U.S. Department of Transportation

Federal Railroad Administration

FINDING OF NO SIGNIFICANT IMPACT

Girard Siding and Track Construction Project

Milepost (MP) 205.75 to MP 214.52, Macoupin County, Illinois

June 2013

Introduction: The Illinois Department of Transportation (IDOT) proposes to undertake construction of a siding track along the mainline service line of the Union Pacific Railroad (UPRR) and various track improvements between Milepost (MP) 205.75 to MP 214.52 in Macoupin County (the Project). This Project will create an 8.77 mile parallel siding track from Virden to Nilwood, Illinois and passing through Girard. The siding track has been evaluated in an Environmental Assessment (EA) prepared by IDOT to analyze and document whether the Project has significant effects on the environment. The EA also addresses improvements to signalization and at-grade rail-roadway crossings and reconstruction of the mainline track.

The Project is part of the Chicago-St. Louis High-Speed Rail Corridor Project (Original Project). For the Original Project, IDOT identified 22 miles of freight sidings in a final environmental impact statement (Final EIS). However, the exact locations of the sidings were not determined and no siding improvements in Macoupin County were proposed or assumed. The Federal Railroad Administration (FRA) issued a Record of Decision (ROD), dated January 8, 2004, which selected the Preferred Alternative as described in the Original Project Final EIS, and adopted an incremental approach to upgrading the line to support 110-mph high speed rail (HSR) service using the existing Chicago–St. Louis Amtrak route.

FRA must comply with the National Environmental Policy Act (NEPA) of 1969 (42 USC § 4321) as the Federal agency providing grant funding for the Project. This Finding of No Significant Impact (FONSI) is made by FRA based on the information in the EA prepared by IDOT to comply with NEPA,

FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 6, 1999), and other related laws.

Statement of Purpose and Need: The identification of the purpose and need is significant in determining the reasonable range of alternatives to consider for the Project. The need defines the key problems to be addressed and explains their underlying causes. The purpose states clearly why the Project is being proposed and identifies potential anticipated outcomes. The Girard Siding and Track Construction Project is an important component of the Original Project.

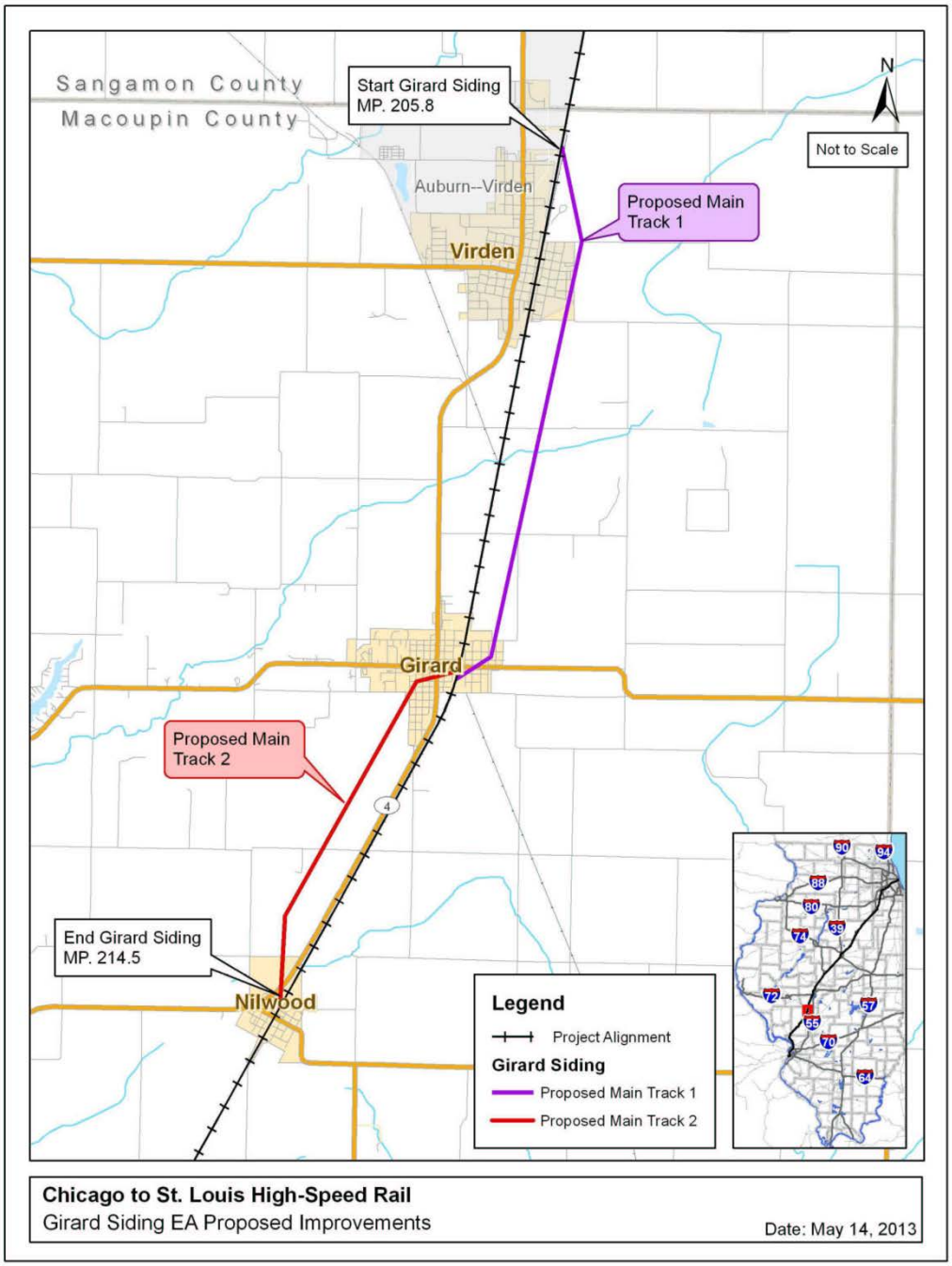
Purpose: The purpose of the Project is to make improvements which will reduce passenger train delays that occur because of frequent freight trains and a lack of passing opportunity. A new siding, gate reinforcements, and signal system upgrades will reduce delays and accommodate the increase in train speed.

