UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 10 2012

REPLY TO THE ATTENTION OF:

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Andrea Martin
USDOT Federal Railroad Administration
1200 New Jersey Avenue SE, Mail Stop 20
Washington, DC 20590

Joseph E. Shacter, Director
Division of Public and Intermodal Transportation
Illinois Department of Transportation
100 West Randolph Street, Suite 6-600
Chicago, Illinois 60601

Re: Comment on the Chicago to St. Louis High-Speed Rail Program Tier 1 Final Environmental Impact Statement, CEQ # 20120355 and the associated Volume II Springfield Rail Improvement Project Tier 2 Final Environmental Impact Statement

Dear Ms. Martin and Mr. Shacter:

In accordance with U.S. Environmental Protection Agency (EPA) responsibilities under the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act (CAA), we have reviewed the November 2012 Tier 1 Final Environmental Impact Statement (FEIS) for the Chicago, Illinois to St. Louis, Missouri High Speed Rail (HSR) Program. We have also reviewed the accompanying November 2012 Tier 2 FEIS for the Springfield Rail Improvement Project that addresses the section of HSR service for the above proposal specifically within the City of Springfield, Illinois, where many at-grade crossings and safety issues complicate the existing service through this metropolis.

A no-build alternative and four build alternative routes for Amtrak passenger rail service between the Chicago Union Station and the St. Louis Amtrak Station were considered in the DEIS and a choice of two Preferred Alternatives is selected in this FEIS, leaving the Springfield Tier 2 FEIS to determine which meets that local purpose and need best. A number of project impacts are deferred for consideration in the Tier 2 HSR studies. These deferred impacts include: grade separations; threatened and endangered species and habitat impacts from Joliet to Alton; additional station locations notably between Chicago and Joliet and between Alton and St. Louis; 4(f) and 6(f) parks and Land and Water Conservation Fund lands; surface water delineations and impacts to wetlands, floodplains and streams; environmental justice; historic and archeologic cultural resources; clarification and management of special waste sites; a maintenance access road along the entire corridor; and two of the three major bridges discussed in the DEIS, the 21st Street Bridge in Chicago and the MacArthur Bridge across the Mississippi River at St. Louis.

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The second volume Springfield Tier 2 FEIS is provided in association with the above Tier 1 FEIS. The Springfield Tier 2 FEIS more fully describes the no-build and screened five potential build alternatives for this segment of the Chicago-to-St. Louis corridor, identified in the Tier 1 FEIS as Sections 4 and 5. The Springfield Tier 2 FEIS considered two alternatives along the 10th Street corridor in detail and has selected Alternative 2A, which is less costly with fewer impacts, as the Preferred Alternative. This will relocate the Amtrak rail service to the 10th Street corridor and remove all rail traffic and infrastructure from the 3rd Street corridor. To accommodate these changes. the project will construct a new Springfield Multimodal Station adjacent to the 10th Street corridor; upgrade four existing grade separations; construct nine new grade separations; close five existing at-grade rail crossings; close eleven streets thus eliminating their at-grade crossings; and upgrade remaining at-grade crossings to implement quite zones.

We appreciate acknowledgement of our DEIS comments and responses to them. We commend both of the FEISs for changes and improvements, and our following detailed comments reflect these revisions, including making the many exhibits clear and helpful.

PURPOSE AND NEED

Thank you for the noted clarifications concerning ridership, potential capacity, ticket pricing, and future expansion directions.

The Chicago-to-St. Louis preferred alternative, using the Metra Rock Island route, meets the purpose and need while avoiding difficult freight issues and impacts to the endangered Hines Emerald Dragonfly.

The Springfield preferred alternative is consistent with the City of Springfield's planning goals of improving east-west traffic flow, enhancing the City's Medical Center Campus development and establishing a 10th Street Multimodal Center. It also provides a great improvement to safety, consistent with the purpose and need.

ALTERNATIVES

We agree with the proposed bridge reconstruction alternatives being further studied in subsequent Tier 2 NEPA analyses.

Even though the parallel maintenance access road will be constructed along the entire length of the corridor within the railroad right-of-way (ROW), it could still have impacts of concern. The existing ROW, typically through farmlands, is an elevated narrow berm carrying the ties and track, flanked by stormwater runoff ditches and wildlife habitat out to the farmed fields. A road would presumably require either widening the berm to carry such a road, or placing the road along the base of the berm with ramps up to the track. Either construction would impact the stormwater management and habitat areas, and may impact nearby hazardous waste sites (Table 5.14-2 and Appendix D). These impacts need to be addressed fully in the Tier 2 NEPA documents.

