

September 30, 2008

Surface Transportation Board
395 E. Street, SW
Washington, D.C. 20423

Attention:

Victoria J. Rutson, Chief, SEA
Phillis Johnson-Ball, Deputy Chief, SEA

Re: Environmental Filing
STB Finance Docket No. 35087

Ms. Victoria J. Rutson and Ms. Johnson-Ball:

The Forest Preserve District of DuPage County ("District") respectfully submits the following in response to an invitation to comment on the Draft Environmental Impact Statement ("DEIS") for the Proposed Canadian National Railway Company ("CN") Acquisition of the Elgin, Joliet & Eastern Railway Company ("EJ&E") prepared by the Surface Transportation Board ("STB"), Section of Environmental Analysis ("SEA") that was released for public comment on July 25, 2008. The District submits, as a matter of record and for filing, the following documented concerns and objections regarding the CN Proposed Action and DEIS pursuant to District Resolution #08-277, passed by the Board of Commissioners September 2, 2008 and filed with STB/SEA.

Statement of Objection to the CNR Proposed Action and Support of the "No-Action Alternative"

The Forest Preserve District of DuPage County finds that the CN Proposed Action will cause adverse impacts to certain forest preserves and that said adverse impacts will preclude and foreclose the District from fully performing its Corporate Purpose within such impacted preserves. In review of the DEIS, the District also finds that the proposed alternatives and assessment of findings by SEA along with certain CN voluntary environmental mitigations and SEA recommended environmental mitigations do not fully address these adverse impacts. On the basis of the District's review and comments submitted herein, the District files with the STB an objection to the CN Proposed Action. Furthermore, should a premature decision be demanded of the STB prior to resolving these District impacts, the District files support of the "No-Action Alternative" to be rendered as a Record of Decision by the STB.

Reiteration of Statement Regarding Proposed Divesting of District Resources

The District reiterates a statement given in previous STB correspondence (March 5, 2008) and comment filing (February 14, 2008) that the District's attorneys have advised that the District does not have the statutory authority under Illinois law to voluntarily sell or otherwise convey its property to the Canadian National Railroad Company. Furthermore, the attorneys have advised that the Canadian National has no eminent domain authority to acquire the District's property. In this regard, section 5e of the Downstate Forest Preserve District Act, 70 ILCS 805/5e (West 2006), specifically provides that forest preserve district property "shall not be subject to eminent domain or condemnation proceedings...." There is nothing in Illinois law that permits the Illinois Commerce Commission to authorize Canadian National to take public property through eminent domain. Additionally, the District is not aware of any Federal law authorizing an involuntary taking. Accordingly, the District does not believe that Canadian National can acquire the property identified in two of the five DEIS "Munger Alternatives" concerning the "Proposed Munger Connection" within the Pratt's Wayne Forest Preserve at the intersection of the EJ&E and the CC&P/CN owned ("Freeport Subdivision") rail line.

District Corporate Purpose, Policy and Programs

The Forest Preserve District of DuPage County, a body politic and corporate, derives its power and authority from the enabling legislation granted by the Illinois General Assembly as provided in the Downstate Forest Preserve District Act (70 ILCS 805/0.001 *et seq*) (West 2006). The purpose of the Forest Preserve District is best described in the Downstate Forest Preserve Act which states:

- **"Any forest preserve district organized under this Act shall have the power to create forest preserves, and for that purpose shall have the power to acquire in the manner hereinafter provided, and hold lands containing one or more natural forests or parts thereof or land or lands connecting such forests or parts thereof, or lands capable of being forested, or capable of being restored to a natural condition, for the purpose of protecting and preserving the flora, fauna, and scenic beauties within such district, and to restore, restock, protect and preserve the natural forests and such lands together with their flora and fauna, as nearly as may be, in their natural state and condition, for the purpose of the education, pleasure, and recreation of the public."**

An elected District President and Board of Commissioners has approved and adopted policies to guide the District in matters including, but not limited to, Land Preservation, Land Use, Land Management, and Natural Resource Management and has approved and adopted by ordinance or resolution various programs including, but not limited to,

Preserve Master Planning, Natural Areas Management, Scientific Investigations and Studies, Ecosystem Monitoring, Adaptive Management, and Habitat Restoration.

Since 1915, the District has acquired valued resources and created a system of preserves under our Corporate Purpose, granted from our enabling legislation, guided and directed by policies approved by the Board of elected Commissioners and implemented programs through professional staff for the citizens and guest of DuPage County. These resources are held in public trust by the District in perpetuity for future generations.

The District possesses certain knowledge, information, and data unique to the preserve resources and employs professional expertise covering diverse disciplines pertaining to preserve management and operations. As such, the District is well suited to participating and engaging in any environmental review and assessment of potential impacts that may affect these preserves.

The following is a summary of District's findings in review of the DEIS in order to provide the general context of the affected District resources and the magnitude of adverse impacts that are directly attributable to the Proposed Action and alternatives. The specific statements within this summary section will be underpinned in the "DEIS Section Review Comments" to follow and is comprised of direct DEIS section citations and referenced material.

Summary Review of District "At Risk" Resources, Findings of Adverse Impacts and Remarks

Summary Review of District "At Risk" Resources

The District finds six forest preserves, one State Nature Preserve and an Illinois State Park, managed by the District under separate License Agreement with the Illinois Department of Natural Resources, that are all potentially affected and are likely to be adversely impacted by the Proposed Action and/or the alternatives posed within the DEIS. The District finds that the EJ&E rail line, or alternative routes assessed within the DEIS; bisects, adjoins, or lies adjacent to portions of:

- 1) Pratt's Wayne Woods (Bisects)
- 2) James "Pate" Phillip State Park (Adjacent)
- 3) Dunham (Adjoins)
- 4) West Chicago Prairie (Adjoins)
- 5) Truitt-Hoff State Nature Preserve (Adjoins)
- 6) Roy C. Blackwell (Adjoins)
- 7) Night Heron Marsh (Adjacent)

Within the above listed preserves, various natural and restored resources are managed to preserve and protect a rich biodiversity of plants and animals. Within these

resources are developed recreational and educational amenities that provide inherent user experiences for the public. These combined preserve resources are found by the District to be at a much greater risk of adverse impacts due to the Proposed Action. The District finds the following preserve resources to have potentially adverse direct, indirect, and/or cumulative impacts and are considered "at risk" which include, but are not limited to:

- 1) Various soils, surficial geologic resources and ground water are at risk.
- 2) Various tributary water resources inclusive of Brewster Creek (east branch), Brewster Creek (south branch), Norton Creek and Norton Creek (south tributary) of the Fox River, and Hardy Creek tributary of the West Branch DuPage River are at risk.
- 3) Lake water resources inclusive of Pickerel Lake and Northern Harrier Lake are at risk.
- 4) Numerous biological resources inclusive of listed INAI sites, diverse flora within natural and restored areas containing certain State listed species, scarce communities such as the globally rare savanna, sedge meadows, grassland bird habitat, large wetland complexes supporting nesting and migratory waterfowl habitat, as well as critical habitat for State listed species of birds, reptiles, fish, mussels, and amphibians are at risk. The following District biological resources are potentially affected (Also Appendix A):

James "Pate" Philip State Park (Tri-County Prairie, Tri-County Marsh, East Floodplain, Brewster Creek); and

Pratt's Wayne Woods Forest Preserve (Tri-County Marsh, Stearns Marsh North, Northwest Prairie, Stearns Marsh West, Stearns Marsh East, IC Meadow, Stearns Prairie, North Brewster Creek Marsh, Jumps Meadow, Camp Prairie, Brewster Creek Marsh, Prairie Path Meadow, Norton Creek Marsh, Lakes Area, Powis Woods, Powis Marsh, Shop Meadow, Triangle Prairie, Central Brewster Creek, Meadow, Pratt Meadow, Pratt Marsh, Munger Marsh North, Munger Marsh Central, Smith Rd Fields, Smith Rd Marsh, Fern Marsh North, Fern Meadow, Pickerel Lake, Catfish Pond, Horsetail Pond, Beaver Pond, Brewster Creek, and Norton Creek, Norton Creek Woods); and

West Chicago Prairie Forest Preserve / Truitt-Hoff Nature Preserve (North Field, Prairie Path Prairie, North Swamp, North Marsh, MacQueen Savanna, North Prairie, Northeast Marsh, Central Prairie, West Prairie, West Swamp, Sand Pit, Southwest Marsh, Kress Creek Marsh, East Woods, RR Yards Prairie, Kress Creek, Reed Kepler Marsh, North Central Prairie, Southwest Prairie); and

Blackwell Forest Preserve (Hardy Prairie, Hardy Marsh); and,

Night Heron Marsh Forest Preserve (Marsh, South Prairie) are at risk.

- 5) The public using numerous trail types such as foot paths, restricted impact nature trails, multi-purpose improved surface trails, and designated cross-county corridors providing multiple user experiences such as mediation, walking, bird and animal watching, photography, biking, roller skiing, cross-country skiing, horse riding, and specialized cross-country equestrian activities are at risk.
- 6) The public using passive recreational amenities such as fishing, youth camping, shelter rental, picnicking, natural area exploration, geo-chasing exploration, equestrian jump course work, exercising, solitude and pastoral reflective experiences, permitted dog exercise, and permitted model aircraft flying are at risk.
- 7) Educational programs such as nature stewardship volunteerism and workdays, children discovery and restoration (Project L.E.A.P. – Land Ethic and Partnership), permitted scientific research projects, and scientific monitoring and research studies are at risk.

District Findings of Adverse Impacts

The District finds potential adverse impacts to the aforementioned resources “at risk” resulting from the following:

- 1) A significant increase in number and frequency of trains on the EJ&E rail line and/or alternative routes resulting in an increased public safety risk to trail users exposed to train traffic using an at grade crossing or a public preserve user crossing rail tracks at non-sanctioned crossing areas within preserves.
- 2) A significant increase in number and frequency of trains on the EJ&E rail line and/or alternative routes resulting in direct adverse impacts to wildlife from train collisions causing injury and/or mortality.
- 3) A significant increase in the frequency, magnitude and duration of noise to public user receptors resulting in a direct adverse impact by diminishing the “District’s standard of quality experience” and the available time per day free of this noise for a planned and/or programmed group of passive recreational and educational user experiences within certain preserve areas.
- 4) An increase in the frequency and duration of delay for emergency vehicle services (law enforcement, emergency medical assistance, wildfire protection, etc.) to access and egress preserves areas and a subsequent indirect impact diminishing response times to address public safety services caused by road blockage and/or train staging.
- 5) The increased frequency and duration of trains staging on the rail lines and /or blocking roadways will adversely impact the District’s ability to properly administer, manage and implement our prescribed burn management program.

Perimeter fire containment, smoke management, nimble emergency response, and crew safety will all be compromised.

- 6) A significant increase in the frequency, magnitude and duration of noise and vibration causing direct and indirect adverse impacts likely to degrade certain habitat quality in proximity to said impacts and a diminishing of wildlife use of certain wildlife habitat, reproductive success, and general abundance inclusive of State listed and federally protected species.
- 7) A direct adverse impact to localized air quality within preserves resources caused by increased deleterious emissions of NOx, CO, PM, and other VOC's causing an indirect - adverse impact to preserve users and a cumulative adverse impact at opposition to the District's contribution with others, toward achieving air quality emission standards under the regional Congestion Mitigation Air Quality goals.
- 8) A variety of significant and irretrievable direct and indirect adverse impacts from the proposed "Munger Connection" and various alternatives that propose land loss to the Pratt's Wayne Woods Preserve, wetland area loss and functional impacts, floodplain loss and functional impacts, hydrology impacts, wildlife impacts and displacement and a variety of temporary construction impacts.
- 9) A variety of direct and indirect adverse impacts from the proposed "East Siding Double Tracking" construction improvements adjacent to Night Heron Marsh Preserve which appear at risk (insufficient design detail) due to wetland area loss and functional impacts and a variety of temporary construction impacts.
- 10) The DEIS finds a significant increase in the frequency, magnitude, and duration of hazardous materials transported and/or staged on the EJ&E along with an increase in the frequency of train accidents on the EJ&E. These two findings within the DEIS compound the additional DEIS finding of an increase in the risk of a potential release of hazardous materials into preserve environments. Of specific concern is the safety of preserve users to such an exposure. Additionally there is concern of the potential direct, indirect and cumulative adverse impacts to "resources at risk" such as surface water resources, biological resources, surficial geological resources and shallow aquifer resources where the fate and transport of certain hazardous material releases (solid, liquid and gas) would be rapid, where the risk of hazardous material contamination would be high, and where addressing containment and accessing clean-up capabilities would be difficult and would likely exacerbated and/or cause collateral damage to sensitive resources in proximity.

Remarks

The extent of District and DEIS findings of adverse impacts across these preserve resources represents a significant diminishing of the District's ability to carry out the

intended Corporate Purpose for which these resources were acquired. Our District policies and programs within these preserves were intended for the purpose of preserving and protecting the plants and animals and to restore and restock these natural resources along with developing amenities and offerings for the "...purpose of the education, pleasure and recreation of the public." These preserves are living ecological systems. They represent the last remaining islands of natural area where a public within a highly urbanized landscape of DuPage County, nearly a million inhabitants, can 'escape' to a preserve to find refuge from their urbanized environment and find tranquil solitude, clean air, observe a diversity of native plants and animals functioning within habitats and natural areas generally buffered from anthropogenic influences.

