldn’t happen: the majority-Black town flooded with sewage*, THE GUARDIAN (Feb. 11, 2021), <https://www.theguardian.com/us-news/2021/feb/11/centreville-illinois-flooding-sewage-overflow>.

¹⁹ Kavahn Mansouri, *U.S. Senators Request EPA Help to Fix “Urgent Public Health Crisis” in Centreville*, BELLEVILLE NEWS-DEMOCRAT (Sept. 22, 2021), <https://www.bnd.com/news/local/article244568787.html>.

²⁰ Env’t Prot. Agency, *EPA Order Requires Cahokia Heights, Illinois to Address Problems with City’s Sanitary Sewer* (News Release, Aug. 16, 2021), <https://www.epa.gov/newsreleases/epa-order-requires-cahokia-heights-illinois-address-problems-citys-sanitary-sewer>.

²¹ U.S. DEP’T OF THE TREASURY, JULY 2023 QUARTERLY REPORTING: DATA THROUGH JUNE 30, 2023 (2023) [hereinafter U.S. TREASURY, JULY 2023 QUARTERLY REPORTING], <https://home.treasury.gov/policy->

Project Description	Amount Allocated (in \$)	Project Location	Project Location % White Population	Project Location % Black Population
Purchase and upgrading of Belle-Clair Expo & Fairground	15,000,000	Belleville	59.5	31.3
Revenue Replacement	10,000,000	St. Clair County	64.2	30.8
Renovations of St. Clair County Courthouse	9,300,000	Belleville	59.5	31.3
Construction of new Animal Control Facility	4,300,000	Belleville	59.5	31.3
Replacement and improvement of warning sirens	2,494,454	St. Clair County	64.2	30.8
Updates to server environment	1,575,000	St. Clair County	64.2	30.8
Demolition, remediation, and disposal of Old Scott Schools	1,500,000	Mascoutah	84.8	3.4
Acquisition, remediation, retrofitting, and improvements to former U.S. Army Reserve Center property	1,000,000	Belleville	59.5	31.3
Purchase of park land	1,000,000	St. Clair County	64.2	30.8
Renovation of existing water tower	855,683	Cahokia Heights	25	70

issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds/recipient-compliance-and-reporting-responsibilities (download spreadsheet by clicking “July 2023 Quarterly Reporting: Data through June 30, 2023” hyperlink); Res. #2816-23-R – Allocating Coronavirus State and Local Fiscal Recovery Funds, St. Clair County Board (May 30, 2023), <https://www.co-st-clair.il.us/webdocuments/meetings/Minutes/2023/May/County%20Board%205-30-23%20long.pdf?4:46%20PM> [hereinafter “Res. #2816-23-R”]; Lexi Cortes, *How St. Clair County government is spending \$30 million in COVID-19 relief funds*, BELLEVILLE NEWS-DEMOCRAT (Nov. 30, 2022), <https://www.bnd.com/news/local/article275935116.html> (citing County Board Chairman Mark Kern as promising that the property would be used for park land); *2023 ARPA Recovery Plan*, *supra* note 2.

Project Description	Amount Allocated (in \$)	Project Location	Project Location % White Population	Project Location % Black Population
Upgrades to water utility infrastructure in Signal Hill neighborhood	400,000	Belleville	59.5	31.3
Roadway improvements to Adeline Court (residential cul-de-sac)	293,300	Belleville	59.5	31.3
Security and legal and audit services at COVID-19 vaccination site	100,000	Belleville	59.5	31.3
Flood repairs	75,000	Caseyville	68.2	11.3
Premium pay to essential workers	42,000	St. Clair County	64.2	30.8
Zoom software for St. Clair County Courthouse	10,000	Belleville	59.5	31.3
Appointment scheduling software for St. Clair County Building	8,067	Belleville	59.5	31.3
Building and zoning software for St. Clair County Courthouse	2,189	Belleville	59.5	31.3
Software for St. Clair County Health Department COVID-19 vaccination clinic	1,230	St. Clair County	64.2	30.8

The racial disparity is just as stark on a per-capita basis. As the below table shows, although the combined population of the other municipalities receiving ARPA funding from the County (Belleville, Caseyville, and Mascoutah) is only three times that of Cahokia Heights, the County’s total allocation of funds to those majority-white municipalities is over 37 times its allocation to majority-Black Cahokia Heights. On a per-capita basis, then, for every dollar Cahokia Heights received, its whiter neighbors received over \$12.

Project Location	Amount Allocated (in \$)	Population	Per Capita Allocation (in \$)
Belleville, Caseyville, Mascoutah	31,988,556.00	54,448	587.51
Cahokia Heights	855,683.00	17,894	47.82

IV. Jurisdiction

The Treasury has jurisdiction to investigate a complaint under Title VI if the complaint (1) alleges discrimination in the implementation of a program or activity receiving federal financial assistance that, if true, may violate Title VI regulations; (2) identifies a covered recipient of federal financial assistance that committed the alleged discriminatory acts; and (3) is filed within 180 days of the alleged discriminatory acts or the time for filing is extended by the agency.²² This Complaint satisfies each requirement.

A. Covered Recipient of Federal Financial Assistance

Title VI prohibits discrimination on the basis of race by “any program or activity receiving federal financial assistance.”²³ The Treasury’s Title VI implementing regulations define “federal financial assistance” to include “[g]rants and loans of federal funds” and a “program or activity” to include “all of the operations of” “[a] department, agency, special purpose district, or other instrumentality of a State or of a local government,” “any part of which is extended federal financial assistance.”²⁴

As a unit of general local government located in the State of Illinois, St. Clair County is undoubtedly a political subdivision of that State.²⁵ St. Clair County received \$50.4 million in federal financial assistance from the Treasury through ARPA’s SLFRF program and its allocation and disbursement of ARPA funding constitute programs or activities within the scope of the Treasury’s regulations.

²² *Federally Assisted Programs and Federally Conducted Programs*, U.S. DEP’T OF THE TREASURY, <https://home.treasury.gov/about/offices/diversity-equity-inclusion-and-accessibility/civil-rights-and-equal-employment-opportunity/federally-assisted-programs-and-federally-conducted-programs> (last visited Nov. 12, 2023); *see also* 31 C.F.R. § 22.7(b).

²³ 42 U.S.C. § 2000d.

²⁴ 31 C.F.R. § 22.3.

²⁵ *See* U.S. DEP’T OF THE TREASURY, CORONAVIRUS LOCAL FISCAL RECOVERY FUND GUIDANCE ON COUNTIES THAT ARE NOT UNITS OF LOCAL GOVERNMENT (July 30, 2021), https://home.treasury.gov/system/files/136/Treasury_CLFRF_NonUGLGGuidance.pdf (noting that “Treasury understands the term general purpose political subdivision to refer to a political subdivision such as a county”).

B. Timeliness

This Complaint is filed within 180 days of the alleged discriminatory acts because St. Clair County’s racially discriminatory allocation and disbursement of ARPA funds is a continuing discriminatory practice. Since receiving ARPA funding in 2021, St. Clair County has not only allocated those funds in a racially discriminatory way, but its ongoing disbursement of—or refusal to disburse—those funds also discriminates against Black residents of the County. For example, although St. Clair County previously allocated funds for renovation of a water tower in Cahokia Heights, at the time of filing this Complaint, the County has still not begun that project despite proceeding with other water infrastructure projects in majority-white towns. When a complaint “challenges not just one incident of conduct violative of the Act, but an unlawful practice that continues into the limitations period, the complaint is timely when it is filed within 180 days of the last asserted occurrence of that practice.”²⁶ Because the pattern of discriminatory conduct is continuing at the time of filing, this Complaint is timely.

At the very least, this Complaint is timely with respect to St. Clair County’s most recent allocation of \$31.8 million in ARPA funds. That decision occurred on May 30, 2023, when the St. Clair County Board passed a resolution allocating the funds,²⁷ and this Complaint is filed within 180 days of that date.

C. No Other Ongoing Investigations

The Department of the Treasury is required to review and investigate an allegation of a Title VI violation that meets the above requirements. An additional prudential consideration further counsels investigating the funding decisions at issue: to the best of our knowledge, no other investigation into St. Clair County’s discriminatory allocation of ARPA funding has been initiated by the Treasury or any other federal agency. Accordingly, this Complaint satisfies all jurisdictional requirements for the Treasury to investigate the alleged continuous violation of Title VI.

V. Legal Standard

Title VI directly prohibits recipients of federal funding from engaging in intentional discrimination on the basis of race,²⁸ and authorizes federal agencies to prohibit recipients from

²⁶ *Havens Realty Corp. v. Coleman*, 455 U.S. 363, 380-81 (1982); *see also, e.g., Sewell v. Monroe City Sch. Bd.*, 974 F.3d 577, 583 (5th Cir. 2020) (applying continuing violations doctrine to an ongoing hostile environment claim brought under Title VI); *The Comm. Concerning Cmty. Improvement v. City of Modesto*, 583 F.3d 690, 701 (9th Cir. 2009) (evaluating whether Title VI discrimination claim amounted to a continuing violation).

²⁷ Res. #2816-23-R, *supra* note 21.

²⁸ *See* 42 U.S.C. § 2000d.

implementing programs that have an unjustified discriminatory racial impact.²⁹ The Treasury's Title VI implementing regulations further clarify that recipients of Treasury funding may not, on the basis of race:

deny a person any service, financial aid, or other benefit provided under the program; provide any service, financial aid, or other benefit to a person which is different, or is provided in a different manner, from that provided to others under the program; subject a person to segregation or separate treatment in any matter related to his receipt of any service, financial aid, other benefit of the program; [or] restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program....³⁰

And Treasury regulations further prohibit recipients of federal financial assistance from administering programs that have an unjustified discriminatory impact:

A recipient, in determining the type of disposition, services, financial aid, benefits, or facilities which will be provided under any such program, or the class of individuals to whom, or the situations in which, such will be provided under any such program, or the class of individuals to be afforded an opportunity to participate in any such program, may not, directly or through contractual or other arrangements, *utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race....*³¹

Discriminatory budgetary allocations by a municipality can constitute an actionable Title VI claim.³² St. Clair County's decisions to allocate and disburse ARPA funds to its majority-white municipalities while failing to apportion desperately needed funds to the majority-Black community of Centreville constitute denials of financial aid to the Black residents of Centreville in violation of Title VI and its implementing regulations.

²⁹ See *Alexander v. Sandoval*, 532 U.S. 275, 282 (2001).

³⁰ 31 C.F.R. § 22.4(b)(1)(i-iv).

³¹ 31 C.F.R. § 22.4(b)(2) (emphasis added).

³² See *Labor/Community Strategy Ctr. v Los Angeles County Metro. Transp. Auth.*, 263 F.3d 1041, 1043-44 (9th Cir. 2001) (discussing a Title VI consent decree, the underlying validity of which was undisputed). Los Angeles County allocated several hundred million dollars on a new rail line to connect communities of white constituents, after years of under-funding the bus lines used predominantly by transit-dependent low-income residents and people of color. *Id.* A class of bus riders sued, alleging Title VI and Equal Protection Clause violations. *Id.* On the eve of trial, the County settled, agreeing to a consent decree. *Id.* This lawsuit arose out of a dispute over the special master's scope of authority, but neither side disputed the validity of the underlying order. See also *Dowdell v. City of Apopka, Fla.*, 698 F.2d 1181, 1184 (11th Cir. 1983) (finding Title VI violation where municipality discriminated in the provision of municipal services including stormwater drainage and sewerage facilities); *Drayton v. McIntosh Cnty., Ga.*, 434 F. Supp. 3d 1374 (S.D. Ga. 2020) (finding valid Title VI claim where Black residents of Sapelo Island sued McIntosh County, Georgia for its direct role in overseeing discriminatory allocation of federal funding).

VI. St. Clair County’s Discriminatory Allocation of ARPA Funding Violates Title VI

St. Clair County’s allocation of over 98% of its ARPA funds to majority-white areas, its arbitrary prioritization of recreation and beautification projects in majority-white areas over the critical public health needs of Black residents, and its broader history of racially discriminatory actions all give rise to an inference that the County intentionally discriminated against Black residents when allocating ARPA funds. These same factors also serve as evidence that St. Clair County’s allocation of ARPA funds has had an unjustified discriminatory impact on the County’s Black residents.

A. St. Clair County intentionally discriminated against Black residents in its allocation of ARPA funding.

Intentional discrimination occurs when the recipient acts, at least in part, because of the actual or perceived race of the alleged victims of discriminatory treatment.³³ Direct evidence of discriminatory intent can be found in express racial classifications as well as in comments or conduct by decision-makers that evince discriminatory intent.³⁴ Discriminatory intent can also be supported by circumstantial evidence.³⁵ The Supreme Court in *Village of Arlington Heights v. Metropolitan Housing Development Corporation* laid out a series of factors that can support an inference of discriminatory intent even in the absence of express racial classifications or discriminatory comments: (1) statistics demonstrating a clear pattern of discriminatory impact on minority communities; (2) the historical background of the decision; (3) the specific sequence of events leading up to the challenged decision; (4) the decision-maker’s departure from its normal procedures or substantive conclusions; and (5) any relevant legislative or administrative history.³⁶ The *Arlington Heights* framework requires a totality-of-the-circumstances approach and a finding of discriminatory intent can be sustained without reference to all of the factors.³⁷

Applied to St. Clair County’s allocation of ARPA funds, these factors amply support a finding of discriminatory intent and any alternative non-discriminatory reason the County might offer for its allocation decisions amount only to pretext for discrimination.

³³ See *Doe ex rel. Doe v. Lower Merion Sch. Dist.*, 665 F.3d 524, 548 (3d Cir. 2011).

³⁴ CIV. RTS. DIV., U.S. DEP’T OF JUST., TITLE VI LEGAL MANUAL (last visited Nov. 12, 2023), <https://www.justice.gov/media/1121301/dl?inline> [hereinafter “DOJ Title VI Legal Manual”].

³⁵ *Id.*

³⁶ 429 U.S. 252, 266-68 (1977). Although the *Arlington Heights* framework was first developed to detect discriminatory intent in the context of a Fourteenth Amendment Equal Protection claim, the test also applies to claims of intentional discrimination under Title VI. See *Pac. Shores Props., LLC v. City of Newport Beach*, 730 F.3d 1142, 1158 n.21 (9th Cir. 2013).

³⁷ See *N.C. State Conf. of NAACP v. McCrory*, 831 F.3d 204, 214 (4th Cir. 2016) (cautioning that viewing *Arlington Heights* factors in isolation risks “[missing] the forest in carefully surveying the many trees”).

1. St. Clair County’s dramatically disproportionate allocation of funds to majority-white areas, with knowing disregard for the longstanding emergency in Centreville, gives inference to discriminatory treatment.

St. Clair County was fully aware of the infrastructure problems in Centreville and could have dedicated a portion of its ARPA funds to finance construction that is decades overdue, but it intends to spend all but two percent of those funds in majority-white communities. That gross statistical disparity alone gives rise to an inference of discrimination.³⁸ As one federal appellate court has held in a case with similar facts, “the magnitude of [this] disparity, evidencing a systematic pattern of . . . expenditures in all areas of town except the black community, is explicable only on racial grounds.”³⁹ That court affirmed the finding of the federal district court that giving disproportionate financial attention to majority-white communities “support[s] the inference that the disparity in municipal services is due to discriminatory purpose or intent.”⁴⁰

St. Clair had abundant notice from state, federal, and local sources that the sewage and flooding emergencies in Centreville had reached life-threatening levels. In 2009, the Illinois EPA issued a finding that Harding Ditch, a key stormwater drainage channel in Centreville, contained hazardous levels of fecal coliform.⁴¹ The extreme concentration of this bacteria, found in feces, presented clear evidence that large quantities of sewage had run into the waterways in St. Clair County. In 2015, the St. Clair County Health Department acknowledged the environmental disaster by issuing public health recommendations for individuals cleaning up sewage-contaminated floodwaters in their homes.⁴² In July 2020 and March 2021, Senator Tammy Duckworth held public meetings in Centreville to discuss the “environmental racism” she declared responsible for Centreville’s flooding and sewage crises.⁴³ In July 2020 and June 2021, the Illinois Senators sent letters exhorting the U.S. EPA to act in Centreville, with the latter

³⁸ See *Hazelwood Sch. Dist. v. United States*, 433 U.S. 299, 307–08 (1977) (“Where gross statistical disparities can be shown, they alone may in a proper case constitute prima facie proof of a pattern or practice of discrimination.”); *Midwest Fence Corp. v. United States Dep’t of Transportation*, 840 F.3d 932, 952 (7th Cir. 2016) (same).

³⁹ *Dowdell v. City of Apopka, Fla.*, 698 F.2d 1181, 1186 (11th Cir. 1983).

⁴⁰ *Dowdell v. Apopka*, 511 F. Supp. 1375, 1383 (M.D. Fla. 1983).

⁴¹ ILL. ENV’T PROT. AGENCY, CAHOKIA CANAL WATERSHED TMDL REPORT (2009), <https://www2.illinois.gov/epa/Documents/iepa/water-quality/watershed-management/tmdls/reports/cahokia-canal/final-report.pdf>.

⁴² See *St. Clair County Health Department Provides Tips to Deal with Flood Waters*, BELLEVILLE NEWS-DEMOCRAT (Dec. 19, 2015), <https://www.bnd.com/news/local/article52045760.html> (reprinting the Health Department’s guidance).

⁴³ Kavahn Mansouri & Deasia Page, *Duckworth, Centreville residents say local officials must take action to fix flooding*, BELLEVILLE NEWS-DEMOCRAT (July 16, 2020), <https://www.bnd.com/news/local/article244282672.html>; Kavahn Mansouri & Deasia Page, *Duckworth says environmental racism caused flooding, sewage issues in Centreville*, BELLEVILLE NEWS-DEMOCRAT (Mar. 3, 2021), <https://www.bnd.com/news/local/article249649498.html>.

message reprinted in St. Clair County newspapers.⁴⁴ St. Clair County could not conceivably have been unaware of the outcry and pressure from both state and federal officials. Nor could it have overlooked the biological contamination and physical blockage of Harding Ditch, a U.S. waterway running through 14 miles of St. Clair County.⁴⁵ It certainly could not have missed the unremitting floods that have endangered Black constituents for thirty years.

In fact, St. Clair County has demonstrated its full awareness of Centreville’s chronic flooding to the Treasury. In its ARPA Interim Recovery Plans from both 2021 and 2022, the County recognized that “sewer infrastructure in certain low-income areas is of concern.”⁴⁶ Despite this acknowledgment, it allocated no funding to any stormwater or wastewater sewer project for Centreville in either year or at any time since. Instead, the County has allocated \$32 million to projects located in municipalities with majority white populations and \$15.1 million to projects for the County, which is majority white overall. In all, more than 98% of the \$50.4 million in ARPA funds has been allocated to majority white jurisdictions.

