



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

MAY 22 2014

REPLY TO THE ATTENTION OF:

E-19J

Catherine Batey
Division Administrator
Federal Highway Administration
3250 Executive Park Drive
Springfield, Illinois 62703

Re: **Draft Environmental Impact Statement for the 75th Street Corridor
Improvement Project, Chicago, Illinois. CEQ No. 20140096**

Dear Ms. Batey:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (EIS) for the 75th Street Corridor Improvement Project prepared by the Federal Highway Administration (FHWA). EPA conducted this review pursuant to our authorities under the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), Section 309 of the Clean Air Act, and Section 404 of the Clean Water Act.

The Chicago Regional Environmental and Transportation and Efficiency (CREATE) Program is a collaborative effort with partners including FHWA, Illinois Department of Transportation (IDOT), Chicago Department of Transportation (CDOT), and the Association of American Railroads (AAR). CREATE has identified several elements in the 75th Street Corridor Improvement Project (CIP) that are intended to address the rail-rail conflicts, the highway-rail crossing issues, problems with local mobility, and a need for improved passenger rail service reliability. The project area designated within the 75th Street CIP experiences some of the highest volume of rail traffic, related congestion, and delays in the Chicago area. The rail congestion is due to both freight traffic and passenger rail traffic. The CREATE Draft EIS states that the projected ridership and freight rail use will steadily increase in the Chicago area, thus worsening the delays and congestion if no action is taken. The CREATE project intends to address the rail traffic congestion issues, aging infrastructure, local community and safety concerns.

The Chicago regional handles more than 37,500 rail cars per day. That number is expected to increase to 67,000 cars per day by 2023. On an average day, there are a total number of 996 hours of individual freight train hours of operation in the CREATE Program area. Of that,

approximately 138 hours or 14%, consisted entirely of freight train delay time. During these delays, freight train locomotives were idling, therefore consuming fuel, and emitting air pollutants. One of the main objectives of the CREATE Project is to reduce this congestion and expedite the movement of freight trains through the area.

In 2012, Metra provided 83.2 million rides in the region and is predicted to carry over 101 million customers by 2030. There are over 9 hours of passenger train (Metra and Amtrak) delays per day due to the congestion in the CREATE Project area. The goals of this project are to expedite the movement of passenger trains through the Chicago region.

Based upon the documentation provided, EPA has rated the overall Draft EIS as Lack of Objections (LO). This rating was given to this project as a result of the minimal negative impacts that it will have on the environment and to the public health. At this time, EPA does not have any significant objections to the project or the identified Preferred Alternatives.

A different preferred alternative was identified separately for each of the five designated improvement areas. The alternatives that were chosen as the preferred routes or “build options” are characterized as being the least environmentally damaging alternative and will have a resulting cumulative positive impact to the local community and to the regional efforts that this project intends to resolve.

As a solution to this issue, five “improvement areas” have been defined.

1. Forest Hill Junction/71st Street
2. 80th Street Junction
3. Metra Rock Island District (RID) Line Connection
4. Metra along Columbus Avenue
5. Belt Junction

The Draft EIS has identified the preferred, “build alternative” for each of these improvement areas. The preferred alternatives are as follows:

1. The build alternative for the Forest Hill Junction/71st Street Area is Alternative FH-2. This would raise the two north-south CSX tracks over the four east-west tracks at Forest Hill Junction and over 71st street.
2. The preferred alternative for the 80th Street Junction is Alternative 80-2. This option meets the purpose and need by eliminating rail-rail conflicts at both the 80th Street Junction and at the Belt Junction. This alternative adds additional track capacity through the 80th Street Junction, but does not eliminate all the crossing conflicts.
3. The preferred alternative for the Metra SWS connection to the RID Line is Alternative RI-1. This decision was based on the ability to meet Metra design criteria, the lack of property impacts to Hamilton Park, strong community support and fewer residential units remaining directly adjacent to the property to be acquired.

4. For the Metra Columbus Avenue improvement area, the preferred alternative is Alternative CA-2. This was identified as the preferred alternative primarily for safety and maintenance concerns associated with moving the track closer to Columbus Avenue.

5. The Belt Junction area has conflicts at both the Belt Junction and the 80th Street Junction. These will be eliminated in Alternative 80-2. The other conflicts in this area will be addressed in the other preferred alternatives identified for the respective improvement areas.

Another major issue that this project will address is local mobility and viaduct deficiencies. The preferred alternative to address these issues is Alternative LM-1. This alternative will fully meet the Purpose and Need by correcting the identified local mobility deficiencies at 36 surveyed viaducts within the study area. One additional surveyed viaduct, Union Avenue, would be permanently closed. The scope of the work is based on meeting current FHWA policy standards for items such as lighting systems and handicap accessible ramps.

The overall scope of the work that is proposed under the 75th Street Corridor Improvement Project will have minimal adverse environmental impacts. The purpose of the CREATE program is to reduce transportation conflicts so as to improve both efficiency and community and health benefits. The identified preferred alternatives have been carried forward as a result of extensive environmental research, community outreach, and transportation coordination between involved agencies.