The goal of our resource restoration and management program is to utilize an active and adaptive strategy to create the structural, compositional and functional environmental conditions that can best yield the recuperative potential of the resource and sustain biodiversity. Many of our recovering natural areas and restored communities are extremely vulnerable to additional stressor loads from outside jurisdictional boundaries and edges. These ecological systems do not operate within these boundaries, but rather are in juxtaposition to the influences and impacts of modified land-uses and a discontinuity of natural sustaining functions. Similarly the negative stressors generated from the outside do not stop at the preserve boundary either, but penetrate within these natural systems negatively influencing the thresholds of sustainability and reproductive capability vital to preservation. As such, the District seeks to develop bridges of co-stewardship with our neighbors, to achieve resource sustainable design principles, compatible developments and operational plans which become mutually beneficial.

Ten of millions of dollars are invested in the preserves potentially affected by the Proposed Action. The District's planning horizon is not three years, or five years, but generational. We strive toward an excellence in developing public awareness and appreciation through preserve recreational amenities, educational offerings and quality experiences to awaken a personal responsibility of stewardship that must extend beyond the preserve toward the home and business domain. True resource preservation and sustainability is grounded by striking a balanced and equitable quality of life within the Chicago Wilderness region that connect humans and nature while sustaining the vitality of diverse economic engines and commerce integrated and compatible with sustainable natural landscape resources.

The Proposed Action as an expanding enterprise of commerce and rail transportation brings little to the table in support of the District's mission. Our District resource asset valuation is a considerable investment for DuPage county citizens and a part of this resource is subject to direct loss of land, indirect environmental resource costs, cumulative impacts, and some irretrievable impacts that are immeasurable in economic terms of comparison.

In short, the District finds no value added to preserve resources from the Proposed Action and only detrimental ecological stressors and increased risk that potentially degrade these natural resources and diminish the quality public experiences we have aimed to provide. Further review of the voluntary mitigation and recommended mitigation measures proposed within the DEIS that were intended to eliminate or lessen the environmental impacts are found by the District to be substantially inadequate to address equitability and potential harm to these resources and the user public.

As such, the District finds that our Corporate Purpose would be precluded and foreclosed within these preserve resources directly attributable to the Proposed Action despite the proposed environmental mitigation conditions. These District findings support the basis for our initial statement of objection to the Proposed Action and support for the "No-Action Alternative".

DEIS Section Review Comments

Should the Proposed Action be approved by the STB, the District expects it be done so by fully addressing the adverse environmental impacts to the District with applicable conditions and implemented by CN with specific mitigations. The following comments are in review of DEIS Chapters and Sections. Specific comments are referenced by Section and provided in relatively sequential order of Volume I & II and then refer to subsequent appendices and data analysis compiled within Volumes III, IV and V as applicable. A detailed review and comment on the DEIS, CN voluntary and SEA recommended mitigations are presented. Where mitigation measures fall short of District expectations, additional mitigations are proposed in these comments as conditions to be incorporated in the Final EIS ("FEIS") in order to adequately address potential adverse impacts to District preserves as an attempt to make the District whole. For clarity, all direct DEIS statements being commented on are provided in *"italic quotations"*.

Chapter I Purpose and Need for the Proposed Action

1.6 Scoping and Public Involvement

1.6.1-2 Agency Coordination

There is no mention of the Agency Stakeholder's Process, the list of Stakeholder's groups, record of meetings, and the associated work, except within Volume IV, Appendix A, A-IV.4 (Agency Stakeholder Meeting Invitation and applicable agenda during the Scoping process). The District was actively engaged in the "Illinois Natural Resource and Waters Resource Agencies Stakeholder's" (INR&WRAS) and supports their review, analysis, comments, and proposed mitigations should be addressed in the FEIS. SEA held meetings on April 29, 2008 and September 2, 2008 and a subset of INR&WRAS agencies met independently September 17, 2008 and again on September

25 2008 with CN representatives. This effort focused on an assessment of the Scoping of the EIS and the DEIS. Specific review of these documents brought forth a collective comment from environmental professionals within the affected region that was germane to the potential adverse impacts of the Proposed Action with perspective of the regional natural and water resources of Illinois. This Stakeholder Process should be described and added to the FEIS.

CHAPTER II Proposed Action and Alternatives

2.1 Existing Rail Systems

2.1.2 CN Rail System

For future comment reference, Table 2-2 indicates an existing (2007) Freight Train Traffic on the CN Freeport Subdivision rail line extending from station Munger (near Powis Road) to "Broadview" is 3.0 trains per day. The Freight Train Traffic on the CN Freeport Subdivision rail line extending west of station Munger is not provided. This data is relevant as to the localized train traffic facilitated by the existing northeast quadrant connection between the EJ&E line and the Freeport Subdivision rail line and should be reflected in the FEIS as important baseline data.

2.1.3 EJ&E Rail System

For future comment reference, Table 2-5 indicates an existing (2007) Freight Train Traffic on the EJ&E rail line within station to station segments and existing number of trains per day are reviewed. A subset of these data is depicted below as it relates to corresponding District preserves affected along those segments as follows:

Rail Segment	Existing Trains	Affected District Preserves
Spaulding to Munger	@ 5.5 trains/day	James "Pate" Phillip Sate Park Pratt's Wayne Woods Preserve
Munger to West Chicago	@ 4.4 trains/day	Pratt's Wayne Woods Preserve West Chicago Prairie Preserve Truitt-Hoff State Nature Preserve
West Chicago to East Siding	@ 10.7 trains/day	Roy C. Blackwell Preserve Night Heron Marsh Preserve
East Siding to Walker	@ 15.7 trains/day	Night Heron Marsh Preserve

2.2 Proposed Action

For future comment references:

"Under the Proposed Action, the Applicants would shift the majority of its rail traffic from CN's five subdivisions in Chicago onto the EJ&E rail line." The District finds that the majority of this shift in rail traffic occurs from only CN's three of five subdivisions. No appreciable shift in rail traffic are realized by CN's Freeport (- 1.7 trains per day) and

Joliet (+ 0.2 trains per day) subdivision rail lines within the affected jurisdiction of District preserves.

"The Applicants would also connect the five CN subdivisions that now converge in Chicago, improve existing connections, and add capacity to the EJ&E rail line." The District finds that only four CN subdivision rail lines are not connected to the EJ&E rail line. The northeast quadrant at the Munger Connection facilitates the CN Freeport Subdivision rail line connection to the EJ&E rail line and affords present ability of adding capacity to the EJ&E rail line.

"The Applicants propose to invest approximately \$100 million in capital improvements, including construction activities related to operational efficiency at six locations and installing 19 miles of double track." The Proposed Action does not show the investment allocated by CN toward individual capital improvements. As such, the valuation of CN's proportional construction investment attributable to the "Munger Connection" at Pratt's Wayne Woods Preserve and the "East Siding Double Tracking" at Night Heron Marsh Preserve is unknown. These CN construction investment valuations are important for analysis by the District in order to properly assess the proportional ratios of District environmental costs and damages from direct, indirect, and/or cumulative adverse impacts that should be mitigated. These details should be addressed in this section of the FEIS.

"The Applicants do not anticipate abandoning any rail lines as part of the Proposed Action." The District views this statement as clear future business potential and unregulated opportunity for CN to recapture and expand train traffic utility and freight capacity that is claimed to be gained by three year reductions attributable to the Proposed Action on the Freeport Subdivision. Likewise, unregulated train traffic utility and freight capacity could be added to the Joliet Subdivision rail line.

"Construction activities that are designed to improve operational efficiency do not require prior Board approval unless the construction would enable the railroad to penetrate or invade a new market." This statement emphasizes the point and grave concern by the District that if the Proposed Action is approved and implemented by CN, further improvements on the EJ&E rail line as well as the five existing CN subdivision rail lines would no longer require regulated oversight or approval by the STB. As such, this factor alone can result in future damages and harm to District resources with no recourse for evaluating environmental consequences and mitigation from these future track improvements and modified rail operation.

An example of this would be if 36 miles of EJ&E rail line between Hoffman Estates and Joliet were to be improved as double tracked for purposes of the proposed Metra Suburban Transit Access Route ("STAR") Line (2.1.4.2). This Passenger and Commuter Rail System improvement and rail operation scenario would cause District preserve impacts that would far exceed those being evaluated within this Proposed Action. Such impacts would receive no regulatory authority by STB and no recourse for

the District to seek mitigated damages as conditions of the improvements. Subsequently, this Proposed Action, being evaluated for impacts within a three to five year planning horizon, has real environmental consequences for the District well beyond this planning horizon once CN has controlling ownership of the EJ&E rail line.

2.2.1 Proposed Changes in Rail Line Operations

2.2.1.1 Proposed Changes in Traffic Volume

For future comment references, the following statements are reviewed from the perspective impacts to the District:

The following statement is made, *"...the Applicants anticipate that the number of trains on most of the CN's rail lines inside the EJ&E arc would decrease as the number of trains on the EJ&E rail line increases, potentially benefitting Chicago by reducing freight train congestion within the Chicago Terminal District (Applicant 2007a)."* The District's preserve resources along two (2) of CN's existing subdivision lines within the EJ&E arc, do not realize a significant decrease in rail traffic. The CN Freeport Subdivision line bisecting Pratt's Wayne Woods Preserve east of the EJ&E realizes a projected decrease of (1.3) trains per day. The CN Joliet Subdivision rail line bisecting Waterfall Glen Preserve east of the EJ&E realizes a projected increase of 0.2 trains per day. As such, District preserve resources that lie east of the EJ&E arc on CN subdivision rail lines are not substantially benefited by the Proposed Action resulting in a combined projected total net decrease of 1.1 trains per day under the Proposed Action.

"In general, traffic on the EJ&E rail line would increase by approximately 15 freight trains per day from Leithton (near Mundelein, Illinois) to West Chicago and by an average of 15 to 24 trains per day from West Chicago to Gary. The Applicants anticipate changes in routing and traffic to be implemented over a period of three years should the Proposed Action be approved and implemented." The affected District preserves will experience rail traffic at the higher average for the West Chicago to Gary rail segment and above the average for the Leithton to West Chicago rail segment.

"The Applicants state that re-routing CN trains onto the EJ&E rail line would free up capacity on CN's...Freeport, Joliet, ...subdivisions inside the EJ&E arc..." Again, the District views this statement as clear indication of CN's future business potential and unregulated opportunity for CN to recapture and expand train traffic utility and freight capacity that is claimed to be gained by three year reductions attributable to the Proposed Action on the Freeport Subdivision. Likewise, unregulated train traffic utility and freight capacity could be added to the Joliet Subdivision rail line.

Figure 2.2-1 Proposed Changes to Rail Traffic Volumes, Table 2-7 Proposed Changes in Train Traffic Volume of the EJ&E Rail Line and Table 2-8 Proposed Change in Train Traffic Volume on CN Rail Lines are reviewed. The Applicant's data of train traffic on the Freeport subdivision CN rail line and EJ&E rail line examining station to station segments, the existing number of trains per day, anticipated change, and projected total

is reviewed. A subset of these data is depicted below as related to a District calculated percentage change with corresponding District preserves affected within those segments as follows:

Rail Segment	Existing Trains	Anticipated Change	Projected Total	+/- Change	Affected District Preserves
Spaulding to Munger	5.5	17.0	22.5	309 %	James "Pate" Phillip State Park Pratt's Wayne Woods Preserve
Munger to West Chicago	4.4	19.0	23.4	432 %	Pratt's Wayne Woods Preserve West Chicago Prairie Preserve
West Chicago to East Siding	10.7	20.9	31.6	432 %	Truitt-Hoff State Nature Preserve Roy C. Blackwell Preserve
East Siding to Walker	15.7	23.8	39.5	195 %	Night Heron Marsh Preserve
(CN) Munger to Broadview	3.0	(1.3)	1.7	152 %	Night Heron Marsh Preserve
(CN) Rockford to Munger	3.0	2.0 *	5.0	(43 %)	Pratt's Wayne Woods Preserve
(CN) Joliet to Argo	1.8	0.2	2.0	66 %	Pratt's Wayne Woods Preserve
				11 %	Waterfall Glen Preserve

Freight train traffic on the CN Freeport Subdivision rail line extending west of station Munger is not provided within Figure 2.2-1 and Table 2-8. These data* were found in the text of Section 4.1.3.2 and are relevant to these tables in order evaluate projected train traffic scenarios under numerous Munger Connection Alternatives in relationship to the localized baseline train traffic currently facilitated by the existing northeast quadrant connection between the EJ&E line and the Freeport Subdivision rail line and should be reflected accordingly in the FEIS.

2.2.2 Proposed New Construction

CN proposes approximately \$100 million in capital improvements. Again, the Proposed Action does not show the investment of by CN allocated toward individual capital improvements. As such, the valuation of CN's proportional construction investment attributable to the "Munger Connection" at Pratt's Wayne Woods Preserve and the "East Siding Double Tracking" at Night Heron Marsh Preserve is unknown. These CN construction investment valuations are important for analysis by the District in order to properly assess the proportional ratios of District environmental costs and damages from direct, indirect, and/or cumulative adverse impacts that should be mitigated. These details should be addressed in this section of the FEIS.

