

Attachment 9
Agency Comment Letters



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
US ARMY GARRISON-ROCK ISLAND ARSENAL
1 ROCK ISLAND ARSENAL
ROCK ISLAND, ILLINOIS 61299-5000

REPLY TO
ATTENTION OF:

SEP 29 2009

Office of the Garrison Manager

Ms. Barbara H. Stevens
Chief, Environmental Section
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

Dear Ms. Stevens:

Reference Illinois Department of Transportation (DOT) letter, August 19, 2009.

In response to your letter dated August 19, 2009, the US Army Garrison-Rock Island Arsenal (USAG-RIA) is willing to work toward an agreement in the future phases of this project to allow passenger trains on the Government Bridge and trackage currently leased by the Iowa Interstate Railroad, LTD.

Correction is needed in your letter regarding name and ownership of the bridge that may be utilized for this project. The bridge name is "Government Bridge" and is owned by the US Army Garrison-Rock Island Arsenal, not the US Army Corps of Engineers, Louisville.

The US Army Corps of Engineers, Louisville administers the current lease of the tracks crossing USAG-RIA between the cities of Davenport, Iowa and Rock Island, Illinois. That Lease is with the Iowa Interstate Railroad.

USAG-RIA has discussed with HDR Inc. proposed improvements to the Government Bridge rail system to include signal upgrades and power derailleurs.

Plans and specifications for any such improvements would have to be submitted for review and approval by the USAG-RIA, Directorate of Public Works and fully coordinated with the current Lease holder before execution.

The US Army Engineer District, Rock Island operates a Lock & Dam located at the Government Bridge. River traffic has priority, therefore when the Government Bridge swing span is open, rail traffic is closed.

I look forward to working with you in the future to make USAG-RIA an integral part in transforming America's transportation system through a national network of high-speed rail corridors.

A copy of this letter has been provided to Ms. Nancy Richardson, Director, Iowa Department of Transportation, 800 Lincoln Way, Ames, IA 50010 and Mr. Brian Ray, Transportation Engineer, HDR Engineering, Inc., 8404 Indian Hills Drive, Omaha, NE 68114-4098.

If you have any questions please contact Mr. Stephen Clark, Chief, Housing and Master Planning Division, USAG-RIA Directorate of Public Works, 309-782-2444, stephen.a.clark@us.army.mil.

Sincerely,



Joel G. Himsl
Garrison Manager



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
UNITED STATES ARMY GARRISON-ROCK ISLAND ARSENAL
1 ROCK ISLAND ARSENAL
ROCK ISLAND, ILLINOIS 61299-5000

SEP 29 2009

REPLY TO
ATTENTION OF:

Office of the Garrison Manager

Ms. Nancy Richardson
Director, Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Dear Ms. Richardson:

Reference Iowa Department of Transportation (DOT) letter, subject: Chicago to Iowa City Intercity Passenger Rail Service Project-Environmental Assessment, August 19, 2009.

In response to your letter, subject as above, dated August 19, 2009, the US Army Garrison-Rock Island Arsenal (USAG-RIA) is willing to work toward an agreement in the future phases of this project to allow passenger trains on the Government Bridge and trackage currently leased by the Iowa Interstate Railroad, LTD.

Correction is needed in your letter regarding name and ownership of the bridge that may be utilized for this project. The bridge name is "Government Bridge" and is owned by the US Army Garrison-Rock Island Arsenal, not the US Army Corps of Engineers, Louisville.

The US Army Corps of Engineers, Louisville administers the current lease of the tracks crossing USAG-RIA between the cities of Davenport, Iowa and Rock Island, Illinois. That Lease is with the Iowa Interstate Railroad.

USAG-RIA has discussed with HDR Inc. proposed improvements to the Government Bridge rail system to include signal upgrades and power derailleurs.

Plans and specifications for any such improvements would have to be submitted for review and approval by the USAG-RIA, Directorate of Public Works and fully coordinated with the current Lease holder before execution.

The US Army Engineer District, Rock Island operates a Lock & Dam located at the Government Bridge. River traffic has priority, therefore when the Government Bridge swing span is open, rail traffic is closed.

I look forward to working with you in the future to make USAG-RIA an integral part in transforming America's transportation system through a national network of high-speed rail corridors.

A copy of this letter has been provided to Ms. Barbara H. Stevens, Chief, Environmental Section, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, IL 62764 and Mr. Brian Ray, Transportation Engineer, HDR Engineering, Inc., 8404 Indian Hills Drive, Omaha, NE 68114-4098.

If you have any questions please contact Mr. Stephen Clark, Chief, Housing and Master Planning Division, USAG-RIA Directorate of Public Works, 309-782-2444, stephen.a.clark@us.army.mil.