Need: Providing a section of extended second main track (siding) in the vicinity of Girard addresses operational needs. First, it allows for consolidation of the UPRR and Burlington Northern Santa Fe (BNSF) lines through Girard, which will serve to reduce maintenance requirements along with other operational benefits. Second, the siding allows for dual track use between freight trains and for both corridor and long-distance trains to operate without impeding the passenger trains' progress.

Identification of the need for this track arrangement to be located in the Girard area was determined by UPRR's capacity analysis of the corridor's operation which resulted in optimized locations for sidings/extended second main track sections.

Study Area: The study area covers an 8.77 mile rail corridor in Macoupin County, Illinois along the UPRR mainline located between the City of Virden at the north terminus (MP 205.8) and the Village of Nilwood at the south terminus (MP 214.5). The City of Girard is located midway in the corridor.

Alternatives: IDOT evaluated the following alternatives in the EA: (1) the No-Build Alternative; and (2) the Build Alternative. The Build Alternative provides for three main components: (1) construction of a parallel siding track to the UPRR mainline track; (2) reconstruction of the existing mainline track, which includes upgraded signalization; and (3) improvements to twelve at-grade rail/roadway crossings.



The Project study area covers 8.77 miles through the incorporated areas of Virden, Girard, and Nilwood (2010 combined population of approximately 5,800). Virden serves as the north terminus while Nilwood serves as the south terminus of the Project study area. These three developed areas are relatively equidistant from each other: Virden and Girard are approximately 4.25 miles apart and Girard and Nilwood are approximately 3.75 miles apart (center-of-town to center-of-town). The land between these municipal districts is dominated by "rural" land consisting of agricultural land, pastureland, grasslands,

forested land, and open fields. The Project study area is located in the northeastern region of Macoupin County close to the Sangamon County border. There are no train stations or grade separated bridge crossings in the Project study area, nor any waterway crossings. The planned improvements require approximately 37.2 acres of additional ROW and construction easements to accommodate construction of new siding track, reconstruction of the existing UPRR mainline track, and reconfiguration and realignment of at-grade roadway crossings.

Selected Alternative: IDOT and FRA have selected the Build Alternative for the Girard Siding and Track Construction Project. The two major components of the Build Alternative are the construction of new siding track and the replacement of the mainline track along with improvement of the at-grade crossings.

