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July 18, 2019

Ms. Cynthia Brown, Section Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings
July 18, 2019
Part of
Public Record

Re: Finance Docket No. 35087 (Sub No. 8) Canadian National Railway Company
and Grand Trunk Corporation-Control-EJ&E West Company

Dear Ms. Brown:

The Village of Barrington, Illinois, by and through counsel, respectfully invites the Board's attention to a letter, dated July 15, 2019, addressed to Chad Anderson, Wisconsin Central Ltd., from Kathleen G. Chernich, Department of the Army, regarding the "Proposed Railroad Track Expansion between Shoe Factory Road and Spaulding Road in Hoffman Estates and Elgin, Cook County, Illinois." This letter relates to USACE Permit Application – LRC-2018-00651, which, for the first time, revealed the actual scope of CN's current and planned expansion of operations over the Leighton subdivision.

Respectfully submitted,

/s/ Richard H. Streeter

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Counsel for the Village of Barrington, IL

RHS:rs
Attachment
cc: All parties of record via electronic service



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
231 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60604-1437

July 15, 2019

Technical Services Division
Regulatory Branch
LRC-2018-00651

SUBJECT: Information Request for the Proposed Railroad Track Expansion between Shoe Factory Road and Spaulding Road in Hoffman Estates and Elgin, Cook County, Illinois (Latitude 42.037327, Longitude -88.220691)

Chad Anderson
Wisconsin Central Ltd.
17641 South Ashland Ave
Homewood, Illinois 60430

Dear Mr. Anderson:

This is in regard to your permit application for the above-referenced project. To date, we have not received a response to the public notice comments, sent on May 6, 2019. In addition to a response to public comments, this office requests the following additional information to complete a review of your project under an Individual Permit:

1. Provide an expanded discussion of the project purpose and need. The application states that the purpose of the project is to allow trains to pass without slowing and/or stopping. Describe any other needs within the corridor that will be addressed by the proposed work. Explain how the proposed improvements address the needs in the immediate area and the Leighton Subdivision;
2. Provide additional information regarding track capacity and how this project addresses needs within the Sutton to Spaulding segment, as well as the long term capacity needs within the entire Winnipeg to Chicago corridor. Provide forecasts of daily train numbers for all years for which an assessment has been made;
3. Provide a detailed alternatives analysis. The analysis should consider the area in which needs are being addressed. For example, if the proposed improvement on-site will provide benefits for a larger segment of rail beyond the project area, the analysis should consider whether or not alternative locations could address the local project needs. Also, discuss the feasibility of constructing the new mainline track on the east side of the tracks (or shifting the existing mainline track east to accommodate the new mainline track in the location of the existing track). Each of the possible alternatives identified in the public

notice comments should also be assessed for their feasibility. Approximate acreage of impact to waters of the U.S. must be provided for each feasible alternative;

4. Explain the purpose of the proposed turnout pads, how they are used, and how their location is determined;
5. Provide a restoration plan for the tributaries that will be relocated and re-established. Utilize the tributary baseline information gathered to match or improve upon the functional characteristics of the tributary, where feasible. This should also include a 5-year Management and Monitoring (M&M) plan with annual metrics to measure the progress of the relocated tributary towards meeting established performance standards;
6. Provide results from the noise analysis completed for the corridor. Explain measures that were incorporated or considered to address train noise;
7. Discuss the proposed locations for track cross-overs, how those are determined, and if they can be modified to reduce noise for adjacent residential properties;
8. Discuss proposed tree removal, locations where this will be required, and how the loss of trees may affect noise on adjacent properties. Explain plans for replacing the trees to address the visual and noise impacts on ~~the~~ adjacent properties;
9. Discuss how the proposed improvements would affect the length of trains accommodated and if the proposed changes would allow trains to operate at higher speeds than existing conditions;
10. Disclose the operating speeds within the corridor. Discuss any relationship between train speeds and the potential for train derailment;
11. The proposed tracks would be located closer to homes west of the existing tracks. Discuss any policies or Federal regulations regarding the acceptable distance between residential properties and tracks and any means of compensation, such as noise reduction measures or purchase of properties;
12. Discuss any Federal regulations or studies that address proximity of homes to train tracks and their effect on property values;
13. Discuss any policies or Federal regulations that address noise vibrations and impacts to adjacent structures and the potential effect of vibrations on adjacent structures from the proposed work. Describe any measures incorporated in the project design to address vibrations;