Sincerely,



Joel G. Himsl
Garrison Manager



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

September 25, 2009

RECEIVED
OCT 05 2009
**ENVIRONMENT
SECTION**

Ms. Barbara H. Stevens
Environment Section Chief
Bureau of Design and Environment
Illinois Department of Transportation
2300 South Dirksen Parkway, BDE Room 330
Springfield, IL 62764

RE: Chicago to Iowa City Intercity Passenger Rail Service Project – Environmental Assessment

Dear Ms. Stevens:

The Federal Transit Administration (FTA) is providing these comments in regard to the proposed passenger rail service between Chicago, Illinois, and Iowa City, Iowa. Since our fellow U.S. Department of Transportation operating division, the Federal Railroad Administration (FRA), is a cooperating agency in this effort, our remarks will only address this project's potential impact on our grantees, and not the NEPA process.

In each of the two (2) "build" alternatives, existing and proposed commuter rail services in the Chicago metropolitan area provided by Metra will be affected by the proposed project. We understand that train scheduling, both passenger and freight, will be a major issue in the operation of the proposed new service. Our concern is that there is or will be sufficient track capacity along the proposed intercity passenger route to allow both existing and proposed passenger and freight services to not be negatively impacted by the additional service. Slower travel times for commuters will lead to inconveniences for them, and a loss of ridership for Metra. The resulting loss in operating revenue for commuter rail services will only magnify the financial struggle that Metra already is incurring.

Additionally, the Rock Island County Metropolitan Mass Transit District (MetroLINK), which is headquartered in Moline, Illinois, and operates municipal bus transit service in the Illinois Quad Cities, is pursuing a commuter rail component to its system. This planned service will use the same tracks as the proposed Chicago – Iowa City Intercity Passenger Service Project. The analysis of this intercity project should consider the potential inclusion of the MetroLINK commuter rail service, when evaluating operations and track capacity.

Letter to Ms. Stevens
September 25, 2009
Page Two

We appreciate the opportunity provided to us to respond to the information gathering phase of the environmental review process. We ask that you continue to keep us at the FTA – Region V informed of the further development of this project. If you have any questions or comments concerning our remarks, please contact Steve Polito at (312) 353-1552.

Sincerely,



Marisol Simón
Regional Administrator

Cc: George Weber
Bureau Chief
Bureau of Railroads
Illinois DOT



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chicago Ecological Services Field Office
1250 South Grove Avenue, Suite 103
Barrington, Illinois 60010
Phone: (847) 381-2253 Fax: (847) 381-2285



IN REPLY REFER TO:
FWS/AES-CIFO/2009-FA-0515

October 9, 2009

George Weber
Bureau of Railroads Bureau Chief
Illinois Department of Transportation
100 W. Randolph
Suite 6-600
Chicago, Illinois 60601

Dear Mr. Weber:

This responds to your request for comments on the Tier 1 Service Level Environmental Assessment (EA) for the Chicago to Iowa City Intercity Passenger Rail Service project. Illinois Department of Transportation and Iowa Department of Transportation, in conjunction with the Federal Railroad Administration are evaluating the reestablishment of passenger rail service between the aforementioned cities. The Tier 1 Service Level EA addresses the service level issues that would be part of the initial operations and the proposed alternatives. The Tier 2 Project Level analyses would address specific project level activities. We provide comments as they relate to fish and wildlife resources that may be affected by construction and operation of the proposed project.

We reviewed the information provided in your Tier 1 Service Level EA. We checked our records for the presence of federally listed species, Service trust resources, and other fish and wildlife resources that may be affected by the proposed project. Based on our review we offer the following comments that should be addressed in the Tier 2 Project Level EA.

Alternatives

The Tier 1 EA indicates that for both alternatives (Route A and B), track rehabilitation would occur within the existing railroad grade. However, some ditching, minor bridge work and culvert work, and other track related upgrades would be required outside of the existing railroad grade. The Tier 2 EA should identify the locations of these track upgrades and assess possible impacts to natural resources.

Affected Environment and Environmental Consequences

Noise and Vibration

The Tier 2 EA should evaluate whether wildlife, particularly migratory birds, would be affected by noise and vibration from the possible increase in frequency and speed of trains for both alternatives.

Parks and Federally or State-listed Natural Areas

The Tier 2 EA should describe and identify all natural areas providing habitat for wildlife resources that abut the right-of-way of the proposed alternatives. These natural areas would include county forest preserves which provide valuable habitat for fish and wildlife resources. A figure should be provided in the Tier 2 EA that shows all natural areas along the proposed alternatives. Figure 3.11.1 only shows state wildlife management areas and neglects to show county forest preserves or other natural areas.

