I. DECISION

The Federal Highway Administration (FHWA), Federal Railroad Administration (FRA) and Illinois Department of Transportation (IDOT) have completed the environmental review process for the Chicago - St. Louis High-Speed Rail (HSR) Project, as mandated by the National Environmental Policy Act and related laws and regulations, and have selected the Preferred Alternative as described in the Final Environmental Impact Statement (FEIS) for implementation in this corridor. The Preferred Alternative uses the current Chicago - St. Louis Amtrak route and involves high-speed rail service consisting of three round trips per day, with estimated one-way end-to-end travel times between four hours and four hours and 30 minutes. HSR trains will stop at all of the stations currently served by the existing Chicago - St. Louis Amtrak route (i.e., Chicago Union Station, Summit, Joliet, Dwight, Pontiac, Bloomington/Normal, Lincoln, Springfield, Carlinville, Alton, and St. Louis). South of Dwight, maximum operating speed will be 110 mph (177 kph). North of Dwight, the existing maximum operating speed of 79 mph (127 kph) will be maintained. No physical improvements and no changes in operating characteristics (i.e., number and speed of trains) will be made north of Dwight. IDOT will carry out the HSR Project and will make improvements as funding becomes available. The three Agencies have selected this Alternative because it: best satisfies Purpose and Need and poses the least impacts to the natural and human environment, and can be accomplished with available or likely to become available funding resources. This decision is based upon full consideration of information contained in the Draft Environmental Impact Statement (DEIS) approved by the FHWA, FRA and the IDOT in May 2000, public hearings held in July/August 2000, the Final Environmental Impact Statement (FEIS) approved by the FHWA, FRA and IDOT in January 2003, public and agency comments pertaining to the proposed action, the other alternatives considered, the respective environmental consequences, and issues related to the proposed action.

Approval of the Project by the FHWA and FRA involves limited Federal actions at this time. Operations at speeds of 110 mph (127 kph) will be made possible by the completion of the North American Joint Positive Train Control Program (NAJPTC), a demonstration project jointly funded by the Association of American Railroads (AAR), IDOT and the FRA. This program is installing a system to support revenue-service high-speed operations and to demonstrate flexible-block operation using movement authority commands. These commands will be radioed to each train on a 123-mile track segment of Union Pacific Railroad’s Chicago - St. Louis Corridor and will establish industry-wide standards for control system interoperability. The FRA has provided approximately $39 million through fiscal year 2002 for this demonstration project. Total project cost to date is estimated at $80 million. The selected alternative supports the implementation of the NAJPTC for revenue service. IDOT envisions possible future Federal financial support for other aspects of implementing the Selected Alternative, however, no existing Federal grant program funds general capital investments in high-speed rail development. However, a number of proposals are pending in Congress to create such a program.
Existing track will be utilized for the proposed action throughout the project area. However, provision of HSR service will require construction of 20 kilometers (12 miles) of double track; 35 kilometers (22 miles) of freight siding; and one grade-separated highway-railroad grade crossing; and installation of enhanced warning devices at 174 grade crossings.

The primary purpose of this proposal is to enhance the passenger transportation network in the Chicago - St. Louis corridor, resulting in a more balanced use of its components. The existing network consists of highway (automobile and bus), air and rail (Amtrak) travel. Currently, 99 percent of the 35 million trips made annually in the Chicago - St. Louis corridor are accomplished through automobile and air travel. This proposal is intended to lead to a more balanced use of the network by diverting trips made by automobile and air. A more balanced use of the network will also provide benefits to the human environment over the existing network use.

The proposed action is described in greater detail in Section 3.2 of the Final EIS. The Final EIS is available for review at the Illinois Department of Transportation Office in Springfield.

II. ALTERNATIVES CONSIDERED

Alternatives Selected for Evaluation in the EIS: Two alternatives were evaluated in the EIS: 1) the No-Build Alternative; and 2) the Build (High-Speed Rail) Alternative. (See Section 3.1 of the Final EIS for a full description of these alternatives).