Only a single project in a majority-Black jurisdiction has been allocated ARPA funding, amounting to less than 2% of the County’s total ARPA funds: the renovation of a water tower in Cahokia Heights.⁴⁷ Yet even that minor investment has been stalled and had its budget slashed. St. Clair County first reported the water tower renovation in the Treasury Department’s October 2022 quarterly data.⁴⁸ At the time, with no obligations incurred and no expenditures made, it was the only project listed as “Not Started.”⁴⁹ In the intervening period, St. Clair County has announced ten additional SLFRF investments, including flood repairs and water infrastructure in majority-white towns.⁵⁰ But the Cahokia Heights water tower is still registered as “Not Started”—the only project so listed.⁵¹ St. Clair has demonstrated such persistent inaction only in relation to this project, and only toward a majority-Black town. As if that were not enough, between

⁴⁴ Letter from Sens. Dick Durbin & Tammy Duckworth to Michael Regan, EPA Administrator (June 10, 2021), reprinted in Kavahn Mansouri & Deasia Page, *Senators urge EPA to act in Cahokia Heights, citing possible Clean Water Act violation*, BELLEVILLE NEWS-DEMOCRAT (June 10, 2021), <https://www.bnd.com/news/local/article252036583.html>.

⁴⁵ Lexi Cortes, *Cahokia Heights, East St. Louis can’t stop flooding until this issue is handled, leaders say*, BELLEVILLE NEWS-DEMOCRAT (Apr. 27, 2023), <https://www.bnd.com/news/local/article274805141.html>.

⁴⁶ See St. Clair County, IL, *2021 ARPA Interim Recovery Plan 2* (Aug. 31, 2021), <https://www.co.st-clair.il.us/webdocuments/departments/auditor/arpa/SCCRecoveryPlan.pdf?1:00%20PM> [hereinafter *2021 ARPA Interim Recovery Plan*]; See St. Clair County, IL, *2022 ARPA Interim Recovery Plan* (July 29, 2022), https://home.treasury.gov/system/files/136/St.ClairCounty_2022RecoveryPlan_SLT-1230.pdf [hereinafter *2022 ARPA Interim Recovery Plan*].

⁴⁷ U.S. TREASURY, JULY 2023 QUARTERLY REPORTING, *supra* note 21.

⁴⁸ U.S. DEP’T OF THE TREASURY, OCT. 2022 QUARTERLY REPORTING: DATA THROUGH SEPT. 30, 2022 (2022) [hereinafter U.S. TREASURY, OCT. 2022 QUARTERLY REPORTING].

⁴⁹ *Id.*

⁵⁰ U.S. TREASURY, JULY 2023 QUARTERLY REPORTING, *supra* note 21 (listing the four additional projects formally reported as of June 30); County Meeting Minutes, May 30, 2023. All ten projects were approved in a St. Clair County ordinance, voted on by the County Board on May 30.

⁵¹ U.S. TREASURY, JULY 2023 QUARTERLY REPORTING, *supra* note 21.

October 2022 and July 2023, St. Clair appears to have further slashed the water tower’s budget by 36%.⁵²

In sum, the stark statistical disparity between ARPA funds allocated to majority-white jurisdictions and majority-Black ones, and the delay in initiating the only project in a majority-Black town is explicable only on racial grounds.

2. St. Clair County departed from normal procedures and substantive conclusions by overwhelmingly diverting SLFRF funds to less urgent projects in majority-white municipalities.

St. Clair County’s allocation of ARPA funds also departed from the priority areas that the Treasury has limited ARPA funds to (in particular public health, infrastructure, and services to impacted communities) as well as the County’s own stated investment priorities, giving further rise to an inference of discriminatory intent. Although purporting to allocate ARPA funds based on public health, St. Clair refused to invest in one of the most critical public health projects in the County—repairing the decades-long, acutely dangerous, and widely publicized collapse of Centreville’s stormwater and sewage infrastructure. Instead, the County spent millions to improve recreational facilities and beautify public buildings in majority-white areas. And when the County did spend ARPA funds on water and sewage infrastructure, it prioritized less urgent infrastructure projects in majority-white towns over Centreville. These decisions represent a complete procedural and substantive departure from normal decision-making, indicative of racially discriminatory intent under *Arlington Heights*.

In *Arlington Heights*, the Supreme Court found that “substantive departures” from ordinary conclusions support an inference of discriminatory intent, “particularly if the factors usually considered important by the decisionmaker strongly favor a decision contrary to the one reached.”⁵³ Such a substantive departure may manifest when a governing body denies a benefit that race-neutral considerations would normally support granting,⁵⁴ or when it recognizes a need for assistance but vetoes the precise remedy required.⁵⁵ The Court also found that procedural departures “might afford evidence that improper purposes are playing a role.”⁵⁶

Substantive and procedural irregularities favoring majority-white areas pervade St. Clair County’s ARPA funding allocation. The County has repeatedly acknowledged that “sewer

⁵² Compare U.S. TREASURY, OCT. 2022 QUARTERLY REPORTING, *supra* note 48 (adopted budget of \$1,340,625) with U.S. TREASURY, JULY 2023 QUARTERLY REPORTING, *supra* note 21 (adopted budget of \$855,683).

⁵³ *Village of Arlington Heights*, 429 U.S. at 267.

⁵⁴ *Dailey v. City of Lawton*, 425 F.2d 1037, 1040 (10th Cir. 1970). The *Arlington Heights* Court itself cited *Dailey* as an example of a substantive departure. *Village of Arlington Heights*, 429 U.S. at 267 n.17.

⁵⁵ *Atkins v. Robinson*, 545 F.Supp. 852, 878 (E.D.Va. 1982).

⁵⁶ *Village of Arlington Heights*, 429 U.S. at 267.

infrastructure in certain low-income areas is of concern” in its reports to the Treasury.⁵⁷ And St. Clair County’s own Multi-Hazard Mitigation Plan in 2019 identified specific flood mitigation strategies that the County considered high priority (to be completed in 1-3 years), including “regularly perform[ing] drainage system maintenance,” and “maintain[ing] a list of flood prone structures.”⁵⁸ Nonetheless, St. Clair has decided to prioritize renovating recreational facilities and beautifying government buildings all in predominantly white areas of the County. For example it has decided to invest \$15 million to purchase and renovate the Belleville Belle-Clair Fairgrounds and Racetrack, a recreational facility for stock-car racing and other public events; it has allocated \$9.3 million to add a separate entrance and install a security checkpoint at the county courthouse; and it has dedicated \$2.5 million in demolishing an old school and improving an army reserve center.⁵⁹ St. Clair County has attempted to justify these projects on public health grounds⁶⁰—a permissible use of ARPA funds—but the projects bear little actual relation to public health.

Consider St. Clair County’s decision to spend \$15 million purchasing and renovating the Belleville Belle-Clair Fairgrounds and Racetrack for recreation. This expenditure accounts for 30% of St. Clair County’s ARPA funding allocation and is the County’s single biggest expenditure made using ARPA funds.⁶¹ Both the proportion and absolute amount of ARPA funds that St. Clair County has chosen to spend on recreation in its purchase and renovation of the Fairgrounds and Racetrack dramatically eclipse both the proportion and absolute amount of ARPA funds that other jurisdictions have chosen to spend on “[t]ourism, [t]ravel, or [h]ospitality.”⁶² For example, Treasury’s own data demonstrate that Cook County, which contains Chicago and has a population size twenty times greater than that of St. Clair County, will actually spend \$5 million *less* than St. Clair County on tourism, travel, or hospitality using its ARPA funding allocation.⁶³ Out of over \$1 billion in ARPA funds, Cook County’s tourism,

⁵⁷ 2021 ARPA Interim Recovery Plan, *supra* note 46, at 2; 2022 ARPA Interim Recovery Plan, *supra* note 46.

⁵⁸ St. Clair County, Illinois, *Multi-Hazard Mitigation Plan* at 87-88, 93 (2019), <https://www.co-st-clair.il.us/webdocuments/departments/ema/Forms/St.%20Clair%20County%20MHMP%20Final.pdf>.

⁵⁹ Lexi Cortes, *How St. Clair County government is spending \$30 million in COVID-19 relief funds*, BELLEVILLE NEWS-DEMOCRAT (June 1, 2023), <https://www.bnd.com/news/local/article275935116.html>.

⁶⁰ 2023 ARPA Recovery Plan, *supra* note 2, at 2 (listing projects under “Public Health” spending).

⁶¹ *See id.* at 1.

⁶² *See*

<https://app.high.powerbigov.us/view?r=eyJrIjojZWYyMjgyZTMtNDc0NS00NTJiLTk5N2UtYzU3M2UwMDA0Y2VjIiwidCI6IjU4ZjFIM2ZhLTU4Y2ItNGNiNi04OGNjLWw5MWNhYzIwN2YxOCJ9> (select the “Projects” tab, then select “Illinois” under the “State/Territory” dropdown menu, then select “2.35-Aid to Tourism, Travel, or Hospitality” under the “Expenditure Category” dropdown menu, and then select “Local Government” under the “Recipient Type” menu). St. Clair County seems to have miscategorized the racetrack purchase under “Other Public Health Services.” *Id.*

⁶³ *See id.* (noting that Cook County has budgeted \$10 million in ARPA funding for its “Tourism Recovery Initiative”); *QuickFacts: Cook County, Illinois*, U.S. CENSUS BUREAU <https://www.census.gov/quickfacts/fact/table/cookcountyillinois/PST045222> (last visited Nov. 19, 2023) (noting that Cook County has a population of over 5.1 million); *QuickFacts: St. Clair County, Illinois*, *supra* note 10.

travel, and hospitality disbursements represent less than 1 percent of its expenditures.⁶⁴ In sharp contrast, St. Clair County's choice to divert nearly a third of its ARPA funding allocation to recreation, in a way that no other recipient of ARPA funding in Illinois has done, represents the kind of substantive departure that Treasury should investigate closely in a Title VI investigation.

What's more, the County has violated the Treasury's procedural requirements by not providing the required justifications for these projects. Pursuant to Treasury regulations, all capital expenditures⁶⁵ above \$1 million must be justified in writing, and must (1) describe the harm or need to be addressed; (2) explain why a capital expenditure is appropriate; and (3) compare the proposed capital expenditure to at least two alternative capital expenditures and demonstrate why the proposed capital expenditure is superior.⁶⁶ Yet in its ARPA Interim Recovery Plans (to our knowledge the only publicly available documents justifying the County's use of funds), St. Clair County offers no justification whatsoever for its projects related to the county courthouse, old school, and army reserve center.⁶⁷

Moreover, what funds St. Clair County has allocated to water infrastructure and flood repairs is directed only to majority-white areas with far less urgent needs than Centreville. Perhaps most disturbing, St. Clair County allocated \$4.3 million to a new animal control and adoption facility in Belleville because, it reasoned, the existing facility had begun to experience stormwater flooding that put the lives of the animals in the facility in danger.⁶⁸ When government entities discriminate, they usually treat one group of humans differently than another. But St. Clair County's actions are far more egregious: it has decided to privilege the animals in a predominantly white town over the people in a Black one.

St. Clair County also invested \$400,000 in a sewer infrastructure project for the majority-white neighborhood of Signal Hill abutting Centreville despite clear evidence of lesser need. True to its name, Signal Hill is an elevated neighborhood within the Belleville municipality. Unlike Centreville, it does not rely on perennially-clogged open-air ditches to move its stormwater, and, because of its elevated topography, it has little history of flooding. But because Signal Hill is directly uphill from the neighborhood of Centreville colloquially known as the Ping Pong, Signal Hill's runoff is a significant source of the floodwaters in the Ping Pong area.

⁶⁴ U.S. TREASURY, JULY 2023 QUARTERLY REPORTING, *supra* note 21 (total grant to Cook County of \$1,000,372,385).

⁶⁵ Capital expenditures are "expenditures to acquire capital assets or expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life." 31 C.F.R. § 35.3; 2 C.F.R. § 200.1. St. Clair County's projects to acquire, renovate, and replace public buildings undoubtedly qualify as capital expenditures.

⁶⁶ 31 C.F.R. § 35.6(b)(4).

⁶⁷ 2023 ARPA Recovery Plan, *supra* note 2, at 2.

⁶⁸ *Id.*

Finally, the County has invested \$75,000 in flood-related repairs in Caseyville (68.2% white).⁶⁹ But Caseyville’s biggest flood in the last five years came in the countywide flash floods of July 2022, when Centreville was even more devastated, with at least four residents requiring evacuation from their homes and numerous other residents being trapped inside their homes by floodwaters.⁷⁰ Caseyville has no comparable pattern of decades-long chronic flooding and its residents are far wealthier, with a \$75,762 median household income compared to the \$27,681 median household income in Centreville.⁷¹

At the same time, the County has ignored the real and urgent public health impacts of Centreville’s collapsed stormwater and sewage infrastructure on Black residents. It has not accounted for the health effects of raw human waste flooding Black residents’ homes, or the public health costs incurred when that sewage leaves a number of those residents with active *H. pylori* infections.⁷² It did not investigate the effect on residents when *H. pylori* leaves them unable to eat or drink.⁷³ It did not consider possible increases in COVID-19 spread when Centreville’s flooding displaces Black residents, forcing them to seek shelter clustered together.

If St. Clair County had taken the public health concerns of Black residents seriously, it would have almost certainly allocated a portion of the ARPA funds to Centreville. This is a clear case in which “factors usually considered important by the decisionmaker [i.e. public health costs and benefits] strongly favor a decision contrary to the one reached.”⁷⁴ Instead, the decision to prioritize a racetrack and an animal shelter in a majority-white town over critical infrastructure repairs to a Black neighborhood is precisely the “arbitrary and unreasonable action” that *Arlington Heights* defines as a substantive departure from decision-making norms.⁷⁵

In sum, despite acknowledging the general peril posed by floods and dilapidated infrastructure, the County has remained silent when it comes to such crises in the predominantly Black community of Centreville. That deafening silence is only explicable on racial grounds.

⁶⁹ U.S. TREASURY, JULY 2023 QUARTERLY REPORTING, *supra* note 21; *Caseyville Village, Illinois - Race*, U.S. CENSUS BUREAU, <https://data.census.gov/table/DECENNIALPL2020.P1?q=Caseyville+village,+Illinois> (last visited Nov. 14, 2023) (presenting the racial demographics of Caseyville).

⁷⁰ See Deasia Paige, *‘I’m traumatized.’ Residents in East St. Louis, Cahokia Heights try to recover from flooding*, BELLEVILLE NEWS-DEMOCRAT (July 27, 2022), <https://www.bnd.com/news/local/article263848632.html>.

⁷¹ *Caseyville Township, Illinois*, U.S. CENSUS BUREAU, https://data.census.gov/profile/Caseyville_township,_St._Clair_County,_Illinois?g=060XX00US1716311657#housing (last visited Nov. 14, 2023); *Centreville Township, Illinois*, U.S. CENSUS BUREAU, https://data.census.gov/profile/Centreville_township,_St._Clair_County,_Illinois?g=060XX00US1716312210#housing (last visited Nov. 14, 2023).

⁷² See Lexi Cortes, *Illinois health officials fail to help desperate residents as sewage floods their homes*, BELLEVILLE NEWS-DEMOCRAT (Nov. 13, 2023), <https://www.bnd.com/news/local/article281094103.html>.

⁷³ See *id.*

⁷⁴ *Village of Arlington Heights*, 429 U.S. at 267.

⁷⁵ *Id.* at 268 n.17 (quoting *Dailey*, 425 F.2d at 1040).

3. The historical background of funding allocations in St. Clair County raises an inference of discriminatory intent in the allocation of ARPA funding.

That St. Clair County intentionally discriminated against Centreville residents in allocating ARPA funds is further confirmed by the County's broader history of ignoring Centreville's needs while showering majority-white municipalities with funding and support to apply for funding—precisely the kind of historical background suggestive of discriminatory intent.⁷⁶ As recently as January 2023, St. Clair County applied for Illinois Emergency Management Agency flood-related aid on behalf of Belleville, Caseyville, Stookey Township, and East Carondelet—all predominantly white municipalities of varying population sizes—but did not file an application for Cahokia Heights.⁷⁷ But when it comes to Centreville, the County has disclaimed all responsibility for improving the neighborhood's infrastructure. In February 2020, County Board Chair Kern all but blamed the flooding and sewage issues in Centreville on Centreville itself. He argued that it is Centreville's responsibility to advocate for its own funding and that “[Centreville has] to be in the lead; [Centreville] has to tell us where the issues are.”⁷⁸ Further investigation would reveal that these kinds of decisions—to provide funding and funding application support for majority-white jurisdictions while simultaneously doing nothing for Centreville—are a common practice in St. Clair County.

Furthermore, St. Clair County's decades-long apathy towards Centreville can be seen in the meager funding beyond ARPA funds that the County has allocated to Centreville relative to majority-white municipalities in the County. As the County acknowledges, it has provided a total of just \$1.6 million in grants to projects in Centreville over the course of 27 years, amounting to \$59,000 per year in county funding.⁷⁹ But this is a paltry amount when evaluated in context. Consider that the County planned to provide \$224,000 to Caseyville, a majority-white municipality with a population smaller than Centreville's, for road improvements just in 2015, more than triple the County's per year spending in Centreville, and that Caseyville will receive a portion of the \$1.85 million St. Clair County received from the U.S. Department of Housing and

⁷⁶ See, e.g., *N.C. State Conf. of the NAACP*, 831 F.3d at 225 (holding that a history of discrimination can be evidence of discriminatory intent, not just discriminatory impacts).

⁷⁷ See attached Exhibits B-E. This funding is likely related to the torrential flooding that occurred in July 2022, which hit Centreville especially hard. Those floods invaded Centreville residents' homes and forced evacuations, and their streets and basements remained inundated well after the waters had receded elsewhere in St. Clair County. Natalia Ospina & Meleah Geertsma, *Unprecedented Rain Highlights Deep Inequities in Centreville*, NAT. RES. DEF. COUNCIL (July 28, 2022), <https://www.nrdc.org/bio/natalia-ospina/unprecedented-rain-highlights-deep-inequities-centreville>.

⁷⁸ Kavahn Mansouri, *Raw sewage floods the homes of Centreville residents. Why hasn't it been fixed?*, BELLEVILLE NEWS-DEMOCRAT (Sept. 22, 2021), <https://www.bnd.com/news/local/article240218887.html>.

⁷⁹ *Id.*; ST. CLAIR COUNTY, PROGRAM YEAR 2023 ANNUAL ACTION PLAN (2023), <https://www.co.st-clair.il.us/WebDocuments/Departments/igd/communityDevelopment/CDBG/SCC%202023%20Annual%20Action%20Plan.pdf?7:51%20PM>.

Urban Development for pavement overlays and sewer system improvements in 2023.⁸⁰ Further investigation by the Treasury into past funding allocation decisions by the County would likely reveal further disparities in how St. Clair County has allocated its money.