The No-Build Alternative was not selected because it would not meet the purpose and need of the Project. The No-Build Alternative would not enhance capacity and would not increase the fluidity of operations on the UPRR line in the section between Virden to Nilwood, passing through Girard. The No-Build Alternative would also not provide the operating flexibility required in view of the growing rail freight traffic and the maintenance needed for the existing Amtrak rail passenger service.

Benefits of the Selected Alternative: Implementation of the Build Alternative would be of immediate benefit to the rail passenger and freight services using this line today, as well as the future use of this line by HSR trains. The Build Alternative would improve fluidity of train movement, decrease delays in passenger trains, and reduce congestion in the area between Virden to Nilwood. The siding track would also improve the efficiency of the railroad by allowing for train meets and sorting of cars for freight trains as well as an area for storing trains during maintenance incidents. The upgrade improvements would enhance the safety of train operations through the zone, including those grade crossings within the Project limits.

Environmental Consequences: Based upon the EA, included by reference with its appendices in this FONSI in its entirety, FRA has concluded that the Selected Alternative, including the mitigation measures for unavoidable impacts, would have no foreseeable significant impact on the quality of the natural and human environments.

FRA concurs with the preference of IDOT, and finds the Selected Alternative is best able to achieve the Project purpose and need without significant environmental impacts and by minimizing Project costs.

This FONSI focuses only on those resources that have a reasonable likelihood to be affected by the Project. The following potential impact areas are not located within the Project's study area or would otherwise not be affected by the Project, and are not addressed in this FONSI: air quality; noise and vibration; threatened and endangered species including tree resources; socioeconomic resources; environmental justice; barriers and accessibility; parks and recreational areas; Section 4(f) properties; coastal zones; and special lands. These resource areas are referenced in the EA.

The potential of the Project to result in an environmental impact is summarized in the following sections.

Water Quality and Water Resources: The Project would result in minor impacts to waterways and water quality resulting from culvert replacement and modifications. Minor impact would occur from in-stream bank work and construction activity. A small amount of stream substrate may be permanently removed to accommodate the culvert replacements at four intermittent stream locations in the Project study area. Impact minimization would be provided through the use and enforcement of IDOT Erosion and Sediment Control Policy, and National Pollutant Discharge Elimination System (NPDES) permits, that employ Best Management Practices (BMPs) (e.g., silt fences, check dams, and appropriately sized sediment basins).

Permanent BMPs installed following construction (e.g., permanent seeding and use of native vegetation) would further reduce impacts. The Project would not have any impact on groundwater resources, such as existing wells or borings. The HSR trains would not transport any freight that may be a potential contaminant of groundwater resources with the exception of the on-board fuel and other petroleum based products. UPRR has a spill prevention, control, and countermeasure plan to address any potential spill from a locomotive.

FRA finds the construction and operation of the Project would not adversely impact water quality or water resources based on the use of BMPs, as well as permitting by Illinois state agencies.

Agriculture: The Project would have minimal impacts to agricultural land along the corridor resulting in no measurable losses in crop productivity. A total of 8.34 acres of agricultural land would be

converted from agricultural use to a developed land use. Proposed right-of-way (ROW) to be acquired would be narrow strips of land that are parallel to the mainline tracks and would not create severed, landlocked, or uneconomic remnant farms.

FRA finds that, due to the availability of agricultural land within the Project study area and in the region, the conversion of agricultural land to transportation and developed use along the corridor does not represent a significant impact.

Wetlands and Waters of the U.S.: The assessment of potential wetland impacts from the Project is based upon direct and indirect impacts related to the placement of fill for new bridge abutments or piers and embankment for new track adjacent to the existing tracks during construction within the proposed ROW and environmental survey limits. Wetland impacts related to construction would include vegetation removal, placement of clean fill, and changes to the wetland hydrologic regime. Approximately 10.36 acres from 20 wetlands would be impacted by the Project. Under the implementing regulations of the Illinois Interagency Wetland Policy Act of 1989 (IWPA), impacts to wetlands having a Floristic Quality Index (FQI) rating of 20 or greater require 5.5 to 1.0 mitigation ratios. An FQI score below 10 of between 10 and 20 suggests a site of fair natural quality and an FQI of 20 or more suggests that a site has evidence of native character and may be considered an environmental asset. There are no wetlands in the Project area with an FQI rating of 20 or greater. The FQI ratings for all but one of the wetlands were below 6; with one wetland rated a 9.