14. Detail any analysis that has been completed regarding anticipated changes in delay times at cross-streets as a result of the proposed work;
15. Discuss any anticipated impacts to Poplar Creek on water quality or wildlife from the proposed bridge expansion;
16. Discuss any anticipated impacts to environmental resources and wildlife at the Poplar Creek Forest Preserve from the increased train traffic;
17. Discuss how the proposed work will affect air quality within the project area;
18. Disclose any known drainage or flooding issues with the project area and how the project has been designed to address these concerns. The Village of Hoffman Estates noted that there is a 2010 Detailed Watershed Plan by the Metropolitan Water Reclamation District that is more recent than the FEMA map;
19. The Village of Hoffman Estates noted an existing obstruction within the railroad tributary that has caused flooding on neighboring properties. The Village suggested that the drainage should be modified such that the tributary only overtops to the residential properties at the 100 year storm event, utilizing the new Bulletin 70 (March, 2019). Describe how this comment has been addressed;
20. The Village of Hoffman Estates noted a restrictive culvert in need of enlargement that conveys flow under the railroad tracks south of IL-58. This was identified in the 2010 Detailed Watershed Plan by the Metropolitan Water Reclamation District. Explain how this comment was addressed;
21. Discuss any policies or Federal regulations relating to the proximity of the proposed tracks to homes that are on well and septic. What measures are being taken to ensure that septic systems are not disrupted and the sources of well water are not contaminated;
22. Discuss Federal regulation or policies on addressing the potential for toxic substance spills and how this was incorporated into the project design;
23. Discuss Federal regulations or policies for safety and any measures, such as Positive Traction Control, that were incorporated into the project design;
24. Respond to the public comments proposing the installation of a wall for noise reduction and/or safety;
25. Explain how the proposed project will affect train idling, particularly in proximity to residential properties;

26. Provide an assessment of the economic benefits and/or detriments of the proposed work;
27. Describe any anticipated direct or indirect impacts to Cannon Crossings Park;
28. Identify any easement areas necessary for completing the work, such as for construction access or grading;
29. The Illinois Department of Natural Resources recommended that no work occur in Poplar Creek from April 1 to June 15 to protect the spawning season of sensitive fish found within the creek. They also recommended strict adherence to soil erosion and sediment control measures. Explain how this comment will be addressed;
30. Provide a response to comments from the property owner at 575 Golf Road regarding impacts to the tributary and/or floodplain near the property;
31. Address potential utility conflicts raised in the comments by the Village of Hoffman Estates and the Metropolitan Water Reclamation District;
32. Provide the most current set of engineering plans with the most recent cover and index page(s) with current revision dates on all sheets. Provide additional details on the culvert designs and how the conditions of RP(3) were utilized in the design; and
33. Responses to the above-requested items shall also be submitted to the Illinois Environmental Protection Agency so that they may continue reviewing your project for Water Quality Certification.

Your prompt attention to this matter will enable the Corps of Engineers to proceed with the evaluation of your application in a timely manner. If you do not provide your response within 30 days of the date of this letter (and you have not been granted additional time), it will be presumed that you no longer wish to pursue the project and your application will be withdrawn without further notification.

More information may be requested at a later date to determine compliance with Section 404 (b) (1) Guidelines.

Please visit our website at <http://www.lrc.usace.army.mil/Missions/Regulatory.aspx> for further information regarding the Regulatory Program. If you have any questions, please contact Mr. Soren Hall of my staff by telephone at (312) 846-5532, or email at Soren.G.Hall@usace.army.mil.

Sincerely,

CHERNICH
Digitally signed
by
.KATHLEE
CHERNICH.KATHL
EEN.G.123036561
N.G.12303
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Date: 2019.07.15
14:23:49 -05'00'
Kathleen G. Chernich
Chief, East Section
Regulatory Branch

Copy Furnished:

Congressman Raja Krishnamoorthi
Senator Tammy Duckworth
Senator Dick Durbin
Village of Hoffman Estates (William McLeod)
Hanover Township
V3 (Scott Brejcha)