Global comments regarding all Proposed New Construction covered in DuPage County:

2.2.2.1 - Rail Connections (Munger Connection @ Pratt's Wayne Woods Preserve)

2.2.2.2 - Double Track (East Siding Double Tracking @ Night Heron Marsh Preserve)

"To assess potential environmental effects of the connections and their alternatives, SEA relied on the Applicants' preliminary plans and on a reasonable estimate of the potential area of ground disturbance (this area is labeled in Section 2.4. Rail Connection Alternatives, below). The construction limits are approximate; if the Proposed Action is approved and implemented, The Applicants may revise the construction limits after they have finalized the design of the proposed connections and completed any necessary

land acquisition." (Note this statement is generally the same in both Sections 2.2.2.1 and 2.2.2.2)

The District finds that the Applicants' preliminary plans and estimates of the potential area of ground disturbance are **not** reasonable to properly assess environmental impacts at the Munger Connection and East Siding Connection. No reasonable detail is shown within the DEIS when the approximate construction limits are depicted at gross 500' to 4,000' scale imagery overlays within applicable Figure 2.2-5 reviewing the Proposed Double Track – East Siding Connection found in Section 2.2.2.2 and Figures 2.4-2, 2.4-4, 2.4-5 and 2.4-6 reviewing the various Munger Alternatives found within Section 2.4.

There are two reasonably detailed figures developed by SEA and sent to CN by accompanied memo dated April 8, 2008 requesting CN to review the accuracy of the construction concepts. SEA's purpose was to, *"use the figures to assist us [SEA] in assessing the potential environmental impacts that may result from the construction proposed by CN as part of the proposed acquisition of the EJ&E, and to provide the public with a clear understanding of the physical 'footprint' proposed by CN for the new rail connection."* Figure 2.4-1 – Typical Cross Section for Areas with New Connections and Figure 2.4-3 - Cross Section of the Proposed Munger Connection, both offer typical cross section examples, but do not provided an understanding of how the connection changes at various intervals of grade separation throughout the proposed connections adjusting for radius of curvature as will be the case at the Munger Connection and the north East Siding Connection. These two detailed figures represent the only reasonable scale of the development and are "typical" rather than actual site development drawings. These two figure drawings fall woefully short of District expectations in providing a clear understanding of the physical footprint proposed by CN for the new rail connection and must be rectified within the FEIS.

Some of these construction footprints mentioned above are viewed by the District to have direct impact to District lands which is makes them unreasonable to consider (see previous: "Reiteration of Statement Regarding Proposed Divesting of District Resources").

Attempts by the District seeking further detail resulted in information from SEA, and third party contractor HDR Engineering, that no further details were available. Preliminary permit applications originally made to the Army Corps of Engineers (ACOE) for the Munger Connection were withdrawn by CN and no preliminary permit application is on file with DuPage County to obtain such details (INR&WRS meeting September 2, 2008).

Furthermore, CN has additionally requested the District to explore any mechanism for a land transfer to CN for the needed Munger Connection through third party governmental entities, requested the District to explore feasibility for the District to grant a temporary construction easement for the Munger Connection, and requested the District explore construction access and staging area on District land to affect the construction at the

Munger Connection. Although quite logical requests, they appear quite premature given the DEIS status of the Munger Alternatives analysis. Moreover, none of these recent CN requests are examined as additional impacts either individually or collectively. The notation box contained within 2.2.2.1 states, *"What are Construction limits? Construction limits are the physical disturbance due to construction and construction related activities."* The Construction limits provided within the DEIS by applicable figures address no such 'construction related activities'. A more comprehensive assessment of all environmental adverse impacts to District affected resources with clear illustrations of all footprints should be completed and disclosed appropriately in the FEIS.

Based on the present insufficient detail within the DEIS, current CN proposed impacts not covered and assessed within the DEIS, limited District technical resources and limited time frame allowed within this 60-day review period for the District to review the DEIS; the District finds the tasks to conduct an "exhaustive analysis" of potential adverse impacts regarding five alternatives for the Munger Connection to be an unreasonable burden. Furthermore, this burden should lie squarely and appropriately upon the Applicant to provide preliminary plan sets for the District's review, comment, and comprehensive assessment of impacts in which SEA, as well as the District can properly explore opportunities to avoid, minimize, and/or propose equitable environmental mitigation strategies.

The District asks SEA to require CN to provide to the District, DuPage County, and ACOE with a detailed preliminary plan set that should include, but is not limited to, the following:

- 1) A preliminary design engineering plan of the preferred Munger Connection Alternative and East Siding Double Tracking projects that depicts all construction limit footprints 1" = 100' and plan view developments at a minimum of 1" = 50' scale with an appropriate set-back for the planned development.

[In Appendix Q, Attachment Q6 – Additional Information Requests: CN responded to SEA's March 18, 2008 request for a revised radius design of the Munger Connection avoiding District lands. CN responded in a March 21, 2008 memo with an attached pdf. One can see that this pdf at 100' scale imagery and line drawing overlay is quite helpful and could be used to accurately show the full anticipated "construction footprint". The minimal scale to address detailed site issues at reasonable detail should begin at 1" = 50' scale, even if a two page match line format was necessary. Such scale improvements for depicting plan views of the development and other preliminary plan set detail is considered more appropriate for review and assessment.]

- 2) Vertical and horizontal cross sections that depict reasonable intervals of grade separation elevations, referenced track improvements, other development elements and necessary fill materials. These plans should provide applicable distances adjusting for the radius of curvature and elevations throughout the proposed connections from the EJ&E to the Freeport Subdivision line connection and the East Siding Double Track connection adjacent to Night Heron Marsh Preserve.

- 3) Proposed excavation depth and extent for development of base and sub-base materials to support the improvements should be provided.
- 4) A conceptual design plan of sufficient detailed engineering should depict the proposed number, size, type, and location of hydraulic connections (culverts) that are described as necessary within proposed constructed embankments assessed in Section 4.12.3.2 in order to properly assess adjoining District resources for impacts.
- 5) The standardized Water Resource Analysis performed and exhibited within Appendix N: Attachment N1 - Technical Memo on Hydraulic Impacts on Culverts, Attachment N2 - Technical Memo on CN Hydraulic Analysis, and Attachment N3: Table 4.12-3 - Changes in Drainage Areas from Proposed Connections and Table 4.12-4 - Estimated Hydraulic Structure Required To Maintain Existing Hydrologic Conditions.
- 6) A copy of Section 4.11 - Biological Resources and 4.12 - Water Resources inclusive with appendices M - Biological Resources Analysis and O - Cultural Resources Survey addressing field reviews and observations, vegetation sampling or other more reasonably accurate data sets, wetland data and potential wetland effects, and all mapping imagery with existing drainages and potential drainage disconnection assessments.

There are outstanding District concerns with, and voids identified within, the analysis and assessments of how such construction developments could be achieved without significant environmental impacts. Construction developments have direct wetland impacts and the Munger Connection feasibility is specifically exacerbated by the dynamic hydraulic and hydrologic conditions driven by Brewster Creek and its associated floodplain and wetland environs.

The District advises that the aforementioned analysis performed in #5 and #6 above, should be evaluated under an analysis framework applicable to the DuPage Countywide Stormwater and Floodplain Ordinance which is more stringent regarding wetland, floodplain, and stormwater compliance standards than that of ACOE permits under Section 401, 402, and 404 of the Clean Water Act as amended.

A Preliminary Permit Application consultation with DuPage County is highly advised in order to accurately assess the preliminary design for stormwater compliance and to assess potential impacts to special management areas, water quality, wetland and vegetative habitat functions, and associated wildlife. The District requests that SEA require of CN the aforementioned consultation in order to properly assess project feasibility, assess adverse environmental impacts to the District and others, and subsequently determine appropriate environmental mitigation. The analysis and assessment within the DEIS for the preferred alternative is inadequate to reach solid

findings and recommendations. An assessment and findings from SEA, based on appropriate local agency consultation, should be conducted and incorporated into the FEIS.

The District asks SEA to define within the FEIS the parameters by which CN could invoke revisions to the construction limits of a project should the Proposed Action become approved and implemented by CN as well.

2.4 Rail Connection Alternatives

2.4.1 Munger, Illinois

2.4.1.1 No-Build at Munger

The EJ&E tracks are already facilitated by an existing connection between the Freeport Subdivision rail line and the EJ&E rail line located within the northeast quadrant of this intersection. The District views the No-Build Munger Alternative as the least damaging to natural and water resource within Pratt's Wayne Woods, affords the lowest risk for major accidents and potential hazardous material releases, and provides the greatest protection of safety for preserve users.

No direct impact to any additional land resources owned by the District or others would appear necessary. Surrounding wetlands, floodplains, and Brewster Creek would have no direct or indirect impact stemming from a development footprint due to the eliminated construction activities.

The operational plan for trains using this connection would require the use of a "three point turn" concept to shift freight to and from the EJ&E and Freeport Subdivision rail lines. This maneuver would result in slower speeds and stops increasing safety to preserve users and reducing collision frequency with most wildlife species that are reasonably mobile. The slower train speeds would also result in less noise and vibration generated at lower decibel levels (magnitude of disturbance). This would extend the noise duration (slower train speed), but at a lower magnitude and vibration disturbance when compared to the other Munger Alternatives. Less noise magnitude would decrease the distance of disturbance penetration into preserve environments toward both public receptors and sensitive wildlife species. These points should be recognized in the FEIS.

The District is also cognizant of the surrounding community concerns and recognizes that this same "three point turn" maneuver will likely cause increased train compression schedules up line and down line on the rails and could likely lead to increased duration of train delays over roads at grade crossings along the EJ&E and Freeport Subdivision rail lines. The DEIS points out that the delay impacts caused by an east bound train on the Freeport Subdivision rail line once stopped for the reversing connection, would block Munger Rd. and Route 59 to the east. Upon reversing through the connection onto the

north EJ&E it would block Stearns Rd. and potentially West Bartlett Rd. when stopped to clear the switch. Upon switching the rail line the train could move southbound.

These road blockages are anticipated using train lengths of 8,000 feet. This would believe one to conclude that certain decreases in overall efficiencies of CN rail traffic on the EJ&E and would further exacerbate the delays of vehicle and pedestrian traffic at roadway at grade crossings. The DEIS in Table 2-10 states that the No-Action [should read No-Build] at Munger would have no affect on freight rail operations. However, if impacts were found, it is also rational that the **one to two trains per day** projected by CN (Section 4.1.3.2) as requiring this rail transfer connection could be scheduled at such times during late evenings / early mornings when direct impacts to vehicle and pedestrian crossings use were at a minimum.

It is difficult for the District to comprehend the additional cost to benefit ratio of other Munger Alternatives when taking into account the markedly increased environmental costs to the District. The DEIS find no affects or adverse impact within any of the metrics examined and depicted in Table 2-10 - Summary of Potential Environmental Impacts – “No-Build Munger Alternative” as compared to varied impacts for all other Munger Alternatives.

Finally, the increased risk and impacts to biological and water resources with the build Munger Alternatives are not only within the immediate vicinity. Downstream of this site is Pickerel Lake, the primary recreational fishing lake at Pratt's Wayne, containing a breeding population of a State listed fish within a healthy aquatic community enjoyed by preserve users. This lake flows into a large critical habitat for numerous State Listed species of plants and animals called Brewster Marsh. Beyond Brewster Marsh, Brewster creek continues to flow through a variety of rich resource areas not owned by the District and discharges into the Fox River.

Potential contamination of this entire surface water resource drainage should be recognized for a rigorous risk management assessment when scenarios for potential remediation costs are fully evaluated. This risk scenario should be evaluated in light of a significant hazardous material release, prolonged emergency response time and aggravated accessibility into extensive natural area wetlands and associated rich resources expanding downstream. These considerations are dramatically compounded in cost : benefit analysis when the No-build Munger Alternative offers an existing rail connection to the northeast, is appropriately protected by existing rail embankment from such extensive environmental exposures, and could safely facilitate the rail transfer maneuvers for the projected two additional trains per day (Section 4.1.3.2) sought by CN.

2.4.1.2 Applicant's Proposed Munger Connection

CN proposes to construct a 2,020' connection in the southwest quadrant of the existing grade separated crossing between CN's Freeport Subdivision rail line and the EJ&E's

Western Subdivision rail line. This Munger connection was revised by CN from the Original Munger Connection having a tightened radius to avoid direct land impacts to the District preserve and to accomplish the connection solely on R.O.W. lands owned by the EJ&E and Commonwealth Edison Company (ComEd).

In Appendix Q, Attachment Q6 – Additional Information Requests: CN responded to SEA's March 18, 2008 request for a revised radius design of the Munger Connection avoiding District land. CN responded in a March 21, 2008 memo with an attached pdf. Using this pdf image, one can see that the CN revision calls for several retaining walls to be built to accomplish grade controls. One control is a 70' retaining "wing wall" that is located at the northeast corner of the preserve for final grade separation from the preserve land. One wing is on the adjoining ComEd land to the east and a second wing is on the EJ&E land to the north. The second retaining wall is 400' and used to accomplish the major length of grade separation for the new connective track. The new track is approximately 1,707' long having a radius of curvature of 11° – 30' passing through ComEd land, limiting train speed to approximately 10 mph from an estimated EJ&E straight track speed of 25mph according to the DEIS.