Recognizing the conceptual engineering detail of the Project, further efforts would be made in future phases of work to avoid and minimize additional wetland impacts. Avoidance and minimization can be accomplished by narrowing the railroad cross-section with the use of retaining walls, steeper embankments, and bridging critical wetland resources. Avoiding and minimizing impacts to wetland resources may be constrained by other critical resources or local issues. Objectives for mitigation would be established in consultation with regulatory and resource agencies.

The wetland sites and Waters of the U.S. (WOUS) come under jurisdiction of the St. Louis District of the U.S. Army Corps of Engineers (USACE). The northern two miles of the 8.77 mile Project corridor falls within the USACE Rock Island District. This includes, but is not limited to the Section 404 permit from the USACE, Section 401 Water Quality Certification from the Illinois Environmental Protection Agency (IEPA), or other permits that may be required. Prior to construction and as part of the wetland permitting process, the UPRR would coordinate with IDOT and USACE to secure the necessary

wetland permits and mitigation as required for the Section 404 Permit and in compliance with the Interagency Wetland Policy Act of 1989.

The layout for the Project has been designed to avoid wetland impacts to the extent feasible. The 2004 ROD states that all practical measures to minimize wetland impacts will be taken. The ROD further states that compensation for wetland impacts will be provided through purchase of credits in an approved wetland mitigation bank. If an approved wetland mitigation bank is not available at the time of permitting, then mitigation will occur by conversion of non-wetland areas into wetlands. Monitoring will occur for wetlands greater than 0.25 acres and will be monitored according to IDOT's Wetland Action Plan and any conditions stipulated by the USACE.

FRA finds that no significant impacts to wetlands would occur considering the mitigation of the wetlands in coordination with the USACE and Illinois state agencies.

Floodplains: The Project would require sixteen (16) culvert crossings allowing for existing surface drainage swales to drain on either side of or underneath the rail line. Six (6) of the sixteen (16) culverts are located in rural areas, dominated by agricultural uses. The intermittent streams that are crossed by the Project do not have FEMA mapped 100-year floodplains. None of the intermittent stream crossings require bridges in the Project study area. The Project would not impact any 100-year floodplains. All proposed improvements would be outside 100-year floodplain limits.

FRA finds the construction and operation of the Project would not impact floodplains based on the lack of resources and use of BMPs as well as permitting by Illinois state agencies for water quality and water resources.

Visual Resources: The proposed Project is located parallel to the existing mainline track and in an area of developed land use with some agricultural land use and grassland habitat. There are no forested areas within the proposed siding location, although there are trees located throughout the Project area. There are no historic properties within the viewshed of the Project area with the exception of at-grade crossings with historic Route 66. There would be some impacts to visual resources due to tree removals.

Temporary easements would be needed for construction access and to stage materials; however, these easements would not require the relocation of residences, or permanently impact scenic resources. The SHPO has determined that historic Route 66 would not be adversely affected by the Project.

FRA finds that there would be no significant long-term impacts to the visual setting of the Project area due to the Project's location adjacent to the mainline track and the general land use setting.

Transportation: There are no proposed changes in the number of Amtrak trains in the Project study area and no new stations proposed in this portion of the HSR corridor. This Project would facilitate an increase in ridership over time that would in turn increase HSR passenger rail viability.

Rail: Projected freight operations would increase with the construction of new intermodal facilities proposed in Joliet and Alton. The cities of Joliet and Alton are not within the Project area evaluated by IDOT in the EA, and although the new proposed intermodal facilities would be removed by a great distance from the Girard Siding, the new facilities would have an influence on the volume of freight traffic experienced in the Project area. Rail operations would be affected without siding tracks in this portion of the route to allow through movement, affecting freight and passenger rail.

The Project would result in improvements to on-time rail performance on the existing route and provide for shorter trip times. Temporary delays during construction would be experienced, affecting operating speeds in construction zones and affecting schedules due to the necessity of temporary track shutdowns.

FRA finds that the Project would not result in significant impacts to freight or passenger transport, would result in beneficial effects to the regional transportation of goods, and would improve on-time performance and provide more efficient trip-times for rail passengers.