Threatened and Endangered Species

This section notes that specific construction impacts to listed and candidate species would be further evaluated in the Tier 2 EA. The Tier 2 EA should include a list of the state listed species that are present in aforementioned natural areas as some of those species (i.e., migratory birds) are also Service trust resources.

Indirect and Cumulative Impacts

The Tier 2 EA should fully disclose all indirect and cumulative impacts to natural resources. The Tier 1 EA only discusses anticipated beneficial impacts from the two alternatives. Indirect and cumulative impacts such as those that could occur to streams, wetlands, water quality, etc. as a result of proposed track upgrades should be identified as well.

These comments only address activities within the Chicago Illinois Field Office coverage area, which ends at the Kane-Kendall County border for Alternative A and at the Will-Kendall County border for Alternative B. The Service's Rock Island Field Office should be contacted for comments outside of our coverage area.

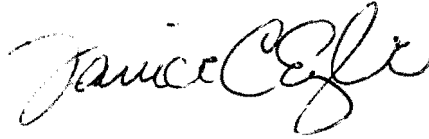
This letter provides comment under the authority of, and in accordance with, the provisions of the National Environmental Policy Act of 1969 (83 Stat. 852 as amended P.L. 91-190, 42 U.S.C. 4321 *et seq.*), the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) and the Endangered Species Act of 1973, as amended (87 Stat. 884. as amended; 16 U.S.C. 1531 *et seq.*).

Mr. George Weber

3

If you have any questions, please contact Mr. Shawn Cirton at 847/381-2253, ext. 19.

Sincerely,

A handwritten signature in black ink, appearing to read "Janice C. Engle". The signature is written in a cursive, flowing style.

Janice C. Engle
Acting Field Supervisor

cc: RIFO, Woeber
USEPA, Westlake
USCOE, Chernich
HDR, Morton



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Rock Island Field Office
1511 47th Avenue
Moline, Illinois 61265
Phone: (309) 757-5800 Fax: (309) 757-5807



IN REPLY REFER
TO:

FWS/RIFO

RECEIVED

OCT 21 2009

October 16, 2009

OFFICE OF LOCATION & ENVIRONMENT

Ms. Janet Vine
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Dear Ms. Vine:

This is in response to your letter of August 17, 2009, requesting our comments on the proposed Chicago to Iowa City Intercity Passenger Rail Service Project - Environmental Assessment by the Federal Railroad Administration, Iowa Department of Transportation, and the Illinois Department of Transportation. For the purposes of this letter we will provide information relative to the portion of the project within Iowa.

Our data indicate that the species on the enclosed list may occur in the counties of your proposed action. Descriptions of the habitat requirements are included with the list. You may use these descriptions to help you determine if there is suitable habitat within your project area.

In order to determine if your project "may affect" species on the enclosed list, we invite you to use a new tool the Service has designed to help with the consultation process - the Section 7(a)(2) Technical Assistance webpage (<http://www.fws.gov/midwest/endangered/section7/s7process/index.htm>). By following the instructions, you can determine what your action area is, whether listed species may be found within the action area, and if the project may affect listed species. You will find several products on the site that can streamline the consultation process for this and future projects. When determining if listed species may be located within a project area, you can download county specific species lists for all of the states in Region 3. Species specific best management practices will also eventually be available. Example letters and templates are available to assist with documenting "no effect" determinations and preparing requests for "not likely to adversely affect" concurrence.

These comments are provided as technical assistance in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq).

National Wetland Inventory maps indicate that there may be wetlands within and adjacent to the project area. These areas may be affected by the proposed project. The Corps of Engineers is the Federal agency responsible for wetland regulation, and we recommend that you contact them for assistance in delineating the wetland types and acreage within the project boundary. Priority consideration should be given to avoid impacts to these wetland areas. Any future activities in the study area that would alter these wetlands may require a Section 404 permit. Unavoidable impacts will require a mitigation plan to compensate for any losses of wetland functions and values. The U.S. Army Corps of Engineers, Clock Tower Building, P.O. Box 2004, Rock Island, Illinois, 61201, should be contacted for information about the permit process.

If you have any questions regarding our comments, please contact Heidi Woeber of my staff at (309) 757-5800 extension 209.

Sincerely,



Richard C. Nelson
Field Supervisor

Enclosure

cc: ILDOT (Stevens)
HDR Engineering Inc. (Sharp)

S:\Office Users\Heidi\techassPassengerRailIowaIllinoisNEW.doc

Habitat Descriptions for Federal Threatened and Endangered Species in Scott, Muscatine, Cedar and Johnson Counties, Iowa

The endangered **Indiana bat** (*Myotis sodalis*) has been noted as occurring in Muscatine County. Indiana bats are considered to potentially occur in counties along and south of I-80 in Iowa. Any area with forested habitat may potentially provide suitable habitat for this species.