And in 2022, a federal district court held that St. Clair County residents challenging the redistricting of county board districts had alleged sufficient facts to state a claim of racial gerrymandering in violation of the Equal Protection Clause and the Voting Rights Act.⁸¹ The County allegedly eliminated a district populated predominately by Black voters when that outcome could have been easily avoided by redrawing the map in a different way.⁸² The redistricting further forced Black incumbent board members to run against one another in upcoming primary elections, ensuring that two of the County's five Black board members would not be reelected while no white incumbents faced primaries against one another.

One explanation of St. Clair County's apathy towards Centreville could lie in evidence of discriminatory views among St. Clair County's leadership, specifically current St. Clair County Board Chair Mark Kern. In a 2005 federal election fraud case, federal prosecutors introduced evidence of a vote-buying scheme in support of Kern's election to the St. Clair County Board. According to multiple government witnesses, the vote-buying scheme was necessary "because of the widely held perception in East St. Louis that [Kern] was a racist."⁸³ This view was apparently so pervasive that the defendants in the case felt it necessary to double the amount of money they were willing to pay voters to vote for Kern.⁸⁴ While Kern himself was not indicted in this case, the fact that the local Democratic machine felt it necessary to spend money and party resources to combat a "widely held perception" that Kern was racist, through an illegal vote buying scheme no less, raises an inference that Kern himself might hold discriminatory views. And given that Kern has now been on the St. Clair County Board for almost two decades and currently serves as Chairman, further investigation by Treasury into whether his alleged discriminatory views have infected the St. Clair County Board seems warranted in light of the County's neglect of Centreville.

⁸⁰Joseph Bustos, *St. Clair County plans to sue state for funding amid state budget impasse*, BELLEVILLE NEWS-DEMOCRAT (Aug. 31, 2015), <https://www.bnd.com/news/local/article32856543.html>.

⁸¹ See Memorandum & Order, *Cockrell v. St. Clair Cnty*, No. 3:21-cv-0907-DWD (S.D. Ill. Jan. 1, 2022). Plaintiffs subsequently voluntarily dismissed the lawsuit prior to discovery or the filing of summary judgment.

⁸² *Id.* at 8.

⁸³ Government's Response to Defendants' Motions for Judgment of Acquittal and for New Trial, *United States v. Charles Powell, Jr.*, No. 05-CR-30044-GPM (S.D.Ill. 2005).

⁸⁴ *Id.* ("Defendant . . . was told that because of this perception of [Kern's] racism, paying people only \$5 a vote wasn't going to be sufficient to get them to come out to vote. Defendant Powell told the cooperating witness to 'pay \$10 dollars a vote,' . . .").

B. The same evidence giving inference to discriminatory treatment also demonstrates the unjustified discriminatory impact of the County's funding allocations.

As explained, St. Clair County has repeatedly made choices that evince a pattern of deliberately disinvesting from Centreville's Black residents. The same evidence of disparity, arbitrary departure from normal procedures, and history that bears out the claim of discriminatory intent behind the County's policy, also shows that the County's allocation of ARPA funds has an unjustified discriminatory impact.

Agencies investigating claims of unjustified discriminatory impact proceed with a three-part inquiry. First, the agency asks whether the federal funding recipient's program or activity adversely and disparately affects members of a particular racial group.⁸⁵ Second, the agency must inquire whether the recipient of federal financial assistance has offered a substantial legitimate justification for the challenged policy or practice.⁸⁶ Third, even if there is a substantial legitimate justification for the recipient's discriminatory policy or practice, such policy or practice may still violate Title VI if the recipient could have achieved comparably effective outcomes with a less discriminatory alternative. Because there is no private right of action for individuals to enforce these Title VI discriminatory impact regulations, federal agency enforcement of these regulations is vital.

All three parts of the disparate impact inquiry point to St. Clair County's liability. Despite its awareness of Centreville's flooding and sewage crises,⁸⁷ St. Clair County diverted virtually all SLFRF funding to majority-white towns, at direct and severe cost to the majority-Black town of Centreville. Of the \$50.4 million allotted to St. Clair County by the U.S. Department of the Treasury, approximately \$48 million was allocated to majority-white towns. The one paltry project in Cahokia Heights that was funded, a water tower renovation, has not even started.

There is no legitimate justification for the policies and practices underlying the County's funding decisions. These decisions fly in the face of Treasury guidance,⁸⁸ a history of neglect culminating in crisis, and basic standards of governance holding that those with the greatest need demand the greatest support. One struggles to discern what valid important interests were served by the decision to fund significantly less urgent projects than the remediation of basic water and sewage systems.

Nevertheless, even if it is determined that there was a legitimate justification for the decision to allocate funding in the manner St. Clair County did, the scale of disparity with which the funds were dispersed strongly suggests there was a different, less discriminatory alternative. It is not

⁸⁵ See, e.g., *N.Y.C. Env'tl. Justice All. v. Giuliani*, 214 F.3d 65, 69 (2d. Cir. 2000).

⁸⁶ *Texas Dep't of Hous. & Cmty. Affairs v. Inclusive Communities*, 576 U.S. 519, 541 (2015).

⁸⁷ See *supra* Section III.B.

⁸⁸ See *2023 ARPA Recovery Plan*, *supra* note 2 (delineating the mandated categories of spending).

difficult to imagine an alternative that would have addressed the needs of Black residents in Centreville substantially more than the elected allocation scheme, while also covering necessary county-wide expenses and funding various other projects of interest.

VII. Relief Requested

St. Clair County's discriminatory allocations and disbursements of ARPA funding have exacerbated racial inequities in the County that have existed for decades. Black residents of the County – especially those located in the former city of Centreville – are forced to deal with ruinous floodwaters and sewage runoff nearly every time it rains in southern Illinois. These hazards are attributable to St. Clair County's financial neglect and mismanagement of wastewater and stormwater infrastructure systems in neighborhoods with significant proportions of Black residents.

With its receipt of over \$50 million in funding under the State and Local Fiscal Recovery Fund program, St. Clair County was given an opportunity to amend its historical mistakes by investing in fully functional infrastructure in the majority-Black area of Centreville. Instead, the County chose to funnel that funding toward less urgent projects – including the construction of a new fairgrounds and the building of a new animal shelter – in majority-white areas and away from the Black communities who most urgently needed those financial resources. This allocation of SLFRF funds not only demonstrates the discriminatory intent of county decision-makers in violation of Title VI and the Treasury's implementing regulations, but it also reveals the County's willingness to strip its Black residents of their homes, their livelihoods, and their human dignity.

Therefore, for the reasons outlined in this Complaint, Complainants respectfully request that the Department of the Treasury:

- (a) Conduct a prompt and thorough investigation into the racially discriminatory allocation of Coronavirus SLFRF funds by St. Clair County;
- (b) Compel St. Clair County to comply with Title VI of the Civil Rights Act through equitable funding allocations of any undistributed SLFRF funds to address the water and sewage infrastructure crisis in Cahokia Heights;
- (c) Demand the return of funding already spent and the remittance of funding allocated but not yet disbursed;
- (d) Require that the recovered funds be used by the County to construct complete and functional systems for stormwater and wastewater drainage, treatment of drinking water and raw sewage, and repair the harm to residents caused by decades of chronic neglect;
- (e) Appoint a special master to direct the expenditures of remaining and returned SLFRF funds in close consultation and partnership with the residents of Cahokia Heights;

- (f) Prohibit St. Clair County from receiving any future Treasury funding unless and until it develops a plan for equitable investments in stormwater and wastewater infrastructure within the County, including an engagement process to seek input from residents across the County to address such issues; and
- (g) Provide other relief the Treasury deems necessary to remedy the County's discriminatory actions.

The Treasury's prompt intervention will allow Black residents of St. Clair County to access much-needed federal funding and rebuild their communities after decades of discrimination and neglect. We appreciate your consideration of this Complaint.

For any questions regarding this Complaint, please contact Conor Vance at ccv8441@nyu.edu or 212-998-8605.

Best regards,

Centreville Citizens for Change
Complainant

Patrick Archer
Olivia Fritz
Daniel Pita
Conor Vance
Byul Yoon
Shawn Young
Law Student Advocates

Deborah N. Archer
Joseph Rostain Schottenfeld
David Chen
Supervising Attorneys

Civil Rights and Racial Justice Clinic
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New York, NY 10012

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nnelson@equitylegalservices.org

Kalila J. Jackson,
Metropolitan St. Louis Equal
Housing & Opportunity Council
1027 S. Vandeventer Avenue, Sixth Floor
St. Louis, MO 63110
kjackson@ehoc-stl.org

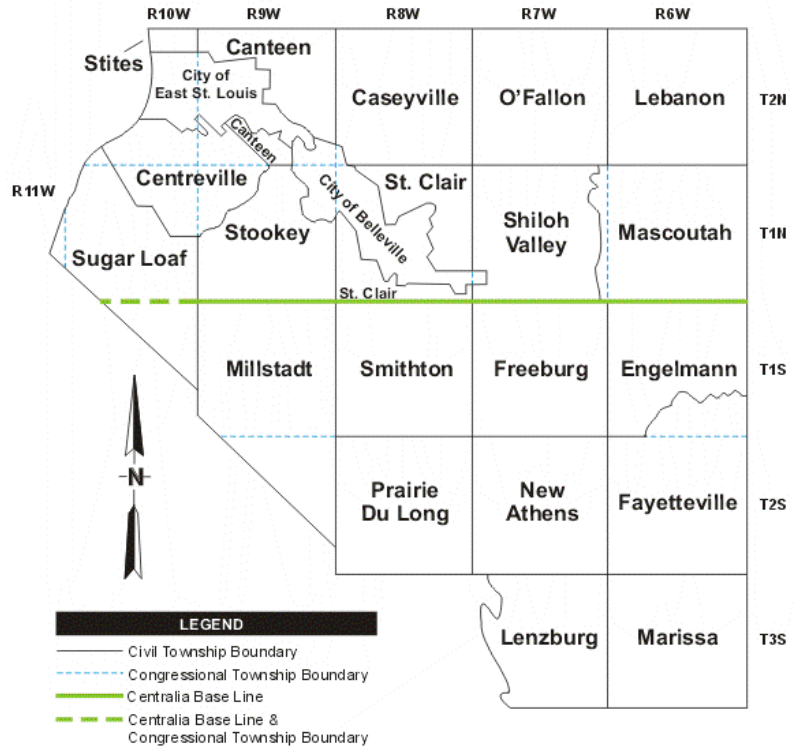
EXHIBIT A

Maps of St. Clair County and Centreville



Map highlighting the location of St. Clair County within Illinois.

Source: Wikipedia,
https://en.m.wikipedia.org/wiki/File:Map_of_Illinois_highlighting_St._Clair_County.svg.



Map showing the location of Centreville within St. Clair County.

Source: Office of the Illinois Secretary of State,
<https://www.ilsos.gov/departments/archives/IRAD/stclair.html>.

EXHIBIT B



Phase I - HMGP DR 4489 Sub Application

Section 1: Background Information		
Jurisdiction		
Name of Applicant: St. Clair County Emergency Management Agency		
Point of Contact		
First Name: Herb	Last Name: Simmons	
Title: Director		
Email: Herbert.Simmons@co.st-clair.il.us	Phone #: 618-825-2683	
Agency/Organization		
Address: 101 South 1st Street, Suite B		
City: Belleville	Zip: 62220	County: St. Clair
UEI #:	DUNS#: 080583213	FEIN #: 37-6001924
Congressional District: 13	House District: 113	Senate District: 57
Has your agency previously received FEMA HMGP, PDM or FMA funds? Yes <input checked="" type="radio"/> No <input type="radio"/>		
If yes, please provide (list) relevant Sub Award(s)#: PDM 15 Planning Grant		

Section 2: Sub Applicant Signature		
		
		
		
Printed Name	Signed Name	Date

Section 3: Economically Disadvantaged Rural Community [EDRC]	
Does your community meet the below criteria for Economically Disadvantaged Rural Community?	
Yes <input type="radio"/> No <input checked="" type="radio"/>	
1) A community of 3000 or fewer individuals that is economically disadvantage?	
2) Residents of your community have an average per capita annual income not exceeding 80 percent of the national per capita income based on best available data. **	
Is your Community an Economically Disadvantaged Rural Community? Yes <input type="radio"/> No <input checked="" type="radio"/>	
**Best Source of Data:	

Section 4: Technical Assistance	
If you are an EDRC Jurisdiction, do need assistance in completing a Sub Application?	
Yes	<input type="radio"/>
No	<input checked="" type="radio"/>

Section 5: Hazard Mitigation Planning Requirement (HMP)	
Did your Jurisdiction participate in the development of the HMP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
Did your Jurisdiction pass a resolution adopting HMP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
If your Jurisdiction has an HMP, when does it expire? Date: <u>06/25/2024</u>	
Is the mitigation activity /project listed as a proposed mitigation action measure in the HMP? (Be specific, please.)	
<input type="radio"/> No, it is not listed in the HMP as an action measure to mitigate hazard risk. <input checked="" type="radio"/> Yes, it is on Page # . Please enter page number of the HMP where the project is listed. HMP Section Title:	

Section 6: Community Information	
Name of Community: <u>City of Belleville</u>	
Does your community participate in the NFIP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
Is your Community located in a Special Flood Hazard Area (SFHA)?	
Latitude and longitude of the community: <u>38.513630, -89.984923</u>	

Project latitude and longitude (if multiple locations, include property details in attachments)	
Project Latitude: <u>38.513630</u>	Project Longitude: <u>-89.984923</u>
Description of Mitigation Project	
<p>During minimum or heavy rainfall events, the City of Belleville sewer system experiences a surcharge which leads to areas of downtown flooding. This area of the City utilizes combined sewers where the wastewater and storm water are combined into the same piping network. This sub application for the City of Belleville is to complete a Sanitary Sewer Study to identify the causes of the flooding and develop solutions to mitigate the risk of flooding.</p> <p>Then the project will include the design and construction of the recommended solutions. Possible solutions are anticipated to include the design and construction of a storm sewer separation project that would include new storm sewer inlets and collection pipes to transport the storm water away from the downtown area toward a new detention pond that ultimately discharges to Richland Creek.</p> <p>Under the project scope of this sub application, St. Clair County will complete the following activities:</p> <ol style="list-style-type: none"> 1) Review & Evaluate Existing Data 2) Prepare Technical Report 3) Complete Environmental 4) Complete Engineering Study. 5) Complete Design Services 6) Complete Benefit Costs Analysis 7) Obtain required permits 8) Preparation of Cost Estimates 9) Preparation of Construction Plans 10) Construction 11) Construction Management Services 	

Estimated Total Project Cost: \$ 2,170,725

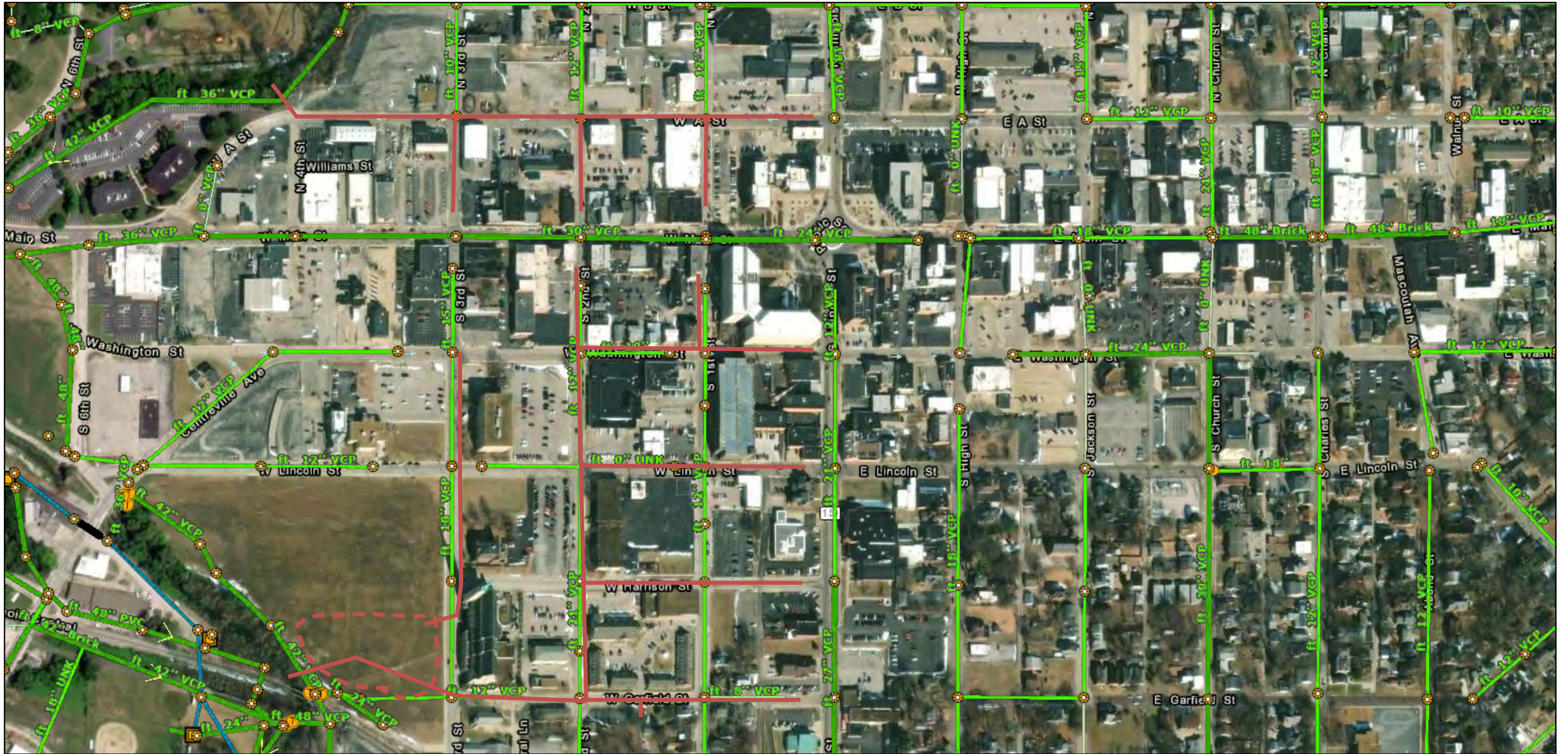
Activity	Task	Scheduled to be	Cost
Study	Sewer Investigati ^g		108,225
Engineering Desi ^g	Design Services		1,950,000
Permits	Permitting Servi ^g		90,000
BCA	Analysis		15000
Pre-award	Phase I - Sub App ^g		2500
BRIC Sub App.	BRIC 2023		5000
Projected TPC	for Phase II		13,952,500

Property type (if applicable):

- | | |
|---|---|
| <input type="checkbox"/> Residential building | <input type="checkbox"/> School/hospital/place of worship |
| <input type="checkbox"/> Public building | <input type="checkbox"/> Business/commercial building |
| <input type="checkbox"/> Residential vacant lot | <input checked="" type="checkbox"/> Critical infrastructure |
| <input type="checkbox"/> Other (please describe): | |

Section 7:		Additional Considerations	
1. Do you foresee any historical preservation issues that would affect this project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
a. Will the project affect undisturbed land?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
b. Will the project affect any archaeologically sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
c. Will the project affect any historically sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
d. Is the project near any known historic structures?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
e. Are there any buildings 50 years or older within the project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
If Yes in any of the above, please explain:			
2. Do you foresee any environmental issues that would affect this project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
a. Will the project affect any waterways or water bodies	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
b. Will the project affect potential wetland areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
c. Will the project affect and vegetated areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
d. Will the project involve removal of hazardous/toxic materials?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
e. Will the project areas of habitat for threatened or endangered species?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
f. Is the project near a wilderness area or wildlife refuge?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
g. Will the project affect other sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
i. Groundwater aquifers	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
ii. Wild or scenic rivers	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
iii. Prime or important farmland	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
h. Are you aware of any underground storage tanks in the project area?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
If Yes in any of the above, please explain:			
3. Are there any concentrations of low income or minority populations in or near your project area?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	
4. Please attach any maps and/or photos that better describe the project area, past damages, proposed project timeline, or other supporting information.			