Motor Vehicles: The Project would result in temporary impacts to vehicular operations during construction of the additional siding track, replacement/construction of the mainline track, and at-grade roadway crossovers, and the installation of the new four-quadrant gates with vehicle detection equipment at roadway crossings. In some cases, temporary diversion of traffic to adjacent crossings could be required. Minor and temporary impacts to vehicular traffic could affect emergency services, schools, businesses, and other local activities requiring vehicular access, but only on a short term basis during Project construction.

The Project has no additional permanent impacts to vehicular traffic or parking and there are no changes to access. The identification and process by which grade crossing closures will occur associated with the alignment have been previously cleared in the Grade Crossing Closure and Enhancement FRA

categorical exclusions (CE) signed on October 18, 2011. There are 12 grade crossings within the limits of this proposal that would require temporary closings. Since there are no changes to access and no grade crossing closures, there are no impacts to bicyclists or pedestrians.

The Project is expected to have a positive impact on bicycle and pedestrian transportation through design improvements at the at-grade crossings that would accommodate crossing pedestrians and bicycles. Design elements include the dimensions, flatness, height, surface, and flangeway design (depth and width) of the crossing and also the crossing angle. Fencing installed in the municipalities of Nilwood, Girard and Virden would channel pedestrians to access locations at cross roads where crossings incorporate design features specifically considering pedestrian movement.

FRA finds that the Project would not result in significant impacts to motor vehicle traffic and would result in beneficial effects due to safety measures provided at the at-grade crossings.

Land Use, Zoning, and Property Acquisitions: The Project would impact land use with the acquisition of approximately 37.2 acres of ROW. The land use categories and percentages for the ROW to be acquired are as follows: Grassland: 25%; Agricultural Land: 23%; Hedgerow: 20%; Shrubland: 17%; Developed Land (Urban): 11%; and Forested Land: 4%.

Three structures are identified on preliminary Project plans as potentially being displaced and may require relocation: a grain elevator and a dilapidated barn-like structure at (MP 210.67) and a wooden shed (MP 214.31). Construction would require temporary road closures. Temporary easements or purchase of ROW needed for construction access and to stage materials would not require the relocation of businesses or residences. IDOT would acquire ROW in compliance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Uniform Relocation Act) (42 USC 4601-4655), as amended. IDOT would implement the provisions of the State of Illinois Relocation Assistance Plan in accordance with the Uniform Relocation Act.

FRA finds the Project would not result in significant impact to local land use or zoning.

Public Health and Safety: The Project would also not impact public health and safety because there would be no permanent change in the existing traffic flow patterns due to the proposed improvements. The Project would have a potential minor temporary impact on emergency response times from delays at crossings and temporary closures due to construction at grade crossings. All measures would be taken

during the construction phase to coordinate with emergency service providers in order to mitigate any potential impacts due to construction activity conflicts.

Two aspects of the Project would have a positive safety impact: the installation of four-quadrant crossing gates (at 12 at-grade crossings: Nilwood (1), Girard (4), Virden (3), and rural Macoupin County (4)); and the installation of fencing along the tracks in the municipalities of Nilwood, Girard, and Virden. The design improvements at the at-grade crossings would have a positive safety impact on pedestrians and bicyclists. Fencing at the edge of roadway crossings without dedicated sidewalks would be extended to the crossing signal preventing pedestrians and bicyclists from circumventing the crossing arm when it is down. Ornamental fencing would have 16-foot double swing gates. In addition, a separate sidewalk crossing gate for pedestrians with a pedestrian crossing escape pad swing gate would be part of the crossing improvements at Jackson St. in Virden, Center and Madison Streets in Girard, and Morean Street in Nilwood. The swing gate alerts pedestrians to the tracks and requires them to pause, thus deterring them from running freely across the tracks without unduly restricting their exit from the right of way. The swing gate requires pedestrians to pull the gate to enter the crossing and push the gate to exit the protected track area; therefore, a pedestrian cannot physically cross the track area without pulling and opening the gate. There are no pedestrian crossing locations other than at the roadway crossings.

FRA finds that the Project would not result in significant impacts to public health and safety.

Contaminated Sites and Hazardous Waste: The Preliminary Environmental Site Assessment (PESA) identified 27 potential recognized environmental conditions (RECs). Of the 27 identified RECs, only four of the sites were due to database concerns. The evaluation of potential adverse environmental impacts contained in the PESA includes observations, historical records research and review of database information. 13 of the identified RECs have been determined as impacting the proposed ROW or construction easement of planned improvements.