Indiana bats migrate seasonally between winter hibernacula and summer roosting habitats. Winter hibernacula include caves and abandoned mines. Females form nursery colonies under the loose bark of trees (dead or alive) and/or cavities, where each female gives birth to a single young in June or early July. A single colony may utilize a number of roost trees during the summer, typically a primary roost tree and several alternates. The species or size of tree does not appear to influence whether Indiana bats utilize a tree for roosting provided the appropriate bark structure is present.

During the summer, the Indiana bat frequents the corridors of small streams with riparian woods as well as mature upland forests. It forages for insects along stream corridors, within the canopy of floodplain and upland forests, over clearings with early successional vegetation (old fields), along the borders of croplands, along wooded fencerows, over farm ponds, and in pastures.

Suitable summer habitat in Iowa is considered to have the following characteristics within a ½ mile radius of a project site:

- 1) forest cover of 15% or greater;
- 2) permanent water;
- 3) one or more of the following tree species: shagbark and shellbark hickory that may be dead or alive, and dead bitternut hickory, American elm, slippery elm, eastern cottonwood, silver maple, white oak, red oak, post oak, and shingle oak with slabs or plates of loose bark;
- 4) potential roost trees with 10% or more peeling or loose bark

If the project site contains any habitat that fits the above description, it may be necessary to conduct a survey to determine whether the bat is present. In addition a search for this species should be made prior to any cave-impacting activities. If habitat is present or Indiana bats are known to be present, they must not be harmed, harassed or disturbed, and this field office should be contacted for further assistance.

The **eastern prairie fringed orchid** (*Platanthera leucophaea*) is listed as threatened and known to occur in Johnson County. It occupies mesic to wet grassland habitats. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage, or removal of this species from Federal land or any other lands in knowing violation of State law or regulation, including State criminal trespass law. Growth of the prairie fringed orchid begins in May and flowering

occurs in July. This species should be searched for whenever wet prairie remnants or other wet meadows are encountered.

The **prairie bush clover** (*Lespedeza leptostachya*) is listed as threatened and considered to potentially occur statewide in Iowa based on historical records and habitat distribution, although we have no record of occurrences in Cedar, Johnson, Scott, and Muscatine Counties. It occupies dry to mesic prairies with gravelly soil. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage, or removal of this species from Federal land or any other lands in knowing violation of State law or regulation, including State criminal trespass law. This species should be searched for whenever prairie remnants are encountered.

The **western prairie fringed orchid** (*Platanthera praeclara*) is listed as threatened and considered to potentially occur statewide in Iowa based on historical records and habitat distribution although we have no record of occurrences in Cedar, Johnson, Scott, and Muscatine Counties. It occupies wet to mesic grassland habitats. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage, or removal of this species from Federal land or any other lands in knowing violation of State law or regulation, including State criminal trespass law. This species should be searched for whenever wet prairie remnants are encountered.

The endangered **Higgins eye pearl mussel** (*Lampsilis higginsii*) is listed for the Mississippi River north of Lock and Dam 20 which includes Muscatine and Scott Counties. This species prefers sand/gravel substrates with a swift current and is most often found in the main channel border or an open, flowing side channel.

The project lies within the range of the **eastern massasauga** (*Sistrurus c. catenatus*), a docile rattlesnake that is declining throughout its national range and is currently a Federal Candidate species. The snake is currently listed as endangered by the State of Iowa and is known to occur in Johnson and Muscatine Counties. Your proactive efforts to conserve this species now may help avoid the need to list the species under the Endangered Species Act in the future. Due to their reclusive nature, we encourage early project coordination to avoid potential impacts to massasaugas and their habitat.

The massasauga is often found in or near wet areas, including wetlands, wet prairie, or nearby woodland or shrub edge habitat. This often includes dry goldenrod meadows with a mosaic of early successional woody species such as dogwood or multiflora rose. Wet habitat and nearby dry edges are utilized by the snakes, especially during the spring and fall. Dry upland areas up to 1.5 miles away are utilized during the summer, if available.

The project lies within the range of the freshwater **sheepnose mussel** (*Plethobasus cyphus*) that is declining throughout its national range and is currently a Federal Candidate species. It is known to occur in Johnson, Muscatine and Scott Counties. Significant declines relative to its historical distribution and its small isolated remaining populations continue to be threatened

From: Rogers, Michael D.
Sent: Wednesday, September 30, 2009 10:16 AM
To: Zyznieuski, Walter G
Subject: FW: General Conformity Applicability Levels

Walt,

Below is a link from Michael Leslie of Region V to what I think is the most recent final rule (July 17, 2006, 71 FR 40420) dealing with general conformity *de minimis* thresholds. It includes that same weird language that doesn't specifically address moderate and marginal ozone NAAs, but just "Other areas inside (outside) an ozone transport region." The threshold for such areas outside an ozone transport region is 100 tpy for both VOC and NOx.