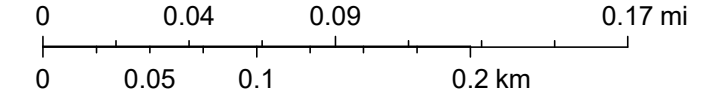
ArcGIS Web Map



12/20/2022, 6:21:48 PM

1:4,514

- | | | | | | | |
|---------------|-----------------|-----------------|---------------------|---------------------------|------------------|---------------------|
| Service Lines | 10 - 22" | Flow Direction | Valves | Repair Points | Flow Meter | Manhole Inspections |
| Gravity Mains | 24" - 48" | Casings | Test Stations | Pumps | Grease Separator | Inlets |
| Unknown | 50" - 70" | Abandoned Lines | Taps | Notes | Lift Station | Fittings |
| 8" or Less | 72" and Greater | Workorders | Service Requests | Network Structures | Other Structures | Discharge Points |
| 8" | Force Mains | Vaults | Service Connections | Backflow Prevention | Manholes | Clean Outs |



Esri, HERE, Garmin, (c) OpenStreetMap contributors, TWM Geospatial, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

EXHIBIT C



Phase I - HMGP DR 4489 Sub Application

Section 1: Background Information		
Jurisdiction		
Name of Applicant: St. Clair County Emergency Management Agency		
Point of Contact		
First Name: Herb	Last Name: Simmons	
Title: Director		
Email: Herbert.Simmons@co.st-clair.il.us	Phone #: 618-825-2683	
Agency/Organization		
Address: 101 South 1st Street, Suite B		
City: Belleville	Zip: 62220	County: St. Clair
UEI #:	DUNS#: 080583213	FEIN #: 37-6001924
Congressional District: 13	House District: 112	Senate District: 56
Has your agency previously received FEMA HMGP, PDM or FMA funds? Yes <input checked="" type="radio"/> No <input type="radio"/>		
If yes, please provide (list) relevant Sub Award(s): PDM 15 Planning Grant		

Section 2: Sub Applicant Signature		
		
Printed Name	Signed Name	Date
Herbert Simmons	Herbert Simmons	1-27-2023

Section 3: Economically Disadvantaged Rural Community [EDRC]	
Does your community meet the below criteria for Economically Disadvantaged Rural Community?	
Yes <input type="radio"/> No <input checked="" type="radio"/>	
1) A community of 3000 or fewer individuals that is economically disadvantage?	
2) Residents of your community have an average per capita annual income not exceeding 80 percent of the national per capita income based on best available data. **	
Is your Community an Economically Disadvantaged Rural Community? Yes <input type="radio"/> No <input checked="" type="radio"/>	
**Best Source of Data:	

Section 4: Technical Assistance	
If you are an EDRC Jurisdiction, do need assistance in completing a Sub Application?	
Yes <input type="radio"/> No <input checked="" type="radio"/>	

Section 5: Hazard Mitigation Planning Requirement (HMP)	
Did your Jurisdiction participate in the development of the HMP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
Did your Jurisdiction pass a resolution adopting HMP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
If your Jurisdiction has an HMP, when does it expire? Date: <u>06/25/2024</u>	
Is the mitigation activity /project listed as a proposed mitigation action measure in the HMP? (Be specific, please.)	
<input type="radio"/> No, it is not listed in the HMP as an action measure to mitigate hazard risk. <input checked="" type="radio"/> Yes, it is on Page # . Please enter page number of the HMP where the project is listed. HMP Section Title:	

Section 6: Community Information	
Name of Community: <u>Village of Caseyville</u>	
Does your community participate in the NFIP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
Is your Community located in a Special Flood Hazard Area (SFHA)?	
Latitude and longitude of the community: <u>38.629467, -90.031626</u>	

Project latitude and longitude (if multiple locations, include property details in attachments)	
Project Latitude: <u>38.638278</u>	Project Longitude: <u>-90.022543</u>
Description of Mitigation Project	
<p>Little Canteen Creek is the primary drainage solution for a watershed that begins west of Old Collinsville Road, extends as far south as St. Clair Avenue, and as far north Bethel Mine Road. Contributing communities include Caseyville, Fairview Heights and O'Fallon. The watershed, consisting of more than 5,280 acres, funnels into Little Canteen Creek and collects millions of gallons of storm runoff. As times, the width of Little Canteen Creek is wider than twenty (20') feet. The Little Canteen Creek watershed consolidates to a single runoff that runs under Illinois Route 157 and continues beyond Caseyville in an easterly direction to the Mississippi River. The western-most portion of Little Canteen Creek is known as Harding Ditch.</p> <p>Little Canteen Creek/Harding Ditch does not adequately service the storm runoff associated with the large geographic area that it currently services. Those problems compound as the watershed moves westerly to the Mississippi River. The flooding problems associated with Little Canteen Creek originate in Caseyville and damage all the communities west of the watershed. These communities will continue to suffer until this watershed is addressed.</p> <p>Little Canteen Creek requires a multi-prong approach. Attached is a Flood Mitigation Plan that has recently been prepared.</p> <p>Under the scope of the sub application, the Little Canteen Creek Mitigation Plan can be completed in</p> <ol style="list-style-type: none"> 1. Development of Levee along Little Canteen Creek 2. Establishment of Little Canteen Creek Levee District 3. Voluntary Residential Buyouts 4. Relocation of Public Works Garage 5. Acquisition and Installation of New Pump Equipment 	

3 | Pre-Application Form for BRIC22 and FMA22 Grant Programs.

Estimated Total Project Cost: \$ 207,500

Activity	Task	Scheduled to be	Cost
Study	Engineering Study <input checked="" type="checkbox"/>		200,000
Pre-award	Phase I -Sub App <input checked="" type="checkbox"/>		2500
BRIC 2023	Sub Application		5000
Projected TPC			39965000
TPC= Total	Project	Cost	

- Property type (if applicable):
- Residential building
 - Public building
 - Residential vacant lot
 - Other (please describe):
 - School/hospital/place of worship
 - Business/commercial building
 - Critical infrastructure

Section 7:		Additional Considerations	
<p>1. Do you foresee any historical preservation issues that would affect this project?</p> <p style="margin-left: 20px;">a. Will the project affect undisturbed land?</p> <p style="margin-left: 20px;">b. Will the project affect any archaeologically sensitive areas?</p> <p style="margin-left: 20px;">c. Will the project affect any historically sensitive areas?</p> <p style="margin-left: 20px;">d. Is the project near any known historic structures?</p> <p style="margin-left: 20px;">e. Are there any buildings 50 years or older within the project?</p> <p>If Yes in any of the above, please explain:</p>	<p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p>	<p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p>	
<p>2. Do you foresee any environmental issues that would affect this project?</p> <p style="margin-left: 20px;">a. Will the project affect any waterways or water bodies</p> <p style="margin-left: 20px;">b. Will the project affect potential wetland areas?</p> <p style="margin-left: 20px;">c. Will the project affect and vegetated areas?</p> <p style="margin-left: 20px;">d. Will the project involve removal of hazardous/toxic materials?</p> <p style="margin-left: 20px;">e. Will the project areas of habitat for threatened or endangered species?</p> <p style="margin-left: 20px;">f. Is the project near a wilderness area or wildlife refuge?</p> <p style="margin-left: 20px;">g. Will the project affect other sensitive areas?</p> <p style="margin-left: 40px;">i. Groundwater aquifers</p> <p style="margin-left: 40px;">ii. Wild or scenic rivers</p> <p style="margin-left: 40px;">iii. Prime or important farmland</p> <p style="margin-left: 20px;">h. Are you aware of any underground storage tanks in the project area?</p> <p>If Yes in any of the above, please explain:</p>	<p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p> <p>Yes <input type="radio"/></p>	<p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p> <p>No <input checked="" type="radio"/></p>	
<p>3. Are there any concentrations of low income or minority populations in or near your project area?</p>	<p>Yes <input checked="" type="radio"/></p>	<p>No <input type="radio"/></p>	
<p>4. Please attach any maps and/or photos that better describe the project area, past damages, proposed project timeline, or other supporting information.</p>			

STEWART LAW GROUP

207 N. Main St.; Ste. 213c
Columbia, IL 62236
Ph: 618.604.2220
F: 618.213.6524
E: DStewart@StewartLawGroup.co

December 20, 2022
via Electronic Mail

Herb Simmons, Director
St. Clair County ETSB
101 S. First St.; Ste. B
Belleville, IL 62220
Em: herbert.simmons@co.st-clair.il.us

Re: **Caseyville Flood Mitigation Plan – Funding Request**

Director Simmons,

As requested, please find the below description of the 2022 Flood Mitigation Plan for the Village of Caseyville. Cost estimations are based on best available data with the quick turnaround. The village continues to gain information that will adjust the below information in real time.

Little Canteen Creek is the primary, and, in some areas, sole, drainage solution for a watershed that begins west of Old Collinsville Road, extends as far south as St. Clair Avenue, and as far north Bethel Mine Road. Contributing communities include Caseyville, Fairview Heights and O'Fallon. The watershed, consisting of more than 5,280 acres, funnels into Little Canteen Creek and collects millions of gallons of storm runoff. As times, the width of Little Canteen Creek is wider than twenty (20') feet. The Little Canteen Creek watershed consolidates to a single runoff that runs under Illinois Route 157 and continues beyond Caseyville in an easterly direction to the Mississippi River. The western-most portion of Little Canteen Creek is known as Hardin Ditch.

Little Canteen Creek/Hardin Ditch (hereinafter, "LCC"¹) does not adequately service the storm runoff associated with the large geographic area that it currently services. Those problems compound as the watershed moves westerly to the Mississippi River. The flooding problems associated with LCC originate in Caseyville and damage all the communities west of the watershed. These communities will continue to suffer until this watershed is addressed.

LCC requires a multi-prong approach. The crucial piece is the development of an earth-berm levee along LCC that meets federal specifications. The earth-berm levee will include a top-over release near the railroad trestle that causes overflow waters to drain into a farmer's field north of the levee. The top-over will prevent additional stresses on the levee north and south of the trestle as it only allows stormwater to flow through at the maximum level that the levee system is designed to handle.

¹ "LCC" refers to Hardin Ditch and Little Canteen Creek.

Once created, the top-over levee will need to be maintained with annual maintenance expenses estimated at 1%-2% of the construction costs. Maintenance efforts include vegetation control, spot repairs, etc. The best available mechanism for said maintenance efforts is the creation of a levee district with taxing mechanisms available to generate sufficient funding needs or the expansion of a current existing district to include LCC. Only the eastern-most two miles of the proposed area are not within a current existing district.

The LCC Mitigation Plan breaks down as follows:

1. Development of Levee along LCC; Estimated Cost: \$12 Million to \$20 Million
2. Establishment of LCC Levee District; Estimated Cost: \$120,000 to \$200,000 annually
3. Voluntary Residential Buyouts; Estimated Cost: \$6,000,000
4. Relocation of Public Works Garage; Estimated Cost: \$7,000,000
5. Acquisition and Installation of New Pump Equipment; Estimated Cost: \$380,000
6. Cell Phone Notification System; Estimated Cost: \$3,000 annually
7. Purchase of Water Rescue Equipment; Estimated Cost: \$100,000

Specificized details are as follows:

1. Development of Levee pursuant to Federal Specifications – Acquisition and development of the levee between Rt. 157 and the Railroad Trestle is the biggest project. The project will require purchasing approximately 10-12 acres of ground at a cost of approximately \$20,000 per acre² or \$200,000-240,000. The current berm will be removed and a levee will be earth-berm levee will be installed. The length of the levee is approximately 2.94 kilometers (includes both sides of creek) or 9,600 feet. Costs of construction are difficult to assess given the current market conditions. A 2005 study put the costs of construction near \$1,300 per linear meter (\$1,950 when adjusted for inflation) to install an earth-berm levee with a height of 3 meters and a 3/1 slope. A 2018 study put the costs of construction at \$12m-18m per kilometer.³ Using the best available numbers, construction costs are estimated to be \$15 Million - \$25 Million; with the lowest estimate of \$5 million and a highest estimate of \$30 million. The most realistic costs scenario is \$12 Million to \$20 Million. This is just the initial project costs. The primary objectives of the project are (1) create a true levee up to federal specifications designed to handle the volume of runoff for the watershed; and (2) create a top-over mechanism to address the bottleneck created by the railroad trestle. If the water flow backs up for any reason along the levee (whether north or south of the trestle), the water will divert to a controlled detention area north of the levee into nearby agricultural acreage and away from residential areas.
2. Establishment of the Little Canteen Creek Levee District – Once constructed, the LCC levee will require any maintenance at an estimated cost of 2% of initial investment costs or \$120,000 - \$200,000 annually. The maintenance costs can be assessed, collected and managed by a municipal entity that has a taxing base that consists of the entire watershed area. The estimated costs per household are minimal when assessed on more than 5,000 acres.
3. Voluntary Residential Buyouts – The village has designated an area that it wants to encourage participation of the residential buyout program. The area includes approximately 231 homes and 136 manufactured homes that are at heightened risk due to close proximity to the trestle

² Cost per acre based on most recent comparable sales with adjustment for recent inflation costs.

³ A review of Cost Estimates for Flood Adaption; Jeroen C.J.H. Aerts; 2018. Available at <https://doi.org/10.3390/w10111646>. See also <https://www.floodengage.com/wollongong/option/26>.

bottleneck point. The estimated costs of participation are \$6 million with a generous participation rate of 25% of the affected homes. So far, the feedback on this program has been negative as many of the affected homes are low-income families with limited means to find new housing in today's real estate market.

4. Relocation of Public Works Garage – The public works garage located along Long Street is located within the floodway and/or 100-year flood plain as labeled under the latest FEMA mapping set for release 1st quarter 2023. As such, the current public works garage, including equipment and employees, is at risk due to a severe flooding event. Additionally, most, if not all, public works equipment is stored at the garage when not on a specific job site. Thus, the entire equipment portfolio may be lost in a single flooding event. The proposed plan will relocate the garage outside of the floodway.
5. Purchase of Pump Equipment – The village has multiple pump stations within the village limits that serve to alleviate flood waters. In the most recent large flooding event, the village did not have adequate pump stations to address the catastrophic failure of the levee. Luckily, the village was able to borrow pumps from neighboring communities. By borrowing pumps, those temporary pumps were no longer available to other affected communities. Thus, the village wishes to purchase four temporary 8” pumps as a cost of \$95,000 each or \$380,000.
6. Red Alert Notification System – The notification system is a push notification system that is sends alerts to cellphones within a designated geographical area. First responders will be able to send evacuation alerts to residents in the event of a flood event. The alert system is a minimal expense at \$3,000 annually based on recent proposals.
7. Purchase of Water Rescue and Equipment – The village conducts water rescue efforts infrequently and mostly associated with a flooding event. During a flooding event, the village does not have adequate equipment to facilitate water rescue efforts. The costs for water rescue equipment is estimated to be \$100,000 that includes truck, trailer, and fully equipped boat.

Please contact my office with any questions.

Sincerely,

Stewart Law Group

By: /s/ Doug Stewart
Doug Stewart

CC: Mayor GW Scott
Caseyville Board of Trustees

EXHIBIT D



Phase I - HMGP DR 4489 Sub Application

Section 1: Background Information		
Jurisdiction		
Name of Applicant: St. Clair County Emergency Management Agency		
Point of Contact		
First Name: Herb	Last Name: Simmons	
Title: Director		
Email: Herbert.Simmons@co.st-clair.il.us	Phone #: 618-825-2683	
Agency/Organization		
Address: 101 South 1st Street, Suite B		
City: Belleville	Zip: 62220	County: St. Clair
UEI #:	DUNS#: 080583213	FEIN #: 37-6001924
Congressional District: 13	House District: 113	Senate District: 57
Has your agency previously received FEMA HMGP, PDM or FMA funds? Yes <input checked="" type="radio"/> No <input type="radio"/>		
If yes, please provide (list) relevant Sub Award(s)#: PDM 15 Planning Grant		

Section 2: Sub Applicant Signature		
<i>Herbert Simmons</i>	<i>Herbert Simmons</i>	1/27/2023
Printed Name	Signed Name	Date

Section 3: Economically Disadvantaged Rural Community [EDRC]	
Does your community meet the below criteria for Economically Disadvantaged Rural Community?	
Yes <input type="radio"/> No <input checked="" type="radio"/>	
1) A community of 3000 or fewer individuals that is economically disadvantage?	
2) Residents of your community have an average per capita annual income not exceeding 80 percent of the national per capita income based on best available data. **	
Is your Community an Economically Disadvantaged Rural Community? Yes <input type="radio"/> No <input checked="" type="radio"/>	
**Best Source of Data:	

Section 4: Technical Assistance	
If you are an EDRC Jurisdiction, do need assistance in completing a Sub Application?	
Yes	No
<input type="radio"/>	<input checked="" type="radio"/>

Section 5: Hazard Mitigation Planning Requirement (HMP)	
Did your Jurisdiction participate in the development of the HMP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
Did your Jurisdiction pass a resolution adopting HMP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
If your Jurisdiction has an HMP, when does it expire? Date: <u>06/25/2024</u>	
Is the mitigation activity /project listed as a proposed mitigation action measure in the HMP? (Be specific, please.)	
<input type="radio"/> No, it is not listed in the HMP as an action measure to mitigate hazard risk. <input checked="" type="radio"/> Yes, it is on Page # . Please enter page number of the HMP where the project is listed. HMP Section Title:	

Section 6: Community Information	
Name of Community: <u>Stookey Township</u>	
Does your community participate in the NFIP?	Yes <input type="radio"/> No <input checked="" type="radio"/>
Is your Community located in a Special Flood Hazard Area (SFHA)?	
Latitude and longitude of the community: <u>38.538354, -90.038919</u>	

Project latitude and longitude (if multiple locations, include property details in attachments)	
Project Latitude: <u>38.538354</u>	Project Longitude: <u>-90.038919</u>
Description of Mitigation Project	
<p>The project location encompasses the area surrounding IL Route 13 (Old St. Louis Road), Frank Scott Parkway, and North Belt West with a total drainage area of approximately 440 acres. Specifically, the existing Jonathon Lee & Crestwood Subdivisions experienced historic flooding events during the Summer of 2022. The attached report outlines the existing flooding conditions, history, and conceptual alternatives to help mitigate the drainage concerns for the current homeowners, residents, and the traveling public.</p> <p>With the preliminary study completed, the project scope of this sub application will complete the following activities:</p> <ol style="list-style-type: none"> 1) Complete Design Services 2) Complete Benefit Costs Analysis 3) Obtain required permits 4) Preparation of Construction Plans 5) Preparation of Updated Construction Cost Estimates 6) Construction 7) Construction Management Services 	

Estimated Total Project Cost: \$ 243,000

Activity	Task	Scheduled to be	Cost
Engineering Design	Design Services		210,000
Permits	Permitting Services		10,500
BCA	BCA Analysis		15000
HMGP 4489	Sub Application		5000
Pre-award	Phase I Sub Application		2500
Project TPC	for Phase 2		1512000

Property type (if applicable):

- Residential building
- Public building
- Residential vacant lot
- Other (please describe):
- School/hospital/place of worship
- Business/commercial building
- Critical infrastructure

Section 7:		Additional Considerations	
1. Do you foresee any historical preservation issues that would affect this project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
a. Will the project affect undisturbed land?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
b. Will the project affect any archaeologically sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
c. Will the project affect any historically sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
d. Is the project near any known historic structures?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
e. Are there any buildings 50 years or older within the project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
If Yes in any of the above, please explain:			
2. Do you foresee any environmental issues that would affect this project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
a. Will the project affect any waterways or water bodies	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
b. Will the project affect potential wetland areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
c. Will the project affect and vegetated areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
d. Will the project involve removal of hazardous/toxic materials?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
e. Will the project areas of habitat for threatened or endangered species?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
f. Is the project near a wilderness area or wildlife refuge?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
g. Will the project affect other sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
i. Groundwater aquifers	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
ii. Wild or scenic rivers	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
iii. Prime or important farmland	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
h. Are you aware of any underground storage tanks in the project area?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
If Yes in any of the above, please explain:			
3. Are there any concentrations of low income or minority populations in or near your project area?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	
4. Please attach any maps and/or photos that better describe the project area, past damages, proposed project timeline, or other supporting information.			