According to DEIS, Table 2-10 - Summary of Potential Environmental Impacts – Munger Connection, this "Applicant Proposed Munger Alternative" (Revised):

- 1) Would have minor effects on rail operations and train speeds.
- 2) Would affect the proposed greenway adjacent to the EJ&E line.
- 3) Would not affect local parks or Land and Water Conservation properties. *a
- 4) Would induce temporary construction effect, but would not affect travel patterns long term.
- 5) Would be within a 1.5 mile radius of three schools and parks.
- 6) Would induce temporary construction effects on public services.
- 7) Would not affect any noise sensitive receptors inside the 65 dBA Lnd contour along the EJ&E and CN rail lines. *b
- 8) Would impact railroad embankment and 0.7 acres of Powis Marsh.
- 9) Would result in increased noise and indirect loss of habitat, potentially decreasing the breeding activity of marsh birds (which the District finds to be federally protected species).
- 10) Would affect Pratt's Wayne Woods Forest Preserve.
- 11) Would have no effect on Federally-Listed T & E Species. *c
- 12) Would have minor effects on marsh and wetland reptile species. *d
- 13) Would not affect ground water if permitting for construction dewatering is in place, and if hazardous material spills are contained. *e
- 14) Would not affect floodplain and streams if the Applicant properly analyzes, designs, and permit culvert and bridge structures. *f
- 15) Would not affect surface water quality, if the Applicants obtain the proper permits and use Best Management Practices (BMP's). *g
- 16) Would directly impact 2.48 acres of wetland. *h

The District presents a modification of findings for each of the statements that are given an asterisk *(letter). These modifications are provided below:

- *a) As provided in District comments for the EIS Scoping review and documented within DEIS, Section 3.5.5.10 Land and Water Conservation Fund Properties, Table 3.5-11 lists the portion of Pratt's Wayne Woods Preserve east and west of the EJ&E rail line in Bartlett as Land and Water Conservation Fund Properties. An error in the sectioning of the Table placed the subject property in Cook County rather than DuPage County and may have contributed to this Table error. The land which comprises the Munger Connection was purchased in 1969 using grant money from the U.S. Housing and Urban Development Grant Contract No. ILL OSA-76 (G). The FEIS should correct these errors in both tables.
- *b) The District notes that at this Munger Alternative train noise projections extend the 65 dBA Lnd contour beyond the existing background level and directly affects public preserve users (receptors) at the public parking lot east of the Munger Connection and portions of the permitted Dog Exercise area.
- *c) Previous USFWS consultations for Federally-Listed Threatened and Endangered Species involving wetland communities comprised of organically rich hydric soils such as at the Munger Connection have required more extensive reviews and field surveys during bloom stages of the eastern prairie fringed orchid to document presence / absence.
- *d) The District disagrees with the assessment that the development would have minor effects on marsh and wetland reptile species. District telemetry studies have shown documented movement of State listed Blanding's Turtle within Pratt's Wayne Woods along rail lines of both the EJ&E and Freeport Subdivision. Potential rail impacts to turtles is well documented in the literature where individuals are attracted to the aggregate base materials along rail lines for egg laying and during seasonal movements, individuals may become trapped between rails and exposed to desiccation.
- *e) The District disagrees that ground water would not be affected due to permitted dewatering practices and if hazardous materials are contained. Numerous examples can be given through the IEPA NPDES permits where hazardous materials have been released under permitted construction activities. Moreover, the hazardous materials release emergency plan depends on rapid detection, rapid response, and rapid containment and clean-up programs. The wetland and water resources (Brewster Creek) and surficial geology of shallow sands and gravels at this site will cause rapid movement through subsurface and surface flows where the potential for contamination is high (Figure 3.12-9 and Figure 3.12-10). The plans for this construction development should incorporate depressional swales beginning at the "wing wall" and extending west and south towards two separate packed clay earthen containment design to capture and

hold any hazardous material releases for clean-up. CN has indicated that such is not being considered as part of the design plans for the Munger Connection. These containments are consistent with DEIS findings and should become an environmental mitigation in the FEIS.

- *f) The District disagrees that the constructed connection would not affect floodplain and streams if the Applicant properly analyzes, designs, and permit culvert and bridge structures. Appropriate hydraulic assessment for culvert /bridge design alone does not insure stream and floodplain hydraulic and hydrologic sustainability for dynamic stream aquatic biology and floodplain habitat communities and associated functions.
- *g) The District disagrees that the developed connection would not affect surface water quality, if the Applicants obtain the proper permits and use Best Management Practices (BMP's). Only specific designs of BMP's and State of the Science Technologies could minimize the potential effects to surface water quality of Brewster Creek.
- *h) The District assessment of the total construction activity for the Munger Connection would likely exceed the direct impact of 2.48 acres of wetland once the project is evaluated under the DuPage Countywide Stormwater and Floodplain Ordinance.

2.4.1.3 Munger Alternative – Original Proposal

This Alternative is rejected by the District for previous reasons stated in the Scoping of the EIS and again in reiteration of DEIS comments that no preserve land can be divested from the District.

2.4.1.4 Munger Alternative – UP Connection

The District request language changes in the FEIS for this text to accurately reflect that SEA proposed this Alternative for assessment and analysis, not the District and that such a change in the FEIS would be consistent with the response letter from SEA sent to the District on September 19, 2008 confirming this correction.

If this alternative is determined to be non-viable as is suggested in Section 5.4.3 Projects Not Carried Forward for Cumulative Effects Analysis, SEA should clarify that assessment in the FEIS as a non-viable alternative.

The resources of Dunham Preserve have not been adequately assessed for direct, indirect and cumulative adverse impacts. As a recent acquisition, the District has recently approved a resource based Master Plan for Dunham Preserve which is not evaluated within this DEIS. This Master Plan demonstrates that the planning horizon for the District is generational in order to realize the recuperative potential of restored Norton Creek, the associated rich and extensive sedge meadow wetlands about its

floodplains, the extensive transition from wet meadows to short grassland rising with elevation from the creek valley and the emerging oak savanna on top of the hillsides. This future landscape will facilitate quality habitat to conservative fish, mussels, invertebrates, mammals and bird species and be enjoyed by preserve users within its trail system, interpretive nodes and observation areas. This plan should be evaluated within the FEIS.

The District has concerns as to the potential hazardous material releases that could expand rapidly through the surficial geology of sands and gravels (Figure 3.12-9 and Figure 3.12-10) and by direct surface waters of Norton Creek tributary towards the Fox River. The fate and transport of certain hazardous material would be rapid and contamination of expanding resources down gradient and downstream to other rich resources would be high and should be reflected in the FEIS.

This Alternative resolves no other resource concerns for the District than other build Alternatives. In addition this Alternative is compounded by additional community impacts to residences of Wayne from noise, decreased public safety due to increased train speeds and greater public exposure, greater potential for wildlife collisions due to greater frequency of trains and higher train speeds, and additional impacts to farmland resources due to construction footprints and connections. These adverse environmental concerns, potential consequences and unresolved assessment and analysis issues overwhelmingly demonstrate environmental costs as opposed the benefits of the No-Build Munger Alternative and should be reflected as such in the FEIS.

2.4.1.5 Munger Alternative – Former Rail Corridor

The District concurs with SEA's assessment that this Alternative is not considered as a reasonable alternative. This Alternative is rejected by the District for previous reasons stated in the Scoping of the EIS and again in reiteration of DEIS comments that no preserve land can be divested from the District.

2.4.1.6 Munger Alternative – Northwest Quadrant

This Alternative is rejected by the District for previous reasons stated in the Scoping of the EIS and again in reiteration of DEIS comments that no preserve land can be divested from the District.

2.7 Comparative Impacts of the Proposed Action Alternatives

The DEIS evaluates three alternatives which are 1) approval of the Proposed Action, 2) No-Action Alternative, and 3) approval of the Proposed Action with conditions, including environmental Conditions. Table 2-9 - Summary of Potential Environmental Impacts Due to Changes in Rail Operations provides a comparison between the No-Action

Alternative and Proposed Action. The District forms its basis for objection to the Proposed Action from this comparison of impacts.

Findings by SEA indicate the Proposed Action:

- 1) Would cause an increase in the likelihood of releases of hazardous materials along the EJ&E. The District disagrees with the finding that the likelihood of a release would remain remote due to the substantial increase in the number of trains, train length (number of cars carrying hazardous materials) and technology to carry greater loads per car. All of these factors lead toward a greater likelihood of a hazardous material release over the No-Action Alternative.
- 2) The Proposed Action would potentially increase the risk at pedestrian crossings on the EJ&E rail line. It follows that the same potential increase in risk would occur for pedestrians at no approved crossings within preserve landscapes. Increased train frequency and train speeds contribute to this increased potential risk. The No-Action Alternative would not affect pedestrian and bicyclist safety.
- 3) Under the Proposed Action, emergency response times for medical and police services for the preserve user public are likely to be diminished in preserve areas with proximity to the EJ&E. The No-Action Alternative would not affect these emergency services.
- 4) The Proposed Action would contribute to proximity effects on public lands. The District finds that a negative effect would likely occur to the administration, management and implementation of the prescribed burn program due to rail / highway at grade crossing blockages and train staging blockages along track increments of available length, fragmenting access / egress over large preserve landscapes such as in Pratt's Wayne Woods Preserve. No such impacts would result from the No-Action Alternative. The program management effects described here should be addressed in the FEIS.
- 5) The Proposed Action has the potential to negatively affect preserve users, planned programs, and educational offerings due to increased noise levels and at pedestrian / rail at grade crossings. The No-Action Alternative would have no effects.
- 6) The District disagrees with the finding under comparison concerning Biological Resources that the Proposed Action would not affect plant communities, not affect wildlife, and not affect conservation and natural areas. The District finds that an increase in invasive plants is likely from an increased number of vectors (train car containers) potentially carrying invasive species from continental and cross-continental sources. A greater frequency of trains will likely result in an increase in wildlife collisions causing injury and death. An Increased frequency, magnitude and duration of noise disturbance, at much lower decibel levels than

what was assessed to impact human receptors, are likely to negatively affect wildlife species. Marsh and wetland protected waterfowl and other migratory species having sensitive threshold to noise at ranges between 40dBA – 50dBA Lnd will be affected at further penetration into the preserve (1,500 meters) than SEA has projected. The No-Action Alternative has no such affects.

- 7) The District concurs with the findings that under the Proposed Action certain State listed species along the EJ&E may have individual effects due to train collisions or increased noise. The District notes that these DEIS finding support the District finding in #7 above and dispute the DEIS findings in #7 as well. The No-Action Alternative would not change effects.
- 8) The District concurs with finding of the DEIS that under the Proposed Action that groundwater could be affected where there is a risk of hazardous material spills during normal operation of the existing EJ&E line.
- 9) The District disagrees with an assessment of Water Resources where DEIS finds no affect on floodplains and streams, no affect to wetlands, and no effect to drainage patterns would result from the Proposed Action. The comparative analysis of the Munger Alternatives of the Proposed Action resulting in negative affects to Water Resources has been covered extensively.

The District finds errors and has numerous disagreements with the DEIS finding within Table 2-10 Summary of Potential Environmental Impacts Munger Connection. One specific error example within this table is how within the Resource Category - Wildlife, the Proposed Munger Connection with a revised decreased impact on the Powis Marsh has findings of impacts of increased noise and indirect loss of habitat utility for breeding birds whereas the Original Munger Proposal, having a greater direct impact to that same Powis Marsh, has a finding listed as No effect. This clearly demonstrates the inconsistencies, and error within this table that must be carefully reviewed and corrected within the FEIS.

Most of these impact assessments were reviewed and errors addressed in the previous global comments concerning the Munger Connection and the individual comments concerning each of the Munger Alternatives. More detailed comments and references supporting the District's disagreements will be addressed in later section comments more attributable to review of the specific DEIS analysis.

Table 2-16. Summary of Potential Environmental Impacts – Double Tracking

The District has concerns regarding potential environmental impacts to the Nigh Heron Marsh Preserve adjacent to the northern part of the East Siding Double Tracking connection on both the north and south side of Liberty St. near Eola Rd. Table 2-16

findings and District comments are provided below concerning this assessment of environmental impacts:

- 1) The District finds that a designed and constructed train staging area of over 8,200' will result in greater storage and duration of hazardous materials which could be potentially released into the drainage and wetlands of Night Heron Marsh upstream of an INAI site #1470 unlisted in the DEIS inventory and should be corrected in the FEIS.
- 2) The District agrees with the DEOIS finding that construction of the connection and double track construction would cause proximity impacts to the preserve.
- 3) The District agrees with DEIS findings that affects to Biological Resources assessed indicate findings of affected vegetation as immature forest and woody growth areas along existing embankments. The District also finds that an increase in invasive plants is likely from an increased number of vectors (train car containers) potentially carrying invasive species from continental and cross-continental sources.
- 4) The District points out a conflicting find of no effect to wildlife which is then refuted by a finding of potential effects on prairie plants and marsh bird species (the District finds marsh bird species to include federally protected species). The District finds that increased train frequency and speed will cause increased wildlife impacts causing injury and mortality to potentially all federally protected species and State listed and non-listed wildlife species found within the preserve.
- 5) The District finds an increased frequency, magnitude and duration of noise from trains causing a disturbance penetration into preserve Biological Resources at much lower decibel levels than human receptors were assessed. This disturbance is likely to negatively affect wildlife species, particularly marsh and wetland protected waterfowl and migratory species having sensitive threshold ranges between ~40dBA – 50dBA Lnd at greater distances throughout preserve resources (See Comments in Section 4.11).
- 6) Affects to Water Resources assessed indicate findings of no affect to ground water if permitting for construction dewatering is in place, and if hazardous materials spills are contained. The District finds that numerous examples can be given through the IEPA NPDES permits where hazardous materials have been released under permitted construction activities. Moreover, the hazardous materials release emergency plan depends on rapid detection, rapid response, and rapid containment and clean-up programs. The wetland and water resources Night Heron Marsh and the connected INAI site down drainage and the surficial geology of shallow sands and gravels at this site will cause rapid movement through subsurface (Figure 3.12-9 and Figure 3.12-10) and surface flows where the potential for contamination is high. The plans for this

construction development should incorporate depressional swales into packed clay earthen containments design to capture and hold any hazardous material releases for clean-up. An environmental mitigation for said earthen containment should be incorporated in the FEIS.