For Illinois PM2.5 nonattainment areas the threshold is also 100 tpy and should be assessed for direct PM2.5, SO2, and NOx emissions.

Let me know if you have any questions.

Mike

Mike Rogers

Illinois EPA, Bureau of Air

1021 North Grand Avenue East

Springfield, IL 62794-9276

phone: 217 524-4408

fax: 217 557-2559

e-mail: michael.rogers@illinois.gov

From: Leslie.Michael@epamail.epa.gov [mailto:Leslie.Michael@epamail.epa.gov]

Sent: Wednesday, September 30, 2009 7:29 AM

To: Rogers, Michael D.

Subject: General Conformity Applicability Levels

<http://www.epa.gov/air/genconform/documents/Jul06/EPA-HQ-OAR-2004-0491-0026.pdf>

Michael Leslie, P.E.

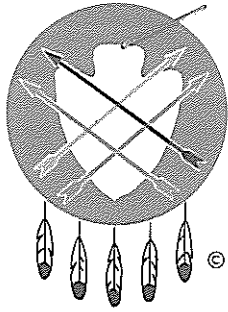
USEPA - Region 5 (AR-18J)

77 W. Jackson Blvd.

Chicago, IL 60604

Phone: (312) 353-6680

Fax: (312) 408-2266

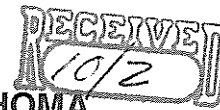


V. A. Penstein
PEORIA TRIBE OF INDIANS OF OKLAHOMA

118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538

P.O. Box 1527

MIAMI, OKLAHOMA 74355



CHIEF
John P. Froman

SECOND CHIEF
Jason Dollarhide

September 9, 2009

U.S. Department of Transportation
Federal Railroad Administration
1200 New Jersey Ave, SE
Washington, DC 20590

RE: Chicago to Iowa City Intercity Passenger Rail Service Project – NEPA and NHPA
consultation.

Thank you for notice of the referenced projects. The Peoria Tribe of Indians of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Peoria Tribe request notification and further consultation.

The Peoria Tribe has no objection to the proposed construction. However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

John P. Froman
Chief

xc: Bud Ellis, Repatriation/NAGPRA Committee Chairman

TREASURER
John Sharp

SECRETARY
Hank Downum

FIRST COUNCILMAN
Carolyn Garren

SECOND COUNCILMAN
Jenny Rampey

THIRD COUNCILMAN
Alan Goforth



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

OCT 14 2009

REPLY TO THE ATTENTION OF:

E-19J

George Weber
Bureau of Railroads, Bureau Chief
Illinois Department of Transportation
Division of Public and Intermodal Transportation
100 West Randolph Street, Suite 6-600
Chicago, Illinois 60601

RE: Comments on the proposed Chicago to Iowa City Intercity Passenger Rail Project

Dear Mr. Weber:

Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act, U.S. Environmental Protection Agency (EPA) reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements (EIS), but we also have the discretion to review and comment on other environmental documents prepared under NEPA if interest and resources permit. EPA has reviewed the Draft Tier I Service Level Environmental Assessment (EA) for the above project. This letter provides our comments on that document and possible impacts related to the proposed project.

We previously provided scoping comments for this project on September 22, 2009 regarding purpose and need, alternatives, environmental impacts, and mitigation of unavoidable impacts.

We appreciate this document noted air quality improvements anticipated and the environmental savings from traffic and fuel efficiencies for the alternatives considered. Surface waters and wetlands were mentioned as possibly being impacted where bridge and culvert work may be needed, but identification of these sites and best management practices to be utilized are deferred to Tier II NEPA documentation. The preferred alternative requires a connecting segment be constructed in Wyanet, Illinois, and will need work done within the Pond Creek floodplain. This will be addressed in a separate Tier II document.

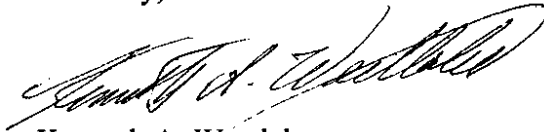
We acknowledge that the Tier I document provides extensive consideration of noise and vibration impacts, which is helpful; it indicates alternative A may impact 1,928 receptors and alternative B may impact 1,801 receptors. Although Appendix B provided some demographic information on Environmental Justice communities (EJ), it was not clear whether the alternate B noise impacts were focused in EJ areas. This Tier I document also did not identify sensitive

receptor locations for noise, such as hospitals and schools. The Tier I EA noted that these receptors might be more impacted under a future scenario of 5 round trip trains per day at increased speeds to 90 miles per hour (mph). That scenario will be considered in a supplemental Tier I EA evaluation.