STOOKEY TOWNSHIP

313 Eiler Rd., Belleville, IL 62223

Phone: (618) 538-7700

**PROJECT
LOCATION**

**CONCEPTUAL STUDY FOR
JONATHON LEE SUBDIVISION
DRAINAGE IMPROVEMENTS
FOR STOOKEY TOWNSHIP**

Prepared for: St. Clair County
Emergency Management Agency

December 2022

VOLKERT

1. PROJECT LOCATION & FLOODING HISTORY

The attached summary provides a description of the drainage concerns associated with the Jonathon Lee Subdivision in Stookey Township. Stookey Township is located just west of downtown Belleville in St. Clair County, Illinois. Residential homes and small businesses occupy the unincorporated part of Belleville along with occasional shopping centers (Belleville Crossing). The township rides along Illinois Route 13 and converges with Illinois Route 15 and Illinois Route 159.

The project location encompasses the area surrounding IL Route 13 (Old St. Louis Road), Frank Scott Parkway, and North Belt West with a total drainage area of approximately 440 acres. Specifically, the existing Jonathon Lee & Crestwood Subdivisions experienced historic flooding events during the Summer of 2022. This report outlines the existing flooding conditions, history, and conceptual alternatives to help mitigate the drainage concerns for the current homeowners, residents, and the travelling public.

On August 30, 2022, Governor J.B. Pritzker requested a major disaster declaration due to a severe storm which caused flooding during the period of July 25-28, 2022. The Governor requested a declaration for Individual Assistance and Hazard Mitigation for St. Clair County. During the period of August 17-19, 2022, joint federal, state, and local government Preliminary Damage Assessments (PDAs) were conducted in the requested areas and are summarized below. PDAs estimate damages immediately after an event and are considered, along with several other factors, in determining whether a disaster is of such severity and magnitude that effective response is beyond the capabilities of the state, and the affected local governments, and that federal assistance is necessary.

On October 14, 2022, President Biden declared that a major disaster exists in the State of Illinois. This declaration made Individual Assistance requested by the Governor available to affected individuals and households in St. Clair County. This declaration also made Hazard Mitigation Grant Program assistance requested by the Governor available for hazard mitigation measures in St. Clair County.

The Jonathon Lee Subdivision was significantly impacted by the flooding events in July of 2022, as shown in the photos below.



2. PROJECT NEED

The overall drainage basin (IL Route 13 Outfall) conveys flows through the Jonathon Lee Subdivision at three distinct outfalls. These outfalls will be referred to herein as the Outfall #1 - Jonathon Lee Drive Outfall, Outfall #2 - Birch Drive Outfall, and Outfall #3 - North Outfall. The three outfalls converge at the end of Birch Drive before flows are conveyed to the southwest under IL Route 13 (Old St. Louis Road). There is little to no existing detention storage within the area of concern.

The overall drainage basin is 0.69 square miles or approximately 440 acres. Flows for each storm event are shown in the table below. Please refer to Exhibit #4 for the Illinois StreamStats full report.

Hydrologic Analysis (per Illinois StreamStats)					
(cubic feet per second)					
	2-yr Event	10-yr Event	*50-yr Event (Design)*	100-yr Event	500-yr Event
Overall Basin IL 13 Outfall	147 cfs	386 cfs	647 cfs	770 cfs	1,070 cfs

Outfall #1 – Jonathon Lee Drive

The existing Jonathon Lee Drive Outfall is 0.18 square miles or approximately 115 acres. Flow is conveyed across the outfall from east to west under Frank Scott Parkway and collected in a closed storm sewer system at the cul-de-sac of Warren Drive. From this point, flows are conveyed to the west via an existing 24" Corrugated Metal Pipe (CMP) → 38"x24" Elliptical Reinforced Concrete Pipe (ERCP) → 53"x34" ERCP and outlets to an existing 4' wide concrete lined ditch at the intersection of Warren Drive and Jonathon Lee Drive.



From this point, the concrete ditch outlets to an existing dual (2) 30"x19" ERCP's that conveys flows in a closed storm sewer system behind the homes along the south side of Warren Drive (6200 Block). During full-flow conditions, the existing dual (2) 30"x19" ERCP's can convey approximately 61 cfs, which is equivalent to a 2-year storm, per the table below. However, per current standards, storm sewer systems should be designed for a minimum 10-year storm event, unless in a sump condition, in which a 50-year storm event should be utilized. An overflow route for storm events in excess of the 50-year event shall always be provided. The overflow route is located behind the houses along the south side of Warren Drive and is conveying the majority of flow during a major storm event.

The existing dual (2) 30"x19" ERCP's outlet to the west into an existing 7'x5' Reinforced Concrete Box Culvert (RCBC) under the existing driveway at 48 Flamingo Drive. After exiting the 7'x5' RCBC, flows are bottle necked into dual (2) 24" CMP's that convey flows to the west to a concrete box structure that is represented in the photos on Page 1 of this report. An existing 66" steel pipe, located under the intersection of Warren/Flamingo & Birch Drive conveys flows to the north west to the Unnamed Tributary to Prairie du Pont Creek.



The Jonathon Lee Drive Outfall is in a sump condition and currently acts as one large detention pond due to the terrain/surrounding elevations, and therefore should be designed for the 50-year storm event. As you can see in the table below, the existing storm sewer system is severely undersized per current rainfall criteria. Please refer to Exhibit #4 for the Illinois StreamStats full report.

Hydrologic Analysis (per Illinois StreamStats) (cubic feet per second)					
	2-yr Event	10-yr Event	*50-yr Event (Design)*	100-yr Event	500-yr Event
Jonathon Lee Drive Outfall	50 cfs	122 cfs	196 cfs	230 cfs	312 cfs

Outfall #2 – Birch Drive Outfall

The existing Birch Drive Outfall is 0.09 square miles or approximately 60 acres. Flow is conveyed across the outfall from east to west under the existing railroad tracks near the dead end of Leo Drive (6221 Leo Dr). Overland flow and a closed storm sewer system convey flows to an existing 30” CMP under Birch Drive that outlet to the adjacent Unnamed Tributary to Prairie du Pont Creek along the south side of Birch Drive. During full-flow conditions, the existing 30” CMP can convey approximately 30 cfs.



Much like Outfall #1, the existing storm sewer system is severely undersized per current rainfall criteria as you can see in the table below. Please refer to Exhibit #4 for the Illinois StreamStats full report.

Hydrologic Analysis (per Illinois StreamStats) (cubic feet per second)					
	2-yr Event	10-yr Event	*50-yr Event (Design)*	100-yr Event	500-yr Event
Birch Drive Outfall	34 cfs	84 cfs	138 cfs	163 cfs	223 cfs

Outfall #3 – North Outfall

The existing North Outfall is 0.36 square miles or approximately 230 acres. Flow is conveyed across the outfall from northeast to southwest from the intersection of Frank Scott Parkway & Main Street through the Raintree Wood Subdivision and directed under North Belt West and the adjacent railroad tracks. Flow then converges with Outfall #1 and Outfall #2 at the end of Birch Drive into the Unnamed Tributary to Prairie du Pont Creek.



Flows for each storm event are shown in the table below. Please refer to Exhibit #4 for the Illinois StreamStats full report.

Hydrologic Analysis (per Illinois StreamStats) (cubic feet per second)					
	2-yr Event	10-yr Event	*50-yr Event (Design)*	100-yr Event	500-yr Event
North Outfall	103 cfs	266 cfs	443 cfs	526 cfs	731 cfs

3. CONCEPTUAL EVALUATION OF FEASIBLE ALTERNATIVES

There were two different alternatives that were discussed in our conceptual evaluation of the site. The first alternative would be to leave the existing storm sewer in place and find strategic locations throughout the area of concern to provide detention basins to alleviate the significant flows generated during minor to major storm events. Due to the deteriorated condition of the existing storm system and culverts, along with the challenges associated with property acquisition (at likely three different locations), this alternative was not determined to be feasible at this time.

The second alternative evaluated was to improve the existing storm system and/or culverts to current design standards/rainfall criteria and provide a regional detention facility downstream to detain the increased runoff. The regional detention facility is proposed at the end of Birch Drive. St. Clair County currently owns a parcel at the end of Birch Drive that may be an agreeable location for a detention facility. Please refer to Exhibit #3 for a layout of the preferred alternative that includes the following proposed improvements:

- Dual 36” RCP from proposed Structure #1 → proposed Structure #4
- Dual 42” RCP from proposed Structure #4 → proposed Structure #7
- Dual 48” RCP from proposed Structure #7 → existing Structure #9
- Proposed Storm Sewer Manholes and Inlets
- Regional Detention Facility – To include necessary Land Acquisition & Easements for Construction

Please refer to Exhibit #3 to conceptualize the above improvements.

4. CONCEPTUAL ESTIMATE OF CONSTRUCTION COST

The attached conceptual cost estimate below is based on 2022 approximate costs for the storm sewer and detention improvements within the Jonathon Lee Subdivision:

Item	Cost/Quantity	Approximate Quantity	Total Cost
Dual 36” RCP	\$200/foot	1,000 linear feet	\$200,000
Dual 42” RCP	\$225/foot	800 linear feet	\$180,000
Dual 48” RCP	\$275/foot	1,200 linear feet	\$330,000
Storm Structures	\$20,000/structure	8 structures	\$160,000
Trench Backfill	\$75/ton	2,000 ton	\$150,000
Regional Detention	\$100,000/facility	Facility & Land Acquisition	\$100,000
Contingency 25% (Removals, Erosion/SWPPP, Landscaping, ENG/CE, Utilities)			\$280,000

Total = \$1,400,000

5. SUMMARY

The residents and homeowners that are currently residing in the Jonathon Lee Subdivision will not be able to find relief during even a minor storm event unless a solution is provided to deal with the drainage concerns included herein. The preferred alternative will provide a new storm sewer outfall system that will capture nearly 3 times the flow that the existing system is currently conveying. A Regional Detention Facility will be required to detain the increased amount of flow so as to not negatively impact additional properties downstream of Jonathon Lee Subdivision. Without these improvements, the homeowners in this area will continue to experience flooding events that will be even more magnified during significant storms, as witnessed during the July 2022 rainfall event.

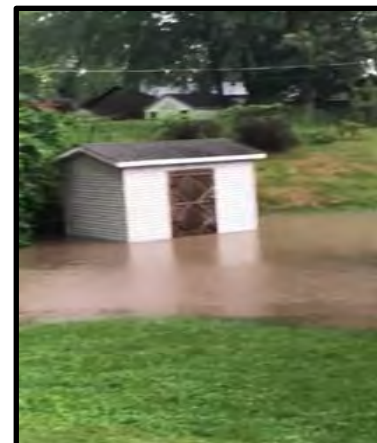


EXHIBIT #1
LOCATION MAP

VOLKERT

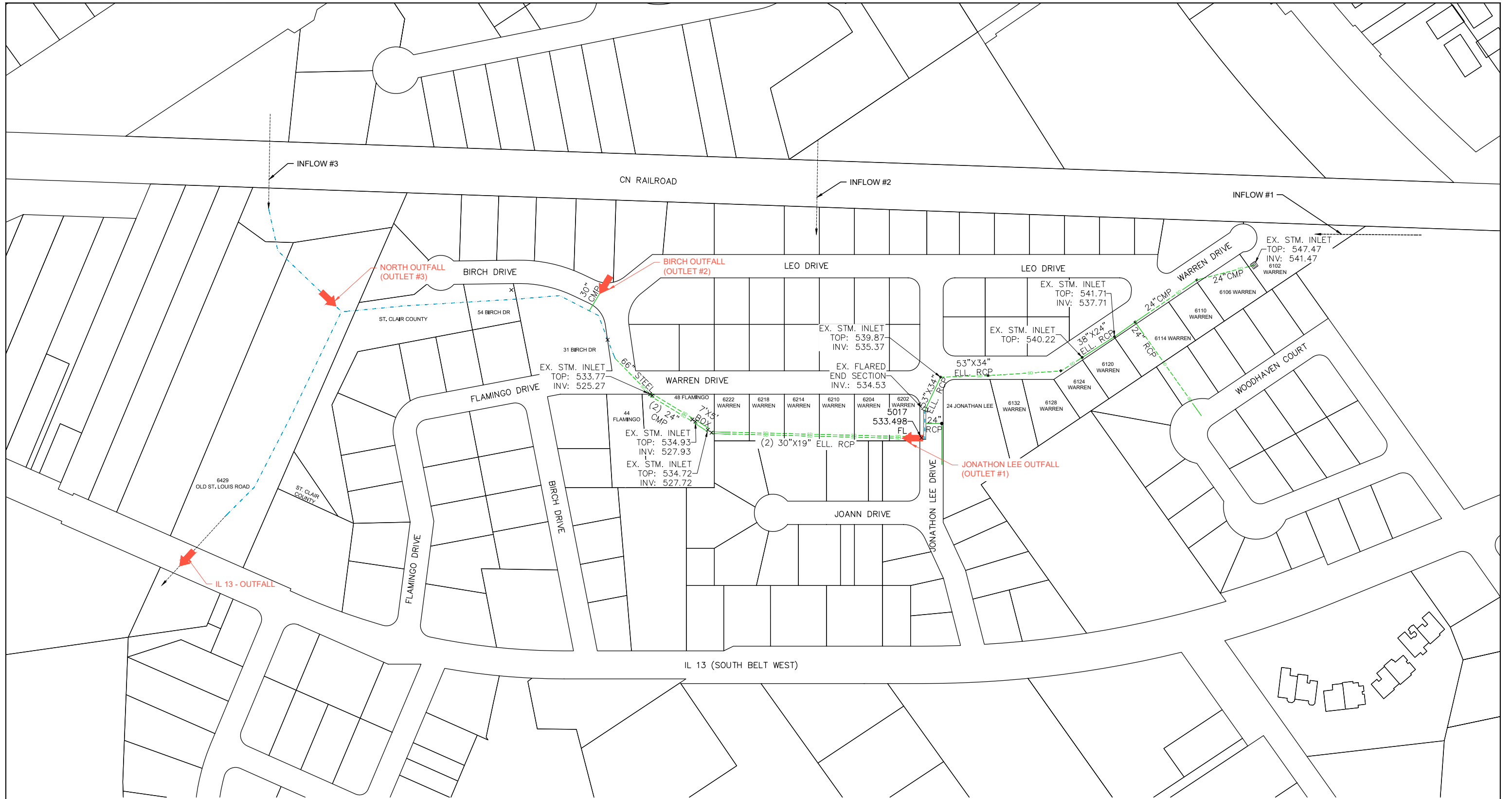
VICINITY MAP



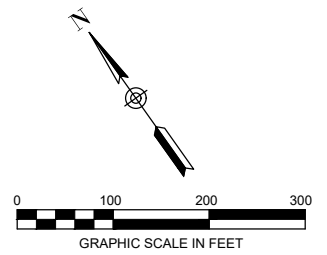
STOOKEY TOWNSHIP
313 Eiler Rd., Belleville, IL 62223
Phone: (618) 538-7700