- 7) The DEIS finds no effect to floodplains and streams if Applicants properly analyze, design, and permit culvert and bridge structures. The District disagrees that the constructed connection would not affect floodplain and streams if the Applicant properly analyzes, designs, and permit culvert and bridge structures. Appropriate hydraulic assessment for culvert /bridge design alone does not insure drainages and floodplain hydraulic and hydrologic sustainability for dynamic stream aquatic biology and floodplain habitat communities and associated functions.
- 8) The DEIS finds no effect to surface water quality if the Applicants obtain the proper permits and use BMP's. The District disagrees that the developed connection would not affect surface water quality, if the Applicants obtain the proper permits and use Best Management Practices (BMP's). Only specific designs of BMP's and State of the Science Technologies could minimize the potential affects to surface water quality.
- 9) The DEIS finds that 1.92 acres of wetlands would be affected. The District assessment of the total construction activity for the East Siding Double Track connection in proximity to Night Heron Marsh Preserve would likely exceed the direct impact of 1.92 acres of wetland once the project is evaluated under the DuPage Countywide Stormwater and Floodplain Ordinance.

CHAPTER III Affected Environment

Section 3.1.2.7 indicate train length vary considerably between 2,600' to 8,000'. Train Staging locations assessed in Table 3.1-2 indicate staging along the EJ&E between West Chicago to Smith Rd. @ 13,800 affecting the West Chicago Prairie Preserve, Truitt-Hoff State Nature Preserve, and the southern end of Pratt's Wayne Woods Preserve. Staging along the EJ&E between West Bartlett Rd. and Stearns Rd. @ 6,200' would affect the James "Pate" Phillip State Park and the north end of Pratt's Wayne Woods Preserve.

The District finds these staging areas to increase the duration of hazardous materials and an increase in the potential risk of releases in proximity to above identified preserves containing rich biological and water resources. Trains also will likely drip various maintenance and operational fluids considered hazardous material releases in higher concentrations while being staged. This specific increased risk is not found within the DEIS and should be addressed in the FEIS.

The District finds that the staging of trains increases the fragmentation of the preserve landscape over expansive areas impacting certain programs. A likely adverse impact resulting in an increase in the disruption to, and complications with, the administration, management and implementation of performing the District's prescribed burn management program on natural resource landscapes can result. These program impacts within preserves are caused by the frequency and duration of trains staging on the rail lines blocking long landscape areas required for addressing perimeter fire containment, smoke management, nimble emergency response, and crew safety deployments. Prescribed burn management is already a critical natural resource management tool that has numerous challenges and variables with which to contend and a very narrow seasonal window of opportunity in which to implement. This programmed management impact is not addressed in the DEIS and should be reflected in the FEIS.

3.2.1.3 Train Accidents

The EIS indicates within Table 3.2-3 National Railroad Accident Statistics that the 2003 through 2007 average reportable accident rate per million ton miles as compared to CN and the EJ&E. CN indicated an average accident rate of 4.2, indicating 0.3 accidents greater than the National statistics for all Class I railroads having a 3.9 average accident rate. The EJ&E had a five year average 8.2 accident rate, indicating 13.3 accidents above the national statistics for all Class II railroads having a 4.9 average accident rate. It should be noted that SEA calculated that under the Proposed Action, the total number of train accidents on the EJ&E line is likely to increase by 28% compared to the No-Action Alternative and that this increase was directly attributable to the increase in train-miles on the EJ&E rail line. Additionally under the Proposed Action, the SEA analysis predicted an increase from 1.57 annual highway / rail accidents to 6.04 annual highway / rail accidents on the EJ&E rail line with four EJ&E crossings having a high accident frequency of 1 in every 7 years.

3.2.3.1 Regulatory Background

The DEIS states that the Federal Railroad Authority (FRA) has regulatory and enforcement powers to ensure the safe movement of rail traffic. Standards require rail cars used for transportation of highly hazardous materials to be equipped with technologies as applicable such as thermal protection systems and head protection elements designed to limit puncturing. Effective June 1, 2008, the US DOT's Interim Final Rule on Enhancing Rail Transportation Safety and Security for Hazardous Materials Shipments took effect. As such, rules are intended to ensure that railroads use routes with the fewest overall safety and security risks to transport security sensitive hazardous materials.

3.2.3.2 Existing Hazardous Materials – Rail Traffic

As reference to further Comment: The DEIS indicates within Table 3.2-7 Hazardous Materials Transported on the EJ&E Rail Line Segments in 2006 as averaging between 21.1 to 43.4 car per day on rail segments adjacent to affected preserves. Table 3.2-8 Hazardous Materials Transported by CN on CN Rail Lines in the Study Area in 2006 indicates that the Broadview to Munger - Freeport Subdivision rail line had 61.1 cars per day comprising 4,981 tons per day of Hazardous materials passing through Pratt's Wayne Woods Preserve and the Argo to Lemont - Joliet Subdivision rail line had 71.9 cars per day comprised of 5,661 tons per day of hazardous materials passing through Waterfall Glen Preserve. SEA's analysis showed that the number of "key routes" or rail segments where the volume of hazardous materials transported would exceed 20,000 carloads annually would increase from 2 to 14 on the EJ&E rail line and that due to this increased volume, the expected percentage increase in reportable hazardous material releases would also increase. SEA goes on to state within the Executive Summary that the historical data maintained by FRA for annual hazardous materials release, the likelihood of a release of hazardous materials would still be remote, less than once every year. The District disagrees with SEA's assessment and provides the following:

District Affected Preserve Resource Risk Assessment

Based on data (Table 4.1-1) of existing and projected train traffic under the Proposed Action the following table was modified by the District to reflect the affected preserve resource at risk.

Rail Segment	Existing Trains	Anticipated Change	Projected Total	+/- Change	Affected District Preserves
Spaulding to Munger	5.5	17.0	22.5	309 %	James "Pate" Phillip State Park
				309 %	Pratt's Wayne Woods Preserve
Munger to West Chicago	4.4	19.0	23.4	432 %	Pratt's Wayne Woods Preserve
				432 %	West Chicago Prairie Preserve
				432 %	Truitt-Hoff State Nature Preserve
West Chicago to East Siding	10.7	20.9	31.6	195 %	Roy C. Blackwell Preserve
				195 %	Night Heron Marsh Preserve
East Siding to Walker	15.7	23.8	39.5	152 %	Night Heron Marsh Preserve
Munger to Broadview	3.0	(1.3)	1.7	(43 %)	Pratt's Wayne Woods Preserve
Joliet to Argo	1.8	0.2	2.0	11 %	Waterfall Glen Preserve

The observable change in train frequency on EJ&E rail line segments, affecting the listed preserve resources, will increase by between 152% and 432%. Additionally, staging areas near the same preserves will result in longer durations of hazardous materials cargo in proximity to those preserves. The volume of hazardous materials on transported segments expected to exceed 20,000 carloads annually would increase from 2 to 14 on the EJ&E rail line. Due to that increased volume, the expected percentage increase in reportable hazardous material releases is expected to increase within a range of 622% to 1185% (Table 4.2-20) in proximity to affected preserves as "Key Routes". When evaluated with accident history previously documented on the EJ&E and that SEA calculated that under the Proposed Action, the total number of train accidents on the EJ&E rail line is likely to increase by 28%. Additionally, SEA analysis predicted an increase from 1.57 annual highway / rail accidents to 6.04 annual highway

/ rail accidents on the EJ&E rail line with four EJ&E crossings having a high accident frequency of 1 in every 7 years.

When examining these factors and analysis together, it is extremely difficult to view the Proposed Action as a preferred route with the fewest overall safety and security risks to transport security sensitive hazardous materials under the FRA Interim final ruling. Additionally it is apparent that the frequency of hazardous materials releases could be higher than that assessed by the DEIS and reported that a significant release stemming from an accident is likely to occur at a rate of 1 in 20 years or that the "possibility of a hazardous materials release would remain remote" (Section 4.2.5.7). The aforementioned combined issues demonstrate that if this Proposed Action is to be approved by the STB, these data, analysis and collective findings warrant certain stringent conditions and environmental mitigations to protect the District.

Additional Affected Environments

Table 3.2-13 Pedestrian Crossing Inventory indicates that USDOT number 26080H named as Pratt's Woods Forest Trail at milepost 34.83 on the Western Subdivision EJ&E should be upgraded to reflect applicable changes in rail traffic and associated signage and applicable warnings to properly alert and educate pedestrians and bicyclists users of this at grade crossing and should be include as a recommended mitigation within the FEIS.

Figure 3.5-3 should be corrected to reflect the southeast quadrant of Stearns Rd. and the EJ&E not as Industrial classification but Open Space owned by the District.

Figure 3.5-4 and Figure 3.5-14 (Inset A) should reflect an additional 23 acres of land to Night Heron Marsh Preserve that extends south of Liberty St. as sent by email attachment image on September 24, 2008 to HDR personnel.

Table 3.5-3 should reflect the total acreage of Nature Preserve (120.3 acres) and Nature Preserve Buffer (169.5 acres) totaling 289.8 acres under all under Nature Preserve protection afforded by the State of Illinois.

Table 3.5-12 should reflect the ownership of the "Tri County Wetland" as being the Illinois Department of Natural Resources, not FPDCC or Bartlett Park District. Personal communication with FPDCC is in error.

Table 3.11-2 and Table 3.11-3 likely should not reflect these wildlife species as "Common" given that a fair number of these species are State Listed or rare within the Chicago Wilderness region.

Table 3.11-4 should indicate an additional INAI site #1470 directly downstream (west of Eola Rd.) from the Night Heron Marsh Preserve.

Figure 3.12-5 and Figure 3.12-6 indicating leaching potential for Nitrate and Pesticide respectively, also graphically indicate the extent of the high and/or excessive leaching potential of the surficial geology that encompasses the EJ&E rail line corridor throughout DuPage County. These sands and gravels are highly permeable. The fate and transport of certain hazardous Materials would be extremely rapid with the opportunity for contamination being extremely high. All affected District preserves addressed within this DEIS are considered at risk to such subsurface vertical and horizontal movement of certain contaminants.

Affected Preserve Resource Not Addressed in the DEIS

The Freight Train Traffic on the Freeport Subdivision rail line extending from station "Munger" to "Broadview" is 3.0 trains per day. This rail line directly bisects the northern parcels of Pratt's Wayne Woods Forest Preserve adjoining conservation lands north and south containing biological resources, various wetland communities supporting federal protected species of nesting and migratory waterfowl and state listed bird and reptile species, grassland bird communities supporting state listed bird species, public recreational amenities inclusive of a youth camp ground, rentable shelter facilities, picnic facilities, recreational fishing lakes and ponds, nature walking trails, a network improved surface multi-purpose trails, a permitted dog exercise area, and a permitted model aircraft area. Preserve resources and developed public amenities west of the EJ&EW will be adversely impacted by build alternatives proposed at the "Munger Connection" by an increase in rail traffic of 66.6%.

Due to the extensive examination of the "Munger Connection" and appropriate evaluation of the No-Build and Build Munger Alternatives being considered, additional data regarding existing and projected traffic along the Freeport Subdivision rail line west of the EJ&E for each of the Munger Alternatives is also relevant. Specifically, data directly attributable to the existing and proposed changes to rail traffic attributable to the Proposed EJ&E increased rail traffic using northeast quadrant connection as represented in the No-Build Munger Alternative must be evaluated with comparative analysis to the various Build Munger Alternatives. Each of the reasonable scenarios must be clearly represented and fully evaluated within the FEIS.

Due to the extensive examination of the "Munger Connection" and varied "Munger Alternatives" being considered, additional data regarding existing and projected traffic along the Freeport Subdivision rail line west of the EJ&E directly attributable to the Munger Alternatives must be fully evaluated within the FEIS.

Dunham Preserve Master Plan: The resources of Dunham Preserve have not been adequately assessed for direct, indirect and cumulative adverse impacts. As a recent acquisition, the District has recently approved a resource based Master Plan for Dunham Preserve which is not evaluated within this DEIS. This Master Plan demonstrates that the planning horizon for the District is generational in order to realize

the recuperative potential of restored Norton Creek, the associated rich and extensive sedge meadow wetlands about its floodplains, the extensive transition from wet meadows to short grassland rising with elevation from the creek valley and the emerging oak savanna on top of the hillsides. This future landscape will facilitate quality habitat to conservative fish, mussels, invertebrates, mammals and bird species and be enjoyed by preserve users within its trail system, interpretive nodes and observation areas. This preserve master plan should be evaluated within the FEIS.

CHAPTER IV Environmental Consequences

4.2.4 Hazardous Materials Transportation Safety

Figure 4.2-6 Anticipated Changes to Hazardous Material Transportation illustrates the increase in carloads / day of hazardous materials throughout the region rail system under the Proposed Action. Table 4.2-20 Hazardous Materials Annual Carloads Comparison indicates as an example within the "key route" Munger to West Chicago current hazmat carloads at 11,205 per year will increase by 1185% to 115,048 hazmat carloads per year.