No-Build Alternative: The No-Build Alternative consisted of the existing plus committed improvements to the existing intercity passenger rail system and the complementary intercity highway and aviation services and facilities in the Chicago - St. Louis corridor. As part of this alternative existing Amtrak service would be maintained. Passenger service would operate on the current Chicago - St. Louis Amtrak route between Union Station in Chicago and the Amtrak Station in St. Louis. Service between Chicago and St. Louis would consist of three daily round trips with scheduled one-way trip times of between five hours and 25 minutes and five hours and 40 minutes. No changes in station stops, equipment, or grade crossing treatments would occur with this alternative. Additionally, only regular maintenance and rehabilitation would occur in the project area.

The No-Build Alternative will not meet the purpose and need of the project because it will not enhance the passenger transportation network in the Chicago - St. Louis corridor. To achieve this, a new or improved transportation mode must be introduced with shorter travel times and enhanced reliability and safety. The No-Build Alternative would be a continuation of existing Amtrak service and would not provide any operational or service improvements. Without reductions in travel time or improvements to reliability and safety, the viability of rail passenger service as an alternative to air and automobile travel would not increase, and subsequently, travelers would not divert from those two modes. Therefore, the No-Build Alternative was not considered an adequate solution to meet the existing and anticipated transportation needs of the corridor.

Build (High-Speed Rail) Alternative: The High-Speed Rail Alternative was evaluated in the EIS as an alternative to current Amtrak service that would address the existing rail passenger service problems in the corridor and that would serve as a more viable alternative to intercity automobile, air, and bus travel between Chicago and St. Louis. This alternative would help provide a more balanced use of the passenger transportation network in the corridor, resulting in benefits to the human environment. These benefits to the human environment include reductions in pollutant emissions and energy consumption associated with intercity travel in the Chicago - St. Louis HSR corridor.
The HSR Alternative evaluated in the Draft EIS consisted of provision of passenger service between Chicago and St. Louis, operating at top speeds of 110 mph (177 kph) through most of the project area, except for a 29-kilometer (18-mile) segment between Lincoln and Springfield where 125 mph (200 kph) was considered. Service levels consisted of eight round trips per day, with one-way end-to-end travel times of approximately 3.5 hours. Between Chicago and Dwight, three alternative alignments were evaluated in the Draft EIS. One of the alignments — the Canadian National-Illinois Central/Union Pacific — is the current Amtrak route. Another would utilize Canadian National-Illinois Central mainline and Norfolk Southern (formerly Conrail) track via Kankakee to provide a better route of entry into Chicago and would provide access to the proposed South Suburban Airport site in Peotone. This alignment is referred to as the Norfolk Southern alignment. The third alignment, referred to as the Rock Island District alignment, would utilize Metra Rock Island District track between Chicago and Joliet and Union Pacific track between Joliet and Dwight. South of Dwight, one alternative alignment — matching the existing Amtrak route — was evaluated. As part of the High-Speed Rail Alternative, double track and freight siding, grade crossing treatment, station, and equipment improvements were also evaluated.

**Selected Alternative:** The Agencies have concluded that implementation of high-speed rail service will meet the purpose and need defined for this project. This fact, coupled with the consideration of public and resource agency comments, led to the determination that the overall benefits of providing HSR service outweigh the potential environmental impacts and that HSR service should be provided in the Chicago - St. Louis corridor to the extent practicable.

The Selected Alternative as described in Section I and based upon the Preferred Alternative included in the FEIS consists of provision of high-speed rail passenger service with a maximum operating speed of 110 mph (177 kph) in certain portions of the corridor. However, between Chicago and Dwight, the existing maximum operating speed of 79 mph (127 kph) will be maintained and no physical improvements will be made north of Dwight. Although three alignments were considered between Chicago and Dwight, IDOT does not wish to select a new alignment at this time. Currently, there are several other projects being considered between Chicago and Dwight that could influence the selection of an alternative alignment. Some of these projects include:

- the South Suburban Airport near Peotone;
- the reinstitution of the Grand Crossing, which would provide the Norfolk Southern alignment access to Union Station; and
- the switching of Southwest Metra service to Rock Island District track near 79th Street.

Final decisions on how these projects will proceed have not been made. Therefore, IDOT decided that selection of an alternative alignment between Chicago and Dwight would not be prudent at this time. In the interim, the current Amtrak route will be used north of Dwight.