One of the locations identified as a REC in the PESA, Langheim Ready Mix (LRM), is located on an adjoining parcel to the UPRR ROW in Girard, and was assessed in a separate Phase I Environmental Site Assessment (ESA) in September, 2012. Historical research performed in the Phase I ESA identified this property as being previously occupied with spur tracks and a turn table and determined that the property qualifies as a REC due to the likely presence of petroleum products that could have impacted the surrounding soils adjoining the UPRR ROW. The ESA recommended that soil samples be collected from the soil on the central and northern portions of the property to determine if contamination is present.

In Virden, 11 Underground Storage Tank (UST) facilities (five co-listed with the Leaking Underground Storage Tank (LUST) database), seven LUST facilities (five listed as "case closed" [No Further Action/No Further Remediation] and two listed as "active") and 12 Resource Conservation and Recovery Act (RCRA) small-quantity generator listings (assigned to nine facilities) were found within the ASTM minimum search distance of ¼ mile from the rail line property. In Girard, eight (8) UST facilities (three co-listed with the LUST facilities in Girard and all "active") and two RCRA small-quantity generator facilities were found within ¼ mile of the rail line property.

A summary of the PESA findings notes that 12 of the 27 RECs fall within approximately 26 acres of the proposed ROW or proposed construction easements. An assessment of these potential impacts will still need to be determined by IDOT, which may require a Preliminary Site Investigation (PSI) prior to construction. Therefore, under the Project, the potential exists for impacts from the 12 REC sites listed in the PESA.

FRA finds the Project would not be affected by hazardous materials since known or potentially contaminated sites have been identified, prior to construction activities that could involve the release or transport of contaminated materials as well as any handling, in accordance with state and federal requirements. Appropriate design measures would be implemented to avoid known contaminated sites.

Cultural Resources: U.S. Route 66 was designated in the National Historic Preservation Act (NHPA) of 1966 (as amended) as a historically significant roadway, protecting it from any alterations to its original design in all states it passes through. In Illinois, the Illinois Historic Preservation Agency (IHPA) designated portions of U.S. Route 66 as "Historic" Route 66, including a section located in the Girard Siding study area. Historic Route (HR) 66 crosses the UPRR mainline at two locations: in Nilwood at MP 214.52 (Morean Street) and south of Girard at approximately MP 211.78 (Old Highway 4/Cambridge Road).

U.S. Route 66 originally followed the already existing Illinois Route 4 north of Hamel. The Route navigates through Staunton, Sawyerville, Benld, Gillespie, and Carlinville to Nilwood. Route 4/U.S. Route 66 from Nilwood to Girard (within the Girard Siding Project corridor) was listed on the U.S. National Register of Historic Places (NHRP) on May 23, 2002. U.S. Route 66 continues along IL Route 4 north through Virden, Thayer, to Auburn.

In a letter dated October 10, 2012, the SHPO concurred with the FRA that the Girard to Nilwood section of U.S. Route 66, which is listed on the NRHP, is the only historic resource in the Project area. The Project would intersect this historic resource at Morean Street in Nilwood and at Cambridge Road in Girard. The SHPO letter also stated that no other cultural resources worthy of the National Register consideration were identified by IDOT's Cultural Resources staff. In a letter dated February 19, 2013, the SHPO concurred with the FRA that no historic properties would be adversely affected by this Project. See Appendix B for copies of the SHPO letters.

FRA finds the Project would not adversely affect historic properties.

Construction Impacts: Impacts associated with construction of the improvements would be local and temporary and include noise, vibration, dust, and traffic disruptions. There is also the potential for impacts to intermittent streams and wetlands.

These temporary impacts would occur from operation of equipment for the construction of an additional siding track, construction of the existing mainline track, installation of new crossing gates and signal devices and equipment, and reconfiguration and realignment of at-grade roadway crossings. Normal traffic may be flagged at various times to allow entry and exit of construction equipment to the Project sites using adjacent or nearby rail/highway grade crossings. Such occurrences may be viewed by motorists as an inconvenience. However, these impacts would be temporary, and existing vehicular travel would be restored after construction has been completed.