Section 4.2.5.7 provides SEA's conclusions that potential soil contamination would be limited by prompt containment and clean-up of the spill. The District puts forth that inside the arc, there is a markedly less extent of rapid percolation surficial geology than along the EJ&E arc. Along the arc, there are greater expanses of preserves, natural area of large wetland complexes, nature preserves, INAI sites, and EOR species where the containment capability is lower, aggravated accessibility is higher, and rapid dispersal of a release probability is high or extreme (Section 3.12.2, Figure 3.12-9 and Figure 3.12-10).

The District would also put forth that Federal regulations that call for the rapid containment / remediation within relatively short time frames in itself does not provide much confidence that the rapid containment and remediation would actually occur. SEA concludes that hazardous material releases have historically been, and should continue to be extremely rare because of existing regulatory requirements and best management practices that prevent circumstance that would otherwise result in a release, and regulations and procedure that typically lead to prompt response by appropriate authorities. SEA also concluded that there would be a potential increase in the possibility of a release due to the Proposed Action because of the increased train miles and more car loads of hazardous materials on the EJ&E rail line. In contrast to the significantly elevated accident history of the EJ&E above the national average, SEA makes the statement, *"But, even on the EJ&E rail line, the possibility of a hazardous materials release would remain remote."*

4.8 Energy

SEA determined that a moderate increase in fuel use would potentially result from the Proposed Action. Fuel use of the Proposed Action is 7,598,663 gallons of fuel with the No-Action Alternative consuming 5,121,203 gallons of fuel. There are modified fuel projections provided by CN which dramatically decrease fuel consumption as well as resulting emissions. It is difficult to follow the rationale for this decrease and the District questions the validity of these numbers from that of the original proposal. SEA should determine whether these new projected number are valid and present a final fuel consumption assessment and analysis in the FEIS

4.9 Air Quality and Climate

Table 4.9-11 Net 2015 NOx Operational Emissions (tons/yr) – Original Estimates depict a Net change in emissions of 374.1 tons/yr of NOx. This emission is beyond the 100 tons/yr acceptable standard. There are modified fuel projections provided by CN which dramatically decrease fuel consumption as well as resulting emissions. It is difficult to follow the rationale for this decrease and the District questions the validity of these numbers from that of the original proposal. Of particular interest is the adjusted NOx emission which falls from 374 tons/yr to 95.8 (Table 4.9-19) and subsequently fall just below the 100 tons/yr standard. SEA should determine whether these new projected numbers are valid and present a final fuel consumption assessment and analysis in the FEIS.

The conclusion reached in Section 4.9.4.2 regarding the fraction of CO₂ contributed from the Proposed Action globally is missing the point. Most federal agencies are directed to address global climate change factors from the perspective of meeting 2050 national goals. The perspective is whether CN's plan is grounded in reducing these carbon and other pollutant emissions toward this goals. Furthermore while the region collectively is attempting to reach attainment of pollutant emissions, CN is proposing to become a new commerce presence within the EJ&E localized communities should demonstrate similar direction and commitments toward these localized attainment goals. SEA should provide this assessment and perspective in the concluding remarks of this section in the FEIS.

4.10 Noise and Vibration

Noise impacts were only considered for impacts human receptors as is the standard for such analysis within the Scope of the EIS. The 65 dBA Ldn threshold used for human receptor impact assessments was projected over the EJ&E landscape based on wide general assumptions. Although logical in general practice of modeling, the Pratt's Wayne Woods Study concerning noise measurements specifically attributable to the land forms and vegetation communities at Pratt's Wayne Woods demonstrates more accuracy concerning background contours within localized zones. In addition the District would again comment that the Freeport Subdivision line was not assessed for noise appropriately through Pratt's and is warranted considering the Munger Connection

alternatives analysis and the substantial preserve receptors at risk directly west of that connection. That being said, the Proposed Action did show a marked increase in penetrating distance of the 65 dBA Ldn into the preserve than contour lines developed from analysis of the No-Action Alternative. However, no assessment of noise and vibration impacts could be found of the District guard residence on Powis Rd. adjoining the EJ&E tracks and no assessment of preserve user receptors could be found east or west of the EJ&E rail line (see previous comments regarding "Affected Preserve Resource Not Addressed in the DEIS"). Please refer the District to such analysis or provide said analysis in the FEIS.

4.11 Biological Resources

The District addresses the following findings by SEA:

- 1) District does concur with the findings that plant communities, wildlife and natural areas would experience higher probability of exposure to hazardous material releases along the EJ&E.
- 2) District is concerned with the finding that CN's proposed R.O.W. maintenance and vegetative control program would not involve changes to current practice.
- 3) District does concur that changes in rail line operation would lead to increased noise that would be experienced by wildlife species living in habitats along segments of the EJ&E.
- 4) District does not concur that bird populations will be the only taxa affected by increased noise.
- 5) District does not concur that that noise impact to wildlife will be limited to 500 feet of the rail line.
- 6) District finds that other factors other than noise will negatively impact wildlife within the EJ&E corridor.
- 7) District does not concur that only two [federal] endangered species could be potentially impacted by the Proposed Action.
- 8) District does not concur that the risk of mortality to State listed species from increased train traffic "is slight."
- 9) District does concur that wildlife species living in the EJ&E corridor would be directly displaced by ground disturbances caused by varied connection construction.
- 10) District finds that the DEIS did not fully assess the extent of direct ground impacts attributable to temporary construction or other construction related activity impacts to vegetation, natural area, and wildlife species within proximity to these construction connections.
- 11) District does not concur that the affected wildlife habitat is minor at EJ&E direct construction and construction related activity impacts, specifically at the Munger Connection.
- 12) District does not concur that all wildlife impacted are sufficiently mobile to avoid impacts.

- 13) District does not concur with SEA's conclusions that the construction would not affect wildlife.
- 14) Relationship of Matteson connection and Powis Marsh is not accurate. However the District concurs that the Munger Connection could reduce breeding activity of marsh and grassland birds [Section 4.11.4.3].
- 15) District does not concur that the Proposed Griffith connection is the only potential habitat for federally threatened Easter prairie fringed orchid and that consultation with USFWS regarding likely habitats for all federal listed plant species should be addressed.
- 16) The District finds no impact assessment is addressed concerning USFWS protected species inclusive of, but not limited to, numerous marsh, wetland, nesting and migratory waterfowl bird species "State Listed" and "Common" and that District finds these protected species are impacted by both construction activities and train operation related impacts. SEA should address impacts to these protected species under USFWS within the FEIS.

4.11.3 Proposed Action

4.11.3.1 Proposed Changes in Rail Operation

The District incorporates herein the statements and comments made above in addressing Section 4.11 as applicable.

Plant Communities

The District seeks an improvement to ROW maintenance and vegetative control practices previously experienced on the EJ&E. Of specific concern is the direct collateral impact to wetland vegetation and associated plant communities caused by drift and over-spray on District owned and managed lands. The application of broad spectrum herbicides intended for upland terrestrial ROW target species can have unintended consequences to adjoining wetland and water environments, where such chemicals are restricted by label. A greater sensitivity is necessary by rail practitioner to be cognizant of changing wind conditions affecting drift and over spray as well as being mindful that wetland environments are found on rail ROW as well.

Wildlife

The DEIS indicates that the Proposed Action will result in a greater train frequency (number of trains), magnitude (increase of 5 to 6 dBA Ldn above background noise level), and duration (length of train). The DEIS reports that monitoring at 500' from the rail found existing noise levels from trains ranging from 51 to 63 dBA (Table 3.10-2). The District calculates at the Munger Connection location, trains will increase in frequency from 4.4 to 24.4 trains/day, decibel levels per train will increase to a range from 56 to 79 dBA Ldn, and a train length of 8,000' long traveling at a velocity of 10mph will cause a duration of noise for 10 minutes at any one point (not adjusting for

approach and attenuation). In rough terms, if trains are equally distributed over 24 hours; preserve resources that are currently impacted from an exposure of 1 train every 6 hours with 40 minutes of collective noise will be impacted under the Proposed Action with an exposure of 1 train every 1 hour with 240 minutes of collective noise. That is 16.6 % of the time each day preserves will be impacted by train noise.

The District searched for studies within the literature pertaining to train traffic noise effects on wildlife. Apparently, very little research has been done demonstrating the affect of train traffic on wildlife. However, numerous studies can be found regarding the affect of vehicular traffic along roadways on adjacent wildlife communities. Most of this body of literature reviewed by the District is summarized by the USDOT, Federal Highway Administration in a document entitled "Synthesis of Noise Effects on Wildlife Populations" and is available at the following link:

<http://www.fhwa.dot.gov/environment/noise/effects/index.htm>

The FHWA created a summary outcome from a review of these studies concerning the noise frequency range and sensitivity threshold for each of four taxa:

The sensitivities of various groups of wildlife can be summarized as:

Mammals < 10 Hz to 150 kHz ; sensitivity to -20 dB

Birds (more uniform than mammals) 100 Hz to 8-10 kHz; sensitivity at 0-10 dB

Reptiles (poorer than birds) 50 Hz to 2 kHz; sensitivity at 40-50 dB

Amphibians 100 Hz to 2 kHz; sensitivity from 10-60 dB

District finds that wildlife sensitivity thresholds to noise are markedly lower than human receptors. To evaluate potential wildlife impacts, it would be necessary to examine noise attenuation into preserve zones at distances where the noise sensitivity thresholds for these taxa are attenuated. The District differs to the USFWS and IDNR who has more experience in such assessments and likely reviewed other studies beyond this FHWA summary. In addition since the USFWS is considered a "Key Resource Agency" under 40 CFR 1503.2 having expertise concerning such matters, the District consulted the USFWS Regional office.

The District was advised that USFWS has reviewed the FHWA compilation and summary studies. They reviewed of a series of studies in the Netherlands, Reijnen et al. (1987, 1995, 1996,1997), Reijnen and Foppen (1994 and 1995), and Foppen and Reijnen (1994) which showed that the number of breeding woodland and grassland birds have declined significantly near roads as a result of noise. They note that reduction in the numbers of breeding birds could be observed at 1,500 meters (4,921 feet). These studies also showed that noise levels as low as 50 dBA resulted in adverse affects on breeding birds. They cited one train study (Waterman et al. 2004) showing the adverse effects of railway noise in meadow and wetland bird communities within 15 areas along existing railroads. These birds consisted mostly of shorebirds and ducks. The threshold noise level at which bird densities were adversely affected varied little among species studied and ranged from 42 dBA to 49 dBA. They indicated that

noise impacts to birds up to distances of 1,500 meters could be well supported by studies found within the literature.

Given that the DEIS identifies the importance of natural areas for bird conservation, that the strongest confidence in studies assessing wildlife affected by noise are birds, and that the preponderance of District preserves communities being bisected, adjacent or adjoining the EJ&E rail line are grassland, wetland, and marshland bird breeding habitats; the District used a 1,500 meter distance from the EJ&E tracks to assess the magnitude of impact to preserves. Exhibits A, B, C, D and E depict affected District preserve image overlays using the DEIS assessment of impacts by noise at 500' compared to a 1,500 meter zone of noise impact supported by studies within the literature. The calculated area of preserve impact at 500' from the EJ&E is approximately 298 acres of preserve resources as compared to 3,799 acres of impact at 1,500 meters. (Note the District disallowed impact analysis for Country Lakes Preserve, Big Woods Preserve, and the majority of Roy C. Blackwell Preserve due to other dominant noise sources such as IL Route 59).

These data and analysis assessment demonstrate that the potentially impacted area at 1,500 meters due to the Proposed Action would indicate a rather significant impact as opposed to the DEIS conclusion of minor impacts caused from the Proposed Action to some breeding bird habitat limited to a distance of 500 feet about the EJ&E rail line. SEA should consider these assessments and analysis within the FEIS.

Federal, State, and Local Conservation and Natural Areas

The District concurs with the three of the four primary categories of risk that SEA has identified but does not concur with the conclusion of impacts concerning the assessment of these risk categories.

- 1) Noise: The District finds significant preserve natural area supporting state listed and federally protected species comprised within approximately 3,800 acres of noise impacted area affecting breeding bird habitats, nesting and migratory waterfowl, reptiles, and amphibians (see assessment analysis above pertaining to wildlife).
- 2) Train / Species Collisions: The District finds that the increased frequency of trains will result in increased collisions causing injury and mortality to various state listed and federally protected wildlife species and that because of this increase, more individuals comprised of a variety of species will be adversely impacted.
- 3) Hazardous material spills: The District finds that preserve resources are at greater risk than what the DEIS concludes. The previous comments made

addressing section 4.2.4 Environmental Consequences is applicable here. The District has also previously commented that the potential for hazardous material releases into preserves is greater than SEA concludes (comments regarding 3.2.1.3 and comments entitled "District Affected Preserve Resource Risk Assessment" regarding Chapter III). SEA does not assess the frequency and duration of trains carrying hazardous materials that would be found on staging locations (Section 3.2.1.7 and Table 3.1-3). Pratt's Wayne Woods and James "Pate" Phillip State Park (6,000' W. Bartlett to Stearns and 8,000' Stearns Rd. to Army Trail Rd.) and Night Heron Marsh (10,000' Diehl Rd. to Liberty St. and 8,000' Liberty St. to Ogden) are adjacent to these listed staging locations. These staging locations of double tracking would appear to have greater potential for incidents than main line track operations due to train operation maneuvers such as: switching on/off tracks, stopping, reversing, and starting up. Similar maneuvers found within rail yards experienced a greater number of incidents and are where the frequency of hazardous materials releases is found to be the highest (Appendix C, Attachment C5, PHMSA data).