ENVIRONMENTAL IMPACTS

We appreciate that project impacts and costs are concisely summarized in Table 5.22-1.

Freight Trains - The FEIS states that the increased freight train operations from 5 to about 22 trains per day associated with this project are not as a result of the HSR and therefore do not need to be considered

in this NEPA analysis. While we agree the HSR is not causing the increased freight traffic, which is driven instead by market demand, the rail improvements and double tracking of this corridor for this HSR project will enable the capacity for adding this increased freight traffic along this route rather than it diverting to other rail routes. Therefore, we recommend that changes in freight operations, including increased number of trains, length and speed of trains, and shifts in time of day to accommodate HSR should be analyzed in this NEPA process. Subjects including but not limited to air quality, wildlife impacts, crossing delays in urban and rural settings, and accident/spills/safety should be included in the impacts analysis. We do note that the noise and vibration analyses in the Tier 1 HSR FEIS did include freight traffic changes.

The FEIS discussed compression wave and air turbulence impacts of HSR trains on passing freight trains. That analysis concludes these impacts will be avoided through aerodynamic design of the HSR equipment. We assume the decision makers for this project are able to appropriately incorporate this consideration in their decisions, which include the purchase of new rolling stock for this service.

Threatened and Endangered Species - We retain our concerned about construction impacts to species of concern within and adjacent to the existing ROW. Operational impacts will be dominated by increased individual strikes, which may be problematic to quantify but still need to be mitigated in coordination with the US Fish and Wildlife Service (FWS) and the Illinois Department of Natural Resources (IDNR). We commend FRA for selecting the Metra Rock Island corridor for the Chicago-to-Joliet portion of the project. This avoids impacts to the Hine's Emerald Dragonfly, which is listed under the Federal Endangered Species Act.

Migratory Birds - The FEIS analysis now addresses protection of migratory birds, which is a concern for the corridor. Recent studies by the Illinois Natural History Survey (INHS) confirm that railroad corridors do have an impact on wildlife, including migratory birds, and depending upon the species, these impacts can occur at some distance from the right-of-way. We commend the commitment in the Tier 1 HSR FEIS to further coordination with FWS and IDNR to identify and address these impacts, including, but not limited to, impacts at the Midewin National Tallgrass Prairie.

Environmental Justice - We look forward to future NEPA studies providing additional information on the Environmental Justice (EJ) communities in the study area, how they will be impacted, and how those impacts will be mitigated. We encourage a more robust involvement of those communities during Tier 2. The Tier 2 studies should provide clear linkage of the benefits to these populations as offsetting the impacts they will experience.

Sensitive Noise Receptors - We commend the Tier 1 HSR FEIS for clarifying anticipated noise impacts and factors considered in this analysis. We highly recommend the proposal on page 5-54 that an active community liaison program be implemented in the Tier 2 noise studies, especially in the EJ communities.

Surface Water Crossings - We look forward to future NEPA documents committing to the use of bridging and/or three-sided/ arched open bottom culverts for waterway crossings wherever possible, to retain natural functions and avoid disturbing stream beds. We request further coordination with EPA and U.S. Corps of Engineers as the Tier 2 studies progress to assure impacts of widening the stream crossings are appropriately resized and mitigated.

Cumulative Impacts - The second bullet point on page 5-102 notes that, summed over the entire 284 miles of project, any local impacts will be small and negligible in the cumulative context. This conclusion is not supported. We recommend that the Tier 1 Record of Decision (ROD) commit to a more detailed analysis of cumulative impacts in Tier 2.

MITIGATION OF IMPACTS

The response to our comments on mitigation details concludes that our comments are more apropos for the Tier 2 analyses; however, we encourage FRA in future NEPA documents to describe how mitigation could be addressed. As an example, the FEIS appropriately discusses wellhead protection areas as a concern, and discusses approaches for how to avoid, minimize, and potentially mitigate impacts to wellhead protection areas.

CONCLUSION

We commend the preferred alternative selections for both the Chicago-to-St. Louis corridor and the specific routing in Springfield. There is much left to be done in the Tier 2 NEPA studies, and we look forward to continued coordination with FRA and IDOT on those Chicago-to-St. Louis HSR projects. We appreciate the opportunity to review these FEIS documents. Please send me a hard copy and two CD digital copies of future NEPA documents related to these projects. If you have any questions, or wish to discuss our comments further, please contact me or Norm West of my staff at (312)-353-5692 or at west.norman@epa.gov.

Sincerely,

Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

Cc: U.S. Fish and Wildlife Service, Chicago Office
U.S. Army Corps of Engineers, Chicago, Rock Island, St. Louis Offices
Illinois Department of Natural Resources