For the Selected Project, service will consist of three round trips per day, matching existing Amtrak service. Ultimately, a “full-build” HSR Alternative in the Chicago - St. Louis corridor could consist of eight round trips per day. However, prior to expanding service beyond three round trips per day, it will be necessary to select a final alternative alignment between Chicago and Dwight. As part of this selection and service enhancement, supplemental environmental and operational reviews will have to be conducted. Additional coordination with the other freight and passenger operators in the corridor will also be undertaken.
The HSR Alternative evaluated in the Draft EIS assumed greater investment in infrastructure and more trains than is now contemplated with the Selected Alternative. Even though the improvements associated with provision of HSR service have been reduced from those presented in the Draft EIS, the Selected Alternative will address the three needs identified for this project. A summary of the effectiveness of the Selected Alternative at meeting the purpose and need is provided below.

**Reduced Travel Time and Improved Service Reliability:** Rail passenger travel time between Chicago and St. Louis will decrease to between four hours and four hours and 30 minutes. Rail communication and signal systems will be upgraded, improving reliability and on-time performance.

**Safety:** Overall passenger safety in the corridor will increase as travelers divert from automobile to rail since rail is a safer mode of travel.

**Human Environment:** Volatile organic compound, carbon monoxide, and nitrogen oxide emissions from passenger transportation sources in the corridor will be reduced. Total annual energy consumption for all passenger travel in the corridor will also be lower.

III. **SECTION 4(f)**

The Selected Alternative will not impact any publicly owned land from a park, recreation area, wildlife/waterfowl refuge, or historic site of national, state, or local significance.

IV. **MEASURES TO MINIMIZE HARM**

All practical measures to minimize the potential environmental impacts caused by the Selected Alternative will be taken by IDOT in implementing the Selected Alternative. The mitigation measures proposed for this project are summarized in Section 4.4 and described in detail in Section 5 of the Final EIS. During final design, efforts will be made to avoid or minimize the impacts of this project to the extent reasonable. In areas where impacts are unavoidable, best management practices (BMP) will be incorporated into the design. General construction mitigation measures will include the continuation of public utility service; minimization of existing vegetation removal; control of the disposal of surplus or unsuitable material; minimization of construction noise, vibration impacts, and air pollution; and the control of erosion and sedimentation during construction.

**Social/Economic:** The Selected Alternative will require the acquisition of 0.2 hectares (0.4 acres) of commercial property at Pontoon Road (MP 272.70), where a grade separation is proposed. This improvement will also result in the displacement of one commercial outbuilding. Just compensation will be provided for the property acquisition that will be required.

Twenty-four grade crossings along the Selected Alternative are proposed for closure. Fourteen of these crossings serve pedestrian traffic only. In all instances where crossing closures are proposed, adequate reserve capacity exists on the adjacent crossings to handle the diverted traffic. No crossings will be closed without the consent of the local community or the property owner involved.

IDOT will contact each community in the Chicago - St. Louis High-Speed Rail corridor south of Dwight to discuss the possibility of fencing along the railroad tracks. If a community is interested in having fencing installed, IDOT will coordinate with that community to determine the location, style, and height of the
proposed fencing as well as whether the fencing will be on one or both sides of the railroad tracks. If an agreement can be reached, fencing will be installed. Fencing will not be installed unless agreed to by the local community.

**Water Resources:** Short-term impacts to water quality and aquatic biota could occur with the Selected Alternative. Twenty-eight streams and small tributaries could be affected. To minimize potential impact, erosion, sedimentation and bank stabilization measures will be employed, consistent with IDOT's Bureau of Design and Environment Manual.

**Wetlands:** The FHWA, FRA and IDOT have determined that there is no practical alternative to the construction of the Selected Alternative in wetlands and that all practical measures to minimize impacts to wetlands will be taken. The Selected Alternative will require the loss of 0.36 hectares (0.89 acres) of wetland. Wetland impacts will be mitigated through a wetland mitigation plan approved by the Illinois Department of Natural Resources. Compensation for wetland impacts will be provided through the purchase of credits in an approved wetland mitigation bank. Coordination will be conducted with the U.S. Army Corps of Engineers in conjunction with the Section 404 Permit of this project to determine the availability of suitable wetland banks.