Detailed EPA Comments:

Air Quality

The Draft EIS states that the preferred alternatives will improve overall air quality in the community directly associated with the rail transportation volume and congestion by reducing the number of idling trains at rail conflict points. The document states that there will be a reduction in the total time that passenger and freight trains spend idling, waiting for their turn to move through the rail corridor. EPA asks that updated information on the train idling times be recorded to determine how those changes in idling times affect the air quality in the area. EPA asks that the findings from the studies FHWA has stated they will conduct be included in the Final EIS. FHWA explains that these additional studies are meant to quantify the predicted idling reductions and increased train traffic for the related effects to air quality, particularly as it is directly related to the community residents, especially sensitive receptors, such as children whose playgrounds and schools are in close proximity to the railroad tracks.

Safety

Local residents and elected officials have expressed safety concerns about the current number of at-grade crossings. The Draft EIS documents that on average there are approximately eight collisions annually occurring at at-grade crossing in the study area. The project proposes to separate and reconfigure 25 critical at-grade crossings in the study area in order to address the safety concerns. Separated grade crossings will eliminate collisions and increase free-flow vehicular and pedestrian traffic. EPA asks that these grade crossings be designed to accommodate pedestrian and bicycle modes where feasible, as well as motor vehicles. The Draft EIS states that the 75th Street CIP is using the Context Sensitive Solutions process to find transportation solutions to balance the needs of the project with the concerns of the surrounding community. The project team has indicated that there will also be collaborative efforts with the City of Chicago's bike route planning efforts. EPA asks that these concepts and plans be further elaborated on in the Final EIS. The Record of Decision (ROD) should commit to specific measures to accommodate pedestrian and bicycle modes.

Noise and Vibration

The Draft EIS identifies noise and vibration from rail traffic as an existing problem in the area. Both noise and vibration adversely affect the human health in of the community. Vibration also causes damage to infrastructure. The Draft EIS mentions that characterizing past effects of noise and vibration were not feasible to address. The project plans to evaluate and mitigate for both noise and vibration. EPA asks that the Final EIS describes the procedure for analysis of both noise and vibration and provide the results of that analysis for impacts on public health and infrastructure related to or adjacent to the rail lines. Mitigation measures to address noise and vibration should be discussed and committed to in the Final EIS and ROD.

Construction Impacts

The Draft EIS states that construction impacts will have the most effects on the local residents of the community. There will be a temporary increase in air emissions, noise, vibration, traffic pattern disruption, road closures, and other disruption of the surrounding communities. In the Final EIS, Best Management Practices (BMPs) and other mitigation measures should be included to address these temporary impacts.

BMPs may address issues such as:

- water suppression methods to control fugitive dust,
- time restrictions for construction operations,
- Special considerations for sensitive receptors in the areas, such as schools, parks, playgrounds, day care facilities, etc.,
- considerations for noise and vibration resulting from construction that would have an additive effect to the existing rail noise levels,
- clean diesel construction strategies, such as anti-idling measures and the use of low-sulfur fuels and newer diesel equipment.

These measures should be committed to in the Final EIS and ROD.

Community Impacts and Displacement

The Draft EIS discusses the need to acquire properties that fall within the anticipated new footprints of the rail lines and rights of way. This acquisition of land, houses and buildings has generally not received negative feedback from the local community, but local elected officials have expressed concern on the effects on the local economy and social well being of the residents. The Draft EIS described proposed plans on how to engage the community and determine the best alternatives. EPA asks that, since there will need to be some resident relocations, that the process under the Uniform Relocation Assistance and Real Property Acquisitions Policies Act be fully described in the Final EIS. If some of the housing to be displaced is substandard, the Final EIS should describe how the project will ensure that replacement housing is decent, safe, and sanitary. Because the study area includes communities with environmental justice (EJ) concerns, we ask that the Final EIS include a community engagement strategy, including addressing the EJ Executive Order, both during and after construction.

Climate Change Adaptation and Mitigation

The Draft EIS did not mention an analysis of climate change or adaptation to climate change. EPA asks that in the Final EIS, FHWA address the potential impacts of climate change to the resources of this project. What would the impact be to the project of increased frequency and intensity of precipitation events? How would a severe drought affect the project, such as overheated rails? What adaptations will be considered to address these potential climate change impacts, such as stormwater management techniques?

Overall, EPA supports the goals of this project. The current transportation issues are a burden on the freight and passenger rail systems in the region, and impose direct and indirect negative environmental and public health impacts on the surrounding communities. The CREATE project proposes to address these problems with a set of preferred alternatives that should improve transportation efficiency and safety, while reducing overall impacts to community.

We are available to discuss these comments at your convenience. Please feel free to contact me at 312-886-2910 or Shanna Horvatin of my staff at 312-886-7887 or via e-mail at horvatin.shanna@epa.gov.

Sincerely,



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

Enclosure: Ratings Definitions

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