Federally –Listed Threatened and Endangered Species

District advises that nesting and migratory waterfowl species are considered "protected species" by USFWS. Comments related below are relevant to this section as applicable applicable.

State-Listed Threatened and Endangered Species

The District finds that the majority of bird species listed within Table 4.11-3, represent State-Listed and/or USFWS protected species inclusive of grassland birds, wetland/marsh nesting birds and migratory waterfowl species. These species are largely rare and are sensitive to environmental stressors as evidenced by general decline within the region. These findings should be addressed in the FEIS.

In addition Pratt's Wayne Woods Preserve and West Chicago Prairie / Truitt-Hoff Nature Preserve have significant populations of the State listed Blanding's Turtle. The District does not concur with SEA that only minor affects are expected to Blanding's turtle as District telemetry data demonstrates that turtles are found using rail road aggregate base material for nesting sites and that seasonal movement can result in turtles becoming trapped between rails where exposure to desiccation can be prolonged and direct collisions can cause serious injury and mortality. These findings should be addressed in the FEIS.

4.11.3.2 Proposed New Constructions

Connections

The District disagrees with SEA's conclusions that state, "...because the affected wildlife habitat is generally minor and wildlife is mobile, SEA determined the construction of the connections would not affect wildlife." The DEIS confirms the value of habitat and wildlife species at the Munger Connection at Pratt's Wayne Woods Preserve and East Siding Double Tracking at Night Heron Marsh Preserve include a strong presence state listed and federally protected species. These DEIS findings do not support the conclusion that the affected habitat at these two sites is minor. SEA should address these findings within the FEIS.

4.12 Water Resources

District has commented in previous commented sections regarding the impacts to water resources at risk to the potential impacts of the construction of connections and the potential for hazardous material releases to surface and subsurface water resources. The following are excerpts:

- 1) The District disagrees that ground water would not be affected due to permitted dewatering practices and if hazardous materials are contained. Numerous examples can be given through the IEPA NPDES permits where hazardous materials have been released under permitted construction activities.
- 2) Hazardous materials release emergency plan depends on rapid detection, rapid response, and rapid containment and clean-up programs. The wetland and water resources (Brewster Creek) and surficial geology of shallow sands and gravels at this site will cause rapid movement through subsurface and surface flows where the potential for contamination is high (Figure 3.12-9 and Figure 3.12-10).
- 3) The increased risk and impacts to water resources concerning hazardous material releases is not only within the immediate vicinity. Downstream of the EJ&E at Pratt's via Brewster Creek and Norton Creek is the Fox River. Downstream of the Hardy Creek at Roy C. Blackwell is the West Branch of the DuPage River. Potential contamination of this entire surface water resource drainage should be recognized for a rigorous risk management assessment when scenarios for potential remediation costs are fully evaluated. This risk scenario should be evaluated in light of a significant hazardous material release, prolonged emergency response time and aggravated accessibility into extensive natural area wetlands and associated rich resources expanding downstream.
- 4) The plans for construction development should incorporate depressional swales toward packed clay earthen containment designs to capture and hold any hazardous material releases for clean-up. These containments are consistent with DEIS findings and should become an environmental mitigation in the FEIS.

- 5) The DEIS finds that wetlands would be affected by both Pratt's Wayne Woods and Night Heron Marsh construction connections. The District assessment of the total construction activity for the Munger Connection and East Siding Double Track would likely exceed the direct impact wetlands once the project is evaluated under the DuPage Countywide Stormwater and Floodplain Ordinance.
- 6) The District disagrees that the constructed connections would not affect floodplain and streams if the Applicant properly analyzes, designs, and permit culvert and bridge structures. Appropriate hydraulic assessment for culvert /bridge design alone does not insure drainages and floodplain hydraulic and hydrologic sustainability for dynamic stream aquatic biology and floodplain habitat communities and associated functions.

CHAPTER V

Indirect and Cumulative Effects

5.3 Potential Indirect Effects of the Proposed Action

The District does **not** find any assessment of potential indirect effects to Biological Resources addressed in Chapter IV of the DEIS and/or District relevant comment concerning Chapter IV Biological Resources. The District finds that all Biological Resources addressed in Chapter IV and/or relevant comments by the District applicable to Chapter IV be assessed for indirect impacts from the Proposed Action and findings presented within the FEIS.

5.4 Related Projects

Pratt's Wayne Woods Mining and Reclamation Project: District concurs with evaluation of this project for Cumulative Effects Analysis.

Dunham Preserve Master Plan: If the Munger Alternative – UP Connection has been determined as unreasonable and will no longer be considered as an alternative by SEA, then the District concurs that Cumulative Effect Analysis would not be necessary. SEA should make clear in the FEIS that the Munger Alternative - UP Connection is not a viable alternative.

CHAPTER VI

Mitigation

Review of the CN Voluntary Mitigation Measures and SEA's Preliminary Environmental Mitigation Measures fall woefully short of the District's expectations in addressing adverse impacts to preserve resources. The Environmental Mitigation measures by SEA's definition are intended to eliminate or lessen the environmental impacts. The District finds the proposed measures for environmental mitigation to be substantially inadequate to address equitability and potential harm to District resources and the user public. The District further finds that our Corporate Purpose would be precluded and foreclosed within preserve resources directly attributable to the Proposed Action despite the DEIS proposed environmental mitigation measures.

6.2 Applicants Voluntary Mitigation Measures

The following Voluntary Mitigation Measures are viewed primarily as recognition that CN is willing to comply with Standard Operating Procedures that a typical contractor working near or operating a business near the District would normally perform as a business member of the community.

6.2.1 Safety

6.2.1.1

VM2 - Extend quiet Zones were applicable to IDOT standards and without compromising public safety.

VM5 - Upgrade signage at rail/trail crossings to include advisory concerning the frequency of rail traffic to increase public awareness and expectations for pedestrians and bicyclists.

VM7 - Include development of web link for CN advisory materials and information for schools and for the general public

6.2.2

VM10-The District should be included for a copy of the Hazardous Materials Emergency Response Plan.

VM16-The District should be able to review and comment on this plan prior to initiating either connection construction project.

6.2.3

VM24-District should be include in notification on applicable projects.

6.2.4 Land Use

6.2.4.1 General Land Use

The District would expect all VM27 through VM33 inclusive as Standard Operating Procedures for any contractor.

6.2.4.2

The District shall be treated as a Community and have a District designated liaison concerning all CN matters as found in VM34 and VM35.

6.2.4.5 State Lands

VM40- Should correct to read Illinois Department of Natural Resources

6.2.5 Air Quality

All efforts to improve equipment efficiency and reduction of emissions should be made along with VM43 through VM46 inclusive.

6.2.6 Noise and Vibration

The District would anticipate that VM47 through VM53 are Standard Operating Procedures.

6.2.7 Water Resources

The District would anticipate all VM54 through VM70 inclusive as Standard Operating Procedures and obligations for contractors addressing water resources.

6.3 SEA's Preliminary Environmental Mitigation Measures

The District proposes several mitigation measures and several conceptual mitigation measures. The conceptual mitigation measures are dependent on the outcome of the FEIS and further consideration and approval by the District Board of Commissioners.

- 1) District seek CN to assume as the respective successor to EJ&E an Agreement made between the District and EJ&E executed on July 8, 1976 to maintain and use an underpass structure through land owned by EJ&E for the purposes of public ingress and egress to and from District property east and west of the EJ&E.
- 2) Applicants shall establish a local liaison with expertise in environmental and natural resource management to work closely with the District for the purpose of improved adaptive natural resource management. Applicants shall name the liaison within one month of any approval of the proposed acquisition by the Surface Transportation Board. The liaison shall ensure that the adaptive management measures developed shall be incorporated into all relevant rail right-of-way maintenance contracts.
- 3) Applicant shall develop a management agreement with the District that would address at minimum:
 - a) ROW signage indicating acceptable ROW management tasks for CN personnel or contractors.

- b) Acceptable burn management plans to be conducted by the District that may be mutually beneficial under certain terms and conditions.
 - c) Agreed upon notifications for chemical applications and other ROW and rail maintenance activities.
 - d) Notification conditions of any planning for additional tracking modifications that would affect District resources and an opportunity to discuss matters pertaining to protection and preservation of resources.
- 4) Applicant would utilize State of the Science Technologies and BMP's for all new connections and double tracks within the proposed action and would be required to address all future capital improvements made to the rail system.
- 5) Comment on human receptor impacts to user public citing examples such as trail users, camp ground, recreational facilities, fishing facilities, and other passive recreational experiences diminished by the documented frequency and magnitude of noise disturbances anticipated.
- 6) Applicant to fund an amount (benefit) proportional to emissions generated (cost) to be used by the District toward agency sustainability measures and attainment goals as an incentive to reduce change all engines to high fuel economy and low emission output.
- 7) Applicant would develop design/engineered containment on all track improvements and water crossing areas so as to better manage potential hazardous material releases that would jeopardize valuable biological and water resources inclusive of ground water recharge zones.
- 8) Concept: The Applicant would tender in name of the District a substantial performance bond and agree to performance specifications pertaining to work at the Munger Connection and East Siding connection near preserves.
- 9) Concept: That the Applicant would fund a study of impacts for five years at two designated preserves to document any adverse affects of the Rail Operations to wildlife species examining distances up to 1,500 meters perpendicular from the EJ&E rail. If no impacts were found, no mitigation would be required by CN. If impacts were found, a tiered level of mitigation would become the responsibility of CN to perform equitable and proportional to the level of impact found from the study that would include funding habitat improvements, restoration of impacted habitat, and further monitoring.

CHAPTER VII

Short-Term Use versus Long-Term Productivity of the Environment

CHAPTER VIII

Irreversible and Irretrievable Commitments of Resources

8.1 Natural Resources

Character of Pratt's Wayne Woods Forest Preserve: District finds that should the Proposed Action be approved, that the ability for the District to carry forth the Corporate Purpose for which the preserve was acquired, planned managed and operated would be precluded and foreclosed caused by the Proposed Action and is considered to be an **Irreversible Commitment of Resources**.

8.1.1 Land

The District finds that two of the Munger Connection Alternatives would require preserve land. The development of that land for the intended construction purposes would cause an **Irreversible Commitment of Resources** due to the significant disruption to soils and subsurface materials that are consider protected and preserved by the District. These soil and mineral resources and their associated ecological function in an unaltered state are valuable resources with connectivity to surrounding resources.

8.1.2 Water Resources

The District finds that the construction of various Munger Connections would cause an **Irreversible Commitment of Resources** due to wetland loss. Despite mitigation these wetland losses have ecological connectivity to the adjacent landscapes. Mitigation of the resources should be made within the same sub-watershed as they were lost.

8.1.3 Protected Species

The District does not concur with SEA's conclusions regarding the four primary categories of risk in commented in Section 4.11.3.1 concerning Federal, State and Local Conservation and Natural Areas.

The District finds that the loss of wildlife would not be fully mitigated by the Proposed Action with proposed environmental mitigation measures and that the loss to protected species would continue into the foreseeable future.

VOLUME III

Appendix C Rail Safety Analysis

Attachment C4 Emergency Contact Information

The Forest Preserve District of DuPage County should be added on the list with emergency contact information. Please add: @ Attachment C4, pg. 4 DuPage County

County/ Community:	Forest Preserve District DuPage County
Website:	www.dupageforest.com
Hazmat:	HazMat
Documents Found:	Environmental Services
Contact Name:	Drew Bergenthal, Environmental Compliance Director, Office of Environmental Services Mail: P.O. Box 5000, Wheaton, IL 60189-5000 Delivery: 3 S 580 Naperville Rd., Wheaton, IL 60187
Document Website:	dbergenthal@dupage forest.com

Attachment C5 Pipeline Hazardous Materials Safety Administration Data

The PHMSA Incident Data Summary 2003 through 2007, pages 1 – 52, of hazardous material releases for CN EJE Chicago Area Incidents and Lake County, IN incidents is very difficult to review. Extensive abbreviations and lack of column headings make these data confusing to ascertain the following: On what CN subdivision rail line or EJ&E segment rail line did these incidents occur, what was the nature and extent of the hazardous material release, what was the determining cause of the material release post investigation, and how could such a release be prevented. Answers to these fundamental questions are what should be relatively transparent to the reviewer and should be corrected in the FEIS.

Given the best assessment of these data tables that can be ascertained at present by the District, it would appear that the CN/Illinois Central Subdivision rail line had substantially more hazardous material releases reported from 2003 through 2007 than other regional rail lines. Questions arise as to why this appears to be the case? For example, are these higher numbers of incidents due to track condition, rail car condition, more hazardous materials being transported on this route than others, operational deficiencies within this rail line, or simply that the personnel for IC rail line are more responsible in reporting all incidents? Please conduct a SEA analysis of these data in consultation with IEPA/USEPA and provide a summary opinion within the FEIS with any applicable recommendations that are warranted within the Proposed Action to decrease the risk of hazardous material releases. Such interpretation is valuable in the assessment of Appendix D, Safety Integration Plan of CN and its Operational and Maintenance Plan.