If an approved wetland bank is not available at the time of permitting, wetland impact mitigation will be provided through the conversion of non-wetland areas into wetlands. The actual acreage of created wetland required for mitigation will vary depending on where the mitigation is constructed relative to the wetlands impacted and will range from 0.57 hectares (1.41 acres) to 0.73 hectares (1.79 acres). Design and implementation will be conducted in cooperation with the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and the Illinois Department of Natural Resources.

Monitoring will occur for all wetland compensation areas of 0.10 hectares (0.25 acres) or greater. Monitoring will be performed according to IDOT's Wetlands Action Plan and any conditions stipulated by the U.S. Army Corps of Engineers. Greater details on the monitoring program will be developed as part of the conceptual wetland mitigation plan.

**Natural Resources:** The Selected Alternative will require the loss of 34 hectares (85 acres) of upland vegetation. Seventy-four percent of this will be agricultural land, pasture, developed land or forbland. Restoring and enhancing environmental quality is proposed for all impact areas. All disturbed areas not occupied by project facilities will be immediately revegetated and mulched to stabilize disturbed soils, minimize erosion, and enhance the productivity and aesthetics.

The Selected Alternative will require the loss of 0.25 hectares (0.61 acres) of native vegetation. Unavoidable impacts to native communities will be mitigated through a prairie mitigation plan. Unless a higher ratio is required due to presence of high quality wetland flora, etc., compensation for direct adverse impacts (temporary and permanent) to prairies of grade C+ and higher will occur at a 1:1 ratio. Further, compensation will occur in-kind (i.e., wet prairie for wet prairie, mesic prairie, sand prairie, dolomitic prairie, etc.).

Monitoring will occur for each created or enhanced prairie area of 0.10 hectares (0.25 acres) in size or greater. Monitoring will involve photographic documentation from the same vantage point each year for a three-year period or until 80 percent ground cover by native, perennial prairie plants is achieved (whichever is later). Monitoring will be done by the Illinois Natural History Survey for IDOT, and the annual report will be coordinated and reviewed with the IDNR.
Management practices for prairie areas will focus on prescribed burn management and removal of invasive plants. Annual monitoring and long-term maintenance will identify whether removal of invasive plants will be performed by manual or chemical methods. The decision will be based on the growth characteristics of the species targeted for removal and the extent of invasion.

For long-term management, interagency agreements will be required to establish cooperative management for each created, preserved, and enhanced prairie. These agreements will allow access to and management of the existing C+ and higher prairie areas within the railroad right-of-way as well as lower grade prairies being managed to improve vegetative quality by IDOT, IDNR, or their designated representative.

No threatened or endangered species were found during field surveys of the project area of the Selected Alternative. Therefore, no impacts to threatened or endangered species are anticipated. Coordination has been conducted with the U.S. Fish and Wildlife Service and the Illinois Department of Natural Resources regarding the potential for the project to affect Federal or state threatened or endangered species. This coordination and consultation will continue as appropriate in order to assure that appropriate mitigation measures are incorporated into the project so that impacts to protected plant and animal species are minimized or avoided.

**Floodplains:** One construction project associated with the Selected Alternative would occur in areas where 100-year floodplains have been identified. However, no work should be performed below the 100-year flood elevation, and as a result, this improvement will not encroach upon the base floodplain. Therefore, there will be no impacts to floodplains.

**Special Waste:** No CERCLIS sites will be involved or impacted by this project. Preliminary Environmental Site Assessments (PESAs) for special waste were conducted by IDOT, Bureau of Railroads. The assessments concluded that the Selected Alternative could involve other special waste sites. Further investigations should be conducted to determine risks and liabilities of the involvement prior to land acquisition.

**Permits:** Section 404 permits will be needed from the U.S. Army Corps of Engineers for wetlands where filling occurs. In addition, a Section 401 water quality certification will have to be obtained from the Illinois Environmental Protection Agency. Permits from the Illinois Department of Natural Resources, Office of Water Resources, will be required for construction activity in and around streams and floodplains.

It is anticipated that this project will result in the disturbance of 0.4 or more hectares (one or more acres) of total land area. Therefore, it will be subject to the requirement of a National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharges from construction sites. Permit coverage for the project will be obtained either under the Illinois Environmental Protection Agency General Permit for Stormwater Discharges from Construction Site Activities (NPDES Permit No. ILR10) or under an individual NPDES permit.

To control local air pollution impacts, a permit may be required for portable bituminous and concrete plants used in project construction.