The present document is focused upon the addition of 2 round trip trains per day along an established active corridor, operating at current 79 mph maximum speeds. At this level of operations, minimal impacts are anticipated. Greater impacts are anticipated if and when the service for this corridor upgrades to 5 round trip trains per day with speeds increased from Chicago to Wyanet, Illinois to 90 mph. Your agency proposes that these environmental impacts will be discussed in a supplemental Tier I EA.

Thank you for the opportunity to comment on this Tier I document. We request that IDOT provide us with further Tier I and Tier II EA documents for this corridor project. If you have any questions on our comments, please contact me or Norm West of my staff, by phone at (312) 353-5692 or by e-mail at: west.norman@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake". The signature is fluid and cursive, written over a horizontal line.

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



Illinois Historic
Preservation Agency

FAX (217) 782-8161

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • www.illinois-history.gov

Various Counties

Chicago to Iowa City

Intercity Passenger Rail Service, Tier 1 EA
Chicago to Wyanet to Quad Cities to Iowa City
IHPA Log #013082009

October 14, 2009

George Weber, Acting Bureau Chief
Illinois Department of Transportation
Division of Public and Intermodal Transportation
300 W. Adams St., 2nd Floor
Chicago, IL 60606

Dear Mr. Weber:

We have reviewed the information provided in the Environmental Assessment regarding the above referenced project. Our review is required by section 106 of the National Historic Preservation Act of 1966, as amended.

We advise that there may be properties of architectural, historical or archaeological significance that are on or eligible for the National Register of Historic Places within the project boundaries. This will require consultation with this office to avoid adverse effects as define in 36 CFR 800.

We look forward to receiving and reviewing the information we requested in a letter dated September 1, 2009, and working with you as the project continues.

If you have any questions, please contact Emilie Eggemeyer, Cultural Resources Manager, #1 Old State Capitol Plaza, Springfield, IL 62701, 217/785-3977.

Sincerely,

Anne E. Haaker
Deputy State Historic
Preservation Officer

c: Barbara Stevens, Illinois Department of Transportation



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REPLY TO
ATTENTION OF:

Technical Services Division
Regulatory Branch
LRC-2009-515

OCT 15 2009

SUBJECT: Tier 1 Service Level Environmental Assessment (EA) for the Chicago to Iowa City Intercity Passenger Rail Service Project

George Weber
Bureau of Railroads Bureau Chief
Illinois Department of Transportation
100 W. Randolph Suite 6-600
Chicago, Illinois 60601

Dear Mr. Weber:

This office is in receipt of your August 19, 2009 correspondence requesting the participation of the Chicago District U.S. Army Corps of Engineers (Corps) as a cooperating agency in the review of the Tier 1 Service Level Environmental Assessment (EA) for the Chicago to Iowa City Intercity Passenger Rail Service project. The Illinois Department of Transportation and Iowa Department of Transportation, in conjunction with the Federal Railroad Administration, are initiating the information gathering phase of the EA for the proposed improvements included in the Chicago to Iowa City Intercity Passenger Rail Service Project.

The Corps cordially accepts the invitation to participate in the collaborative effort among Federal Government, States, railroads and other key stakeholders in facilitating the vision of a national network of high-speed rail corridors.

According to the EA, Tier 1 will establish purpose and need, estimate ridership, select the preferred route, identify the station stops, specify the service levels, define types of operation, and identify the logical next phases. Tier 2 will define specific construction activities which would be evaluated in subsequent Tier 2 NEPA documents.

The Corps will be required to evaluate the EA in accordance with the policy and procedures set forth in the rules governing the regulatory program of the Corps of Engineers, Title 33 of the Code of Federal Regulations Part 320 through part 332, and the policies and procedures for implementation of the National Environmental Policy Act (NEPA) at Title 33 of the Code of Federal Regulations Part 230. The goal of our review is to conclude that the activity will not have a significant adverse effect on the quality of the human environment

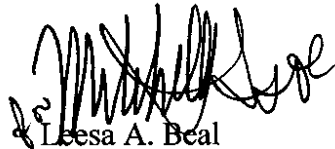
As part of the Corps requirements, the Tier 2 EA shall address all studies and surveys as required by Federal and state governing authorities and shall follow all policies and procedures in identifying aquatic resources and natural areas within the project corridor. The EA shall also

provide an assessment of the direct, indirect and cumulative effects that the project may have on federally jurisdictional areas such as rivers, streams, wetlands, etc., and if necessary, consider compensation to offset the proposed impacts. Please be informed that additional environmental studies and reviews may be required by this office once the NEPA/404 Review process is underway and the two proposed alternative site configurations are presented for comment.

These comments address activities within the Chicago District regulated area only which, terminates at the Kane-Kendall County border for Alternative A and at the Will-Kendall County border for Alternative B.