The Project may require periodic reduction in the operating speed of trains that pass through construction zones. Also, there may be a need to adjust the schedule of rail operations if activities require temporary shutdown of selected track sections. Such schedule and/or operations adjustments would be necessary when there is a potential safety risk due to the proximity of moving trains and construction activities that are incompatible with ongoing train traffic. Such delays or disruptions may be similar to normal maintenance activities under existing conditions.

Construction could cause temporary impact to wetlands, streams, and surrounding stream banks as the track improvements are made (replacement of rail, crossties and track ballast, removal and replacement of trackside equipment). In the section where the siding track is being constructed, culverts or bridge structures would be extended or replaced. These procedures are primarily restricted to the

existing ROW, although there are also wetlands located within the additional ROW necessary for the Project.

IDOT will minimize potential impacts by requiring contractors to: 1) avoid wetlands during the establishment of construction staging areas and other construction activities; and 2) employ erosion, sedimentation and bank stabilization practices at or near creeks or creek crossings. Construction of the proposed Project will comply with BMPs for dust and noise suppression. Debris and spoil disposal, if generated, would be removed according to state and local regulations.

FRA finds that based on the evaluation the construction impacts and construction traffic would cease following completion of the Project, and the construction or operation of the Project would not adversely impact overall rail or motor vehicle transportation.

Indirect and Cumulative Impacts: Indirect impacts can be associated with the consequences of land use change and development that would be indirectly supported by changes in local access or mobility. Indirect impacts differ from those directly associated with the construction and operation of a project itself and are often caused by what is commonly referred to as "induced development." Induced development includes a variety of alterations such as changes in land use, economic vitality, property values and/or population density. The potential for secondary impacts to occur is determined in part by local land-use and development-planning objectives and the physical location of the Project.

As with any new construction, there would be additional energy expended as a result of the Project that would contribute to the cumulative impact.

The Project would provide some beneficial contributions to cumulative impacts. The proposed improved operability of freight and passenger rail service by the construction of expanded and new siding is expected to provide an overall benefit to air quality. Air quality benefits are also expected as potential motorists move to the faster Amtrak service that will be using energy efficient equipment. The improvements to the grade crossing treatments would benefit the safety of motorists crossing the railroad.

FRA finds that the Project would not result in any significant adverse indirect or cumulative impacts.

Public Comments on the Environmental Assessment: Coordination efforts began in the early stages of the Project and were designed to maintain consistent communication with residents, public officials,

businesses, property owners, stakeholders, and regulatory agencies during the environmental process. On May 17, 2013 the EA was released for 15-day public review and comment period. The document was on display on the IDOT and FRA websites. On May 23, 2013 an open house was held in Raymond, Illinois, where the public was invited to attend the meeting to review the document, provide comment and ask questions of the Project team.

Commitments and Mitigation Measures: IDOT will be required to comply with all applicable federal, state, and local permitting requirements during the implementation of the Project; which will include:

- Public Law 95-217, Clean Water Act of 1977, 33 USC § 1251-1376
- Section 106 of the National Historic Preservation Act of 1966, as amended, 16 USC § 470
- Section 404 of the Federal Water Pollution Control Act (CWA), 33 USC § 1344
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 USC § 4601 et. seq.
- Executive Order 11990, Protection of Wetlands, 42 FR 26961, signed May 24, 1977
- Americans with Disabilities Act of 1990 (42 USC Chapter 126, and 47 USC Chapter 5)

The following commitments and mitigation measures have been identified to further reduce impacts of the Project. Additional measures may also be implemented as necessary and as identified.

- Water Quality and Water Resources: Section 401 of the Clean Water Act, Water Quality Certification from the IEPA is required. Since the Project has the potential to disturb more than one acre, it may be subject to the requirement for a NPDES permit for stormwater discharges from the construction site. Permit coverage would be obtained, should it be necessary, under the IEPA General Permit for Stormwater Discharges from Construction Site Activities (NPDES Permit No. ILR10) under Section 402 of the Clean Water Act.
    - A Stormwater Pollution Prevention Plan would be prepared and implemented, if necessary, in accordance with requirements under the NPDES permit(s). BMPs such as silt fences, check dams, and appropriately sized sediment basins would be utilized during construction. Following construction, permanent BMPs would be installed to further reduce impacts such as permanent seeding and the use of native vegetation incorporated into the final landscape design.