V. **MONITORING AND ENFORCEMENT PROGRAM**
Monitoring and enforcement of the project commitments and impact minimization/mitigation measures will be accomplished by IDOT through standard procedures to assure compliance. Specifically, IDOT will provide those individuals responsible for preparing the construction plans and those overseeing and monitoring their work with a copy of this Record of Decision, the Draft EIS, and the Final EIS to assure that required environmental avoidance and mitigation measures are included in the plans and specifications prepared for the project. The Resident Engineers overseeing the construction of the project will also receive a copy of these documents and will be responsible for assuring that all commitments are met. IDOT will regularly monitor the compliance efforts of these project participants and will report any deficiencies (and its efforts to enforce the project commitments with respect to such deficiencies) without delay to the FRA and FHWA.

VI. COMMENTS ON THE FINAL EIS

The Notice of Availability of the Final EIS was published in the Federal Register on January 31, 2003. The notice specified March 10, 2003 as the end of the wait period. By written request, this period was extended to April 15, 2003 for Kankakee County.

The following is a summary of the comments received on the Final EIS.

U.S. Department of Agriculture, Natural Resources Conservation Service: In a letter dated February 25, 2003, the U.S. Department of Agriculture Natural Resources Conservation Service stated that they completed the Farmland Conversion Impact Rating Form AD-1006 on this project in May 2000 and had no further comment.

Response to Comment: No response is required. A copy of the Impact Rating Form is provided in Appendix C (p. C-28) of the Final EIS.

U.S. Environmental Protection Agency: In a letter dated February 21, 2003, the U.S. Environmental Protection Agency (EPA) stated that they had no significant environmental concerns with the proposed action. After reviewing the Draft EIS, the U.S. EPA had raised objections to two of the three alternative alignments considered north of Dwight. However, since the Selected Alternative consists of no action north of Dwight, the issues raised in their previous objections are no longer applicable.

Response to Comment: No response is required.

Illinois Department of Natural Resources: In an e-mail communication dated February 28, 2003, the Illinois Department of Natural Resources (IDNR) raised concerns about potential impacts to Timber Creek (near Funks Grove in McLean County) and Kickapoo Creek (in Logan County). Timber Creek was adopted as an INAI stream in January 2002, and it is likely that Kickapoo Creek will become an INAI stream as well.

The IDNR also stated that in terms of wetland impacts, all of the information required by the Interagency Wetlands Policy Act was provided. They concurred with the proposed mitigation ratios and the recommendation that compensation for wetland impacts be provided through the purchase of credits in an approved wetland mitigation bank.
**Response to Comment:** As part of the Selected Alternative, no impacts were identified at either Timber Creek (MP 136.55) or Kickapoo Creek (MP 149.50) because they are located outside of the proposed construction areas.

**Illinois Environmental Protection Agency:** In a letter dated March 3, 2003, the Illinois Environmental Protection Agency stated that they had no objections to the project. They also noted that a National Pollutant Discharge Elimination System (NPDES) Construction Permit would be required for the project and Section 401 water quality certification would be required for any permit required by Section 404 of the Clean Water Act.

**Response to Comment:** The need for the NPDES Permit and the water quality certification was identified in the Final EIS (p. S-10) and is reiterated in this Record of Decision.

**City of Kankakee:** In a letter dated March 7, 2003, the City of Kankakee wrote in support of the Norfolk Southern alignment between Chicago and Dwight. Reasons for their support of this alignment included:

- It has no formal opposition.
- It would serve an area underserved today.
- It is safer because there are fewer grade crossings.
- It would provide access to the proposed airport in Peotone.
- It is the least expensive.

Accompanying the City’s letter was additional correspondence in support of the Norfolk Southern alignment from the Village of Beecher, the Village of New Lenox, the South Suburban Mayors and Managers Association, and Congressman Jessie Jackson, Jr.

**Response to Comment:** As noted in the Final EIS, an alignment between Chicago and Dwight has not been selected. Under the Selected Alternative, the current Amtrak route – through Joliet – will be used. Passenger service would consist of three round trips per day (matching existing conditions). Maximum operating speed will remain unchanged between Chicago and Dwight and will increase to 110 mph (177 kph) between Dwight and St. Louis. Ultimately, a “full-build” HSR Alternative could consist of eight round trips per day. Prior to expanding service beyond three rounds trips per day, it will be necessary to select a final alternative alignment between Chicago and Dwight. As part of that selection process and service enhancement, supplemental environmental and operational reviews will be conducted. The Norfolk Southern alignment remains a viable alternative between Chicago and Dwight and will be considered further prior to selection of a final alternative alignment through that area.