The Corps looks forward to working closely with Federal and other lead agencies in completing a comprehensive review of the supporting documentation pertaining to the project. If you have any questions, please contact Kathy Chernich of my staff by telephone at (312) 846-5531, or email at kathy.g.chernich@usace.army.mil.

Sincerely,



Leesa A. Beal
Chief, East Section
Regulatory Branch

MITCHELLA. ISOE
Chief, Regulatory Branch

Copy Furnished

U.S. Environmental Protection Agency (Westlake)
U.S. Fish and Wildlife Service (Rogner)



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

April 01, 2010

Barb Traeger
Illinois Department of Transportation - CO
2300 S. Dirksen Pkwy, Room 330
Springfield, IL 62764

Re: #15795 - Track connection between BNSF & IAIS

Project Number(s): 1007996

County: Bureau

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Steve Hamer
Division of Ecosystems and Environment
217-785-5500



**Illinois Historic
Preservation Agency**

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • www.illinois-history.gov

Various County
Chicago to Iowa City
Wyanet ONLY
Intercity Passenger Rail Service, Tier 1 EA

PLEASE REFER TO: IHPA LOG #013082009

May 3, 2010

John Walthall
Illinois Department of Transportation
2300 S. Dirksen Parkway
Springfield, IL 62764

Dear Mr. Walthall:

Acre(s): 0 Site(s): 0
Archaeological Contractor:

Thank you for submitting the results of the archaeological reconnaissance. Our comments are required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties".

Our staff has reviewed the archaeological Phase I reconnaissance report performed for the project referenced above. The Phase I survey and assessment of the archaeological resources appear to be adequate. The consultation for this segment of the project area is approved for purposes of the Tier 1 Environmental Assessment. We understand that further consultation will occur at subsequent project stages.

Sincerely,

Anne E. Haaker
Deputy State Historic
Preservation Officer

RECEIVED
MAY 05 2010
**ENVIRONMENT
SECTION**



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

July 20, 2010

Kane and DuPage Counties
Intercity Passenger Rail Service
Chicago to Iowa City
Eola Yard Main Line Improvements
Bureau of Railroads

IDOT Seq. # 15795A
FEDERAL 106 PROJECT

NO HISTORIC PROPERTIES AFFECTED

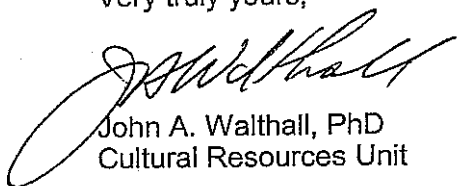
Ms. Anne Haaker
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
Springfield, Illinois 62701

Dear Ms. Haaker:

Attached is a Phase I report completed by the cultural resources staff of HDR Engineering, Inc. of Omaha, Nebraska for proposed improvement to the Main Line of the Eola Yard located near Aurora, Illinois. No archaeological, architectural, or historic sites were identified within the proposed limits of the above referenced project. The cultural resources staff at IDOT concur with this finding.

In accordance with the established procedure for coordination of proposed Illinois Department of Transportation projects, we request the concurrence of the State Historic Preservation Officer in our determination that no historic properties, subject to protection under Section 106 of the National Historic Preservation Act of 1966 as amended, will be affected by the proposed construction activities.

Very truly yours,


John A. Walthall, PhD
Cultural Resources Unit

CONCUR

By: Anne E. Haaker
Deputy State Historic Preservation Officer
Date: 7/20/10



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

July 26, 2010

Mr. Steve Hamer
Transportation Review Program
Division of Environment and Ecosystems
Illinois Department of Natural Resources
1 Natural Resources Way
Springfield, Illinois 62702

CONCUR

By 
Division of Impact Analysis

IDR 7-27-2010

RE: Chicago to Iowa City Intercity Passenger Rail Service
Tier 1 Supplemental Environmental Assessment

Dear Mr. Hamer:

The Illinois Department of Transportation (DOT), in cooperation with Iowa Department of Transportation, is preparing a Fiscal Year 2010 grant application to the U.S. Department of Transportation Federal Railroad Administration (FRA) for funding under FRA's High Speed and Intercity Passenger Rail Program (HSIPR) to implement a Service Development Program for new intercity passenger rail service between Chicago's Union Station and Iowa City, Iowa. FRA generally requires a tiered approach for National Environmental Policy Act (NEPA) compliance for HSIPR grant applications. The first tier, or Tier 1, is a Service Level, or programmatic assessment of the potential environmental effects of implementing new service. Decisions reached in the Tier 1 level normally include the preferred corridor, the Service Level, and the communities to be served. The second tier, or Tier 2, is a Project Level environmental review that evaluates the alternatives and specific impacts associated with the actual construction and operations of the various program elements, such as the location of a passenger station and the infrastructure improvements required for the new passenger service. The Tier 2 review normally only occurs after FRA has approved the grant application and the Service Level (Tier 1) document.