EXHIBIT #2
EXISTING PLANSHEET

VOLKERT



EXISTING CONDITIONS



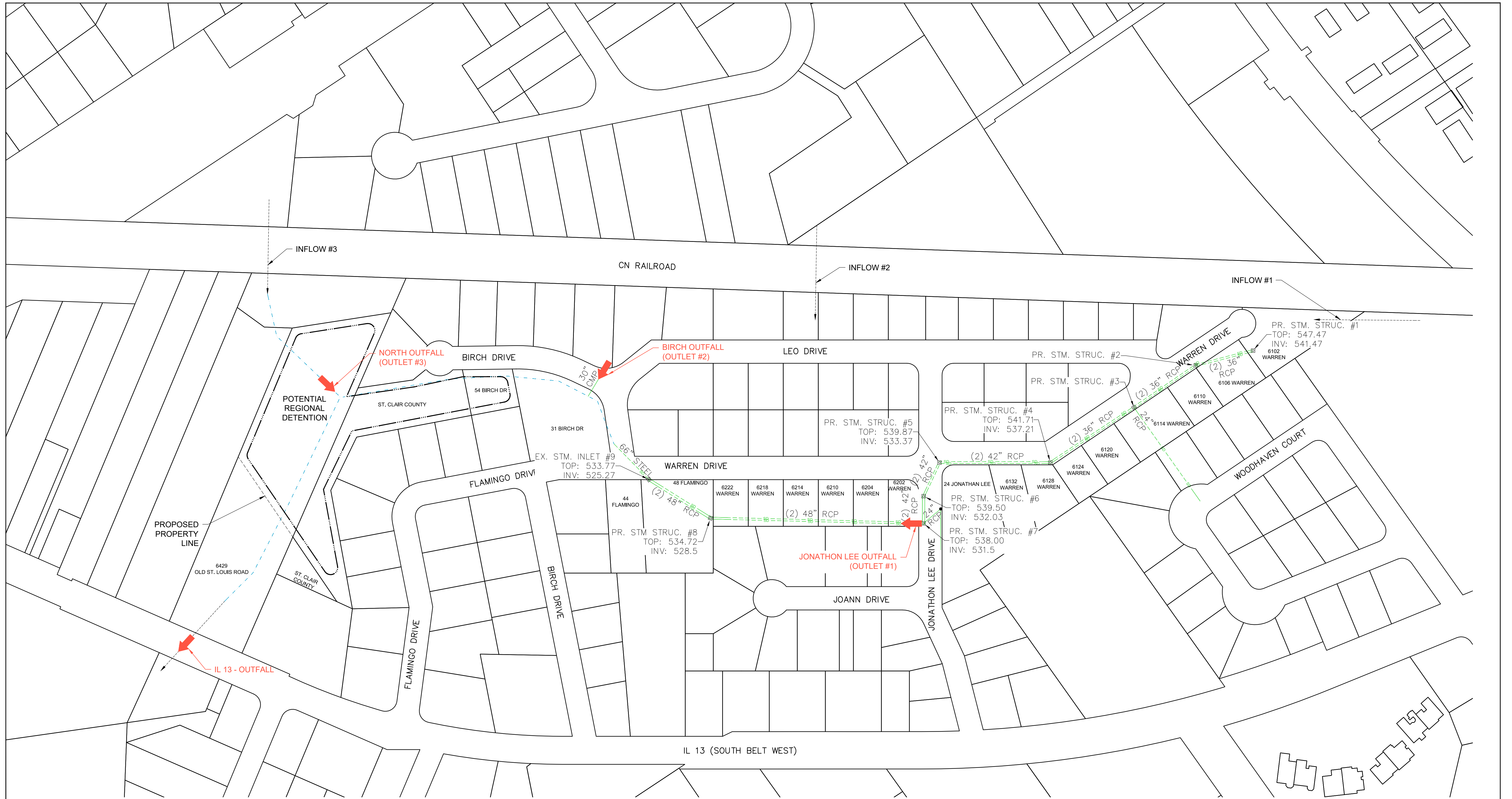
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			HIGHWAY DEPARTMENT 313 EILER ROAD BELLEVILLE, IL 62223	
DATE	REMARKS	REV #	DRAWN BY:	DATE: 12.8.2022
12.8.22	PRELIMINARY EXHIBIT		PROJECT ENGINEER: CTR	PROJECT #: 313 EILER ROAD
			APPROVED BY: DRH	P.O. #:
			USE DIMENSIONS ONLY	
			ONLY USE APPROVED DRAWINGS FOR CONSTRUCTION PURPOSES	

PRELIMINARY EXHIBIT

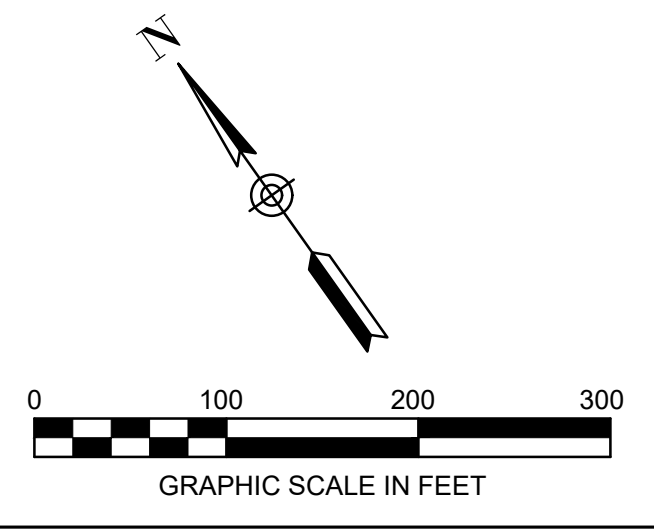


EXHIBIT #3
PROPOSED PLANSHEET

VOLKERT



PROPOSED CONDITIONS



**STOOKEY TOWNSHIP,
ST. CLAIR COUNTY, IL**

DATE	REMARKS	REV #
12.8.22	PRELIMINARY EXHIBIT	

HIGHWAY DEPARTMENT 313 EILER ROAD BELLEVILLE, IL 62223		
DRAWN BY: PROJECT ENGINEER: APPROVED BY:	CTR CTR DRH	DATE: 12.8.2022 PROJECT #: P.O. #:
USE DIMENSIONS ONLY		
ONLY USE APPROVED DRAWINGS FOR CONSTRUCTION PURPOSES		

PRELIMINARY EXHIBIT



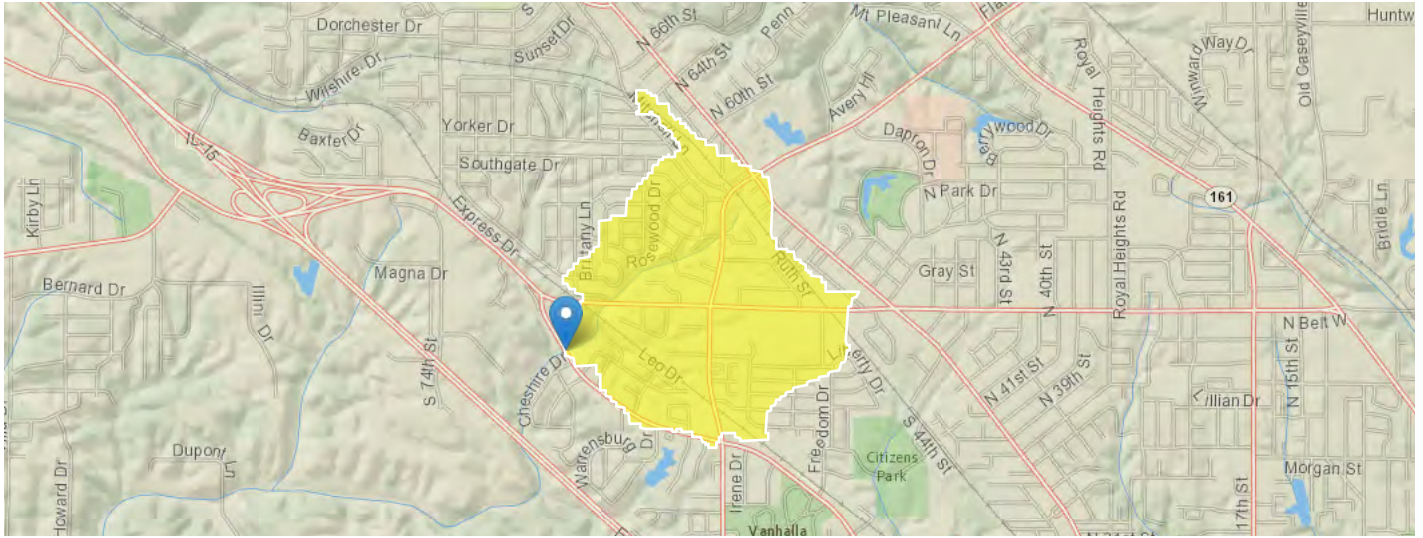
EXHIBIT #4
HYDROLOGIC ANALYSIS

VOLKERT

OVERALL BASIN - IL ROUTE 13 OUTFALL

StreamStats Report

Region ID: IL
Workspace ID: IL20221214175306388000
Clicked Point (Latitude, Longitude): 38.53947, -90.04622
Time: 2022-12-14 11:53:30 -0600



[Collapse All](#)

Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
BASLENAH	Basin length from outlet to basin divide determined using the method in the ArcHydro Toolset	1.26	miles
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	40.42	feet per mi
DRNAREA	Area that drains to a point on a stream	0.69	square miles
URBTHE2010	Fraction of drainage area that is in urban classes 7 to 10 from Theobald 2010	0.979	dimensionless

Peak-Flow Statistics

Peak-Flow Statistics Parameters [Region 4 Peak Unadjusted SIR 2004 5103]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.69	square miles	0.03	9554
CSL10_85	Stream Slope 10 and 85 Method	40.42	feet per mi	0.81	317
BASLENAH	Basin Length ArcHydro Method	1.26	miles	0.3	190

Peak-Flow Statistics Parameters [Region 4 Peak Adjusted Using SIR 2016 5050]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.69	square miles	0.03	9554
CSL10_85	Stream Slope 10 and 85 Method	40.42	feet per mi	0.81	317
BASLENAH	Basin Length ArcHydro Method	1.26	miles	0.3	190
URBTHE2010	Fraction_of_Urban_Land_Theobald_2010	0.979	dimensionless	0	1

Peak-Flow Statistics Flow Report [Region 4 Peak Unadjusted SIR 2004 5103]

PII: Prediction Interval-Lower, Plu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	Plu	SE	ASEp	Equiv. Yrs.
50-percent AEP flood	147	ft ³ /s	66.3	326	41.1	41.1	2.5
20-percent AEP flood	281	ft ³ /s	125	630	41.5	41.5	3
10-percent AEP flood	386	ft ³ /s	167	891	43	43	3.7
4-percent AEP flood	532	ft ³ /s	219	1290	45.5	45.5	4.5
2-percent AEP flood	647	ft ³ /s	256	1630	47.7	47.7	5
1-percent AEP flood	770	ft ³ /s	292	2030	50	50	5.4
0.2-percent AEP flood	1070	ft ³ /s	367	3120	55.7	55.7	6.1

Peak-Flow Statistics Flow Report [Region 4 Peak Adjusted Using SIR 2016 5050]

Statistic	Value	Unit
Urban 50-percent AEP flood	442	ft ³ /s
Urban 20-Percent AEP flood	699	ft ³ /s
Urban 10-percent AEP flood	932	ft ³ /s
Urban 4-percent AEP flood	1190	ft ³ /s
Urban 2-percent AEP flood	1360	ft ³ /s
Urban 1-percent AEP flood	1560	ft ³ /s
Urban 0.2-percent AEP flood	2080	ft ³ /s

Peak-Flow Statistics Flow Report [Area-Averaged]

PII: Prediction Interval-Lower, Plu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	Plu	SE	ASEp	Equiv. Yrs.
50-percent AEP flood	147	ft ³ /s	66.3	326	41.1	41.1	2.5
20-percent AEP flood	281	ft ³ /s	125	630	41.5	41.5	3
10-percent AEP flood	386	ft ³ /s	167	891	43	43	3.7
4-percent AEP flood	532	ft ³ /s	219	1290	45.5	45.5	4.5
2-percent AEP flood	647	ft ³ /s	256	1630	47.7	47.7	5
1-percent AEP flood	770	ft ³ /s	292	2030	50	50	5.4
0.2-percent AEP flood	1070	ft ³ /s	367	3120	55.7	55.7	6.1
Urban 50-percent AEP flood	442	ft ³ /s					
Urban 20-Percent AEP flood	699	ft ³ /s					
Urban 10-percent AEP flood	932	ft ³ /s					
Urban 4-percent AEP flood	1190	ft ³ /s					
Urban 2-percent AEP flood	1360	ft ³ /s					
Urban 1-percent AEP flood	1560	ft ³ /s					
Urban 0.2-percent AEP flood	2080	ft ³ /s					

Peak-Flow Statistics Citations

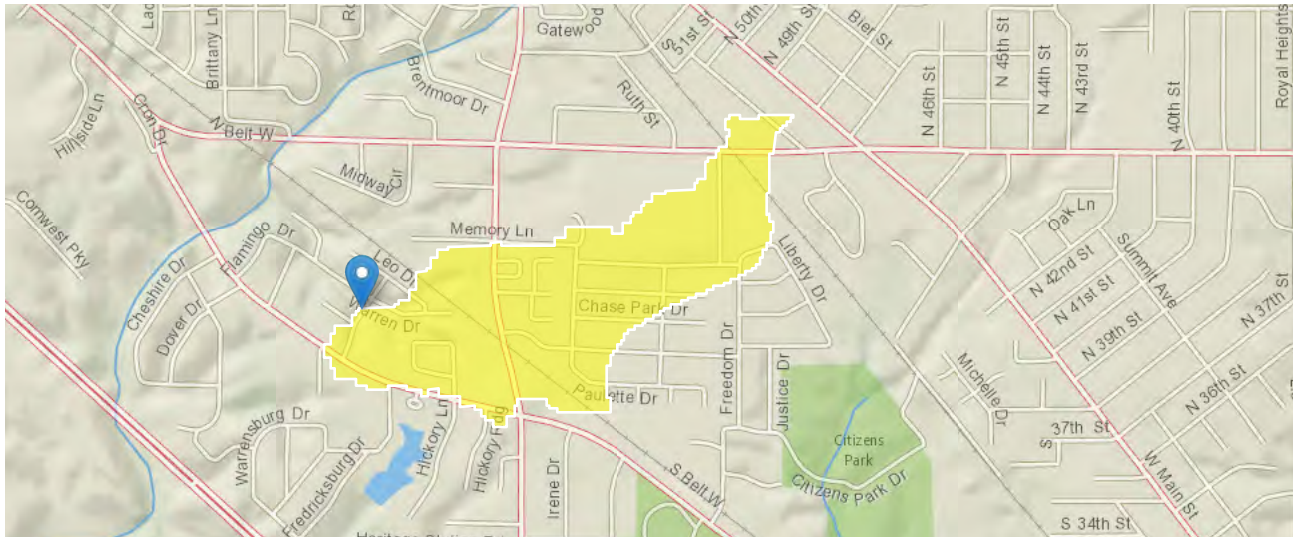
Soong, D.T., Ishii, A.L., Sharpe, J.B., and Avery, C.F., 2004, Estimating Flood-Peak Discharge Magnitudes and Frequencies for Rural Streams in Illinois, U.S. Geological Survey Scientific Investigations Report 2004-5103. 147 p. (<https://pubs.er.usgs.gov/publication/sir20045103>)

Over, T.M., Saito, R.J., Veilleux, A.G., Sharpe, J.B., Soong, D.T., and Ishii, A.L. 2021, Estimation of peak discharge quantiles for selected annual exceedance probabilities in northeastern Illinois (ver. 3.0, June 2021): U.S. Geological Survey Scientific Investigations Report 2016-5050, 50 p. with appendix (<https://doi.org/10.3133/sir20165050>)

OUTFALL #1 - JONATHAN LEE DRIVE OUTFALL

StreamStats Report

Region ID: IL
 Workspace ID: IL20221215024418204000
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 Time: 2022-12-14 20:44:42 -0600



[+ Collapse All](#)

Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
BASLENAH	Basin length from outlet to basin divide determined using the method in the ArcHydro Toolset	1.13	miles
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	31.696	feet per mi
DRNAREA	Area that drains to a point on a stream	0.18	square miles
URBTHE2010	Fraction of drainage area that is in urban classes 7 to 10 from Theobald 2010	1	dimensionless

Peak-Flow Statistics

Peak-Flow Statistics Parameters [Region 4 Peak Unadjusted SIR 2004 5103]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.18	square miles	0.03	9554
CSL10_85	Stream Slope 10 and 85 Method	31.696	feet per mi	0.81	317
BASLENAH	Basin Length ArcHydro Method	1.13	miles	0.3	190

Peak-Flow Statistics Parameters [Region 4 Peak Adjusted Using SIR 2016 5050]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.18	square miles	0.03	9554
CSL10_85	Stream Slope 10 and 85 Method	31.696	feet per mi	0.81	317
BASLENAH	Basin Length ArcHydro Method	1.13	miles	0.3	190
URBTHE2010	Fraction_of_Urban_Land_Theobald_2010	1	dimensionless	0	1

Peak-Flow Statistics Flow Report [Region 4 Peak Unadjusted SIR 2004 5103]

PII: Prediction Interval-Lower, Plu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	Plu	SE	ASEp	Equiv. Yrs.
50-percent AEP flood	50.3	ft ³ /s	21.2	119	41.1	41.1	2.5
20-percent AEP flood	91.1	ft ³ /s	38	219	41.5	41.5	3
10-percent AEP flood	122	ft ³ /s	49.2	303	43	43	3.7
4-percent AEP flood	163	ft ³ /s	62.2	427	45.5	45.5	4.5
2-percent AEP flood	196	ft ³ /s	71.5	537	47.7	47.7	5
1-percent AEP flood	230	ft ³ /s	80	661	50	50	5.4
0.2-percent AEP flood	312	ft ³ /s	97.1	1000	55.7	55.7	6.1

Peak-Flow Statistics Flow Report [Region 4 Peak Adjusted Using SIR 2016 5050]

Statistic	Value	Unit
Urban 50-percent AEP flood	154	ft ³ /s
Urban 20-Percent AEP flood	231	ft ³ /s
Urban 10-percent AEP flood	300	ft ³ /s
Urban 4-percent AEP flood	374	ft ³ /s
Urban 2-percent AEP flood	420	ft ³ /s
Urban 1-percent AEP flood	472	ft ³ /s
Urban 0.2-percent AEP flood	613	ft ³ /s

Peak-Flow Statistics Flow Report [Area-Averaged]

PII: Prediction Interval-Lower, Plu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	Plu	SE	ASEp	Equiv. Yrs.
50-percent AEP flood	50.3	ft ³ /s	21.2	119	41.1	41.1	2.5
20-percent AEP flood	91.1	ft ³ /s	38	219	41.5	41.5	3
10-percent AEP flood	122	ft ³ /s	49.2	303	43	43	3.7
4-percent AEP flood	163	ft ³ /s	62.2	427	45.5	45.5	4.5
2-percent AEP flood	196	ft ³ /s	71.5	537	47.7	47.7	5
1-percent AEP flood	230	ft ³ /s	80	661	50	50	5.4
0.2-percent AEP flood	312	ft ³ /s	97.1	1000	55.7	55.7	6.1
Urban 50-percent AEP flood	154	ft ³ /s					
Urban 20-Percent AEP flood	231	ft ³ /s					
Urban 10-percent AEP flood	300	ft ³ /s					
Urban 4-percent AEP flood	374	ft ³ /s					
Urban 2-percent AEP flood	420	ft ³ /s					
Urban 1-percent AEP flood	472	ft ³ /s					
Urban 0.2-percent AEP flood	613	ft ³ /s					