As a matter of clarification, preliminary cost estimates developed for the Draft EIS indicated that the Norfolk Southern alignment would cost the most of the three alternative alignments considered.

**Kankakee County:** In a letter dated April 8, 2003, Kankakee County wrote in support of the Norfolk Southern alignment between Chicago and Dwight.

**Response to Comment:** As noted above, an alignment between Chicago and Dwight has not been selected. Prior to expanding service beyond three rounds trips per day, it will be necessary to select...
a final alternative alignment between Chicago and Dwight. As part of that selection process and service enhancement, supplemental environmental and operational reviews will be conducted. The Norfolk Southern alignment remains a viable alternative between Chicago and Dwight and will be considered further prior to selection of a final alternative alignment through that area.

**City of Granite City:** In a letter dated March 5, 2003, the City of Granite City, citing public safety concerns, recommended that the grade crossings at 25th Street, 20th Street, and Neidringhaus Avenue be equipped with four quadrant gates.

**Response to Comment:** The identified crossings are currently equipped with conventional two quadrant gates. The Illinois Commerce Commission (ICC) has requested that all public grade crossings where speeds will exceed 90 mph (145 kph) be equipped with four quadrant gates. It is estimated that the maximum operating speed at these three crossings in Granite City will be 60 mph (97 kph) which is well below the 90 mph requested by the ICC as the threshold for providing four quadrant gates. For this reason, no changes to the existing grade crossing treatment devices are recommended.

**Illinois Farm Bureau:** In a letter dated February 28, 2003, the Illinois Farm Bureau stated that with the exception for the potential added difficulty in negotiating gated crossings with large farm equipment, the Preferred Alternative appears to pose little environmental impact to agriculture and generally satisfies the three key policies of their organization regarding the High-Speed Rail Project.

**Response to Comment:** Prior to the installation of gates at private crossings, coordination with the crossing owners will take place to address their concerns to the extent practicable.

**Main Street Lockport:** In a letter dated February 27, 2003, Main Street Lockport, a non-profit organization that supports revitalization and restoration, expressed concerns regarding high-speed rail passenger service through Lockport. Their concerns consisted of the following:

- impacts to the leafy prairie clover found in Big Run Seep;
- impacts to cultural resources;
- public safety; and
- noise.

**Response to Comment:** As part of the Selected Alternative, no action is proposed through Lockport. Trains will continue to operate at existing speeds, and no new trains will be added. Additionally, no construction is proposed through this area. Therefore, this project will not result in any direct impacts in the Lockport area.

As noted above, an alignment between Chicago and Dwight has not been selected. Prior to expanding service beyond three rounds trips per day, it will be necessary to select a final alternative alignment between Chicago and Dwight. As part of that selection process and service enhancement, supplemental environmental and operational reviews will be conducted. The concerns raised by Main Street Lockport, including speed limits, will be reviewed at that time.

**Additional Public Comment:** A few comments were received that provided general support or disapproval of the proposed action. One comment came from a couple who stated that high-speed rail service would have a negative impact on their community (Godfrey) and questioned whether the
existing track could handle high-speed trains. Additional communication from the public included requests for the Final EIS and clarification on specific grade crossing treatments.

**Response to Comment:** As documented in the Final EIS, potential negative community impacts are minimal. Less than one acre of right-of-way and one displacement is required for the Selected Alternative. Additionally, no noise, vibration, or air quality impacts were identified.

As necessary, track maintenance and improvements will be made so that high-speed trains can operate safely.

**VII. CONCLUSION**

The FHWA, FRA and IDOT have reached their decision based upon information and analysis contained in the FEIS and outlined in this document. The decision concludes that the Selected Alternative, the Build (High-Speed Rail) Alternative, as described in this document: 1) best satisfies Purpose and Need, 2) poses the least impacts to the natural and human environment, 3) has been selected based on processes in compliance with NEPA and other applicable requirements, and 4) may be advanced.