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## MEMORANDUM

TO: Jo Carole Dawkins, Dawkins Consulting  
David Navecky, SEA

Cc: Glennon P. Hof

FROM: Sandy Brown  
Rebecca Roback

RE: Voluntary Mitigation for STB F.D. No. 34435, Ameren Energy Generating Co. -  
Construction and Operation - in Coffeen and Walshville, Illinois

DATE: November 12, 2004

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CWRC submits the following proposed voluntary mitigation measures for its proposed rail construction project. CWRC believes the proposed project is limited in scope and does not pose significant impact to the Montgomery and/or Bond County area. However, CWRC is sensitive to local communities, landowners and interested agencies. Thus, CWRC has developed voluntary mitigation measures. Overall, CWRC designed the project to utilize the shortest routes possible in order to minimize the land and resources that would be impacted by the construction footprint. In addition, where applicable, CWRC attempted to follow existing utility corridors to minimize impacts.

### Safety

1. CWRC shall consult with the Illinois Commerce Commission ("ICC") and other appropriate Federal, State and local transportation agencies to determine the appropriate requirements and other details of the grade-crossing traffic control devices.
2. CWRC voluntarily agrees to install, at its sole cost, flashers/gates at CR 9/Panama Avenue to elevate safety at this grade crossing as requested by the Bond County Engineer.

3. In order to minimize potential safety issues at Highway 127, CWRC re-aligned the railroad alignment to a more favorable crossing location at Highway 127 away from a long descending grade in order to maximize the line of sight of the traveling public approaching the grade crossing.
4. CWRC shall limit the maximum train speed on Route A to 45 mph and on Route B to 40 mph.
5. CWRC shall ensure that its selected contractor(s) undertake best management practices during construction, including development of a spill prevention plan prior to construction, and measures to be taken in case any spills occur. CWRC, through its contractor, will also consider methods of containing, recovering, and cleaning up spilled materials.

### **Natural/Biological Resources**

6. CWRC shall coordinate with USACE, IDNR and IEPA regarding the appropriate wetland and habitat mitigation.
7. If Route B is selected for construction, CWRC will plan to not clear trees during the May through September time period in order to avoid any impact to the Indiana Bat. If tree clearing during this window cannot be avoided, CWRC shall coordinate with the FWS to determine the appropriate measure to reduce potential impacts to the Indiana Bat.
8. CWRC shall take necessary measures to ensure that appropriate vegetation control is followed and herbicides applied are approved by the U.S. Environmental Protection Agency. In addition, CWRC shall ensure that the herbicide spraying company is licensed.
9. CWRC shall, to the extent practicable, revegetate cleared areas with native species as quickly as possible.
10. CWRC has modified drainage or other crossing structures at various locations to minimize impacts to animal movements. For example, the Route A crossings including Lake Fork Creek, Shoal Creek, and Bearcat Creek crossings will be bridged thereby reducing potential impacts to the river otter habitat to an insignificant level. In addition, the culvert crossing at Grove Branch Creek on Route B will be sized to minimize any impacts to the river otter habitat. Further, the proposed culverts at Stream 19 and other intermittent streams will be sized to minimize any natural resource impacts.

### **Water Resources/Wetlands**

11. CWRC shall coordinate with USACE, IDNR and IEPA regarding the appropriate wetland mitigation.

12. To minimize impacts to Coffeen Lake, CWRC redesigned the crossing and added a bridge in order to minimize a potential water stagnation issue.
13. CWRC shall employ best management practices to control turbidity and disturbance to bottom sediments during project-related construction of the Coffeen Lake crossing.
14. In order to minimize sedimentation into streams and waterways during construction, CWRC shall use best management practices, such as silt screens and straw bale dikes to minimize soil erosion, sedimentation, and runoff during construction related activities. CWRC shall disturb the smallest area possible around water resources and conduct appropriate reseeding as soon as practicable.
15. During construction, CWRC shall require all contractors to conduct daily inspections of all equipment for any fuel, lube oil, hydraulic, or antifreeze leaks. CWRC shall require that if leaks are found, the contractor will immediately remove the equipment from service and repair or replace it and remediate the spill.
16. CWRC shall design all project-related drainage crossing structures to pass a 100-year flood and CWRC shall coordinate with IDNR to ensure the new floodplain crossings are appropriately designed to minimize impacts. CWRC shall construct the new rail line in such a way as to maintain current drainage patterns to the extent practicable.
17. CWRC shall take necessary measures to ensure that appropriate vegetation control is followed and herbicides applied are approved by the U.S. Environmental Protection Agency. In addition, CWRC shall ensure that the herbicide spraying company is licensed.
18. CWRC shall prohibit project-related construction vehicles from driving in or crossing streams at other than established crossing points.