Peak-Flow Statistics Citations

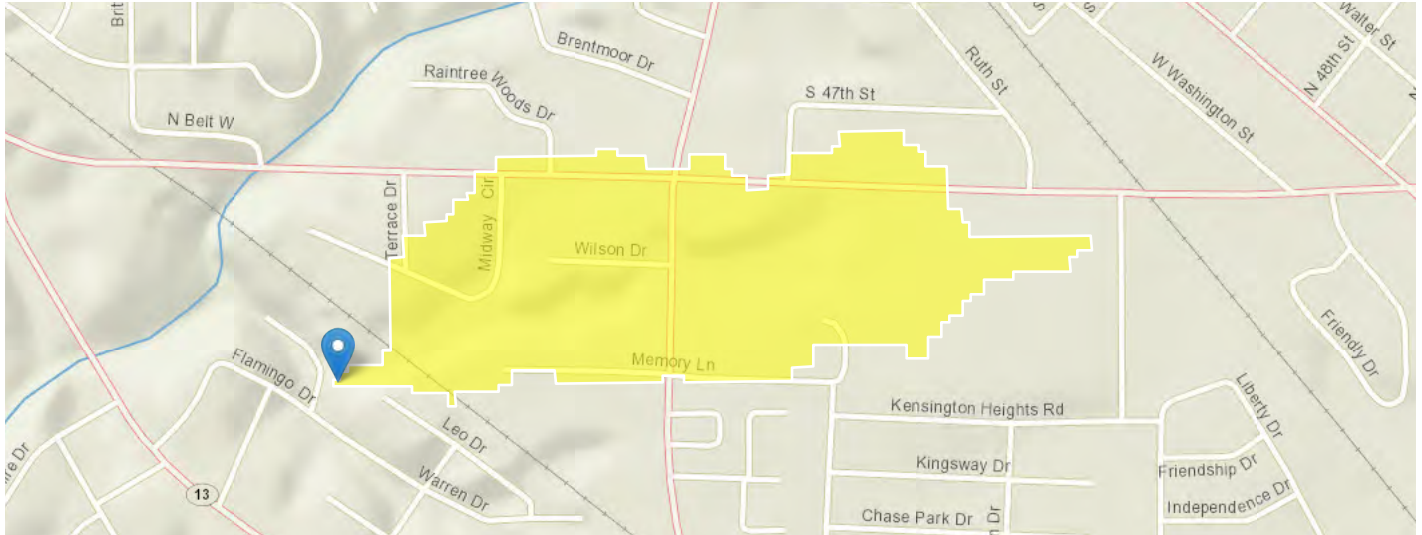
Soong, D.T., Ishii, A.L., Sharpe, J.B., and Avery, C.F., 2004, Estimating Flood-Peak Discharge Magnitudes and Frequencies for Rural Streams in Illinois, U.S. Geological Survey Scientific Investigations Report 2004-5103. 147 p. (<https://pubs.er.usgs.gov/publication/sir20045103>)

Over, T.M., Saito, R.J., Veilleux, A.G., Sharpe, J.B., Soong, D.T., and Ishii, A.L. 2021, Estimation of peak discharge quantiles for selected annual exceedance probabilities in northeastern Illinois (ver. 3.0, June 2021): U.S. Geological Survey Scientific Investigations Report 2016-5050, 50 p. with appendix (<https://doi.org/10.3133/sir20165050>)

OUTFALL #2 - BIRCH DRIVE OUTFALL

StreamStats Report

Region ID: IL
Workspace ID: IL20221213202805574000
Clicked Point (Latitude, Longitude): 38.53912, -90.04221
Time: 2022-12-13 14:28:28 -0600



[+ Collapse All](#)

> Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
BASLENAH	Basin length from outlet to basin divide determined using the method in the ArcHydro Toolset	0.73	miles
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	41.882	feet per mi
DRNAREA	Area that drains to a point on a stream	0.09	square miles
URBTHE2010	Fraction of drainage area that is in urban classes 7 to 10 from Theobald 2010	1	dimensionless

> Peak-Flow Statistics

Peak-Flow Statistics Parameters [Region 4 Peak Unadjusted SIR 2004 5103]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.09	square miles	0.03	9554
CSL10_85	Stream Slope 10 and 85 Method	41.882	feet per mi	0.81	317
BASLENAH	Basin Length ArcHydro Method	0.73	miles	0.3	190

Peak-Flow Statistics Parameters [Region 4 Peak Adjusted Using SIR 2016 5050]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.09	square miles	0.03	9554
CSL10_85	Stream Slope 10 and 85 Method	41.882	feet per mi	0.81	317
BASLENAH	Basin Length ArcHydro Method	0.73	miles	0.3	190
URBTHE2010	Fraction_of_Urban_Land_Theobald_2010	1	dimensionless	0	1

Peak-Flow Statistics Flow Report [Region 4 Peak Unadjusted SIR 2004 5103]

PII: Prediction Interval-Lower, Plu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	Plu	SE	ASEp	Equiv. Yrs.
50-percent AEP flood	33.6	ft ³ /s	13.3	84.9	41.1	41.1	2.5
20-percent AEP flood	62.2	ft ³ /s	24.3	159	41.5	41.5	3
10-percent AEP flood	84.3	ft ³ /s	31.7	224	43	43	3.7
4-percent AEP flood	114	ft ³ /s	40.4	322	45.5	45.5	4.5
2-percent AEP flood	138	ft ³ /s	46.5	409	47.7	47.7	5
1-percent AEP flood	163	ft ³ /s	52.2	509	50	50	5.4
0.2-percent AEP flood	223	ft ³ /s	63.3	786	55.7	55.7	6.1

Peak-Flow Statistics Flow Report [Region 4 Peak Adjusted Using SIR 2016 5050]

Statistic	Value	Unit
Urban 50-percent AEP flood	103	ft ³ /s
Urban 20-Percent AEP flood	158	ft ³ /s
Urban 10-percent AEP flood	207	ft ³ /s
Urban 4-percent AEP flood	261	ft ³ /s
Urban 2-percent AEP flood	295	ft ³ /s
Urban 1-percent AEP flood	334	ft ³ /s
Urban 0.2-percent AEP flood	438	ft ³ /s

Peak-Flow Statistics Flow Report [Area-Averaged]

PII: Prediction Interval-Lower, Plu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	Plu	SE	ASEp	Equiv. Yrs.
50-percent AEP flood	33.6	ft ³ /s	13.3	84.9	41.1	41.1	2.5
20-percent AEP flood	62.2	ft ³ /s	24.3	159	41.5	41.5	3
10-percent AEP flood	84.3	ft ³ /s	31.7	224	43	43	3.7
4-percent AEP flood	114	ft ³ /s	40.4	322	45.5	45.5	4.5
2-percent AEP flood	138	ft ³ /s	46.5	409	47.7	47.7	5
1-percent AEP flood	163	ft ³ /s	52.2	509	50	50	5.4
0.2-percent AEP flood	223	ft ³ /s	63.3	786	55.7	55.7	6.1
Urban 50-percent AEP flood	103	ft ³ /s					
Urban 20-Percent AEP flood	158	ft ³ /s					
Urban 10-percent AEP flood	207	ft ³ /s					
Urban 4-percent AEP flood	261	ft ³ /s					
Urban 2-percent AEP flood	295	ft ³ /s					
Urban 1-percent AEP flood	334	ft ³ /s					
Urban 0.2-percent AEP flood	438	ft ³ /s					

Peak-Flow Statistics Citations

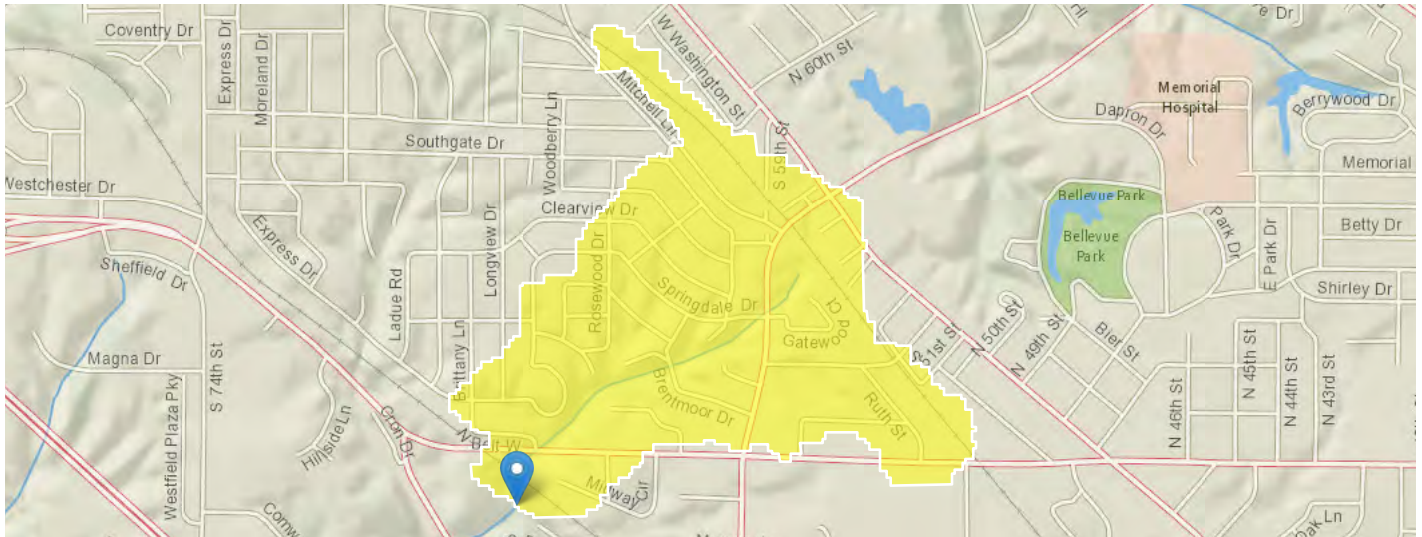
Soong, D.T., Ishii, A.L., Sharpe, J.B., and Avery, C.F., 2004, Estimating Flood-Peak Discharge Magnitudes and Frequencies for Rural Streams in Illinois, U.S. Geological Survey Scientific Investigations Report 2004-5103. 147 p. (<https://pubs.er.usgs.gov/publication/sir20045103>)

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OUTLET #3 - NORTHERN OUTFALL

StreamStats Report

Region ID: IL
Workspace ID: IL20221213202424722000
Clicked Point (Latitude, Longitude): 38.54046, -90.04405
Time: 2022-12-13 14:24:51 -0600



[+ Collapse All](#)

Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
BASLENAH	Basin length from outlet to basin divide determined using the method in the ArcHydro Toolset	1.23	miles
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	56.184	feet per mi
DRNAREA	Area that drains to a point on a stream	0.36	square miles
URBTHE2010	Fraction of drainage area that is in urban classes 7 to 10 from Theobald 2010	0.96	dimensionless

Peak-Flow Statistics

Peak-Flow Statistics Parameters [Region 4 Peak Unadjusted SIR 2004 5103]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.36	square miles	0.03	9554
CSL10_85	Stream Slope 10 and 85 Method	56.184	feet per mi	0.81	317
BASLENAH	Basin Length ArcHydro Method	1.23	miles	0.3	190

Peak-Flow Statistics Parameters [Region 4 Peak Adjusted Using SIR 2016 5050]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.36	square miles	0.03	9554
CSL10_85	Stream Slope 10 and 85 Method	56.184	feet per mi	0.81	317
BASLENAH	Basin Length ArcHydro Method	1.23	miles	0.3	190
URBTHE2010	Fraction_of_Urban_Land_Theobald_2010	0.96	dimensionless	0	1

Peak-Flow Statistics Flow Report [Region 4 Peak Unadjusted SIR 2004 5103]

PII: Prediction Interval-Lower, Plu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	Plu	SE	ASEp	Equiv. Yrs.
50-percent AEP flood	103	ft ³ /s	44.2	240	41.1	41.1	2.5
20-percent AEP flood	195	ft ³ /s	82.8	459	41.5	41.5	3
10-percent AEP flood	266	ft ³ /s	109	647	43	43	3.7
4-percent AEP flood	365	ft ³ /s	142	936	45.5	45.5	4.5
2-percent AEP flood	443	ft ³ /s	165	1190	47.7	47.7	5
1-percent AEP flood	526	ft ³ /s	187	1480	50	50	5.4
0.2-percent AEP flood	731	ft ³ /s	233	2290	55.7	55.7	6.1

Peak-Flow Statistics Flow Report [Region 4 Peak Adjusted Using SIR 2016 5050]

Statistic	Value	Unit
Urban 50-percent AEP flood	303	ft ³ /s
Urban 20-Percent AEP flood	476	ft ³ /s
Urban 10-percent AEP flood	631	ft ³ /s
Urban 4-percent AEP flood	806	ft ³ /s
Urban 2-percent AEP flood	921	ft ³ /s
Urban 1-percent AEP flood	1050	ft ³ /s
Urban 0.2-percent AEP flood	1400	ft ³ /s

Peak-Flow Statistics Flow Report [Area-Averaged]

PII: Prediction Interval-Lower, Plu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

Statistic	Value	Unit	PII	Plu	SE	ASEp	Equiv. Yrs.
50-percent AEP flood	103	ft ³ /s	44.2	240	41.1	41.1	2.5
20-percent AEP flood	195	ft ³ /s	82.8	459	41.5	41.5	3
10-percent AEP flood	266	ft ³ /s	109	647	43	43	3.7
4-percent AEP flood	365	ft ³ /s	142	936	45.5	45.5	4.5
2-percent AEP flood	443	ft ³ /s	165	1190	47.7	47.7	5
1-percent AEP flood	526	ft ³ /s	187	1480	50	50	5.4
0.2-percent AEP flood	731	ft ³ /s	233	2290	55.7	55.7	6.1
Urban 50-percent AEP flood	303	ft ³ /s					
Urban 20-Percent AEP flood	476	ft ³ /s					
Urban 10-percent AEP flood	631	ft ³ /s					
Urban 4-percent AEP flood	806	ft ³ /s					
Urban 2-percent AEP flood	921	ft ³ /s					
Urban 1-percent AEP flood	1050	ft ³ /s					
Urban 0.2-percent AEP flood	1400	ft ³ /s					

Peak-Flow Statistics Citations

Soong, D.T., Ishii, A.L., Sharpe, J.B., and Avery, C.F., 2004, Estimating Flood-Peak Discharge Magnitudes and Frequencies for Rural Streams in Illinois, U.S. Geological Survey Scientific Investigations Report 2004-5103. 147 p. (<https://pubs.er.usgs.gov/publication/sir20045103>)

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EXHIBIT #5
HYDRAULIC ANALYSIS