In September 2009, Illinois DOT and Iowa DOT submitted a similar grant application to FRA that was not funded. As part of the FY 2009 grant application, Illinois DOT prepared a Service Level (Tier 1) Environmental Assessment (EA) (please reference the Illinois DOT coordination letter submitted to your office on August 19, 2009). Although our FY 2009 grant application was not successful, FRA has indicated that Illinois DOT can resubmit the 2009 Service Level (Tier 1) EA as part of our FY 2010 HSIPR Grant Application.

However, FRA did request that Illinois DOT provide some supplemental information to more fully support the 2009 EA. Specifically, FRA requested that the Illinois DOT provide additional Service Level information concerning the potential effects of the construction of a new railroad connection between the Iowa Interstate Railroad and the BNSF Railway near Wyanet, Illinois (Wyanet Connection) and information on railroad capacity improvements that will be required in the vicinity of the BNSF's Eola Rail Yard, near Aurora, Illinois (Eola Main Line Improvements).

Should FRA approve Illinois DOT's grant application and service development plan, both the Wyanet Connection and the Eola Main line Improvements will be required in order to implement new intercity passenger service on the preferred corridor from Chicago to Iowa City. Therefore, FRA is asking for concept level environmental review information on the Wyanet Connection and the Eola Main Line Improvements to assist them in reaching a decision on the Service Level (Tier 1) EA. It is important to understand that should FRA approve Illinois DOT's grant request, the next step in the development process will be to conduct the detailed Project Level (Tier 2) NEPA review of the various project elements, including both the Wyanet Connection and the Eola Main Line Improvements. The Project Level (Tier 2) NEPA review will include the full range of alternatives evaluation, impact assessment and mitigation development, including permit applications. The detailed engineering and alternative analysis at both Wyanet and Eola will be completed concurrent with the Project Level (Tier 2) NEPA review. Illinois DOT will comply fully with our current environmental procedures and will coordinate the future Project Level (Tier 2) NEPA reviews with all of the appropriate federal and state agencies. The only intent of the Supplemental Information prepared for the Service Level (Tier 1) EA with respect to the Wyanet Connection and the Eola Main Line Improvements is to demonstrate to the FRA that if avoidance alternatives are not practicable, environmental impacts from new intercity passenger rail service between Chicago and Iowa City can be satisfactorily mitigated.

In order to construct a connection between the Iowa Interstate Railroad and the BNSF Railway lines to transfer the passenger trains from one route to the other, a short connecting track will be required in the northwest quadrant where the two rail lines cross. The Wyanet Connection would require the relocation of approximately 2,050 feet of Pond Creek. During the original construction of the Iowa Interstate Railroad (former Rock Island Railroad) in the mid 1800's in the vicinity of the Wyanet Connection, Pond Creek was channelized and relocated to the north side of the railroad embankment. Attached is a detailed discussion of Pond Creek including conceptual mitigation to address the impacts to Pond Creek. Please note that should FRA approve the grant application all possible alternatives to avoid, minimize and compensate for any impacts to Pond Creek will be fully evaluated and all appropriate permits will be obtained during the Project Level (Tier 2) NEPA review.

Mr. Steve Hamer
Page Three
July 26, 2010

The improvements at Eola include the construction of a new main track connecting Metra's Aurora Transportation Center to the BNSF main tracks to Chicago, to reduce conflicts between Metra trains and the proposed new intercity trains. The new track will impact approximately 4,920 linear feet of a surface drainage feature. The feature is located lengthwise between BNSF's Eola Yard and the existing main tracks. Currently, approximately 80 Metra trains, 50 BNSF trains and 8 Amtrak trains use these main tracks per day. Attached is a detailed discussion of the resources that would be affected by the Eola Main Line Improvements and concepts of impact mitigation. Please note that should FRA approve the grant application all possible alternatives to avoid, minimize and compensate for any impacts will be fully evaluated and all appropriate permits will be acquired during the Project Level (Tier 2) NEPA review.

FRA requested that Illinois DNR, as the state agency with specialize expertise in addressing natural resource issues in the state of Illinois, review and comment on the attached proposed concepts for both the Wyanet Connection and Eola Main Line Improvements. We request your concurrence of the general mitigation concepts for impacts to aquatic resources developed during Tier 1. Illinois DOT fully understands that your comments on the attached Service Level concepts are preliminary and subject to modification during the future more detailed Project Level NEPA evaluation.

Sincerely,

Scott E. Stiff, P.E.
Acting Engineer of Design and Environment



By: Barbara H. Stevens
Chief of Environment Section

Attachment