- Wetlands: Further efforts would be made in future phases of work to avoid and minimize additional wetland impacts. Avoidance and minimization may be accomplished by narrowing the railroad cross-section with the use of retaining walls, steeper embankments, and bridging critical wetland resources. Avoiding and minimizing impacts to wetland resources may be constrained by other critical resources and local issues. Any permits required by the USACE or IDNR would be secured prior to the start of construction.
- Threatened and Endangered Species: Appropriate state or federal permits would be sought if previously unidentified endangered species are identified during construction of the Project. In addition, all activity in the immediate area would cease if previously unidentified endangered species are identified during construction.
- Noise: To minimize construction noise , construction activity would be limited to 7 a.m. to 10 p.m to limit the nighttime disturbance from exposure to construction noise. Adequate mufflers for all engines and engine driven construction equipment would also be required.
- Vibration: Measures would be taken to mitigate vibration impacts by restricting the procedures and time permitted for vibration-intensive activities, such as pile-driving, and by requiring vibration monitoring to certify compliance with vibration limits in compliance with state and local regulations.
- Public Health and Safety: Measures would be taken during the construction phase to coordinate with emergency service providers in order to mitigate impacts to emergency response due to construction activity conflicts.
- Hazardous Materials: Accidental spills of hazardous materials and wastes during construction or operation of the transportation system require special response measures. Such occurrences would be handled in accordance with local government response procedures. Refueling, storage of fuels, or maintenance of construction equipment would not be allowed within 100 feet of wetlands or water bodies to avoid accidental spills impacting these resources.
    - Further environmental studies would be conducted if the Project requires excavation, including subsurface utility relocation and a Preliminary Site Investigation (PSI) would be conducted prior to acquisition of any contaminated parcel, and/or required temporary or permanent easements if required.
    - In some cases, the portion of the Project that involves an REC can be risk managed for state and state jurisdiction ROW, and would not require additional assessment. If risk managing is not possible, further environmental study would be required, specifically a PSI, to determine the nature and extent of possible contamination. Special waste issues encountered during

construction would be managed in accordance with UPRR standard specifications and special provisions or the "IDOT Standard Specifications for Road and Bridge Construction and Supplemental Specifications and Recurring Special Provisions." In the case of an emergency involving hazardous material, UPRR would enact a hazardous materials emergency response plan.

- Construction Impacts: Prior to construction, erosion control fencing would be placed at the limits of construction. Zones of fill, grading, compaction, or equipment movement would be restricted to areas outside the protective fencing. Impacts from silt and sedimentation would be minimized through adherence to erosion control measures outlined in IDOT's Standard Specification's for Road and Bridge Construction, January 1, 2012. BMPs for dust and noise suppression would be followed. Debris and spoil disposal, if generated, would be removed according to state and local regulations. UPRR would ensure that all equipment will be in good working order and maintained, including the exhaust systems.

Conclusion: FRA finds that the Girard Siding and Track Construction Project, as presented and assessed in the attached Environmental Assessment (EA), satisfies the requirements of FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 26, 1999) and NEPA (42 USC § 4321 *et seq.),* and the Project would have no foreseeable significant impact on the quality of the human or natural environment provided it is implemented in accordance with the commitments identified in this Finding of No Significant Impact (FONSI). As the Project sponsor, IDOT is responsible for ensuring all environmental commitments identified in this FONSI are fully implemented. The EA provides sufficient evidence and analysis for FRA to determine that an environmental impact statement is not required for the Project as presented.

Karen J. Hedlund Deputy Administrator 6/21/13

Joseph C. Szabo
Administrator
Federal Railroad Administration

Date

This document has been prepared in accordance with FRA's Procedures for Considering Environmental Impacts and NEPA by the FRA's Office of Railroad Policy and Development, with assistance from FRA's Office of Chief Counsel. This document was prepared in June 2013. For further information regarding this document contact:

Andréa E. Martin
Environmental Protection Specialist
Federal Railroad Administration
1200 New Jersey Avenue SE
Washington, DC 20590
Phone: (202) 493-6201

The following organization assisted the Program Office in the preparation of the attached Environmental Assessment:

IDOT Bureau of High Speed and Passenger Rail
James R. Thompson Center
100 West Randolph Street, Suite 6-600
Chicago, IL 60601