VOLKERT

Crossing - EX 19"x30" Jonathon Lee Drive, Design Discharge - 207.0 cfs

Culvert - 2 - 19"x30" ERCP, Culvert Discharge - 60.1 cfs



Critical



Normal



Profile



Tailwater



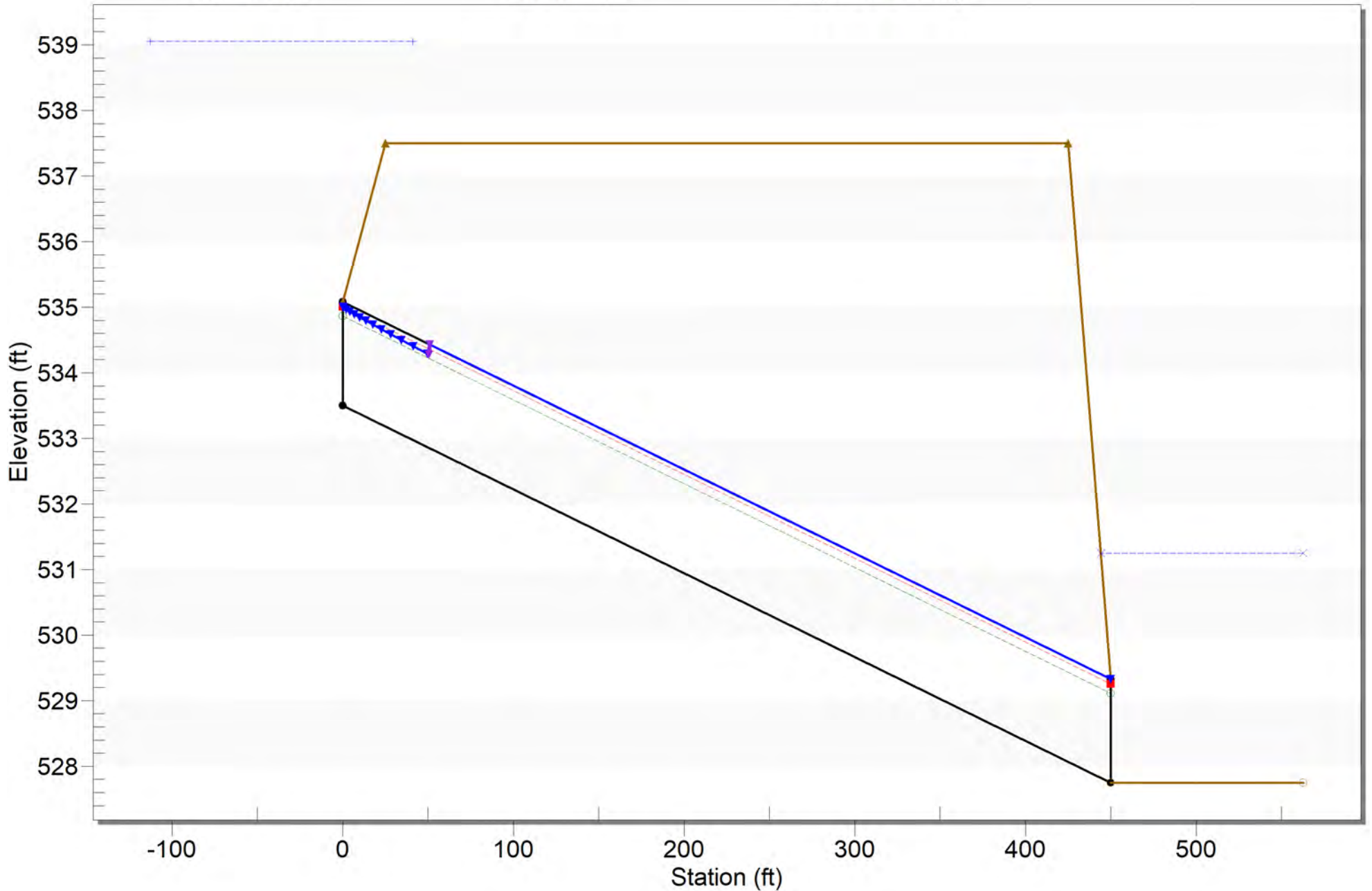
Headwater



Streambed



Hydraulic Jump



Crossing - EX 53"x34" Jonathon Lee Drive, Design Discharge - 150.0 cfs

Culvert - 53"x34" RCP, Culvert Discharge - 107.6 cfs

Critical

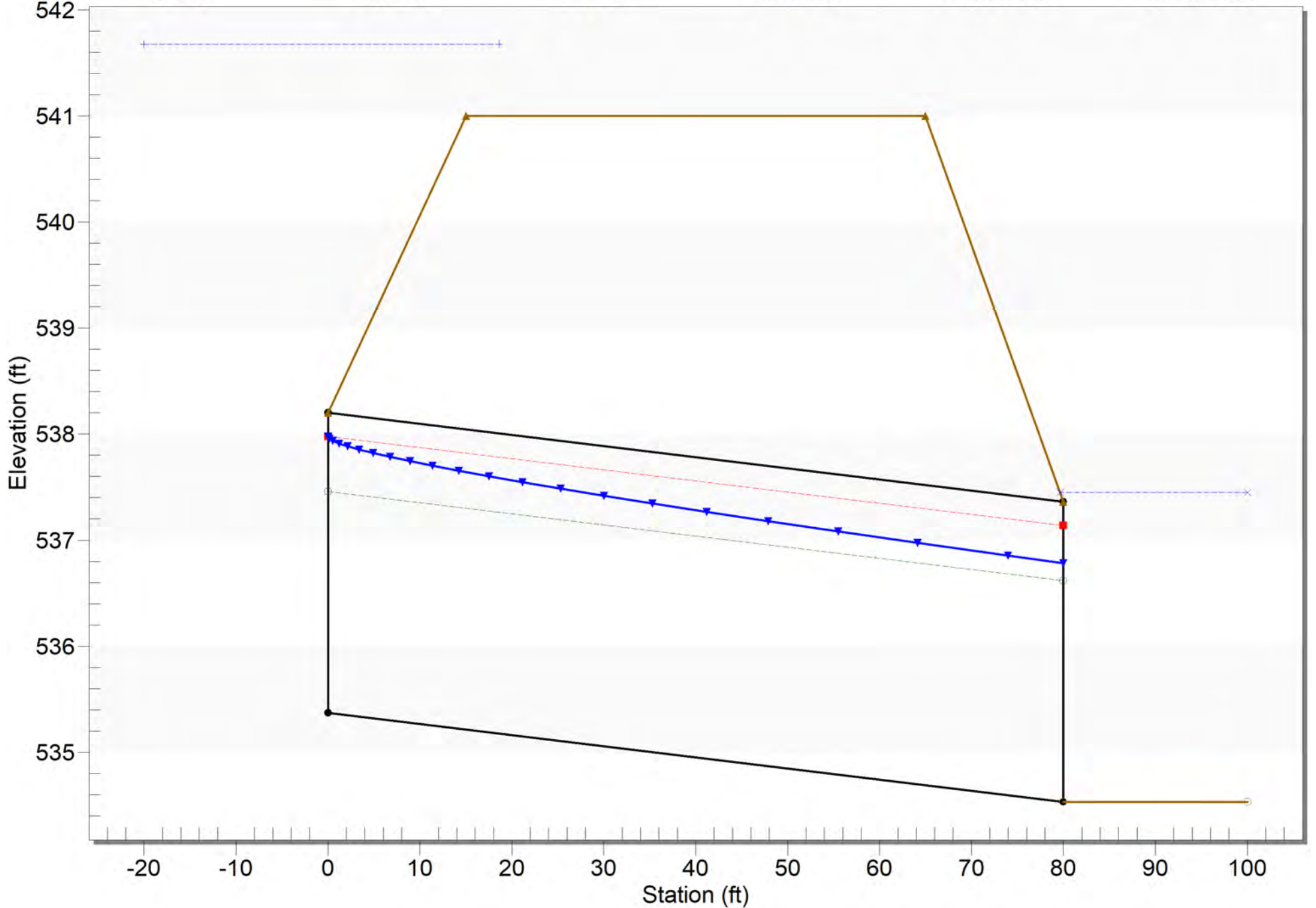
Normal

Profile

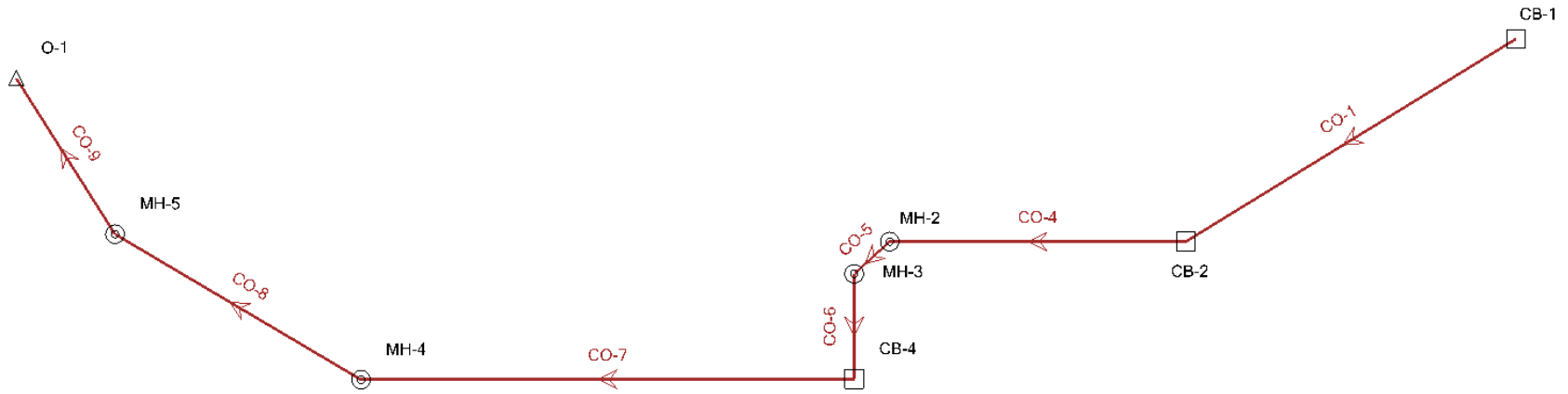
Tailwater

Headwater

Streambed



PROPOSED DUAL 48" STORM SEWER OUTFALL ALTERNATIVE



STORM CAD - PIPES REPORT

Label	Start Node	Stop Node	Branch ID	Branch Element ID	Length (Unified) (ft)	System Intensity (in/h)	System Intensity (in/h)	Flow (cfs)	Rise (Unified) (ft)	Capacity (Full Flow) (cfs)	Velocity (ft/s)	Invert (Start) (ft)	Invert (Stop) (ft)	Slope (Calculated) (ft/ft)	Label
CO-1	CB-1	CB-2	1	1	350.0	11.972	11.972	97.00	3.00	138.26	10.59	541.47	537.71	0.011	CO-1
CO-4	CB-2	MH-2	1	2	400.0	11.972	11.972	125.00	3.50	197.14	10.84	537.21	533.37	0.010	CO-4
CO-5	MH-2	MH-3	1	3	80.0	11.972	11.972	150.00	3.50	206.18	11.69	533.37	532.53	0.011	CO-5
CO-6	MH-3	CB-4	1	4	70.0	11.972	11.972	175.00	4.00	249.97	10.76	532.03	531.50	0.008	CO-6
CO-7	CB-4	MH-4	1	5	450.0	11.972	11.972	207.00	4.00	234.56	10.53	531.50	528.50	0.007	CO-7
CO-8	MH-4	MH-5	1	6	150.0	11.972	11.972	250.00	4.00	308.51	13.67	528.50	526.77	0.012	CO-8
CO-9	MH-5	O-1	1	7	100.0	11.972	11.972	300.00	5.50	294.66	14.13	525.27	524.50	0.008	CO-9

STORM CAD - PROFILE

Profile - 1 - Base

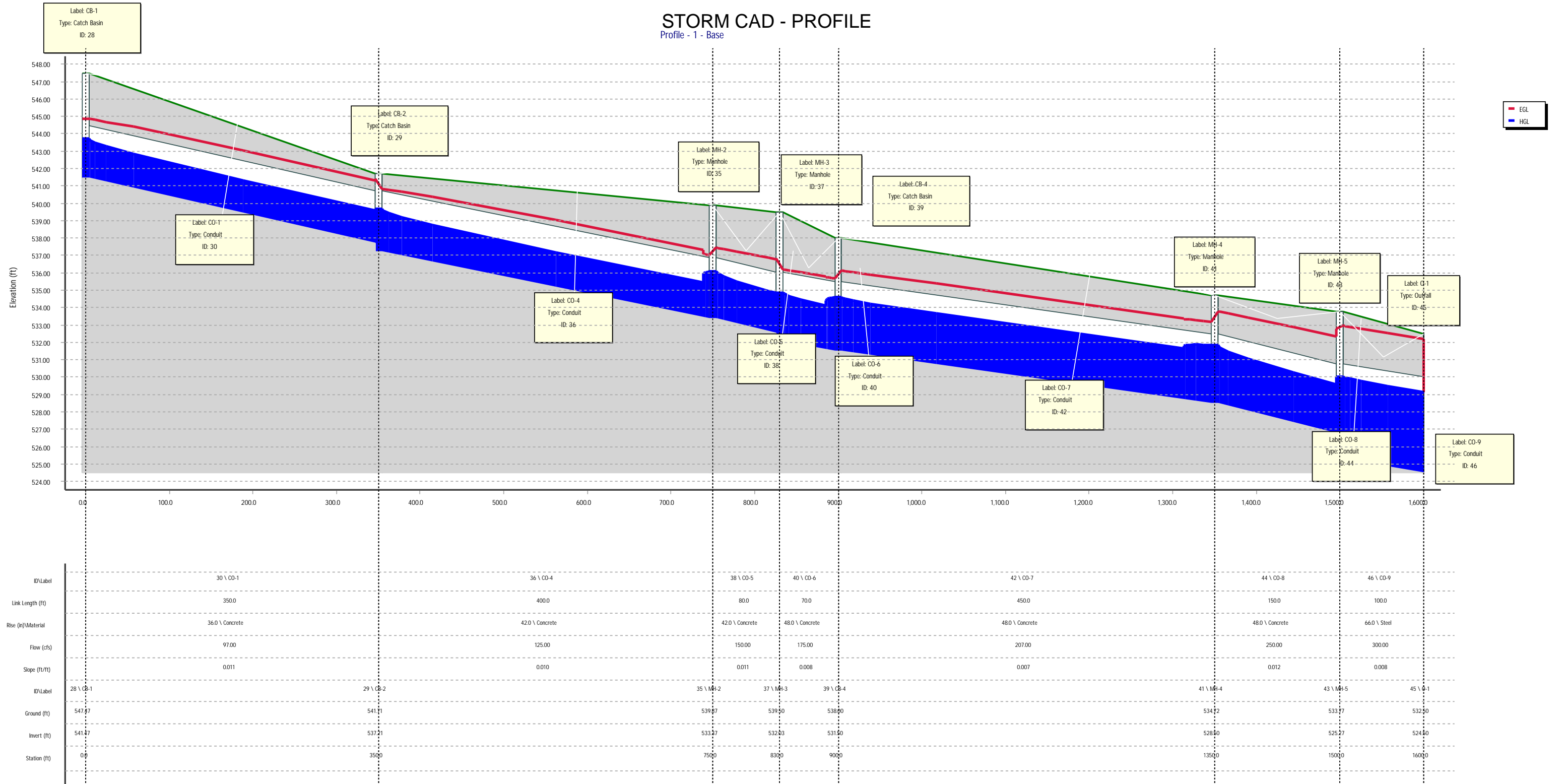


EXHIBIT #6
Subdivision Plat

VOLKERT



FIRST ADDITION TO JONATHON LEE PLACE

(SHOWN ENCLOSED BY RED LINES)
BEING A SUBDIVISION OF PART LOT 2 PART OF
THE N.E. 1/4 SEC. 13 T.1N.-R.9W. OF THE 3RD.P.M.
ST. CLAIR COUNTY ILL.

This is to certify that in the employ of Herman Stoeker, I have surveyed, subdivided and plotted the above described property, and this plat is correct representation of the fact.

Herman Stoeker
Surveyor
Illinois State License No. 256

STATE OF ILLINOIS
COUNTY OF ST. CLAIR
We the undersigned, owners in fee of all the property embraced within the above plat, hereby acknowledge this plat to be our free and voluntary act, and hereby dedicate to the public use forever the fifty (50') foot streets shown thereon. We also dedicate the easements shown thereon for the construction and maintenance of municipal and public utility services and the utility lines shown thereon as to be referred to in all future conveyances of lots in this subdivision. In witness whereof we hereunto set our hands and seal this 30 day of October A.D. 1955

Herman Stoeker SEAL
Lara A. Stoeker SEAL

STATE OF ILLINOIS
COUNTY OF ST. CLAIR
I, the undersigned, a notary public in and for said county in the state aforesaid, do hereby certify that Herman Stoeker, Lara A. Stoeker personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed the same and delivered the said instrument as their free and voluntary act for the purposes and objects therein set forth.



Witness my hand and seal this 20 day of October A.D. 1955
My Comm. Exp. 8 March 1958
Edmund Johnson Notary Public

I, the undersigned, County Clerk of St. Clair County, Illinois, do certify that I have examined the above plat and I have searched the records of my office to determine whether all legal taxes for unpaid taxes or special assessments have been paid as required by law upon all of the property embraced within said plat, and I hereby certify that I find no delinquent taxes or unpaid forfeited taxes against any of the lots or tracts included in this plat, and I do hereby approve the same for all legal purposes. In witness whereof I have hereunto set my hand on the seal of my office this

21 day of Oct. A.D. 1955

Edmer Bouckett COUNTY CLERK
Wm O. Bush DEPUTY CLERK

FINAL MAP FOR RECORD
APPROVED Herman Stoeker
COUNTY CLERK OF ILLINOIS
ST. CLAIR COUNTY ILLINOIS FOR
BOARD OF SUPERVISORS ON 10-25-55
FEE PAID IF NOT
RECORDED BY 11-4-55

STATE WILLING
FILED FOR RECORD
OCT 26 1955
439 P
55
Edmund Johnson
Notary Public

SCALE 1" = 100'
OCTOBER 15, 1955.
STREET CORNERS HAVE .20' RADIUS
IRON PIPES HAVE BEEN SET ON ALL LOT CORNERS
NOTICE

Russell
W. O. Bush
44-142

EXHIBIT E



Phase I - HMGP DR 4489 Sub Application

Section 1: Background Information		
Jurisdiction		
Name of Applicant: Village of East Carondelet		
Point of Contact		
First Name: Herb	Last Name: Simmons	
Title: President of the Board of Trustees		
Email: Herbert.Simmons@co.st-clair.il.us	Phone #: 618-719-1034	
Agency/Organization		
Address: P.O. Box 122, 950 State Street		
City: East Carondelet	Zip: 62240	County: St. Clair
UEI #:	DUNS#: 1298644575	FEIN #: 37-1069191
Congressional District: 12	House District: 114	Senate District: 57
Has your agency previously received FEMA HMGP, PDM or FMA funds? Yes <input type="radio"/> No <input checked="" type="radio"/>		
If yes, please provide (list) relevant Sub Award(s)#: PDM 15 Planning Grant		

Section 2: Sub Applicant Signature		
<i>Herbert Simmons</i>	<i>Herbert Simmons</i>	<i>12-1-2023</i>
Printed Name	Signed Name	Date

Section 3: Economically Disadvantaged Rural Community [EDRC]	
Does your community meet the below criteria for Economically Disadvantaged Rural Community?	
Yes <input type="radio"/> No <input checked="" type="radio"/>	
1) A community of 3000 or fewer individuals that is economically disadvantage?	
2) Residents of your community have an average per capita annual income not exceeding 80 percent of the national per capita income based on best available data. **	
Is your Community an Economically Disadvantaged Rural Community? Yes <input type="radio"/> No <input checked="" type="radio"/>	
**Best Source of Data:	

Section 4: Technical Assistance	
If you are an EDRC Jurisdiction, do need assistance in completing a Sub Application?	
Yes <input type="radio"/> No <input checked="" type="radio"/>	

Section 5: Hazard Mitigation Planning Requirement (HMP)	
Did your Jurisdiction participate in the development of the HMP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
Did your Jurisdiction pass a resolution adopting HMP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
If your Jurisdiction has an HMP, when does it expire? Date: <u>06/25/2024</u>	
Is the mitigation activity /project listed as a proposed mitigation action measure in the HMP? (Be specific, please.)	
<input checked="" type="radio"/> No, it is not listed in the HMP as an action measure to mitigate hazard risk. <input type="radio"/> Yes, it is on Page # . Please enter page number of the HMP where the project is listed. HMP Section Title:	

Section 6: Community Information	
Name of Community: <u>Village of East Carondelet</u>	
Does your community participate in the NFIP?	Yes <input checked="" type="radio"/> No <input type="radio"/>
Is your Community located in a Special Flood Hazard Area (SFHA)?	
Latitude and longitude of the community: <u>38.538, -90.230</u>	

Project latitude and longitude (if multiple locations, include property details in attachments)	
Project Latitude: <u>38.538</u>	Project Longitude: <u>-90.230</u>
Description of Mitigation Project	
<p>During recent flood events, the Village of East Carondelet experienced flooding damage to the existing infrastructure (storm sewers and roads) along six (6) streets. The Village would like to complete a study to mitigate the flooding risks and effects on these areas. Then the Village would be able to prepare an infrastructure improvement design and construction project for the streets below.</p> <p>A. 7th Street B. Alex Street C. East Wisconsin St D. Illinois Street E. Missouri Street F. Railroad Street</p>	

Estimated Total Project Cost: \$ 232,500

Activity	Task	Scheduled to be	Cost
Feasibility Study	Study		50,000
Engineering Design	Design Services		150,000
Permits	Permitting Services		10,000
BCA	Analysis		15,000
Pre-award	Phase I - Sub App		2,500
BRIC Sub App.	BRIC 2023		5,000
Projected TPC	Phase II		700,000

Property type (if applicable):

- Residential building
- Public building
- Residential vacant lot
- Other (please describe):
- School/hospital/place of worship
- Business/commercial building
- Critical infrastructure

Section 7:		Additional Considerations	
1. Do you foresee any historical preservation issues that would affect this project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
a. Will the project affect undisturbed land?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
b. Will the project affect any archaeologically sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
c. Will the project affect any historically sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
d. Is the project near any known historic structures?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
e. Are there any buildings 50 years or older within the project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
If Yes in any of the above, please explain:			
2. Do you foresee any environmental issues that would affect this project?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
a. Will the project affect any waterways or water bodies	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
b. Will the project affect potential wetland areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
c. Will the project affect and vegetated areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
d. Will the project involve removal of hazardous/toxic materials?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
e. Will the project areas of habitat for threatened or endangered species?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
f. Is the project near a wilderness area or wildlife refuge?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
g. Will the project affect other sensitive areas?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
i. Groundwater aquifers	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
ii. Wild or scenic rivers	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
iii. Prime or important farmland	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
h. Are you aware of any underground storage tanks in the project area?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
If Yes in any of the above, please explain:			
3. Are there any concentrations of low income or minority populations in or near your project area?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	
4. Please attach any maps and/or photos that better describe the project area, past damages, proposed project timeline, or other supporting information.			