Appendix E Transportation System Analysis

Attachment E3 Effects on Emergency Service Response

In review of this attachment, no assessment is made pertaining to the ability of the District Police Department, with Headquarters and dispatch residing at 3 S 580 Naperville Road, Wheaton, IL, to providing public emergency response and services to users within the preserves along the EJ&E rail line. The District Police Department, Office of Law Enforcement, has jurisdiction over all preserves within the District. Although mutual aid assistance and capability exists between the DuPage County Sheriff Department and various municipal law enforcement agencies, a reasonable assessment of access and egress frequency and duration of delay times for law enforcement, emergency medical services, and fire protection should be examined and reported within the FEIS as it relates to the affected preserves. The potential of train blockages due to at grade crossings of key roads and/or train staging blockages between landscapes and/or preserve entrances where preserve users are active should be evaluated in the FEIS.

Errors

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"Figure 3.1-3 – Spaulding/Barrett Train Staging Locations" is in error and should read "Figure 3.1-3 – Spaulding/Bartlett Train Staging Locations" in the FEIS.

Section 3.5.5.10 - Land and Water Conservation Fund Properties, Table 3.5-11 lists the portion of Pratt's Wayne Woods Preserve east and west of the EJ&E rail line in Bartlett as Land and Water Conservation Fund Properties. However, an error in the sectioning of the Table placed the subject property in Cook County rather than DuPage County and may have contributed to other references and table errors such as in Table 2-10.

Table 2-10 - Summary of Potential Environmental Impacts Munger Connection. The District believes there are errors within this Table. One specific example error within this table is how within the Resource Category - Wildlife, the Proposed Munger Connection with a revised decreased impact on the Powis Marsh has findings of impacts of increased noise and indirect loss of habitat utility for breeding birds whereas the Original Munger Proposal, having a greater direct impact to that same Powis Marsh, has a finding listed as No effect. Several other inconsistencies are found and this would suggest errors within this table that must be carefully reviewed and corrected within the FEIS.

Table 3.1-2 staging area distances for EJ&E W. Bartlett to Stearns of 6,200' differ from that of Figure 3.1-3 of 6,100' and Table 3.1-2 staging area distances between West Chicago and Stearns Rd. of 13,800 differ from that of Figure 3.1-3 of 14,200' .

Appendix O Cultural Resources Survey

Attachment O1 Illinois SHPO Reports

Results of a Phase I Archeological Investigation for the Munger Connection. Within the Archeological Survey Short Report, the

"Quadrangle: Aurora South", is in error and should be corrected to reflect

"Quadrangle: West Chicago", within the FEIS.

Respectfully,

A handwritten signature in cursive script, appearing to read "Brent Manning". The signature is written in black ink and is positioned above the printed name and title.

Brent Manning
Executive Director

CC: President Pierotti and Commissioners
Deputy Director Vick
Director of Natural Resources Oldenburg
General Counsel Mork

Affected Preserve Communities by Noise at 1500 meters

Appendix A

Status* ST= State Threatened

SE= State Endangered

SGNC = Species in Greatest Need of Conservation

Preserve Name	Ecosystem Name	Community Type	Acreage	Common Name	Status
James "Pate" Philip State Park					
	TRI-COUNTY PRAIRIE	Prairie Re-creation	335.9	Blanding's Turtle	ST
				Henslow's Sparrow	ST
				Northern Harrier	SE
				Osprey	SE
				Sandhill Crane	ST
				Short-eared Owl	SE
				Yellow-headed Blackbird	SE
	TRI-COUNTY MARSH	Monoculture Marsh	71.3	American Bittern	SE
				Bald Eagle	ST
				Blanding's Turtle	ST
				Common Moorhen	ST
				King Rail	SE
				Least Bittern	ST
				Northern Harrier	SE
				Osprey	SE
				Pied-billed Grebe	SGNC
				Sandhill Crane	ST
				Yellow-headed Blackbird	SE
	TRI-COUNTY VISITOR CENTER	Residence/Facility Complex	21.5	Northern Harrier	SE
EAST FLOODPLAIN	Immature Bottomland Forest	6.2	Sandhill Crane	ST	
BREWSTER CREEK	River or Stream	4.4	Black-crowned Night-Heron	SE	
			Blanding's Turtle	ST	
Pratts Wayne Woods					
	TRI-COUNTY MARSH	Diverse Marsh	46.7	Blanding's Turtle	ST
				King Rail	SE
				Northern Harrier	SE
				Osprey	SE
				Sandhill Crane	ST
	STEARNS MARSH NORTH	Prairie/Wetland Creation	67.1	American Bittern	SE
				Blanding's Turtle	ST
				Common Moorhen	ST
				Least Bittern	ST
				Sandhill Crane	ST
				Yellow-headed Blackbird	SE
	NORTHWEST PRAIRIE	Prairie Re-creation	115.6	Bald Eagle	ST
				Blanding's Turtle	ST
				Sandhill Crane	ST
	STEARNS MARSH WEST	Prairie/Wetland Creation	182.8	Black Tern	SE
				Black-crowned Night-Heron	SE
				Blanding's Turtle	ST
				Common Moorhen	ST

Preserve Name	Ecosystem Name	Community Type	Acreage	Common Name	Status*
				Henslow's Sparrow	ST
				King Rail	SE
				Least Bittern	ST
				Northern Harrier	SE
				Osprey	SE
				Peregrine Falcon	ST
				Sandhill Crane	ST
				Yellow-headed Blackbird	SE
	STEARNS MARSH EAST	Prairie/Wetland Creation	101.1	American Bittern	SE
				Blanding's Turtle	ST
				Henslow's Sparrow	ST
				Northern Harrier	SE
	IC MEADOW	Upland Reforestation	101.6	Bald Eagle	ST
				Henslow's Sparrow	ST
				Northern Harrier	SE
				Sandhill Crane	ST
	STEARNS PRAIRIE	Prairie Re-creation	80.4	Henslow's Sparrow	ST
	NORTH BREWSTER CREEK MARSH	Monoculture Marsh	45.7	Sandhill Crane	ST
	JUMPS MEADOW	Shrub Meadow	126.7	Blanding's Turtle	ST
				Henslow's Sparrow	ST
				Northern Harrier	SE
				Sandhill Crane	ST
	CAMP PRAIRIE	Mesic Prairie	27.6	Blanding's Turtle	ST
				Northern Harrier	SE
				Sandhill Crane	ST
	BREWSTER CREEK MARSH	Diverse Marsh	130.5	American Bittern	SE
				Black Tern	SE
				Black-crowned Night-Heron	SE
				Blanding's Turtle	ST
				Common Moorhen	ST
				Henslow's Sparrow	ST
				Least Bittern	ST
				Northern Harrier	SE
				Osprey	SE
				Sandhill Crane	ST
				Yellow-headed Blackbird	SE
	PRAIRIE PATH MEADOW	Tall-grass Meadow	72.5	Blanding's Turtle	ST
				Henslow's Sparrow	ST
				Sandhill Crane	ST
	NORTON CREEK MARSH	Monoculture Marsh	57.9	Black-crowned Night-Heron	SE
				Blanding's Turtle	ST
				Common Moorhen	ST
				Little Blue Heron	SE
				Northern Harrier	SE
				Sandhill Crane	ST
				Yellow-headed Blackbird	SE

Preserve Name	Ecosystem Name	Community Type	Acreage	Common Name	Status*
LAKES AREA		Immature Upland Forest	13.3	Black-crowned Night-Heron	SE
				Blanding's Turtle	ST
				Common Moorhen	ST
				Least Bittern	ST
				Yellow-headed Blackbird	SE
RECREATION AREA		Mowed Areas	25.9	Blanding's Turtle	ST
POWIS WOODS		Immature Upland Forest	8.4	Blanding's Turtle	ST
POWIS MARSH		Monoculture Marsh	15.6	Black-crowned Night-Heron	SE
SHOP MEADOW		Tall-grass Meadow	49.5	Blanding's Turtle	ST
				Henslow's Sparrow	ST
				Northern Harrier	SE
				American Bittern	SE
				Blanding's Turtle	ST
MEADOW		Tall-grass Meadow	48.4	Blanding's Turtle	ST
CENTRAL BREWSTER CREEK		Prairie/Wetland Creation	62.7	American Bittern	SE
PRATT MEADOW		Tall-grass Meadow	243.0	Black-crowned Night-Heron	SE
				Blanding's Turtle	ST
				Common Moorhen	ST
				Henslow's Sparrow	ST
				King Rail	SE
				Least Bittern	ST
				Northern Harrier	SE
				Osprey	SE
				Sandhill Crane	ST
				Short-eared Owl	SE
				Yellow-headed Blackbird	SE
				Black-crowned Night-Heron	SE
PRATT MARSH		Monoculture Marsh	230.4	Henslow's Sparrow	ST
				Northern Harrier	SE
				Sandhill Crane	ST
				Short-eared Owl	SE
				Yellow-headed Blackbird	SE
				American Bittern	SE
				Black-crowned Night-Heron	SE
				Blanding's Turtle	ST
MUNGER MARSH NORTH		Prairie/Wetland Creation	11.9	Least Bittern	ST
				Sandhill Crane	ST
				American Bittern	SE
				Northern Harrier	SE
				Henslow's Sparrow	ST
SMITH RD. FIELDS		Agricultural Fields	159.0	Sandhill Crane	ST
SMITH RD. MARSH		Shrub Marsh	39.1	Blanding's Turtle	ST
FERN MARSH NORTH		Diverse Marsh	188.7	Black-crowned Night-Heron	SE
FERN MEADOW		Prairie Re-creation	61.2	Northern Harrier	SE

Preserve Name	Ecosystem Name	Community Type	Acreage	Common Name	Status	
	PICKEREL LAKE	Lake or Pond	16.8	Bald Eagle	ST	
				Blanding's Turtle	ST	
				Northern Harrier	SE	
				Osprey	SE	
				Peregrine Falcon	ST	
				Wilson's Phalarope	SE	
	CATFISH POND	Lake or Pond	5.4	Blanding's Turtle	ST	
	HORSETAIL POND	Lake or Pond	2.8	Blanding's Turtle	ST	
				Least Bittern	ST	
	BEAVER POND	Lake or Pond	2.2	Blanding's Turtle	ST	
				Sandhill Crane	ST	
	BREWSTER CREEK	River or Stream	18.9	Blanding's Turtle	SE	
				Osprey	ST	
				Sandhill Crane	SE	
				Blanding's Turtle	ST	
	NORTON CREEK	River or Stream	0.4	Blanding's Turtle	ST	
	NORTON CREEK WOODS	Immature Upland Forest	41.4	Blanding's Turtle	ST	
	West Chicago Prairie/Truitt-Hoff Nature Preserve					
	NORTH FIELD	Prairie Re-creation	8.1	Blanding's Turtle	ST	
PRAIRIE PATH PRAIRIE	Wet Prairie	4.8	Blanding's Turtle	ST		
NORTH SWAMP	Immature Upland Forest	15.0	American Bittern	ST		
NORTH MARSH	Wet Prairie	27.1	Blanding's Turtle	SE		
			Wilson's Phalarope	ST		
			Blanding's Turtle	SE		
MAC QUEEN SAVANNA	Immature Upland Forest	5.7	Blanding's Turtle	ST		
NORTH PRAIRIE	Wet Prairie	15.2	Blanding's Turtle	ST		
NORTHEAST MARSH	Diverse Marsh	8.1	Blanding's Turtle	ST		
CENTRAL PRAIRIE	Wet Prairie	5.6	Blanding's Turtle	ST		
WEST PRAIRIE	Mesic Prairie	18.0	Blanding's Turtle	ST		
WEST SWAMP	Tree Marsh	2.0	Blanding's Turtle	ST		
SAND PIT	Ruderal Site	5.1	American Bittern	ST		
SOUTHWEST MARSH	Monoculture Marsh	3.2	Blanding's Turtle	SE		
			Blanding's Turtle	ST		
KRESS CREEK MARSH	Monoculture Marsh	19.0	Blanding's Turtle	ST		
EAST WOODS	Immature Upland Forest	6.7	Blanding's Turtle	ST		
RR YARDS PRAIRIE	Ruderal Site	10.6	Bald Eagle	ST		
KRESS CREEK	River or Stream	1.5	Black-crowned Night-Heron	ST		
			Blanding's Turtle	SE		
			Blanding's Turtle	ST		
REED KEPLER MARSH	Diverse Marsh	3.0	Blanding's Turtle	ST		
NORTHCENTRAL PRAIRIE	Mesic Prairie	5.3	Blanding's Turtle	ST		
SOUTHWESTERN PRAIRIE	Prairie Re-creation	83.7	Henslow's Sparrow	ST		
				ST		
Blackwell, R.C.				No EOR's		
HARDY MARSH	Monoculture Marsh	13.0	No EOR's			
HARDY PRAIRIE	Prairie Creation	27.0	No EOR's			
RTE. 59 MEADOW	Shrub Meadow	4.2				

Preserve Name	Ecosystem Name	Community Type	Acreage	Common Name	Status*
Night Heron Marsh					
	MARSH	Diverse Marsh	26.5	Black-crowned Night-Heron	SE
	SOUTH PRAIRIE	Prairie Re-creation	49.2	Black crowned Night_heron	SE
	SOUTH PRAIRIE	Prairie Re-creation	49.2	Black crowned Night_heron	