



Re: FD 35952 Great Lakes Basin

Jan to: David.Navecky

05/03/2016 03:17 PM

History:

This message has been replied to.

Mr. Navecky,

Thank you for responding to my email. I went to the public meeting in Seneca, IL. You must have had a very busy few weeks!

After listening to your explanation for the STB process, I have several questions:

1. Am I correct that the rules starting at 49 CFR 1105.1, apply to the environmental review (either an Environmental Assessment or a Environmental Impact Statement)?
2. Do the rules beginning at 49 CFR 1150.1, regarding certification, also apply to the application process? Assuming they do, is that analysis done simultaneously with the EA/EIS?
3. If 49 CFR 1150.1 et seq. do not apply, what analysis does the STB conduct to determine whether the project is feasible financially and whether it serves the public convenience? Is there a draft analysis on this aspect or will there be one? Would this (public convenience) analysis also be performed by the consultant? When will the draft analysis on public convenience be done by the STB? Where can I review a copy of the draft or final analysis?
4. When I file comments, what are the requirements for them? Upon whom must they be served? (I see there are specific requirements for filing an application & for comments, in 49 CFR 1150.10.)
5. If my comments include facts pertinent to my interests, am I correct that it would best be done by affidavit?
6. Is the 10/15/15 letter from Jay Johnson deemed to be Great Lakes Basin's application? If not, where can I view the actual application?
7. If that letter is the application, it states that "the purpose of the GLB is to construct and operate a safe, reliable, and entirely new rail bypass around Chicago that would link existing main lines entering Chicago, permit trains to bypass the congested terminal area, and add capacity to accommodate existing and future growth while avoiding major population centers along the route." So, would all alternatives have to be an entirely new rail bypass?
8. Prior to the Seneca public meeting, one of the consultants said that each comment will be considered once, i.e., if a dozen comments raise the same concern that concern will be considered once. How would that apply to my concerns a) about the cost to farmers of having their field bisected by the track; b) the safety concern of having farm machinery crossing railroad tracks in order to get to the other half of the field? In other words, if I comment that bisecting my farm at a diagonal will add 35% more time to each type of field work (disking, plowing, planting, cultivating, spraying, and harvesting). Would the consultant investigate to what degree that concern would be present on other fields the track crosses at a diagonal? Or, if only I or a few farmers raised the concern would the STB assume that cost did not apply to the other farms crossed by the track?

9. If an issue is raised in comments, can the conclusion in the draft EIS, be addressed by additional information? For example, if I comment about the 35% more time concern above, and the Draft EIS states that there was insufficient information to make that conclusion, could I, or other commenters, add information in support?

10. Who makes, and at what point in the process is there a determination whether the proposed tracks are consistent with the public convenience & necessity?

11. I assume that the work to be done by the consultant is described in the consulting contract and request for bids, if there was one. How can I get a copy of that information? Would I need to send a Freedom of Information Request? If so, is there a form & where should I send it?

I hope you understand and can answer my questions. I am sorry there are so many questions, but I will need this information to formulate, write, and file my comments. If I should direct my questions to someone else, please let me know. I would certainly be happy to give you a call at a time that is convenient for you, if that would be easier than emails.

Sincerely,
Jan Von Qualen
Work (217) 785-3402
Home (217) 544-6084

Sent from my iPad

> On Apr 26, 2016, at 9:40 AM, David.Navecky@stb.dot.gov wrote:

>

> Ms. Von Qualen -

>

> I hope you were able to attend the scoping meeting and were able to get answers to your questions. If you continue to have questions, please let me know.

>

> Thanks,

>

> Dave

>

> Dave Navecky

> Office of Environmental Analysis

> Surface Transportation Board

> 395 E Street SW

> Washington, DC 20423

> 202-245-0294

> www.stb.dot.gov

>

>

>

> From: Jan <janvonq@gmail.com>

> To: david.navecky@stb.dot.gov

> Date: 04/19/2016 06:21 PM

> Subject: FD 35952 Great Lakes Basin

>

>

>

> Dear Mr. Navecky,

>

> I own a small farm that is bisected by the proposed route for the GLB rail

> line. I want to participate in the process and have a couple questions
> that I hope you can answer.
>
> I plan to attend the scoping meeting in Seneca, Illinois on April 21. I
> may speak; I am certain that I will submit comments. I see there are
> specific requirements for filing an application & for comments, in the
> Surface Transportation Board's (STB) Rules of Practice (49 CFR 1150.10).
> 1150.10 provides for a petition for a waiver, but I do not see specific
> requirements as to what information must be contained in it. Do the
> requirements for an application apply? If not, is there a rule or
> guidelines that apply? I would like to know what information is considered
> in regard to a request for a waiver.
>
> Do any of the 1150.10 requirements, or more specifically does 1150.10(g),
> apply to comments filed in the comment period for the EIS Scope of Study?
> If those procedures do not apply, what procedures do apply?
>
> In order for an issue to be considered relevant to an application, or
> petition for waiver, is an issue generally (or required to be) included
> within the EIS scoping? In other words, is there a practical or legal
> relationship between the EIS Scope of Study and whether an 1150.10(a)
> waiver is granted?
>
> What role would the STB play in regards to the routing of the proposed rail
> line?
>
> Are there rules addressing what an applicant must demonstrate as to
> financing of the construction? Or if there is no rule, is there a custom
> as to what is required?
>
> What are the requirements as to verifications of filings?
>
> For what purpose are the comments considered and what weight are they
> given?
>
> If these questions are more appropriately asked at the scoping meeting,
> just let me know & I will ask them there. Thank you for any information
> that you can share.
>
> Sincerely,
> Jan Von Qualen
>
> Sent from my iPad
>