### **Land Use**

19. CWRC shall make reasonable efforts to identify all utilities that are reasonably expected to be materially affected by the proposed construction within the ROW. CWRC shall work with each utility to determine the appropriate project-related modification needed, if any, and enter into an agreement regarding the same, if necessary. CWRC shall pay all project-related costs associated with these modifications or adjustments.
20. In the unlikely event of any inadvertent damage, CWRC commits to working with farmers and ranchers to remedy damage to crops, pastures, or rangelands caused by project-related construction.

21. CWRC shall ensure all construction debris is removed and disposed of in a proper and legal manner consistent with all applicable Federal, State, and local disposal procedures.
22. CWRC shall limit construction activities and vegetation clearing to the ROW, to the extent possible. Land areas that may be directly disturbed by project-related construction and not owned by CWRC (which is not currently anticipated), shall be restored to their original condition, as may be reasonably necessary, upon completion of project-related construction.
23. CWRC's project-related construction vehicles, equipment, and workers shall not access work areas by crossing residential properties without the permission of the property owners.
24. CWRC shall coordinate with the Illinois Department of Transportation regarding any agreement needed for the crossing of the state-owned land near Route 127.

### **Geology/Soils**

25. CWRC shall limit ground disturbance to only the areas necessary for project-related construction activities.
26. CWRC shall commence reclamation of disturbed areas as soon as practicable after project-related construction ends along a particular stretch of rail line. The goal of reclamation shall be the rapid and permanent reestablishment of native ground cover on disturbed areas.
27. During project-related construction, CWRC shall take reasonable steps to ensure contractors use fill material appropriate for the project area.

### **Transportation**

28. CWRC shall install, at its sole cost, traffic control devices at all grade crossings as approved and permitted by the ICC.
29. CWRC shall work to minimize traffic delays during crossing construction. CWRC shall place appropriate signs and barricades to control traffic during construction as applicable. At least one month before road crossing construction begins, CWRC shall notify and provide information to the nearest fire department and emergency response units and notify the County, ICC and IDOT of the planned roadway construction schedule.
30. CWRC shall coordinate construction, as necessary, of the crossing of the existing track with the affected carrier in order to prevent interference and to ensure the safety of current rail operations.

### **Air Quality**

31. CWRC shall follow Federal, State, and local regulations regarding the control of fugitive dust emissions. This may include spraying water, applying a magnesium chloride treatment, placing tarp covers on vehicles, and installing wind barriers, if necessary.
32. CWRC shall work with their contractors to make sure that construction and maintenance equipment is properly maintained and that mufflers and other required pollution-control devices are in working condition in order to limit construction-related air emissions.

### **Noise and Vibration**

33. CWRC shall work with their construction contractors to minimize, to the extent practicable, construction-related noise disturbances near any residential areas.
34. CWRC shall require its construction contractor to maintain project-related construction and maintenance vehicles in good working order with properly functioning mufflers to control noise.
35. CWRC shall use continuously welded rail and rail lubricants, as practicable, on the newly constructed line in order to reduce wheel/rail wayside noise.
36. CWRC shall require, as practicable, its contractor(s) to comply with FRA regulations that establish decibel limits for train operations and locomotive noise standards.

### **Cultural Resources**

37. CWRC shall comply with Illinois State Historic Preservation Officer's ("Illinois SHPO") requirements with regard to cultural resources protection. CWRC shall complete any Phase II archaeological investigations identified as potentially eligible for listing on the *National Register of Historic Places*. Pending completion of the section 106 process, CWRC shall ensure that the Phase II archaeological sites in the proposed right-of-way are not adversely impacted.

### **Environmental Justice**

38. CWRC shall assist as necessary to ensure that a copy of the environmental report is sent to all residences within 500 feet of Route A and Route B.

**Miscellaneous**

39. CWRC shall select a contractor who will perform all maintenance and inspections in compliance with Federal Rail Administration (“FRA”) standards. CWRC shall also ensure that its contractor uses practices recommended by American Railway Engineering and Maintenance of Way Association for project-related construction.